

RELIGION, LAW, and COVID-19 in EUROPE

A Comparative Analysis

Edited by

Brian Conway

Lene Kühle

Francesco Alicino

& Gabriel Bîrsan

HUP HELSINKI
UNIVERSITY
PRESS



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Abbreviations

ACN	Aid to the Church in Need
ACP	Association of Catholic Priests
AfD	Alternative für Deutschland (Alternative for Germany)
BAMF	Bundesamt für Migration und Flüchtlinge (Federal Office for Migration and Refugees)
B-VG	Bundes-Verfassungsgesetz (Austrian Federal Constitutional Law)
BBConf	Belgian Bishops' Conference
BOC	Bulgarian Orthodox Church
COMECE	Commission of the Bishops' Conferences of the European Union
CCI	Canadian Council of Imams
CEC	Conference of European Churches
CEI	Conferenza Episcopale Italiana (Italian Bishops' Conference)
CESNUR	Centro Studi sulle Nuove Religioni (Center for Studies on New Religions)
CFCM	Conseil français du culte musulman (French Council for Muslim Worship)
CIE	Comisión Islámica de España (Spanish Islamic Commission)
CIS	Centro de Investigaciones Sociológicas (Centre of Sociological Investigations)
CTS	Comitato Tecnico Scientifico (Technical Scientific Committee)
CORE Forum	The National Forum for Cooperation of Religions in Finland
COVID-19	Coronavirus disease
DAP	Dipartimento dell'Amministrazione Penitenziaria (Department of Penitentiary Administration)
DITIB	Türkisch-Islamische Union der Anstalt für Religion e.V. (Turkish-Islamic Union for Religious Affairs)

DSB	Direktoratet for Samfunnssikkerhet og Beredskap (Norwegian Directorate for Civil Protection)
EARS	European Academy on Religion and Society
ECC	Estonian Council of Churches
ECDC	European Centre for Disease Prevention and Control
ECHR	European Convention on Human Rights
EELC	Estonian Evangelical Lutheran Church
EKD	Evangelische Kirche in Deutschland (Evangelical Church in Germany)
ELCF	Evangelical Lutheran Church of Finland
ELCD	Evangelical-Lutheran Church in Denmark
EMB	Executive of Muslims in Belgium
EC	European Council
ECTHR	European Court of Human Rights
ESS	European Social Survey
EUREL	EUrope-RELigion
EVS	European Values Study
FdL	Fratelli d'Italia (Brothers of Italy)
FEREDE	Federación de Entidades Religiosas Evangélicas de España (Federation of Evangelical Entities of Spain)
FOC	Finnish Orthodox Church
GAA	Gaelic Athletic Association
GDR	German Democratic Republic
HLAS	Hlas – sociálna demokracia (Voice – Social Democracy)
INS	Institutul Național de Statistică (National Institute of Statistics)
IRN	Islamic Council of Norway
ISKCON	International Society for Krishna Consciousness
ISS	Istituto Superiore di Sanità (Italian National Institute of Health)
ISSP	International Social Survey Programme
MDN	Muslimsk Dialognettverk
MSB	Myndigheten för Samhällsskydd och Beredskap (Swedish Civil Contingencies Agency)
ODIHR	Office for Democratic Institutions and Human Rights
ORPS	Observatorio del Pluralismo Religioso en España (Observatory of Religious Pluralism in Spain)
OSCE	Organization for Security and Co-operation in Europe
PEW	Pew Research Center
PHA	Public Health Agency (Sweden)
PPE	Personal protective equipment

RBM	Religious or belief minority
RE MID	Religionswissenschaftlicher Medien – und Informationsdienst e. V. (Religious Studies Media and Information Service)
ROC	Romanian Orthodox Church
SMER	SMER - SD - Slovenská sociálna demokracia (DIRECTION - Slovak Social Democracy)
SMRE	Swiss Metadatabase of Religious Affiliation in Europe
SNS	Slovenská národná strana (Slovak National Party)
SNSLP	Slovenské národné stredisko pre ľudské práva (Slovak National Centre for Human Rights)
StGG	Staatsgrundgesetz (Austrian State Basic Law)
UCOII	Unione delle Comunità Islamiche d'Italia (Union of Islamic Communities and Organizations of Italy)
UEC	United Evangelical Churches
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
VfGG	Verfassungsgerichtshof Österreich (Austrian Constitutional Court)
WHO	World Health Organization
WVS	World Values Survey

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Finally, Brian dedicates this edited volume to his parents and to the memory of his brother Joe and his former professor Mary Jo Deegan.

Brian Conway,
July 2024

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Introduction

Religion, Law, and COVID-19 in Europe: A Comparative Analysis

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Introduction¹

On 11 March, 2020, the social world seemed to be upturned. This date marked the formal declaration by the World Health Organization of COVID-19² as a pandemic, which by then was diffusing across the world from its initial outbreak in China in December 2019.³ What became apparent very early on was that this experience – like most pandemics before it⁴ – took humanity by surprise and reached into virtually every single corner of society. From health care to education, from travel to sport, from dating to shopping, from politics to religion, all human life was affected. The sudden recovery of collective memories of largely overlooked past pandemics – such as an earlier 1918 Spanish flu – provided perhaps one of the few cultural guideposts for interpreting it (Vinitzky-Seroussi and Maraschin 2021), notwithstanding important differences between the two pandemics (Chandra, Christensen, and Likhtman 2020).

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Faced with this challenge, governments across the world mobilised to respond. This reaction took many different forms, from national lockdowns and widespread testing to vaccine development and ‘herd immunity’ (Cascini et al. 2022; Greer et al. 2021), ‘social engineering’ efforts (Thunder 2021) reflecting different logics about the nature and trajectory of a virus that was (then) still poorly understood. One of the most contested aspects was national lockdowns, which imposed government-mandated restrictions on day-to-day social and economic life, though they varied quite considerably in their harshness from one country to another (Kriesi and Oana 2022), amid different levels of cushioning from public policy supports (Greer et al. 2021). Unsurprisingly, these met with variable compliance from ordinary people and businesses, as they struggled to make sense of their uprooted social worlds. In some European countries, restrictions even prompted protests against national governments despite the then unfavourable context for street politics (Kriesi and Oana 2022).

Thus, it is difficult to make broad generalisations about the COVID-19 pandemic experience. This is particularly true when considering Europe, where, especially in early 2020, the incidence, hospitalisation, and death rates all varied significantly cross-nationally and at the sub-national level as well (Czypionka and Reiss 2021; Plümper and Neumayer 2022). In February 2020, Europe even became one of the global focal points of the pandemic. Who will forget the images from Bergamo, a city in northern Italy, of the dead being brought in military trucks to crematoriums in other cities?⁵ Or the images of Bergamo hospital staff in personal protective equipment (PPE) struggling to provide care amid the overwhelming of health service capacities?⁶ Or the images of lines of coffins in a Bergamo church being blessed by a Catholic priest?⁷ Yet, as the virus fanned out across this world region, it showed there were Bergamos in places other than Italy, sparking a public health crisis of a kind not experienced in a century. This was the case regarding the outbreak itself but also with respect to restrictions brought in by state authorities (Czypionka and Reiss 2021; Kriesi and Oana 2022; Plümper and Neumayer 2022),⁸ including ones impacting religions and religious freedom, in the legal and sociological understandings of the term.

This large-scale disruption, in turn, prompted a sudden wave of research on different aspects of COVID-19’s societal impact, enabling social scientists to better understand its consequences from the

beginning (e.g. Grasso et al. 2021; Greer et al. 2021). An early thought-piece during the pandemic invited sociologists to better understand its relevance specifically for religion, setting out a number of interesting lines of inquiry (Baker et al. 2020). Even so, within this body of research relatively little work has investigated COVID-19's influences on religion, especially in comparative terms and within specific world regions such as Europe. Also, it is clear that, while the pandemic had diverging influences across different world regions and elements of global social life, zooming in on a single world region (i.e. Europe) and element of society (i.e. religion) helps us to see the pandemic's consequences afresh.

Thus, how can the influence of COVID-19 on religion in Europe be understood? The present volume, *Religion, Law, and COVID-19 in Europe: A Comparative Analysis*, seeks to describe and explain how the pandemic and the subsequent legal restrictions on collective activities influenced religious life and the exercise of religious freedom, as well as religion–state relations, in Europe. Based on 19 in-depth country case studies combining legal and sociological analyses and reflecting the diversity of Europe's religious landscape, we attempt to show how the pandemic influenced religious groups by curtailing collective aspects (e.g. the suspension of rituals and the closure of religious buildings) and how they adapted to them, especially via innovations in online forms of religion.⁹ Relatedly, we seek to investigate how the severity of religion-related restrictions varied across different contexts and how religion–state interactions regarding them changed during the pandemic and, in some cases, gave rise to fraught public controversies. More broadly, this edited volume attempts to show the importance of social and legal contexts in understanding the influence of critical incidents on religion and society in the modern world.

In this volume, we view religion both as a dependent variable and as an independent variable. In other words, we are interested in how the pandemic influenced religion (outcome variable) (e.g. whether or not religious groups changed their ritual behaviours) and in how religion influenced the pandemic (predictor variable) (e.g. whether religious groups provided legitimacy or not for government restrictions, which, in turn, impacted the course of the pandemic). Within a given societal context, this legitimacy question is not simple or straightforward. For example, some religious groups may have supported the restrictions while others did not. Also, ordinary adherents may have diverged from

the cues of religious leaders regarding restrictions. In the chapters, we pay most attention to religion as a dependent variable, while recognising the need to take account of the role of national contextual factors.

As mentioned, over the past four years or so, the COVID-19 pandemic has prompted a large volume of social science research, which continues to grow. Within the field of religion, a number of insightful works relate to the influence of the pandemic on religiosity.

Past book-length studies on this influence fall into three basic categories. One category (e.g. Goshen-Gottstein 2020; Hampton 2021; Kaunda et al. 2021) attempts to understand the impact of the pandemic on religion from an expressly faith-based or theological perspective, as distinct from a social science one, but some have used a combination of the two (e.g. Bullivant 2020). Sometimes work within this tradition offers practical advice to religious leadership about maximising the perceived opportunities offered by the pandemic (e.g. Bullivant 2020; Campbell and Shepherd 2021).

A second body of work reflects on the influence of the pandemic on religion but focuses either on a different world region or on a single case (e.g. Djupe and Friesen 2023; Sibanda, Muyambo, and Chitando 2022). Some studies within this tradition focus on how religion intersects with other social distinctions such as race within a single national context. For example, Floyd-Thomas (2022) investigates the racialised response to the pandemic in the US, driven largely by white Christian nationalist ideology, and how this has been weaponised politically. Similarly, Djupe and Friesen's edited volume focuses on how the pandemic influenced religious groups in the US context, but also how religion acted back on the pandemic (Djupe and Friesen 2023).

A third category of studies applies a social science framework within a worldwide context but focuses more on politics than on religion. For example, based on in-depth country case studies, Greer and colleagues investigate the role of political institutions (i.e. the state, especially in its different varieties) and actors in steering responses to the pandemic across different world regions, particularly in the domains of health and social welfare (Greer et al. 2021).

Beyond these works, some important research has been undertaken on the consequences of COVID-19 on individual-level religious practice within specific religious traditions. For example, work by political scientist Kadir Yildirim and colleagues investigates COVID-19's effects on religious practice within Islam using large-scale social surveys, by

comparing it across different national settings (Baker Institute 2022; Masoud, Yildirim, and Mandaville 2021).¹⁰ By showing how the pandemic may have helped to bolster individual-level religiosity in five Muslim-majority contexts (Egypt, Indonesia, Pakistan, Saudi Arabia, Turkey) or to have led to changes in the way religion is expressed, this research is useful in shedding light on denomination-specific consequences. However, this work pays less attention to macro-scale dynamics.

Additionally, although some past work on the impact of the COVID-19 pandemic on European societies has considered religion (e.g. Amati, MacDiarmid, and Clerx 2022; Grasso et al. 2021), this has tended to focus on capsule summaries of select cases or potted accounts of individual countries rather than attempting to directly compare trends and patterns cross-nationally.

Our own long-standing involvement in a Europe-wide network of scholars of religion and law – EUREL – prompted a focus on this topic as part of this network's recent scholarly activities.¹¹ Three of us – Gabriel Bîrsan, Brian Conway, and Lene Kühle – led a gathering of brief country reports by academic colleagues across Europe on 'Religion and the COVID-19 Pandemic in Europe', which were presented at a EUREL correspondents' meeting in Paris, France, in September 2022. Although these largely descriptive reports were interesting and informative, their lack of a broader conceptual and comparative framing and relative brevity, as well as the timeliness and relevance of the topic, spurred us to build on and extend them. Thus, we set about developing this edited volume.

These early country reports focused on both sociological and legal aspects, guided by a common set of orienting questions. In light of the academic exchange arising from the presentations of the reports by the contributors as well as our own reflection, we added some additional questions to help guide the writing of the country chapters. The contributors themselves reflect different scholarly backgrounds (in this case, sociology and law), each a specialist in their national context, and share a common interest in better understanding the relation between religion and the law in a wider European context.

Against this background, the present volume seeks to advance our understanding of the influence of the pandemic on the internal workings of religions and religious freedom in three significant ways. First, we showcase a range of country-level studies reflecting the diversity of

Europe, paying particular attention to the influence of COVID-19 on religion and freedom of religion at the macro level. Second, we engage in direct comparison of cases within this world region, comparing cases across select clusters of countries defined by their major religious or secular profile, as well as comparing cases within these groupings. In this regard, we compare countries, religious traditions, and legal systems that have not been frequently investigated together regarding the influence of COVID-19 on religion. Third, we attempt to explain variation in COVID-19's influence on religions and religious freedom (in its public meaning) across different contexts, focusing on the role of religion-related factors but also political histories and local–national legal cultures.

Theoretical Framing

Although we are interested in this volume in understanding whether the pandemic influenced individual-level religious practice across the various countries, we pay most attention to describing and analysing how the pandemic influenced macro-level religious dynamics. Thus, to help guide the analysis of the variety of country-level studies included in this volume, we developed an analytical framing drawing on insights from the social science (sociology, political science, law) literature. This deductively generated framing focuses on three key conditioning factors that we consider important in explaining the different influences of COVID-19 on religions and religious freedom at the macro level across the different societies under study. These contextual and institutional factors have to do with the religious landscape (Type I factor), political history (Type II factor), and legal tradition (Type III factor). For each factor, we develop one or more propositions, which provide a basis for comparing the case studies within and between the country groupings and which also attempt to explain (from a religion and religious freedom view) the logics guiding the approach to COVID-19 from its initial outbreak to the diffusion of vaccines. In the conclusion, we include some reflections on the degree of support (or not) for our propositions, bringing in some insights revealed from the case studies themselves and thus also partly applying an inductive approach.

Religious landscape: This Type I factor has to do with a number of conditioning factors. One relates to whether the society under study is characterised by a majority church or not. A majority church can rely

on its numerical strength to provide legitimacy for its public claim-making and to rally support among devotees for its stances (Grzymała-Busse 2015, 8–9; Soper and Fetzer 2018, 15), even amid differentiation between state and religious authorities.¹² Additionally, a majority church is likely to operate either in a context where the state accommodates its interests even while remaining separate from it or, alternatively, in one where the state and the church are closely intertwined (Buckley 2016). Put differently, a majority church in a society may be an official state church or one that is not but still enjoys support from the state (Fox 2018).

A second related aspect of the religious landscape that we pay attention to is church–state interactions.¹³ These interactions can be characterised by cooperation, conflict, or a mix of both, depending on such things as historic ties to secular rulers, the church’s social and legal influence, or the degree of secularity of the state (Buckley 2016; Keddie 1997; Kuru 2007, 2009). Within Europe, there is significant variation in church–state interactions (Barro and McCleary 2005; Davie 2000). Here, we might usefully distinguish between three different models:¹⁴ one model (e.g. France), where the state’s ‘assertive secularism’ (Kuru 2007, 568) crowds out religion’s public presence (Ecklund, Johnson, and Lewis 2016), a second model (e.g. Denmark) where there is a state religion (Nielsen and Kühle 2011), and a third model (e.g. Italy), where there is close historic cooperation, even at the constitutional level, between a major religion (e.g. the Catholic Church) and the state, as well as between minority religions (other than Catholicism) and the state, but without a formally established state religion (Fox 2008). Thus, we expect:

P1a: Societies with a majority religion should exhibit more consensus among adherents and/or religious leaders than societies that lack a majority religion regarding the pandemic management of religion.

P1b: Societies with historic legal cooperative relations between church and state should exhibit more conflict-free relations during the pandemic than societies that lack a tradition of cordial legal interactions.

Another relevant aspect of the religious landscape that we focus on concerns religion–science interactions. There is a long history of scientists struggling with religious groups over the power to define what is true and known, a debate that continues to rage nowadays (Ecklund,

Johnson, and Lewis 2016; Evans and Evans 2008; Scheitle and Corcoran 2021). At the same time, important scientific discoveries have been made by religious actors (Farrell 1998), an indicator that the division between the two domains is not as wide as is often assumed (Ecklund, Johnson, and Lewis 2016; Evans and Evans 2008).

Historical experience shows that religious groups have frequently centred divine origins rather than human ones as the root cause of pandemics, but today this view is less common as religious groups move toward greater acceptance of scientific authority (Evans and Hargittai 2022; Phillips 2020). For example, this is reflected in support across different faith traditions for advances in vaccine development during the COVID-19 pandemic and generally favourable views of pandemic management by public health authorities regarding religion (Phillips 2020).¹⁵ Thus, empirical indicators of religion–science interactions during the COVID-19 pandemic could include whether religious groups supported public health authorities and vaccination efforts, either by supporting scientific messaging around vaccines or by offering church buildings as vaccination centres, even as scientific knowledge about the virus was always developing at the time.

At the same time, there is also noteworthy variation across religious groups in their degree of support for scientific knowledge, with conservative Protestant groups historically being less supportive than other religious groups such as Catholics (Evans and Hargittai 2022). In recent times, Christian nationalist ideology in particular has fuelled negative evaluations of scientific authority, especially in the US context (Whitehead and Perry 2020). Also, past research suggests that some non-Christian groups, such as Hindus and Muslims, may be less accepting of scientific authority (Trepanowski and Drązkowski 2022). Whether religious groups oppose or support scientific authority, they will often rely on appeals to different legitimations, either religious or secular or a mix of the two (Phillips 2020).

Even so, degrees of support for scientific authority may vary depending on the topic at play, with ones more challenging to religious doctrines being less likely to be supported by adherents (Scheitle and Corcoran 2021). It is also the case that, within the world regional context of Europe, differences in church–state interactions (e.g. secular Estonia versus religious Ireland) or political systems (Rogińska 2023) could conceivably lead to variation in religion–science interactions,

as such factors can provide a favourable context for religious-based claims or not (Ecklund, Johnson, and Lewis 2016).

When comparing countries with the same religious tradition, however, religion–science interactions should be broadly similar in light of the commonality in church teaching across different contexts, even allowing for national particularities in the tailoring of teachings to specific local environments (Palacios 2007). Similarly, secular-majority countries, sharing the same secular milieu, should reflect commonalities in how they perceive and think about scientific authority.

Thus, we expect:

P1c: Societies with a secular majority should be characterised by greater acceptance of scientific authority during the pandemic compared to societies with a religious majority.

P1d: Societies with the same religious/secular majority should reflect similar degrees of support for scientific authority during the pandemic.

Political history: This Type II factor has to do with whether the society under study is characterised by a history of communism. This may be considered as an example of a period effect, where most ordinary people are impacted by some big happening (Molteni and Biolcati 2023). One area in which this mattered had to do with organisational life. During the communist era, there was an associational life in Eastern European countries, but ordinary citizens' participation was steered by the state, frequently linked to obtaining other needed goods such as jobs. Thus, civic life became a kind of performative act, which led to the erosion of trust in political institutions and, more broadly, social trust (Howard 2003).¹⁶

While this experience of communism's 'anti-civic' impacts took place several decades ago, social scientists acknowledge the continued imprint of this on society (Howard 2003), especially regarding people's views and opinions about the state.

In such a context, state actions – whether to do with managing a pandemic or not – are likely to be treated with a degree of scepticism by ordinary people.

A second relevant aspect of the communist experience concerns its impact on religiosity. As this period was characterised by state repression of religion, albeit to varying degrees and with different impacts in different national settings (Howard 2003; Zrinščak 2004), it resulted

in varying patterns of secularity, with religious groups enjoying less influence among adherents in some contexts afterwards and more in others (Pollack and Rosta 2017). For example, in Poland, the Catholic Church's influence in society grew after communism, whereas in other societies, such as Hungary, the influence of Catholicism waned (Pollack and Rosta 2017). In general, though, the story of individual-level religiosity in recent times in the former communist countries that are included in this volume has been more one of decline than growth, with the exception perhaps of Bulgaria and Romania (Pollack and Rosta 2017).

Taken together, these two aspects emphasise the historical legacy of communism on present-day societal dynamics (Howard 2003). Thus, we expect:

P2a: Societies with a prior history of communism should be more likely than societies that lack this history to exhibit conflict with regard to religious restrictions.

P2b: Societies with a prior history of communism should be more likely than societies that lack this history to exhibit weaker support among adherents for religious leadership during a pandemic.

Legal culture: One of the interesting features of the pandemic was religious groups in some countries taking cases to national court systems to advance religious freedom claims in the context of state restrictions amid a public health emergency, a new basis for advancing such claims in modern (European) societies. Across different contexts, this created a tension between religious freedom on the one hand and public health on the other (Madera 2022), with the latter often winning out as the basis of other rights (*ius existentiae*). Even so, it is worth noting that religious freedom claims related in some cases to public practices (*libertas ecclesiae*) and in others to private beliefs (*libertas fidelium*) (Colaïanni 2020).¹⁷ Thus, this Type III factor concerns whether the society under study is characterised by a history of religious groups, especially minority ones, taking cases to the courts to exercise their rights and, more broadly, of an 'openness' of the national court system to freedom of religion¹⁸ claims.¹⁹ This 'judicialization of religious freedom' (Mayrl 2018, 514) could be expressed, for example, via a history of case law in the area. Of course, this will be crucially shaped by national constitutions and laws, and whether these underwrite rights regarding

freedom of religion and safeguarding religious minorities (Stan and Turcescu 2011), either explicitly or not (Mayrl 2018).

According to the *Atlas of Religious or Belief Minority Rights*, the European landscape is characterised by significant variation in the degree to which legal systems enable or constrain religious minority rights, ranging between more ‘facilitating’ countries such as Poland and more ‘limiting’ ones such as France (Ferrari et al. 2024).²⁰ This may be partly linked to differences across countries in the organisational aspects of national courts systems such as the relative ease with which cases may be taken, with some countries allowing ordinary people to pursue cases (e.g. Ireland) and others that allow only political elites to do so (e.g. France) (Mayrl 2018). Or this may be caused by the presence or absence of other non-court spaces (e.g. civil society groups) for addressing religious freedom claims (Mayrl 2018). A perceived lack of a favourable response at national level to adjudicating contested issues sometimes prompts religious groups to look ‘upward’ to world regional legal avenues for resolution (e.g. the European Court of Human Rights) (Hunter-Henin 2022; Mayrl 2018), an example of ‘venue shopping’ (Mayrl 2018, 523), or even pursue cases at multiple levels simultaneously (Mayrl 2018). Thus, we expect:

P3a: Societies with a legal tradition of openness to defending the rights of religious groups should be more likely than societies that lack this tradition to exhibit more religious freedom cases during the pandemic.

P3b: Societies with a weak legal tradition of openness to defending the rights of religious groups should be more likely than societies with a strong tradition to rely on the world regional courts during the pandemic.

Although we have introduced and discussed each of these factors separately, in practice they frequently interact. For example, church–state interactions could conceivably influence religion–science interactions (Ecklund, Johnson, and Lewis 2016), by reflecting and shaping the general relationship of religion to a society, including its scientific community. Likewise, church–state interactions frequently depend on the numerical strength (or not) of a dominant religious group.

Individual security: Insofar as we look at individual-level consequences, we draw on existential security theory (Norris and Inglehart 2004),²¹ which argues that people are more likely to turn to religion

when their ability to meet basic survival needs is weaker, either as a kind of stress-reducing aid or as a practical aid for meeting social needs (Molteni 2021). As a sudden exogenous event with broad and deep impacts, the pandemic likely led to a heightening of such insecurities (Molteni et al. 2020). Thus, we expect:

P4: Individuals in societies with higher levels of insecurity should exhibit higher levels of religiosity in the wake of the pandemic than individuals in societies with lower levels of insecurity.

How does the theoretical framing advanced here relate to other extant approaches such as complexity theory? The basic insight of complexity theory, which is arguably more a way of thinking about theories than a theory per se, is that it is difficult for any one theoretical approach for understanding religious change to fully make sense of the often messy way that different religious trends and patterns unfold in different societies over time. To overcome this, complexity theory argues for the relevance of an approach that takes account of such things as levels of analysis, mutual influences, and non-linearity (Furseth 2021).

This volume's framing shares with complexity theory an emphasis on how religion is shaped by other aspects of the social world, e.g. legal and political systems. Additionally, with complexity theory the framing recognises that religious change occurs at different levels of analysis, though our focus is mostly at the macro level. At the same time, the framing diverges from complexity theory by attempting to consider the influence of short-term events (i.e. pandemic) rather than long-term social processes (e.g. secularisation) on religious change.

Methodological Approach

In light of the macro-level emphasis of the analyses, the individual country chapters draw on elite-level data such as research studies, media reports, legal texts, and public statements produced by a broad range of social actors including academics, journalists, judges, politicians, religious leaders, and the like. At the same time, we also draw on population-level data from social surveys. Together, this allows us to provide a portrait of the influence of the pandemic on religions and religious freedom from 'above' and from 'below'. Although these data are mostly already existing in each society, they were gathered together specifically for the purposes of this volume. An important

aspect of this is that contributors draw on the available country-specific research literature in their local language, thus allowing for the highlighting of national peculiarities that would be less accessible to non-local researchers.

Aside from these qualitative and quantitative data generated during the pandemic, we also rely on already existing databases put together for other non-pandemic-related purposes to help develop a picture of the profile of the various countries regarding select issues relating to the theoretical framing. For example, we draw on the *Atlas of Religious or Belief Minority Rights* (Ferrari et al. 2024; see also Baldassarre 2024) to look at the extent to which the legal systems in different countries provide support (or not) for minority religious groups. More specifically, we rely on its Promotion-index or P-index (states), a measure of the degree to which a state promotes RBM (religious or belief minority) rights on a –1 to 1 scale, with –1 indicating ‘restriction of rights’ and 1 indicating ‘promotion of rights’. The mid-point of the scale is 0, which indicates ‘respect of international standards’ (Ferrari et al. 2024). The 16-country average for this index is 0.28. A shortcoming of this source is that it does not include some of the countries included in this volume (e.g. Germany, Ireland). Also, we draw on political scientist Jonathan Fox’s global analysis of religion–politics interactions (Fox 2008) to characterise religious freedom in individual countries.

While this volume consists of individual case studies grouped into different categories, it also adopts a comparative approach, comparing countries across Europe. This is reflected in three aspects of the volume. First, within each country grouping, we provide an introduction that directly compares the cases, based on the analytical framing. Second, in the conclusion, we present a more detailed framing-driven comparative analysis. We chose this approach – as opposed to comparing, say, two or three countries within the same grouping – as we wanted to compare groupings *as a whole* rather than select cases. Third, as far as possible, we make cross-references within the country chapters to similar or different dynamics in other case studies included in the volume or with regard to external cases.

Regarding the country groupings, the categories are based on data about the religious identification of the majority population, drawn from the Swiss Metadatabase of Religious Affiliation in Europe (SMRE).²² The SMRE usefully divides Europe into countries with Catholic, Protestant, Orthodox, Muslim and ‘no religion affiliation’ as

the majority affiliation (Liedhegener and Odermatt 2023). The legal aspect is based on the categories employed by the Pew Research Center (2017) to characterise the linkage between religion and the state as either (a) hostile, (b) no preferred religion, (c) preference for a religion, or (d) official or state religion.

As with any categorisation, one could argue that it sorts units of analysis (in this case, nation states) into groupings in a way that could be interpreted as too simplistic. For example, although we group the Nordic countries together, we could have included in this category other countries with a Lutheran tradition (e.g. Estonia) as a point of comparison. Also, one could argue that by ‘lumping’ countries together we overlook differences within each category and that ‘splitting’ might be more appropriate.²³ To address this, we attempt to highlight within-group heterogeneity in the introductions to each country grouping. An alternative approach would have been to compare countries based on geographical region (e.g. Southern versus Northern Europe)²⁴ – which would have produced broadly similar groupings – but because we were most interested in religion-secular dynamics, we opted to centre this aspect in the categorisation used.

In preparing their country chapters, we asked each contributor to respond to a set of orienting questions under legal and sociological headings, while providing scope for each to bring in material beyond these that were not envisaged by the questions. Thus, we sought to steer a middle ground between a ‘straightjacket’ approach and an ‘open gate’ approach in the researching and writing of the chapters. We chose this approach to help facilitate the comparability of the respective chapters. This means that each of the chapters in this volume follows a broadly similar structure, beginning with an orienting section about the contextual aspects of the case study, followed by a section each on the legal and sociological aspects, and then closing out with a conclusion offering the key takeaway lessons. In a couple of cases where the academic background of the contributor(s) is a legal one (i.e. Belgium, Italy) rather than a sociological one, slightly greater weight is given to this aspect than to the sociological one. To help orient the revisions of the country chapters, we also sent contributors a draft of the volume’s introduction, setting out its analytical framing.

Moreover, the chapters are guided by an ‘historical’ and ‘interpretative’ mode of investigation (Alford 1998). By historical, we mean that they focus on understanding the social forces (in this case, having to

do with the religious landscape, political history and legal culture) that shaped the pandemic as an event over time. By interpretative, we mean that they also focus on how individual and collective actors made sense of the dynamics brought about by the pandemic. How did they understand the pandemic? What symbolic language did they use? What collective memories did they appeal to?

In addition, each country grouping is prefaced with a brief introduction written by the editor responsible (either in whole or in part) for the relevant grouping, which attempts to bring out the comparative aspect of the case studies. In preparing this, we sent the contributors a draft of the country grouping introductions and then invited them to participate in a Zoom meeting with the editors between August and September 2023, ranging in length from about an hour to one and a half hours. Guided by the propositions developed for this comparative study, this allowed for the identification of similarities and differences within each category, which was also generative in terms of the revision of the country case studies.

Together, the dual focus on country-level studies alongside the comparative approach allows for ‘deep’ analysis within cases, as well as ‘wide’ analysis across them.

Another aspect of the methodology that warrants attention is the case selection. In other words, why Europe and within Europe why these 19 cases and not some other ones?

We chose to focus on Europe because this is the world regional focus of EUREL’s activities but also because it includes the largest number of democracies in the world (DeSilver 2019), while also reflecting countries with varying macro political experiences (Fox 2008). Also, the countries under study represent a wide range of variation in economic development levels and, more broadly, social development (Molteni 2021), from relatively prosperous societies, such as Germany and Ireland, to more economically distressed ones such as Bulgaria and Greece.

Within Europe, we chose to focus on the 19 cases because they reflect the plurality of religious/secular societies within this world region. We also wanted to include large cases (e.g. France, Germany) as well as smaller countries (e.g. Estonia, Lithuania). Thus, we attempt to understand Europe in its wider sense, including its western and eastern flanks but also its central, southern and northern regions.

At the same time, there are also some omitted countries, which meant that we were not able to investigate the impact of COVID-19 on religious dynamics in all of Europe. For example, we were unable to find contributors for some interesting larger countries (e.g. Hungary) as well as some smaller ones (e.g. Malta). While most of the countries included in the volume are European Union countries, Norway does not fall into this category. And, although we sought to include chapters on other non-EU countries such as Switzerland and the UK, we were unable to secure the cooperation of country experts from within the EUREL network (or outside it) to complete them. Even so, this does not reflect an editorial selection bias, as we sought to include as many country cases as possible.

Organisation

The book is organised into several parts. The volume begins with an introduction that reviews past research on religion and COVID-19 and describes the theoretical framing, methodological approach, and organisation of the volume.

The empirical core of the book comprises 19 country case studies and consists of five parts, ranging from three to five chapters. Each part is prefaced by an introduction, which attempts to identify the most salient similarities and differences exhibited by the country cases within it based on the points of comparison mentioned earlier. Part I: Catholic-Majority Countries (without Preferred Religion) brings together chapters from five Catholic-majority countries that lack a constitutionally or legally established religion. Three of the countries in this category are Western European countries (Austria, Belgium, and Ireland) and two are former communist societies (Croatia and Slovakia).

Part II: Catholic-Majority Countries (with Preferred Religion) contains three country cases, two from Southern Europe (Italy and Spain) and one former communist country (Lithuania). The Catholic market share is basically the same as in the countries in Part I, but we expect that the privileging by the state of the majority religious group suggests that these three countries might be usefully categorised together.

This is followed by Part III: Secular-Majority Countries, which contains four chapters, each representing a country in which no religion is the major self-identification. Alongside France, it consists of three former communist countries (Estonia, (East) Germany, and Latvia).

Part IV: Protestant-Majority Countries includes chapters from four Nordic countries (Denmark, Finland, Norway, and Sweden).

The final part, Part V, focuses on Orthodox-majority countries and contains three chapters on Bulgaria, Greece, and Romania. In Bulgaria and Romania, both former communist countries, there is a legal preference for the majority religious group, and in Greece there is a state church.

The conclusion provides a systematic comparative analysis of the countries based on their religious landscapes, political histories, and legal cultures. Rather than looking at heterogeneity within each cluster of countries as in the country grouping introductions, here we focus more on comparing across the country groupings. We close out the volume with some reflections on the large-scale sociological and legal implications of the study and the directions future research on this topic might take.

Notes

- 1 I thank Lene Kühle, Francesco Alicino, and Gabriel Birsan for helpful comments on an earlier version of this chapter.
- 2 The nomenclature of the virus is based on the World Health Organization. For more detail, see [https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance/naming-the-coronavirus-disease-\(COVID-2019\)-and-the-virus-that-causes-it](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance/naming-the-coronavirus-disease-(COVID-2019)-and-the-virus-that-causes-it) (accessed 10 June 2024).
- 3 For a timeline of COVID-19, see <https://www.cdc.gov/museum/timeline/COVID19.html> (accessed 16 June 2024).
- 4 For an historical account of religion–science interactions in past pandemics, see Phillips (2020).
- 5 For more detail, see <https://news.sky.com/story/coronavirus-italian-army-called-in-to-carry-away-corpses-as-citys-crematorium-is-overwhelmed-11959994> (accessed 9 June, 2024).
- 6 For more detail, see <https://news.sky.com/story/coronavirus-they-call-it-the-apocalypse-inside-italys-hardest-hit-hospital-11960597> (accessed 9 March, 2024).
- 7 For more detail, see <https://www.dailymail.co.uk/news/article-8240715/Italian-church-filled-coronavirus-coffins-time-weeks.html> (accessed 15 June, 2024).
- 8 It is worth mentioning that restrictions also varied within Europe, with stronger ones in north-western and southern regions than in the Eastern region, especially in the early stages of the pandemic (Kriesi and Oana 2022).
- 9 For an online global database about the impact of COVID-19 on religion, see the US-based Faith and COVID-19: Resource Repository, <https://COVID-faithrepository.georgetown.domains/>.
- 10 It is worth mentioning that this mid-pandemic (pre-vaccine) survey-based study was based on a survey entity's (in this case, YouGov's) panels, who were

invited to participate in an online survey, rather than nationally representative data (Baker Institute 2022).

- 11 These brief country reports (ranging in length from about two to 15 pages) were published on the EUREL website. Although the chapters in this volume have their origins in these country reports, they are much more developed in terms of their empirical data and reference to the literature compared to the country reports. The EUREL correspondents' meeting refers to a collective gathering of correspondents from each national context represented in this University of Strasbourg-based academic network. For more detail, see <https://eurel.info/spip.php?mot258>.
- 12 For a discussion of church–state interactions in the context of a majority religion, see Buckley (2016). For a classification of European countries regarding the presence or absence of a state church, see Barro and McCleary (2005).
- 13 Previous work has examined church–state interactions within Europe during the pandemic, comparing east/west or central/east flanks (e.g. Rudenko and Turenko 2021; Tytarenko and Bogachevska 2021). We depart from this interesting work by developing a more formal analytical framing.
- 14 For a useful account of different varieties of church–state interactions in Western Europe, see Ferrari (1995). See also Davie (2000). More broadly, church–state interactions in Europe vary between, at one end, militant secularism, which seeks to purge religion's place in the public sphere, and a pluralistic approach at the other, which involves religious groups exercising their own autonomy within the society (Rosenfeld 2020).
- 15 It is worth pointing out that governments in Europe relied heavily on scientific authority in their decision-making during the COVID-19 pandemic, albeit a biomedical-heavy one with generally little room given to social science perspectives (Lohse and Canali 2021), which might have brought religion-related concerns more to the fore. For reflection on the relative marginalisation of sociology in COVID-19 debates, see Connell (2020).
- 16 Social trust may be defined as an individual's sense that people in society can be trusted (Welch et al. 2005).
- 17 For an account of legal debates about the impact of COVID-19 mandatory vaccinations on religious freedom (specifically religious belief), see Trispiotis (2022).
- 18 The concept of 'religious freedom' is a contested one. For more detail, see Fox (2018).
- 19 It is worth noting that there is also a tradition of case law regarding religious freedom in the European-level courts system (e.g. the Court of Justice of the European Union and the European Court of Human Rights) (du Plessis and Portaru 2022; Hunter-Henin 2022).
- 20 The European Consortium for Church and State Research has conducted research on church–state interactions in Europe as a factor shaping different pandemic responses (European Consortium for Church and State Research n.d.; see also Pin 2021). European Centre for Law and Justice data suggest that church–state interactions did not straightforwardly influence pandemic responses, with countries with quite different church–state interactions exhibiting similar religion-related restrictions (European Centre for Law and Justice 2020).

- 21 For a recent theoretical and empirical complexifying of this perspective, see Molteni (2021).
- 22 <https://www.smre-data.ch/>
- 23 For more detail on the distinction between lumping and splitting more generally, see Zerubavel (1996).
- 24 Initially, we opted to focus on comparing geographical regions (e.g. Nordic countries, Continental European countries, Eastern European countries) but then decided to use the current religion-driven approach.

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PART I

**Catholic-Majority Countries
(without Preferred Religion)**

Introduction to Part I

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This brief introduction attempts to synthesise and compare the case study countries falling into the Catholic-majority category (no preferred religion). The comparison of the cases is based on the criteria developed in the introduction to this volume. To recap, these countries are Austria, Belgium, Croatia, Ireland, and Slovakia. While each of these countries is characterised by a Catholic majority, it is also the case that they exhibit interesting and important differences, especially with regard to this volume's conditioning factors, which might be expected to be consequential for explaining variation across them regarding the pandemic's impact on religion.

The five cases in this country grouping come together in the historic strong visible presence of Catholicism in the society via its involvement in social institutions (e.g. schools and hospitals) and civil society, as well as by the church's continuing influence, to varying degrees, on how ordinary people think and feel about socio-moral issues. Austria is a Continental European country characterised by an historic Catholic majority but also by increasing Catholic disidentification in recent times (see [Chapter 1](#), this volume). Similarly, Belgium's Catholic identity has been eroding significantly in the last few decades, especially regarding bioethical issues (Dobbelaere and Pérez-Agote 2015). Croatia is an example of a former communist society that has experienced a weakening of Catholic identity but nonetheless one in which the church continues to enjoy significant influence in the society as a repository of collective identity (Zrinščak 2004). The Irish case is characterised by quite rapid secularisation and greater diversification

of religious/secular identities in recent times, especially in light of well-documented scandals (Turpin 2022). Among former communist countries, Slovakia – the second case in this grouping with this historical legacy – lies somewhere between the most secularising countries (e.g. Estonia) and the least secularising ones (e.g. Croatia) (Zrinščak 2004).

Regarding Proposition 1a, concerning the majority status of a church in a given society and the likelihood that this would foster relative agreement, one of the notable similarities across cases is the generally supportive role that the church played regarding state restrictions. This finding was in line with our expectations. For example, in nearly all of the country cases the relationship of church leaders to state actors can be characterised as a cooperative one.

At the same time, it is noteworthy that despite enjoying a numerical majority and constitutional backing for freedom of religion, in several of the cases under study religion was not deemed by state authorities to be an ‘essential’ service. For instance, this was true for Belgium and Ireland. In some national contexts – as in Belgium and Ireland – religious settings were, in fact, treated differently to similar secular ones, with religious ones seemingly being regarded as having higher transmission risks.

In seeking to underwrite their support for state actors, church leaders frequently appealed to religious-based arguments. For example, Croatia’s Catholic bishops appealed to the idea of solidarity with others to motivate compliance with pandemic-related restrictions. Similarly, Belgian Catholic leaders also appealed to the notion of solidarity to bolster support among the general population for state efforts. It is noteworthy – in the Belgian case – that this support cohered with the position of the Brussels-based Commission of the Bishops’ Conferences of the European Union (COMECE),¹ an umbrella organisation bringing together bishops’ conferences across the European Union. This emphasis on socially motivated action is perhaps reflective of a specific aspect of the Catholic tradition, which has a long history of social teaching emphasising this value (Palacios 2007).²

At the same time, in some cases, early support gave way to later disapproval. For example, the Irish bishops criticised state actions, especially the perceived lack of consultation and differences in the treatment of religious versus secular activities. In other countries (e.g. Belgium), however, an apparent lack of attentiveness to religious issues

did not appear to prompt a pushback from religious leaders. Similarly, in Croatia the Catholic bishops' initial agreement with state authorities eroded as the pandemic developed, especially regarding the closure of church buildings. In Slovakia, too, more and more disagreement with state authorities was revealed over time, especially by Catholic leaders.

Regarding Proposition 1b – which has to do with societies with a history of legal cooperation between church and state being more harmonious – the case studies bring out support for this. The Croatian case, which is characterised by concordats between the Vatican and the church, reveals that the state actions during the pandemic seemed to privilege the dominant Catholic group over other religious groups. For example, this was reflected in part in the relative laxity of the approach toward Catholic clergy who breached COVID-19-related restrictions and how exceptions to restrictions were made to facilitate historic church rituals, a situation that did not apply to other religious groups. Similarly, in Slovakia, cooperative relations between church and state helped ensure a relatively harmonious approach to pandemic management. Perhaps the weight of tradition ensures that some religious groups will be privileged over others (Stan and Turcescu 2011), even amid the churning brought on by a global pandemic. Similarly, historic church–state cooperation in Austria resulted in the Catholic leadership operating as a kind of default leader for religious groups interacting with the state during the pandemic.

Proposition 1d concerns the degree of support for scientific authority and whether this might vary within the same religious tradition. In all of the countries in the Catholic-majority category, church leaders supported vaccination efforts during the pandemic. Moreover, there is evidence of support for scientific authority more generally, as evidenced, for example, by the mobilisation of religious resources such as prayer by the Irish Catholic primate for scientific discovery of a vaccine to bring an end to the pandemic.

At the same time, religious groups were also active in mobilisation against vaccinations and fostering conspiracy ideas. For example, some Austrian Catholics allied with other religious groups against vaccines, even as the Catholic leadership cautioned against doing so. This kind of political activism was less salient in other Catholic countries (e.g. Ireland). Similarly, in Croatia and Slovakia, currents of opposition to vaccines existed within the Catholic category. In the Slovakian case, this mainly consisted of small groups of priests and laypersons.

In Croatia, anti-vaccine sentiment was present among some Catholics, even if it was not very vocal during the pandemic.

Propositions 2a and 2b have to do with the degree to which the legacy of communism might impact pandemic responses. The countries included in this grouping facilitate a contrast between cases with a communist history (i.e. Croatia, Slovakia) and countries without this legacy (i.e. Austria, Belgium, Ireland), even if the impact of communism on religion varied across these former communist cases (Grzymała-Busse 2015). In this regard, the case studies suggest that countries with a communist past tended – against expectations – not to exhibit more conflict during the pandemic (disconfirming Proposition 2a). For example, the Croatian case was characterised, as mentioned, by relative unity in responding to the pandemic, despite eroding levels of trust in political institutions since the late 1990s. Croatia's Catholic bishops – operating in the context of strong ties to the ruling government – adopted a cooperative approach to the state and, notably, did not speak out publicly against it, in contrast to the Irish context. Similarly, the Slovakian Catholic leadership generally sided with the state, even if some disgruntled clergy did challenge state authorities. Perhaps this reflects different pathways of power available to Catholicism in different social contexts: where the back-channel pathway is less well-trodden (Cremer 2021; Grzymała-Busse 2015), public contestation is more likely (e.g. Ireland) but, where it is more available (e.g. Croatia), Catholic leaders may be less likely to take public stands against the state.

Additionally, we find partial support for the idea that religious leadership enjoys less support among adherents during the pandemic in former communist countries than in those countries that have not had that experience (Proposition 2b). For example, the Catholic leadership in Croatia did not face opposition from devotees for its approach of cooperation with state authorities around restrictions. At the same time, there was large-scale opposition to vaccines, some involving the use of religious symbolism, which went against the church's pro-vaccine stance. In Slovakia, there was public opposition to the Orthodox Church's stance on the closure of church buildings in the early stages of the pandemic, leading it to quickly reverse its position. Also, in this context there is evidence of long-term decline in trust in religious institutions, which may be partly related to its communist past. Unlike in countries such as Estonia, the symbolic linking of the pandemic

experience of restrictions with the repressions of the communist era was absent in Croatia and Slovakia.

Turning to aspects of the legal culture, Proposition 3a concerns the degree to which a tradition of openness regarding defending the rights of religious groups might have impacted religious freedom cases. With regard to this issue, the Belgian case is instructive. Although individual lay Catholics took cases to the country's administrative court system challenging restrictions relating to the opening of churches, their arguments did not carry the day. Perhaps this reflects the relatively 'constraining' position of Belgium regarding defending religious (minority) rights more generally,³ in line with our expectations. According to the *Atlas of Religious or Belief Minority Rights*, Belgium has a P-index score of 0.23, among the lowest in Europe (the EU average is 0.28) (Ferrari et al. 2024).

Surprisingly, the Croatian case, to some extent, also reflects a somewhat 'constraining' pattern regarding religious minorities, even though its P-index among European countries (0.33) is at the upper end. For example, the restrictions adopted by state authorities tended to privilege the Catholic case and, in turn, undervalue the rights of minority religious groups. This was reflected in different rules applying to similar religious events (e.g. Catholic versus Serbian Orthodox adherents marking Christmas), even if this anomaly was overturned on appeal. But restrictions also curtailed Catholics, as reflected in an (unsuccessful) freedom of religion case taken by a Catholic adherent (*Magdić v. Croatia*), which bypassed the national court system and went to the European Court of Human Rights (Bauer 2022; du Plessis and Portaru 2022).

In Slovakia, some civil society groups paid attention to religious freedom issues during the pandemic (United States Department of State 2021) and activism around this issue in the longer term may lead to advances in this area and thus preclude the need to turn to the court system in the first place. This suggests that the availability of alternative civil society avenues for legal change beyond the courts may be a factor in shaping the presence or absence of judicialisation processes in some societies (Mayrl 2018). On other hand, it may be – in line with Proposition 3b – that the absence of recognition at the state level may prompt resort to the European court system, as in the European Court of Human Rights case brought by Ján Figel (du Plessis and Portaru 2022).

Although in Austria – a country with a relatively ‘constraining’ P-index of 0.25 (Ferrari et al. 2024) – legal cases regarding religious freedom were rare, one that was taken challenging the different treatment of secular and religious contexts was upheld.

Finally, with regard to individual-level religiosity (Proposition 4), we expected that societies with higher levels of insecurity should exhibit higher levels of individual religiosity than societies with low levels of insecurity. On this issue, the evidence is somewhat ambivalent. For example, social surveys in Ireland – a country with relatively high levels of security (Molteni 2021) – showed an uptick in religiosity, while others pointed to an erosion of religious giving during the pandemic. In Austria, survey data suggested a downward trending of religiosity during the pandemic. In Croatia, research suggests that some growth in religiosity took place⁴ (Bentzen 2021). According to a large-scale social survey (conducted in early 2022), religious self-identification declined in Slovakia (compared to 2011) but the extent to which this is attributable to the pandemic is difficult to judge. Other research points to an uptick in Slovakian religiosity during the pandemic (Bentzen 2021).

Notes

- 1 For more detail, see <https://www.comece.eu/> (accessed 30 July 2024).
- 2 In their overview of where research on religion and the pandemic might go in the future, Baker et al. (2020) note the importance of better understanding how stances taken during the pandemics varied across specific religious groups.
- 3 A limitation of this measure is that it does not include data for Ireland or Slovakia.
- 4 For a visual representation of worldwide growth rates in online prayer searches during the COVID-19 pandemic, see Figure 2 in Bentzen (2021).

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CHAPTER 1

Consensus and Conflict in Times of Crisis

Religion in Austria during the COVID-19 Pandemic

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Abstract

Overall, religion was not an intensively discussed topic in Austria in relation to coronavirus. Governmental and religious actors collaborated throughout the COVID-19 pandemic, and Austria's legally recognised religious communities supported governmental measures, such as lockdowns, social distancing, and the obligation to wear masks. This consensus was communicated in press conferences and regular meetings between the ministry in charge and religious representatives. Religious communities refrained from or restricted celebrating on site during lockdowns and introduced hygiene measures (e.g. disinfection

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of hands and artefacts, wearing masks, limiting singing, restricting numbers of participants during celebrations) for religious gatherings throughout the pandemic. Official representatives of the legally recognised religious communities also supported vaccination campaigns and several religious sites functioned as temporary vaccination stations. However, religious actors and elements were also present among anti-vaccination activists and protesters against COVID-19 measures, and they joined in with the propagation of conspiracy theories. In these protests, ultra-conservative Catholics, Evangelicals, and esotericists marched alongside followers of the radical right Identitarian movement and other extremists. Multiple instances of anti-Semitic expression were documented throughout the protests. Still, religion was not a particularly contentious issue during the pandemic. This is, as we argue, largely the result of the commitment of religious communities to self-restriction and their cooperation with state authorities, as the legal framework restricted religion much less than other spheres.

Introduction

Throughout the pandemic, the Austrian religious mainstream cooperated with state institutions to promote safety, governmental rules on social distancing, and vaccination. The first lockdown in 2020 affected Christian Easter celebrations, Jewish Pesach, and Islamic Ramadan festivities. On-site gatherings were largely prohibited and religious authorities and governmental representatives jointly communicated these restrictions. This is typical for the cooperative religion–state interaction Austria has established upon a long historic tradition. As we show in our chapter, throughout the pandemic, the Austrian model of cooperation in religion–state relations proved effective in pursuing state goals, even though it could be argued that the internal religious coronavirus protection measures functioned as a surrogate for state action. So, rather than attributing the arrangements to any legal source known to the Austrian constitutional system, the relatively harmonious collaboration of state actors and religious elites has to be attributed to a political culture fostered by this specific mode of religion–state relations. Austria does not have a rich history of juridical activism regarding religious minorities. Legally acknowledged religious communities usually seek to influence policy decisions through the channels their status provides and, as we argue, did so during the pandemic.

In the past, courts had been concerned with a series of cases pursued by non-recognised religious groups that aimed for this privileged legal status. However, as we elaborate on in the legal section, the number of court cases challenging COVID-19 measures from a religious point of view was comparatively low.

Setting the Context

Concerning state–religion relations, Austria is classified as a ‘system of shared tasks’ (Minkenberg 2003), characterised by the exclusive collaboration of state institutions and legally acknowledged religious communities. With a P-index of 0.25 (compared to an EU average of 0.28), the promotion of religious (minority) rights can be considered relatively enabling (Ferrari et al. 2024). Despite the historical dominance of the Catholic Church, Austria has an inclusive legal setting concerning minority religions. In 2023, 16 religious communities were legally acknowledged, among them 12 Christian churches and one Jewish, one Buddhist, and two Islamic communities (for an overview, see Federal Chancellery 2023). These communities enjoy an extensive set of privileges, such as state subsidies, the right to provide state-funded religious instruction in public schools, and the right to be consulted in the law-making process (for an overview of Austrian religion law, see Kowatsch 2022). From very early on in the pandemic, representatives of these communities were involved in coordinated action and crisis communication regarding the regulation of religious life.

The majority of the Austrian population is affiliated with a religious community. In 2021, Statistics Austria conducted a survey on the ‘religious affiliation of the population in private households’. These most recent numbers show the following affiliations: 55.2 per cent Catholic, 8.3 per cent Islamic, 4.9 per cent Christian Orthodox, 3.8 per cent Protestant, 5.5 per cent affiliated with other religious traditions (e.g. Buddhism, Judaism, other Christian churches), and 22.4 per cent not affiliated (Statistics Austria 2022).

Overall, religion was not an intensively discussed topic during the pandemic. The official representatives of the legally recognised religious communities have widely supported governmental measures as well as vaccination campaigns. Soon after the first COVID-19 measures were installed, many religious communities announced their responses in coordination with the federal government: Christian

churches, among them the Catholic Church in a leading role, promoted government measures (Kathpress 2020a) and implemented far-reaching restrictions on religious activities (Kathpress 2020b). Often, these restrictions exceeded the legally binding measures (see the following section on legal aspects). During the first lockdown, from March 2020 onwards, the Islamic Religious Community (Islamische Glaubensgemeinschaft, IGGÖ) called for the suspension of all forms of religious gatherings in Austria's Islamic religious sites. The IGGÖ also announced to provide Islamic religious infrastructure (mosques, communal rooms, etc) across Austria for the provision for those in need, if required by the Austrian government (IGGÖ 2020). The Jewish Religious Community (Israelitische Kultusgemeinde, IKG) announced that all synagogues would be closed and religious gatherings including prayers, lectures, and ritual baths would be suspended (European Training and Research Centre for Human Rights and Democracy 2020). While restrictions were altered throughout the pandemic, cooperation remained the main mode. For example, when vaccination became available, several religious sites functioned as (contemporary) vaccination stations, e.g. at St. Stephen's Cathedral in Vienna city centre (Katholisch.at 2021) and at various mosques across the city (Urban 2021), as well as in Jewish facilities (Ikg-wien.at 2021).

There were no leading voices among Austria's religious communities that advocated against vaccination or COVID-19 measures. Rather, leading figures called for trust in science. Cardinal Christoph Schönborn stated: 'I am very concerned that a scepticism about science is spreading. And a cluelessness about how science works.' He also related the growing problems of conspiracy adherents to the problem that 'we do not admit to ourselves that we live in an uncertain time' (Erzdioezese-wien.at 2021). The diocese of Innsbruck published a comprehensive statement on the question of vaccination, pointing out that 'vaccination is not a question of faith' but a scientific achievement. The reasons for this statement were increased inquiries about the advocacy of vaccination by the church and increased church resignations with the same reasoning (Vaticannews.va 2022).

However, various small groups within the Catholic Church called loudly for the abandonment of vaccinations in churches and church support for vaccination. A leading figure in these Catholic protests was Alexander Tschugguel, an ultra-conservative activist who had been protesting against non-traditionalist forms of practice and beliefs since

long before the pandemic (Gaigg and Hagen 2022). One group, calling itself the ‘Catholics of Austria’, started a petition against vaccination stations in churches (Citizengo 2021). By 2023, this petition had collected 12,414 signatures. Individual Catholic priests faced disciplinary measures for spreading fake news in their parishes (e.g. Kurier.at 2021).

Research on religion and COVID-19 was focused on issues of digitalisation. Austria, for example, participated in the international survey ‘Churches Online in Times of Corona’ (<https://contoc.org/>). Other studies investigated the impact of the pandemic on religiosity (Aschauer, Glatz, and Prandner 2022), chaplaincy (Berghofer, Petritsch, and Schwarz 2020), pastoral perspectives (Körtner 2021), and legal aspects (Drößler, Kämper, and Schilberg 2020). Furthermore, multiple social surveys were conducted throughout the pandemic and also asked about religious issues. Most importantly, a special edition of the European Value Survey and a panel study (the Austrian Corona Panel) documented developments throughout the pandemic (see [Chapter 4](#), this volume).

Legal Aspects

In Austria, buildings dedicated to personal and collective religious practice (churches, synagogues, mosques, etc.) were allowed to remain open for private, individual prayer throughout the pandemic. Public religious services were suspended in the first year of the pandemic, parallel to the ‘lockdowns’ imposed by the state authorities, some nationwide and some only regionally. At no time were religious services completely cancelled, but during the suspensions they were only allowed to be celebrated in very small circles. From the end of November 2021, however, there were no more suspensions of religious services, not even when a new ‘lockdown’ was imposed on other areas of society.

As mentioned before, a special feature of the Austrian legal pandemic management was that the recognised churches and religious societies had the opportunity to independently standardise infection protection measures for the celebration of their public religious services. From March 2020 onwards, several agreements were reached between the federal government or the minister responsible and the recognised religious communities, which had all the hallmarks of a contract (Bischofskonferenz.at 2021; Kathpress 2020b; Oberösterreichische

Nachrichten 2020; Pressestelle von Bundesministerin Susanne Raab 2021; for a detailed legal analysis, see Kowatsch 2022). Their content was, on the one hand, the renunciation by the state of the exercise of a competence to which it is entitled in the area of public religious practice (enactment of pandemic control measures applicable to all) and, on the other hand, the obligation of the religious communities to enact measures for the celebration of religious services that corresponded to the measures imposed by the state for other public areas with regard to the protection against infection on their own. This internal regulation allowed the individual religious communities to adapt the measures to their own (cultic) requirements without the state having to directly regulate the conduct of religious acts. The tightening or loosening of state measures was always the occasion for analogous adjustments by the religious communities.

To understand why the ‘legally recognised churches and religious societies’ in Austria were able to adopt their own normative measures in close coordination with the state authorities, the Austrian constitutional law on religion must be briefly outlined.

The Austrian Federal Constitutional Law (B-VG) does not have an independent catalogue of fundamental rights. Instead, the State Basic Law (StGG) of 1867 and the European Convention on Human Rights (ECHR) are incorporated into the constitutional order. In addition to Article 14 of the StGG, Article 63 of the Treaty of Saint-Germain 1919 and Article 9 of the ECHR standardise the freedom of religion and belief of individuals. State interference in this fundamental right may only take place based on a legal foundation and, even then, is only permitted within the narrow limits of Article 9(2) of the ECHR. In addition, interventions must be necessary to achieve the desired goal, and the means chosen must be effective and proportionate. If even one of these conditions is not met, state interference in the fundamental right is unconstitutional.

Concerning the COVID-19 measures in general, the Constitutional Court (Verfassungsgerichtshof, VfGH) clarified that although the legislature has a wide margin of discretion owing to the considerable danger to life and the stability of the health system, restrictions must always be suitable, necessary, appropriate overall, and differentiated according to type and extent. Disproportionate restrictions of fundamental rights are always prohibited. The court must be able to understand the basis and scientific findings on which the restrictions on freedom were

necessary. If several fundamental rights, such as freedom of public religious expression or freedom of assembly, collide with the protection of health, a balancing of interests must take place. Although the VfGH considers the protection of health to be an 'objective of considerable weight', the right to life is by no means automatically and in every situation more important than other fundamental rights.

In addition to individual rights, Article 9 of the ECHR already protects a minimum of corporate autonomy for all religious communities. Moreover, Article 15 of the StGG guarantees that 'recognised churches and religious societies' can regulate and administer their 'internal affairs'. While the state remains responsible for all secular matters, legislation in the specifically religious sphere goes beyond state competence. Matters that affect both the state legal system and the mission of a religious community (e.g. pastoral care in hospitals, prisons, and the armed forces; religion as a school subject for members of a recognised religion) are dealt with in close consultation between the state and the religious communities. Therefore, the relationship between the state and the religious communities in Austria can be described as a cooperative model characterised by institutional separation and multiple forms of encounter and cooperation. In principle, all religious communities can invoke freedom of religion (Article 9 of the ECHR, Article 14 of the StGG, Article 63(2) of the Treaty of Saint-Germain 1919). In addition to registration as associations under civil law, communities can also acquire state legal personality as 'state-registered religious confessional communities'. The third and highest level of legal recognition is the status of a 'legally recognised church or religious society'. Only these religious communities act as corporations under public law, and this categorisation opens up special areas of cooperation with state authorities. As prerequisites for obtaining this status, the law requires a positive commitment to the fundamental values of the state legal system, a certain minimum number of believers, and an organisational density that ensures the community's institutional existence. Under these general conditions, public law status is open to all religious communities on a parity basis.

In the first pandemic period, therefore, it was not only freedom of religion alone but also this very special constitutionally guaranteed status of the recognised churches and religious societies that was the basis for agreements made between the state bodies and the religious communities.

Peter Schipka, secretary general of the Austrian Bishops' Conference, speaks of the 'agreement' as an 'Austrian' way:

So although there would have been a lot to be said for the state also regulating religious life, at least as far as assemblies are concerned, for reasons of health protection, it has not done so, apart from a few small exceptions. Rather, those politically responsible ... have decided to follow the path of Article 15 of the StGG and, even in times of pandemic, to leave the legally recognized churches and religious societies to regulate their internal affairs in their legal autonomy. (Schipka 2021, 255)

Even before the beginning of the first 'lockdown' in 2020, a discussion had already taken place in the Federal Chancellery between, on the state side, the federal chancellor, the minister of health, the minister of the interior and the minister of the chancellery with technical responsibility for religious affairs and, for the religions, top representatives of the recognised churches and religious societies. Probably in view of the relative size of the Catholic Church and thus for reasons of representation and efficiency, the chairman of the Austrian Bishops' Conference was assigned a kind of spokesman role for the religious societies. This was made clear by joint press conferences by the president of the Austrian Bishops' Conference and the minister of the chancellery responsible for cultural affairs at the beginning of the lockdown and before the resumption of public worship services on 15 May 2020. This, of course, could not be conferred on the Viennese cardinal by the state organs, since this would have contradicted not only the principle of parity but also the institutional separation of church and state. According to reports, however, the representatives of the other recognised churches and religious societies subsequently accepted this role – partly because there were no alternatives to it. They were informed about the further steps via the General Secretariat of the Catholic Bishops' Conference, unless general meetings (very soon then digital) enabled everyone to participate anyway. However, since the public practice of religion is not a privilege of legally recognised religious societies alone, the question that would arise for the future was whether and how other religious communities could also be included in such coordinating meetings.

The state authorities left the responsibility for enacting and monitoring infection control measures to the religious communities. The reason for this – of course – was not that the virus would have been less dangerous in religious gatherings but the legal principle that

interference with fundamental rights is not necessary if the goal can also be achieved in a way that better protects freedom. In this sense, the cooperation system for the area of freedom of religion and belief is also an expression of the principle of subsidiarity, which assumes that the more intensive restrictions on freedom are linked to the reality of the life of those affected, the more likely they are to be accepted by the subjects of the law.

Legally, this special form of cooperation was expressed by the fact that the respective applicable regulations provided for exceptions for 'events for the practice of religion'. In the later course of the pandemic, such events were completely excluded from the scope of the state regulations. The problem was that the regulations did not refer to the internal measures, so that – in purely formal legal terms – religious services were not subject to any (state) regulations at all. In terms of 'lived' law, however, this was never the case owing to the agreements between the state and the religious communities and the internal ordinances based on them. Also, except for public religious services, all other events for the practice of religion were – formally without legal basis – subjected to state measures, contrary to the wording of the regulations. Nor were the recognised religious communities the only legal entities that could autonomously take protective measures. The same exception applied to universities, for example, but not to the field of art and culture.

For this reason, a group of cultural workers filed an application for a review of the regulation by the Constitutional Court (VfGH) under Article 139 (1) (3) of the Federal Constitution (B-VG). The aim of this appeal was to establish the unlawfulness of a regulation at the request of a person who claims to have had their rights directly violated by an unlawful ordinance. The applicants argued that the differentiated treatment of artistic or cultural events on the one hand and religious gatherings on the other contradicted the principle of equality. They argued that there was no factual justification and that no significant differences could be identified.

In continuity with earlier findings on anti-Coronavirus measures, the VfGH held that the various restrictions on people coming together constitute intensive encroachments on freedom, which is protected by different fundamental rights. To ensure that they do not lead to an unjustified violation of constitutional rights, they must not only be proportionate but also comply with the principle of equality. The principle of equality is also binding for the legislature. Unobjective

differentiations that cannot be justified by actual differences are just as prohibited as unobjective equal treatment of unequal things. Beyond the wording of Article 7 of the B-VG (principle of equality), the judiciary saw the fundamental prohibition there of enacting regulations that cannot be justified.

In its decision, the VfGH stated that all types of religious gatherings were permitted (VfGH 2020, paragraph 56). In contrast, gatherings in the exercise of artistic freedom had been completely prohibited. In its final evaluation of equality law, the Constitutional Court then referred exclusively to Article 9 ECHR by comparing the freedom of religious practice standardised there with the freedom of art in Article 17a of the State Basic Law of 1867 (StGG). With regard to the objective of the restrictions of the regulation of emergency measures, being the subject of the proceedings – which was to prevent gatherings of people as far as possible – there were no such difference between the gathering of people for religious purposes on the one hand and for artistic purposes on the other hand. In light of the protective purpose of the combated regulation, the unobjective unequal treatment of the areas of protection made the exemption provision in favour of gatherings for the practice of religion unlawful, because the second variant, namely the permission to enter cultural institutions, would have caused considerably wider openings that could not be attributed to the legislature, the Constitutional Court concluded. Since the respective regulation had already expired on 11 December 2021, the VfGH limited itself to stating that the exception for religious services had been unlawful.

As expected, the decision was met with criticism from religious communities. The president of the Protestant synod, Peter Krömer, for example, expressed ‘the greatest surprise. The public reception of the finding, he said, gave the impression that church services should have been allowed to be celebrated entirely free of restrictions’ (Evang.at 2023). Shortly after the decision was published, the responsible minister sought to clarify that faith and the common practice of religion, as well as corresponding opportunities for pastoral care, would provide support for many people in the country, especially in times of crisis. These would therefore have a particularly high value, not only for the individual but for society as a whole (Katholisch.at 2022c).

Although with different emphases, this decision of the VfGH was also unanimously criticised by the prevailing doctrine of Austrian law on religion (Kowatsch 2022; Potz and Schinkele 2023). The most

important point of criticism was that the court completely disregarded Article 15 of the StGG, which guarantees the corporate freedom of recognised churches and religious communities. Nor was it considered that the exception for religious gatherings was by no means the only one. Exceptions existed, among other things, where strong institutions could guarantee the enforcement of internal measures (e.g. universities and parliaments).

An important indicator of whether the institutions of the constitutional state were up to the challenges of pandemic management is the number of cases that ended up in court. While in most European countries court actions were brought by individual believers and churches and other religious communities, in Austria there were only a very few court cases fighting the encroachment of freedom of religion or belief – including, among others, the above-mentioned judgment of the VfGH.

Sociological Aspects

Community life in religious context was deeply interrupted by the pandemic. Religious buildings remained open throughout the pandemic but religious gatherings took place according to the rather strict rules on general meetings. As on-site religious celebration did not take place during the first lockdowns and was widely restricted throughout the years of the pandemic, most religious communities started to provide digital services, ranging from livestream services to interactive social media activities. Counselling was in great demand, both online and over the telephone (Humer et al. 2021). This brought about various innovations. For example, during the pandemic, a Muslim telephone counselling service was set up (ORF 2022).

Interreligious activities were likewise affected by the pandemic. Initiatives such as #keepingittogether, mutual messages of Jews and Christians for Easter/Pesach, and ‘Coronaspection’ proved that the sudden digitalisation of the religious field also provided new possibilities of exchange and collaboration among religions (Jäggle 2020).

In 2020, there were fewer Catholic baptisms and weddings but a higher number of Catholic funerals (Katholisch.at 2022a). The Protestant Church (Lutheran confession) reported a significantly higher share of baptisms in 2021 (2.243) and 2022 (2.429) than in 2020 (1.644) (Evang.at 2022). Most likely, these celebrations included many

that had been postponed in 2020. Comparable data for other religious communities are not available.

We can assume that the pandemic affected religious affiliation across traditions, but there are limited data available. In 2020, 58,727 people left the Catholic Church. This number is lower than in the years before (2019: 67,794) and after (2021: 72,055). On the church's statistical website, the assumption is expressed that restricted access to official public authorities resulted in many people postponing their exit (Katholisch.at 2022b). In 2022, 90,808 left the Catholic Church, the highest number up to that time. Also, in 2022, official church publications assumed that the high numbers of church exit related to unpopular COVID-19 measures and a greater distance between the church and its members that emerged during the pandemic (Bischofskonferenz.at 2023). The Protestant Church (Lutheran and Helvetican confessions) reported 5,641 exits in 2020 and 5,592 in 2021, fewer than in 2019 (Statistics Austria 2022). The numbers of exits from the Old Catholic Church were higher than in previous years (2019: 46; 2020: 56; 2021: 70).

According to sociological surveys on religion during the pandemic (in this case, the Austrian Corona Panel Project; see <https://viecer.univie.ac.at/coronapanel>), people who reported a higher level of religiosity (measured by their frequency of praying and the importance they attached to religion and church) were initially more likely to support COVID-19 measures (Aschauer, Höllinger, and Herbst 2020). This, however, is a shrinking part of the total population. Data from both the Austrian Corona Panel Project (ibid.) and the European Value Study COVID-19 Special Edition Austria unanimously showed an overall declining importance of religion during the pandemic. The European Value Survey assesses the development of religion along six items: (a) the importance of religion in individuals' lives, (b) the importance of God in their lives, (c) being religious (yes or no), (d) frequency of prayer, (e) attendance of religious services, and (f) trust in 'the church'. While the trend lines on all six items have been pointing steadily downward since the 1990s, the 2021 COVID-19 Special Edition data show that this development was much more drastic between 2018 and 2021. The authors of the survey state:

God and religion have become less important, people are less religious, less likely to pray, less likely to attend a church service, and less likely

to trust the church. However, the 2021 COVID-19 Special Edition data show that the drop accelerated between 2018 and 2021 – about as much as the cumulative drop of three decades earlier. (Willmann 2022)

Regarding different coping strategies, a study based on the Austrian Corona Panel Project (Höllinger and Aschauer 2022) found that religious people were more active in seeking support during the crisis and in active engagement with the challenges of the pandemic. They were also somewhat more optimistic than non-religious people. Negating the crisis was a response much more often taken up by non-religious people. This study also compared the attitudes of conventionally religious people to adherents of alternative forms of religion and spirituality:

In contrast, spiritually oriented individuals reveal a greater distance to the federal government, to institutions and to the Corona behavioural guidelines. Actively spiritual persons in particular oppose the measures set more strongly, revealing an extremely sceptical view of the government-imposed behavioural guidelines. (Höllinger and Aschauer 2022, 142)

Despite the functioning cooperation among political and religious leaders and support by conventionally religious people for the measures agreed upon, religious actors and elements were present among anti-vaccination activists and protesters against COVID-19 measures, and they joined in with the propagation of conspiracy theories. In these protests, some ultra-conservative Catholics, Evangelicals, and esotericists marched alongside followers of the radical right Identitarian movement and other extremists. Multiple instances of anti-Semitic expression were documented throughout the protests (Sulzbacher 2021).

Also, the Archdiocese of Vienna expressly warned against participation in ‘pseudo-religious processions.’ After some anti-Coronavirus measures protests were prohibited, groups invoked religious freedom to hold processions (*Wiener Zeitung* 2021). Political scientist Thomas Schmidinger documented and analysed the influx that Catholic traditionalists experienced throughout the pandemic (Schmidinger 2023). He emphasises that Catholic traditionalists hold problematic (e.g. anti-egalitarian or anti-Semitic) views and appear in problematic

settings, such as protests against Coronavirus measures, but they are rarely perceived by the wider society as being problematic.

In the course of the pandemic, civil society organisations such as the anti-racism initiative *Zara* documented a significant rise in anti-Semitism and anti-Muslim racism (*Zara* 2021, 2022). Equally, the Jewish community reported a new peak in anti-Semitic incidents (*Österreichisches Parlament* 2021). In addition to the use of controversial slogans during protests, as well as verbal and physical assaults, anti-Semitism online has become a rapidly growing phenomenon. Similarly, online expressions of hatred against Muslims rose dramatically (*Sonderbeauftragter der Generalsekretärin des Europarats für Antisemitismus und Muslimfeindlichkeit* und anderer Formen religiöser Intoleranz* 2021).

Conclusion

By 30 June 2023, all coronavirus measures, not least the COVID-19 Measures Act, had been repealed. Since then, COVID-19 has not been a reportable disease. In retrospect, the legal analysis shows that numerous aspects of religious life in the course of the pandemic were not resolved in a specifically legal manner but through cooperation with recognised religious communities. On the one hand, this can be seen as a successful dialogue; on the other hand, it also reveals certain legal uncertainties and questions about the inclusion of non-recognised communities. Certainly, the cooperation with 16 recognised religious communities led to a smoother process that also shows the advantages of a 'system of shared tasks'. The fact that Austria's Catholic-majority church partly coordinated coronavirus measures with the other legally acknowledged communities clearly helped the consensus orientation among political and religious authorities. Frictions existed but ran below the level of church leadership. Moreover, it has also become apparent that radicalised fringes of religious communities, as well as various individual forms of spirituality, were very present among protests against the coronavirus measures. In these protests, a very diverse mix of right-wing political forces and alternative religious and ultra-conservative Christian groups marched together to demonstrate their disagreement with governmental measures, as well as the restrictions that religious communities set independently.

The question of how to include those whose faith is not represented by a recognised community also arises. Religious communities have been treated differently from other institutions, e.g. art spaces. The legal proceedings around access to museums we described in the section on legal aspects have, in fact, become one of the most decisive court cases regarding religion and the pandemic. The lack of an extensive tradition of judicial activism with regard to defending the rights of religious groups might serve as an explanation here; another might be the search for consensus within the cooperation system of religion–state relations. This route is, however, not accessible to non-recognised religious groups.

Science scepticism is rather high in Austria. For example, only 47 per cent of the Austrian population consider scientists to be honest (29 per cent disagree and 24 per cent do not know; see European Commission 2021) This was also observable during the pandemic. Almost all larger religious communities made a big effort to promote scientific results, vaccination, and a science-based navigation through the pandemic. Just as in the general population, within religious communities, elites promoted scientific perspectives and were opposed by groups and individuals that criticised these elites in a populist manner. In the aftermath of the pandemic, political leaders, religious representatives, and scholars consensually emphasise the need for a social process to overcome the divisions that emerged in the course of this crisis (Der-Standard.at 2023; Domradio.de 2022; Kurier.at 2023).

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CHAPTER 2

COVID-19, Law, and Religion in Belgium

When Emergency Weakens Legal and Religious Categories

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Abstract

What was the impact of COVID-19 on religion in Belgium? After a brief description of the Belgian context, the chapter examines the role of religious authorities in supporting state action to curb the spread of the virus. Then, the analysis highlights how public authorities initially neglected religious considerations but later shifted towards greater consideration of religious issues, in part due to case law. Several observations are drawn, including the need for a collaborative approach between religious and public authorities in such circumstances, the difficulty of creating measures that reflect the diversity of religious

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practices, and the importance of judicial review in defining the acceptable limits to freedom of religion. Finally, while the context of emergency induced by the COVID-19 pandemic has weakened legal and religious categories, it has also provided an opportunity to rethink the mechanisms of dialogue and cooperation between religious groups and the state to promote effective and inclusive policies.

Introduction

The COVID-19 pandemic profoundly impacted societies worldwide, and Belgium was no exception. Throughout the pandemic, Belgium experienced five waves of infections, each leading to the adoption of restrictive measures. These measures had a significant impact on the freedom of religion, particularly during the first and second waves of the pandemic (Christians 2022). However, in June 2022, these measures were converted into recommendations, marking a significant turning point in the government's response to the pandemic. Since that moment, there has been no further curtailment of religious freedom in the efforts to combat the pandemic.

In Belgium, religious authorities were instrumental in supporting state actions to curb the pandemic's spread. They played a crucial role in disseminating information and encouraging their communities to comply with health guidelines. They even anticipated some of the limitations. By contrast, public authorities were initially blind to religious considerations during the first months of the pandemic. The poor quality of the legislation adopted at that time reflected this issue particularly well. However, partly under the influence of case law, there was a shift towards greater consideration of religious issues. In 2020, the Council of State pronounced several decisions that played a significant role in defining the acceptable restrictions to freedom of religion.

The following section of this chapter briefly sets the Belgian context. The third section takes a sociological stance, showing how religious authorities supported state actions to curb the COVID-19 propagation, with an analysis of press releases issued by religious representatives. The fourth section focuses on legal aspects and emphasises that, by contrast, public authorities were mostly blind to religious considerations during the first months of the pandemic, but case law initiated a shift that led to a better concern for religious issues.

Setting the Context

Belgian society has historically been built on a mechanism of ‘consociationalism’. Large social structures (named ‘pillars’, which bring together families of the same ideology, from youth movements to retirement homes) provided the support for political antagonistic worlds and political parties (Catholic and secular) whose pragmatical coalition ensured stable government. Since the end of the Second World War, Belgian society has become rapidly secularised and highly individualised. In this sense, the ‘ideological pillars’ of yesteryear are weakening but not disappearing. In Belgium, there are no statistical data on the religious profile of the population. Surveys are highly unstable and often unreliable. By way of indication, in 2023, the averages gave 50 per cent of Belgians as being Catholics, 24 per cent agnostics, 9 per cent Muslims, 2.7 per cent Protestants, 2 per cent Buddhists, 1 per cent Orthodox, 0.8 per cent identifying with organised secularism, and 0.04 per cent Jews.²

Concerning religion, the country’s constitution guarantees both positive (Article 19) and negative (Article 20) freedom of religion, as well as the autonomy of religions (Article 21), but the most important is Article 181, which provides for public funding for some recognised religions and philosophies (Torfs and Vrielink 2019). Recognised religion and philosophy courses are also taught in public schools (Article 24). The relationship between the state and religions is characterised as a ‘benevolent neutrality’ (Christians 2006; Wattier 2011). Six religions and one philosophy receive some facilities and public funding from the state in Belgium: Roman Catholicism, Judaism, Anglicanism, Evangelical Protestantism, Islam, Orthodox Christianity, and organised secularism. Buddhism is next in line for recognition. Throughout this chapter, a particular emphasis is placed on Muslim³ and Catholic bodies, given the prominence of these religions in Belgian society. As mentioned, both are supported by the state.

Finally, concerning the COVID-19 crisis itself, Belgium was unprepared for managing such a health crisis. The multiplication of competent public authorities owing to the regionalisation process gave rise to major coordination problems, despite the country’s small size. Restrictions on religious activities were widely followed by the faithful and led to the consolidation of secularisation and individualisation trends, to the point where a return to previous practice was not guaranteed

(Dillen 2021). During the COVID-19 crisis, strong cooperation was very active between the various recognised religious denominations. Nevertheless, this cooperation remained *partial* (with no contact with recognised humanist movements or non-recognised religious denominations), *informal* (with neither the involvement of public authorities nor administrative formalisation) and with *little influence* on public authorities except at the end of the period.

Legal Aspects: from Blindness of Public Authorities to Judicial Balance

While the secularisation of Belgian society naturally influenced the way in which emergency health law dealt with religion, two hypotheses remained open: on the one hand, religion could be seen as trivialised, even forgotten, and in any case considered a non-essential good; on the other hand, religion not only lost its once-dominant cultural status but could be stereotyped as irrational and therefore dangerous as out of control in the face of contagion risks (Kessels 2021; Ost 2022). The Council of State itself took into account, albeit briefly, the potential increased risk of COVID-19 transmission associated with the conduct of religious ceremonies: ‘ceremonies may be accompanied by prayers or songs, and may involve contact and movement between participants before, during and after the ceremonies.’⁴

Whatever the hypothesis, we would like to highlight that public authorities failed to adequately take religion into account in their pandemic regulations but the judicial review by the Council of State helped to restore some degree of balance in this regard.

Blindness of Public Authorities

While religious authorities tried to support public authorities, the opposite was not true. In fact, in most of their early decisions, public authorities mostly ignored the interests of religious groups and of believers. The first ministerial decree, adopted in March 2020, provided that ‘the activities of religious ceremonies’ were prohibited, except for ‘activities in familial or intimate circle and funerals’. A second version of this decree allowed ‘religious weddings, but only in the presence of the spouses, their witnesses and the minister of religion’. In April 2020, the broadcasting of religious ceremonies was also permitted.

Restrictions of the first lockdown were eased for religious activities in the beginning of June 2020, one month after the easing of other restrictions. At that time, a limit of one person per ten square metres was set for attendance in buildings. Although a complete review of the measures adopted during each wave would be too long, it is noteworthy that, while measures targeting religious activities were initially in specific provisions, they were integrated in general rules after the third wave in 2021 (Bernaerts and Overbeeke 2022).

A salient characteristic of the ministerial decrees adopted initially is the poor quality of their definition of religious activities. While religious ceremonies were prohibited, there was initially no mention of (organised) philosophies – in contradiction with Belgian constitutional alignment rules. The first ministerial decree was thus unclear regarding the activities of organised secularism or, for instance, Buddhism. A literal reading of the decree could have implied that a religious baptism was prohibited, while a secular one would have been permitted, or that masses were forbidden, while a masonic meeting would have been allowed. This shows how the emergency had a detrimental effect on the quality of legislation on a complicated subject. Consequently, several local regulations were adopted to include the philosophical celebrations in the list of prohibited activities. The government of the Brussels-Capital Region added the word ‘non-confessional’ in order to cover all religious and spiritual activities.⁵

Even if religious activities were cancelled, it should be noted that religious places were not closed during the lockdown, although going to church was never considered a legitimate motive for moving when restrictions regarding freedom of movement were in place. In addition, limits were set on the number of people that could be in the building at the same time. Throughout the crisis, this limit varied from four people to 200. In addition, ‘no religious or convictional accompaniment was called for or organised around the (people) suffering and dying’ (Christians 2022; our translation) in intensive care units.

This complete disregard for religious activities is exemplified by an event at the end of 2020. Notably, while delivering a speech in late November, the prime minister repeatedly mentioned the word ‘Christmas’ but failed to make any reference to its religious significance and moreover failed to acknowledge the difficulties faced by believers due to the public prohibition of the Holy Christmas Mass. This could confirm a high degree of secularisation within society – public authorities

view Christmas essentially as a family event rather than a religious celebration – but it could also have been because Catholicism is the dominant religion in Belgium and public authorities might have been hesitant to treat this religious holiday differently for fear of discriminating against other religions (Christians 2021a). It is noteworthy to observe that this blindness towards religious activities was also evident at the European level. For instance, recommendations issued by the European Commission did not mention religion, even when they pertained to activities involving gatherings (Mertens 2022).

When the state regulated religion, its measures appeared to have been mostly influenced by Catholicism, which happens to be the oldest and largest faith in Belgium. This is, for instance, the case when the state imposed a restriction on the number of people permitted to attend religious ceremonies, limiting it to just five individuals, whereas a Jewish ceremony requires a minimum of ten individuals (Overbeeke and Christians 2020; Vanhamel 2021). As shown hereafter, this was one of the arguments that the Council of State accepted to discuss and to take into account.

The pandemic-fighting policies were not restricted to recognised religions, but Belgian authorities faced difficulties when attempting to regulate religious activities regardless of their status. For instance, it is worth noting that a protocol was established in 2021 between the representatives of recognised religions and philosophies, as well as the representatives of Buddhism (which is not recognised), and the minister of justice, to regulate the organisation of outdoor religious ceremonies. This raises the question of why only Buddhism was invited to participate in this protocol and no other minority religions. Any collaboration between religious representatives and state authorities occurred without a clear legislative framework for these proceedings.

The reopening of religious ceremonies was conditional on the adoption of measures by religious authorities, whose minimal scope was established in a ministerial decree (Christians 2022). This suggests that religious authorities kept some autonomy to define the measures concerning their own religion, which is in line with the autonomy guaranteed by Article 21 of the Constitution (Christians 2020). However, such responsibility conferred on representative organs of religious organisations missed the fact that, in some religions, authority is scattered between multiple communities, rather than hierarchically organised, as in the Catholic religion (Overbeeke 2011).

In conclusion, the COVID-19 pandemic highlighted the government's struggle to effectively regulate religious activities during times of crisis. Belgian authorities showed a lack of consideration for religious practices, leading to poor legislation and policies unfair to certain religions. A more inclusive approach to regulating religious activities during times of crisis, based on the recognition of the diversity of religious practices, could have ensured that policies were fair and equitable.

A Balance Imposed by Judges

When the parliament granted special powers to the government, the legislative section of the Council of State insisted that measures put in place should be compatible with freedom of religion, as guaranteed by Article 9 of the European Convention on Human Rights.⁶ However, as the pandemic persisted, the proportionality of these measures, as well as their coherence, was called into question. Measures looked as if they were designed to achieve a global efficiency, without considering their individual adequacy or proportionality (Christians 2021b).

In 2020, the Council of State addressed restrictions on freedom of religion during the COVID-19 pandemic. The Belgian judicial debate was somewhat influenced by the similar issues that were raised in France. At the end of the first lockdown, the French Council of State ruled that the prohibition of religious ceremonies was disproportionate (Nihoul, Wattier, and Xavier 2020). During the second lockdown, French judges initially deemed the measures proportionate, although a collaboration with religious representatives should take place.⁷ Later, they judged that the absolute limit of 30 people was to be rejected.⁸ These decisions and related public debate likely influenced the perception of believers in Belgium – and perhaps the appreciation of judges. It appears that no new legal challenges to restrictions targeting religious freedom occurred after the second lockdown; even though a last decision was pronounced in 2022, this regarded a case introduced in 2020.

As religious authorities tended to be supportive of the measures adopted by the state to curb the propagation of the coronavirus, the legal challenges came from religious individuals, often belonging to more traditionalist branches. Although Belgian courts have addressed many cases involving Islam, namely about the wearing of the veil in various places or ritual slaughter, none of the challenges to coronavirus

restrictions came from Muslim believers. In May 2020, the Belgian Council of State, which is competent to review administrative decisions of public authorities, rejected a claim introduced by Catholics seeking to reopen churches before Pentecost (Judo 2020). Three main arguments supported this decision.

First, the fact that public authorities had maintained a dialogue with religious representatives about the reopening of religious places is taken into account in the decision not to lift the prohibition of religious ceremonies (Mertens 2020). Indeed, the Council of State observed that:

since the beginning of May 2020, the [Government] has been consulting representatives of the different religious communities about a gradual restart of religious services. In the meantime, it seems that the following concrete steps have been taken, leading to the development of a road-map by the bishops specifying the course of the celebrations and the protective measures that will be taken.⁹

Second, another reason for the rejection of the claim to reopen churches before Pentecost was the timing of the decision by the Council of State, which was too close to the feast. Given the short amount of time available, the government and experts would not have been able to develop and communicate adequate measures for religious celebrations, even if the continued suspension of such celebrations was an issue.

A third reason for rejecting the claim to reopen churches before Pentecost was that bishops had voluntarily suspended certain rituals, such as baptisms. The ‘spiritual sovereignty’ of religious organisations is thus a shield for governmental measures. In addition, had the Council of State given extra weight to the imminence of Pentecost, it might have been accused of being biased in favour of the dominant religion, especially since Ramadan had ended only a few days before.

The absence of reaction from bishops to this decision might show a ‘a calmer relationship with the public authorities’ (Schreiber 2020) than in other countries. The following decisions about the limitation of freedom of religion induced by COVID-19 measures were pronounced in December 2020. At that time, instead of a complete ban on all religious ceremonies, public authorities implemented strict limitation. Funerals and weddings were allowed with a maximum of 15 and five people, respectively.

The Council of State added in another case¹⁰ that the government had to resolve the situation by engaging in a dialogue with religious

and philosophical representatives, even if no such dialogue is currently institutionalised in Belgium (Wattier and Xavier 2021). Following the decision rendered in the beginning of December 2020, a ministerial decree set the limit for both weddings and funerals at 15 people. When that limit was challenged, the Council of State rejected the claim, arguing that the limitation precisely was a result of the dialogue between public and religious authorities.¹¹

Whereas this decision took place in a procedure of suspension, the decision to cancel the challenged provisions was pronounced in 2022.¹² The fact that other activities benefited from more relaxed rules was critical in the reasoning of the Council of State. This comparative test, adopted after the end of the health crisis, was not successful during the crisis itself. Previously, facing another major criticism addressed to the health measures, i.e. the lack of consideration given to the surface area of religious places when determining the number of people admitted to ceremonies, the Council of State justified the difference with other activities, such as shopping, by emphasising the collective nature of religious ceremonies, stating that ‘collective participation in a religious service or non-denominational moral assistance does not seem to be sufficiently comparable to an activity carried out individually’.¹³

In the middle of these discussions, the concept of ‘essential service’ was pivotal but never included a religious or spiritual dimension. Despite the constitution granting freedom of religion a special status, the government did not prioritise religious activities as highly as other sectors, possibly due to their lack of a ‘material’ dimension. This was precisely reflected in the strict limitations on the number of people allowed to attend religious ceremonies compared to other sectors. Still, ‘to valorise physical needs over spiritual ones may not adequately express everyone’s priorities’ (Mala Corbin 2021).

Consequently, a sense of discrimination between different sectors emerged, which in turn contributed to a decrease in social cohesion as the pandemic continued. Sociologically, this could be an indicator of the ‘post-secularisation’ (Christians 2022) trend in Belgian society, where religion is viewed as one sector among others, without a privileged status.

Sociological Aspects: Legitimation from Religious Authorities

From a religious point of view, the COVID-19 pandemic had a profound impact on the way that religions interacted with public authorities, as well as on the relationships between religious communities themselves, and, finally, between religious authorities and their own members (Dillen 2021; Hermesse 2020; Hoffmann 2022; Join-Lambert 2020). One notable development was the intensive cooperation between religions during the pandemic, with religious representatives coordinating their positions and speaking unanimously with public authorities. This is particularly noteworthy given that the relationships between public and religious authorities have historically involved tensions around complex ethical debates, such as abortion, euthanasia, surrogacy, artificial insemination, or, more recently, ritual slaughter (see, for instance, Sägeser 2018).

The fact that religious representatives attempted to position themselves as supporters of governmental measures is striking and could be related to the relative political unanimity that prevailed at the beginning of the pandemic. The minority government that ruled when the pandemic erupted received double support from the parliament's vote of 'special powers', which conferred on the executive vast room for manoeuvre, including the adoption and modification of legislative texts (Bouhon et al. 2020). In addition, the Council of Ministers was open to minister-presidents of regions and communities, as well as representatives of all democratic political parties.

This political unanimity (see Sinardet and Pieters 2021) reflected the strong feeling of solidarity within the population during the first wave of COVID-19 in Belgium (see, on this subject, van Loenhout et al. 2022), with religious authorities fully participating in this collective attitude. For instance, a public statement from the representative body of Belgian Muslims emphasised that 'as soon as the COVID-19 coronavirus pandemic appeared in our country, the Executive of Muslims in Belgium [hereafter referred to as EMB] invited citizens of the Muslim faith to scrupulously respect the sanitary measures imposed by the Belgian State to preserve public health.'¹⁴ Muslim believers were indeed highly compliant with pandemic regulations (Van Cleempoel 2022). Similarly, the Belgian Bishops' Conference (BBConf) '[thanked] the Federal Government, the Regional Governments and the various

teams of experts for the good management of the coronavirus crisis'.¹⁵ It is noteworthy that the endorsement of governmental measures aligns with the stance of religious representatives at the European level, specifically the COMECE and the CEC (Mertens 2022). However, an analysis of further press releases published during the second wave shows that Belgian Catholic representatives put less emphasis on the need to *respect* governmental measures and more on *solidarity* with people infected by the coronavirus, health care workers, and public authorities.¹⁶

In the early stages of the pandemic, religious leaders took additional measures to those enacted by public authorities.¹⁷ For instance, the BBConf cancelled all religious ceremonies slightly before public authorities adopted their measures.¹⁸ The Great Mosque of Brussels was closed early in March during Friday prayers, even though only events of more than 1,000 people were prohibited.¹⁹ In July, the EMB recommended that the prayer for the Feast of Sacrifice be cancelled and replaced by a prayer at home.²⁰ As underlined hereafter, the spontaneous initiatives from religious authorities played a decisive role in the judicial review of the Council of State.

Even as the pandemic lasted, religious representatives did not diminish their support for governmental action, while political cohesion slowly decreased. The support continued in 2021 but with an emphasis on the need to protect more religious activities. For instance, a press release indicates that:

the EMB and the representative bodies of the other recognised faiths are continuing the dialogue with the authorities in order to allow a greater number of worshippers to be present in places of worship. In the meantime, the EMB once again calls on citizens of the Muslim faith to carefully observe all health decisions taken by the authorities and to be vaccinated.²¹

Despite these calls for more flexibility, there was no direct dispute of health measures enacted by public authorities during the whole of 2020 or 2021, while, at the same time, there was some serious disagreement between Muslim representatives and the state, namely on religious slaughter or about the management of the EMB. One exception came for the Catholic Church, with a text written by one bishop and published in an important French-speaking newspaper, but that was when a first judicial contestation of the health measures was underway.

Nevertheless, these criticisms did not lead to judicial contestation initiated by religious authorities. As shown further, judicial actions were launched by individuals.

Religious leaders also supported vaccination against COVID-19,²² which was instrumental in achieving a higher rate of vaccination among the population (Kessels 2021; Klein and Yzerbyt 2023). Through the entire pandemic, they communicated about the health measures that were in force. This simple communication from religious representatives was a powerful tool for public authorities, as it enhanced the diffusion of information and raised the awareness of believers who might not have followed the official news or might have been exposed to fake news.²³ As Jean-François Mayer observes, ‘historical religious groups have mostly sought cooperation rather than confrontation in an effort to remain trusted partners of the State in a time of crisis’ (Mayer 2021).

However, the situation was less clear in smaller and less-organised religions. For instance, the body in charge of monitoring the activities of harmful sectarian organisations expressed concerns that some religious organisations ‘were relaying messages whose nature could lead adherents to disregard safety precautions and potentially endanger public health’ (Belga 2020).

As underlined above, religious leaders coordinated themselves intensively, as shown in this extract: ‘for several weeks now, the EMB has been working with the other churches to speak with one voice and submit joint proposals to the authorities.’²⁴ Nevertheless, this coordination between religious groups did not include representatives of organised secularism. It seems that Catholic authorities insisted more on the importance of dialogue between religious and public authorities: ‘the bishops want to resume dialogue with the relevant government departments to consult on the resumption of public religious celebrations.’²⁵ They were also more vocal about the need to reopen religious places: ‘bishops ... call for the earliest possible resumption of public celebrations.’²⁶ In 2021, they criticised the absence of considering the size of religious places in determining how many believers could attend ceremonies,²⁷ even though the Council of State did not accept this argument.

The legitimisation process of religious support for governmental measures was not limited to formal support but also grounded in theological arguments. Religious leaders emphasised the need to respect measures ‘in the name of defending the weak and the sick, with a sense

of responsibility in the face of a crisis' (Christians 2021a). However, it is not clear whether this support reflects loyalty towards the government or towards the scientific dimension of the measures imposed to curb the propagation of COVID-19.

Nevertheless, this cooperation between religious leaders, and with public authorities, was just one of many occasions to rekindle a now classic tension between religious authorities and liquid individualities. While secularised individuals remained silent towards limitations on religious practice, a minority of radicals – those who took the government to courts – were in fact seeking to challenge their own religious authorities, who were considered too self-indulgent with public restrictions.

Conclusion

In conclusion, the COVID-19 crisis significantly impacted religious practices in Belgium, raising questions about balancing the protection of public health and the exercise of religious freedom. Through our analysis of the situation, several key observations can be made.

First, religious authorities positioned themselves as supporters of the measures adopted by public authorities. This indicates a collaborative approach, as religious leaders understood the importance of protecting the public health and respected the measures implemented. This collaboration was also intense between religious organisations themselves, but not with representatives of organised secularism.

Second, the emergency emphasised the difficulty to apprehend the complexity and the diversity of religious activities. It is challenging to create a single set of measures that adequately reflects the diversity of religious practices. In so doing, the government had to emancipate itself from the legal framework of recognised religions to adopt suitable legislation. However, the position of the government was sometimes ambivalent. While the religious dimension of Christmas was completely overlooked by public authorities, some restrictions seemed to be based on Catholic religion. This highlights the importance of ensuring that restrictions are applied in a fair and non-discriminatory manner.

Third, the judicial review of the Council of State has helped to better define the acceptable limits to freedom of religion, although it rejected several claims. In this regard, it should be underlined that

judicial actions were initiated by individual believers and not by religious authorities. In our opinion, the Council of State could have given more weight to the notion of relative limits of frequentation of religious places. The instruction addressed to public authorities by the Council of State to engage in dialogue with religious representatives was also a significant development, as it could pave the way for the adoption of more balanced measures in future crises (Bernaerts and Overbeeke 2022).

Finally, the COVID-19 crisis presented unprecedented challenges to democracy (Bourgaux 2023) in general, and to the protection of religious freedom. However, it has also provided an opportunity for reflection on how best to balance the protection of public health with the freedom of religion. Moving forward, the lessons learned during this crisis might be used to rethink the mechanisms of dialogue and cooperation between religious groups, as well as between religions and the state. This approach is pivotal to design effective and inclusive policies and promote greater cooperation between religious authorities and public authorities.

Notes

- 1 Louis-Léon Christians is a professor at UCLouvain. Romain Mertens is a teaching assistant and PhD student at UNamur. Both are members of the EUREL network.
- 2 <https://www.thearda.com/world-religion/national-profiles?u=22c>.
- 3 Islam is the second-largest religion (<https://atlasminorityrights.eu/countries/Belgium.php#opendivdemo>).
- 4 Council of State, no. 249314, 22 December 2020; Franken (2021); Goffaux (2022).
- 5 Article 3 of the Decree of the Minister-President of the Brussels-Capital Region of 19 May 2020 on the Organisation of Funerals in the Context of Emergency Measures to Limit the Spread of the Coronavirus – COVID-19.
- 6 Council of State, advice no. 67142, 25 March 2020.
- 7 Council of State (France), no. 445825, 7 November 2020.
- 8 Council of State (France), no. 446930, 29 November 2020.
- 9 Council of State, no. 247674, 28 May 2020.
- 10 Council of State, no. 249177, 8 December 2020.
- 11 Council of State, no. 249313, 22 December 2020; Council of State, no. 249314, 22 December 2020.
- 12 Council of State, no. 254041, 17 June 2022.

- 13 Council of State, no. 249313, 22 December 2020; Council of State, no. 249315, 22 December 2020.
- 14 EMB, press release, 18 May 2020. See also: 12 March 2020; 13 March 2020; 15 April 2020; 3 June 2020; 2 July 2020; 10 July 2020; 27 July 2020; 23 October 2020; 1 November 2020; 12 December 2020; 8 March 2021; 30 August 2021; 1 October 2021; 28 October 2021; 19 November 2021; 3 December 2021; 23 December 2021; 7 January 2022; 24 January 2022; 15 February 2022.
- 15 BBConf, press release, 16 April 2020. See also: 21 August 2020; 27 August 2021.
- 16 BBConf, press release, 24 October 2020. See also: 10 December 2020.
- 17 BBConf, press release, 2 March 2020.
- 18 BBConf, press release, 12 March 2020. They also took additional measures at the end of the pandemic. See: 11 March 2022.
- 19 EMB, press release, 11 March 2020.
- 20 EMB, press release, 27 July 2020. See also: 29 July 2020.
- 21 EMB, press release, 5 May 2021.
- 22 EMB, press release, 10 February 2021. See also: 25 June 2021; 30 August 2021. BBConf, press release, 29 April 2021; 27 August 2021; 29 September 2021.
- 23 EMB, press release, 25 February 2022.
- 24 EMB, press release, 18 May 2020. See also: 28 May 2020. See also: BBConf, press release, 28 April 2020.
- 25 BBConf, press release, 1 December 2020.
- 26 BBConf, press release, 5 May 2020.
- 27 BBConf, press release, 12 March 2021.

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CHAPTER 3

Religion and COVID-19 in Croatia

Preference for Religion and Varieties of (Non)compliance

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Abstract

In this chapter, we provide an overview of the legal and sociological aspects of the pandemic that pertain to religion. The legal measures undertaken by the Croatian government have not been challenged via the judicial system; the use of the courts for this purpose was almost non-existent. Concerning the sociological aspects, we focus on varieties of (non)compliance with government-prescribed measures at various levels of the Catholic community (religious leadership, clergy, and believers), as well as on how this (non)compliance changed over time. We also describe anti-mask attitudes and conspiracy theories in the belief that these phenomena, though not directly relatable to religion, reveal the overall social climate as a framework in which the social

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role of religion during the pandemic can be traced. Our analysis shows that the close relationship between the state and the Catholic Church was also evident during the pandemic. Furthermore, public debates about public health measures related to COVID-19 (e.g. vaccines and COVID-19 passes) contributed to the politicisation of the disease, and religion played an important role in this process. Although there is an evident lack of data on religious phenomena during the pandemic in Croatia, this chapter uses a variety of sources, including legal texts, the documents of public officials and institutions, media reports, and existing scholarly studies.

Introduction

In Croatia, the first case of COVID-19 infection was confirmed in Zagreb on 25 February 2020. On 11 March, the same day the World Health Organization declared a pandemic caused by the SARS-CoV-2 virus, the Croatian Ministry of Health declared it to be an epidemic.

In Croatia, the spread of COVID-19 followed a pattern similar to that of other Central and Eastern European countries, where the pandemic broke out slightly later than in Western Europe. This slight delay gave the government time to prepare and implement strict measures, resulting in a mild first wave of the virus (Lesschaeve, Glaurdić, and Mochtak 2021). The government started easing the initial measures on 27 April 2020. By 11 May 2023, when the end of the epidemic was declared in Croatia, there had been five waves of infection. At the very beginning of the outbreak, the official measures were quite severe; however, in later stages, they became more relaxed. Despite this, there were public debates about the need for them, especially regarding vaccinations.

Research on the effects of COVID-19 on religion in Croatia is limited. Filipović and Rihtar (2023) seek to identify the impact of adolescents' religiosity on coping with the pandemic. They conclude that the faith of religious adolescents became more personal and positively affected psychosocial resilience and personal growth in combination with family cohesion. Pavić, Kovačević, and Jurlina (2023) explore the connection between religiosity, internet use, and vaccination attitudes to determine the possible interaction effect between internet use and religiosity. They find that internet use was negatively correlated with vaccine hesitancy before the pandemic; however, during the later

phases of the emergency, religiosity and internet use had an interactive impact. In other words, the relationship between time spent on the internet and vaccination attitudes differed according to a person's religiosity. Religious people who spent more time on the internet had higher vaccination conspiracy beliefs than those who spent less time surfing the web. Among those who were less religious, the pattern was different – people who spent more time online had lower scores on the vaccination conspiracy scale.

Interestingly, several papers that have dealt with conspiracy theories (Ančić and Cepić 2021; Bagić, Šuljok, and Ančić 2022) and far-right activism (Topić et al. 2022) in the context of the pandemic have completely ignored religion. Other articles are not entirely located in the field of sociology and only partly touch on the role of religion. These include a study of conspiracy theories about vaccination (Kelam and Dilica 2021) and one analysing attitudes towards COVID-19 and vaccination on a small convenience sample (Tadić, Brezovec, and Tadić 2022). Another paper does discuss the role of the Catholic Church in responding to the pandemic but is based on the 'research method of the pastoral judgment' (Jurić 2021). Eterović (2022) marginally deals with the role of the church in his ethical analysis of the interrelatedness of basic moral values and public health effectiveness, much like Žažar (2022) in his study of moralising in public discourse during the pandemic. Anthropologists Perinić Lewis et al. (2022) investigate how the infection and the health care measures taken to stop it affected the loss of family members, funerals, and mourning among small island communities.

In this chapter, we start with a brief overview of the social context in Croatia. Next, we sketch the legal and sociological aspects of the pandemic. Regarding the latter, we focus on varieties of (non)compliance with the anti-COVID-19 measures among different levels of the Catholic community (religious leadership, clergy, and believers) and their changes over time. We also look at differences in the state's attitude towards dominant and minority religions. Furthermore, we describe anti-mask attitudes and conspiracy theories in the belief that these phenomena, though not directly relatable to religion, reveal the overall social climate as a framework in which the social role of religion during the pandemic can be traced. Given the lack of empirical evidence regarding the pandemic's influence on collective religious life, we will mainly focus on how various secular and religious actors

positioned themselves in this situation. Our analysis draws on various data sources, including legal texts, the documents of public officials and institutions, media reports, and existing scholarly analyses.

Setting the Context

A brief overview of Croatia's historical, social, and political context is important to better understand the complex dynamics between religious communities, the state, and other societal actors that occur in the country. Croatia is traditionally a Catholic country bordering different religious and cultural regions, where diversity from its neighbours has historically been based mainly on religious identity and belonging. During socialism (1945–1990), the government eliminated religion from the public space and made it invisible; however, religion remained strongly present in the private sphere, where it was transmitted through socialisation based on traditional family patterns (Jukić 1994; Marinović Jerolimov 2004). For example, research conducted in the Zagreb region in 1972 showed that 81 per cent of respondents had crosses, images of saints, and small altars in their family homes (Marinović Jerolimov 2004, 306).

After independence and the introduction of democratic changes under transitional circumstances linked to the war against its independence, the identity of the new Croatian state became strongly related to Catholic values. This fact is visible in different areas of public life, for example in the intertwining of religion and politics or in religion's presence in the media and the education system. The vast majority of Croatian citizens (about 90 per cent) report confessional adherence, and 70–80 per cent identify as religious, which positions Croatia as among the most religious countries in Europe (Črpić and Zrinščak 2005; Pew Research Centre 2017). The most recent statistical data from the 2021 population census show that 83.03 per cent of the population were Catholics, 3.36 per cent Orthodox, 0.33 per cent Protestants, 0.66 per cent other Christians, 1.32 per cent Muslims, 0.09 per cent Eastern religions, 0.01 per cent Jews, 0.37 per cent other religions, movements, or worldviews, 1.68 per cent agnostics or sceptics, 4.71 per cent not religious or atheists, and 3.86 per cent not declared or unknown.¹ However, national and religious homogenisation and the deprivatisation and deindividualisation of religion from the 1990s onwards are only some of the multidimensional and complex dynamics pertaining

to religion in contemporary Croatia. These dynamics manifest themselves as different and sometimes contradictory trends at various levels of society. For most of the population, religion is part of a broad cultural-symbolic identification framework, which includes religious people but also some indifferent and non-religious groups (Marinović Jerolimov and Hazdovac Bajić 2017). Despite that, scholars have also documented processes of (contextual) secularisation² and individualisation. In other words, although personal religiosity has remained relatively stable (religious belonging, religious self-identification, and the importance of religion in everyday life), church religiosity has declined somewhat, especially in terms of institutional religious practices (church attendance) and the church's public role (trust in the church) (Nikodem and Zrinščak 2019).

Legal Aspects

The law used to enact the measures against the spread of COVID-19 was the Law on the Protection of the Population from Infectious Diseases. This law has been in force in Croatia since 1992 and has been amended several times (in 2004, 2007, 2009, and 2018).³ After the epidemic was declared, the law was changed twice in 2020. These changes included adding the disease caused by the SARS-CoV-2 virus to the list of infectious diseases, authorising the Civil Protection Headquarters (in addition to the Ministry of Health) to prescribe special actions for the protection of the population, determining the method and conditions of self-isolation and the obligation to wear medical masks, and deciding on the fines for non-compliance with the official protective measures.⁴ In 2021, the law was again amended to incorporate the obligation to present proof of testing, vaccination, or recovery from COVID-19 to enter certain premises.⁵

The Civil Protection System Act (originally from 2015, amended in 2018) was also changed in 2020.⁶ In this case, the government authorised the Civil Protection Headquarters to make decisions under special circumstances (e.g. danger to citizens' lives and health or significant damage to property of great value, the environment, or economic activities), which were to be implemented by regional and local civil protection units. None of these regulations deals specifically with religious life, and there are no legal drafts that explicitly regulate religious life in the event of a future pandemic.

About 20 days after the first recorded case of infection in Croatia, the Civil Protection Headquarters issued the Decision on Measures to Limit Social Gatherings, Work in Shops, Service Activities and the Holding of Sports and Cultural Events,⁷ which officially started the first lockdown in the country. The anti-pandemic measures adopted through this decision included, among others, maintaining a physical distance of two metres indoors and one metre outdoors; limiting social gatherings to a maximum of five people; suspending all public and religious gatherings, service and cultural activities, catering facilities, and the operation of shops (except those selling food and medicines); and closing gyms, driving schools, and dance schools. A few days later, on 23 March, the Decision on the Prohibition of Leaving One's Place of Residence in the Republic of Croatia⁸ was adopted, leading to an even greater tightening of social life. In addition to suspending all religious gatherings, the Civil Protection Headquarters issued the Measure on the Manner of Conducting Funerals and Last Farewells and the Decision on Measures to Enter into Marriage and Life Partnerships, which directly impacted religious gatherings and ceremonies. These decisions established that funerals were to be performed exclusively with the closest family members and the representatives of the religious community in question. Musical services and the delivery of candles and flowers were suspended. Obituaries were prohibited from containing information about the place and time of burial. Entering into a marriage or life partnership was also limited to the presence of one's immediate family, a religious community representative, or an official person. All forms of wedding celebration were suspended. Although these rules were later relaxed, they affected the number of marriages that took place at the time. The data for 2020 show that marriages fell by 22.9 per cent compared to the previous year. More recent data confirm that the number of marriages from March 2020, when the epidemic was officially declared in Croatia, to February 2023 decreased by 11.1 per cent compared to the average for the previous five years.⁹ The Civil Protection Headquarters' recommendation to religious communities was to broadcast Mass via radio, TV, or any other means so that believers could still attend the celebrations without gathering inside religious buildings.

While funerals and weddings were legally regulated, chaplaincies in hospitals and other public institutions (prisons, nursing homes, etc.) were not explicitly controlled, nor was this an issue that anyone

in public dealt with. However, based on some media reports on the pastoral work of the Catholic Church during the pandemic,¹⁰ Catholic chaplaincies took place on a partially informal basis. The church claimed that all patients affected by COVID-19 should be provided with pastoral care because every person had the right to it, regardless of the severity of their illness. Hospitals and caregivers should provide such care while respecting the relevant health care measures intended to protect personal health.

The legal measures implemented by the government have not been challenged through the legal system. There were many public discussions and there was an attempt to hold a referendum on certain initiatives and on the government's authority to undertake these, which will be discussed later in detail. However, few cases were brought to court. According to the available information, only three cases were brought to the European Court of Human Rights (ECtHR). Thus far, the court has dismissed one of these as ill-founded.¹¹ Also, these cases were not extensively discussed in the public arena; as a result, they did not influence ongoing debates to a considerable extent. The limited use of courts, particularly regarding human rights arguments, is mainly due to Croatia's socialist legacy and the perception that the justice system is inefficient. From 1999 to 2020, citizens ranked the Croatian justice system very low in terms of trust, together with the country's parliament and political parties (Bovan and Baketa 2022).

In this context, it is also important to note that a close relationship between the Catholic Church and the state has existed in Croatia since the 1990s, when the country gained independence. This relationship is described in the Constitution of the Republic of Croatia. Although the constitution stipulates the separation of church and state, it stresses cooperation (protection and assistance) between them. This link was strengthened by four agreements signed with the Holy See in 1996 and 1998.¹² The state's relations with other religious communities remained unregulated until 2002. The interactions between the church and the state during the pandemic exemplified the close cooperation between the two. As we will show later, the strong social influence of the church was not unimportant for the state when it had to adopt protection measures, as was the case with the vaccination programme and the COVID-19 passes. At the same time, minority religious communities were not included in any public debates. Non-Christian religious minorities did not publicly declare themselves on any issues regarding

COVID-19 measures and there was no formal interreligious body in Croatia during the pandemics.

Sociological Aspects

This section focuses on the relationship between religious groups and the state. It aims to reveal the dynamics of compliance with/resistance to the measures imposed by the government to fight COVID-19. While this focus is conditioned by the fact that empirical evidence on how the pandemic influenced collective religious life is scarce, it can say much about the position of various religious groups in society and the relationships between religion and other social actors. This section is primarily based on the thematic content analysis of three secular news portals (Indeks.hr, Jutarnji.hr, and Vecernji.hr), as well as the websites of the Croatian Bishops' Conference (Hbk.hr) and a Catholic weekly magazine (Glas-koncila.hr), between April 2020 and December 2021 (Hazdovac Bajić, Fila, and Marinović Jerolimov 2022).¹³

Religions and the State: Varieties of (Non)compliance

Compliance with the measures imposed by the government should be looked at from two angles. The first is the difference between the various layers of a religious organisation (leadership, clergy, and believers); the second is changes over time. During the first wave of the pandemic and the strict lockdown imposed by the Civil Protection Headquarters, all the major religious communities in the country supported and implemented the official measures. On 19 March 2020, the Croatian Bishops' Conference decided to cancel all religious gatherings and issued precise instructions concerning all aspects of religious life.¹⁴ The bishops explained that it was a Christian duty to show solidarity to the population and do everything possible to prevent the spread of the virus. They referred to the Bible (Romans 12:12) by invoking the need to be joyful in hope, patient in affliction, and faithful in prayer. Other religious communities took similar decisions.¹⁵ This support lasted until the end of the pandemic. However, during the following waves, there was much criticism in the public about the official measures, even though they became very relaxed. That had an impact on the position of the Catholic Church. A telling example of this is the Catholic Church's position on vaccination. On 11 November 2021,¹⁶

the church issued a statement confirming that the vaccination programme was ethically acceptable. The statement, though, also insisted that the programme should be voluntary, based on the free will of citizens, and that it was completely unacceptable for rights to be denied to those who, for whatever reason, refused to get vaccinated. Mass anti-vaccination protests started in October 2021. At these events, the demonstrators carried images of Jesus Christ and the Virgin Mary, and they sang religious songs. Some of the speakers were priests and members of NGOs with close links to the church. However, despite heated public debates and Croatia's low vaccination rate, the church's leadership remained silent on COVID-19 vaccines until their public statement in November 2021.

At the level of the clergy, the situation was more complex. While there is no precise data on this topic, it could be concluded that most priests followed the government's instructions. However, the media's attention was directed at those who opposed the measures. The media reported extensively on the priest from the city of Split who, despite the restrictions, kept holding religious services. A journalist who investigated this issue was insulted and physically attacked by some believers and the priest.¹⁷ He and some other priests stated that religious services and receiving communion were basic human rights that should never be denied, that COVID-19 had been made by the Americans, and even that those who believed in Jesus could not contract the virus.¹⁸ A professor at the Catholic Faculty of Theology of the University of Zagreb declared on many occasions that the virus had been planned and was part of 'pandemic totalitarianism'.¹⁹ Still, it should be noted that the dean emphasised that the professor's opinion diverged entirely from that of the Catholic Faculty of Theology and from the Roman Catholic Church's belief in the usefulness of vaccines.²⁰

The public attention paid to priests and religious practices that went against the official policies hides an aspect that has remained completely unknown, at least for the general population. When the end of the epidemic was declared in May 2023, a Croatian MP, a former religious teacher known for his conservative attitudes, said the following: 'For me, the most difficult thing during lockdown was attending religious services in bunkers and other secret places, as they were forbidden, but the priests still held them.'²¹ While these words should be investigated further, they suggest that resistance to the official measures was more widespread than previously thought; they might even

indicate the existence of what can be termed an underground church. The most interesting thing is that there was no reaction to this statement. This fact is possibly a reflection of current disinterest towards COVID-19 and a general permissiveness regarding non-compliance with the official measures.

There have also been some elements of innovation. The Catholic priest who invited parish members to step out of their homes so that he could do the Easter food blessing from his car is an isolated but interesting example.²² Other innovations include the reliance on the online activities of priests and believers (e.g. dedicated YouTube channels) and other ideas that enabled religious people to maintain their sacramental practices in isolation (e.g. perfect repentance and spiritual communion).²³ There is no further empirical evidence that can give us more details. Still, the impression is that these were exceptions and that they have not significantly influenced religious life since the pandemic.

Religions and the State: Majority–Minority Relations

The pandemic reflected and reinforced church–state relations as well as the dominant position of the Catholic Church in Croatia, which was, as said, solidified by four agreements signed with the Holy See in 1996 and 1998. Such a position is documented by the official meetings between the government and the representatives of the Croatian Bishops' Conference, which took place twice a year to discuss and resolve potential problems. This did not happen with the other religious communities. The meeting held on 6 December 2021 is an excellent illustration of the 'success' of such gatherings. While the bishops supported the vaccination programme, they did not agree with the issuing of COVID-19 passes. Their attitudes changed after the meeting in question, and they distanced themselves from the public referendum on the passes started by the right-wing party.²⁴ In other words, bishops withdrew from the public discussions on the passes, did not comment on the referendum, and did not support the right-wing conservative party in its attempt to organise a referendum. This illustrates how the government relied on the support of the church's leaders. Despite public discussion about the position of the Catholic Church and somewhat divergent opinions among believers, there is no indication that the majority of believers would not pay attention to what religious leaders say. An important fact in that regard is that this right-wing government

has been favourable to the Catholic Church and, in return, expects support from Catholic bishops.

The Catholic Church also benefited from the government's recommendation, made during the first lockdown (March–May 2020), that Mass celebrations should be broadcast. National broadcasting was regularly provided only for the Catholic Church. The World of Life Union of Churches filed a complaint with the ombudswoman stating that, in 2020, national television channels did not cover a single event they organised, even though they were obliged to do so based on an agreement the church had with the government.²⁵ In November 2020, during the second lockdown, the Civil Protection Headquarters again recommended broadcasting religious services whenever possible. At the time, only gatherings of up to 25 people were allowed. This prompted the Croatian Bishops' Conference to argue that this restriction could put Catholics at a disadvantage because it did not consider the place where the religious gatherings occurred.²⁶ In a subsequent decision, taken in December 2020, the Headquarters exceptionally allowed Mass celebrations to go ahead on 24 and 25 December, though these had to be in line with special recommendations and instructions issued by the Croatian Institute of Public Health. According to such instructions, on the two days in question, the number of believers present would depend on the size of the inner area of the church, regardless of the restriction on gatherings of more than 25 people. However, the decision did not apply to the Serbian Orthodox Church, which celebrates Christmas based on a different calendar. This was raised by the ombudswoman as being discrimination, leading to the Civil Protection Headquarters changing its decision.²⁷ There were also other events that can be interpreted not as intentional discrimination against minorities but as a lack of sensitivity to the specificities of the minority position. Despite the unintentional nature of this stance, its results were still discriminatory practices.

Religions and the State: Preference for (the Majority) Religion

During the first, very strict lockdown, when even public parks were closed, the Civil Protection Headquarters allowed the pre-Easter public procession on the island of Hvar. Thus, on 9 April 2020, which was Maundy Thursday, the inhabitants of Hvar were allowed to hold the 500-year-old night procession of Za Križem on the condition that only

15 people took part in it. The Headquarters justified its decision by stating that the procession was an ancient tradition and was included in the UNESCO List of Intangible Cultural Heritage; it also argued that strict public health measures had been put in place for the event.²⁸ On 1 July, the Christian Brotherhood of Jelsa, which organises the procession, presented Prime Minister Plenković with a thank-you note for allowing it to preserve the annual tradition.²⁹ The whole event led to a heated public debate as this was the first time that the authorities had contradicted their strict rules regarding lockdown. The case highlighted how the Catholic Church is favoured (Žažar 2022) because part of the public interpreted it as the ‘open compromise with the Catholic Church’ (Eterović 2022, 129), which is a social actor close to the ruling party. However, this was not just a case of favouring the dominant religion over minority faiths; it was also a sign of the particular place that religion occupies in public life and politics in Croatia (Zrinščak et al. 2014). Permissiveness was also evident in the case of priests who violated the anti-COVID-19 measures without being sanctioned. This was in stark contrast to the treatment of ordinary citizens. An example of this asymmetry is that of a farmer from Maruševac, in northern Croatia, who was ordered to self-isolate upon returning from Italy. When the man violated this order to spread fertiliser on his fields on his own, he was fined.³⁰ Some legal experts warned that the uneven implementation of public health measures and repressive decisions brought into question the equality of citizens before the law, which could harm people’s trust in the authorities and create frustration and resistance towards said measures.³¹

Religion, Anti-mask Attitudes, and Conspiracy Theories

As mentioned above, the lockdown regulations adopted for the later waves of the pandemic were considerably more relaxed than the first ones. Despite this, they led to reactions from the public. These intensified after the start of the vaccination programme and the introduction of COVID-19 passes. The passes were interpreted as an illegitimate form of pressure on people to get vaccinated. In addition to various public and social media statements, two events are worth mentioning here.

The first was the proposal to hold a constitutional referendum against the COVID-19 passes and the powers given to the Civil

Protection Headquarters to suspend a range of civil rights. The referendum would consist of two questions. The first pertained to civil rights, which, according to the proponents, could only be suspended during the pandemic by a parliamentary majority of two-thirds. The second suggested that the Headquarters should not have the power to suspend people's rights and that Parliament should verify all its decisions, including the COVID-19 passes, which should be abolished. The referendum was proposed by the right-wing and pro-religion political party Most ('Bridge'). The initiators eventually collected the signatures of 10 per cent of Croatian voters, which was the threshold for holding a referendum. However, as the proposed questions entailed changing the constitution, the Constitutional Court found that the referendum was in conflict with basic constitutional principles and declared it inadmissible. Concerning the second question, the court decided that it challenged the fundamental and constitutionally protected relationships between the legislative and executive branches of government.³² In the end, the referendum was not held. However, the episode led to debates about the government's decisions and undermined its authority over issues related to COVID-19.

The other event worth mentioning is the Freedom Festival, a gathering of those opposed to public health measures related to COVID-19, which was held twice.³³ Although some prominent right-wing and religiously oriented people were featured as key guests at these gatherings, it is not possible to establish a clear link between religion and the Freedom Festival.

As previously noted, despite its broad influence on Croatian society, religion has not been considered a relevant factor when researching attitudes towards COVID-19 vaccination. However, this research reveals the overall social climate in the country and provides an important framework for studying the role of religion concerning COVID-19. Data have supported the impression that anti-mask protesters were right-wing-oriented, though the general picture is not straightforward (Ančić and Cepić 2021). Also, the analysis shows that anti-mask attitudes were marginal among the population, although the media attention paid to them might give a different impression. In sum, these attitudes were less common among older people. Interestingly, and in contrast to what has been found for other countries, they were more prevalent among the educated. Furthermore, anti-mask attitudes were more prevalent among those who experienced a loss of income during

the pandemic and who worked in the more precarious and less protected private sector. Distrust in the media and the government was also important (Ančić and Cepić 2021).

The issue of trust is very important in this context. Croatia is known for its declining levels of public trust in the period 1999–2022. This phenomenon concerns the country's political institutions, while trust in the security institutions has remained stable (Bovan and Baketa 2022). Trust in the Catholic Church is also declining (Nikodem and Zrinščak 2019), though the church remains among the most trusted institution. The erosion of trust in political institutions in Croatia is similar to that in other European countries and the world.³⁴ However, Sekulić and Šporer (2010) suggest that the socialist heritage is also significant in this regard. The basic characteristic of the socialist system was that institutions were designed in a top-down manner. The system also tried to address the dysfunctionality of some institutions by introducing reforms *from above*. Socialist society was caught up in endless processes of change. However, these were not the product of normal evolution, development, and gradual adaptation; instead, they resulted from an ideological design that often contradicted social reality. Thus, in socialist countries, institutions were not perceived as a natural part of society – something that helps society function better and supports individuals in meeting their needs – but as something imposed from the outside and unreliable. The collapse of socialism showed the unwillingness of all elites, including political ones, to solve numerous post-transition problems, which contributed to the general decline in trust in the state and the key institutions of democratic society (Nikodem 2019).

Acceptance of the official protective measures was more common among women and the elderly, as well as among those who perceived high risks from illness, had direct experience of COVID-19, or had more trust in the institutions that managed the health crisis (Bagić and Šuljok 2021). Some scholars have also found that a lack of trust in the government or the health care sector was one of the most important predictors of anti-mask attitudes (e.g. Kaliterna Lipovčan, Prizmić-Larsen, and Franc 2022; Pavić, Kovačević, and Jurlina 2023).

It is necessary to distinguish the belief that masks do not protect from COVID-19 from conspiracy theories, despite the connections between the two phenomena (Ančić and Cepić 2021). According to very limited research, individuals with far-right political views were

behind spreading disinformation on two media portals in Croatia. The contents of their posts were 'centred on global conspiracy and seeing the pandemic as a means to enforce a form of global fascism and impede personal freedoms across the globe' (Topić et al. 2022, 125). More comprehensive research of 4,576 comments on various internet portals and on Facebook found that 20.6 per cent of them were negative. Of these, about one-third (35.84 per cent) could be classified as conspiracy theories, followed by distrust of the composition, effectiveness, safety, and side effects of COVID-19 vaccines (19.93 per cent); distrust of scientists (15.8 per cent); and distrust of government (11.87 per cent) (Feldvari et al. 2022). The previously mentioned study that showed that religious persons who spent more time online held more conspiracy-related beliefs regarding vaccination (Pavić, Kovačević, and Jurlina 2023) indicates that more research is needed on the role of social media in shaping people's attitudes in this domain.

Conclusion

There is an evident lack of data on religious phenomena during the COVID-19 pandemic in Croatia. This fact alone is interesting since religion is an important factor in Croatian society. In terms of the legal aspects linked to the pandemic, there was a visible reluctance to act through the courts (especially based on human rights arguments), which also indicates distrust of the system. The official measures implemented by the government were not challenged via the judicial system, and the number of legal cases brought before the ECtHR was almost negligible. Sociologically, our analysis is exploratory in nature, but it can highlight the following three main points: (a) the position of the Catholic Church and the state's relations with other religions, (b) the innovation and/or preservation of traditional religious patterns, and (c) religion and the politicisation of COVID-19.

First, the prominent public position of the Catholic Church was visible during the pandemic. On the one hand, the ruling centre-right political party emphasised its closeness to the Catholic Church and its reliance on the church's support for its decisions by organising meetings with religious leaders. At the same time, the church supported the state's public health measures and, despite a long silence, confirmed its closeness to the government by accepting the disputed COVID-19 passes and distancing itself from the right-wing political party that

tried to organise a referendum on the matter. This closeness was also visible in the several examples of the state's permissive attitude towards religion (from allowing the procession on Hvar to take place during lockdown to turning a blind eye when some priests violated anti-COVID-19 rules). Thus, the state focused exclusively on the Catholic Church, deliberately or accidentally ignoring smaller religious communities. Occasional complaints by the country's minority faiths were in some cases resolved in their favour. However, these situations demonstrate that the relations between smaller religious organisations and the state are often insufficiently developed.

Second, our analysis shows that the Catholic Church implemented various adaptive responses that were related more to (non)compliance with the official measures than to innovative forms of action. This aligns with the fact that religiosity in Croatia is mostly a traditional and collective phenomenon. As illustrated, non-compliance/resistance was predominantly individual, sporadic, and located at the lower levels of the church's hierarchy. However, given that the Catholic Church has faced criticism for its close connection to the state/politics (Ančić and Zrinščak 2012) and that trust in the church, though still high, is declining (Nikodem and Zrinščak 2019), we can speculate that these events will further affect the perception of the Catholic Church in Croatian society. So far, the crisis of COVID-19 has reinforced existing patterns, and there are no indications that the level of religiosity has changed in the last three years. Future research will show whether the pandemic has accelerated the decline of church religiosity or has affected personal religiosity, which has proved very stable over the past two decades.

Third, public debates about the anti-pandemic measures, especially the vaccination programme and COVID-19 passes, contributed to the politicisation of the disease. The referendum proposed by the country's right-wing and pro-religion party highlights the important role played by religion in shaping public debate. However, the limited evidence available does not prove a direct link between religion, anti-mask attitudes, and conspiracy theories. Still, the important conclusion of this study is that excluding religion from analyses of pandemic-related public health measures at the individual and group levels leads to an insufficient understanding of current social processes.

Notes

- 1 The 2021 census was done according to somewhat different rules from previous censuses, and so this wrongly indicated that the share of 'other religions, movements and worldviews' rose from 0.06 per cent in 2011 to 0.96 per cent in 2021, and the share of 'other Christians' from 0.30 per cent to 4.83 per cent. However, many respondents who chose these two categories identified themselves simultaneously as members of traditional religions. Hence, the data presented above are recalculations (done by Siniša Zrinščak) based on those who undeniably identified as Catholic, Orthodox, or Protestant. Before the recalculation, the share of the Catholics was 78.97 per cent, Orthodox 3.32 per cent, and Protestants 0.26 per cent. Other categories remained the same.
- 2 The term 'contextual secularisation' refers to the idea that the pattern and intensity of secularisation change depending on the social context of a locale (Pickel 2011).
- 3 Zakon.hr, accessed 14 August 2023: <https://www.zakon.hr/z/1067/Zakon-oz%C5%A1titi-pu%C4%8Danstva-od-zaraznih-bolesti>.
- 4 Narodne novine no. 47/20 accessed 14 August 2023: <https://www.zakon.hr/download.htm?id=2689>; Narodne novine no. 134/20, accessed 14 August 2023: <https://www.zakon.hr/cms.htm?id=46414>.
- 5 Narodne novine no. 143/21, accessed 14 August 2023: <https://www.zakon.hr/cms.htm?id=50830>.
- 6 Narodne novine no. 31/20, accessed 14 August 2023: <https://www.zakon.hr/cms.htm?id=43417>.
- 7 Narodne novine no. 32/20, accessed 6 June 2023: https://narodne-novine.nn.hr/clanci/sluzbeni/2020_03_32_713.html.
- 8 Narodne novine no. 35/20, accessed 6 June 2023: https://narodne-novine.nn.hr/clanci/sluzbeni/2020_03_35_737.html.
- 9 Bureau of Statistics, accessed 8 June 2023: <https://web.dzs.hr/Hrv/COVID-19/stanovnistvo-brakovi.html>.
- 10 Laudato.hr, accessed 10 June 2023: <https://laudato.hr/vijesti/biskupije/bolnicki-dusobriznici-pozeske-biskupije-o-pastoralu-u-pandemiji-koronavirusa>.
- 11 European Court of Human Rights, *Factsheet – COVID-19 Health Crisis*, accessed 4 September 2023: https://www.echr.coe.int/documents/d/echr/fs_COVID_eng.
- 12 Agreement between the Republic of Croatia and the Holy See on Legal Issues, On Cooperation in the Field of Education and Culture, On Spiritual Care in the Military and Police Forces, and On Economic Issues. See also Zrinščak et al. (2014).
- 13 The bulk of this analysis was performed for a presentation given at the ISORE-CEA conference in April 2022, but additional sources were investigated for this chapter.
- 14 Croatian Bishops' Conference Decision, accessed 15 June 2023: <https://hbk.hr/odredbe-biskupa-hbk-u-vezi-sa-sprjecavanjem-sirenja-bolesti-COVID-19/>.
- 15 Instructions from the Islamic community to the Majlis regarding the coronavirus, accessed 7 June 2022: <https://www.islamska-zajednica.hr/izdvojeno/naputak-svim-medzlisima-zbog-koronavirusa>); instructions from the Serbian Orthodox Church of Croatia concerning the coronavirus, accessed 7 June 2022:

- <https://www.bitno.net/vijesti/hrvatska/srpska-pravoslavna-crkva-u-rh-izdala-upute-vjernicima/>.
- 16 Croatian Bishops' Conference, accessed 7 June 2023: <https://hbk.hr/je-li-cjepivo-protiv-COVIDa-19-moralno-prihvatljivo/>.
 - 17 Slobodna Dalmacija, accessed 8 June 2023: <https://slobodnadalmacija.hr/tag/don-josip-delas>.
 - 18 Jutarnji list, accessed 8 June 2023: <https://www.jutarnji.hr/vijesti/hrvatska/svecenik-s-dugog-otoka-u-novom-skandalu-sukobio-se-s-vjernikom-svi-koji-vjeruju-u-isusa-ne-mogu-dobiti-koronu-15066028>.
 - 19 Index.hr, accessed 8 June 2023: <https://www.index.hr/vijesti/clanak/profesor-ica-s-kbfa-siri-teorije-zavjere-o-pandemiji/2316926.aspx>.
 - 20 IKA, accessed 8 June 2023: <https://ika.hkm.hr/novosti/katolicki-bogoslovni-fakultet-ogradio-se-od-stavova-prof-dr-ruzice-razum-o-pandemiji-COVID-19/>.
 - 21 Direktno.hr, accessed 8 June 2023: <https://direktno.hr/domovina/kekin-pav-licek-i-drugi-kritizirali-stozer-miletic-isao-sam-na-mise-skrivecki-315085/>.
 - 22 Danas.hr, accessed 14 August 2023: <https://danas.hr/hrvatska/video-svecenik-iz-auta-blagoslovio-gradjane-kad-vjernici-nisu-mogli-u-crkvu-ona-je-dosla-k-njima-471fd168-b9f3-11ec-bfe6-0242ac130018>.
 - 23 Laudato.hr, accessed 14 August 2023: <https://laudato.hr/Duhovnost/Zelite-li-znati-vise/O-duhovnoj-pricesti.aspx>.
 - 24 Index.hr, accessed 8 June 2023: <https://www.index.hr/vijesti/clanak/biskupise-predomislili-nakon-sastanka-s-plenkovicem-podrzali-COVIDpotvrde/2323651.aspx>.
 - 25 Ombudswoman's report for 2020, accessed 2 June 2023: <https://www.ombudsman.hr/hr/interaktivno-izvjesce-za-2020/>.
 - 26 Ombudswoman's report for 2020, accessed 2 June 2023: <https://www.ombudsman.hr/hr/interaktivno-izvjesce-za-2020/>.
 - 27 Ombudswoman's report for 2020, accessed 2 June 2023: <https://www.ombudsman.hr/hr/interaktivno-izvjesce-za-2020/>.
 - 28 N1.hr, accessed 14 August 2023: <https://n1info.hr/vijesti/a499115-capak-objasnio-zasto-je-stozer-odobrio-vecerasnju-procesiju-na-hvaru/>.
 - 29 On its official Facebook profile, the Christian Brotherhood of Jelsa wrote the following message: 'Today, the president of our brotherhood presented Mr Andrej Plenković with a certificate of thanks, on behalf of all of us, for his generous support and help during the organisation of this year's Za Križem procesion. In this way, we continued a tradition that has been going on for more than 500 years.' (https://m.facebook.com/story.php?story_fbid=152289213058425&id=103672844586729, accessed 20 June 2023).
 - 30 Jutarnji list, accessed 9 June 2023: <https://www.jutarnji.hr/vijesti/hrvatska/vozio-sam-gnoj-u-polje-i-popio-kaznu-od-8-000-kuna-sada-imam-jedno-pitanje-15004161>.
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CHAPTER 4

The Influence of the COVID-19 Pandemic on Religion

The Case of Ireland

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Abstract

Despite being a small island nation on Europe's western periphery, Ireland was not inoculated from the broad and deep impacts of the COVID-19 pandemic evident in other societies. In general, state-imposed restrictions in Ireland were among the strongest in Europe. This chapter considers both the legal and the sociological aspects of the pandemic's influence on religion in Ireland, focusing mainly on Catholic religiosity. Regarding the legal aspect, I show how religious groups pushed back against restrictions by leaning into a broad range of factors, including religion's social well-being contribution, the right to religious freedom, the legal ambivalences of government restrictions, the relative transmission risks of secular versus religious settings, and divergences from the treatment of religious groups in other European societies. On the sociological side, I show how the pandemic impacted ordinary devotees, as well as how religious groups responded to restrictions through various forms of adaptation. Additionally,

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I show how restrictions fostered greater interreligious exchange as well as stoking church–state tensions amid the perceived marginalisation of religious interests by state actors. The chapter concludes by reflecting on the larger takeaway of the Irish case.

Introduction

Despite being a small island nation on Europe’s western periphery, Ireland¹ was not inoculated from the broad and deep impacts of the COVID-19 pandemic evident in other societies. In general, state-imposed restrictions in Ireland were among the strongest in Europe (European Commission’s Directorate-General for European Civil Protection and Humanitarian Aid Operations 2021; Reuters 2021), with extended lockdowns prohibiting basically all social interactions except for essential services, such as supermarkets and pharmacies (Carolan et al. 2021; Government of Ireland 2020a; Kennelly et al. 2020).

Regarding religion, COVID-19 restrictions included the closure of church buildings, the prohibition of the celebration of sacraments, and restrictions on the pastoral ministry of clergy. Only private prayer in churches was allowed in the early stages of the pandemic.² These revealed rights enshrined in the constitution, such as the right to freedom of religion (Article 44), to be conditional rather than absolute, especially in the context of a national public health emergency.

Drawing on a range of data sources including media reportage, legal texts, parliamentary debates, and social surveys, this chapter considers both the legal and the sociological aspects of the COVID-19 pandemic’s influence on religion in Ireland, focusing mainly on Catholic religiosity. Regarding the legal aspect, I show how religious groups pushed back against restrictions by leaning into a broad range of factors, including religion’s social well-being contribution, the right to religious freedom, the legal ambivalences of government restrictions, the relative transmission risks of secular versus religious settings, and divergences from the treatment of religious groups in other European societies. On the sociological side, I show how the pandemic impacted ordinary devotees, as well as how religious groups responded to restrictions through various forms of adaptation. Additionally, I show how restrictions fostered greater interreligious exchange as well as stoking church–state tensions amid the perceived marginalisation of religious interests by state actors.

Setting the Context

Ireland is a Catholic-majority country that, despite quite rapid secularisation in recent decades, is nonetheless one of Europe's most religious societies (Buckley 2016; Turpin 2022). Although the constitution nods to the numerically dominant religious group via articles acknowledging the centrality of the family (Article 41), it also guarantees religious freedom (Article 44) (Buckley 2016). Formally, it is case characterised by the lack of a state religion (Barro and McCleary 2005).

While Catholicism has historically been linked to the expression of national identity against British colonialisation, this pairing has increasingly been unhinged in the wake of long-running scandals in the church and wider sociocultural shifts, including long-term liberalisation (Turpin 2022).

A notable feature of this case – especially in the last 20 years or so – is growing secularisation, which is reflected in the rise of the 'nones' category (people who self-identify as having no religion) and people giving up their formerly Catholic identities, as well as an increase in non-Catholic religious groups, which has contributed to greater religious/secular pluralisation than before (Buckley 2016; Turpin 2022). According to the 2022 census,³ 69 per cent of the population self-identify as Roman Catholic, a reduction of 4.9 per cent from the previous, 2016 census. The religious groups reporting the highest percentage growth since 2016 were in the ranked order of Hindu (140.7 per cent), Orthodox (64.8 per cent), and Muslim (32.1 per cent) groups. And the number of nones increased from 451,941 in 2016 to 736,210 in 2022, representing a 62.9 per cent increase.⁴

Legal Aspects

It is useful to begin by summarising the legal background regarding COVID-19 restrictions. The restrictions regulating public life were enacted through existing laws as well as new ones (Carolan et al. 2021). Regarding existing law, multiple amendments or statutory instruments were brought in related to the Health Act 1947,⁵ which had originally been enacted to deal with an outbreak of tuberculosis (Carolan et al. 2021). These laws were backed up further by guidance directed at the general population (Carolan et al. 2021). Such was the perceived authority of a medical-driven public health approach in developing

these laws that one member of parliament drew a parallel to Catholic episcopal power in 1950s Ireland (Carolan et al. 2021).

In the area of religion, initially these regulations prohibited public rituals altogether, though private prayer was permitted, but as restrictions were gradually lifted they were allowed to occur under certain conditions, such as capacity limits, social distancing, and sanitising practices. One of the noteworthy legal provisions related to the definition of ‘essential workers’ (Redmond and McGuinness 2020), whereby religious personnel – as either chaplains or providers of funeral services – were included in the ‘Administrative and support activities’ and ‘Public administration, emergency services and defence’ categories (Government of Ireland 2020b). This meant that priests could travel beyond the five-kilometre travel restriction to provide online services, funerals, or weddings (Midwest Radio 2020). Later, a tiered approach to religious-related restrictions was adopted, depending on the level of community transmission (Government of Ireland 2020c). For example, under the lowest two levels 50 people were allowed to attend religious services, while at higher levels (i.e. levels 3 to 5) services were required to move online (Government of Ireland 2020c).

The early restrictions and public health efforts were supported by religious leaders, with the Catholic leadership encouraging compliance with public health responses, including vaccination (Irish Catholic Bishops’ Conference 2020a, 2020b), and Muslim leaders praising health care staff for caring for patients (Dublin City Interfaith Forum 2020). Also, different religious groups prepared their own guidelines to help adherents comply with those produced by the state (e.g. Irish Catholic Bishops’ Conference 2020a; Presbyterian Church in Ireland n.d.).

However, as the pandemic developed, more and more criticisms of their perceived severity against public worship (*libertas ecclesiae*, as distinct from private beliefs, *libertas fidelium*) (Colaianni 2020) were brought out by Catholic bishops – like their counterparts elsewhere (see [Chapter 11](#), this volume) – and others, including priests and laypeople. Likely responding to grievances from devotees ‘below’ as much as their own dissatisfactions from ‘above’, this pushback – which revealed laboured cooperation between church and state authorities – leaned into different factors, including the social well-being contribution of religion, the right to religious freedom, the legal ambivalences of government restrictions, the relative transmission risks of secular

versus religious settings, and restrictions applying to religion in other national contexts.

For example, Bishop Alphonsus Cullinan of Waterford and Lismore – in line with episcopal colleagues such as Archbishop Eamon Martin (Kelly 2021a) – appealed to religious freedom rights to challenge the state:

I feel that the spiritual well-being of our people has not been given any serious attention by the authorities ... I sympathise with the governmental authorities at this very difficult time, but appeal to them to take into consideration the spiritual care of hundreds of thousands of Catholics and many people of other faiths who wish to exercise their rights as guaranteed by our constitution. (Irish Catholic Bishops' Conference 2021a)

The Catholic primate revealed that the Catholic leadership even sought legal advice regarding indoor gathering restrictions brought in in April 2021 (Keena 2021).

Similarly, religious freedom was invoked in a legal challenge to laws prohibiting Catholic Masses (O'Loughlin 2021), one of several challenges to COVID-19 restrictions taken by various individuals and groups (Carolan et al. 2021). More specifically, businessman and well-known lay Catholic Declan Ganley took a case to the High Court (*Ganley v Minister for Health* 2020/825 JR⁶) (Carolan et al. 2021; O'Loughlin 2021). As restrictions lifted before the case was completed, a judge ruled that the challenge had been rendered moot (Breaking News 2021). This state-level decision-making may have made it difficult to move such cases 'upwards' to the European court system (du Plessis and Portaru 2022).

Religious leaders also leaned into a perceived differential treatment of religious settings as compared to secular ones with basically similar risk factors (Storslee 2022). For example, Archbishop Dermot Farrell of Dublin drew attention to the different rules applying to similar secular and religious settings: '[I]t's okay to have a bash in the Merrion Hotel [a well-known Dublin hotel] with 50 people present but yet it's not possible for a parent to take their child along to receive a sacrament' (*The Journal* 2021). Another bishop criticised a perceived undervaluation of religion revealed by the severity of restrictions imposed on it (O'Keefe 2021).

This aspect brought out the relative value of the religious as compared to the secular in the judgement of political elites (Storslee 2022) and pointed to a possible breach of ‘the general applicability’ principle, whereby the law does not differentiate between basically similar contexts (Storslee 2022). This implied an inconsistency in the government’s approach, with different rules for basically similar secular and religious events. It also seemed to suggest that religious events of the same size as secular events posed a higher public health risk (Storslee 2022). Perhaps lobbying of political elites by social actors such as hoteliers and pub owners worried about the survival of their livelihoods (McQuinn and O’Halloran 2021) – and the attendant economic costs for the tourism industry – prompted political elites to treat secular settings differently from religious ones.

Catholic bishops leaned into religion’s contribution to social well-being as well (Irish Catholic Bishops’ Conference 2020c). For example, Catholic leaders pointed to religion’s role in helping adherents deal with death and bereavement (Hilliard and Leahy 2021) and, more generally, with responding to challenges: ‘[W]e encourage people to persevere and not to lose heart. Faith and prayer, in the home and in church can be a huge support in difficult times’ (Irish Catholic Bishops’ Conference 2020c).

Another factor that religious groups leveraged was the perceived divergence from the treatment of religious groups in other parts of Europe. For example, the Iona Institute, a Catholic lay lobby group independent of the church hierarchy, drew attention to the lack of fines for clergy for celebrating religious services, and the less draconian approach to religion more generally, in other European countries (Iona Institute 2020c).

This argumentation was echoed in the national parliament, where some politicians brought out the contrasting situation in some other European societies and how the Irish restrictions undermined religion’s role in comforting people during times of crisis (Houses of the Oireachtas 2020). The severity of the restrictions in Ireland, one politician asserted, found parallel only in Saudi Arabia and North Korea (Houses of the Oireachtas 2020), both authoritarian contexts.

Other religious groups pushed back against restrictions by drawing attention to legal ambivalences. For example, an Evangelical Christian group in Cork organised a religious event in February 2021 that took place beyond the then five-kilometre travel restriction. The organisers

claimed that this event – which involved preaching on a street – fell into the category of a religious event, which was permitted under the restrictions. However, a judge fining them for breaching restrictions ruled that this did not constitute a religious event despite the long-standing tradition of street evangelising in Cork (Heylin 2022). This incident raised the issue of who decides what counts as ‘religious’ and with what consequences. In this case, the legal system defined the nature of the religious in a way that appeared to limit minority groups.

Similarly, legal ambivalences regarding what penalties (if any) applied to organisers of indoor public gatherings prompted some Catholic groups to question whether priests could be imprisoned for organising an event such as Mass (*The Journal* 2020). This gave rise to debate in the national parliament (*The Journal* 2020), where the Minister for Health claimed that priests could not be imprisoned on the grounds that religious events did not constitute a ‘relevant event’, defined as ‘an event held, or to be held, for social, recreational, exercise, cultural, entertainment or community reasons, but does not include an event to be held in a private dwelling, a wedding reception, a sporting event, or a training event’ (Irish Statute Book 2020a; *The Journal* 2020). Even so, legal experts argued that the law was ambivalent on this point, as religious events were included as events subject to restrictions in the Health Act 2020 (Irish Statute Book 2020b; *The Journal* 2020).

In light of these ambiguities, it is perhaps not surprising that some lower-level clergy sought to challenge government restrictions. Indeed, some priests defied restrictions by continuing to celebrate the Mass.

For example, County Cavan priest Father P. J. Hughes celebrated Palm Sunday Mass in March 2021, when he criticised them as reflective of growing antagonism toward Catholicism and symbolically linked them to the penal law and Cromwellian eras, claiming: ‘This is sectarianism. This is against our faith. It’s a sectarian act against our Catholic Church encouraged by the Government who don’t believe in God anymore.’ Against attempts by right-wing groups (e.g. the National Party) to mobilise religion to their cause, Father Hughes also called on such groups not to attend (McGreevy 2021).

Similarly, in May 2021 a County Clare priest, Father Willie Cummins, celebrated Mass on Sundays, arguing that the discrepancy between rules applied to secular gatherings and religious ones undermined the restrictions: ‘Go to Lahinch [a seaside town in County Clare] and see the crowds there at the weekend and from Thursday

evening on, every second car going there is a “D” [Dublin] reg.’ He also questioned the transmission risk in churches – ‘There hasn’t been one person who has got COVID from being in there’ (Deegan 2021) – implicitly comparing the risk with secular contexts.

In other situations, clergy challenged restrictions by seeking to perform certain rituals as part of online religious services. For example, a County Mayo priest was the subject of a report to the Gardaí (Irish police) concerning the distribution of Holy Communion to adherents engaged in private prayer after an online Mass. This case was different from the other examples in that the priest appeared to misinterpret the restrictions as allowing this practice (Duggan 2021). In general, state authorities (e.g. the Gardaí) tended to apply legal sanctions against clergy in some cases – similar to other national settings (Pew Research Center 2022) – and to take a less stringent approach in others. For example, in the Father Hughes case, the priest was fined (McGreevy 2021), while in the Father Cummins case the priest reported that the Gardaí were ‘very understanding people’ (Deegan 2021).

Sociological Aspects

In light of pandemic-related restrictions on religion, how did ordinary adherents and religious groups respond?

Regarding devotees, social survey research gives an insight into patterns of religious practice during the pandemic. An April 2020 survey – carried out about two weeks into a full national lockdown – found an uptick in religious behaviours, such as prayer. For example, 18 per cent of respondents reported that they prayed more than before the pandemic, with family ranking the highest (87 per cent) of what they prayed about, compared to 42 per cent for frontline services (Iona Institute 2020a). Also, 27 per cent of respondents reported that they had watched or listened to a religious service since the lockdown (Iona Institute 2020a).

Similarly, in a survey carried out about five months later – when religious service attendance was allowed – 36 per cent of respondents reported that they had begun attending again and 4 per cent reported that they would not attend Mass after coronavirus restrictions (Iona Institute 2020b). This study also shed light on the perceived value of online services compared to in-person ones, as 6 per cent of pre-pandemic adherents reported that their reason for not attending was that

they were happy to watch online services (Iona Institute 2020b). This suggests that only a relatively small number of adherents considered online services to be a valuable alternative to in-person services.

Other research – based on a June 2020 online/telephone survey – found that among regular religious service attenders there were relatively high levels of discomfort with attending religious services with social distancing. For example, about 47 per cent of respondents reported being uncomfortable with socially distanced religious services.⁷ Unsurprisingly, younger respondents exhibited higher levels of comfort than older respondents: about 41 per cent of respondents in the 18–34 age category reported being comfortable,⁸ compared to 33 per cent of respondents aged 70+ (Central Statistics Office 2020).

Another notable change was an erosion of religious giving, which meant that some religious groups had to reconsider financial remuneration for their personnel (Lucey and Brennan 2021; *Catholic Herald* 2020). One study found that more than half of laypeople said their religious giving had reduced during the first lockdown (May/June 2020) (Byrne and Sweetman 2021). Clergy too reported declines in religious giving, though this may have been mitigated by greater online giving (Ganiel 2021b). At the same time, religious groups (e.g. the Catholic Church, the Church of Ireland, and the Methodists) received state support during the pandemic under the Temporary Wage Subsidy Scheme, which was introduced to cushion the wages of employees from the impact of COVID-19 restrictions (Revenue 2020).

Adherents responded in other ways as well, including through public protests. For example, in 2021 lay Catholics organised street protests against ongoing prohibitions on the celebration of the Mass, with placards declaring ‘Bring Back the Public Mass’ (Kelly 2021b). Such street politics against restrictions placed Ireland at the top of a rank order of their frequency in European countries during the pandemic’s second wave (Kriesi and Oana 2022).

At a collective level, religious groups responded to COVID-19 restrictions by harnessing technologies such as webcams and the internet to communicate religious rituals celebrated by clergy on their own to adherents watching remotely (Ganiel 2021a; Irish Catholic Bishops’ Conference 2020d).

For example, pilgrimage sites – such as Knock, County Mayo – reported an uptick in people accessing online rituals (O’Brien 2020). It is worth noting that this allowed devotees to participate in religious

services taking place beyond traditional boundaries of parish and diocese.⁹ Even so, some adherents still pined for offline services rooted in the local that allowed them to participate alongside socially known others (Ganiel 2021b).

Even though online forms of religion were developed during the pandemic, there was also significant variation depending on prior online capacity, degree of centralised authority, and lay involvement (Ganiel 2021b). It is also the case that not all adherents came to online religion with the same level of digital literacy, with the result that some social categories (e.g. elderly people) struggled to engage (Ganiel 2021b). It may be that the stratified nature of online religion is a significant constraining factor regarding its potential.

Within the ranks of the clergy, online religion seemed to have been a mixed blessing. While on the one hand it allowed clergy to reach out in ways not fully embraced before the pandemic (Ganiel 2021b), on the other hand it sometimes led to adherents evaluating the pastoral performance of online ceremonies, leading to a kind of stress-inducing contest between priests (Milmo 2020). Some clergy also experienced loneliness as a result of not being able to carry out their normal run of pastoral activities such as attending meetings (Milmo 2020).

Studies of religious groups' responses during the pandemic suggested that they functioned as more than mere physical places for adherents to gather. By this is meant that the pandemic seemed to bring forth greater awareness than before of the embeddedness of churches in wider contexts (Ganiel 2021b). For example, Ganiel's study found that the pandemic led to a heightened awareness of reaching out, both in online contexts and to needy groups and lay members (Ganiel 2021b). It also highlighted 'reaching in' aspects, including the challenges faced by clergy in exercising these roles.

Not all adaptation related to online religion, as religious groups also organised religious ceremonies outside, such as 'drive-in' religious services, where adherents drove to outdoor locations to participate in a religious service, as well as outdoor Masses. For example, one County Kerry priest celebrated Mass as adherents sat outdoors in their cars (Lucey and Brennan 2021).

Outdoor religious activity that did not involve collective rituals per se also took place, as in some clergy in small-scale communities participating in the door-to-door blessing of people's homes (Quinn 2020).

More significantly, though, the church found during the pandemic that it had a new moral economy rival in responding to people's social needs during a collective crisis: the Gaelic Athletic Association (GAA) (Inglis 2022), the national organisation for Gaelic sports. For example, GAA members provided assistance to marginal groups in small communities during the pandemic, including supplying medicine and food (Crosson and Free 2021; Lawlor 2022; Hoganstand 2020). Also, numerous GAA clubs functioned as vaccination centres¹⁰ during the pandemic.

Religious groups did not just innovate regarding religious rituals; they also lent their support for the role of science during the pandemic. One way this was expressed was via the advocacy of prayers for the development of vaccines. For example, the Catholic primate called for prayers for the development of a vaccine by the scientific community: 'I ask for your prayers in particular for our brave and selfless health workers and for the medical scientists who are searching for a vaccine and better treatments' (Irish Catholic Bishops' Conference 2020e). Another expression of this was the fact that Catholic bishops encouraged devotees to avail of vaccines when they became available, even while acknowledging some concerns about the use of foetal cell lines in the manufacture of some of them (Irish Catholic Bishops' Conference. 2020c). Interestingly, the title of the bishops' statement on vaccines, 'Welcoming vaccines for the Common Good' (Irish Catholic Bishops' Conference. 2020c), drew on the notion of 'the common good' – a key idea in the church's social teaching (Palacios 2007) – to legitimise vaccine take-up.

Likewise, the Muslim leadership – in line with Muslim leaders in other contexts (Trepanowski and Drażkowski 2022) – also lent its support to vaccines, arguing that they conformed with Islamic teachings (Kelleher 2021). Additionally, some religious groups (e.g. the Church of Ireland, Muslims) offered church settings to health authorities as vaccination centres (Iona Institute 2021; Kelleher 2021).

Survey-based research suggested relatively high levels of approval among laypeople of these kinds of responses, with 59 per cent reporting that churches at local level reacted well to the pandemic (Byrne and Sweetman 2021).

Regarding church–state interactions, the pandemic seemed to both reinforce and undermine 'benevolent secularism' (Buckley 2016, 2), whereby church and state elites mutually accommodate each other's

preferences and interests amid formal church–state separation. On the one hand, the pandemic seemed to prompt greater levels of interaction than before (Ganiel 2021b). For example, the Taoiseach’s (prime minister’s) office hosted regular meetings with church leaders regarding restrictions and their impacts on religious groups (O’Keefe 2021). On the other hand, the pandemic experience brought out direct criticism of state actions from religious elites. As noted in other contexts (e.g. Cremer 2021), the presence of an official forum for church–state interactions helps explain why church leaders were publicly vocal. Lacking backroom modes of influence characteristic of earlier eras of church–state interactions (Grzymała-Busse 2015), religious elites instead had to rely on speaking out publicly against political elites.

As mentioned in the earlier section, the early stages of the pandemic were characterised by support for restrictions, with the Catholic bishops urging devotees ‘to continue to follow the guidance of the public health authorities north and south’ (Irish Catholic Bishops’ Conference 2020a). However, as restrictions were eased from June 2020 onwards (Irish Catholic Bishops’ Conference 2020f), this began to give way to more direct criticism by religious elites of state responses (e.g. Irish Catholic Bishops’ Conference 2021b) on the grounds detailed earlier.

At the same time, this discontent also extended to the lower clergy. For example, during Masses communicated via Facebook, a County Kerry priest, Father Gearóid Walsh, compared the upending brought about by the restrictions to the role of the infamous ‘Black and Tans’, the shock troops of the British government during the Irish War of Independence (1919–1921), while also calling for empirical evidence demonstrating the transmission risks of religious settings (O’Rourke 2020). Another priest, in County Monaghan, drew attention in an online Mass to a perceived secular turn in Irish society away from its historic religious attachments: ‘We now live in the most anti-Christian atheistic country in Europe. The land of saints and scholars is long since gone and has been replaced with a land of apostates and non-believers’ (O’Rourke 2020).

Particular rituals (i.e. first communions and confirmations) became a focus of church discontent. In August 2021, Catholic leaders pushed back against restrictions impacting these sacraments (Reuters 2021), partially motivated by the nature of the state’s decision-making processes. For example, Bishop Alan McGuckian of Raphoe lamented the state’s apparent haste: ‘The government, at very short notice, has

declared that Confirmations and First Holy Communions “are off” ... This sudden decision will be a cause of deep disappointment to all those involved’ (Irish Catholic Bishops’ Conference 2021c). Similarly, Archbishop Eamon Martin of Armagh criticised the perceived neglect of the church’s representations by political elites (Hilliard and Leahy 2021; Kelly 2021a), which he argued undermined trust between church and state authorities (Kelly 2021a). For their part, political elites expressed their disapproval of the church leaders’ response (Reuters 2021).

Even so, there was also internal diversity within the church on this issue, with groups representing clergy (e.g. the Association of Catholic Priests (ACP)) criticising the stance of bishops (Reuters 2021). Individual clergy also sometimes took a stand. For example, one priest from the Archdiocese of Tuam celebrated Mass at a Mass rock dating to penal times on Achill Island, which was also partially an act of protest against restrictions on the celebration of the Mass (*The Irish Catholic* 2021).

Apart from shaping church–state interactions, the pandemic also fostered interreligious exchange around its ongoing impacts. For example, through the Dublin City Interfaith Forum, religious elites across different groups in Dublin – Baha’i, Buddhist, Catholic, Hindu, Jewish, Muslim, Sikh – came together online to honour the healing role of health care staff (Dublin City Interfaith Forum 2020). This forum also emphasised the important role of religion as a source of comfort, noting that with religion ‘we don’t need to fear anything’ (Dublin City Interfaith Forum 2020). Finally, one study claimed that interreligious union was ‘frequent and united – perhaps more so than at any other time in Irish church history’ (Ganiel 2021b, 32).

Conclusion

This chapter has attempted to investigate the legal and sociological aspects of the COVID-19 pandemic’s influence in Ireland. What does this analysis teach us about the place of religion in society more broadly?

Perhaps the key takeaway from the Irish case is how the COVID-19 pandemic may have both bolstered and eroded ‘benevolent secularism’ (Buckley 2016, 2) by fostering church–state union on managing the pandemic as well as bringing religious elites into conflict with political

ones, in a relatively rare public airing of such disagreements. Religious elites sought to cooperate with state authorities in implementing restrictions and engaged with them through formal consultation processes. Even so, as perceived anomalies and lack of consultation began to emerge, Catholic leaders challenged the legitimacy of political elites' actions.

While this was a relatively short-term dynamic, it may well lead to laboured cooperation in the future between church and state on other issues not related to COVID-19. Public disagreement with the state contrasted with other Catholic-majority countries such as Poland, where religious elites did not publicly challenge state actors (Stanisz et al. 2022), likely owing to the relatively strong church–state union in this country's contemporary political arrangements.

Notes

- 1 Although this chapter focuses on Ireland (also known as the Republic of Ireland), it is worth noting that religious groups in this context (e.g. the Catholic Church) are organised on an all-island basis (i.e. encompassing both the Republic of Ireland and Northern Ireland, the latter being part of the United Kingdom of Great Britain and Northern Ireland).
- 2 For a timeline of early public policy responses, see Kennelly et al. (2020).
- 3 It is worth mentioning that the religion question changed slightly between 2016 and 2022, from 'What is your religion?' to 'What is your religion, if any?' Also, the response options were different, with 'no religion' as the first in the 2022 census (compared to the last in the 2016 census). Thus, some of the reported change regarding religious self-identification between the two censuses may be an artefact of the question changes rather than reflecting a real change in religious self-identification among the general populace. For more detail, see <https://www.cso.ie/en/releasesandpublications/ep/p-cpsr/censusofpopulation2022-summaryresults/backgroundnotes/> (accessed 22 January 2023)
- 4 For more detail, see <https://www.cso.ie/en/releasesandpublications/ep/p-cpsr/censusofpopulation2022-summaryresults/migrationanddiversity/> (accessed 22 January 2023).
- 5 For a listing of pandemic-related statutory instruments, see <https://www.gov.ie/en/collection/1f150-view-statutory-instruments-related-to-the-COVID-19-pandemic/> (accessed 23 January 2023).
- 6 For more detail, see https://www.courts.ie/acc/alfresco/9b095448-95f2-4a82-b5f9-4689c03c75ec/2021_IEHC_822.pdf/pdf#view=fitH (accessed 27 January 2023).
- 7 This figure combines the 'very uncomfortable' (18.1 per cent) and the 'uncomfortable' (29.5 per cent) categories (Central Statistics Office 2020).

- 8 This figure combines the ‘comfortable’ and the ‘very comfortable’ categories (Central Statistics Office 2020).
- 9 I owe this insight to sociologist Grace Davie (EUREL correspondents’ meeting, Paris, France, 22 September 2022).
- 10 For a listing of vaccination centres, see https://merriionstreet.ie/minister_for_health_confirms_locations_for_irelands_vaccination_centres.167088.short-cut.html (accessed 1 February 2023).

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CHAPTER 5

Changes in the Relations between the State and Religion during the COVID-19 Pandemic in Slovakia¹

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Abstract

Slovakia is a country with a Catholic majority but with a variety of other minorities – mainly Christian churches. In Slovakia, the COVID-19 pandemic occurred from March 2020 to April 2022 in four waves. Throughout all waves of the pandemic, there was no specific legislation in force or action taken regarding religious groups, and all restrictions on religious life were part of general restrictions. The differential treatment of religious and other actors was more evident in the case of various exemptions from measures, when in the early periods state-recognised religious groups were not afforded such exemptions, or they did not receive them to the same extent as some others, whereas in the second and later waves, by contrast, registered religious groups were afforded most exemptions from generally applicable measures, or strict anti-pandemic measures were relaxed during religious holy days. Non-registered religious groups or people without religious affiliation

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were not taken into consideration in the adoption of anti-pandemic measures or the exemptions from them. The available data from various studies suggest that the influence of the COVID-19 pandemic on religiosity in Slovakia was a mixed one but without significant changes in religious affiliation and church attendance.

Introduction

Slovakia is classified as a post-communist country with a Catholic majority. However, historically, and at present, it is a religiously pluralistic country with a variety of other minorities – mainly Christian churches. It has been an independent state since 1993, since the division of Czechoslovakia.

In Slovakia, the COVID-19 pandemic occurred in four waves. Just as the measures taken by the state changed in the different waves, so did the views and attitudes of the public and various collective actors, including religious ones, towards the anti-pandemic measures. Pinterič and Clarič-Jakše (2023) show the distribution of the measures in Slovakia in various phases of the pandemic. The *Financial Times* (2022) illustrates this situation by using a government response stringency index of measures taken by countries, including Slovakia, against the pandemic. It is therefore very difficult to describe any single pattern of relations between the public and the various collective actors during the pandemic period (Coronavirus 2023).

Although during the pandemic there were a considerable number of studies and surveys conducted in Slovakia on public views and attitudes towards the causes and nature of the pandemic, or towards the actions of the state (Čavojová and Halama 2022; Ako sa mate Slovensko? (How are you Slovakia?);² Kanovský and Halamová 2020), no specific survey has been conducted focusing on religion as a possible differentiating factor. Only a few anthropological investigations have been done specifically on the topic of religion. One example is the study by Spalová and Gajdoš, who focus on the relationship of *ritual innovations* with the *changes in repertoires of belonging* to these communities (Spalová and Gajdoš 2024, 3). Partial quantitative data on the impact on religious life can be reconstructed from Zeman et al. (2020), the International Social Survey Programme (ISSP), or the seventh wave of the World Values Survey (WVS) (Inglehart et al. 2022).

Throughout all waves of the pandemic, there was no specific legislation or action taken regarding religious groups, and all restrictions on religious life were part of general restrictions. Nevertheless, from the beginning of the pandemic, religious groups formed an important part of the legitimisation process of anti-pandemic measures. In the later period, however, their role varied, with some religious actors becoming openly critical of anti-pandemic measures and others not becoming involved in disputes over their form and legitimacy.

Setting the Context

Slovakia is a country with a predominantly Catholic population but an ever-growing population of non-religious people and a culturally important population of Protestants of the Lutheran confession (historically about 12 per cent of the population, but only 5.3 per cent in 2021), who have been one of the key actors in the building of Slovak national consciousness (Tížik 2021).

In the last four decades, Catholics made up the highest proportion of the population of Slovakia in 2001 (68.9 per cent), but this has continually decreased – in 2021 it was only 55.7 per cent (Population – Basic results 2023). Historically, despite the dominance of Catholicism, the country can be considered religiously pluralistic (on the history, see e.g. Očovský 1993), with significant minorities of Greek Catholics (especially Ruthenians) – 4 per cent in 2021; Calvinists (especially Hungarians) – 1.6 per cent in 2021; and Orthodox (Ruthenians and Ukrainians) – 0.9 per cent in 2021. During the 40-year period of Communist Party rule (1948–1989) and even coexistence in the common Czechoslovak Republic, the religious structure in Slovakia did not change, except an increase in the proportion of non-religious people (from about 1.2 per cent in 1951 to 9.8 per cent in 1991 and later to 23.8 per cent in 2021). Since 1990 (Registered Churches and Religious Societies 2023), several new small religious groups (Jehovah's Witnesses, Mormons, and Baha'is) have been legalised, but a relatively large number of religious groups are also not registered with the state and thus do not have social and legal visibility (Tížik 2015, 2023b). Smaller registered religious groups in Slovakia are mainly Christian or based on Christianity (Jehovah's Witnesses – 0.3 per cent or about 16,000 affiliated; Christian Congregations – about 18,000 registered; Apostolic Church – about 9,000 registered; Baptists – about 3,800

registered; and a few other small religious groups). In total, about 1 per cent of the population of Slovakia in 2021 declared their affiliation to groups not registered with the state (about 10,800 people to Christian groups, about 3,800 people to Islam, about 6,700 people to Buddhism, and about 4,000 people to various pagan groups) (Population – Basic results 2023).

Despite the state's constitutionally defined neutrality (Berdisová 2019; Constitution of the Slovak Republic), the Catholic Church has a relatively strong influence, especially since the adoption of the international Basic Treaty between the Slovak Republic and the Holy See (the so-called Concordat) in 2000, along with the strong position of the 11 Christian churches associated in the Ecumenical Council of Churches (Ekumenická rada cirkví v Slovenskej republike), which, following the model of the Catholic Church, signed a similar treaty with the state in 2001, but only with national validity (Moravčíková 2010; Tížik 2023b).

There is no experience of the separation model of relationship between church and state in the territory of contemporary Slovakia. At the time of the communist regime, religious life was controlled by the state. Since the end of 1989, despite the frequent interference of the Catholic Church in politics and election campaigns, the model of relations with the state has often been described as cooperative (Čikeš 2010). These factors also influenced the reactions of various religious groups to the COVID-19 pandemic.

In Slovakia, the COVID-19 pandemic began in early March 2020. The safeguarding measures adopted in Slovakia by the state authorities started before a state of emergency was declared (Na Slovensku platí 2020). On 26 December 2020, the first doses of the COVID-19 Comirnaty vaccine arrived in Slovakia. The first person to be vaccinated was the infectologist Vladimír Krčméry (Slovensko začalo 2020), who was known also as a Catholic dissident from the communist period and a religious activist. At the time of the pandemic, Krčméry was the most publicised face of expert knowledge in the public but also private media about the pandemic and the legitimisation of the state's actions throughout the pandemic.

Changes in public feeling in relation to the unstable political situation and changes of government cast doubt on the relevance of the historical experience of the Slovak population with the communist regime in explaining the public's response to the pandemic, and instead suggest a stronger influence of the current political situation

on the government's acceptance or rejection of action in relation to the COVID-19 pandemic (Mrva 2023). After the first two weeks of the pandemic, the government of Peter Pellegrini was succeeded by the new government of Igor Matovič, but after more than a year of discontent and political conflict that was replaced by the government of Eduard Heger. This third government was already in a state of disintegration by the time of the end of the pandemic, culminating in January 2023 in the calling of early parliamentary elections. Heger's later, only temporary, government was replaced in May 2023 by the so-called 'bureaucratic government' of Ľudovít Ódor, but without gaining the support of parliament. The political crisis culminated in January 2023 with the calling of parliamentary elections for September 2023.

The parliamentary elections were won by the SMER–Slovak Social Democracy (DIRECTION) party, which together with the HLAS–Social Democracy (VOICE) party and the Slovak National Party (SNS) formed a new government headed by Prime Minister Robert Fico.

One of the important pre-election themes of these parties was criticism of the failure of previous governments to cope with the pandemic period. The new government, upon its arrival, nominated Peter Kotlár of the SNS (who had been part of groups protesting against and criticising the government's actions as violating human rights and freedoms during the anti-pandemic measures) as the government commissioner. Even before the election, he declared that he had not been vaccinated during the pandemic, nor had he had his children vaccinated, despite the fact that it was compulsory at the time. In his position as commissioner of the government, he organised a conference in March 2024, where participants noted numerous violations of the rights of Slovak citizens and recalled almost 50 complaints to the European Court of Human Rights in connection with the application of anti-pandemic measures by the government between 2020 and 2022. One of the objections was that the government was also interfering with freedom of religion or aspects of private life, although these cannot be restricted in a state of emergency, by interpreting extensively the restrictions on freedom of residence and movement, or the right of assembly (Tlačová správa 2024).

In April 2024, Peter Pellegrini (who had been prime minister at the beginning of the pandemic) was elected president of the Slovak Republic (he was inaugurated on 15 June). The ways in which his government

managed the incipient pandemic were also positively appreciated by the public till the beginning of 2024.

Legal Aspects

The first problem in the legislation of the Slovak Republic is the lack of a legal definition of religion. When discussing the possible protection or discrimination of religious groups, it should be noted that, from the point of view of the law (Law 192/1992), there is only a list of state-recognised churches and religious associations to which the state accords various rights. Also, while there is a guarantee of religious rights and freedom for everybody, that comes without any norms apart from the list of recognised churches.

An important aspect of religious life in Slovakia at the time of the pandemic was the three types of religious exemptions from the state's anti-pandemic measures. First, different levels of exception to the restrictions on collective gatherings of the believers (*Masses*) were used in some periods of pandemics. All exceptions were only for recognised churches. Second, special rights (exemptions) for the clergy were adopted during times of lockdowns. These special rights existed only for some recognised Christian churches that play a spiritual role in hospitals and centres of social care or for individual spiritual care during lockdowns (Poslankyňa prichádza 2021).

Third, special rights (exemptions) existed for the believers of recognised churches from the pandemic restrictions at the time of lockdowns. These rights included, for example, to be in contact with priests or spiritual guides in institutions of health and social care or to travel to such services. All these aspects were related to the legal status of religion in Slovakia, i.e. the recognition of a religious group by the state according to the law.

According to Souček (2023), another controversy that gained public prominence was the initiative of a member of the national parliament (from the Christian Union Party) who proposed a health care legislation change to include a statement that health care includes spiritual services (Poslankyňa prichádza 2021). After the amendment of the law, priests would have been included in the category of so-called other health care professionals. However, since this legislative proposal did not receive sufficient support, it was not approved. Similar efforts were made by the Conference of Bishops of Slovakia, which commented on

the proposed change to the health law. In addition, it was claimed that the COVID-19 pandemic made the need for such legislation (including specification of the status of spiritual services and authorised providers) even more pressing (Záborskej návrh sa vracia 2021).

The legal context of the state's action against the pandemic is well illustrated by the complaints received by the ombudsman and the Slovak National Centre for Human Rights (SNSLP) in Bratislava. Neither institution mentions in its report the sources of the complaints. In the first half of 2020, the ombudsman was contacted by a complainant who objected to the inability to freely manifest his religion (Správa o činnosti 2021). The applicant asked the ombudsman to examine the proportionality of the restrictions adopted in relation to the right to freedom of religion under the constitution. The restriction on attendance at religious services had made it more difficult for all believers in Slovakia to exercise their religious freedom, which may be regarded as an interference with fundamental rights. According to the decision of the ombudsman, the restriction did not strike at the heart of religious freedom (Správa o činnosti 2021).

On the basis of the complaint, the ombudsman also examined an objection relating to the measure of 19 May 2020, which regulated the conditions for holding mass events, including religious events. The subject matter of the measure at that time was a prohibition on holding mass events, including those of a religious nature, of over 100 persons, subject to specified exceptions. Among the exceptions were religious acts and even religious services, such as first communion, confirmation, funeral, and marriage ceremonies. The main problem was that the competent authority did not define other mass religious acts generally but in specific terms, with the exception of religious services, funeral, and marriage ceremonies. For this reason, specific mass religious acts of the largest church in the territory of the Slovak Republic – the First Holy Communion and the Sacrament of Confirmation – were permitted, but similar mass religious acts of other smaller and registered religious societies and churches were not. The ombudsman stated that in this respect the principle of equality and the prohibition of discrimination should also apply to the restriction of fundamental rights, including the freedom of religion and the right to manifest a common religion (Správa o činnosti 2021, 36–39).

In relation to religious life, there were also suggestions that restricting access to collective worship in 2021 and later in 2022 for the

unvaccinated was a form of discrimination. According to the 2021 Human Rights Report (*Správa o dodržiavaní 2022*) published by the SNSLP, the Constitutional Court accepted a number of proposals for declaring legislation incompatible with the constitution in relation to vaccination. These legal challenges included, among other things, the violation of the constitutional prohibition of discrimination against unvaccinated persons, with the plaintiffs identifying 'other status' as a prohibited ground of discrimination. As of 31 December 2021, the Constitutional Court had not issued any ruling in which it considered the possibility of subsuming the criterion of non-vaccination against COVID-19 under the prohibited discriminatory ground of 'other status' (*Správa o dodržiavaní 2022*, 15–17).

In the case of human and civil rights advocacy, the strong position of the traditional Christian churches, especially the Catholic Church, in advocating the protection of religious rights and freedoms, but only in relation to registered churches, was evident in the case of Slovakia during the pandemic. Their activism manifested itself in three basic measures: the inclusion of clergy from registered churches (predominantly Catholics) as part of the staff working in public health, which meant a number of exemptions for visits to health, social, and other state facilities, where access to the public and even immediate family members was restricted during lockdowns. Organisations advocating for the rights of registered churches were primarily Catholic NGOs and Catholics initiatives, supported by the statements of Catholic bishops and the activism of Christian politicians. Defending the rights of unregistered religious groups was only on the agenda of the public defender of rights, the ombudsman, and the public institution established by the state, the SNSLP.

Second, through the Slovak Bishops' Conference (Catholic) and the Ecumenical Council of Churches (mainly Protestant), the traditional Christian churches pushed for exceptions during the lockdowns so that public worship in churches would not be prohibited.

Third, violations of anti-pandemic measures by the clergy remained mostly an internal matter for the churches and did not become the subject of the state justice system. However, there was a lack of advocates for the religious rights of unregistered religious groups (except in the SNSLP report) and the rights of the non-religious, who were denied various exemptions from anti-pandemic measures such as those enjoyed by Catholics in Slovakia and, to some extent, members

of the other largest registered churches. At the same time, the protection of civil and political rights (the right to public assembly and rights related to decisions on vaccination or measures concerning children) by civil NGOs was weak; this agenda was taken over by opposition political parties in the political struggle.

Sociological Aspects

From a sociological point of view, two lines of analysis can be distinguished: first, changes in the forms of religiosity of the Slovak population and, second, changes in the relation of churches to adoption of anti-pandemic measures.

Zeman et al. (2020) reported that in November 2020 about 25 per cent of respondents declared that they did not have a religious affiliation and about 75 per cent declared their affiliation with some religious group (Zeman et al. 2020, 196). This research was confirmed by the seventh wave of the WVS (Inglehart et al. 2022), which was conducted in Slovakia in the final phase of the pandemic, in February 2022. Compared with the results of the European Values Study (EVS) from 2017 (which contained the same questions on religiosity), there were no significant differences. Results from the 2022 WVS indicated a slight decrease in the proportion of people with no religion (from 29 per cent to 26 per cent) and a slight increase in the proportion claiming to be affiliated with some religious group (from 71 per cent to 74 per cent) compared to the 2017 EVS results. But the difference can be attributed to the slightly different wording of the question on religious affiliation, which guides respondents more towards subscribing to a church (Tížik 2023a, 439). Towards the end of the pandemic, the *Ako sa máte Slovensko?* (How Are You Slovakia?) survey asked whether respondents were at that time (April 2022) attending church or religious services less often, the same, or more often than in the pre-pandemic period. About 3 per cent said they attended more often than before the pandemic, but about 8.5 per cent said they attended less often than before the pandemic (*Ako sa máte Slovensko? Marec/Apríl 2022*) However, other surveys carried out in Slovakia, such as ISSP 2020, 2021 and 2022, show that the numbers of people who adhered to churches and those who were not religious were both stable and, in the case of attendance at religious services, there was an upward trend, which may be due to the loosening of various restrictions in the second year of the

pandemic and especially after the end of the pandemic (CSES and ISSP 2020, ISSP Slovensko 2021, ISSP Slovensko 2022).

Identical differences are also found when comparing changes in the magnitude of different types of religiosities, combining subscription to religion, self-identity, religious practice, and belief in God. Those who went to church regularly (at least once a week), considered themselves religious, believed in God, and claimed to belong to a church numbered about 25 per cent in 2017 and 28 per cent in 2022, and those with the same characteristics who only went to church occasionally (once a month at most) made up 20 per cent in both surveys (Tížik 2023a, 453).

Slovak society has long had a non-confrontational perception of the relationship between science and religion. In 1968, and again in 2014, almost half of the respondents in a survey stated that both science and religion are of equal importance to human beings. The view that science is of greater importance was shared by around 35 per cent of respondents in both periods, while only around 12 per cent were of the opinion that religion is of greater importance (Tížik and Zeman 2017, 221). Trust in scientific institutions and universities has long been the highest among trust in various institutions in Slovakia, in contrast to a long-term decline in trust in churches. Trust in churches fell from 70 per cent to 51 per cent between 1999 and 2017 (Mrva and Klobucký 2019, 396). Mrva (2023), based on the 'How are you Slovakia?' ('Ako sa máte Slovensko?') survey, reports declining support for the government at the beginning of 2021, when in March, for example, it was only 15 per cent. However, the health sector and scientific institutions managed to maintain a relatively high level of social trust. In May 2021, for example, medical doctors and scientists were the most trusted authorities when it came to information about the COVID-19 vaccination (Mrva 2023, 116). In the case of Slovakia in 2021, there was a stronger relationship between trust in scientific institutions and compliance rates than between trust in government and compliance with measures (Mrva 2023, 125). Similarly, in 2023, trust (full or partial) in scientists and scientific institutions such as the Slovak Academy of Sciences was over 64 per cent and in universities it was over 62 per cent; trust in churches was only 44 per cent (Trendy (ne)dôvery 2023).

Second, religious groups in Slovakia can be analysed during the pandemic in more contexts. The context of public (media) debates about religion and religious freedom was important, because it showed

that visibility here concerned only some of the recognised Christian churches. Religion and its protection were a subject of public controversy in public and private media, without there being a definition of what religion was. The media implicitly associated religion and faith with the largest state-recognised churches. The issue of religious freedom was not an issue in the media for Muslims, Buddhists, Pentecostal Christians, agnostics, Jehovah's Witnesses, atheists, or others. Politicians explicitly associated their agenda with traditional (not just large) registered Christian churches. In the public discourse, there were appeals to the government from only the largest Christian churches. The public media (Slovak Radio and Television) included in its programme a special space for broadcasts of liturgical events of churches, but only registered ones.

Rončáková (2021) summarises the Christian and liberal (mainstream) print media (both private) debate during the first two waves of pandemic towards anti-pandemic measures by drawing attention to some of the most debated arguments. Arguments over responsibility were typical of the secular media. Media with a Christian footing were reluctant to engage in them. The argument that the current situation provides an interesting opportunity for the churches and believers to deepen their faith was often used in Christian media. The argument on the importance and usefulness of religious faith as an integral part of human life was present almost exclusively in media with a Christian background. The argument regarding the safety of churches, which pointed to the level of epidemiological risks related to the functioning of churches, was one of the key arguments of the liberal media in favour of banning public worship. The argument of discrimination was based on a comparison of the treatment of churches/Masses compared to the treatment of cultural or sports events. This argument was in the liberal media discourse; authors pointed to schools, restaurants, fitness centres, or sport stadiums being discriminated against in favour of the churches. On the other hand, conservative media raised concerns over discrimination against churches at a time when restaurants and fitness centres were open. The argument of religious freedom was used with reference to the notion that a ban on public liturgical celebration of masses was an infringement of the freedom of religious expression and practice. This argument was typical of the Christian conservative media. The most controversial arguments were the safety of churches and discrimination – both with a significant proportion of negative

vectors presented in the media (churches are dangerous/churches are favoured). On the other hand, there was liberal and conservative consonance in the argument of responsibility – that is, that it is responsible to close the churches due to public safety concerns (Rončáková 2021).

It is important to look at the context of dealings with the state on exemptions from restrictions. All exemptions were focused on only by some recognised (Christian) churches, mostly the Catholic Church. Throughout all waves of the pandemic, restrictions on religious life were part of the general restrictions. The differential treatment of religious and other actors was more evident in the case of various exemptions from measures, where in the early periods state-recognised religious groups were not part of such exemptions, or were not exempted to the same extent as some others, but in the second and later waves, by contrast, registered religious groups were part of most exemptions from generally applicable measures, or strict anti-pandemic measures were relaxed during religious holy days. The state gave exemptions from the measures during Christian holidays (Christmas), but only to churches of Western Christianity, or in connection with the visit of Pope Francis to Slovakia. Non-registered religious groups (for example, followers of Islam, Buddhism, Hinduism, and various small evangelical or free churches) and people without religious faith were not taken into consideration in the adoption of anti-pandemic measures or exemptions from them.

The Situation in Various Religious Groups

From the earliest days (the first announcement was on 6 March 2020), the Catholic Church, through declarations of the Bishops' Conference of Slovakia, called on the Catholic faithful to comply with the instructions of the Office of Public Health and Public Administration, and also granted a number of exemptions from normal customs and rituals: exemption from the obligation to attend services, not to shake hands after services, not to organise pilgrimages, and so on. 'Protecting health is a Christian duty ... Collective events other than liturgical celebrations should be restricted' (Odporúčanie predsedu 2020).

In the context of violations of restrictions, this was the case for only some recognised (Christian) churches. Despite the support of Catholic church leaders for the government's anti-pandemic measures, there were a number of instances of violations of anti-pandemic measures

by specific priests or parishes during the course of the pandemic. Violations of the ban on public worship took place, for example, in the Roman Catholic parishes of Michal nad Žitavou (15 March 2020), Hronský Beňadik (15 March 2020), Trenčianská Teplá (22 March 2020), Hlohovec (28 March 2020), and Pribiš (21 April 2020). Roma illegal worship (perhaps an unregistered Protestant community) took place in Žehra (26 March 2020). Later in the Orava region there were more cases in January, February, and autumn 2021.

On 20 March, a private plane was flown, on board which, besides the pilot, was the Catholic vicar general of the Diocese of Nitra Peter Brodek, with the relic of the Blood of Christ (Slovensko požehnané... 2020).

Within the church, statements by priests and theologians began to circulate that the pandemic was 'God's punishment'. On 20 March, Bishop Marián Chovanec declared such statements to be a simplification and the theology that saw 'God's punishment' in such a situation was 'superficial and therefore unacceptable' (Je pandémie 2020).

Protests and appeals by bishops and Christian politicians against restrictions started in 2021 (List biskupov 2021), later supported by a petition of Christian activists (Spustili petíciu 2021). The government granted an exemption from the ban on midnight Mass (Catholic) on 24 December 2021 and exemptions during Pope Francis's visit to Slovakia on 14–16 September 2021.

However, approval for the temporary closure of churches to the public by the highest representatives of the four largest Christian churches in Slovakia (Roman Catholic, Greek Catholic, Lutheran, and Calvinist) was not shared by the Orthodox bishops, who reacted to the government measures on 10 March 2020 (Pravoslávna cirkev omše 2020). The statement also rejected any change in the form of receiving the Eucharist – that is, the administration of the Eucharist to believers by priests from the same chalice with the same spoon. They also urged the clergy to encourage worried believers to believe that such a method of administering the Eucharist 'has never posed and will never pose any danger to anyone' (Kováč 2020, 41). The Orthodox bishops' statement provoked a wave of criticism from the public and from the prime minister (Pravoslávna cirkev omše 2020). As early as 11 March 2020, the Orthodox Church revised its approach and with immediate effect ordered the cancellation of all its public services except for 'necessary ceremonies'. In spite of this decision, illegal public worship attended

by about 100 believers took place at an Orthodox church in Bratislava on Easter Sunday, 19 April 2020 (Bratislava: Aj napriek zákazu 2020).

On 1 February 2022, representatives of state-recognised Christian churches and Jewish religious communities joined together to alert the public and political leaders on the importance of celebrating public worship. They claimed that this observance was an essential part of the expression of faith for believers. They called for worship to be included among the basic human needs to which all people should have access without distinction. This included the unvaccinated. The letter, signed by the president of the Ecumenical Council of Churches, the general bishop of the Evangelical Church of the Augsburg Confession, the president of the Central Union of Jewish Religious Communities, and the president of the Bishops' Conference of Slovakia, was handed over during a meeting with the prime minister (Výzva náboženských 2022).

Different charismatic groups and Pentecostal movements exist in Slovakia, some of which are parts of the traditional state-recognised churches (e.g. the Catholic Church). According to Souček (2023), representatives of charismatic Christianity announced during the pandemic that their followers should rely on the medium of prayer, the Holy Spirit, and supernatural grace when seeking protection and healing. The Catholic Charismatic Renewal movement used web-based sermons to call on followers to 'advocate for an end to the pandemic, for the healing of the sick, and for the salvation of the souls of those who [had] succumbed to the disease' (Katolícka charizmatická obnova 2023). Similar initiatives were rolled out by other charismatic groups and movements in Slovakia, advocating participation in global spiritual activities until COVID-19 was eradicated. Moreover, the Protestant charismatic movement 'Word of Life' attracted significant public attention after a video³ went viral that depicted a woman speaking in tongues, praying for the minister of health (who also belongs to the charismatics) and the rest of the government to receive wisdom and strength (Souček 2023).

The largest registered churches and Jewish religious communities made several joint statements or protests during the pandemic period (Do obchodov môžu 2022). Despite the fact that most of them are members of the Ecumenical Council of Churches, the statements were usually presented as the joint positions of particular churches. But the Ecumenical Council of Churches (the Catholic Church is not a full member) also commented on the situation on several occasions; for

example, in the framework of the Week of Prayer for Christian Unity on 23 January 2022 it expressed its protest against the restriction of collective religious worship (Vyhlásenie ekumenickej rady 2022).

Neither the other small registered groups nor unregistered ones formed structures to issue joint statements or jointly promote their interests.

Conclusion

An overview of the changes in the field of religious life can be summarised in a few general conclusions.

The two-year period of the pandemic, which included several sets of state measures and the regulation of the possibility of participating in religious services, appears to have had an ambiguous effect on the religious practices of the Slovak population, with some studies pointing to an uptick and others to changes in the content of religiosity. Even so, as Spalová and Gajdoš conclude in their research, it may be that the pandemic's main impact on Slovakian religiosity will be an acceleration of pre-existing trends toward religious privatisation (Spalová and Gajdoš 2024, 27). At the same time, the COVID-19 pandemic has highlighted the problematic position of different religious and worldview minorities in Slovakia; the various legal measures and exemptions from the pandemic restrictions on religious life applied only to those religious actors who were recognised by the state as churches or religious communities.

Despite the constitutional declaration of the protection of freedom of religion and non-religion, members of unregistered religious groups or adherents of non-religious philosophical or humanistic worldviews were not allowed to exercise their individual or collective spiritual or philosophical practices at the time of the restrictions on collective events.

The pandemic has thus demonstrated challenges associated with the universal exercise of the right to freedom of religion and worldview within a constitutionally defined and religiously neutral state.

Notes

- 1 This study was carried out within the framework of projects APVV-22-0063. The author wishes to thank the editors and reviewers for the many comments and suggestions that helped to finalise the chapter.
- 2 The results of surveys conducted from March 2020 (Ako sa máte Slovensko? Marec 2020) onwards are available through the Slovak Archive of Social Data (SASD): <https://sasd.sav.sk/en/>. First results are in Bahna et al. (2020).
- 3 The video became very popular in the first few days after its release, and many parodies were made, but at the suggestion of believers in the community it was taken down from YouTube.

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PART II

Catholic-Majority Countries (with Preferred Religion)

Introduction to Part II

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This introduction brings together insights from the chapters on the three countries involved in Part II, namely Italy, Spain, and Lithuania. On the basis of the distribution of religious affiliation set out in the Swiss SMRE (Metadatabase of Religious Affiliation in Europe), they are considered Catholic-majority countries. However, this definition must be regarded in the light of the historical, social, legal, and cultural specificities that typify each of the three countries, especially from a religious point of view (Davie and Leustean 2021).

Spain and Italy, for example, are two countries where the Catholic Church, although no longer their nations' established religion, is still connected to the historical heritage of the population. That also helps to describe the genus and the species of these two contexts: the genus of the current religious landscape contains several religious species, the most relevant of which is Catholicism. It should be also noted that in the last three decades or so in Spain and Italy there has been a reduction in the number of practising Catholics. Moreover, an emergent number of persons affirm that they are Roman Catholics because they 'feel at home' with the church's culture and teaching, but it is highly improbable that they would follow religious precepts. This could help to explain the low attendance at ordinary Catholic religious practices, on the one hand, and, on the other, the tendency to take part in other events such as the Pope's visits to local dioceses, the commemoration of charismatic religious figures, and the proclamations of saints. From

here stems one of the great paradoxes of people's attitudes: religions in general and Catholicism in particular are still able to fill the public squares, while the churches often remain empty (Pew Research Center 2018).

By contrast, Lithuania is a country of Northern Europe bordering Russia, Poland, Belarus, and Latvia. The country's population is around three million and its majority historically belonged to the Roman Catholic Church (about 77.2 per cent). Under the Soviet regime, religion and its displays in public life were removed; they were often replaced by atheist ideology and relative rituals. Soviet authorities nationalised some of the religious communities' property, while restricting the activities of the Roman Catholic Church and of the other religious communities. In addition, activities of the clergy and relations with the Holy See were limited. Together with the Declaration of Independence and the approval of the Lithuanian Constitution in the early 1990s, a religious revival started and participation in religious activities has increased since then. It is not by chance that in Lithuania there is a rising level of involvement of the Catholic leadership in public moral debates (e.g. abortion or religious education), in the organisation of public events (e.g. the Pope's visits or the Day of Family), and in claiming the relevance of Christianity in definitions of national identity (Kuznecoviene 2003).

More generally, it seems that Italy, Spain and Lithuania are nowadays more or less characterised by three trends: the diversification of the religious field, the repositioning of the Catholic Church, and the emergence of a new cultural-religious landscape. In all these contexts the Catholic Church maintains a strong social power as a result of its network of social assistance organisations, which sometimes run as a parallel system to the welfare system and become key in dealing with social issues. In addition, the three countries' models of law and religion relations are characterised by systems of bilateral (state-churches) agreements, which have created a sort of 'hierarchical pluralism' based on distinctions between groups that benefit from those systems and groups that are excluded from them (Ferrari 2020). That is more significant when referring to the restrictive measures and the vaccination campaign of the COVID-19 epidemic and their impact on the relation between religion and law in European countries.

The comparison of the consequences of COVID-19 pandemic on religious life is based on the criteria developed in the introduction to

this book. In Italy, Spain, and Lithuania, the 2020–2021 state restrictive measures had a considerable effect on religious communities, which generally complied with the public health recommendations: they responded to the necessity of preventing and combating coronavirus by supporting health services and assisting the most vulnerable members of society. If we consider Proposition 1 (P1a) in the introduction to this volume – which states that the majority status of a church increases the likelihood of a relative agreement to the overall pandemic policy among adherents – we find that, in all three states, majority and minority religion played a supportive role towards the emergency measures.

Regarding Proposition 2 (P1b) – which has to do with a history of legal church–state cooperation – during the 2020 phase 1 lockdown, although public authorities did not consult confessional institutions on the legal requirements, religious groups and the relative associations became very active in promoting and implementing health regulations. In this regard, it is important to note that in Italy the Italian Bishops' Conference (CEI) criticised the government's emergency measures. These critics mainly referred to the church's autonomy as enshrined in Article 2 of the 1984 Church–State Agreement, which, under Article 7.2 of the Italian Constitution, regulates the relations between Italy and the Catholic Church. This, however, did not prevent the church from cooperating with the state, as clearly demonstrated by phase 2 of the government's coronavirus lockdown measures. In particular, attention focused on the 'Protocol concerning the resumption of public Masses', which was signed on 7 May 2020 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. A few days later, very similar documents were signed by other religious leaders, including those representing groups without an agreement with the state and even some that the state had not legally recognised as religions (as is the case for all Islamic organisations except one); this, in fact, inaugurated a new way of cooperation between the Italian authorities and religious denominations other than Catholicism. In Spain, on the other hand, the Religious Liberty Advisory Commission, a government advisory body on religion, claimed that a closer collaboration between the government and religious institutions should have been affirmed in order to establish more appropriate measures concerning religious gatherings.

In relation to Propositions 1c, 1d, 2a, and 2b – regarding the relations between science, society, and the reaction of the population, including those with a previous history of communism (e.g. Lithuania) – religious groups generally worked in collaboration with public authorities and civil society by informing their adherents about quarantine and vaccination campaigns on the basis of scientific information. That is surprising considering that some parts of the political spectrum tended to weaponise every bit of this information, often turning them into partisan disputes. Take, for example, some of the most important Italian right-wing political parties such as *Fratelli d'Italia* (Brothers of Italy or FdL) and the Lega Party, which vigorously protested against both the government's restrictive measures to contain the spread of coronavirus and the consequent vaccination campaign (Vampa 2023). That also took the form of political instrumentalisation, like those related to VOX, a Spanish far-right political party, which openly promotes discourses against the presence of Islam in the country and, as such, during the pandemic emphasised criticism against crowded mosques.

Concerning Propositions 3a and 3b – on the relationship between legal traditions and the more or less open attitudes of states towards defending the rights of religious groups – it seems that in all three countries the protection of rights and freedoms of religious groups is considered essential. But, despite their essentiality, these rights and freedom had to be subjected to the pandemic emergency's contextual constraints, under which legal balance tilted towards the right to health protection. This did not mean that religious freedom stopped being essential. It meant that freedom of religion had to be selectively limited in light of reasonable standards of proportionality between the restrictive measures and the pursued aims. In fact, during the pandemic the profession of religious faith was relatively limited but not eliminated: these measures were based on public health concerns and not used to quash dissent or target specific religious groups, whether majority or minority. Furthermore, the restrictive measures did not limit the freedom of worship of believers as persons. They only pertained to the public exercise of worship of religions as collective institutions. To put it in other words, the restrictive measures, while limiting *libertas ecclesiae*, never called into question *libertas fidelium* (Alicino 2022).

That is even more relevant when related to Proposition 4 – concerning the levels and/or the perception of (in)security and the degree of religiosity of individuals – especially when considering that, during

the pandemic, people in Italy who reported contagions in their family attended religious services and prayed more often than those who did not. But, while this emerges very clearly for the more institutional form of religious behaviour in the peninsula, the results are slightly less clear for individual prayer. In Spain, the results about how the pandemic influenced people's religious practice in the country are contradictory: according to some surveys, 9.6 per cent of Spanish people confirmed that they became more religious or more spiritual during the pandemic; according to the Pew Research Center (2018), in Spain, 16 per cent of people stated that their religious faith had become stronger due to the pandemic, while 78 per cent said that it had 'not changed much' and only 5 per cent said that their faith had become weaker; other data show that COVID-19 did not have an effect of change on non-religious people, as the number remained the same and only grew slightly. In Lithuania, the pandemic led to increases in individual-level religiosity, but it is also worth noting that today Lithuania is experiencing the consequences of Russia's war in Ukraine more than other European countries; thus, it is difficult to assess the impact of the COVID-19 pandemic on the size of religious communities in the long term.

The cases of Italy, Spain, and Lithuania emphasise the importance of the cooperation of religions for a better implementation of public measures and rules, especially during the state of emergency. These cases also lead us to take into serious account the very real costs and harms that the emergency situation might involve. Accordingly, the most compelling source of evidence for understanding whether the limitations on religion are reasonably appropriate requires ascertaining whether the restrictive measures are necessary and essential. Of course, one cannot underestimate the risks of abuse of power that an emergency situation like COVID-19 could offer to public authorities. However, the mere opportunity for this abuse is not enough to prevent the implementation of precautionary measures in response to real-life dangers. The risk of potential abuses must be avoided through the dissemination of correct information and, if possible, with the collaboration of religious communities. That is especially the case when the subject of dispute is the combination between the protection of health and the multifaceted nature of religious freedom (Alicino 2022).

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CHAPTER 6

Italy's Secularity and Freedom of Religion under the COVID-19 Pandemic¹

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Abstract

This chapter analyses the sociological and legal characteristics of Italy's religious tendencies under the COVID-19 crisis, in respect of which the logic of emergency has impacted on a society that is becoming more and more secular. The COVID-19 crisis highlighted the increase in religious pluralism in Italy over the previous three decades, not only in terms of the proliferation of different denominations but also in terms of the growing presence of other sociocultural groups. For these very reasons, the COVID-19 crisis went to the heart of the historical dilemma of religious freedom and thus to the principle of equality that, as such, implies the right to be different. This also reflects the fact that, although Italy had one of the highest vaccination coverage rates in the European Union, protests against both the COVID-19 vaccine and vaccination in general were widely reported in the media and public debate. These protests were mainly seen as populist, driven by

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individualistic demands, in which religious institutions did not play an important role. By contrast, the main denominational authorities urged their followers to be vaccinated and to follow the advice of public health officials.

Introduction

In the first half of 2020, Italy was the first Western country to be hit by the pandemic, leaving citizens and residents with a greater sense of unpredictability from a new, invisible, and unknown threat. Although it was a collective experience, the pandemic exposed people to different levels of closeness to the virus, which was reflected in different levels of existential insecurity: those who reported infection in their family were more likely to suffer the worst consequences of the crisis, given their proximity to COVID-19 and the impact it had on their loved ones (Molteni et al. 2021). The threat to public and private health was so severe that the central government imposed restrictions on people's fundamental right to freedom of movement.

Initially, a few cities in the Lombardy region of north-western Italy were targeted by the government's restrictive measures. These were later extended to the entire national territory. Residents were required to stay at home unless authorised by the authorities – in writing – for work or health reasons, in order to reduce the transmission of the SARS-CoV-2 virus. Schools, museums, cinemas, theatres, and all other social, recreational, and cultural facilities had to remain closed, including most shops. In shops selling essential goods, such as supermarkets and pharmacies, a distance of at least one and a half metres between customers had to be maintained in order to contain the spread of the virus. In these places, people were also obliged to wear masks. These measures were unprecedented in the history of the republic. They went so far as to restrict some inviolable and inalienable human rights, including the right to freely profess one's religion and to celebrate religious rites in community (Romano et al. 2022).

The development of the vaccine campaign was the first step towards a long-term solution to the pandemic. In Italy, the mass vaccination programme started in December 2020. By 17 May 2022, the country had one of the highest vaccination coverages in the European Union, with only Portugal, Malta, and Spain exceeding it in terms of percentage of population vaccinated with at least one dose. As of 27 July 2022,

86 per cent of Italian eligible subjects had completed their primary vaccination cycle and 83.7 per cent had got their booster doses too, with slight differences among regions (GIMBE 2022). Nevertheless, in the media and in the public debate, protests against restrictive measures, COVID-19 vaccines and vaccination in general experienced a great resonance. These protests were mainly seen as populist, driven by individualistic demands, in respect of which religious institutions did not play important roles; on the contrary, the most relevant confessional authorities invited their believers to vaccinate and follow the advice of public health officials. In fact, from an antagonistic position in a dwindling minority, campaigns against the government's measures and mass vaccination took the form of a culturally and religiously diversified politicisation around new issues and, in particular, as an expression of critical citizenship stating doubts about decisions taken by politicians (Primieri et al. 2023).

Setting the Context

In Italy, the COVID-19 crisis led to a lively debate on the restrictions imposed on the public liturgical life (masses, funerals, baptisms, marriages) of the Catholic Church, the main religion in the country, and of denominations other than Catholicism (as Article 8 of the Italian Constitution defines minority religions). But, unlike in other European countries, the debate in Italy was confined to the realm of scientific disputes, while judicial review was almost non-existent (Alicino 2022; Sanfelice 2020).² Nevertheless, the discussion revealed the logic of the traditional Italian religious landscape and the Italian system of law–religion relations (Ferrari 2020).

It must be underscored that about 71.4 per cent of Italian residents ascribe to Christianity, making it the dominant religion in the country, with Catholicism being the majority Christian denomination; the Catholic Church accounts for 93 per cent of all Christians. Other denominations of this type include Orthodox Christianity, Jehovah's Witnesses, and Protestantism. Only 0.6 per cent of the population ascribe to religions such as Judaism, Hinduism, and Sikhism. Although the Catholic Church is no longer the state religion, as it was before 1948, it is still the majority religion and its symbols and rituals are part of the country's public culture. In this way, Catholicism functions as a dominant denomination, providing social and cultural clues,

including those relating to certain aspects of the state's legal system.³ However, this trend must now coexist with other facts. One is that sociocultural pluralism, driven by immigration and globalisation, has come to characterise the Italian religious scene⁴ (Alicino 2023). In this respect, the analysis of the relationship between religion and COVID-19 has highlighted that the traditional legal instruments regulating the presence and status of religious organisations are no longer adequate to meet the needs of the contemporary social and cultural geography of Italy, which has undergone major changes in recent decades.

In fact, for those who were already religiously socialised, the COVID-19 emergency led to a higher likelihood of attendance. But, while this behaviour is very clear for the more institutional form of religiosity, the results are less clear for the individual form of prayer. This suggests that in Italy there are non-religious people in the trenches and that their numbers are increasing over time (Molteni et al. 2021). At the same time, a look at Italy during the COVID-19 emergency is helpful in examining how internal and external causes could touch the raw nerve of the historical dilemma between unity and diversity, which is an undeniable factor of Italy's current legal context.

In this respect, the emergence of the Covid-19 has indeed reinforced a trend that has been present in contemporary democratic systems for some time: in normal situations, security is in constant dialogue with fundamental freedoms; in states of emergency, the dialogical dimension recedes in favour of the competitive one. Moreover, collective security tends to be confused with subjective security, sometimes going so far as to promote the protection of perceived (in)security.

Legal Aspects

In early February 2020, the Italian Council of Ministers declared a state of emergency.⁵ The government did so under the Civil Protection Code, which allows the President of the Council of Ministers to adopt exceptional measures in the event of a natural disaster.⁶ These were measures that, although disguised as administrative acts (the so-called DPCMs, i.e. decrees of the president of the Council of Ministers), took the form of sources of primary law: this was demonstrated by their tendency to affect constitutional rules and principles concerning fundamental rights, such as those related to freedom of movement, assembly,

private economic initiative, and the right to profess one's religion freely in public (Articles 16, 17, and 41 of the Italian Constitution).

In this regard, it is important to note that, during the first phase of the COVID-19 crisis, places of worship were open to the public and individuals were allowed in on condition that they kept a minimum distance from others. After a few days, the situation deteriorated to the point where access to places of worship for purposes such as prayer was not considered an essential or primary need (Licastro 2020). On 26 April, the prime minister announced the government's prudent plans for a slow end to Italy's long coronavirus quarantine. The restrictions that had been in place for seven weeks would be eased from 4 May, when parks, factories, and construction sites would be reopened. In the case of places of worship, the conditions for their opening remained subject to the adoption of precautionary measures, such as a minimum safety distance of one metre between people. Until 18 May 2020, civil and religious ceremonies remained suspended.⁷

Apart from a small number of 'dissidents' (as many of them like to be called), the population responded by implementing the government's measures without protesting. On the contrary, the response of the Italian Bishops' Conference (CEI) was to address the policies that would continue to limit the church's capacity for pastoral activity. The bishops stated that they were in constant negotiations with the authorities of the state. The CEI did so through the proposal of guidelines and protocols 'in full compliance with all health regulations'. On the other hand, the Italian government had 'arbitrarily excluded the possibility of celebrating Mass with the people without consulting the Holy See,' the CEI said (CEI 2020a). Pope Francis was not entirely in agreement with the CEI: 'At a time when people are beginning to receive instructions to come out of quarantine, let us pray to the Lord to give his people, all of us, the grace of prudence and obedience to the rules so that the pandemic does not return,' he said on 28 April 2020 during a morning Mass at the Vatican residence, Casa Santa Marta.

This helps to clarify the comments of some lawyers who criticised the emergency measures taken by the government to prevent and contain the spread of the virus. These critics were mainly referring to the autonomy of the Holy See as enshrined in Article 2 of the 1984 Agreement between the Catholic Church and the Italian State, which, according to Article 7.2 of the 1948 Constitution, reformed the Lateran

Pact of 1929. It is important to note that Article 2 of the 1984 Agreement states:

the Republic shall recognize the full freedom of the Church to develop its pastoral, educational, and charitable mission, of evangelisation and sanctification; in particular, the Church shall be assured the freedom of organisation, of public exercise of worship, of exercise of its magisterium and spiritual ministry as well as of exercise of jurisdiction in ecclesiastical matters.⁸

In addition, Article 14 of the 1984 Agreement provides that, in the event of a problem of interpretation, the provisions of this Agreement shall be subject to ‘the search for an amicable settlement by a joint commission appointed by the two Parties [the state and the Holy See]’⁹ (Montesano 2020; Pacillo 2020).

In fact, Article 2 of the 1984 Agreement does not concern religious freedom for Catholics as individuals. It refers only to the public exercise of worship. To put it another way, Article 2 deals with what is called *libertas ecclesiae*, not *libertas fidelium*. And the government’s emergency measures have never called into question *libertas fidelium* (Colaiani 2020). In spite of this, some authors have affirmed that the restrictive measures taken by the government were contrary to the 1969 Vienna Convention and the corresponding procedure. These measures, they say, were imposed unilaterally, without the collaboration of the Holy See, as required by Articles 2 and 14 of the 1984 Agreement: since the Agreement is similar to an international treaty, this also led to the violation of the Vienna Convention, they also affirmed (Pacillo 2020).

It is true that one of the most fundamental principles of the church is *Prima sedes a nemine iudicatur* (the first sees no judge). But this refers to the law of the church, not to the law of the state. Furthermore, on the basis of generally recognised principles of international law,¹⁰ the Italian state’s interpretation of Article 14 of the 1984 Church–State Agreement will prevail if it is not possible to reach an amicable settlement as provided for by the Vienna Convention (Alvarez 2005; Colaiani 2020). Moreover, the international status of the 1984 Agreement does not make it a legally binding source of constitutional rank, as the Italian Constitutional Court has repeatedly affirmed¹¹ (see on this Cassese 1977 and Colaiani 2012). And if these arguments are not sufficient, it is worth recalling the procedure of the Vienna Convention, which provides that ‘a party that ... invokes either a defect in its

consent to be bound by a treaty or a ground for impeaching the validity of a treaty must notify the other parties of its claim'; this notification 'must be in writing'.¹² With regard to the measures taken by the Italian government in relation to the COVID-19 emergency, the Holy See has never done so. This means that, legally speaking, the question of whether the Vienna Convention applies is irrelevant (Botti 2020).

In any case, the COVID-19 crisis did not prevent the church and other religions from cooperating with the state, as clearly demonstrated by phase 2 of the government's coronavirus lockdown measures. Indeed, on 7 May the Italian prime minister, the minister of the interior, and the president of the CEI signed a protocol on the return to Mass. On the basis of this protocol, public worship would resume in few days but under specific rules, such as the number of people allowed in church, the obligation to use face masks, and the distance between worshippers. Rather than allowing more people into a church, additional services would be held if there were demand. The priests were allowed to celebrate most of the Mass without a mask; however, they had to wear a mask and gloves when they distributed the Eucharist. The protocol banned choral singing, kept holy-water stoups dry, and suspended the traditional handshake as a sign of peace.¹³ These rules were the result of a collaboration between the government and the CEI in which 'both have made their responsible contributions,' said the then CEI chairman (CEI 2020b).

Significantly, very similar rules were signed by other religious leaders, including those representing groups that did not have the 'understanding' (*intese*) provided for in Article 8.3 of the Italian Constitution (Tozzi 2011), and even those groups that were not legally recognised as cults under law 1159/1929 on *culti ammessi* (admitted cults). This was particularly the case for some Muslim communities, which were able to sign the aforementioned protocols in the COVID-19 emergency,¹⁴ despite their lack of legal recognition (Alicino 2023). It should be also noted that these initiatives followed the so-called 'mini-understandings', such as those governing relations between the Italian Department of Penitentiary Affairs (DAP), on the one hand, and the Jehovah's Witnesses, the Protestant churches, the Islamic Conference (IIC), and the Union of Islamic Communities and Organisations of Italy (UCOII), on the other: the representatives of these religious organisations were now allowed to enter prisons to provide spiritual support on the basis of those mini-agreements (Alicino 2020; Angeletti 2018).

Sociological Aspects

In Italy, religion in general, and Catholicism in particular, is both a powerful and a volatile force. Suffice it to note that many people choose to be part of a denomination more as a result of their culture than for any religious reason. In addition, the number of practising Catholics has fallen and the proportion of those identifying themselves as atheist or non-Catholic has risen over the last three decades. In fact, religious pluralism in Italy is not only increased by the proliferation of denominations in the same geographical area but also by the increasing presence of at least four sociocultural groups, namely religious believers, religious believers with forms of personal spirituality, non-believers, and non-affiliated (Alicino 2021).

For example, a growing number of Italians claim to be Catholics because they feel 'at home' with the tradition and teachings of the Roman Church, even though it is quite improbable that they believe in all of its essential values and precepts, such as those referring to the divine Jesus, hell, original sin, and papal infallibility. There is also an increasing number of people who claim no religious affiliation at all but who consider themselves to be religiously motivated. This could explain one of the peculiarities of Italian religious behaviour: religion can still fill public places (for local papal visits, canonising of saints, remembrance of charismatic personalities, etc.), while churches remain largely empty (especially when used for Sunday services, private prayer, Bible reading, etc.) (Garelli 2014; Zurlo and Johnson 2016).

Interestingly, during the outbreak, people who reported family infection attended religious services and prayed more often than those who did not. Exposure to the virus led to a higher likelihood of attendance among those who had some form of religious socialisation. The implication of this is that a religious revival in the event of dramatic events cannot be ruled out. What we need to understand is whether the impact of such phenomena is limited to the emergency periods or whether they have longer-term effects. In this sense, it can be said that the use of religion as a coping strategy is particularly relevant for those who have already been socialised in a religious way. At the same time, it can be assumed that, as the number of religiously socialised people declines in line with the general decline of religion, it can be expected that the same will be true for people who turn to religion when they experience existential insecurity (Molteni et al. 2021).

This is also reflected in investigations of the relationship between religious behaviour and the vaccination campaign. In this field, the experience of COVID-19 has demonstrated that the Italian population mostly identifies the health scientific community as a reliable source of information. From January 2021 to January 2022, about eight million cases, over 500,000 hospitalisations, over 55,000 hospitalisations in intensive care units, and about 150,000 deaths were directly prevented by COVID-19 vaccination. However, the phenomenon of vaccine hesitancy, both against COVID-19 vaccines and vaccination in general, received a surge of attention from media, including the news, after the beginning of the pandemic (Primieri et al. 2023). This applies to different aspects. One is related to the fact that during the COVID-19 crisis national and local politicians sought to add credibility to their actions by relying on scientific advice. The difficulty with this attitude is that scientists do not always have concrete answers and can feel pressured by politicians to go beyond what is actually known. As a result, all positions on the political spectrum tended to weaponise every bit of (uncertain) information that, for the same reason, would open the door to sociopolitical disputes (Primieri et al. 2023). That is especially the case when the subject of dispute is the combination of the protection of health and the multifaceted nature of religious freedom, which, of course, are not always easy to balance.

On the other hand, it is crucial to emphasise the fact that, with the exception of a few dissenting minorities within the Catholic Church and other religious minorities, almost all denominational organisations supported the government's restrictive measures to prevent and combat coronavirus and the consequent vaccination campaign, urging their adherents to follow the guidelines provided by the state authorities. Criticism in this regard came mainly from certain Catholic elites, who originally contested the government's measures not because of their content but because they were taken unilaterally without considering the opinion of the church leadership and the method of bilateral consultations (Alicino 2022).

That is surprising considering that some of the most important nationalist right-wing political parties, including Fratelli d'Italia (Brothers of Italy or FdL) and the Lega Party, vigorously protested against both the then government's restrictive measures to contain the spread of coronavirus and the vaccination campaign (Vampa 2023). This is even more relevant in the light of the fact that, after the political

election of 25 September 2022, FdL and the Lega Party became head of Italy's far-right governing coalition, which is still at work today (Baraggia 2023; Donà 2022). Not coincidentally, some studies found a link between conspiracy theory beliefs, anti-vaccine positions, and voting behaviour during the COVID-19 outbreak (Serrani 2023).

Neo-religious minorities are another sociological issue. Attention is focused on the land in public cemeteries, where separate areas must be reserved for the burial of people belonging to 'confessions other than Catholicism' (as stated in Article 8.3 of the Italian Constitution).¹⁵ Muslim immigrants, for example, often have a preference for the repatriation of the body of a loved one to their country of origin. This was not possible during the pandemic: in the first phase of the outbreak, the government stopped flying and using other means of transport. As a result, many Muslims were forced to bury their loved ones on Italian soil. However, the Islamic requirement of burial within 24 hours of death could not always be honoured. This was because there were (and are) very few cemeteries for Muslim worshippers in Italy. For example, in the province of Brescia in the region of Lombardy a Macedonian family had to keep the body of one of its members enclosed in a coffin at home for more than a week; this was due to the fact that the city in which they lived lacked an Islamic burial ground (Gianfreda 2020). Just one year earlier (February 2019), the Lombardy Regional Council had approved an amendment that negated a provision of the regional 2009 funerary law¹⁶ compelling private associations to allow burials in their allocated spaces in public cemeteries, regardless of sex or religion.¹⁷ Muslim leaders responded that in this manner the regional law would likely only limit space for Islamic funerals, making them more segregated. On the other hand, as a result of cooperation between local authorities and religious communities, other city councils reserved space for Islamic burials, as was the case of the council of San Donato Milanese, a suburb of Milan, and the related public cemetery of Monticello.

It is also important to note that during the worst phase of the epidemic Islamic burial law was adapted to the existing medical evidence. This had implications for practice recommendations and guidelines (Hirji, Hirji, and Lakasing 2020; Ahmed and Ryan 2022; Sona 2021). Moreover, some foreign documents were translated into Italian and distributed among local Muslim communities; this was the case for the UCOII 'Regulations on Funeral Rituals and Burials at the Time

of the Coronavirus Pandemic', which followed a specific fatwa issued by the European Council for Fatwa and Research.¹⁸ Two main principles guided these instructions. On the one hand, the lives of those involved in handling the body and the rest of the community must not be endangered, which means that protecting life (*hifz al-nafs*) is the primary of the five ultimate goals of Islamic law (*maqāṣid al-shari'ah*). On the other, the community must have respect for the dignity of the dead and the feelings of the bereaved.

All this is evidence of the fact that the pandemic emergency has forced public institutions and religious leaders to find new solutions in the system of relations between the state and the denominations. Indeed, these events and the relative solutions have opened the way to developing more effective cooperation based on a more democratic and inclusive pluralism.

Conclusion

The experience of the pandemic in Italy has made us aware that no right is absolute. This is all the more the case when it comes to the right of religious freedom. It is true that this right cannot be unduly restricted in the name of emergencies, including those related to public health. It remains that, taking into account the existing situation and specific circumstances, religious freedom, especially in the form of the right to promote a religion and to celebrate its rites in public, must be balanced with other rights. This balance is particularly necessary in the face of imminent threats to the right to life, which is the precondition for the exercise of all other fundamental rights, including religious freedom (Alexy 2014; Lerche 1961; Pino 2014; Stone and Mathews 2008).

Another peculiar aspect of the Italian experience during the pandemic is that, in spite of the potential area of litigation, there has been almost no judicial review of the government's emergency measures in this context.¹⁹ This may be explained by the fact that health experts have often acted as a filter for potential judicial appointees, given the high level of scientific knowledge required to deal with the issues involved. The role of the Comitato Tecnico-Scientifico (Technical-Scientific Committee or CTS) is one of the most important examples of that. Indeed, during the pandemic, CTS, which was and is part of the Prime Minister's Office for Civil Protection,²⁰ together with the

Superior Institute of Health, acquired a normative function, being closely involved in the implementation of the government's restrictive measures, including those related to religious ceremonies.²¹

The Italian experience also suggests that, in an emergency context such as the pandemic, religious rites and spiritual gatherings are vital opportunities for socialised people to practise and exercise their religiosity; the inability to participate in such ceremonies can cause social discomfort, if not health problems. It is still the case that, in the first phase of the COVID-19 crisis, the threat came from a virus that did not distinguish between those who believed and those who did not. The virus also made no distinction between places of worship and other venues, including restaurants, bars, theatres, sports stadiums, and stores. Under normal circumstances, this similarity may be socially and morally unacceptable: you cannot compare places of worship with other settings such as bars and restaurants. However, in order to control the spread of the deadly virus during a global pandemic, this comparison is to some extent necessary. All congregations, including religious ones, are potential carriers of disease, putting at risk not only the participants but everyone with whom they are in contact.

In other words, the Italian experience during the COVID-19 crisis illustrates how endogenous and exogenous factors can affect the social and legal aspects of religion in democratic societies (Dalla Torre 2020). This is all the more relevant at a time when economic uncertainty, the politics of fear, and asymmetric emergency situations remain active and persistent (Alicino 2023).²²

From this point of view, the fundamental lesson to be drawn from the pandemic is that emergency legislation is indispensable because it allows a democratic system to respond to emergencies while keeping the exercise of public power within the limits set by the constitution. If applied with due care, this legislation can act as a self-defence mechanism that is functional to the existence of a constitutional order: a way to avoid authoritarian tendencies on the one hand, and to increase the degree of resilience of democratic institutions in preventing or mitigating serious threats on the other.

Notes

- 1 This chapter builds on the author's earlier work (Alicino 2022) with permission from Brill.
- 2 See also Consorti (2020a, 2020b), Licastro (2020), Tira (2020), and Macrì (2020).
- 3 As we will see, Article 7 of the Constitution was considered an instrument that was meant: (a) to protect both the state and the Catholic Church, as two independent and sovereign entities; (b) to secure the Lateran Pacts, approved during the fascist regime in 1929; and (c) to pave the way for the reform of the 1929 Pacts.
- 4 CESNUR, *Dimensioni del pluralismo religioso in Italia*, 2021, <https://cesnur.com/dimensioni-del-pluralismo-religioso-in-italia> (accessed 3 April 2023); ISTAT, 'Aspetti della vita quotidiana: Pratica religiosa – regioni e tipo di comune' 2020, <http://dati.istat.it/index.aspx?queryid=24349>; Ipsos Public Affairs, 'I cattolici tra presenza nel sociale e nuove domande alla politica novembre 2017', <https://www.acli.it/wp-content/uploads/2017/11/Cattolici-e-politica-analisi-Ipsos-novembre-2017.pdf> (accessed 3 April 2023).
- 5 See 'Dichiarazione dello stato di emergenza in conseguenza del rischio sanitario connesso all'insorgenza di patologie derivanti da agenti virali trasmissibili,' *Gazzetta Ufficiale* 26 (1 February 2020).
- 6 See the 2018 Italian legislative decree, no.1.
- 7 See DPCM, 'Ulteriori disposizioni attuative del decreto-legge 23 febbraio 2020, n. 6, recante misure urgenti in materia di contenimento e gestione dell'emergenza epidemiologica da COVID-19, applicabili sull'intero territorio nazionale,' *Gazzetta Ufficiale* 108 (27 April 2020).
- 8 Article 2 of the 1984 Agreement.
- 9 Article 14 of the 1984 Agreement.
- 10 As stated in Article 10 of the Italian Constitution.
- 11 the Italian Constitutional Court, decisions no. 348/2007, no. 349/2007, no. 73/2001, no. 15/1996, no. 168/1994, no. 323/1989, no. 153/1987, no. 96/1982, no. 188/1980, no. 48/1979, no. 104/1969, no. 32/1960, and no. 323/1989.
- 12 Article 65 of the Vienna Convention.
- 13 Presidenza del Consiglio dei Ministri, 'Protocollo circa la ripresa delle celebrazioni con il popolo,' http://www.governo.it/sites/new.governo.it/files/Protocollo_CEI_GOVERNO_20200507.PDF (accessed 28 September 2024).
- 14 Governo italiano, 'Protocollo con le Comunità Islamiche' (18 May 2020), https://www.interno.gov.it/sites/default/files/2020.05.14_protocollo_comunita_islamiche.pdf (accessed 3 September 2024).
- 15 See D.P.R. 10 sett 1990, n. 285, *Approvazione del regolamento di polizia mortuaria*, Article 100.
- 16 Legge Regionale 30 dice 2009, n. 33, *Testo unico delle leggi regionali in materia di sanità*, Article 75.
- 17 See Legge Regionale 4 marzo 2019, n. 4 *Modifiche e integrazioni alla legge Regionale 30 dice 2009*, n. 33.
- 18 See UCOII, 'Coronavirus, Fatwa Associazione degli Imam per i riti funebri. Regolamenti sulle ritualità funebri e sepolture al tempo della pandemia da coronavirus' (19 March 2020), <https://ucoii.org/2020/03/19/coronavirus-fatwa-associazione-degli-imamper-i-riti-funebri/> (accessed 3 September 2024).

- 19 The only judicial decision refers to the 29 April 2020 decree of Lazio's Regional Administrative Tribunal (in Italian TAR), which rejected a petition against the DPCMs' restrictive measures on religious ceremonies. See *Tar Lazio, decreto 29 aprile 2020, n. 3453*. With regard to the vaccine obligation, it is important to note that the Council of Administrative Justice for the Sicilian Region raised the question of constitutional legitimacy concerning the vaccine obligation for the prevention of SARS-Cov-2 infection. In its decision of 15 February 2023 (no. 14), the Italian Constitutional Court ruled that this question was unfounded. The court held that the choice made by the government to prevent the spread of the virus could not be considered unreasonable or disproportionate in light of the epidemiological situation and the available scientific findings.
- 20 See *Decreto del Capo Dipartimento n. 371 del 5 febbraio 2020 Istituzione del Comitato scientifico*.
- 21 It would suffice to mention that, not by chance but rather by necessity, the CTS approved the above-mentioned 'Protocols Concerning the Resumption of Public Masses' before going to the state's authorities and religious representatives for their signature. See the Italian Government, 'Protocollo circa la ripresa delle celebrazioni con il popolo', 63, 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'*).
- 22 See on this Alicino et al. (2021).

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CHAPTER 7

Impact of the COVID-19 Pandemic on Religion in Lithuania

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Abstract

To stop the pandemic, the government of Lithuania announced two quarantines, in periods that encompassed the major holidays of the year. The country imposed highly restrictive measures by banning public religious gatherings but allowing accommodations for private prayer in public places of worship.

The chapter discusses the impact of COVID-19 pandemic on religion in Lithuania, focusing on the legal and sociological aspects of the issue. It analyses such questions as the relationship of religion and state in Lithuania during the COVID-19 pandemic when the government imposed different restrictions on religious groups (religious communities complying with the public health directives from the government and/or adopting voluntary restrictions on their activities following public health recommendations), the main legal texts that have affected religious life, regulations concerning specific areas of religious life, how collective religious life was affected during the pandemic including the importance of digital use, and how the pandemic

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has influenced people's religiosity, including modifications of religious practices.

Introduction

The first case of COVID-19 was reported in Lithuania on 28 February 2020 (The Office of the Government of the Republic of Lithuania 2020a). Nationwide, from 3 January 2020 to 4:01pm CEST, 5 July 2023, there were 1,321,478 confirmed cases of COVID-19, with 9,692 deaths, reported to the World Health Organization (WHO). As of 10 June 2023, a total of 4,532,385 vaccine doses had been administered (WHO n.d.). A coronavirus-related extreme situation was raised by the government of Lithuania on 24 February 2020, which ended with an adoption of the Resolution 'On Declaration of State-Level Emergency' on 26 February 2020.¹ During the pandemic, the country had two lockdowns: the first lasted from 14 March 2020² to 17 June 2020 and the second lasted from 4 November 2020³ to 31 May 2021. Lithuania ended the national emergency on 1 May 2022 (The Office of the Government of the Republic of Lithuania 2022).

Owing to these lockdowns, some rights were restricted in Lithuania. The quarantine measures impacted free movement, access to health services, social services, and education. For example, during the first wave of the pandemic, the right to movement was restricted by the prohibition on going abroad. During the second wave of COVID-19, the adopted measures were stricter as the government approved a prohibition on moving from one municipality to another and from one household to another (Voveriūnaitė 2021). During the first lockdown, medical diagnostic services, elective hospitalisations, and surgeries were postponed (cases of emergency were exceptions), visiting of patients in hospitals was prohibited (children under 14 years old and patients with terminal illnesses were exceptions), and the provision of medical rehabilitation services was restricted. The quarantine measures impacted socially vulnerable groups, putting them in institutional isolation (FRA 2020, 3–4). As for religious communities, the recommendations were to cancel all religious ceremonies and public gatherings during the first quarantine period (FRA 2020, 4) and to organise religious rites and recollections remotely during the second quarantine period (The Government of the Republic of Lithuania 2020b).

According to OSCE/ODIHR (2020), the health crisis posed a challenge for individuals and communities to manifest their religion or belief and affected their ability to access places of worship, observe religious holidays, and participate in rituals associated with certain stages of life, such as religious funeral services. It also impacted the ability of people to gather in homes for worship, to conduct community activities and religious processions, and to teach religion or belief. Moreover, physical distancing hampered the efforts of religious or belief communities to undertake charitable and humanitarian work and to reach out to and assist the most vulnerable people (OSCE/ODIHR 2020, 117).

Setting the Context

Lithuania is a country with a majority Catholic population. According to the 2021 census data, 74.2 per cent of the population attributed themselves to the Roman Catholic community. Other large religious denominations were Orthodox (3.8 per cent), Old Believers (0.7 per cent), Evangelical Lutherans (0.6 per cent), and Evangelical Reformed (0.2 per cent) (Oficialios statistikos portalas 2021a). The number of Orthodox Christians has increased since 2020, due to the arrival of citizens of the Republic of Belarus seeking to escape the undemocratic regime there (who have come in two waves: 2020 autumn to the first half of 2021 and since the Russian invasion of Ukraine from 24 February 2022) and refugees fleeing Ukraine from 24 February 2022. At the start of 2024, 86,352 citizens of Ukraine and 62,165 citizens of Belarus lived in Lithuania (Migracijos departamentas... 2023, 11).

Membership of other religious communities did not exceed 1 per cent of the population (Pentecostals 0.11 per cent, Old Baltic faith communities (contemporary pagan groups in Lithuania) 0.14 per cent, Jews 0.03 per cent, Muslims 0.08 per cent, Greek Catholics 0.03 per cent, Karaites 0.01 per cent, Jehovah's Witnesses 0.08 per cent, Baptists 0.04 per cent, Seventh-day Adventists 0.03 per cent, Methodists 0.01 per cent, Buddhists 0.01 per cent, members of Churches of Christ 0.06 per cent, communities of Charismatic Evangelical Christians 0.02 per cent, the New Apostolic Church 0.01 per cent, the International Society for Krishna Consciousness (ISKCON) 0.01 per cent, and the Church of Jesus Christ of Latter-day Saints 0.004 per cent) (Oficialios statistikos portalas 2021a). In total, 6.1 per cent of the population did not identify with any religious group and 13.7 per cent of Lithuanian residents

did not indicate their religion. There were new religious communities recorded in the census: Deists, Gaudiya Vaishnavism, Witches, Rastafarians, and Theosophists (Oficialios statistikos portalas 2021).

The Law on Religious Communities and Associations of the Republic of Lithuania (Lietuvos Respublikos religinių bendruomenių ir bendrijų įstatymas 1995⁴) embedded a differentiation of religious communities, as well as the model of cooperation between state and religious organisations. It divides religions into three groups: ‘traditional’ religious groups supported by the state, ‘recognised’ religious groups, and other religious groups, which must register with the government to gain legal status.

The first group is made up of nine traditional religious communities and associations that comprise a part of Lithuania’s historical, spiritual, and social heritage and receive special benefits from the state. These groups are: Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Judaist, Sunni Muslim, and Karaite (Article 5). Relations between the state and the Catholic Church, which has the most members, are governed by the constitution and the Law on Religious Communities and Associations of the Republic of Lithuania, but also by several other agreements. In 1990, the Act for the Restitution of the Status of the Catholic Church in Lithuania was adopted, declaring cooperation between the state and the church on the basis of parity. In 2000, three agreements (the Agreement between the Republic of Lithuania and the Holy See Concerning the Juridical Aspects of the Relations between the Catholic Church and the State,⁵ the Agreement between the Republic of Lithuania and the Holy See Concerning the Pastoral Care of Catholics Serving in the Army,⁶ and the Agreement between the Republic of Lithuania and the Holy See on Cooperation in Education and Culture⁷) were concluded between the Republic of Lithuania and the Holy See. Subsequently, special laws were developed on the basis of these agreements.

Members of the second group receive recognition by the state under the constitution, provided they do not contradict the constitution or the law. The requirements for religious associations seeking state recognition are provided in the Law on Religious Communities and Associations of the Republic of Lithuania (Article 6). Currently, four ‘recognised’ religious communities and associations groups receive more limited benefits from the state: the Evangelical Baptist Union of Lithuania, the Seventh-day Adventist Church, the Pentecostal

Evangelical Belief Christian Union, and the New Apostolic Church of Lithuania.

The third group – other religious communities and associations – must follow the requirements provided in the Law on Religious Communities and Associations of the Republic of Lithuania (Article 11) in order to register with the government to gain legal status.

Legal Aspects

In Lithuania, there was already legislation to regulate religious life in the event of a disaster. The Constitution of the Republic of Lithuania (1992) allows limits on the freedom to profess and spread religious beliefs when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others. Under the constitution, the government may temporarily restrict freedom of expression of religious belief during a period of martial law or a state of emergency.

In response to the virus, the state imposed highly restrictive measures by banning public gatherings but allowing for private prayer to be accommodated in public places of worship (OSCE/ODIHR 2020, 117). These legislative changes related to religious life were temporary. During the first wave of the pandemic, the government recommended that religious communities not organise religious rites (Lietuvos Respublikos Vyriausybė 2020). The resolution on the first quarantine (No. 207, 14 March 2020), Article 5, recommended that all religious ceremonies and public gatherings be cancelled during the quarantine period. Religious organisations agreed with the recommendations. During the second national lockdown, it was recommended that religious communities either organise the religious rites and recollections remotely (online), avoid gatherings (an area of 10m² per person had to be ensured and a distance of at least two metres had to be observed between persons or groups of persons (up to five persons or members of one family and/or one household), or refrain from performing religious rites (The Government of the Republic of Lithuania 2020b).

Restrictions on public religious gatherings due to the coronavirus pandemic in 2020 resulted in the suspension of religious services, including during Easter and Christmas (ACN International 2021; Lietuvos vyskupų konferencija 2020b), Passover (ACN International 2021; Weber 2020), and Ramadan (ACN International 2021; LMRBT-Muftiatas 2020b). The severity of Lithuania's approach was described

as ‘high’ (rather than ‘very high’, ‘moderate’, or ‘low’) because it imposed highly restrictive measures by banning public religious gatherings while allowing for private prayer to be accommodated in public places of worship (Artaud de La Ferrière 2020; OSCE/ODIHR 2020, 117).

Religious communities had to adapt to the governmental recommendations and decrees. Some of them, such as the Catholic Church, the Evangelical Lutheran Church (Lietuvos evangelikų liuteronų bažnyčia 2020), the Evangelical Reformed Church, and the Council of the Lithuanian Muslim Religious Community – Muftiate (LMRBT-Muftiatas 2020a), issued their regulations and reminders to believers to consider the government’s decision on quarantine. For example, on 27 March 2020, the Consistory of the Evangelical Lutheran Church issued regulations stating that services would be broadcast online; churches, if possible, would be opened for individual visits for at least some hours during a couple of days per week; all events would be cancelled; baptisms would be provided only in the presence of the person being baptised and his/her parents; preparations for confirmation would be organised online, with dates for confirmation to be decided after 1 June; and funeral services would be provided outside the church building with the participation of only the people closest to the deceased (Lietuvos evangelikų liuteronų bažnyčia 2020). On 17 May 2020, the Evangelical Lutheran Church announced that regulations of the Ministry of Health of the Republic of Lithuania regarding protective measures and safe distances should be maintained, and they would be applied to religious services (Lietuvos evangelikų liuteronų bažnyčia 2020a).

Religious communities generally complied with the public health directives from the government or adopted voluntary restrictions on their activities following public health recommendations. Religious minorities (traditional, state-recognised, and registered religious communities) acted in basically the same way as the largest religious communities: they adhered to the government’s public health directives or limited their activities voluntarily in accordance with public health recommendations. Religious leaders shared and reinforced the advice of public health authorities and helped to counteract misinformation about the pandemic. Also, religious communities supported health services and sought to help the most vulnerable members of society (OSCE/ODIHR 2020, 118).

However, there were cases where religious communities adopted voluntary restrictions on their activities following public health recommendations, which were viewed as challenging the existing guidelines on social distancing. An example relates to the Catholic Church during the second lockdown, when there were recommendations for religious communities in place but no prohibitions. The Catholic Church supported the decision of the government and announced a temporary suspension of public Masses from 16 December 2020 (Lietuvos vyskupų konferencija 2020b). However, after the Christmas feasts, the Episcopal Conference announced the return of Masses in churches with restrictions (Naureckaitė 2021). This decision resulted in considerable public criticism (Naureckaitė 2021) and, following pressure from the government, prompted a change in the bishops' decision (ELTA 2021). On 28 January 2021, Prime Minister Ingrida Šimonytė requested that the Catholic Church not celebrate public Mass (ELTA 2021), a request that the Episcopal Conference agreed to, thus postponing the return to public Masses. The Lithuanian Episcopal Conference announced its decision to start public Masses from 17 February 2021 (Lietuvos vyskupų konferencija 2021), but under strict conditions (Narbutas 2021, 12–13).

The government issued regulations concerning specific areas of religious life, including hospitals and funerals. During the second lockdown, visits to social care homes and residential social service establishments were banned, except when visiting residents in terminal condition or when a visit was related to the performance of duties. Hospital visits were banned too, except when visiting terminally ill patients, children under 14 years of age, and patients in maternity wards with the permission of the hospital's manager (The Government of the Republic of Lithuania 2020b). Terminally ill patients could attend masses while staying in nursing hospitals (mostly based on a Christian worldview). Patients received psychosocial support through spiritual assistants working at the institutions, during religious rituals, or at other events attended by clergy (Bučius 2020).

In the beginning of 2021, Catholic Church representatives organised an online conference for practitioners of clinical pastorate, 'Clinical Pastorate: Pandemic Challenges and Possibilities in Lithuania', which was dedicated to health care staff (doctors and nursing staff, spiritual assistants, social workers, midwives, hospital chaplains, and psychologists). The conference aimed to reflect the situation of health

care staff (e.g. doctors, volunteers) during the pandemic and discussed practical issues of spiritual help (mainly from a Catholic perspective) in hospitals as well as in nursing hospitals (LSMUL Kauno klinikos 2021).

The Ministry of Health of the Republic of Lithuania prepared recommendations for the handling of bodies of deceased persons and the arrangement of funerals (SAM 2020), based on the recommendations from the European Centre for Disease Prevention and Control (ECDC) (ECDC 2020). Religious communities followed the recommendations of the Ministry of Health. For example, the Evangelical Lutheran Church decided not to organise viewings of bodies for mourners in churches (in those that had such a tradition). Funeral services had to be held outdoors, only with the people closest to the deceased attending (Lietuvos evangelikų liuteronų bažnyčia 2020).

Recommendations were renewed during the extreme period (COVID-19 2022). The same recommendations prepared earlier by the Ministry of Health were applied. In November 2020, the second nationwide lockdown was brought in, when some businesses had to halt or reduce their operations, tighter infection control measures were enforced, and work and education were arranged with a minimum of contact. During lockdown, specific rules regarding funerals were released. Funerals could be attended by a maximum of ten persons, except family members (spouses or persons with whom a registered partnership agreement had been concluded; children and adopted children, including minor children, of the deceased, of their spouses, or of persons with whom a registered partnership agreement had been concluded; and parents, adoptive parents, and guardians; and the persons providing the funeral services) (The Government of the Republic of Lithuania 2020b).

As far as is known, no legal cases were taken regarding state-imposed religion-related restrictions in Lithuania. There were some discussions regarding church–state relations, as well as the impact of restrictions on freedom of practice during the pandemic. Most attention was given to the Catholic Church (Narbutas 2021; Ruškytė 2021). Narbutas (2021) attempts to evaluate how the lockdown influenced the situation of religious liberty in Lithuania. He also gives an overview of relations between the Roman Catholic Church (represented by the Lithuanian Episcopal Conference) and the government of Lithuania, emphasising its mode of bilateral partnership. Ruškytė (2021)

discusses the relationship of the state and the Catholic Church during the quarantine. She also discusses the right of the Catholic Church to adopt and revoke decisions in Lithuania regarding restrictions on religious rites associated with quarantine by referring to constitutional regulation, the principle of cooperation, and the Code of Canon Law. The conclusion is that the church could not ignore the dangerous situation in the state for health and life, and the state could not dictate to the church, especially considering that the celebration of the Mass is the core of Catholic faith (Canon 904).

Sociological Aspects

Religious organisations are often based on communal values and mobilisation of community members. Within this context, the COVID-19 pandemic became a significant challenge for them. Therefore, religious organisations had to choose between, on the one hand, contributing to the spread of COVID-19 by continuing to organise religious ceremonies and promoting contact activities and, on the other, involving members of society in the fight against the pandemic by focusing on limiting social contact networks, by gathering help and remote volunteering, informing adherents about vaccination, etc.

Owing to the quarantine restrictions, many places of worship and churches in Lithuania were closed and community gatherings were cancelled. Religious communities were advised to refrain from performing religious services or conduct activities in a way that would help avoid large gatherings. Various communities faced restrictions and recommendations. This highlighted the ability of religion to adapt to changed conditions. After the suspension of live services, religious communities invited believers to participate in services, recollections, and other community meetings virtually (Lietuvos vyskupų konferencija 2020b; VU 2020). Other religious communities, such as ISKCON, invited believers to watch meditations and lectures online instead of meeting in the temple (Tamošiūnaitė 2021). Others, e.g. the Old Baltic Faith community 'Romuva', had no gatherings during the quarantine and renewed them only during the break between two lockdowns.⁸ Some religious communities, such as Muslims, refrained from public meetings for prayer and had prayers in home settings instead. They also, referring to governmental recommendations (from 18 May 2020), considered the possibility of having small-group (up to 30 persons)

prayers outside (Friday prayers – *Jumu'ah* – and festive prayers – Eid al-Fitr), (LMRBT-Muftiatas 2020a). The activities of the Opus Dei community generally moved online and priests gave spiritual advice by telephone. Larger gatherings were cancelled or postponed. However, there were small gatherings held live and people could visit priests for spiritual advice. A couple of priests joined the group of priests in the Church of St Francis and St Bernard in Vilnius, who were ready to support people if they needed to talk to a priest. Generally, the Opus Dei community followed the recommendations of the Lithuanian Conference of Bishops.⁹ The Jewish community in Lithuania also turned to the use of private or virtual spaces during the lockdown, holding individual prayers at home as group prayers (which need at least ten persons) were suspended. Online communication and reading Torah studies were implemented virtually (VU 2020). During the two long periods of lockdown in Lithuania, the two working synagogues (in Kaunas and Vilnius) were closed, and prayers and gatherings for festivals were held sometimes only in private spheres with close friends and family members. The interruption of lockdown after the first period provided the possibility to celebrate the most significant festivals of the autumn in-person. This period was the most profitable time for a group opposed to the official rabbi of Vilnius synagogue from Chabad Lubavitch Chassidim, and even before the lockdown they did not pray with that community. This group (which was joined also by people from Klaipėda, Šiauliai, and later Riga), held weekly Zoom meetings with their unofficial rabbi, Kalev Krelin, for Torah studies and other questions.¹⁰

To prevent the spread of the virus, religious institutions and groups had to respond quickly to government demands, so newly adapted forms of interactive religious services and rituals were inevitable. As mentioned, as a result of the pandemic many individuals and communities moved their activities online. Religious groups and institutions used a number of technological innovations to fill the void created by the coronavirus outbreak. Live gatherings were replaced by means of telecommunications, radio, and various online platforms. In this way, believers could feel part of a community even though they were participating virtually. Such a method contributed to the continuation of communal religious practices, even though it did not replace physical presence in the community. By meeting in online spaces, believers could confirm their professed values and religious goals.

Live-streamed religious rituals connected people in time but also in different locations, thus turning their homes into a ‘temporary sacred space’ (Bryson, Andres, and Davies 2020) by trying to replicate what normally happened in the church. Home also turned into ‘intersacred space’ (Bryson, Andres, and Davies 2020), a space where believers in different places could gather together for a common goal. One example was an initiative at the shrine of Šiluva entitled the ‘Map of Light’, where every spot marked a place where people prayed to end the pandemic. This initiative began as an invitation to multiply prayers, and later became a charity initiative. Organisers emphasised that this project aimed to help people worldwide to participate as much as possible in the prayer of intercession for those who were affected by the coronavirus pandemic and to support them with a donation. The goal of the initiative was ‘to spread the message of hope that together we can counterbalance the statistics of infections and deaths with the statistics of prayer, support, unity, and light’ (Gagliarducci 2020).

Although it may seem that the use of digital technologies by religious communities is a new thing that only came into play during the COVID-19 pandemic, this is not the full story. Back in 2012, digital religion was described by Campbell as ‘the technological and cultural space that is evoked when we talk about how online and offline religious spheres have become blended or integrated’ (Campbell 2012, 4–5). Although the boundary between the ‘offline sphere’ and the ‘online sphere’ is increasingly disappearing (O’Brien 2020), there is little doubt that the COVID-19 pandemic led to more frequent use of digital religion. For example, the popular church and pilgrimage centre Sanctuary of Divine Mercy in Vilnius has been broadcasting and continues to broadcast religious activities online 24 hours per day.¹¹

Thus, the COVID-19 pandemic influenced changes in some established habits and rules and encouraged believers to look for ways to maintain and practise their faith. The development of digital religion during the COVID-19 pandemic has been active both at the level of the individual (choosing to comment on religious topics in social space) and at the level of the larger social group (a public broadcaster providing direct virtual access to ritual rites). Such virtual access to religions and religious communities is viewed positively and has continued to be developed when the restrictions regarding social interaction were ended.

As restrictions were eased during the pandemic, the Lithuanian government took measures, following the recommendations of the WHO (WHO 2020) and coordinating multilaterally through the European Council (EC 2020). The government urged people to wash their hands more often, wear face masks, maintain physical distance, and avoid large gatherings. Also, considering these instructions, the order of activity of religious communities was changed. The physical distance between believers was increased in places of worship, for example, by marking the seats at an appropriate distance.

The WHO recommended that religious communities avoid touching other members of their community and kissing objects of worship, and that they should promote hygiene and maintain cleanliness in places of worship and meetings. In Lithuania, these instructions were followed by wearing masks in places of worship, providing the opportunity to disinfect hands, and changing the order of rituals. For example, religious rites were stopped during the pandemic period in the mosques of Vilnius and Kaunas (LMRBT-Muftiatas 2020a). During the first lockdown, prayers were made at a distance among individuals, who had to wear masks (VU 2020). In the Roman Catholic and the Evangelical Lutheran Churches, Eucharist was placed in the palm of a person (instead of the usual reception of communion in the mouth) (Lietuvos evangelikų liuteronų bažnyčia 2020a; Tamošiūnaitė 2021). In the Catholic and Orthodox churches, there was no more holy water, people were asked not to kiss crosses and other relics, and, during services, handshakes and hugs were replaced by head nods when making a sign of peace. In the Old Baltic Faith community 'Romuva', some elements in the sequence of previously performed rites were eliminated. The element of *palabinimas* (welcoming), when the leader of the ritual drinks one gulp from the dipper he/she is holding and later the dipper with the drink is passed around all participants in the circle, vanished and was not restored after the pandemic period.¹² As the number of infections increased, states tended to tighten conditions. This happened in Lithuania as well, where it was decided to stop live services during the main holidays of the year (Tamošiūnaitė 2021). Also, there were changes in religious behaviour regarding funerals, commemoration, marriage, baptism, etc. For example, people chose to cremate their dead relatives more often, and priests visited deceased persons in places of mourning for a shorter time or did not visit them at all, and only performed funeral service rituals in a cemetery (Vaitelė 2020).

In Lithuania, there has been little systematic research on how the pandemic influenced people's religiosity. However, it is possible to make some observations about communal-level religiosity during the pandemic. For example, Catholic Church representatives noticed that there was little or no increase in visits to church in the period between the two quarantines, when it was possible to visit church physically (VU 2020). It is also worth noting that nowadays, when Lithuania (together with other countries) is still experiencing the consequences of the COVID-19 pandemic (as well as the consequences of the ongoing Russian-Ukrainian war) in the economic and social life of the country, it is difficult to adjudicate the long-term impact of the COVID-19 pandemic on religions.

Also, the pandemic led to increases in some aspects of individual-level religiosity. Based on an analysis of Google searches for prayer in 107 countries during the pandemic, Bentzen (2021) reports an increased interest in prayer in Lithuania. This increase in prayer intensity may be considered as a form of religious coping with the emotional distress experienced in the world during 2020, confirming that religion remains important for people in modern times (Bentzen 2021).

The relation between religious groups (traditional, state-recognised, and registered religious communities) and the state during COVID-19 pandemic in Lithuania could be described as one of collaboration. The majority of religious groups facilitated the adherence to public health measures to prevent the spread of the virus. For example, it was considered that collaboration of religious communities and state was possible because of common respect for human life (VU 2020). Religious communities, leaders, and individuals played an important role in responding to the pandemic in Lithuania, often working in collaboration with public authorities and civil society organisations to make a direct contribution to societal resilience, cohesion, and security. During the first wave of the coronavirus, the government of Lithuania recommended that religious communities not organise religious rites (Lietuvos Respublikos Vyriausybė 2020). Religious organisations agreed with the recommendations. For example, the Episcopal Conference of Lithuania immediately informed Catholics that public Masses would be halted for as long as the quarantine announced by the government was in effect. Bishops urged people not to go to churches but to watch Mass offered by priests on television or the internet, or listen on radio broadcasts. It was emphasised that churches continued to

‘remain open for private prayer’ and for the most necessary personal services of believers – funerals, baptisms, or other sacraments continued to be provided, but only with the participation of the closest family members (Budreikienė and Navakas 2020).

Religious leaders mobilised both religious and secular logics in motivating solidarity among the general population, reaching out to people to encourage them to engage in certain activities or to refrain from certain behaviours (Lietuvos vyskupų konferencija 2020a; LMRBT-Muftiatas 2020a; Weber 2020). Religious communities also viewed the pandemic as an opportunity to promote volunteering as a meaningful activity. For example, Catholic bishops mentioned in their Christmas letter to believers that during a global pandemic the world ‘takes an exam of mutual aid’. Also, the bishops invited devotees to try to overcome difficulties, to care and listen to each other, and to turn to the church, which was open to the needs of believers and offered its help (Lietuvos vyskupų konferencija 2020a). Thus, religion during pandemics and crises could act as a source of meaning. Religious communities and their leaders encouraged seeing not only the challenges of the situation but also the benefits, seeing its significance in a wider context, and trying to help those most affected by the crisis (Lietuvos vyskupų konferencija 2020a; LMRBT-Muftiatas 2020a; Weber 2020). By referring to people’s needs and suggesting support to them, religious leaders enjoyed popular support in this context during the pandemic.

Mostly, the leaders of various religions collaborated directly with the representatives of state regarding the management of the pandemic. There were also attempts to develop consensus among religious leaders and communities in working together to cope with the pandemic. For example, representatives of Judaism, Christianity, and Islam held interreligious dialogue regarding issues related to COVID-19 (health and economic challenges and human rights, including religious freedom, social responsibility, and ethical issues) (VU 2020). However, no formal interreligious body (at local, regional, or national level) existed during the pandemic.

During the first wave of COVID-19, both the Republic of Lithuania and religious organisations acted in cooperation, which was successful. For example, the Organisation for Economic Co-operation and Development (OECD) considered Lithuania to have successfully managed the pandemic outbreak. Insights were shared into how Lithuania had managed to control the first wave of the pandemic: its prompt

response to the threat of the pandemic, the rapid reorganisation of the national and regional health care institutions, a successful testing strategy, even with limited human resources, and responsible public behaviour under the quarantine conditions (The Office of the Government of the Republic of Lithuania 2020).

During the second national lockdown, it was recommended that religious communities organise religious rites and recollections remotely (online) (The Government of the Republic of Lithuania 2020b). However, some religious organisations made their own decisions. For example, the Episcopal Conference decided to continue organising public Masses in churches, but with serious restrictions on the number of participants (Bernardinai 2020).

Religious groups broadly supported scientific authority (e.g. public health bodies) during the pandemic. In many cases, religious leaders shared and reinforced the advice of credible health authorities and helped to counteract misinformation about the virus (OSCE/ODIHR 2020, 118–19). Religious or belief communities responded to the need by supporting health services and reaching out to and assisting the most vulnerable members of society. Many leaders also promoted a sense of solidarity and hope, especially against the backdrop of great stress and anxiety, as well as rising nationalist tendencies, xenophobia, and division (OSCE/ODIHR 2020, 118–119).

Generally, religious communities supported state vaccination efforts. For example, the Catholic Church emphasised that vaccination against COVID-19 did not contradict the teaching of the church, that it was one of the ways to control the pandemic (LRT 2021). There were cases when religious communities provided their premises for a vaccination. In Klaipėda, representatives of the municipality approached the Catholic Church, offering to cooperate to make it possible for everyone who wanted to get vaccinated on a particular Sunday. The priest from the Church of Mary Queen of Peace suggested the premises of the parish library and catechetics to be used by the mobile vaccination team (Rumšienė and Platūkytė 2021). The Catholic Church, by supporting science and public health, also tried to embrace everyone by stating that the church welcomed both vaccinated and non-vaccinated believers (Bernardinai 2020).

The factors that most influenced how religious freedom was managed during the pandemic were partly based on cultural specificities (historic and legal relations between church and state), the degree

of trust of the population in the state, and so on. The collaboration between state and religious organisations during the pandemic was the most visible in the public sphere in the case of the Catholic Church, as well as other traditional religions. This gave an impression of religious communities as highly supportive of state actions towards the fight of the pandemic.

Conclusion

The factors that most influenced religions and religious freedom during the COVID-19 pandemic in Lithuania were partly based on cultural specificities (historic and legal relations between church and state), the degree of trust of the population in the state, etc. Religious groups and the state developed a collaborative relationship during the pandemic. Religious groups broadly supported scientific authority (e.g. public health bodies), with the majority of them facilitating the adherence to public health measures to prevent the spread of the virus, sharing and reinforcing the advice of credible health authorities, and helping to counteract misinformation about the virus. Generally, religious communities supported state vaccination efforts.

The health crisis posed a challenge for individuals and communities to express their religion or belief and significantly affected their ability to access places of worship, observe religious holidays, and participate in rituals associated with certain stages of life. It also resulted in changes in some established habits and rules among believers. Some practices faded away and were not renewed after the COVID-19 pandemic. The development of digital religion during this period was active at both individual and communal levels. Such virtual access to religions and religious communities in some cases was viewed positively and continued to be developed when the restrictions regarding social interaction were ended.

The pandemic led to increases in some aspects of individual-level religiosity, with increased interest in prayer. However, Lithuania (together with other countries) is still experiencing the consequences of the COVID-19 pandemic (as well as the Russian-Ukrainian war) in the economic and social life of the country, and for this reason it is more difficult to assess the long-term impact of the COVID-19 pandemic on religious communities.

Notes

- 1 Lietuvos Respublikos Vyriausybės 2020 m. vasario 26 d. nutarimas Nr. 152 ‘Dėl valstybės lygio ekstremalios situacijos paskelbimo’ [Resolution of the Government of the Republic of Lithuania No. 152, 2020 February 26, ‘On Declaration of State-Level Emergency’]. <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/8feb1a7658a111eaac56f6e40072e018?positionInSearchResults=31&searchModelUID=e5efa5d2-b709-413d-b7ad-feece99aa238>.
- 2 Lietuvos Respublikos Vyriausybės 2020 m. kovo 14 d. nutarimas Nr. 207 ‘Dėl karantino Lietuvos Respublikos teritorijoje paskelbimo’ [Resolution of the Government of the Republic of Lithuania No. 207, 2020 March 14, ‘On Declaration of Quarantine in the Territory of the Republic of Lithuania’]. <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/deaf8694663011eaa02cacf2a861120c?jfwid=-wb5huuiol>.
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- 4 Lietuvos Respublikos religinių bendruomenių ir bendrijų įstatymas [The Law on Religious Communities and Associations of the Republic of Lithuania]. <https://www.e-tar.lt/portal/lt/legalActEditions/TAR.B4DBBD7C388A?faces-redirect=true>.
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- 6 Lietuvos Respublikos ir Šventojo Sosto sutartis dėl kariuomenėje tarnaujančių katalikų sielovados. [Agreement between the Republic of Lithuania and the Holy See Concerning the Pastoral Care of Catholics Serving in the Army] Nr. 100T001SUTARG001741. 2000-05-05 <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.106812>.
- 7 Lietuvos Respublikos ir Šventojo Sosto sutartis dėl bendradarbiavimo švietimo ir kultūros srityje [Agreement between the Republic of Lithuania and the Holy See on Cooperation in Education and Culture] Nr. 100T001SUTARG001742. 2000-05-05 <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.106813>.
- 8 Information presented by Inija Trinkūnienė, the leader of the Old Baltic faith community ‘Romuva’ (communication with the author by phone, 13 June 2024).
- 9 Information presented by the representative of the Informational Bureau of the Opus Dei community in Lithuania (communication with the author by phone, 20 September 2023).
- 10 Information presented by Assoc. Prof. Aušra Pažėraitė, Vilnius University.
- 11 Direct online broadcasting from Sanctuary of Divine Mercy: <https://gailestingumas.lt/tiesiogine-transliacija/>.
- 12 Information presented by Inija Trinkūnienė, the leader of the Old Baltic faith community ‘Romuva’ (communication with the author by phone, 13 June 2024).

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CHAPTER 8

Impact of COVID-19 on Religions in Spain

Sociological Reflections on Religious Freedom and Practices

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Abstract

On 14 March 2020, the Spanish government declared a ‘state of alarm’ through Royal Decree 463/2020 to manage the health crisis derived from COVID-19. This happened only three days after the World Health Organization rated the public health situation as a pandemic. From that point on, different actions taken by the Spanish authorities directly affected religious freedom and worship activities. This chapter analyses how the legal situation impacted religious communities during the evolution of the pandemic in Spain. Moreover, it offers sociological reflections on the role of religious communities in legal and health care decisions and the specificities of religion–state relations. The absence of close communication between religious communities and the government led to paradoxical situations that impacted

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religious freedom. However, religious institutions had an active role in following measures and collaborated with the health authorities. This chapter also explores the impact that COVID-19 had on religious observation and the new challenges posed in ways of 'lived religion'. Among other things, the new situation raised awareness of issues such as the use of digital platforms and the participation of young people.

Introduction

On 14 March 2020 the Spanish government declared a 'state of alarm' through Royal Decree 463/2020 to manage the health crisis derived from COVID-19. This happened only three days after the World Health Organization rated the public health situation as a pandemic. Initially, the measures taken by the Spanish government were only for 15 days, but they were extended six times. Consequently, the 'state of alarm' status was in force until 21 June 2020. After this, different royal decrees were published that established de-escalation phases until April 2022. From April 2022 the only health restriction in Spain was the use of face masks on public transport and health care buildings such as hospitals. These measures had a direct impact on religious issues due to restrictions in movement, limitations of capacity during worship activities, and the need to adapt places of worship.

This chapter briefly presents the legal situation that impacted religious communities during the evolution of the pandemic. Moreover, it offers sociological reflections on the role of religious communities in legal and health care decisions and the specificities of religion–state relations. One of the main aspects to highlight is that, while religious institutions were not consulted by the government about legal requirements, the congregations became very active in promoting the established regulations. However, the absence of close communication led to paradoxical and ambiguous situations regarding religious activities. This chapter also explores the impact that COVID-19 had on religious observation and the new challenges posed in ways of 'lived religion' (McGuire 2008). Among other things, the new situation raised awareness of issues such as the use of digital platforms and the participation of young people. All of this has become an emerging topic of interest for researchers and agencies, which have published several reports and surveys on the case of Spain (e.g. CIS 2021; Griera et al. 2022; Gutierrez del Moral 2021; ORPS 2022; Rossell 2022). While the existing

results allow us to reflect on the main consequences and challenges that COVID-19 posed at different levels, the complexity of the situation and the constant rapid changes that occurred call for further studies to determine whether the effects of the pandemic have been temporary or will have a long-lasting impact.

Setting the Context

The religious landscape in Spain is characterised by the historical and traditional importance of the Catholic Church. After a long history of Catholicism as the state religion, the church–state relationship changed after the death of General Franco and the start of democracy (Ibán 2019). In 1978, the Spanish Constitution declared the country non-confessional and in 1980 a Religious Freedom Act was passed. After this, religious diversity has grown, with an emerging presence of religious minorities such as evangelicals, Muslims, and Jews (Albert-Blanco and Astor 2022; Astor and Griera 2016). According to the most recent survey data, from November 2023, collected by the Barometer of the Centro de Investigaciones Sociológicas (CIS), a public opinion research institution, 18.3 per cent of the Spanish population identifies as practising Catholics, 37.3 per cent as non-practising Catholics, 3.4 per cent as believers of other religions, 11.9 per cent as agnostics, 12.5 per cent as non-believers/indifferent and 14.8 per cent as atheists (CIS 2023). The religious diversity in Spain is further illustrated by data from the Observatory of Religious Pluralism in Spain (ORPS), which details the distribution of places of worship for minority religions: 56 per cent are Protestant churches, 22 per cent are Muslim communities, 8 per cent are Jehovah’s Witnesses’ Kingdom Halls, 3 per cent are Buddhist centres, 2 per cent are Adventist churches, and 1 per cent each are for the Church of Jesus Christ of Latter-Day Saints and Baha’is (ORPS 2022a). From the democratic transition, this growing visibility and presence of religious minorities has challenged the management of religious diversity in Spain (Albert-Blanco and Astor 2022; Astor and Griera 2016).

From a legal perspective, religious diversity in Spain can be explained through the existence of four categories of religious groups (Albert-Blanco and Astor 2022; Ibán 2019). First, the Catholic Church and the state maintain the ‘Agreements of Cooperation’, signed in 1979, which result in benefits and rights for the church. Thus, for instance, as

a result of these bilateral agreements the Catholic Church still has direct financial support from the state. Second, Evangelicals, Jews, and Muslims have some rights recognised after the signing of the 1992 Agreements of Cooperation. These agreements were signed with specific federations that tried to represent the different religious minorities: the Spanish Federation of Evangelical Religious Entities (FEREDE), the Spanish Islamic Commission (CIE), and the Spanish Federation of Jewish Communities. These agreements recognised some rights, such as religious education in public schools, although they have little by way of real implementation in society. Third, other religious groups have the recognition of ‘deep-rootedness’ in Spain, such as the Church of Jesus Christ of Latter-day Saints, Jehovah’s Witnesses and Buddhists (Griera, Martínez-Ariño, and García-Romeral 2014). This recognition attracts very limited benefits, such as having their marriages recognised by the state. Finally, other religious groups are inscribed in the Register of Religious groups, which has very limited consequences (Albert-Blanco and Astor 2022; Ibán 2019).

This complex sociological and legal context of religious diversity in Spain led to an interesting but also ambiguous situation regarding religion when the COVID-19 pandemic started. Since Spain was one of the countries with the highest mortality rates in Europe, the public debates on COVID-19 were mainly centred around the health care situation. However, debates on religion and COVID-19 restrictions were not totally absent from the media. Delgado-Molina presented the paper ‘Pandemic Restrictions to Worship: Reactions, Discourses and Tensions’ at the 4th International Sociology Association Forum in February 2021. After reviewing digital media including national newspapers, local newspapers, and religious media between March and December 2020, she analysed how national media reported reactions and statements of religious institutions. According to her analysis, these institutions supported the measures and suspended most of their complementary activities. Following this, controversial news was more related to political issues (Delgado-Molina 2021). For instance, VOX, a far-right political party that openly promotes discourses against the presence of Islam in Spain, criticised specific moments of crowded mosques, and this was reported by the national press (Delgado-Molina 2021).

More controversy happened in September 2020, when the mayor of the capital city of Madrid announced that she would employ 73 priests

to provide services in hospitals, while at that time there was a shortage of health professionals employed to meet the health care needs (EARS 2021). The media also focused on the impact of the pandemic on religious holidays, especially Christmas and Easter holidays. As these festivities are still very relevant in the Spanish calendar, in the weeks before these periods there was intense media coverage of the different measures that could affect all these celebrations.¹ Despite the growing religious diversity in Spain, there were fewer reports about the impact of other celebrations of religious minorities such as Ramadan or Pesach. It is true that, given the historical presence of Catholicism in Spain, festivities such as Christmas had also a relevant social and commercial aspect beyond the religious events: shop owners also pressured the government to relax the measures on these days. Consequently, debates on religious freedom and Catholic festivities often intersected with cultural and economic issues, while there was less public debate regarding the festivities of religious minorities.

Regarding academic interest in COVID-19 and religion, many articles and reports were published at the very start of the pandemic. COVID-19 became one of the main research priorities for many academics and survey institutions in Spain, and the study and impact of the pandemic on religion was no exception. The CIS, which is a national autonomous organisation linked to the Spanish government, launched different specific surveys on the 'Effects and consequences of the coronavirus'. As will be further developed in the following section, other agencies also included qualitative techniques to gather similar data on the consequences of the pandemic on religion. Sociologists and legal scholars have also analysed the impact of COVID-19 on religion and religious institutions with both qualitative and quantitative data (Griera et al. 2022; Gutierrez del Moral 2021; Martinez-Cuadros 2022; Panadero, Mañé, and Gorina 2021; Rossell 2022; Simón 2020). Aside from the analysis of mobility restrictions on the population, some research has also focused on the COVID-19 vaccines and cases of rejection or hesitancy.² An interesting piece of data about Spain is that, while the level of vaccine rejection was very low, denialist movements were very present in the public sphere and social media (Griera et al. 2022). Although they are minor cases, researchers have also been interested in analysing the role of religious values and beliefs in COVID-19 theories and even the spread of 'conspiratoriality' (Griera et al. 2022).

Legal Aspects

The declaration of a 'state of alarm' and the legal procedures during the pandemic were new phenomena in Spain. Existing legislation was adapted to the pandemic situation, and it was constantly revised during the evolution of the virus. In fact, in Spain, the first state of alarm had a validity of only 15 days, but it was extended for three months (Gutiérrez del Moral 2021). Consequently, the 'state of alarm' status was in force until 21 June 2020 and from March to June there were several and constant changes in legislation.

The royal decree published on 14 March 2020 established in Article 11 that religious ceremonies and worships were not cancelled. While other cultural and commercial activities were suspended according to Article 10, Article 11 established the following:

Containment measures in relation with places of worship and with civil and religious ceremonies. Attendance at places of worship and civil and religious ceremonies, including funerals, depend on the adoption of organisational measures consisting of avoiding crowds of people, depending on the dimensions and characteristics of the places, in such a way that attendees are guaranteed the possibility of respecting a social distance of, at least, one meter. (Spanish Royal Decree 463/2020, 14 March, p. 6)

According to this article, ceremonies and worship activities could be carried out under specific circumstances. However, Article 7 of the same law did not include attendance at places of worship as an exception for free circulation on the street. At a time of strict home lockdown, this article only allowed mobility for activities considered 'essential', such as 'acquisition of food', 'attendance at health centres', and 'transport to the workplace' (Spanish Royal Decree 463/2020, 14 March). As a result, there was a paradoxical situation: while religious ceremonies could be held if they followed health care measures, such as keeping a distance of one metre, people could not freely leave their house to go to their religious centres. Consequently, people could be sanctioned during their journey to their places of worship, as this was not considered an essential activity. However, despite not being directly required to do so, most places of worship voluntarily closed and cancelled all their in-person activities.

Owing to the high rate of mortality, regulations concerning funerals and ceremonies also became relevant. On 29 March, the Ministry of Health published a text that regulated vigils and funeral ceremonies in order to limit the spread of COVID-19 (ORDEN SND/298/2020). Religious worship was postponed until the end of the state of alarm, although a funeral could be held with a maximum of three people ‘in addition, where appropriate, to the minister of worship or person from the respective faith for the practice of the funeral rites for the deceased’ (ORDEN SND/298/2020). These legal measures started to become more flexible from 9 May with the publication of some measures that modified the previous circumstances. In this text (ORDEN SND/399/2020) there were new indications for religious communities about capacity, minimum distances, and hygiene measures in places of worship and at funerals. Regarding vigils, the text established a maximum of 15 people in open spaces and ten people in indoor facilities. A maximum of 15 people was also established for burials, as well as the use of hygienic measures (two metres of distance and hand hygiene). Direct contact had to be avoided, as well as the distribution of books or booklets and kissing or touching devotional objects (ORDEN SND/399/2020, Article 9).

Moreover, the legal situation became complex as three different levels of restrictions were defined as part of the de-escalation process that started in May 2020. Each level depended on the impact of the virus in each territory (Gutiérrez del Moral 2021). Furthermore, some autonomous communities or city councils could include additional measures. People had to constantly check the different regulations in relation to the evolution of the health situation. During the following months, these measures were constantly revised, and the capacity limitation for events and ceremonies was extended through the phases of de-escalation. All the measures were only related to practical issues such as: hygienic requirements, use of a face mask, distance, and capacity, which affected commercial places and religious congregations equally. While most of the measures did not address specific circumstances for religious activities, religious congregations, including religious minorities with fewer resources, adapted to all these practical requirements.

Several Spanish legal scholars have analysed the impact of these legal measures on religious freedom in Spain (e.g. Contreras 2022; Parejo Guzmán 2020; Rossell 2022). According to Article 16 of the Spanish Constitution and the Organic Law of ‘Religious Liberty’ of

1980, freedom of religion is a protected and fundamental right in Spain. However, the measures implemented during that period clearly affected the freedom of religious practice, particularly by restricting movement and normal religious events, such as ceremonies and funerals. According to Parejo Guzmán's legal analysis (2020), the exceptional status of the state of alarm declared in 2020 did not justify suspending the fundamental right of religious freedom. Furthermore, the protection of religious freedom was only explicitly addressed in the Royal Decree of 25 October 2020, which stated that limitations on movement could not affect the private and individual exercise of religious freedom (Parejo Guzmán 2020). According to her analysis, this was the only legal document that explicitly referenced the need to safeguard the fundamental right of religious freedom (Parejo Guzmán 2020).

Legal scholars have also highlighted that the state did not utilise the potential assistance of religious communities during the COVID-19 crisis (Gutiérrez del Moral 2021; Martínez-Torrón 2021; Martínez-Torrón and Rodrigo 2021). The Spanish state has a 'Religious Liberty Advisory Commission', a government advisory body on religious freedom, which did not play any role in establishing the measures. Additionally, interreligious bodies and associations were not consulted in that process. Gutiérrez del Moral (2021) argues that freedom of religion and health rights should not be seen as incompatible. Therefore, the advice of religious communities would have been relevant, especially considering the significance of beliefs related to death and mental health (Gutiérrez del Moral 2021). Some authors have noted that religious institutions could have been consulted, particularly after the second phase of de-escalation, to better protect religious freedom rights (Gutiérrez del Moral 2021; Martínez-Torrón and Rodrigo 2021). Other authors claimed that the lack of a religious perspective resulted in disproportionate measures: while going to buy tobacco was allowed as an exception for permitted mobility, attending Mass or other place of worship was not included in the list of essential exceptions (Rossell 2022).

Despite most legal scholars considering that religious freedom was affected during the COVID-19 restrictions, no legal cases were raised against the Spanish state or brought before the Constitutional Court. Far from creating a legal problem, religious congregations collaborated in complying with measures and even helped to promote them. Most religious communities included information on their own websites

about how to implement the legal measures (Rossell 2022). Thus, as discussed in the next section, the relationship between the state and the religious communities can be described as a ‘collaborative one’.

Sociological Aspects

When the number of cases of COVID-19 started to increase in mid-March 2020 and the rates of mortality were rising, the Spanish government introduced some of the tightest restrictions in Europe (EARS 2021). These restrictions mainly affected mobility and the possibility of gathering in big groups without social distancing. As was introduced in the previous section, one of the direct consequences was that churches and places of worship decided to close and cancel their activities. These restrictions had a direct impact on religious people living in Spain, as they clearly affected one of the basic elements of religious observance and practice: worship and activities in religious centres and congregations. This also had a clear impact on religious institutions and their role in society. The Catholic Church, which still has pre-eminent relevance in Spain’s culture and traditions, had to face different challenges throughout the evolution of the pandemic (EARS 2021). Moreover, owing to the growing religious diversity present in Spain in the last decades, other minority religions had to face similar challenges, while having fewer resources and less recognition in the public debate (ORPS 2022b).

In May 2022, the Observatory of Religious Pluralism in Spain published a report entitled ‘The Impact of the COVID-19 Crisis on Religious Minorities in Spain: Challenges for the Future Scenario’. This report was the result of in-depth research led by Dr Mónica Cornejo Valle, which included 40 interviews with people from diverse religious groups (ORPS 2022b). This study shows the main sociological impacts that COVID-19 restrictions and the health situation had on religious communities. Although it focuses on religious minorities, some of the aspects identified can also be relevant for the Catholic Church, which is the main religious faith in Spain.

One of the main aspects identified in the report was the impact on places of worship and their activities (ORPS 2022b). As stated in the previous section, although there was no legal measure obliging places of worship to close, most religious communities decided to close their centres. The restrictions especially affected those small centres

in which it was difficult to adapt the social distancing requirements between members during celebrations. Some places only opened to provide social assistance, which was especially relevant during the pandemic. For instance, Caritas, a Catholic Church charity, had a key role in offering support to the most vulnerable groups in society. In Madrid, while they tripled the demand for food services, their donations to food banks increased by 94 per cent (EARS 2021). Other religious centres such as local mosques in Barcelona, also played a key role in providing food and face masks. When most centres could open again in May as part of the de-escalation process, they all adapted their spaces to the health requirements, such as: limited capacity, provision of hydroalcoholic gel, and the use of face masks (ORPS 2022b).

The prohibition of mobility in the first part of lockdown directly limited the holding of events and other activities related to religious duty, for example preaching activities. Thus, most activities made an attempt to adapt to online formats. However, not all communities expressed this alternative as a successful one (ORPS 2022b). For instance, as the above-cited report states, the practice of collective songs could not be easily adapted to the online format, as there were technical issues that always affected the potential harmony and emotion of the moment (ORPS 2022b). One key strategy undertaken by some religious centres was the use of shifts to control the limited capacity. An additional difficulty was related to the maintenance of some of the premises that are rented by the communities. As most religious centres were receiving less income as a result of events and ceremonies being cancelled, this affected the payment of rents (ORPS 2022b). One of the biggest challenges of the COVID-19 pandemic was the economic crisis that resulted from the suspension of productive activity. This negative impact directly reduced religious communities' incomes. Most of these incomes came from on-site activities and an alternative strategy was to include donations through online payment platforms after holding virtual activities (ORPS 2022b). In this line, the crisis also highlighted the inequality between religious communities, as small communities with fewer resources were affected much more than others.

The use of online formats during COVID-19 became both a challenge and an opportunity for religious congregations. According to the report, it was especially useful for administrative and educational tasks (ORPS 2022). Moreover, it also had a positive impact on increasing the audience and participation, as well as on making their activities

international. In most cases, the use of virtual tools also meant a greater involvement of young people in religious activities. Thus, this new situation forced several people to adapt to new ways of observing and 'living religion' (McGuire 2008). Nevertheless, the use of online platforms also posed several challenges, especially as the pandemic advanced and persisted in time. The changes were implemented gradually and became problematic when users saw that the pandemic was persisting and increasingly spreading. Online participation increased at the beginning but then dropped to below pre-pandemic levels. For young people, this caused greater online fatigue as they soon became tired of virtual activities, probably because schools were also closed for a long period and they had to attend virtual classes. Moreover, the exclusive use of online formats also had some disadvantages for those people who did not have access to internet and digital platforms. Finally, the extensive use of online formats generated an increase in nostalgia for in-person activities and personal contact. As a result, all of this led to a return to in-person interactions as soon as health measures allowed it, and virtual platforms resumed residual use once the pandemic was over (ORPS 2022b).

From a sociological perspective, it is also relevant to analyse the way religious communities have interpreted the crisis and the pandemic. Media and some international studies have often focused on the conspiracy theories and negationist arguments against the vaccines. However, according to this national report (ORPS 2022b), most of the meanings given to the COVID-19 pandemic were related to: historical change, human responsibility towards collective suffering, and the responsibility to nature. The COVID-19 pandemic has often been seen as an opportunity to reflect on the role of humans in the world, especially addressing our relationship with the environment and our interpersonal relationships. Thus, one of the common aspects of people interviewed in the report (ORPS 2022b) is that they saw the crisis as a call for change to embrace consciousness and responsibility. Then, moral and spiritual learning could also be relevant after this crisis.

Focusing on quantitative data, there are some contradictory results about how the pandemic influenced people's religious practice in Spain. On the one hand, the CIS, which is a national autonomous organisation linked to the Spanish government, launched different specific surveys on the 'Effects and consequences of the coronavirus'. In September 2021 the survey included the question: 'During the pandemic, would

you say that you have become more religious or spiritual?’ According to the results, 9.6 per cent of people confirmed that they became more religious or more spiritual during the pandemic. In the same survey, 60.5 per cent of people affirmed that they changed their values and they now attribute more value to things that they did not value before the crisis, such as ‘the family’, ‘life’, and ‘health’ (CIS 2021). Thus, these data seem to suggest that the pandemic had an individual-level impact on religiosity.

Other researchers also tried to analyse the impact of COVID-19 on religious values and discovered similar results. According to the Pew Research Center, in Spain, 16 per cent of people stated that their religious faith had become stronger due to the pandemic, while 78 per cent said that it had ‘not changed much’ and only 5 per cent said that their faith had become weaker (PRC 2021). This situated Spain as second in the list of countries with the most respondents who claimed to be more religious after the pandemic. On the other hand, other research suggests a different trend. The Ferrer i Guàrdia Foundation conducted research on laicity in Spain in recent years, and, according to their analysis, the number of people with no religious consciousness grew significantly in 2021, by a total of eight points (Panadero, Mañé, and Gorina 2021). These data could show that COVID-19 did not have an effect of change on non-religious people: the number has remained the same and has only grown slightly. However, according to its latest report, in 2023, the pandemic accelerated the process of secularisation as the number of non-religious people had grown significantly (Fundació Ferrer i Guàrdia 2023). These different results could suggest the complexity of analysing the issue and that other social and biographical aspects could also influence religious practice during COVID-19. In fact, other studies have shown that beliefs are also modulated by political preferences (Bernacer et al. 2021). This could also explain why COVID-19 reinforced the tendency towards a polarised society in Spain.

Finally, a relevant aspect to highlight is the relationship between religious groups and the government and the pandemic. Although there was no close communication between the state and religious congregations, the relationship can be described as one of collaboration, especially from the side of the religious groups. There was no confrontation and religious institutions played an active role in following the measures and promoting the regulations put in place by the

health authorities. For instance, in March 2020 the Spanish Episcopal Conference published a list of recommendations to take into consideration during the health emergency and assumed the legal measures established by the Spanish government.³ Moreover, it suspended in-person educational activities and religious events. It also encouraged elderly and vulnerable people to avoid attending the Eucharist. Other religious institutions behaved similarly. The Federation of Evangelical Entities of Spain (FEREDE) informed its members about the measures put in place by the Spanish government,⁴ while the Islamic Commission of Spain⁵ and the Federation of Jewish Communities⁶ published information to help their members in the follow-up of restrictions. Moreover, in May 2020, these three institutions organised a World Day of Prayer that gathered Catholics, Jews, and Muslims.⁷

All these supportive messages promoted by the main religious institutions can evidence that there was a consensus of support to measures imposed by the state. This also included support for the vaccination process (ORPS 2022b). For instance, most mosques had a key role in promoting vaccination, as imams could use Friday prayers to explain the protection offered by COVID-19 vaccines (Martinez-Cuadros 20212). Thus, the pandemic did not generate a conflict between religion and science but religious groups wanted to support scientific authority. Despite their not being consulted through the 'Religious Liberty Advisory Commission' (Gutierrez del Moral 2021), no important conflict was raised between religious institutions and the state. Furthermore, national or regional interreligious bodies were not consulted and had no influence on decisions that could affect religious communities. This contrasted with other situations in which the interreligious dialogue became relevant in the political and media agenda, such as after the terrorist attacks in Barcelona in 2017 (Griera 2020).

An interesting issue that also marked the state–religion relationship during the pandemic was the official event that took place in honour of the victims of COVID-19 in July 2020 (Domínguez-García and Pérez 2022). This ceremony was organised by the government in order to promote social cohesion and reinforce the role of institutions in the Spanish state. It took place outdoors, in the square in front of the Palacio Real in Madrid, a place where the most solemn ceremonies are often held with no religious references. A main characteristic of the event is that it was totally secular, avoiding religious symbols but prioritising music, poetry, and flower offerings. Some days prior to the

event, a Catholic funeral had taken place in Almudena Cathedral with the presence of the king and queen of Spain. However, it was organised by the Spanish Episcopal Conference and the government denied that it was an official funeral. This contrasted with other previous state funerals that occurred after big events in Spain such as the terrorist attacks or big catastrophes, which also consisted of Catholic Masses at Almudena Cathedral (Domínguez-García and Pérez 2022). The inclusion of Catholic Masses can be interpreted as a symptom of the greater recognition that the Catholic Church still has in the Spanish state. This time, this preference for a non-religious state event, which did not even include religious diversity, can be interpreted as a new trend towards committing to secularism, which contrasts with the ambiguous relationship between religion and the state that has characterised Spain in the last decades (Domínguez-García and Pérez 2022).

Conclusion

The COVID-19 pandemic was an exceptional, unprecedented, global event. In Spain, as in many other countries, this entailed legal and sociological challenges that undoubtedly impacted different areas of society, including religions. The governance of religious freedom and practices during the pandemic and the sociological consequences presented in this chapter leads to three main conclusions.

First, while religious freedom was not directly addressed by legal measures, they led to an unintended consequence of limiting religious practices. This mainly happened because the established requirements were imposed without including the adviser of religious institutions. Consequently, paradoxical situations emerged when there were contradictory articles published in the royal decree in March 2020. Thus, most religious centres decided to close from the very start of the ‘state of alarm’ without being specifically required to do so. As some legal scholars have pointed out (Gutiérrez del Moral 2021; Martínez-Torrón 2021; Rossell 2022), there is an existing advisory board that could have been consulted during this period. The absence of direct communication with religious institutions, together with the organisation of an official secular event to honour victims of COVID-19, raises questions about a possible trend to enforce secularisation in Spain. While this contrasts with the presence of religion in other official events, it opens

up a changing scenario in the state–religion relationships, especially with the Catholic Church.

Second, religious congregations have had a collaborative relationship with the government and have played an active role in promoting the required measures to their followers. They also made an additional effort to adapt their worship centres with requirements such as establishing limitation capacities and providing hydroalcoholic gel. This is especially relevant because of the differences that exist between religious centres in terms of resources and infrastructures. While the crisis affected all centres, it also highlighted the vulnerability of smaller communities, which suffered more from the economic crisis. Moreover, all religious communities played a relevant role in social assistance, providing food and health care supplies.

The third and last conclusion is that COVID-19 was both a challenge and an opportunity to adapt religious practices to new online methods. While online platforms existed before the pandemic, the situation called for a quick adaptation in many daily activities, including religious ones. People were exposed to different ways of ‘living religion’ (McGuire 2008) but they also experienced online fatigue and expressed nostalgia for in-person activities. Thus, the impact on online interaction is still being analysed with the rise of digital religions. During the pandemic, people also reflected on their religious practice and most existing studies in Spain seem to suggest that religion had a relevant role when coping with the situation (ORPS 2022). However, because of the complexity of the moment and the rapid changes that we underwent, future research could explain the long-standing impact of COVID-19 on religions in Spain, and worldwide.

Notes

- 1 ‘Restricciones COVID en Navidad: Las restricciones por la COVID-19 en cada comunidad autónoma’, 2021, <https://www.newtral.es/restricciones-medidas-COVID-navidad-comunidades/20211229/>.
- 2 Mar Grier is leading a research and development national project entitled ‘Between Science and Religion. An Empirical Study to Understand the Role of Religious Beliefs in Opposition to Biomedical Technologies (ECIREL)’, and one of the cases of study is COVID-19 vaccine hesitancy. The project started in 2022 and was founded by the Ministry of Science and Innovation of the Spanish government.

- 3 'Orientaciones ante la situación actual', 2020, <https://www.conferenciaepiscopal.es/orientaciones-ante-la-situacion-actual/>.
- 4 'FEREDE informa a sus iglesias y entidades sobre las condiciones para la asistencia religiosa y la acción social durante el estado de alarma', 2020, https://www.actualidadevangelica.es/index.php?option=com_content&view=article&id=12224:2020-03-31-19-02-10&catid=42:ferede&fbclid=IwAR1IIRnS1ASuIgrT7eCu-pjSfDP1s4THwStIvQOUWNLuXU6SYi4NxrnuZQ.
- 5 'Recomendaciones generales ante el nuevo coronavirus', <https://comisionislamica.org/2020/03/08/recomendaciones-generales-ante-el-nuevo-coronavirus/>.
- 6 'COVID 19: Prevenir el contagio', 2020, https://www.fcje.org/es/-/COVID-19-prevenir-el-contagio?p1back_url=%2Fsearch%3Fq%3DCOVID.
- 7 'Católicos, judíos y musulmanes se unen hoy para rezar por el fin de la pandemia', <https://www.heraldo.es/noticias/internacional/2020/05/14/catolicos-judios-y-musulmanes-se-unen-hoy-para-rezar-por-el-fin-de-la-pandemia-1374800.html>.

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PART III

Secular-Majority Countries

Introduction to Part III

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This introduction attempts to compare the case study countries belonging to the secular-majority category. To recap, these countries are Estonia, France, Germany, and Latvia. Even though each of these countries is characterised by a secular majority, they also exhibit notable differences, especially with regard to some of this volume's conditioning factors, such as the presence or absence of a historical legacy of communism.

The four cases in this country grouping cohere in the numerical dominance of secular adherents in the society. Estonia is a Baltic country and is one of the most secular countries in Europe (Molteni 2021). Because of its Lutheran tradition, in denominational terms it is oriented more towards Western than Eastern Europe (Davie 2000). The French case stands out for its tradition of *laïcité*, which refers to the secular nature of its state, and France has been becoming more and more secular as each new (and less religious) generation succeeds earlier more religious ones (Stolz, Biolcati, and Molteni 2021). Even so, it could also be categorised as a Catholic country given its historic Catholic tradition (Stolz, Biolcati, and Molteni 2021). The German case is a mixed regionalised religious landscape, defined by a Protestant north and Catholic south (Molteni 2021) but its religious landscape is also characterised by increasing plurality (Pollack 2015), which brings its historic Christian background increasingly into contact with Islam.

It is also worth mentioning that the unification of Germany in 1990, bringing the eastern and western parts of the country together under a Federal Republic of Germany, had an important religious aspect in that it resulted in a dualism within this country between a religious western region and a secular eastern one (Pollack and Pickel 2007; Pronkina et al. 2023). More recently, growing secularity – partly from the rise of Christian disaffiliation (*Deutsche Welle* 2021) – places Germany among the countries with a majority secular demographic. Among former communist countries, Latvia – the second case in this grouping with this historical legacy – is also among the most secularised countries in Europe (Molteni 2021). Minority religious groups – as in the small Catholic minority in the southern region (Davie 2000) – face an ‘enabling’ environment with a low level of restrictions (Fox 2008).

As Proposition 1a has to do with the majority status of a church in a given society and the likelihood that this would foster relative agreement about pandemic management, the lack of a majority church in these four cases means that this proposition does not apply to them.

Regarding Proposition 1b – which has to do with a history of legal cooperation between church and state leading to harmonious relations – the case studies broadly reflect this expectation, with the exception of France. In the French case, where the dominance of *laïcité* ensures a distinct separation between church and state notwithstanding the Catholic heritage of the society, the absence of legal cooperation means that this proposition does not apply. In the other three countries, religious groups adopted a cooperative approach in their dealings with the state during the pandemic, reflecting a more long-standing pattern of church–state interactions in each context.

Proposition 1d concerns the degree of support for scientific authority and whether this might vary within the same religious/secular tradition. In all of the countries in the secular-majority category, church leaders were generally supportive of vaccination efforts during the pandemic. In Estonia, for example, the Lutheran church supported vaccines, urging clergy not to impose anti-vaccine views on adherents. Even so, some religious groups in Estonia (e.g. Central Estonian Märijamaa) did bring out ethical concerns regarding the use of embryos in their development. Within the Catholic tradition, leaders in Estonia also supported vaccines, appealing to the idea of their take-up as an ‘act of love’.

At the same time, there was some disagreement within specific religious groups. For example, in Latvia Catholic prelates disagreed about vaccines. Similarly, in Germany – a context where there was a particularly fraught debate about restriction measures (Hunger, Hutter, and Kanol 2023) – some minority groups in select regions (e.g. the Free Churches, Adventists) opposed scientific messaging. However, the dominant pattern among religious groups in Germany was one of support for vaccines.

Overall, we do not find strong evidence in favour of our expectation that support for scientific authority should be greater in secular-majority contexts than in religious-majority ones.

Propositions 2a and 2b have to do with the degree to which the legacy of communism might impact pandemic responses. The countries included in this grouping facilitate a contrast between cases with a communist history (i.e. Estonia, (East) Germany, Latvia) and countries without this legacy (i.e. France), while recognising that the impact of communism on religion was not always the same across these former communist cases (Grzymała-Busse 2015). In this regard, the case studies suggest that the countries with a communist past tended to exhibit somewhat more conflict during the pandemic than France, which lacks a communist history (confirming Proposition 2a), even as the three former communist countries reflect somewhat different stories. For example, the Estonian case was characterised by some disunity between state and religious authorities in responding to the pandemic, with Archbishop Viilma criticising the perceived marginalisation of religious considerations in pandemic management. Additionally, a notable feature of the Estonian case was the harnessing of collective memories of repression during the communist period and their symbolic linking to pandemic era ones. However, in Latvia the approach of religious groups towards the state was one of cooperation. Though characterised by perhaps greater contestation around restrictions than in France, the German case also reflects broad cooperation with state authorities concerning restrictions. At the same time, research suggests that there was less support for restrictions and for vaccines in the former East Germany compared to the former West Germany (Pronkina et al. 2023), which may be linked to the religion-related impact of its earlier communist past.

Compared with the former communist countries, the approach of French religious groups was largely one of cooperation with state

authorities, sometimes appealing to religious ideas to inspire support among devotees for the state's restrictions with Catholic leaders, for example leveraging the idea of the church as a carrier of divine grace rather than a virus. While some protests by adherents against restrictions took place in France, they were relatively marginal.

Additionally, we find partial support for the idea that religious leadership enjoys less support among adherents during the pandemic in former communist countries than in non-communist ones (Proposition 2b). For example, in Estonia, survey data suggested that homilies had little impact on views among the general population about vaccination, pointing to a relatively weak impact of the pro-vaccination cues of religious leaders on adherents. By comparison, the French case was characterised by support from devotees for the public health messaging of their religious leaders.

Turning to aspects of the legal culture, Proposition 3a concerns the degree to which a tradition of openness regarding defending the rights of religious groups might have impacted religious freedom cases. Relatedly, we expected that, in countries with an 'enabling' role with regard to defending religious group rights, resort to world regional courts to adjudicate freedom of religion cases should be less likely.

According to the *Atlas of Religious or Belief Minority Rights*, Estonia has a P-index¹ score of 0.28, which is the same as the overall average. By comparison, France has a P-index of 0.23 (Ferrari et al. 2024). Thus, one of the countries in this grouping (i.e. France) reflects a relatively low level of openness to religious minority groups.

A somewhat more 'enabling' pattern regarding religious minorities is reflected in the Estonian case. For example, while religious freedom is an explicit right in the country's constitution and religious groups were critical of some aspects of the state's pandemic management, no legal cases were taken on these grounds during the pandemic.

In France, legal cases regarding religious freedom in the national-level court system – the Conseil d'État – were taken by mostly traditionalist Catholic groups and as many cases were ruled in their favour as against (du Plessis and Portaru 2022).

Apart from France, religious freedom also loomed large as an issue in Germany. Here, several cases were taken at the state level but also to the Federal Constitutional Court (du Plessis and Portaru 2022). At the federal level, the court ruled against religious freedom claims brought

by a Catholic adherent and Muslim group, reflecting a wider European courts system pattern (du Plessis and Portaru 2022).

By contrast, in Latvia, legal cases relating to religious freedom were absent, perhaps reflecting this country's favourable environment for religious groups, which political elites brought to the fore during the pandemic.

Overall, the generally constraining role of the national courts system during the pandemic in two of the four cases (i.e. France, Germany) would lead one to expect movement 'upwards' to the European court level to advance religious freedom claims (Proposition 3b) and a French case before the European Court of Human Rights provides partial support for this expectation (European Court of Human Rights 2024).

Finally, with regard to individual-level religiosity (Proposition 4), we expected that societies with higher levels of insecurity should exhibit higher levels of individual religiosity than societies with low levels of insecurity. The empirical evidence for these four cases goes somewhat against our expectations about the pandemic's impact on individual religiosity. For example, in Estonia, surveys revealed a 17 per cent increase in spirituality among young people and others reported an increase in pastoral activity among clergy. While spirituality is not the same as religiosity (Ammerman 2013), it does suggest that the pandemic experience prompted more Estonian youth to think about other-worldly things more than before. In France, studies revealed both increases and decreases in individual-level religiosity during the pandemic. However, the diocese of Paris reported a drop in church attendance after the pandemic, suggesting a more long-term erosion in practice in the post-pandemic context. If the pandemic had any bolstering effect on religious commitment at the individual level in Germany, it appears to have been quite minimal. For example, a Pew study (conducted in summer 2020) found that 5 per cent of Germans reported their faith being stronger due to the pandemic, compared to a median figure of 10 per cent for the 14 mostly European countries included in the survey (Pew Research Center 2021).

Notes

- 1 A limitation of the P-index is that it does not include data for Germany and Latvia. For more detail, see <https://atlasminorityrights.eu/countries/> (accessed 20 June 2024).

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CHAPTER 9

Is Our Religious Freedom in Danger?

Impact of the COVID-19 Pandemic on Religion in Estonia

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Abstract

Estonia is a highly secularised country, where religious legislation is very liberal and the state's interference in religious affairs has for the last 30 years been minimal. I suggest in this chapter that, although the restrictions that were imposed in Estonia during the COVID-19 pandemic cannot be considered disproportionate, and that during the first wave of coronavirus in 2020 religious organisations were in favour of the limitations, this nevertheless turned out to be a challenge for them, because for the first time in decades the state interfered in religious affairs. In addition, during the pandemic a heated and dividing value debate about the legislation on same-sex unions was going on in Estonian society. In spring and autumn 2020, during the first and second waves of the virus, the question of whether the state has the right to limit religious activity resulted in a confrontation between various factions within religious groups as well as between religious associations

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and the state. In connection with the restrictions implemented, the question of respecting religious freedom as well as the proportionality of the restrictions were raised in Estonian public media. In this chapter I analyse the position of the Estonian state and various religious institutions during the time of the coronavirus and the discussions held in Estonian society during different phases of the COVID-19 pandemic. In addition to that, I focus on the impact of the pandemic to people's religiosity and the 'digital revolution' in the churches.

Introduction

On 3 May 2020, Archbishop Urmas Viilma, the head of the Estonian Evangelical Lutheran Church (EELC), wrote on social media that he invited his clergy to ring the church bells during the coming week. Even though Viilma explained that his appeal was to signal that the churches were ready to open their doors for public services, it was interpreted by the public not only as an outcry by the church leader to resume religious services after a period of nearly two months of the COVID-19 pandemic but also as a confrontation with the state government over its COVID-19 policy, which had imposed restrictions on religious associations, among other public institutions (Kiviorg and Rohtmets 2021, 106). At the same time, on 24 April, the government had decided to grant €2 million of support to religious associations, whose activities had been severely disrupted during the crisis. Because of the restrictions, the possibility of religious associations to earn their own income was significantly limited (Kogudused saavad 2020).

Viilma's appeal was not the first or the last public criticism of the restrictions imposed by the state. Although this kind of criticism was heard in several European countries, public opposition of that sort had not occurred before in Estonia. The Republic of Estonia has during the last 30 years never experienced such wide-ranging restrictions on fundamental rights and freedoms as it did in 2020–2021. The reaction of religious associations to restrictions during the pandemic, of course, first of all depended on the duration and extent of the restrictions, but no less important was the local historical experience regarding the relationship between the state and the church and the liberal religious legislation established in the last 30 years, which had so far spared the churches from even the slightest state restrictions.

However, while restrictions are still not at all unknown in Estonian religious life, they are primarily associated with the time of the Soviet occupation. It should be briefly noted that Estonian statehood is more than a hundred years long, but this period includes an occupation period of more than 50 years (1940–1991) when the Republic of Estonia, like other Baltic States, was occupied by the Soviet Union (1940–1941, 1944–1991) and Germany (1941–1944).

During Soviet times, religion was considered something that belonged to the past. The atheistic state tried to eradicate religion from the society with numerous campaigns, repressing clergy and publicly humiliating religious people, closing churches, etc. (Rommel 2011, 305–12). Although the number of clergy who saw or personally experienced religious persecution is by now rather low, the time of the persecution is part of the historical identity of Estonia's religious associations. Therefore, it is no coincidence that, during the pandemic, protests over religious freedom and restrictions on the activities of churches reached the point where the restrictions were compared with the repressive religious policy of the Soviet era.

In this chapter, I will take a closer look at the restrictions on religious activity in Estonia during the COVID-19 pandemic, asking what the reaction of religious associations was towards the restrictions and how it changed over the first, second, and third waves of the virus. In this regard, attention must be paid to the debates in Estonian society from spring 2020 until the end of 2022 over the freedom of religion and whether restrictions had been proportionate. A separate debate was held over vaccination. What was the role of churches and individual clergy in this debate, and did religious associations share the views of the majority of society here, or did they go against the tide? The time of the pandemic challenged the stability of the entire society: what solutions did religious associations come up with to handle the difficult times and what was the state's support for religious associations during this difficult period?

Setting the Context

Estonia is a sparsely populated country in which a little more than 1.3 million people live on 45,339km². Although the COVID-19 pandemic in the spring of 2020 shook the whole of society, the first wave of the virus passed with a low number of victims (69 people died) owing to

the restrictions imposed by the government and the sparse population. During subsequent waves of the virus, the restrictions were more nuanced, but the spread of the virus was faster and it resulted in several thousand casualties. In order to analyse the reactions of religious associations to what happened in society and the interaction between the state and religious associations during the crisis, we must first take a short look at the religious situation of Estonia in its historical context and the legislation that regulates religious life in Estonia.

In August 1991, the independence of the Republic of Estonia was restored on the basis of legal continuity. With this, the Estonian government recognised that it was the same country that was established in 1918 and was illegally occupied by the Soviet Union in 1940. Legal continuity has shaped the self-definition of religious organisations. Likewise, the hostile attitude towards religion during Soviet times has played a role in framing the religious policy of the Republic of Estonia. More importantly, it has also shaped the attitude of the Estonian society towards religion and it for this reason Estonia is considered to be one of the most secular countries in Europe (Ringvee 2011, 43–47).

If in the 1930s practically the entire population of Estonia was a member of one or another religious organisation, the Soviet period with its repressive religious policy managed to disrupt the social and family religious tradition. Secularisation in Estonia took place at a significantly faster pace than in Western Europe. According to the 2021 census, of the whole of the population over the age of 15 (1,114,030) only 29 per cent (321,340 people) identified themselves as followers of some religion and 93 per cent of those were Christians. Those who did not identify themselves as affiliated with any religion was 58 per cent of the entire population (650,900). The most common forms of religion are Eastern Orthodoxy and Lutheranism; only 5 per cent of the religiously affiliated believe in other religions. Based on the 2021 census, out of the entire population (over the age of 15) 16 per cent considered themselves affiliated with Eastern Orthodoxy (181,770 people) and 8 per cent considered themselves Lutherans (86,030 people). The percentage of those who identified themselves as Catholics was 0.8 per cent (8,690 people) and 0.5 per cent (5,800 people) were Muslims. The number of people who identified themselves as Baptists or belonging to another free church, or as native believers (*maausulised* and *taarausulised*), Buddhists, or belonging to another minority religion, was smaller (generally between 1,000 and 4,000 people). There is a lack of

knowledge about religion, because religious education is taught on a voluntary basis, but, as the society is highly secularised, only about 10 per cent of Estonian schools teach religion (Population Census 2022).

The religious policy of the Estonian state was developed in the early 1990s based on both legal continuity and international conventions on religious freedom, but, in the same way, it was consciously intended to oppose the previous atheistic Soviet religious policy. Therefore, in the 1990s, Estonian politicians defined the state as a partner to religious associations (Rohtmets 2018, 200–204). The Constitution of the Republic of Estonia, which was adopted in 1992, established freedom of religion and thought as well as the absence of a state church. The constitution determines the benevolent attitude of the state towards religious organisations. The neutrality of the state does not mean that religion is ousted from the public realm but that the state and religious organisations cooperate on matters of interest and the state treats religious organisations equally (Eesti Vabariigi põhiseadus 1994, 9).

According to Estonian legislation, traditional religious associations are not distinguished from non-traditional ones. The privileges and requirements are the same for all religious organisations and there is no special legal framework for religious minorities. Religious organisations are registered as non-profit organisations. Religious work is also community work and, based on that, the state supports religious work in Estonian society among other areas of life, keeping in mind the public interest and needs. Financially, religious associations are independent, and the state does not support any religious association directly. However, money is given from the state budget for the preservation and reparation of historical cultural heritage, sanctuaries and holy places, and chaplaincy in military, prisons, hospitals, and caring centres, as well as to the Estonian Council of Churches (ECC), which is the biggest religious organisation in the country, uniting ten Christian religious associations. The ECC has been the most active participant in social debates, issuing statements about same-sex unions, euthanasia, abortion, etc. (Rohtmets 2019, 171–77).

In recent years, representatives of religious associations have voiced more criticism about the nature of cooperation with the state. This is partly related to the value debate on same-sex cohabitation, which has been on the agenda since 2010. In 2014, the Parliament of the Republic of Estonia adopted the Cohabitation Act, following which same-sex couples could register their cohabitation. Although some clergy

supported the law on cohabitation, all religious associations in Estonia formally opposed the law on cohabitation and the legalisation of same-sex marriage. Within religious associations, the debate on this topic has been minimal, although year by year the number of clergy who support the legalisation of same-sex cohabitation has increased (June 2019).

Criticism has also increased after Urmas Viilma was elected as the Archbishop of the EELC in 2015. In 2022, he also became the president of the ECC. Although, according to the census, the largest defined grouping in Estonia is Orthodox Christianity, the majority of those adherents are Russian-speaking people, not all of whom are Estonian citizens. Therefore, the EELC has traditionally been considered the majority church in Estonia. In the 1930s, 78 per cent of the Estonian population (including children) defined themselves as Lutherans; however, by 2021, only 8 per cent of the population (older than 15 years) said that they were Lutheran. In the 1930s, 19 per cent of the population (including children) said that they were Orthodox; by 2021 the percentage had dropped to 16 per cent among people older than 15 (Population Census 2022).

Archbishop Viilma has demanded greater state support for churches and the compulsory inclusion of religious education in the school curriculum, but has encountered opposition from both the public and politicians. In the past ten years, more tensions have emerged in the cooperation between the state and religious associations, and the cooperation has either ended or decreased in several areas. This context must also be kept in mind in the context of the restrictions during COVID-19 and the disputes over them.

Legal Aspects

In the Republic of Estonia, no extensive restrictions on fundamental rights and freedoms had been imposed before the 2020 pandemic. The restrictions that were implemented in Estonia during the pandemic cannot be considered disproportionate.

According to the Constitution of Estonia, the most important principles of freedom of religion and belief are mentioned in Sections 40 and 41. The constitution stipulates the right of everyone to remain true to their opinions and beliefs.¹ In addition to these sections, there are other sections in the constitution that are important in establishing

and guaranteeing freedom of religion and belief, including sections dealing with discrimination (Section 12), freedom of speech (Section 45), freedom of assembly (Section 47), and freedom of association (Section 48).

Limiting the freedom of religion and belief can only be discussed in a few cases mentioned in the constitution and international conventions. The Constitution of the Republic of Estonia allows restrictions to be established for the purpose of protecting public order, health, and morals (Section 40). Section 19(2) of the Constitution adds the possibility of limiting freedom of religion and belief in order to protect the rights and freedoms of other persons ('everyone must respect and consider the rights and freedoms of other people and obey the law when exercising their rights and freedoms and fulfilling their obligations').

In the context of the pandemic, the constitutionally protected rights to health protection (Section 28) and life (Section 16) were important too. Thus, the constitution not only stipulates the rights of everyone but also the obligation of everyone, including religious associations, to respect these rights among others. This is the principle of solidarity that holds society together. The same principle of solidarity is also mentioned in the Universal Declaration of Human Rights (Article 29).

The state has a positive obligation to protect people's health, life, as well as freedom of religion and belief. At the same time, there can be no doubt that 'the right to life is the most important fundamental right, because it is a prerequisite for the exercise of all other rights and freedoms'. If there is no life, then there is no possibility of exercising freedom of religion and belief (Kiviorg and Rohtmets 2021, 96–97).

As mentioned earlier, during the first wave of the pandemic the government of the Republic of Estonia decided on 12 March 2020 to declare a situation of emergency, which was initially meant to last until 1 May, but in April it was extended and lasted until 17 May. According to the Law on Situation of Emergency, it was possible to establish restrictions on freedom of movement. The law also allowed to restrict holding public meetings and public events. Funds from the state's stabilisation reserve could be used during the situation of emergency. According to the law, the government and the head of the situation of emergency (the prime minister) gave decrees to regulate specific areas of the governance.

The Constitution of Estonia distinguishes between three emergency situations: a state of emergency, a state of war, and a situation of

emergency. While the states of emergency and war are connected with the state's national security, a situation of emergency is declared by the government in the event of a natural disaster or a catastrophe, or to prevent the spread of an infectious disease (Section 87) (The Constitution 1992).

A declaration of a situation of emergency, in contrast to the declaration of a state of emergency or a state of war, is insufficiently regulated in the constitution, especially with regard to the increased rights and duties of the administrative power and supervision when imposing restrictions. For example, a state of emergency can be declared by the Estonian parliament, the Riigikogu, on a proposal of the president of the republic or the government of the republic. It can only be established for three months, and a majority vote of the Riigikogu is needed to make a decision. In the event of a situation of emergency, the constitution does not provide for a time limit. However, it can only last as long as it is absolutely necessary. This is why the Estonian public and the president and the chancellor of justice from autumn 2020 began to question whether the situation of emergency deprived the parliament of its obligation not only to approve the actions of the government, but to discuss and propose measures that regulate the life of Estonian society during the pandemic (Madise and Koppel 2021).

On 13 March 2020, Minister of Population Riina Solman met with the leaders of the ECC to discuss the requirements and restrictions arising from the state of emergency and stressed that all gatherings and public events, including services, should be stopped due to the potential risk of infection. Solman said that, in individual cases, religious services could be performed privately, but, even then, the possible risk of infection to other people must be ruled out.

As a result of the meeting, emergency instructions were given to congregations stating that all religious public organised events, including public worship services, church concerts, and other gatherings, were postponed or cancelled until new instructions or emergency situations were completed. The statement emphasised that the religious freedom of all Estonians was guaranteed even in an emergency, but that considerations of the protection of human health had also to be taken into account (Juhised 2020). Estonian Christian and non-Christian minority religious associations did not have an interreligious body and they more or less followed the line of major religious groups. They made no statements concerning the state's policy.

Private religious services (pastoral conversations, worship and communion) were still allowed. However, they had to be organised in such a way as to exclude the risk of infection to other people. The Estonian government allowed the churches and other places of worship to remain open in order to meet people's personal religious needs. While churches in most cases remained open, the Estonian Islamic Center in Tallinn closed its doors completely. As it was the time of Ramadan, members of the centre organised food aid to frontline workers in hospitals and to those in need (Islami keskus 2020).

On 16 March 2020, the minister of population specified that, as crowded gatherings were prohibited, restrictions also applied to important family events, such as weddings, funerals, and birthdays. When coming from abroad for a funeral, it was possible to apply for a visa to enter the country as an exception.

After the first wave of the pandemic, the government started to revise the Communicable Diseases Prevention and Control Act, giving the Estonian Health Board more rights to prevent the epidemic spread of infectious diseases (Communicable Diseases Prevention and Control Act 2020). The changes were criticised because they limited the rights of Parliament to control restrictions during the time of the crisis and, according to critics, gave too much control to the government. The discussion over its accordance with the constitution continued throughout the pandemic and even after that. Among the critics was the chancellor of justice (Õiguskantsler 2022). Because of the changes during the other waves of the pandemic from late 2020 until 2022, the government did not declare a new situation of emergency but chose the path of making specific restrictive measures and establishing regional differences.

Although the members of religious associations were rather critical towards the restrictions and partly to restrictions that were implemented in connection with vaccination, no court appeals were made by religious associations during the pandemic. The only appeal that was made was addressed to the chancellor of justice to challenge the restrictions in spring 2021, during the second wave of the virus.

The chancellor of justice, Ülle Madise, pointed out in her answer that people could continue to pray alone or perform other (non-public) religious services in a church (public services were not allowed but churches were opened). It was also possible to have online services. In outdoor conditions, the restrictions were slightly more relaxed. From

the point of view of assessing proportionality, the fact that the restrictions were imposed for a very limited time in the interests of health protection was also significant. Madise emphasised that the motive of the government of the republic was primarily to protect public health with restrictions (Kiviorg and Rohtmets 2021, 120–21).

Sociological Aspects

Religious associations made first preparations for the possible spread of coronavirus as early as March 2020, when it was clear that the spread of the virus would soon gain momentum. Masks were stocked and hand disinfection facilities were set up. For example, the holy water touched by those entering the church in the Peter and Paul Cathedral of the Catholic Church in Tallinn was removed. The Orthodox churches considered it necessary to clean more often the surfaces that were kissed. However, the cancellation of services was not considered necessary and the communion was celebrated as before (Ka Eesti kirikutes valmistutakse koroonaviiruse levikuks 2020).

The situation changed on 12 March, when the government of Estonia decided to declare a situation of emergency. Initially, this was meant to last until 1 May, but in April it was extended and lasted until 17 May 2020. Among other restrictions, all public gatherings were prohibited (the government declared an emergency situation in Estonia until 1 May 2020).

While at first religious associations and their leaders adapted graciously to the new situation, in April the first critical speeches and writings about restrictions were published. Criticism was especially sharp among the conservative Christians (mostly Lutherans and Catholics). Often, similar statements from Europe were cited. Latvia, Estonia's closest neighbour, was mentioned as a positive example, because public services were not entirely forbidden there. At the same time, restrictions in Finland were similar to those imposed in Estonia, but these were usually not referred to. The most common argument that was used to criticise the imposed restrictions considered religious associations as being in a special position compared to shopping centres, cinemas, theatres, etc., with a special role to play during the time of the crisis and in the lives of the people. Therefore, their closure was not justified (Kiviorg and Rohtmets 2021, 103–04).

In addition to that, in mid-April, an Estonian conservative online magazine, *Our Church*, asked whether the church should obediently obey state orders or whether it should listen to the word of God rather than the word of man, referring to the New Testament (Acts 5:29). The author of the article, a Lutheran pastor, Veiko Vihuri, declared that the secular authorities did not have the right to order the church not to hold services. He called it a tyrannical abuse of power. He also criticised church leaders and clergy who had been more obedient to worldly powers than to God's command (Tähelepanekuid 2020).

Fearing that members of Christian denominations might violate the national ban on public services, before Easter, Roman Catholic Bishop Philippe Jourdan, Metropolitan of the Estonian Apostolic Orthodox Church Stefanus, and Metropolitan Yevgeni of the Estonian Orthodox Church of the Moscow Patriarchate urged people in a recorded message not to come to church and to stay safely at home. A few cases where liturgy was secretly held were reported, but no sanctions followed, because generally the instructions to stay at home were followed.

The understanding that the status of churches was different from that of cafés, football matches, or other public places and events was heard more and more in April and May, especially when the gradual opening of the society was starting to be discussed. At the end of April, Archbishop Viilma proposed that the restrictions on the churches be eased. According to his proposal, services had to be restored under certain conditions. As no decision followed, Viilma considered his right to publicly signal to the representatives of the state that the church wished to resume organising worship services. On 3 May he announced in the media that he invited the clergy to ring their church bells on the Monday, Wednesday, and Friday of the following week. This decision reflected the disappointment that the churches could not open their doors from 1 May (Kiviorg and Rohtmets 2021, 106).

Although Viilma explained that his aim was to signal that the churches were ready to open their doors, it was interpreted by politicians as a rebellion against state authorities. This was characterised by the statement of Helle-Moonika Helme, deputy chairman of the Riigikogu's faction of the Estonian Conservative People's Party, that Viilma was already engaged in politics before the parliamentary elections in 2019 and was still doing politics. Helme considered it a public health issue. Helme also referred to state support, which was intended

to compensate for the loss of income during the service (Viilma tegeles 2020). At the same time, the conservatives in the Lutheran Church were critical of Helme's views and asked whether the shopping malls would really be opened before the churches (Kas kaubanduskeskused 2020).

Whether churches had to comply with the orders of the state authorities came up on the agenda again in October 2020, when Archbishop Viilma said in connection with the planned marriage referendum that, for the church, the Bible is more important than the Constitution of the Republic of Estonia, clarifying that the ideal is a situation where the constitution and the Bible were in harmony with each other, and adding that 'We don't want a situation where one [constitution] is above the other' (Peapiiskop kooseluseaduse 2020).

The second wave of the virus began slightly later than in Western Europe, starting from early November, when the number of new infections was consistently rising. During November, the number of patients requiring hospitalisation also increased consistently. From 14 December to 31 December, the government decided to close all schools in Estonia. Religious places of worship, on the other hand, remained open and the services in them could continue. Just as during the first wave of the pandemic, on 12 November the Estonian Islamic Centre decided to close its doors (Kiviorg and Rohtmets 2021, 110–11).

The limited restrictions to religious associations were justified by an argument that religious freedom needed to be protected. For example, the minister of population, Riina Solman, who commented on the government's decision, pointed out that the situation in Estonia was not so critical that restrictions to religious freedom were justified. Bringing in the topic of religious freedom was a consequence of the criticism heard during the first wave of the virus. The state authorities took into account the criticism by the clergy and the leaders of religious communities, which by Estonian standards had been unusually aggressive (Pühakojad 2020).

At the same time, the decision to close schools but leave churches open received mixed reactions from the public and politicians. On the one hand, there was criticism of the decision, for example, Member of the European Parliament Marina Kaljurand said that she did not understand how keeping churches open helped to protect the older generation as those who came to the churches were mostly old people. The only time when churches are full in Estonia is Christmas. Marina Kaljurand claimed that the churches being full during Christmas did

not help to overcome the pandemic (Piiirangute 2020). On the other hand, representatives of the Estonian Conservative People's Party expressed the view that the wish to close churches expressed the anger of left-wing parties (Helme 2020). The issue of closing churches became part of the political battle during the time, when the referendum on marriage was on the agenda.

The situation in Estonia steadily worsened in the early months of 2021, and therefore the government decided to ban all public meetings, public events, including conferences, theatre performances, concerts and cinema screenings, and public religious services. Prior to the introduction of the new restrictions, the new government, led by Kaja Kallas, had taken office, and the leaders of religious associations were upset that the new rulers did not contact them before the introduction of new restrictions. Another thing that was rather disappointing for religious associations was the fact that shopping centres were initially left open but public religious services were banned (Kiviorg and Rohtmets 2021, 112–13).

Just like in 2020, the government started to lift the restrictions in May. From 3 May, people were again allowed to go to public religious services. On 21 April 2021, the ECC sent an appeal to the government to open churches one day earlier than promised, because on 2 May the Orthodox Church celebrated Easter. The government declined. On 23 June 2021, the government of the republic decided to abolish all restrictions (Alates homset 2021).

After the first wave of the virus, a number of articles were published. Some of them were more general, e.g. an analysis of the restrictions to religious freedom or belief in Estonian legal context (Kiviorg and Rohtmets 2021) or a description of religious activity and pastoral counselling in Estonia during the pandemic in spring 2020. The article was based on sociological data that was collected during or after the first wave of the virus (Soom and Schihalejev 2020). There were also articles that focused on specific cases, e.g. an analysis of the religious life of a specific denomination (evangelical free churches) before and after the crisis (Rommel and Rommel 2021).

In 2022, after the pandemic was over, a special issue, 'Making Sense of the COVID-19: Faith Community Responses to Traumas and Epidemics Past and Present' of the *Estonian Theological Journal* was published. The special issue had general articles about Christian communities during the pandemic, e.g. 'Perspectives of the Estonian Christian

Community Regarding the Coronavirus Pandemic and Their Relation to Personal and Community Beliefs', and more specific analysis on the challenges of pastoral care in hospitals and nursing homes in the context of the pandemic (Linnuste and Kartau 2022), or on conspiracy theories during the crisis (Uibu 2022).

There were more and more conspiracy theories raised and promoted after vaccination started from the end of December 2020 and continued throughout spring 2021. Because it took place in a situation where the second wave of the virus had reached its peak, the vaccination was initially successful.

In February 2021, religious associations independently as well as through the ECC instructed their members on how to communicate with members in their congregation about vaccination. The church leadership of the EELC stated to their clergy that 'when advising others on vaccination, it is not permitted for clergy to share recommendations for refraining from, postponing, or refusing vaccination, even if the pastor himself/herself is not getting vaccinated'. The clergy who had already been critical in spring 2020 began to criticise the church leadership, saying that it was the first time since Soviet times that clergy had been told what they could or could not tell their church members.

Illimar Toomet, a pastor at Central Estonian Märjamaa congregation, mentioned that stem cells of embryos that had lost their lives through abortion had been used in developing the vaccine (Vaktsineerimisega 2021). This argument was widely used by conservative Christians elsewhere in the world. They claimed that it made the use of the vaccine unethical. At the same time, there were clergy who called for people to be vaccinated and confirmed that the benefits outweighed the potential harms (Vaktsineerimisest vastutustundlikumalt 2021). The leader of the local Catholics, Bishop Philippe Jourdan, called it an act of love that allowed everyone to signal that they cared for each other. Jourdan supported Pope Francis's call for vaccination (Jourdan 2021). The same message was repeated by Lutheran bishops Tiit Salumäe and Urmas Viilma.

In November and December 2020, the ECC conducted a survey about religion in Estonia. This was the sixth survey in a series conducted every five years. The focus of the surveys has been to find out the religious beliefs and habits that describe Estonian people. While in 2010 and 2015 the survey had been conducted using face-to-face interviews, in 2020 it was done with a questionnaire online and by post.

One thousand participants were involved and only the adult population (over 18 years old) was included.

Although the questionnaire has been almost the same over the years, so as to compare the answers in a longer period of time, a question about coronavirus was added: ‘Has your interest in Christianity or other spiritual topics changed since the establishment of the situation of emergency related to the COVID-19 pandemic (March 2020)?’ While the interest towards Christianity had remained almost the same, interest among young people towards other spiritual topics had grown 17 per cent. This is a considerable rise, which on the one hand clearly signals the recession of Christianity in Estonian society but on the other hand mirrors the quest for other spiritual practices during the time of the pandemic. To compare, while according to the Pew Research Center survey conducted in summer 2020 28 per cent of the respondents in the United States said that the pandemic had made their religious faith stronger (in Europe the figures were lower), people in Estonian society did not assimilate their interest with religion or more specifically Christianity but with spiritual topics, which usually means all sorts of New Age, neo-pagan, etc. practices (Elust, usust, usuelust 2020).

A few surveys with a smaller number of respondents were conducted in 2020–2021. After the first wave of the pandemic a survey was conducted among the clergy of 72 member churches of the ECC, which confirmed the increase in the amount of pastoral work during the pandemic; only 10 per cent of the clergy who responded did not show initiative in looking for those in need (Soom and Schihalejev 2020, 45–46).

In 2022, another survey was conducted, with 127 people from different Christian denominational and social backgrounds responding. Seventy-two per cent of the respondents supported vaccination, while 26 per cent were partly or totally against it and 3 per cent were in between the two groups. If we compare these proportions with the adult population of Estonia as a whole, we can notice a significant coincidence (72.3 per cent of the entire population are vaccinated), which could indicate that church membership did not have a direct effect on attitudes regarding vaccination. While ‘more than two-thirds of respondents supported the idea that topics related to vaccination should be discussed within churches ... almost no one indicated that

the sermons had an impact on their attitudes towards the vaccination' (Tankler and Lilleoja 2022, 29–31).

Although Estonia is usually considered to be a pioneer in e-governance, it was the pandemic that brought about a digital revolution in local congregations. From the beginning, the state also offered its assistance in broadcasting services and, on the proposal of the minister of population, a Sunday service was included in the Estonian Television programme schedule from March 22 (ETV2 2020).

In December 2020, Archbishop Viilma mentioned in his speech that the future of the church was the e-church. He claimed that churches could benefit from technology: 'We have certainly been able to experience this in the wake of the coronavirus everywhere in those congregations, where online worship services have found regular weekly attendance.' He added that senior members might not accept it but they also change and in ten years there would be a new group of older members for whom mass media, online newspapers, online television, and everything that comes with them would be a normal thing (Viilma 2020).

Through the Ministry of Social Affairs, the chaplaincy for pastoral care started working on making emergency pastoral care available and a telephone counselling service was launched on 17 March 2020, by which medical institutions and nursing homes received a personal pastoral worker (Kristlik maailm 2020). The ECC itself, through the foundation 'Ühiskonnatöö', launched a Christian spiritual help platform, 'www.sinuabi.ee'.

In prisons, because of the established set restrictions and the joint contribution of the staff, there were no large-scale infections and uncontrolled disease outbreaks during the second wave of the pandemic. In 2021, services in the chapels were not interrupted, and activities that had been interrupted (Bible lessons, prayers, etc.) were resumed. For the third wave, in 2021, the prison staff was significantly better prepared than during the first outbreak. The extensive restrictions seen in spring 2020 were not reimposed (Eesti Kirikute Nõukogu aastaaruanne 2021, 56).

Conclusion

Restrictions imposed by the government of the Republic of Estonia during the pandemic were based on the Constitution of Estonia as well as international treaties and were not disproportionate, i.e. excessive,

but were limited, proportionate, and imposed for a certain period of time. The restrictions referred not only to the sections about freedom of religion and belief (Sections 40–41) but also the constitutionally protected rights to health protection (Section 28) and life (Section 16).

During the first wave of the pandemic, on 12 March 2020 the government decided to declare a situation of emergency, which lasted until 17 May. In 2021, the parliament changed the Communicable Diseases Prevention and Control Act, giving the Estonian Health Board more rights to prevent the epidemic spread of infectious diseases and therefore during the other waves of the pandemic the government did not declare a new situation of emergency but chose the path of making specific restrictive measures and establishing regional differences.

Religious organisations were in solidarity with the rest of society in the spring of 2020, because the restrictions were general and limited. Problems arose when it was proposed to impose different levels of restrictions (shopping malls, cinemas, theatres, churches). As no extensive restrictions on fundamental rights and freedoms had been imposed before the 2020 pandemic and there were heated debates going on in the society over cohabitation law, conservative Christians saw the restrictions to religious associations as yet another decision made by representatives of a secular society, who did not understand the difference between religious associations and entertainment. At the same time, no court appeals were made by religious associations during the entire period of the pandemic.

The criticism that was made in late spring 2020 by representatives of Christian religious associations proved to be successful, because during the first months of the second wave of the pandemic, at the end of 2020, the government guaranteed a special position for religious associations, so that, when all the schools were closed, churches remained open. At the same time, the question of which sectors to impose restrictions on was raised and, in this regard, the question of the proportionality of the restrictions also was discussed. When the churches were given a special position in late 2020, fewer restrictions to religious associations were justified by the argument that religious freedom needed to be protected.

When the situation worsened in the early months of 2021, and the government decided to forbid all public meetings and public events, including public religious services, criticism by Christians became more vocal again. In addition to criticism about the imposed

restrictions, from early 2021 the clergy who had already been critical in spring 2020 began to judge the leaders of different denominations for their support and instructions about vaccination, saying that it was the first time since Soviet times that clergy had been told what they could or could not tell their church members.

Sociological data have shown that, after the first wave of the pandemic in spring 2020, interest among young people towards other spiritual topics grew 17 per cent. People in Estonian society did not assimilate their interest with religion, or more specifically Christianity, but with spirituality and spiritual practices, which reflects a high rate of secularisation and the low figures of institutionalised religion.

At the same time, clergy contributed actively to pastoral work and confirmed the increase in the amount of pastoral work during the pandemic. Only 10 per cent of the clergy who responded did not show initiative in looking for those in need. With the help of the Ministry of Social Affairs, the chaplaincy for pastoral care started working on making emergency pastoral care available and a telephone counselling service was launched. The state also helped to broadcast services, and, on the proposal of the minister of population, a Sunday service was included on Estonian national television. As early as the first wave of the pandemic, religious associations started organising online services, thus bringing about a digital revolution in religious communities. As online services have continued and there is interest in them, it is obvious that the pandemic managed to change the habits of congregation members.

Notes

1 § 40. Everyone has freedom of conscience, religion and thought. Everyone may freely belong to churches and religious societies. There shall be no state church. Everyone has the freedom to practise his or her religion, both alone and in community with others, in public or in private, unless this is detrimental to public order, health, or morals.

§ 41. Everyone has the right to remain faithful to his or her opinions and beliefs. No one shall be compelled to change them. Beliefs cannot excuse a violation of the law. No one can be held legally liable because of his or her beliefs.

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CHAPTER 10

COVID-19 in France

An Insight into the Recompositions of the Religious in a Secular-Majority Country

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Abstract

This chapter aims to show the specific features of COVID-19 management in a secular country, where there is a strict separation between the state and religions. It also shows how the relationship established by the state and the society with each of the religions present in the country affects their reaction to restrictive measures. Two tendencies sum up how COVID-19 impacted religion and its position in French society. It confirms, first, the secularisation of French society and, second, how the collective practice of faith was deemed non-essential. Theoretically, this analysis engages with two discussions. The first deals with an axis of polarisation, namely the secularisation of society, confirmed by the COVID-19 crisis. The second analyses the recomposition of the religious, which the pandemic highlights. The chapter sheds light on this changing face of religion in a secular country, from a legal and sociological perspective.

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Introduction

The first cases of COVID-19 contamination were reported in France in January 2020.¹ These were also the first three cases reported in Europe. The extremely rapid spread of the virus, combined with its dangerous nature and the risk of hospital overcrowding, prompted the government to introduce restrictive measures, some of which had a direct impact on religious worship (Office parlementaire d'évaluation des choix scientifiques et technologiques 2020). Three confinements were introduced between March 2020 and May 2021. Collective ceremonies were cancelled (Easter, Pesach, and Eid al-Fitr), as were pilgrimages (to Mecca, made impossible owing to the closure of borders, and to Lourdes, where the site was closed for several weeks). Funeral rituals also had to be modified. Further restrictions included, for instance, the suspension of ritual cleansing for Jews and Muslims and the abolition of the use of the *goupillon* (the liturgical bottlehead) for Catholics. In addition, community rituals and family ceremonies had to be limited, notably the Ramadan fasting, which largely took place during the confinement in 2020.

These measures are not unique to France. Their strict application, however, as well as the rare protests from religious authorities, mainly from the Catholic Church, are more specific to France. They can be explained by the strict separation of state and religion that prevails in France. They also undoubtedly reflect the '*catho-laicity*' that is specific to this country.

Two tendencies sum up how COVID-19 impacted religion and its position in French society. It confirms, first, the secularisation of French society and, second, how the collective practice of faith was deemed non-essential. Theoretically, this analysis engages with two discussions. The first deals with an axis of polarisation, namely the secularisation of society, confirmed by the COVID-19 crisis. The second analyses the recomposition of the religious, which the pandemic highlights.

The chapter sheds light on this changing face of religion, from a legal and sociological perspective.

Setting the Context

France is a secular country or, more precisely, a ‘*laïc*’ country. From a legal point of view, this implies a strict separation between state and religion:² France neither recognises nor pays any religion. Secularism means that everyone is equal before the law, regardless of religion or belief. The state is neutral. France nevertheless remains a country with a Catholic culture. The secular state has a special relationship with Catholicism, linked to its history and the national imaginary: presidents of the republic have visited the Vatican, France’s Christian heritage was emphasised by Emmanuel Macron in 2018, and public holidays correspond to Catholic feast days. The church remains a point of reference in axiological and moral debates (although this has been weakened since the report about sexual abuses in the Catholic Church, the CIASE report). This special relationship is sometimes referred to as catho-laicism.

However, Catholics are in decline in this country, in terms of both practices and beliefs. In 1950, 92 per cent of French people said they belonged to Catholicism, compared with 70 per cent in 1981 and 29 per cent in 2019–2020. This figure is even lower if we look at the 18–29 age group. Religious practice (whether in terms of attendance at places of worship or frequency of prayer) is higher among Jews and Muslims. Islam is now France’s second-largest religion (10 per cent of the French population in 2023). Other Christians make up 9 per cent of the population (Drouhot, Simon, and Tiberj 2023). There has been a marked increase in the number of ‘no-religions’, which accounted for 18 per cent of the population in 1981; they made up 56 per cent in 2023 (Ifop 2023; Portier and Willaime 2021).

Finally, the traditionalist forces are on the increase: 40 per cent of young French Catholics who registered for the World Youth Day in Lisbon this summer considered the traditional Mass to be ‘resourcing’.³ The dynamism of the ultra-conservative Saint Martin community is a second illustration.

The COVID-19 crisis confirmed the polarisation of religion analysed by Philippe Portier and Jean-Paul Willaime in their book *La religion dans la France contemporaine. Entre sécularisation et recomposition* (Portier and Willaime 2021). A fading of the religious, particularly visible at the start of the epidemic, is a clear sign of the secularisation of French society; at the same time, it is reasserting itself, in recomposed

forms. The two authors highlight three particularities of this recomposition of the religious: a deinstitutionalisation of faith, a deprivatisation of belief, with religions once again weighing on the public agenda, and a dissemination of the religious, marked by a 'patchwork' of beliefs and affiliations.

Legal Aspects

A Legal Difference between Freedom of Conscience and Freedom of Religion

In France, there was no legislation to regulate religious life in the event of a pandemic or natural disaster. It was therefore as part of the management of COVID-19 that such regulations were put in place, with various successive 'adjustments' reflecting the need to adapt the law to the epidemic context and its evolution. The multiplicity of texts adopted reflects the need to fill this 'legal vacuum': Decree no. 2020-293 of 23 March 2020, prescribing the general measures necessary to deal with the COVID-19 epidemic as part of the state of health emergency; Decree no. 2020-548 of 11 May 2020, prescribing the general measures necessary to deal with the COVID-19 epidemic as part of the state of health emergency; Decree no. 2020-618 of 22 May 2020, supplementing Decree no. 2020-548 of 11 May 2020 prescribing the general measures necessary to deal with the COVID-19 epidemic as part of the state of health emergency; Decree no. 2020-1310 of 29 October 2020, prescribing measures to deal with the epidemic; Decree no. 2020-1454 of 27 November 2020, amending the previous decree prescribing the general measures necessary to deal with the COVID-19 epidemic as part of the state of health emergency (a decree allowing public meetings in places of worship, with a limit of around 30 people), etc. (Fornerod 2021). European law, on the other hand, provides for restrictions on the freedom to manifest one's religion or beliefs, particularly when it is necessary to protect the health of individuals. Article 9.2 of the European Convention on Human Rights states that:

[T]he freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

These various regulations mark the difference between freedom of conscience and freedom of religion. The former has in no way been affected by the various restrictive measures adopted by the French government. By contrast, the latter was made temporarily impossible. Of course, access to places of worship was not banned. However, collective worship was no longer authorised, and communal rituals were no longer possible.⁴ Although other activities were allowed to continue, as they were deemed essential (food shopping, health care, individual sports activities, professional activities, etc.), religious ceremonies were no longer allowed. They presented a more obvious risk of contamination: as the Conseil d'Etat order explained, the risk of such ceremonies was 'all the greater when they take place in a confined space, of restricted size, for a significant duration, with a large number of people, accompanied by prayers recited aloud or chants, ritual gestures involving contact, movement, or exchanges between participants, including on the bangs of the ceremonies themselves'. The spiritual need for collective practice was thus not envisaged or considered an 'essential activity'. As Jacqueline Lalouette (2020) points out, if you needed to travel to a place of worship less than a kilometre away, you could do so by ticking the 'short journeys' box, 'but when the distance exceeds one kilometre, as is often the case in rural areas, no such arrangement applied'.

The regulatory texts adopted after 2020 clarified the legal understanding of freedom of worship as linked to a place of worship and strengthened its protection as a fundamental freedom. In French law, freedom of worship is primarily considered, and the pandemic context confirmed this, as being associated with a place of worship: this was particularly apparent in the Conseil d'Etat's order of 18 May 2020. Indeed, it obliged the prime minister to amend the decree that maintained the ban on gatherings and meetings in places of worship, on the grounds of 'the absence of an alternative to safeguard freedom of worship'.⁵ On the other hand, in the same decision, the Council of State did not consider it problematic to ban religious events. It stated that 'banning open-air gatherings in public spaces would not, in general or with regard to religious activities in particular, constitute a serious and manifestly illegal infringement of a fundamental freedom'. In its decision of 29 October 2020, it enshrined freedom of worship as a fundamental freedom, stating that 'freedom of worship is a fundamental freedom' and that it 'is not limited to the right of every individual

to express the religious convictions of his or her choice', since it 'also includes, among its essential components, the right to participate collectively, subject to the same reservation [of public order], in ceremonies, in particular in places of worship'.

Which Regulation of Religious Issues by a Secular State?

It seems that these decisions reflect an advanced secular regime. Alexis Artaud de la Ferrière (2020) notes that, in Brazil, the United States, and Pakistan, societies in which 'secularist penetration is less strong ... public authorities have been less intransigent in applying the regime of confinement to the religious sphere' (p. 8). In keeping with José Casanova's (1994) definition of secularisation – privatisation of the religious, decline in beliefs and practices, separation of spheres – the restrictions imposed by the French government on COVID-19 are perfectly in line with this evolution: the decisions taken were largely guided by the reflections of the Scientific Council, composed exclusively of doctors and researchers. Religious considerations could not interfere here. The privatisation of belief – as well as its deinstitutionalisation – may have suggested a practice that can only be exercised individually. In reality, as Alberto Ambrosio (2021) observes, the collective expression of faith implied by membership of a religion is poorly – or not at all – understood in secularised societies. And yet the cessation of liturgical activities is not the same as the cessation of sporting, cultural, or other practices. 'Going to mass is not a distraction or an amusement, but a fundamental spiritual need,' explains the researcher. This is the basis of the argument put forward by religious leaders and ministers in an article published in *Le Figaro* in May 2020, in response to the continuing ban on religious attendance despite the end of the first confinement period:⁶ 'If factories, schools, shops and public transport re-open, what justification is there for keeping our churches empty and public masses banned?'

The various restrictive measures adopted to curb the spread of COVID-19 raised real legal issues, calling into question the legitimacy of such regulations in terms of fundamental freedoms, despite the health emergency. The difficulties encountered by the courts in justifying coercive measures, particularly when it came to banning demonstrations and gatherings 'for religious purposes' are a perfect illustration of this. Following in the footsteps of Cyrille Dounot (2020), we

may well question the competence of the state to rule on funeral issues, for instance. The legal expert points out that the decree of 29 October 2020, which stipulated that only funeral ceremonies may be held in places of worship, ‘contravenes the principle of neutrality of the State with regard to the internal organization of religious denominations ... Why should an exception be made for death, but not for birth or marriage? What competence does the State have to decide what is most essential in the life of a believer?’ Lastly, he points out that the Conseil d’Etat corrected this discrimination by ruling that ‘religious ceremonies for weddings must be considered, even if the provisions would benefit from further clarification, as not being prohibited in places of worship, within the limit of six people, as expressly indicated by the Prime Minister at his press conference on October 28, 2020’ (cons. no. 14) (Dounot 2020).

A Legal Expression of Religious Deprivatisation

It should be noted that the only cases brought by religious institutions to challenge the restrictions imposed were initiated by the Catholic Church. On 7 November 2020, some members of the Catholic clergy appealed to the Conseil d’Etat for the suspension of the restrictions imposed during the second confinement. In March 2020, two Catholic associations asked that Catholics be allowed to attend services after 7pm during Easter week, as this was when vigils were celebrated. This request was rejected (du Plessis and Portaru 2022, 650). As Frédéric Dieu (2021, 187–188) explains, COVID-19 marked:

an evolution, a new moment in the history of litigation concerning freedom of worship and religious expression. In the decades following the entry into force of the Separation Act, this dispute was essentially between the Catholic Church and the State; in more recent decades, it has been marked by a confrontation between Islam and the State.⁷

He adds: ‘By taking the lead alone in demanding the freedom to celebrate communal mass in churches, and by twice getting the government to abandon the prohibitions and restrictions it had decided on this point, the Catholic faith has clearly demonstrated its singularity and combativeness in relation to other faiths’.

COVID-19 also confirmed the growing influence of traditionalist movements within Catholicism, or at least their more visible and

stronger presence in public debate. Traditionalist associations were the first to lodge a summary application with the Conseil d'Etat against the initial restrictive measures; their relief was ordered on 18 May 2020.⁸ They criticised the government's decision because it seemed stricter for cults than for other activities, and because the impossibility of meeting in places of worship coincided with several major holidays of the three main religions present in France. Traditionalist groups also violated the ban on religious ceremonies. On the night of 11–12 April 2020, around 30 people gathered in the parish of Saint-Nicolas-du-Chardonnet. Barrier measures were not respected (no masks, Eucharist given from hand to mouth, etc.). As Jean-Louis Schlegel (2020) points out, the approach here was 'founded on the principle that God's law takes precedence over the law of men.' Quoting a traditionalist abbot, he explains that, in their view, 'the bishops of France were first and foremost entitled to examine whether the common good of the City was not being undermined, insofar as a civil law worthy of the name could not hinder the dissemination of supernatural goods.'

Finally, one might have expected more protest from another religion just as ritualised as Catholicism: Orthodoxy. On an international scale, representatives of this religion were among those who most contested the restriction and confinement procedures. While processions were organised in Greece and Romania despite the bans, and rituals were occasionally maintained in Great Britain despite the restrictions, no opposition was voiced in France, no doubt due to the small number of Orthodox followers in the country (less than 1 per cent of the population).

Sociological Aspects

Acceptance of Restrictive Measures

The secularism of French society is reflected in the absence, or low level, of opposition to the restrictions imposed by religious authorities. Some of them even anticipated the confinement and closed their places of worship in advance of the government measures: thus, the meeting places of Jehovah's Witnesses were closed at the beginning of March 2020; on 12 March, the Church of Jesus Christ of Latter-day Saints also suspended its public meetings. The following day, the Conseil français du culte musulman (CFCM) in turn called for the closure

of mosques. Similar decisions were also taken locally, with the Compiègne mosque closed on 6 March, the Village des Pruniers Buddhist temple on 2 March, and the Beaugrenelle, Copernic, and Sumerlin synagogues ordered closed on 16 March. Jews and Muslims alike have not challenged the government's decisions, and in some cases have gone further, closing places of worship altogether. Chief Rabbi Haïm Korsia ordered the closure of all synagogues as of 16 March; the French Protestant Federation also spoke out in favour of closing temples. Buddhist temples and monasteries were also closed to the public. Jewish ritual bathing establishments were closed at the same time. Catholic churches, on the other hand, were not systematically closed; in the majority of cases, believers were able to access them, albeit without worshipping.

Similarly, religious leaders acted as intermediaries for government requests concerning health restrictions. On the whole, they called for compliance with the instructions, and sometimes even went beyond the recommended social distancing measures. For example, when the Conseil d'Etat imposed the reopening of places of worship on 29 May 2020, the CFCM recommended waiting until 2 June to reopen mosques. Religious leaders were also able to draw on sacred texts to justify the health restrictions: Chief Rabbi Haïm Korsia pointed out that the Talmud justifies the obligation of confinement, which prescribes confinement in the event of an epidemic;⁹ the CFCM explained that, according to a hadith, 'the best prayer is your prayer in your homes', a hadith that nevertheless specifies that this must not lead to the desertion of mosques. However, the CFCM added that 'in this emergency situation, where mosques are closed due to confinement, the condition not to desert mosques is lifted, since they are in fact closed' (CFCM 2020). The speeches of religious leaders were also able to support government measures without mobilising sacred texts. In mid-March, for example, Mgr Aupetit justified the suspension of Sunday Masses by saying: 'Our job is to pass on divine grace, not viruses.'¹⁰ On the whole, the faithful followed the recommendations of religious leaders and complied with government instructions. A few rare demonstrations were held to denounce the restrictive measures, such as those organised across France on 15 November 2020 in support of the reinstatement of the Mass. A few thousand Catholics gathered (250 in Rennes, 300 in Nantes). The French Bishops' Conference did not support these demonstrations. A few weeks earlier, a petition had attracted more than

100,000 signatures calling for the return of the Mass. However, these demonstrations remained largely a minority.

Religions did not oppose vaccination, usually leaving the choice to the faithful, while stressing the importance of vaccines in safeguarding the health of as many people as possible. Religious leaders tried to respond to the fears of the faithful on this subject. How to respond to rumours about the presence of pig cells in vaccines? ‘People are very good at seeking ritual purity at the molecular level. The only forbidden act is eating pork. These are futile, minority scruples that have nothing to do with the majority of believers,’ replied Tareq Oubrou, imam of the Grand Mosque of Bordeaux (Peschard 2020). The CFCM and the rector of the Grand Mosque of Paris pointed out that ‘Allah has not sent down a disease without also sending down its remedy’, citing a hadith and specifying that injections given during Ramadan did not imply a break in fasting (Le Priol 2021). The Protestants of France took a similar line, leaving everyone free to make their own choice, while denouncing the anti-vaccination rhetoric of American evangelical pastors such as Guillermo Maldonado. The Catholic Church in France encouraged vaccination. It even defended the government against detractors who criticised it for making vaccination compulsory.¹¹ It is true that Pope Francis said he was in favour of vaccination and that the Congregation for the Doctrine of the Faith reiterated its legality. Some conservative currents in Catholicism – for example, the Civitas movement, which denounced a ‘health dictatorship’ – remained opposed to vaccination, arguing that certain cell lines are derived from research on aborted embryos. They remained in the minority. Only the Chief Rabbinate of France chose to make vaccination a religious obligation.

According to a Senate report on ‘Religious cults and the COVID-19 epidemic in France’ (Office parlementaire d’évaluation des choix scientifiques et technologiques 2020), these positions can be explained by traditionally peaceful relations with the republic in the case of Judaism, ‘a legacy of the creation of the Grand Sanhedrin in 1807 and the long-standing organization of its authorities, on a departmental scale, under the protection of the State’. For Muslims, this can be explained by a quest for greater legitimacy in the eyes of the public and by more marked internal dissension. More generally, it underlines the loss by the religious actor of ‘its capacity for direct influence on politics, confirming the subordination of its authority to the State’, as analysed by Alexis Artaud de la Ferrière (2020, 8).

The COVID-19 crisis was also an opportunity to reaffirm identity-based discourses denouncing the presence of Islam in the public space. While the bells rang out on several occasions in solidarity with the nursing staff, in response to a call from the French Bishops' Conference, the equivalent could not be achieved by the muezzins: such an initiative was denounced in Lyon, where the call to prayer from the city's minaret drew fierce criticism, notably from members of the extreme right of the political spectrum (Frégosi 2020b).

Deprivatisation of Faith

As Jean-Paul Willaime and Philippe Portier point out in their aforementioned book, we are witnessing a deprivatisation of religion. This is reflected in the determination of religious authorities to influence the public agenda. Representatives of religious denominations and secular organisations were consulted on several occasions during the pandemic.¹² The aim was to encourage them to participate in the 'national effort'. Discussions also focused on 'the moral cohesion of the country in the face of the crisis'.¹³ This 'return' of religion to the public agenda is not without scepticism and criticism. The Senate spoke of 'quasi-concordant' relations between the state and religious institutions. It justified these exchanges by the exceptional nature of the situation:

[I]t is above all in political discourse that, during the crisis, a desire to institutionalize relations between the State and the 'established' cults appeared, in a quasi-contractualist or concordatory logic. These are certainly weak signals, which can be attributed to the inevitable improvisation of the public response to an unprecedented crisis, but they could also testify to a more profound evolution – and one that runs counter to the principle of *laïcité*. A case in point is the organization by the President of the Republic of two successive videoconferences on 'the moral cohesion of the country in the face of the crisis', to which religious leaders, Masonic obediences and secular associations such as the Comité Laïcité République were invited. (Office parlementaire d'évaluation des choix scientifiques et technologiques 2020, 35)¹⁴

However, this consultation of religious authorities is part of a 'secularisation of recognition' whose first manifestations predate the COVID-19 crisis. Religious institutions are regularly solicited for their expertise by the authorities, within the framework of parliamentary hearings, ad

hoc commissions or reflection committees. No formal interreligious body existed during the pandemic as far as we know; debates between religious representatives were nevertheless organised, such as a conference held in June 2020 in Paris (at the Collège des Bernardins) bringing together representatives of Catholicism, Protestantism, Orthodoxy, Islam, Judaism, and Buddhism.¹⁵

Similarly, religions are recognised by the public authorities for their mission of solidarity and support for people who are isolated or in difficulty. But this role was undermined by health restrictions. Visits to the frail and lonely were no longer possible, even though they were particularly necessary during periods of confinement. However, religious institutions were able to adapt and maintain this core mission. Telephone hotlines were set up to provide a listening ear: 280 people were mobilised by the Catholic Church; Protestants, Muslims, and Jews also set up telephone platforms to provide psychological and spiritual assistance to victims of the pandemic. Their essential role in funeral ceremonies has also been recognised. While religious ceremonies were prohibited during the containment period, funerals were authorised but only for a maximum of 20 people. However, accompanying the sick and dying was no longer possible. Ritual cleansing by Jews and Muslims remained forbidden. Muslim leaders also lamented the lack of space in Muslim cemetery plots; in non-pandemic times, when borders are open, burials take place in the deceased's country of origin in 80 per cent of all Muslim funerals. In Mayotte, a French Indian ocean archipelago where 95 per cent of the population is Muslim, the dead are generally buried in simple shrouds so that they remain in contact with the earth. COVID-19 imposed the use of coffins, which was difficult for the Mahorais to accept. Similarly, their funeral rites, which are largely based on local customs, were for the most part banned.

Recomposition of Practices

COVID-19 has highlighted the recomposition of religious practices, already evident before the onset of the pandemic. It even seems to have accelerated the process. In response to the closure of places of worship and the ban on collective ceremonies, religions turned to digital devices. The COVID-19 did not initiate or 'reinvent' the digital offer, as digital religious studies in the United States show. It was, however, developed and renewed 'thanks to' the epidemic. In fact, all religions

already had audiovisual media enabling them to broadcast sacred texts or religious ceremonies. Just think of France 2's broadcasts – *Le Jour du Seigneur*, *Présence protestante*, *Islam*, *Orthodoxie* (originally *Berechit*), *Sagesses bouddhistes*, and denominational radio stations – Radio Notre-Dame, Radio Fidélité, Radio Orient, Radio Gazelle, Fréquence protestante, Radio Omega, Radio Judaïca, and Radio RCJ. Each denomination also has its own website or blog, at international, national or local level (parishes, consistories, synagogues, mosques, etc.). Arnaud Join-Lambert, in a study conducted among Catholics in 2020, underlines the strengthening of these practices. Nearly 60 per cent of those surveyed had taken part at least once in a Mass celebrated via the Internet. *Le Jour du Seigneur*, for example, attracted 1.7 million viewers on Sunday, 22 March, more than for the Easter and Christmas celebrations, compared with the usual audience of around 600,000. Haïm Korsia explained with a touch of humour that 'Zoom has become the biggest rave in the world' (Office parlementaire d'évaluation des choix scientifiques et technologiques 2020, 18). YouTube channels made it possible to retransmit live religious ceremonies. New media were developed and new teams mobilised to feed them: Messenger, Skype, and WhatsApp tools were widely used during the health restrictions.

What can we learn from these new digital uses, beyond the diversity of media mobilised and listed above? First and foremost, liturgical practices have changed. While religious ceremonies broadcast online have enabled liturgical life to be maintained, this has had to be done independently. For Easter, Catholics were able to perform the Stations of the Cross at home with their families, as Arnaud Join-Lambert's study (2020) points out. Similarly, Frank Frégosi refers to 'pleas for a resanctuarization of the home', observed both among Catholics (Mgr Christophe Dufour, Archbishop of Aix-en-Provence and Arles, invited Catholics in his diocese to consider that 'Your Churches are your homes') and Muslims (the argument is in fact used by several imams, such as Mohamed Bajrafil) (Frégosi 2020a). The internet has not been able to replace all liturgical ceremonies. For example, the Muslim authorities forbade participation in any collective prayer online, as the faithful had to stand physically behind the imam. Only individual prayers were allowed. Among Jews, the Senate report recalled that 'the Chief Rabbi rejected the possibility of overriding the prohibition on using electricity (and therefore the Internet) during the Sabbath, and a fortiori during the first two meals of Pesach, which are subject to the

same prohibitions' (Office parlementaire d'évaluation des choix scientifiques et technologiques 2020, 20). The 'digitisation' of practices was not the only solution proposed to the faithful to maintain the exercise of their worship: 'drive-in' confessions were initiated; communions, traditionally made with a spoon among the Orthodox, could be made with disposable spoons; Mgr Aupetit blessed the capital from the forecourt of the Sacré-Coeur basilica, reciting a prayer partly linked to the pandemic and calling for the support of caregivers.

What about individual religiosity? Arnaud Join-Lambert (2020) points out that a survey of Catholics showed that 74.4 per cent continued to celebrate mass. The Senate report, based on an American study, speaks of 'a revival of religious fervor', pointing out that France 'is among the countries where the increase observed in March 2020 is the most marked', stating finally that 'these results do seem to indicate a surge in religious fervor, and not a simple phenomenon of substitution of physical ceremonies by online prayers' (Office parlementaire d'évaluation des choix scientifiques et technologiques 2020, 27). However, other studies show opposite results: analysis carried out by Ifop for Ajir in August 2021 noted that to the question 'Has the COVID-19 epidemic brought you closer to a religious practice?' only 9 per cent of respondents answered in the affirmative.¹⁶ This figure remained broadly the same for men and women, whatever their age, position, or political orientation. On the other hand, it differed markedly according to the individual's faith: 40 per cent of practising Catholics (6 per cent of non-practising Catholics) felt that the pandemic had strengthened their religious practice; this was the case for 23 per cent of Protestants and 51 per cent of Muslims. The study conducted by the Pew Research Center confirmed these results: only 10 per cent of French people considered that COVID-19 had strengthened their religious fervour, and 11 per cent that of France as a whole. On the other hand, 38 per cent of people who considered religion to be very important in their lives felt that the pandemic had strengthened their faith (Pew Research Center 2021).

Finally, COVID-19 appears to have reduced church attendance, even when the confinements and restrictions came to an end. At the beginning of June 2022, the Diocese of Paris observed a 10–15 per cent drop in Sunday worship.¹⁷

Conclusion

It would appear that the COVID-19 crisis has confirmed France's advanced secularisation, making it possible to ban collective religious practices without any real challenge from religious authorities. At the same time, the pandemic has highlighted the recomposition of the religious in France: regular consultation by public decision-makers, manifestations in the public space and contestation of secular authority, changes in practices with the development of 'digitalisation', strengthening of the faith of the most devout.

The first is the economic impact of the pandemic. In 2020, the Catholic Church estimated that it had lost €90 million, representing a 30 to 40 per cent drop in resources from collection or *casuel*, as a result of the confinements and health restrictions (Conférence des évêques de France 2020; Tribot Laspierre 2020). These economic consequences are not confined to religious institutions. Far fewer pilgrims came to Lourdes in 2020, affecting the local economy as a whole. Between one and a half and two million accommodation bookings were cancelled due to COVID-19 during the year. Other religious denominations also experienced a decline in resources. Mosques, for example, derive 60 per cent of their income from Friday prayers and Ramadan prayers (Office parlementaire d'évaluation des choix scientifiques et technologiques 2020).

Last but not least, the pandemic has highlighted the points of convergence between the different religious denominations present on French territory – principally with regard to compliance with health regulations. Differences were more apparent within each religion: think of the masses celebrated in some churches despite the ban on collective ceremonies; think of the appeal lodged in May 2020 with the Conseil d'Etat by traditionalist movements rather than by the institutional representatives of the Church of France; let's underline the differences between the Conseil du culte musulman and the Grande Mosquée de Paris when it was announced that it would be possible to gather in places of worship on 29 May, i.e. after the feast of Eid al-Fitr. While the former called for increased health precautions and preparation for Eid al-Fitr ceremonies in restricted circles, the latter denounced discrimination, with Christians able to celebrate Pentecost while Muslims were deprived of the feast to break Ramadan.

Notes

- 1 A study by Inserm (Institut national de la santé et de la recherche médicale), published on 6 February 2021 in the *European Journal of Epidemiology*, shows that the coronavirus was already circulating in France as early as autumn 2019 (Carrat et al. 2021).
- 2 It should be noted that in Alsace-Moselle and certain overseas territories, such as French Guiana, Mayotte, New Caledonia, Polynesia, Wallis and Futuna, and Saint-Pierre and Miquelon, the system of separation between religions and the state is not the same as in the rest of France.
- 3 According to the survey carried out by the newspaper *La Croix*, 'JMJ: des jeunes catholiques fervents et à contre-courant, notre sondage exclusif'. See the website of the newspaper, accessed 22 September 2023, <https://www.la-croix.com/Religion/JMJ-jeunes-catholiques-fervents-contre-courant-notre-sondage-exclusif-2023-05-25-1201268810>.
- 4 During the first and second confinements in particular.
- 5 For a more detailed discussion of this issue, see Fornerod (2020, 184).
- 6 Opinion column published in *Le Figaro* on 24 April 2020. 'L'appel de cent trente prêtres au président de la République: «Le 11 mai, laissez-nous servir!»'. Accessed 22 September 2023, <https://www.lefigaro.fr/vox/societe/l-appel-de-cent-trente-pretres-au-president-le-11-mai-laissez-nous-servir-20200424>.
- 7 Author's translation.
- 8 Among them: the Fraternité sacerdotale Saint-Pierre, the Alliance générale contre le racisme et le respect de l'identité française et chrétienne, the Association pour le soutien du sacerdoce catholique, and the Institut du Bon Pasteur.
- 9 See interview in *Le Point*, 8 April 2020, 'Haïm Korsia: « Une société qui choisit la vie se relève toujours »'. Accessed 22 September 2023. https://www.lepoint.fr/religion/haïm-korsia-une-societe-qui-choisit-la-vie-se-releve-toujours-08-04-2020-2370573_3958.php.
- 10 Mgr Aupetit, post on his twitter account, 13 March 2021. Accessed 22 September 2023. <https://twitter.com/MichelAupetit/status/1238513415884288001>.
- 11 See the statement by the French Bishops' Conference: <https://eglise.catholique.fr/sengager-dans-la-societe/eglise-et-bioethique/517571-vaccin-et-fraternite-un-appel-de-la-conscience-morale/>.
- 12 They were consulted in March and April 2020 by Emmanuel Macron and in December 2020 by Prime Minister Jean Castex.
- 13 'Emmanuel Macron s'entretient avec le pape François et les représentants des cultes ce mardi', *Ouest-France*, 20 April 2020. Accessed 29 September 2023. <https://www.ouest-france.fr/sante/virus/coronavirus/emmanuel-macron-s-entretient-avec-le-pape-francois-et-les-representants-des-cultes-ce-mardi-6813111>.
- 14 Author's translation.
- 15 See *La Croix*, '« Un avertissement », « une crise du système » : les cultes confrontent leurs lectures de l'épidémie de COVID-19 », 24 June 2020.
- 16 The study is available online. August 2021. 'Le rapport des Français à la religion.' AJIR. Accessed 22 September 2023. <https://ajir-asso.com/wp-content/uploads/2021/09/Sondage-exclusif-IFOP-pour-AJIR.pdf>.
- 17 See *La Croix*, 5 June 2022. 'Après deux ans de COVID, les paroisses ont-ils retrouvé leur souffle.' Accessed 22 September 2023. <https://www.la-croix.com/Religion/deux-ans-COVID-paroisses-ont-elles-retrouve-leur-souffle-2022-06-05-1201218507>.

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CHAPTER 11

The COVID-19 Pandemic and Religion in Germany

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Abstract

Similar to the situation across Europe, the COVID-19 pandemic and subsequent government-imposed restrictions had a profound impact on both individual and collective religious practices and overall religiosity in Germany. As physical gatherings became perilous, religious institutions swiftly adapted by transitioning to digital platforms, offering online religious services, creating virtual memorial pages, and broadcasting ceremonies and funerals live. This unexpected shift forced a re-evaluation of the relationship between the state and religious communities in Germany, demonstrating that religion was not solely a personal matter but also a concern of the state.

The federal structure of Germany meant that COVID-19 restrictions differed across the country, but the historically cooperative relationship between the state and religious groups facilitated compliance with COVID-19 measures. A small number of legal cases were tried in the courts, but in general the restrictions on collective religious life found broad acceptance among major religious authorities. Though protests against restrictions as well as conspiracies and vaccine

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hesitancy occurred, most religious authorities actively supported state regulations and also contributed to public vaccination campaigns.

Introduction

The COVID-19 pandemic had a significant impact on public life in Germany, affecting very important aspects of religious life. As soon as the World Health Organization (WHO) declared the coronavirus outbreak a global pandemic on 11 March 2020, the state authorities in Germany took measures to limit the spread of the virus, which restricted individual freedoms and in particular religious freedom. This chapter proposes to study the impact of the pandemic on religious practices. It aims at analysing how religious authorities, religious groups or individuals reacted to the restrictions that were placed on religions and religious rituals from mid-March 2020 (in particular the ban on religious services and gatherings). What have been the religious implications of COVID-19 and all the measures implemented by federal and state governments in response to the coronavirus pandemic? What do these reactions tell us about the relationship between state and religious communities and about the role and place of religions in public life and in the daily life of the population? Finally, we will look at how Christian churches and other religious groups dealt with digitalisation regarding their religious practices.

This chapter seeks to contribute to the debate on the consequences of the pandemic for the exercise of religious freedom and for the relation between state and religion in Germany, by analysing the responses of religious authorities and religious communities to COVID-19 restrictions on religious life. These questions will be addressed by drawing on different sources of information such as discourses of religious leaders, press articles from religious as well as secular newspapers, complaints and legal action against state authorities, reports or studies carried out by research institutes (e.g. by the Pew Research Center), and available statistical surveys conducted in Germany during the pandemic's first year in 2020.

Setting the Context

The Federal Republic of Germany consists of 16 federal states (*Länder*), with a separation of state and religious communities and with a con-

stitutionally secured form of cooperation between political and religious actors at the same time. It is characterised by a significant level of secularisation with marked disparities, especially between East and West. As a preamble, I would like to quote a few figures that make clear the extent to which religious affiliations have changed over the last few decades. The German population had grown to 84.3 million inhabitants by the end of 2022 (Statistisches Bundesamt 2023). Members of the Catholic Church and members of the Protestant Church, respectively, represented 25 per cent and 23 per cent of the population (FOWID 2022). A 2023 IPSOS religion survey found that 20 per cent of Germans identified as Catholic, while 24 per cent identified as Protestant/evangelical. Religious affiliation varies greatly according to the regions, with sharp divides between West and East Germany. A majority of 70–80 per cent in the former GDR say that they have no religion.

The landscape of the Protestant Church is highly diverse, but the major organisation is the EKD (the Evangelical Church in Germany/Evangelische Kirche in Deutschland), which is a federation of 21 Lutheran, Calvinist, and United (e.g. Prussian Union) Protestant regional churches and denominations in Germany. For the first time in its history, less than half of the German population is a member of one of the two great historic Christian churches. The share of religiously unaffiliated people has increased significantly in recent years and accounts for 44 per cent of the overall German population. Other Christian denominations (including Baptist communities, the New Apostolic Church, and Pentecostal churches) represent approximately 2 per cent of the population. According to the survey published by the Federal Office for Migration and Refugees (BAMF) in 2021, the number of Muslims with a migration background from a predominantly Muslim country of origin living in Germany in 2019 represented between 5.3 million and 5.6 million persons, namely around 6.5 per cent, of whom 74 per cent are Sunni, 8 per cent Alevi, 4 per cent Shia, 1 per cent Ahmadi, and 1 per cent other affiliations such as Sufis.¹ Estimates of the Jewish population vary widely, but the number of Jews is estimated at 225,000, when taking into account Jews who do not belong to a specific Jewish community.² According to the NGO Religious Studies Media and Information Service (RE MID),³ in Germany in 2021 there were 270,000 Buddhists, 167,000 Jehovah's Witnesses, 100,000 Hindus, 100,000 Yezidis, 40,000 members of the Church of

Jesus Christ of Latter-day Saints (Church of Jesus Christ), and 10,000 to 15,000 Sikhs.

In addition to the Catholic and Protestant churches, a number of religious communities (such as Jewish communities, Orthodox, Pentecostal and Baptist churches, Seventh-day Adventists, Jehovah's Witnesses since 2006, and the Ahmadiyya Muslim Jamaat since 2013) enjoy the status of corporation under public law, which is granted throughout the *Länder*.⁴ This status refers to the historic role played by Christian churches in public life in Germany, where they cooperated with the state from the very beginnings of the Weimar Republic. In addition to the possibility of levying taxes and managing cemeteries, this status still guarantees the Christian churches recognition of their mission of public and social utility, which manifests itself through a whole network of services in the medical and social fields, such as nurseries, pre-schools, retirement homes, and centres for people with disabilities.

Legal Aspects

In the initial absence of a vaccine or antiviral, the pandemic exacerbated feelings of insecurity; it was unclear how COVID-19 was transmitted and the rapid spread of the virus overloaded the German health system. Following consultations with the minister-presidents (*Ministerpräsidenten*) of the *Länder* by mid-March 2020, at the beginning of the pandemic the federal government adopted a wide range of measures aimed at slowing the spread of the virus as much as possible and at saving time with regard to the production of medicines and the development of vaccines against the SARS-CoV-2 infection. The radical political restrictions were unprecedented in Germany, as in most Western liberal democracies. The federal structure of Germany was important for the reaction to COVID-19. The federal health minister was authorised only to issue recommendations and coordinate member states. The *Länder* retained their own responsibilities and powers and were able to exercise an effective right of veto.

The agreement between the federal government and governments of the regional states concluded on 16 March 2020, determined nationwide recommendations to regulate COVID-19, including that no certificate was required to go to work, to shop, to walk, to go to the doctor, or to play sport. Parks remained open, and pedestrians had to respect

the 1.5m distance in public spaces. Supermarkets and essential shops also remained open, subject to specific rules. The agreement provided in addition for the closure of many businesses and for the prohibition of association meetings. This meant that also gatherings by religious communities were closed down, which was particularly painful for many believers.

In a nationwide televised address delivered on 18 March 2020, after having instituted restrictive measures, Chancellor Angela Merkel asked German citizens to recognise the gravity posed by the coronavirus and to do their part in helping to slow down its spread. She called on her compatriots' sense of civic duty and responsibility, described the fight against the virus as 'Germany's greatest challenge since the end of World War II', even larger than German reunification, and appealed for national unity:

I know how invasive the closures that the Federation and the Länder have agreed to are in our lives, and also in terms of how we see ourselves as a democracy. These are restrictions, the likes of which the Federal Republic has never seen before.

Allow me to assure you that, for someone like me, for whom the freedom of travel and the freedom of movement were a hard-fought right, such restrictions can only be justified if they are absolutely imperative. These should never be put in place lightly in a democracy and should only be temporary. But they are vital at the moment in order to save lives. (Merkel 2020)

Merkel's speech was intended to build the legitimacy of the measures implemented against COVID-19 that infringed on individual freedoms (Siess and Amossy 2022). Having lived under East Germany's communist regime, Merkel – a pastor's daughter and herself a regular churchgoer – was well aware of the efforts required of her fellow citizens. A country-wide ban was in place from mid-March to early May 2020. There was a wide agreement on measures to fight the pandemic throughout all political parties except for the far-right populist political party Alternative for Germany (AfD), which often criticised governmental decisions. Yet each federal state could implement its own rules and, after the churches reopened, social distancing measures at church services, determined by local governments and local church authorities, would differ. Less densely populated rural states like

Saxony-Anhalt or Mecklenburg Western Pomerania argued against the most draconian measures (Hallam 2021).

From 22 March 2020, the 16 *Länder* then took specific measures adapted to their own situations, which consisted of contact and movement restrictions including a ban on social, cultural, and religious events and life. The scientific authorities and the federal government regarded religion as an additional risk in the face of COVID-19. From approximately mid-March to the end of April 2020, religious services in churches, synagogues, mosques, or other religious communities were not allowed. In the spring of 2020, most of the measures implemented to curb transmission of the COVID-19 virus affected collective religious life. Thomas Mertens, a lead virologist at Germany's pandemic advisory Robert Koch Institute, said: 'Infection can only be excluded in this space [a church] when religious services do not take place' (DW 2020). All the restrictions on religion (closure of religious buildings, prohibition of religious celebrations or rituals) represented a sudden and unprecedented change in religious life. Many religious practices such as handholding, sharing the communion in Christian churches, and touching or kissing religious objects were prohibited. Weddings and gatherings of more than ten people were banned; funerals were allowed in the open air and limited to 30 participants (RBB 2020) with the minimum distance of 1.5m.

Religious Actors Faced with the COVID-19 Pandemic and Contact Restrictions

Although Merkel eliminated any sign of dissension in her speech on 18 March 2020, some religious actors denounced the lack of consultation with public authorities regarding measures against COVID-19, perceived as an infringement of religious freedom. On 22 March 2020, Chancellor Merkel and the minister-presidents of the 16 federal states decided the governments would ask churches to extend the prohibition of religious gatherings to the Easter celebrations and to cancel in-person Easter services on 4 April, as part of COVID-19 restrictions during a five-day 'quiet period'. They did not consult church leaders or government advisers on religious affairs before announcing the decision. On 24 March, following strong protests by the Catholic Church, the EKD, and business leaders, the federal government withdrew the plan for the 'quiet period'. State authorities eventually negotiated

restrictions with representatives of major churches and religious communities. The heads of *Länder* governments, however, still encouraged churches to avoid in-person Easter services.

At the end of April 2020, state authorities allowed religious services to resume their activities on 4 May, but worshippers had to maintain a distance of 1.5m. Germany's 30,000 mosques and prayer rooms were allowed to open during the month of Ramadan. Churches and other religious buildings could reopen without singing. Some religious leaders distanced themselves from government policies. Protests came from the German Bishops' Conference: 'If the distance rules are respected, there is no reason why singing should be refrained from altogether' (Connolly 2020). The authorities in the Catholic Church were of the opinion that quiet singing and praying should be possible and deplored that places of worship were not considered as such a political priority, despite pleas from religious leaders that spiritual life was as important for believers as shopping, if not more so. These examples reveal the resistance of religious actors to government policies and the limits of compliance with measures affecting religious freedom.

The beginning of the pandemic was marked by a few appeals to the courts concerning the ban on freedom of assembly or freedom of religion, but few were successful. Religious individuals and organisations turned to the Federal Constitutional Court to file a complaint against coronavirus-related measures that banned church services. On 7 April 2020, Berlin's administrative court rejected an emergency application from Catholics who wanted a service for 50 people (*DW* 2020). On 10 April 2020, the German Federal Constitutional Court, the highest court in Germany, rejected a complaint filed by a Catholic from the state of Hesse (1 BvQ 28/20), who claimed that COVID-19 related measures were disproportionate and significantly affected his freedom of religion. After the Higher Administrative Court of Hesse rejected his complaint, the judges in Karlsruhe ruled that these restrictions were legitimate to prevent the risk of contagion in religious gatherings, which would increase the risk of transmission of COVID-19 in the particular circumstances of the pandemic. In April 2020, the EKD argued that church funerals were not private events and should therefore be exempted from the 30-person attendance limit decided by the COVID-19 regulations. In May 2020, the Stuttgart Administrative Court ruled in favour of the EKD in Wuerttemberg, declaring that the federal government's COVID-19 restrictions for areas with high

infection rates did not apply to church funerals. The Administrative Court found that the federal regulation constituted an infringement on religious freedom.

Before lockdown measures were progressively relaxed in religious communities, in April 2020 an Islamic association in the federal state of Lower Saxony challenged an order forbidding any religious gatherings in churches, mosques, synagogues, and other religious places. While the administrative tribunal rejected the claim, the case was referred to the Federal Constitutional Court to examine the legality of suspending freedom of worship and of banning Friday prayers during Ramadan as consequence of general regulations. In a ruling published on 29 April 2020, the Federal Constitutional Court (1 BvQ 44/20) overruled the relevant regulation, which did not allow exceptions to be granted in individual cases. The measure was considered disproportionate, given that it did not admit any derogation and it gave different treatment to sales outlets and stores, which were allowed to stay open to the public. The Federal Constitutional Court granted relief, founding that the ban on meeting in churches, mosques, and synagogues – as well as by other religious communities – was temporarily suspended, especially in the remaining weeks of the fasting month of Ramadan. The proportionality principle (*Verhältnismäßigkeitsprinzip*) lay at the core of the decision of the Federal Constitutional Court.

Protest by Minority Religious Groups towards Restrictions on Religion

While most religious authorities initially supported the state regulations that limited the religious freedom of individuals and religious communities, there was mistrust and hostility towards public health rules related to the COVID-19 pandemic by a few minority religious groups (Yendell, Hidalgo, and Hillenbrand 2021). This was the case of the Free Churches in North Rhine-Westphalia and the Adventists in Baden-Württemberg. Yendell, Hidalgo, and Hillenbrand show in their study that ‘only the radical and fundamentalist branches of various faiths, which are often fundamentally closed to scientific knowledge and tend to place the authority of religion above all other domains’ represented a lasting risk factor for the spread of the COVID-19 (Yendell, Hidalgo, and Hillenbrand 2021, 9). Some minority religious communities appealed to resist extended prohibitions on religious

worship, declaring that governments could better achieve their objectives by treating religious needs as essential. Outbreaks of COVID-19 were discovered among Evangelical Baptist Christians in Frankfurt am Main and Bremerhaven, in the environment of Romanian Pentecostal churches in Berlin Neukölln, Magdeburg, and Sinsheim, and in a Mennonite church in Euskirchen, and in small Free Churches in Ulm and Karlsruhe.

Sociological Aspects

The measures and restrictions implemented by the federal government and by the heads of *Länder* governments to contain the pandemic greatly affected religious practices. They curtailed individuals' freedom of action along with a great number of fundamental rights including freedom of religion, which is enshrined in Article 4 of the Basic Law of the Federal Republic of Germany:

Freedom of faith and of conscience, and freedom to profess a religious or philosophical creed, shall be inviolable. The undisturbed practice of religion shall be guaranteed. No person shall be compelled against his conscience to render military service.

The wording of Article 4 does not contain a legal reservation. This characteristic distinguishes freedom of religion from other fundamental rights. In addition, Article 8 of the Basic Law provides for the right to assemble: '8(1) All Germans shall have the right to assemble peacefully and unarmed without prior notification or permission. (2) In the case of outdoor assemblies, this right may be restricted by or pursuant to a law' (Basic Law 2022). The prohibition of religious gatherings raised legal problems, concerning both freedom of religion and freedom of assembly. All German federal states banned any meetings in churches, mosques, synagogues, etc.

There was no major opposition to measures restricting freedoms from the main religious authorities, which remained broadly in step with political authorities, nor were there any protests from the majority of the faithful.

During the first lockdown, the main religious authorities generally complied with the government decisions to promote pandemic health measures and distinguished themselves as examples of civic sense. Faced with the multiplication of outbreaks and the risk of spread,

access to places of worship or pilgrimage was therefore quickly regulated, even banned in most *Länder*. From 13 March 2020, a week before Merkel's speech mentioned above, the Turkish-Islamic Union for Religious Affairs (DITIB), Germany's largest Islamic federation, closed its 900 mosques for the Friday prayer and other gatherings. In the following days, other mosques or Islamic federations did the same. It was the first religious institution in Germany to take such a drastic measure, and this revealed significant cooperation by Islamic authorities during the first COVID-19 wave. Emmerich concluded in a study on 'Islamic Organisations Navigating the COVID-19 Pandemic in Germany' that 'top-down and preemptive mosque closures demonstrated constitutional loyalty' and that the pandemic allowed Islamic organisations 'to adapt to external expectations and thereby build a more positive public image of Islam in Germany' (Emmerich 2021).

Leaders of Catholic and Protestant churches urged faithful to show responsibility and to stay in isolation. The Catholic bishop Rudolf Voderholzer asked dissenters if they 'really wanted to boost the virus's spread'. The Lutheran Bishop Heinrich Bedford-Strohm, chair of the EKD, said the 'guiding principle was saving lives by slowing infection' (DW 2020). The compliance of religious leaders with government policies indicated a high degree of trust in the federal government. Several regional churches (*Landeskirchen*) from the Protestant Church in Germany (EKD) recommended – following the government's call to restrict social contact – that religious services be suspended until further notice. In its briefing paper of 17 April 2020, the German Bishops' Conference admitted that the churches consented to the prohibition of religious assemblies.⁵ After some discussions, religious services were again authorised from the end of April 2020, albeit with restrictions and subject to the application of hygiene rules.

There were disparities in the way the governments of the German federal states responded to the pandemic. Some *Länder* imposed stringent measures that required the closure of churches or religious places; others allowed churches to remain open. For example, Berlin's regulation did not contain explicit rules for religious services but exempted them from the maximum numbers regarding public events. Minister-President Armin Laschet, the head of government of North Rhine-Westphalia, declared that churches and religious communities had submitted comprehensive and precise protection plans, and announced that it would conditionally allow public religious services

again from the beginning of May 2020. In Brandenburg, religious gatherings (in churches, synagogues, mosques, and other religious spaces) with a maximum of 50 participants were once again possible from the beginning of May 2020. Organisers had to ensure that hygiene standards were respected. Brandenburg thus aligned itself with the regulations in Berlin, where religious services were permitted from 4 May 2020. In Bavaria, there were no maximum numbers for attendees but people were obliged to maintain physical distance and wear masks, and congregational singing was forbidden.

The relation between major religious groups and the state during COVID-19 pandemic can be described as one of collaboration. The majority of religious leaders facilitated the adherence to public health measures to prevent the spread of COVID-19. Religious groups largely supported the restrictions. A representative survey by the INSA Consulere polling institute (Wakonigg 2020), commissioned by the Catholic weekly *Die Tagespost* and carried out between 30 October and 2 November among 2,035 adults, produced the following results: 62 per cent of those questioned were opposed to church services remaining exempt in principle from lockdown measures, 20 per cent were in favour, and 13 per cent had no opinion on the subject. That is, the majority of the population was opposed to a derogation for religious services. The ban on religious gatherings during the COVID-19 pandemic was well accepted by most religious groups, in particular among Catholics and Protestants: 60 per cent of Catholics and 62 per cent of Protestants surveyed were opposed to exemptions for religious services during the first lockdown, and only 25 per cent of Catholics and 21 per cent of Protestants were in favour. Interestingly, the approval rate among Free Church adherents was different: only 43 per cent were against exemptions for religious services during the lockdown, while 40 per cent were in favour.

At the beginning of the COVID-19 pandemic, collective religious life (attendance at religious services, major religious holidays, pilgrimages, etc.) was severely affected by the contact restrictions. Changes in religious behaviour – regarding funerals, commemorations, marriages, baptisms etc. – could be observed (in churches, mosques, synagogues, or other places of worship). Some religious practices (ritual gestures, dietary practices, etc.) had to be modified because of the pandemic. Religious leaders supported public health measures such as mask-wearing, handwashing, and social distancing, and encouraged

believers to stay and worship at home and promoted online religious services. They tried to find answers to the question of how to maintain religious practices in times of the pandemic – and, therefore, faced the question of digitalisation of religion. Religious organisations, groups, and institutions had to rethink their services and practices. Almost overnight, the contact restrictions led to a digitalisation of religious practices. Most religious communities found digital alternative offers to traditional services to deal with contact restrictions imposed by the state. A large number of religious communities decided to offer services by videoconference (Hörsch 2020; Neumaier 2023). Religious services and prayers were offered in digital form, on websites or on YouTube, Facebook, Instagram, etc. Hörsch analysed how the Protestant Church, a majority religious organisation, dealt with digitisation regarding its religious practice.

The question arises as to what extent the pandemic influenced people's religiosity. Did religiosity increase or decrease during the pandemic? According to a study by the Pew Research Center, 5 per cent of Germany stated that their religiosity increased during the first wave of the pandemic. This is low compared to France and the UK, where 10 per cent ticked this option, but less than Sweden and Denmark, where only 2 to 3 per cent found that their religious engagement had increased (Pew Research Center 2021). Have the changes brought about by the pandemic lasted or have they been temporary? Kanol and Michalowski question demand-oriented secularisation theories, according to which religiosity is expected to increase when insecurity is heightened or intensified, as in the case of a new global pandemic (Kanol and Michalowski 2023). They answer the question of how long the observed increase in religiosity in Germany might last, by questioning the social sciences analysis by Norris and Inglehart (2004), who maintain that individuals who have grown up in contexts marked by high existential insecurity are inclined to be more religious than individuals who have grown up and lived in a more secure environment. By taking into account the degree of secularisation in Germany, Kanol and Michalowski argue that the changes brought about by the pandemic situation have been temporary, because the COVID-19 pandemic has affected religiosity in a highly secularised country such as Germany, especially in the former GDR, where a large part of the population grew up without religious socialisation. They suggest that the religious increase they observed in Germany during the pandemic

will not be sustained, seeing that many people do not possess religious capital. Another study done during the second wave of infection and lockdown appears to support this conclusion. Based on surveys from 4,693 participants, Büssing, Baumann, and Surzykiewicz find that trust in a higher power, as well as praying and meditation, decreased among both Catholics and Protestants, and among both younger and older persons (Büssing, Baumann, and Surzykiewicz 2022).

From July to December 2020, an extensive non-representative online study was carried out as part of the 'Religion and Politics: Dynamics of Tradition and Innovation' Cluster of Excellence at the University of Münster, involving 2,032 people. Questions were asked about statements such as 'There are evil, hidden forces behind the corona pandemic', 'This pandemic is above all a divine punishment in the face of human sinfulness', and 'Above all, I trust in science and technology to overcome the coronavirus pandemic'. The first question measured conspiracy theories, the second respondents' dualistic-religious attitudes, and the third their secular-optimistic outlooks. The three interpretation patterns were sufficiently different to be able to identify specific patterns. The result indicated an affiliation between conspiracy beliefs and a lower level of formal education and right-leaning political outlook, as well as anti-Semitic and anti-Islamic attitudes. Age and gender did not play a role (Hillenbrand and Pollack 2021).

A study revealed that the former German Democratic Republic and Federal Republic of Germany had great differences in terms of vaccination against COVID-19. It highlighted a 'causal relationship between exposure to past Communist regimes and vaccination decision against COVID-19' and showed that the legacy of communism 'decreased the probability of getting the COVID-19 vaccine by 8 percentage points for those born in East Germany' (Pronkina et al. 2023). Another study associated a growth in conspiracy theories with vaccine hesitancy and a wave of protests against government measures to contain the COVID-19 pandemic. Interestingly, the core of this, the so-called Querdenker Movement, is a highly heterogeneous alliance that, as Hillenbrand and Pollack suggest, includes right-wing extremists but also encompasses 'ordinary citizens, hippies, esotericists [and] opponents of conventional medicine' (Pickel et al. 2022, 177). Religion plays a role in this, but the relation between religion and a conspiracy mentality is both complex and ambivalent. Religiosity thus neither makes people more susceptible nor immunises people against the

conspiracy thinking, but it may become an ally to conspiracy theories if associated with religious bigotry or literalist interpretations (Pickel et al. 2022, 188). Mainstream Protestant and Catholic churches in contrast both warned against fake news and supported health authorities in disseminating the COVID-19 vaccination (Pickel et al. 2022, 177). The Pew Research Center did in fact categorise Germany, along with Albania, Finland, Greece, Italy, Norway, and Sweden, as one of the European countries in which the government supported or collaborated with religious groups to promote COVID-19 public health measures among faith communities (Pew Research Center 2022, 104), as well as among the 19 European countries in which religious leaders or groups engaged in efforts to promote COVID-19 public health measures (Pew Research Center 2022, 105). Interestingly, the Pew Research Center also categorised Germany as a country in which the so-called social hostility index declined in the first year of the pandemic, though it must be stressed that it remained in the high category (Pew Research Center 2022, 42).

Conclusion

COVID-19 and the subsequent government restrictions had a large impact on individual and collective religious practice and religiosity. Online religious services were organised on digital platforms, online memorial pages were created, and live broadcasts of ceremonies and funerals were offered. The pandemic was an analyser of relationships between state and religious communities in the German secular society. It showed the overall trust of religious leaders in the government and revealed the extent to which religion and religious practices were not just an individual matter but also a matter of state. The fruitful institutional historic relationship between state and religious groups facilitated the believers' adherence to governmental COVID-19 measures and ensured a collaboration between religious and political actors during the COVID-19 pandemic.

Although the measures to contain the coronavirus were not set down in a contract that would be legally binding for both parties, they were broadly accepted by the main religious authorities. Most of the time, state and religious communities collaborated and coordinated their measures to fight against the COVID-19 pandemic and to protect the population, albeit with a few limitations. Generally speaking,

the state's ability to manage COVID-19 was not challenged by leading religious authorities. The responses of the main religious communities to the restrictions on religion revealed that they were equally supportive of state regulations that limited religious freedom. Most religious authorities helped public authorities with the vaccination campaigns, too.

Notes

- 1 The remaining 12 per cent of Muslims said they were not affiliated with a Muslim group or were unwilling to disclose an affiliation.
- 2 The Jewish population affiliated to a Jewish community represents 0.1 per cent (94,700) of the population.
- 3 All of REMID's estimates are based on members who had registered with a religious group: <https://www.remid.de/>.
- 4 This status presupposes that the religious group concerned can present guarantees of stability and a lasting grouping, i.e. a certain length of existence, and can in principle attest that the number of its members represents at least one thousandth of the population of the *Land*. Another criterion is loyalty to the law (*Rechtstreue*).
- 5 Regarding the relaxation phase, the German Bishops' Conference noted its position in a document designed as a basis for a discussion with the Federal Ministry of the Interior on 17 April 2020 (German Bishop's Conference 2020).

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CHAPTER 12

Impact of the COVID-19 Pandemic on Religion in Latvia

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Abstract

This chapter examines the impact of the COVID-19 pandemic on social and religious life in a country with a low level of religiosity. In Latvia, the pandemic caused a sharp division of society, not only into vaxxers and anti-vaxxers but also into believers and non-believers. Moreover, the COVID-19 pandemic showed clearly the rise of religious fundamentalists among Christians. The divergent positions of church leaders led to equally diverse positions of congregation members within one religious organisation. The chapter presents general restrictions and the main events related to religion during the pandemic in Latvia. It explains the public debate about the restrictions imposed on religious services. Although religious organisations encouraged their members to comply with the epidemiological security requirements introduced in the country, the restrictive rules were often violated. The media, upon receiving information from people about breaches of restrictions on the part of religious organisations, focused on these breaches, thus causing a strong resonance in the public. The chapter analyses how

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the COVID-19 pandemic affected life of religious people in Latvia. In conclusion, it explains the effects of the COVID-19 pandemic on secularisation/desecularisation processes in Latvia.

Introduction

The Latvian Constitution (Article 99) declares that everyone has the right to freedom of thought, conscience, and religion, emphasising that the church shall be separate from the state. The Law on Religious Organizations allows restrictions on the expression of religious beliefs to protect the democratic structure of the state, national security, public safety or order, and the health and morals of other persons (Article 18). Thus, the legal system of Latvia is facing the dilemma of modern constitutional democracies: how to observe the principle of equality without infringing the entitlement to rights (for details see Balodis 2009). According to the Law on Religious Organisations (Article 8), religious organisations should be registered in the Register of Religious Organisations. However, currently ‘we must speak not only about their registration, but about special recognition of particular religious organisations by the State, which is not related to the registration institute’ (Balodis 2009, 13). Among the religious organisations registered in Latvia, a special legal status has been granted to the eight religious communities mentioned in the Civil Law (Article 51): the Evangelical Lutheran Church, the Roman Catholic Church, the Latvian Orthodox Church, Old Believers, Methodists, Baptists, Seventh-day Adventists, and Judaists. These religious communities listed in the Civil Law adopted in 1937 enjoy certain privileges; for example, they have the right to teach religious practices at school and privileges to perform marriages with civil validity (Statsulane 2023).

When the World Health Organization (WHO) declared a public health emergency of international concern on 30 January 2020, there were no COVID-19 cases in Latvia. The rapid spread of infection raised concerns, and Latvia followed the lead of other countries and also developed strict restrictive measures to protect public health. Initially, the spread of COVID-19 in Latvia was related to the intensive mobility between countries, which led to the first case of COVID-19 being confirmed on 2 March 2020. To contain the spread of the COVID-19 infection, the Latvian government declared a national emergency on 12 March 2020 and introduced restrictions concerning crossing the

state border and public assembly: classroom education was discontinued in all educational institutions and public events, including religious ones, were prohibited.

During the COVID-19 pandemic, states of emergency in Latvia were declared from 12 March to 9 June 2020, from 9 November 2020 to 7 February 2021, and from 21 October to 15 November 2021. The pandemic reached the critical threshold during its third wave: the health care system was overloaded, there were more than 3,000 new infections per day, and mortality increased notably (Mozgis 2023). The state of emergency declared owing to the spread of COVID-19 was lifted on 1 March 2022, and many epidemiological safety requirements were also eased on the same date, although new cases of the infection were still being detected (Mozgis 2023).

Setting the Context

When addressing the impact of the COVID-19 pandemic on religion in Latvia, the low level of religiosity of the population should be considered. In the population censuses (2000, 2011, 2021) conducted after Latvia regained independence in 1991, questions about religious belonging, religious identity, or religiousness were not included. According to the annual reports of the Ministry of Justice, among the 1.9 million population of Latvia, there are about 30 religious organisations/churches (Tieslietu ministrija 2022a). This religious landscape is characterised by the presence of a variety of Christian denominations and other religions (Judaism, Islam, Hinduism, Buddhism), as well as new religious movements (Stasulane 2017). In terms of the number of congregations, Latvia is dominated by the Evangelical Lutheran Church of Latvia (292 congregations) and the Roman Catholic Church (268), followed by the Orthodox Church (133) and the Pomorian Old-Orthodox Church of Latvia (72). Among various branches of Protestantism, the largest number of congregations is registered for Seventh-day Adventists (51), Baptists (21), and Methodists (12). Other religious organisations have been registered in 294 communities (Tieslietu ministrija 2022b); however, many 'minority religions' are officially registered as cultural, educational, charity, and healing centres because of the complicated registration process requested by the Law on Religious Organizations. Among the religious organisations registered in Latvia, eight religious communities have been given special legal status

under the Civil Law (Article 51): the Evangelical Lutheran Church, the Roman Catholic Church, the Latvian Orthodox Church, the Old Believers, Methodists, Baptists, Seventh-day Adventists, and believers in Moses (Jews). These religious communities enjoy particular privileges, as determined by the Civil Law that was adopted in 1937: the right to provide religious instruction in schools and the right to perform marriages with civil validity.

Because the number of believers provided to the Ministry of Justice by the religious organisations themselves also includes nominal adherents, it was concluded that ‘belonging without believing’ exists in Latvia (Kiope, Runce, and Stasulane 2020, 149). Latvian society is moving down the path to secularisation. Data on religious affiliation of respondents in Latvia are collected in all major international comparative surveys: the European Social Survey (ESS), the European Values Study (EVS), the World Values Survey (WVS), and the International Social Survey Programme (ISSP). The biggest drawback currently is the lack of fresh data, as the latest ESS and EVS data, as well as those from the ISSP special ‘Religion’ survey, are only available for 2008. These data show that only 5.85 per cent of the population attend religious services (apart from weddings, funerals, and christenings) at least once a week (EVALUE 2008), i.e. only a small proportion of people who consider themselves to be religious engage in religious practices.

Legal Aspects

The Responses by Religious Communities to the Restrictions

During the COVID-19 pandemic, neither religious leaders nor the mass media in Latvia mentioned the WHO’s practical considerations and recommendations for religious leaders and faith-based communities in the context of COVID-19 (WHO 2020). Overall, neither Christian denominations nor ‘minority religions’ contested the state-imposed regulations restricting public events but instead showed understanding towards these regulations and assumed responsibility for complying with them. Websites of congregations or blogs by clergy called on people to be responsible during the pandemic and explained the restrictive measures concerning religious events in the church more clearly than government documents did. For example, the website of the Evangelical Lutheran Church published the following call:

First, please remember that the COVID-19 threat is real. People fall ill and die. Congregation members and pastors fall ill. People become infected in the church during a service. Unfortunately, it was in our congregations that the most recent case of infection occurred. We cannot say anymore that infection does not spread in churches. Let this mobilise us for responsible attitude and serious action. (LELB 2022)

This call was followed by clear, itemised rules to be complied with in the church and during religious events.

Although religious organisations called on their members to comply with the epidemiological security requirements introduced in the country, the restrictive rules were often violated. During the COVID-19 pandemic, police initiated several investigations of administrative offences concerning failure to satisfy the epidemiological security requirements by religious organisations. The highest number of infringements was found in the 'New Generation' Church of Evangelical Christians, in which, in the period up to March 2021, 18 investigations of administrative offences were commenced in relation to identified infringements (TV3.lv 2021b).

The Public Debates on Religion in the Context of the Pandemic

During the COVID-19 pandemic, the public debate in Latvia focused on the restrictions to be complied with in cultural institutions, whereas the public did not pay particular attention to the restrictions targeted at religious organisations. The media, upon receiving information from people about infringements on the part of religious organisations, focused on these infringements, thus causing social resonance.

Following Easter 2020, discussions were raised in Liepāja (population approximately 67,000), where 19 cases of COVID-19 had been confirmed. The local newspaper *Kurzemes Vārds* came into possession of a video of around 45 people leaving the Evangelical Lutheran Church under the cover of night. The newspaper publication fuelled discussions on non-compliance by believers with gathering restrictions imposed by the state since the emergency had been declared in Latvia, under which public services were prohibited and believers were asked to pray at home. However, attending church individually was allowed provided that the rules were followed: no more than 25 people

could be present in the church at any one time, and they had to keep a distance of two metres between each other. Although the pastor of the congregation was aware that the restrictions had to be respected, he explained that:

[T]he church is practically open, and nobody is asked to leave after entering it. But no services to which the congregation has been invited take place. Another thing is that we ask those who have come to prayer and have received the sacrament to leave. The flow of people is like this: you enter the church through one door and leave it through the side door. (Kupčs 2020)

Latvian Radio found that the mayor of Liepāja had also attended the church. He confessed that approximately 50 people had been present during the service. The mayor's explanation for his presence during the service was as follows: 'My prayer to God is private when I pray for people of Liepāja, Liepāja itself and the country at this time of the pandemic' (Kupčs 2020). Latvian Radio commented that, according to the mayor, praying together is the best weapon to fight the virus (Kupčs 2020). Following the publication of the information in *Kurzemes Vārds*, the pastor was indignant about it and pointed out that the journalist would not escape divine judgement. Legal entities were subject to a fine of up to €5,000 for the breach of restrictions.

In November 2021, when Latvia was hardest hit by the COVID-19 pandemic, the 'New Generation' Church of Evangelical Christians appeared in the view of the State Police. The 'New Generation', contrary to restrictions imposed by the state and police warnings, continued defying the epidemiological security requirements by organising religious face-to-face events and failing to take account of the maximum number of people. Since the spring, police had warned both the community leader, Aleksejs Ledjajevs, and other responsible persons several times, inviting them to comply with the epidemiological restrictions, but the 'New Generation' did not show any understanding and continued to violate the rules (TVNET/LETA 2021).

The breaches of restrictions during the funeral of a Catholic priest in November 2021 were found when a funeral video was placed on the social network FB by a participant at the event. The local television ReTV prepared a story about the breaches (ReTV 2021). According to the restrictions, funerals were allowed to be held outdoors only with the participation of a maximum of 20 mourners. Journalists urged

police to commence an investigation of the matter, since the priest's funeral had been organised in church with the participation of approximately 60 people, and some clergymen were not wearing face masks. When explaining the position of the Roman Catholic Church, Viktors Skulpins, president of the Bishops' Conference of Latvia, stated: 'Each congregation as a legal entity is responsible for complying with these restrictions. We believe that clergymen will try their best to apply these rules and will also encourage believers to do so. In the case of an infringement, the respective clergymen should be talked to' (ReTV 2021). The public debate on social media revealed that priests' attitude towards the nationally imposed restrictions varied. The comments made on FB show that some of them did not participate in the funeral because of the stringent restrictions introduced to contain the spread of COVID-19, but others praised those who found the courage to disregard the restrictions and attend the funeral.

Sometimes the issue of the permissive approach towards religious organisations during the COVID-19 pandemic taken by the Ministry of Justice of Latvia came to the fore during the public debate. When the mass media brought the issue of the breaches at the Catholic priest's funeral to public attention, a representative of the Ministry of Justice tried to indirectly justify the clergymen's actions. The issue that provoked public debate was the extension of the 'green' and 'red' regimes to religious organisations: the Minister of Justice invited the government to allow clergymen to perform their duties without having the vaccination or recovery certificate and to also allow believers to attend services during the 'red' regime (Puriņa 2021), although the government had taken a decision stating that, as of 15 December 2021, all those engaged in the provision of face-to-face services had to be vaccinated against COVID-19. That included all the staff of religious organisations who had direct contact with customers; that is, services had to take place in the 'green' regime only.

Towards Measuring the Impact of the COVID-19 Pandemic on Religion

The Latvian Council of Science launched a call for proposals within the framework of the National Research Programme 'Reducing the COVID-19 Effects'. The programme was aimed at limiting the spread of the COVID-19 infection and protecting the population through the

implementation of innovative, properly designed projects to get economic activity back on track and restore socially active day-to-day life. Three thematic areas were defined in accordance with the aim of the programme: (a) health care and public health; (b) engineering solutions; and (c) the economy and public well-being. The projects that received funding as a result of the call for proposals were not aimed at investigating the impact of the COVID-19 pandemic on religion. Since the only way to get funding for research in Latvia is participation in calls for proposals, Latvian researchers have not succeeded in raising funds to study the impact of the COVID-19 pandemic on religion.

Researchers at Riga Stradiņš University touched upon the aspect of religion indirectly in the project ‘The Impact of COVID-19 on the Health Care System: Experience and Future Solutions’ within the National Research Programme. The study concludes that the management of medical institutions appreciated and sought to enhance the psychosocial support provided by hospital chaplains to medical staff during the pandemic (Behmane et al. n.d.). Study data suggest that, out of all respondents (n = 2608), work (24 per cent), hobbies (19.3 per cent), and family (19.1 per cent) were reported as the best support during the pandemic, while the roles of belief in God (6.9 per cent), prayers (5.3 per cent), and meditation (3.1 per cent) were considerably smaller (Rancāns and Mārtinsone 2021, 36).

Laws Implemented in Response to the Pandemic

Latvia’s population had not been affected by any outbreaks of infectious diseases for a long time, so the COVID-19 pandemic caught the population and legislators alike unprepared. Latvia has no legislation directly regulating activities of religious organisations during a pandemic or a natural disaster. Obviously, legislators hope that there will be no new pandemic in Latvia in the near future; hence, they are not working on drafting any legislation that could govern social life, including the religious life, in the event of any future spread of infectious diseases.

Against the backdrop of the COVID-19 pandemic, the Saeima (Parliament) of the Republic of Latvia adopted the Law on the Management of the Spread of COVID-19 Infection (Saeima 2020a), which stipulated that the Cabinet of Ministers, for epidemiological safety purposes, can determine the conditions for the operation of sites for the

performance of cultural and religious activities, entertainment, sports, and other recreational sites. The religious organisations were put on the same footing as cultural, sports, and entertainment institutions. The Consultative Council for Religious Affairs (a permanently functioning body representing religious organisations with special legal status under the Civil Law, Article 51) was convened by the Ministry of Justice to explain the restrictions affecting the activities of religious organisations and to clarify the rules for attending religious services (Tieslietu ministrija 2020).

The key legal documents laying down the epidemiological safety requirements were as follows: Cabinet of Ministers Regulation No. 720 'On Declaring the State of Emergency' of 9 October 2021 (Ministru 2021b) and Cabinet of Ministers Regulation No. 662/No. 360 'Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection' (Ministru 2021a). The two regulations referred to the pandemic period only, and they did not endure because of regular amendments depending on incidence rates. The regulations applied to several aspects of religious practices: they restricted the number of people attending services, indirectly encouraged churches to change their rituals, and restricted access to religious services.

Regulations Concerning Specific Areas of Religious Life

Legislation relating to various aspects of religious life was changed on a regular basis during the pandemic, and it was difficult to keep track of it. Therefore, the explanatory information available in congregations had an important role to play. To provide an insight into the national epidemiological safety requirements to be satisfied by religious organisations and their members, a brief description of restrictions before and after vaccination follows.

Prior to the vaccination campaign in Latvia, the regulations concerning COVID-19 cancelled and prohibited all face-to-face public events. No more than 25 people could gather outdoors and everyone had to follow the principle of 2 + 2 (the distance of two metres between no more than two persons) in their day-to-day lives. The regulations banned private events and private gatherings, except events organised within one household. The use of a mouth and nose cover on public premises and public transport was mandatory. Funerals were allowed outdoors only and with the participation of no more than ten people

at one time (except persons directly involved in the funeral arrangements). Baptism rituals were allowed only in cases of absolute urgency, with the participation of no more than ten people at one time (except persons directly involved in the baptism arrangements). Weddings were allowed in the presence of the persons who wanted to marry and two adult witnesses. Churches could fulfil their mission from 6:00am to 8:00pm, except for Christmas Eve on 24 December and Orthodox Christmas Eve on 6 January, when they could be open for visitors until 11:00pm. A limited number of people were allowed at places of religious activity, and attendees had to arrive alone, except for members of the same household. Churches had to ensure a one-way flow of people and provide 10m² of available space per person. At any one time, a maximum of 20 per cent of the total possible number of people that the available premises and infrastructure could accommodate were allowed in a church (LV 2020).

When a certain number of people were vaccinated, the regulatory provisions concerning COVID-19 became more complex, since the requirements in relation to vaccinated persons, those who had had the virus, and unvaccinated persons varied, i.e. the 'green' and 'red' regimes were introduced. In its meeting of 9 November 2021, the Cabinet of Ministers laid down the common principles to be respected by all religious organisations. They stated that religious life could be practised in two ways: (a) by participating in publicly announced services and other religious events in the 'green', i.e. epidemiologically safe regime (only vaccinated persons and those who had had the virus and their children up to 12 years of age); or (b) by attending the church individually in the 'red' regime (e.g. upon prior agreement with a priest to confess sins and to receive communion), for up to 15 minutes at a time.

The most stringent restrictions were introduced during the third wave of the pandemic in Latvia. During the lockdown from 21 October to 14 November 2021, churches were open for individual prayers from 9:00am to 6:00pm every day, but they were closed during services and for half an hour before them. Services were held without the presence of believers. A priest was available for individual confessions and receiving communion in the church, but an appointment for performing the Sacrament of the Anointing of the Sick had to be made in advance by phone (Tolstovs 2021).

As of 15 November 2021, wedding ceremonies were allowed in the 'green' regime or epidemiologically safe environment if all wedding

guests were vaccinated or had had COVID-19. Wedding ceremonies could be organised indoors, where everyone had to wear a face mask and respect the distance of two metres, and a minimum of 15m² of the publicly available indoor space had to be ensured per person. The maximum number of people could be calculated based on the area of the church space. The number of people was not limited. To receive a religious service in the 'red' regime or epidemiologically unsafe environment, people had to abide by more severe restrictions (if any of the participants at the event were not vaccinated against COVID-19 or had not had COVID-19). Wedding ceremonies indoors could only be organised in the presence of the two persons to be married, two witnesses, and a clergyman, and, again, all of them had to wear a face mask and respect the distance of two metres, and a minimum of 15m² of the publicly available indoor space had to be ensured per person. Wedding ceremonies outdoors could only be organised in the presence of the two persons to be married, two witnesses, and a clergyman, and all of them had to wear a face mask and respect the distance of two metres. At the same time, the Ministry of Justice emphasised that a wedding ceremony is a public service, and therefore it has to be distinguished from a wedding event as a private event. A maximum of ten people were allowed to participate in a private event, i.e. wedding celebrations, funerals, and baptism ceremonies, held indoors; no more than 20 people were allowed at outdoor events. All of them had to wear a face mask (both indoors and outdoors) and respect the distance (Ministru 2021b).

During the COVID-19 pandemic, hospital chaplains were allowed to visit COVID-19 patients who wanted to receive a religious service or just meet the chaplain. Respecting the epidemiological safety measures, chaplains visited the sick who wished to pray together, asked to hold their hand if they had difficulties breathing and, therefore, were seized by fear, or asked them to call their relatives and pass on a message as they found it difficult to speak on the phone (Kinca 2021). According to observations by a female chaplain who had the experience of 16 years of service, 'In fact, those people who cultivate their spiritual lives, their relationship with God, they talk more about these eternity themes. But those people who haven't cultivated their spiritual lives, they address practical, temporal things. Inheritance matters, what has been done and what hasn't been done. That is also very good' (Kuške 2021). Importantly, chaplains also provided support to staff of medical

institutions during the pandemic, since they needed psychosocial support: during the state of emergency, medical personnel's stress, fear, agitation, alarm, and uncertainty followed an upward path. Previously, such support had not been available in all medical institutions. However, the heads of medical institutions tried to ensure assistance by a psychologist and chaplain during the pandemic (Behmane et al. n.d.).

Issues of Freedom of Religion

The prosecutor general, in response to public accusations by the state police against the 'New Generation,' instructed the relevant staff in November 2021 to commence investigations concerning the 'New Generation's' compliance with the requirements of laws and regulations. Following the investigation, the prosecutor general applied to the court requesting it to terminate the 'New Generation's' activities, but the court dismissed the application (TV3.lv 2021a).

Religious organisations and their individual members did not apply to law enforcement authorities but applications addressed to the ombudsman were indirectly linked with the field of religion. These contained the concerns of Latvia's population about the decision taken by the Ethics Commission of the Latvian Medical Association, which stated that, in the event of a crisis arising during the COVID-19 pandemic, it was ethically acceptable not to treat people over 75 who had chronic diseases, or patients who were severely ill, using whatever available means may be necessary. This approach would allow a larger number of young people and those who were not seriously ill to access the therapy that might save their lives (Tiesībsargs.lv 2020).

Edgars Rinkēvičs (today president of Latvia), a representative of Latvia who participated in the ministerial session on religious freedom dedicated to the enhancement of freedom of religion and belief during the pandemic, called upon everyone not to use the COVID-19 crisis as a cover for the promotion of prejudices and discriminatory treatment based on religion or belief. He reminded Latvia that all restrictions on freedom of religion or belief had to be prescribed by law and had to be legitimate and proportionate. The minister explained that Latvia had supported several international initiatives aimed at strengthening religious freedom worldwide and at eradicating persecution related to religion or belief. To mitigate the adverse effects of the pandemic on religious organisations, the government of Latvia granted financial

assistance to clergymen and employees of religious orders (Rinkēvičs 2020).

Financial Support to Religious Communities

The Law on the Suppression of Consequences of the Spread of COVID-19 Infection (Saeima 2020a) did not provide for any special support to religious communities, although it granted certain minor reliefs. This law specified the deadline for submission of the annual report to the State Revenue Service (Section 23) by religious organisations and allowed ‘the transfer of the movable property (personal protective equipment, medical devices, and disinfectants) of a public person without compensation into the ownership of a religious association (church) for implementation of the epidemiological safety measures’ (Section 54). The law stipulated that ‘donations by phone of religious associations (churches) arranged during the emergency situation may be maintained also after revocation of the emergency situation, until 30 June 2021’ (Section 40).

In order to facilitate the post-pandemic recovery of the religious communities, the Cabinet of Ministers granted €236,000 to them in 2020, envisaging a €300 benefit pay-out to 394 religious ministers for a period of two months. As the benefit was only received by 135 persons who met the set criteria (social insurance contributions had to be paid for the personnel and the income of the religious organisation of the particular month had to be at least 30 per cent lower year-on-year), only €69,000 out of the funds granted were used and the remaining money was returned to the Treasury (ReBaltica.lv 2021). The following year, when the Ministry of Justice suggested the allocation of a quarter of a million euros for benefits to be granted to the personnel of religious organisations and utility payments of churches, a discussion arose on the separation between the state and the church, the political impact of the church, the fair distribution of funding across all the religious organisations, and the spending of taxes paid by the secular part of the population on the needs of religious organisations (Spundiņa 2021).

Sociological Aspects

Impact of the Pandemic on Religious Life

Before the pandemic, people who were not able to attend church had already been able to participate in services remotely: a channel of the public television broadcast a service held by a different Christian denomination each Sunday, and Latvian Christian Radio, Radio Maria, and Latgalian Radio broadcast services on a daily basis. During the COVID-19 pandemic, live broadcasts from churches on YouTube provided an extra option for remote participation in services. People's attitude towards participation in services in the online regime varied: some congregations broadcast services on a regular basis but others did not provide an opportunity for believers to take part in services remotely. A clergyman's skill in employing new technologies and his willingness or otherwise determined their use, e.g. a pastor of an evangelical Lutheran congregation compared online services with rubber women or non-alcoholic beer (Kupčs 2020). In contrast, the Roman Catholic Church encouraged the faithful to participate in services remotely and to release the following believers from the obligation to take part in the Mass (Code of Canon Law: Canon 87 §1, Canon 1245, and Canon 1248 §2): the elderly, those with symptoms of the infection, contact persons of the sick, and people who fear getting the infection (Romas 2020).

During the pandemic, the number of pilgrims who made their way to the principal sacred place of the Roman Catholic Church in Aglona to participate in the celebration of Our Lady of the Assumption feast day decreased significantly. In the year prior to the pandemic, around 50,000 pilgrims (TV3.lv 2019) had taken part in the services on 15 August, but epidemiological safety regulations severely limited the number of participants in 2020: up to 3,000 people (Jauns.lv 2020) were allowed to participate in the service held on the square next to the basilica (in the end, only around 1,700 people arrived) (Volka 2020), subject to the presentation of a COVID-19 certificate or a negative test result. Since pilgrims were not allowed to enter the basilica's premises, the customary procession past the Our Lady of Aglona icon did not take place. It was not only the number of pilgrims that fell but also the number of pilgrim groups organised by congregations. In 2019,

33 pilgrim groups arrived in Aglona (Komare 2019), but that number decreased to only 17 in 2021 (KABIA 2021).

Changes in Religious Behaviour

More extensive data-based studies on the effects of the COVID-19 pandemic on secularisation or desecularisation processes in Latvia should be carried out. Examining the reports on activities of religious organisations in 2019, 2020, and 2021 (at the time of writing this chapter, no data on 2022 are yet available) drawn up by the Ministry of Justice, it can be concluded that the number of marriages has mainly decreased in all largest denominations of Latvia: from 748 to 589 and 493 in congregations of the Evangelical Lutheran Church, from 719 to 559 and 462 in congregations of the Roman Catholic Church, from 118 to 96 and 102 in the Union of Baptist Churches in Latvia and from 77 to 43 and 52 in congregations of the Latvian Orthodox Church (Tieslietu 2020, 2021, 2022c).

In Latvia, a funeral feast, organised by Latvians either at the home of the deceased or in catering establishments (cafés or restaurants), usually follows the funeral. By contrast, Russians sometimes honour the deceased by having a light meal at the cemetery or close to it. Until the outbreak of the pandemic, Latvians considered this tradition unacceptable and alien to their culture; during the COVID-19 pandemic, when everyone had to comply with the epidemiological restrictions, Latvians borrowed this tradition from the Russians. The pandemic introduced new elements into the Latvian cemetery environment: a wooden table, benches, and a shelter next to the cemetery gate so that mourners could stay for a while, commemorate the deceased, and have some snacks.

The pandemic also changed the course of religious rites, e.g. Catholics put aside the sharing of the peace by shaking hands, previously practised during services. However, despite the risk of contracting the virus, the Roman Catholic Church of Latvia introduced no changes in the ritual of Holy Communion, i.e. priests continued to put communion on the tongue of the faithful rather than in the palm of the hand.

The Attitudes of Society and Religious Leaders

The COVID-19 pandemic highlighted society's mixed attitude towards various denominations and religious groups. Police closely monitored activities of the 'New Generation' congregations, since people informed police on their infringements on a regular basis. Therefore, a significant number of investigations of administrative offences were initiated against this church. Meanwhile, the breaches were not taken very seriously by congregations in eastern Latvia, which was dominated by Catholicism. As shown by the example of the Roman Catholic priest's funeral, police had to respond to the story broadcast by a local TV channel about the failure to satisfy the epidemiological security requirements. However, there was an underlying assumption concerning the attitude towards the infringement that the funeral of the priest, who had served for the congregation for many years and who was highly respected, was an exceptional case. At the time of writing this chapter, the case has not yet been examined, and, according to the comments provided by a representative of a local authority during individual correspondence, the 'police are on the side of the people'.

The attitude of Latvia's religious organisations towards the epidemiological safety requirements imposed by the state and towards vaccination did not differ much, and none of them delivered their official position. By contrast, individual clergymen demonstrated a diametrically opposite attitude. Different individual attitudes were present even within one religious organisation and congregation. Determinants of the different positions were individual motives and persuasions of congregation members, but the individual position by spiritual leaders played a major role. The divergent positions of spiritual leaders led to equally diverse positions of congregation members within one religious organisation, e.g. the Cardinal Emeritus (91 years old) of the Roman Catholic Church was against vaccination, since he had heard that cells of aborted embryos were used to make vaccines (DELFI 2021). By contrast, the Riga Archbishop of the Latvian Roman Catholic Church (66 years old) was vaccinated, and he publicly called on congregation members to get vaccinated, in response to the Vatican's recommendations. The Catholic anti-vaxxers, with strongly held beliefs, did not change their position even when two Catholic priests who were prominent public figures, respected by their congregations, active and quite young (53 and 42 years of age), died from COVID-19 (Barkāns 2021).

Conclusion

The attitude of Latvia's population to public institutions as well as to the medical science polarised during the COVID-19 pandemic. The contrasting responses to the pandemic caused a division of society not only into vaxxers and anti-vaxxers but also into believers and non-believers. Non-believers followed the activities of religious communities and reported any violations of the pandemic restrictions by parishes to the mass media. Under social pressure, the public authorities closely monitored the compliance with restrictions by religious communities. This dynamic suggests that irreligious people tried to strengthen their positions during the pandemic, thus contributing to secularisation.

The formal religious affiliation annually reported to the Ministry of Justice by religious organisations has not declined considerably. However, the current observations in parishes and the decreased numbers of marriages show that the number of practising parishioners in Latvia's largest Christian denominations declined. The long-lasting physical distancing restrictions imposed during the pandemic affected the gathering habits of people, including the collective practising of religion. It can be assumed that the individual practising of religion will increase, which will contribute to the flourishing of new religious forms or else the religious practices will be abandoned.

During the pandemic, the role of the church as a provider of a well-being service strengthened, as society highly appreciated the work of chaplains with the COVID-19 patients in hospitals, where even the closest family members could not access. The servicing of chaplains in hospitals as reflected by the mass media testified to a brutal reality, helping to disperse disbelief in the existence of the virus.

The restrictions imposed in Latvia during the COVID-19 pandemic have not caused wide discussions on the violation of the principle of the religious freedom, although some religious communities found it difficult to find balance between public regulation and autonomy in the management of church life. The religious organisations managed to find theological arguments to urge the believers to comply with the restrictions in the name of the value of life and common well-being. Nevertheless, some religious leaders supported conspiracy theories, thus encouraging their parish members also to take the position of radical resistance. The COVID-19 pandemic highlighted the problems

of the church and the indispensable role of solidarity in crisis circumstances. All religions recognise solidarity as a value, but, obviously, it is not always successfully practised in real circumstances.

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PART IV

Protestant-Majority Countries

Introduction to Part IV

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This introduction brings together insights from the chapters on the four Nordic countries in order to pay attention to similarities and differences. The four countries – Denmark, Finland, Norway, and Sweden – are often grouped together in comparisons, constituting (along with Iceland) a historical, cultural, and (partly also) linguistic entity through empires like Denmark–Norway (1536–1814), Sweden–Norway (1814–1905), and Sweden–Finland (until 1809). The commonalities also include a common identity as Lutheran majority countries. Today, the four countries all rank high on lists of strong democracies, happy populations, and levels of trust (Kühle 2022). The high level of general trust in all the Nordic countries is often invoked as an explanation of the high compliance of recommendations in all the countries.

The Nordic countries are highly comparable and often compared. With regard to religion, Denmark is generally the outlier in retaining a majority church, strongly intertwined with the state, and very intense political and media debates on Muslims. It is also worth mentioning that Finland has dual establishment as both the Lutheran and the Orthodox churches hold privileged positions vis-à-vis that state (Furseth 2017). In the *Atlas of Religious or Belief Minority Rights*, the different patterns of privilege of certain religions gives Denmark a score of 0.27, which is below the EU average, while Sweden achieves the highest score (0.3) among the Nordic countries. Finland's score is 0.28, while the *Atlas* has not calculated a score for Norway, as this country is not a member of the EU (Ferrari et al. 2024).

With regard to the handling of COVID-19, it is therefore interesting that the four countries were less of a unity than expected. Sweden differed substantially from the other Nordic countries, which applied very similar policies of closed borders in the first half of 2020, government-mandated social distancing and shutdown of shops, restaurants and primarily schools (Gordon, Grafton, and Steinshamn 2021; Hall, Hardoy, and Lundin 2022). These differences have been widely discussed, often with criticism (of Sweden) and claims of successes (Finland, Norway, and Denmark) (Kepp et al. 2022), but it should be emphasised that the question of the strictness of the regulations is not so simple – by late December 2020, Sweden had the most stringent rules and unlike in the other Nordic countries secondary schools were closed throughout the pandemic in Sweden (Gordon, Grafton, and Steinshamn 2021; Hardoy and Lundin 2022). The COVID-19 crisis is thus in many ways an interesting challenge to simplified stories about the Nordic countries, neglecting the particular histories and characteristics of the individual countries. It is for instance telling that, while Finland and Norway (and Iceland) reacted to the pandemic with national preparedness acts in March 2020 (Saunes et al. 2022), Finland by calling a state of emergency, Norway by making a Coronavirus Act (2020), neither Denmark nor Sweden invoked a state of emergency, though Danish politicians through (revisions of) the Epidemic Act created a situation quite similar to the situations in Norway and Finland. Notably, Sweden's initial liberal approach, unique not just in the Nordic countries but in Europe, built not on rejection of science but on very strong dependence on expert authorities. Though expert advice was also included in the handling in the other Nordic countries, the position of science in the debates on COVID-19 restrictions was the strongest in Sweden. The relation between pro-restriction and science-based advice were therefore different in Sweden than in the other Nordic countries, where the (relatively rare) rejection of recommendations among religious voices were related to conspiracy theories.

The comparison of the cases regarding the impact on religion is based on the criteria developed in the introduction to this volume. In spite of a liberal Swedish approach, in all countries the consequences of lockdowns had considerable effects on religious life. In Denmark and Norway, religious organisations initially faced a total close-down on public activities. In Norway, religious services were not on the list of vital functions, sheltered from restrictions, made by the Norwegian

Directorate for Civil Protection (DSB), though the government acknowledged that ‘burials’ were vital and thus sheltered the work of crematorium and graveyard workers, but not the religious personnel, from some of the restrictions. In Denmark, the position of the majority church as a state church meant that it was closed down along with other public institutions without any discussion of whether religion would be of vital need during the pandemic. Like in Norway, funerals and burials were exempted from the overall regulation, but there were some confusions regarding this and local restrictions were often applied. In addition, restrictions on outdoor funeral attendance were imposed after public discussion of well-attended Muslim burials. In Finland, religious organisations followed suit during the societal lockdown in spring 2020, though the COVID-19 restrictions imposed by the Communicable Diseases Act did not apply to religious communities. Though the instructions of 18 March 2020 by the bishops opened up exceptions from the ten-person limit in place at the time, burials were places where people found that restrictions were too severe due to considerable local variation in the interpretation of the restrictions. In Sweden, the initial liberal policy meant few restrictions initially, but criticism emerged when restrictions on religious gatherings were tightened in November 2020. The criticism was posed by a group of religious leaders from minority and majority religions, and it led to exemptions on funerals from the eight-participant restriction.

If we relate the material from the Protestant-majority countries to the propositions introduced in the introduction, some parts of the material seem to support the propositions, while with regard to other parts this is less clear.

With regard to Proposition 1a, which states that societies with a majority religion should exhibit more consensus among adherents regarding pandemic management, we find in all the Nordic countries that the majority religion played a supportive role towards the state restrictions. But it should be added that this also goes for religious minorities in general. Despite restrictions, the relationship of church leaders to state actors can be characterised as a cooperative one.

Regarding Proposition 1b – which has to do with a history (or not) of legal cooperation between church and state leading to harmonious relations – overall, the cooperation between religion and state in the four countries largely corresponds to what is to be expected from the outlook of the different religious landscapes. Let’s take the case of

Finland. Though religious life was not restricted in Finland, religious organisations laid restrictions on public activities from their own initiative. By not applying restrictions on religious life, the authorities respected the autonomy of religious organisations and trusted that they would manage their own affairs, which they did by curbing the public activities for the good of all. In Denmark and Norway, the handling was a question of trust as well as restrictions. The relations between the state and religion, which places the majority religion as a societal institution, meant that religious organisations accepted compliance with pandemic-related restriction as part of an overall societal articulation of obligation (*dugnad* or *samfundssind*). In Norway, this obligation included all religious organisations, while Muslim organisations, despite complying with this, were under suspicion of spreading the disease in Denmark. In Sweden, the different religious groups found their own way of adjusting to the regulations, with the Agency for Support for Faith Communities playing a central role for interacting with representatives for minority faith communities. The concern for possible breaches on freedom of religion was largest in Norway, where a commission found that the restrictions on religious freedom had been too extensive and should have been considered more broadly. Though the restrictions on religious life in Denmark and Norway were similar, the greater concern with freedom of religion is in line with the general higher priority in Norway (Årsheim and Kühle 2019).

With regard to the following propositions, the existence of different approaches to science-based underpinning of societal restrictions across the Nordic countries is interesting for Proposition 1c – societies with a secular majority should be characterised by greater acceptance of scientific authority during the pandemic than societies with a religious majority – and P1d – societies with the same religious/secular majority should reflect similar degrees of support for scientific authority during the pandemic. The Nordic countries, however, do not differ substantially with regard to support for science and all countries are generally perceived as quite secular, despite the relatively high membership in the majority of Lutheran churches. Also, the difference in approach is often exaggerated, but the noticeable thing is perhaps not the trust in science but the trust in the ability of authorities to make the right decision despite hardship, which was strong across all four countries.

The Nordic countries may overall lend some support to Propositions 3a and 3b, about the legal tradition of defending religious group rights. Based on this logic, weak traditions for defending religious group rights would mean that a legal path to raising criticism would not be followed. It is difficult to know whether this is due to the low level of criticism or legal tradition, but in none of the Nordic countries did any of the criticism of breaches on freedom of religion make its way to courts of law.

With regard to Proposition 4, which concerns whether individuals in societies with higher levels of insecurity exhibit higher levels of religiosity, the Nordic countries may be seen as a confirmation to the extent that the Nordic countries are strong welfare states (i.e. ‘secure states’) and there is little evidence that the pandemic caused any uptick in religious adherence in the Nordic countries in general. Strong expectations – both in academia and in public debates – have been aired about how the pandemic would lead to raises in individual-level religiosity, as people turned to religion for support and consolidation. A recent Pew study showed this to be the case in some countries – in the US, 28 per cent stated that their faith had become stronger; this was 16 per cent in Spain but very few respondents in Denmark and Sweden (2 and 3 per cent, respectively) answered in the positive. These results, which correspond with data from other surveys in Denmark, confirm the expectation that the uptick in religiosity would not happen in societies with higher levels of social security. This is the content of Proposition 4 and it seems overall to be supported by the experiences from the Nordic countries; the pandemic may have changed a lot, but with regard to religious engagement it changed little. Interestingly, when Pew asked whether the pandemic had led to higher levels of religiosity in their country, 10 per cent of respondents in Denmark and 15 per cent of respondents in Sweden found this to be the case (Pew Research Center 2021). This interesting finding suggests that religious changes during the pandemic might be more about the role of religion as imagined in these societies than about the role it plays in the life of an individual.

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CHAPTER 13

Prioritising Community Spirit over Freedom of Religion During the Pandemic

The Case of Denmark

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Abstract

The handling of the COVID-19 pandemic by the Danish state and society has generally received praise. The actions taken by the Danish authorities efficiently curbed the death rates and the population generally accepted the restrictions put on public and collective aspects of their lives as they were performing what in Danish was named *samfundssind* (community spirit/civic consciousness). The practice of *samfundssind* also prevailed among religious communities, who adhered with very few complaints to the complete closing of all places of worship for the public during the first lockdown and the extremely bureaucratic rules of limitations during the later lockdowns. In this

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analysis of the pandemic's impact on religious life in Denmark, we present three key findings: (a) we present how minority groups struggled with achieving a positive public perception, (b) we show that the usual privileged position of the Evangelical Lutheran Church in Denmark (ELCD) was more or less nullified by the strict restrictions of the government, and (c) we argue that ELCD was therefore subjected to the same restrictions as the minority religious groups. It was also clear that many of these restrictions were formulated on the basis of an understanding of the ELCD as the default form of religion in Denmark.

Introduction

The first case of COVID-19 in Denmark was reported on 27 February 2020 and Denmark went into an extensive lockdown from 11 March. The lockdown targeted all 'non-essential' public institutions and private institutions of a certain size, the buildings were closed to the public, and employees were asked to work from home if possible.

Because the majority religious group in Denmark – the Evangelical Lutheran Church in Denmark (the ELCD) – is *de facto* a state institution, the lockdown of public institutions was naturally extended to the ELCD, which constitutes a major part of religious life in Denmark. The restrictions on the public manifestation of religion during the first lockdown in spring 2020 was one of the most severe in Europe (De La Ferriere 2020), yet there was high compliance and very few protests. The handling of the coronavirus in Denmark has been praised as among the most successful and has been claimed to represent a manifestation of the high level of mutual trust (Olagnier and Mogensen 2020; Rytter 2023). The concept of *samfundssind* (civic consciousness) had been used in the economic crisis of the 1930s during the economic crisis as an appeal not to hoard groceries in shops, but it now attained a much broader significance as an articulation of the sense of societal cohesion that developed. Another more critical evaluation is that that, '[g]iven that the closure of churches affected most Danes very little, the pandemic's greatest impact on Danish religion might be a legacy of deepening division between Muslims and non-Muslims' (Macaulay 2022).

Economist Dani Rodrik has famously claimed that during the pandemic 'countries have in effect become exaggerated versions of themselves' (Rodrik 2020). Rodrik's intriguing comment was directed

towards economic aspects, but it rings very true as a description of how the development of the pandemic was framed by the sociological and legal realities of religious life in Denmark. The importance of the Parliament (and lesser importance of courts) for the political system in Denmark was for instance clear from the way the lockdowns were done based on the Emergency Acts, discussed and decided by a majority vote in the Parliament (Fallentin Nyborg et al. 2020). Similarly, the position of the majority church as a key religious actor was central for how the Danish state used its relation to the church as a template for how to deal with religion. Yet this does not mean that the previous framework of sociological and legal structures of religion in Denmark remained intact through the pandemic. In line with Rodrik's comment, it became clear that in Denmark 'exaggerated versions' meant that some existing aspects of Danish society were more clearly brought forward. This could for instance be the case with how the concept of *samfundssind* became widely used. Similarly, the legal status and sociological structures of religious life in Denmark were not just extensions of previous patterns but also changed. In this chapter, the specificities of the Danish case of religious change are presented as a particular case but also as a contribution to the general discussion of how the pandemic impacted religion.

Setting the Context

The most eye-catching aspect of religious life in Denmark is the extraordinary position of the ELCD. The ELCD constitutes a state church, if the constitutional provisions, the lack of autonomy at the national level, and the legislative function of the state with regard to the regulation of the church is kept in mind (Kühle et al. 2018). The constitution thus mentions the ELCD as a church with a special position vis-à-vis the state, the Ministry of Ecclesiastical Affairs is the executive body of the church, and the Parliament constitutes the legislative organ. The identity of the ELCD as a state church is, however, ambiguous. The constitution names the church as the *folkekirke*, the church of the people and not the church of the state, and, even if the executive power at the national level lies with the Ministry of Ecclesiastical Affairs and the legislative power is with the Parliament, at the local level there is a strong local democracy situated in parochial councils inhabited by the members. Membership is declining, albeit quite slowly, and

a substantial majority of the Danish population (71.4 per cent as at 1 January 2024) remain members. Statistics on religious ceremonies indicate that 70 per cent of newborns are baptised in the ELCD, 64 per cent are confirmed, and 80 per cent of funerals are with the assistance of the ELCD (Denmark 2023). While the ELCD therefore constitutes an impactful factor in the Danish religious landscape, it has also been discussed whether most Danes can indeed be characterised as Christian or whether they could instead – due to their low levels of religious belief and religious practices – be characterised as somehow non-religious and Denmark as a secular country. At the same time, majority Danes have also been characterised as culturally Christians, since their relation to the ELCD is based on feeling a cultural, emotional affiliation with the church as well as connecting the church to a Danish national identity (Lundmark and Mauritsen 2022; Mauritsen 2022). Recently, it has been argued that the Danish and more general Nordic religious landscape can be characterised as complex in the sense that religion at the individual level is declining and found increasingly less personally important and relevant to many citizens, while religion remains highly important and debated at the state level (Furseth 2018). This approach goes beyond the more one-sided narrative of Denmark as a secular country, which has otherwise been quite persistent in former research (e.g. Zuckerman 2020).

Although most citizens of Denmark therefore retain a connection to the ELCD, albeit perhaps mainly as a culturally religious connection (Mauritsen et al. 2023), the Danish religious landscape is also characterised by several religious minorities. Muslims represent the largest religious minority group, constituting about 5 per cent of the population, but Buddhists are also represented (about 0.6 per cent of the population), Hindus (about 0.4 per cent of the population), and a very small minority of Jews (about 0.01 per cent of the population). Owing to the large-scale influence and support of the ELCD, the numbers of the organised non-religious are low, coming in at around 0.05 per cent.

Religious groups can apply for recognition by the state, which includes financial privileges as well as legal privileges (tax deductions and the right to officiate weddings, for instance). The recognised religious communities include organisations and congregations within Christianity, Islam, Buddhism, Judaism, Sikhism, and Hinduism, as well as smaller religions like the Bahai and more controversial religions like the Jehovah's Witnesses.

The special and in some cases also privileged position of the ELCD is evident throughout society. The parliamentary year, for instance, starts with a religious service in a church and is performed by a pastor from the ELCD; hospitals, prisons, and educational institutions have chaplains from the ELCD and the ELCD is responsible for and constitutes the central focus of teaching of religion in state-funded primary schools (Andersen and Sigurdsson 2022; Kühle et al. 2018). The formal accommodation of other religions in the legal regulation of religion in Denmark has been slow. The regulation of religious communities outside the ELCD was only formalised in the Act on Religious Communities in 2017 and state-driven institutions have formally only adapted minimally to a religiously diverse situation, though small attempts to begin sharing the privileges of the ELCD with other religious communities have been seen (Kühle 2022). Overall, the Danish context is complex. Denmark is from one perspective a highly secular country, but it is from another perspective a country with a state church highly entangled with secular institutions.

Legal Aspects

The Danish Constitution contains no general constitutional provision on the state of emergency. Article 23 of the constitution allows the government to issue provisional Acts, so long as they do not violate the Constitution, should the Parliament be unable to convene (Fallentin Nyborg et al. 2020), but, as the Parliament was kept open during the pandemic, the extraordinary means employed during the pandemic were done with reference to the Danish Epidemic Act (2019), which allows restrictions in order to prevent or contain a dangerous contagious disease (Saunes et al. 2022, 420–21). The legal framework for handling a pandemic was therefore generally something that was produced as the pandemic developed and not something that was in place already.

As the ELCD constitutes a public institution, the lockdown of public institutions in March 2020 directly restricted a major part of religious life in Denmark. The personnel of the ELCD are employed by the state, and as such they were asked to work from home when the churches were closed to the public. In a video recorded by the Minister of Ecclesiastical Affairs on 12 March, the minority religion groups were requested to do the same. To a very large extent, religious majorities and

minorities followed suit. The formal legislation that would require the religious minorities to close the religious buildings to the public was only in place from 5 April 2020, meaning that, until then, the groups adhered to the request voluntarily (Kühle and Larsen 2021; Larsen, Mauritsen, Kühle, et al. 2020). In the late spring and summer of 2020, society was slowly reopening and from 18 May it was again possible to gather in religious buildings (Larsen, Mauritsen, Sothilingam, et al. 2021). When Danish society closed again in the winter of 2020/21, both minority and majority religions were under the same restrictions. The level of interreligious cooperation was low and no formal body was constituted; in fact, when a church and a mosque during the lockdown agreed to come together in a joint ringing of the bells and call for prayer, extensive public critique was raised.

Regarding the regulation of religious life, Article 6 of the Epidemic Act and Article 12B of the revised Epidemic Act (LBK no 1444 of 01/10/2020) restricted gatherings (funerals and burials being exempt from the regulation) to a maximum of ten participants and prohibited and restricted access to premises to which there is general public access. These restrictions were mentioned by the prime minister when she announced the lockdown on 11 March. The legislation ensuring this came into effect on 18 March 2020, stating that all public cultural, church (in effect the majority ELCD), and leisure institutions had to keep their premises closed to the public (BEK no 224 of 17/03/2020) and respect the norms for social gatherings (BEK no 539 of 26/03/2021). With effect from 5 April, the buildings of the minority religions were also formally closed to the public (BEK no 370 of 04/04/2020). Funerals, burials, marriage ceremonies, baptisms, and other religious acts were exempt from the regulation, but it was still a suspension of Article 67 of the Danish Constitution, which protects freedom to practise one's religion if it is not 'contrary to good morals or public order'. The initial temporary shutdown of religious buildings *de facto* closed all collective religious activities in Denmark. It has been argued, though, that as the lockdown was not aimed at religion specifically and was for a higher purpose, i.e. to contain dissemination, the restrictions on collective religious life were within the scope of Article 67 (Klinge et al. 2020, 137). In relation to this and in the light of general global discussions on the effect of pandemic lockdowns on freedom of religion, the most striking aspect is probably that religion was not given any specific consideration at all: 'As regards the above-mentioned restrictions on

the freedom of assembly, the preparatory works state nothing on how the freedom of religion was affected by those restrictions' (Fallentin Nyborg et al. 2020, 1110).

The closure of the majority church and the buildings of minority religions was in force until 18 May 2020, when a specific relaxation of the restrictions on assemblies allowed religious buildings to reopen under certain conditions (BEK no 630 of 17/05/2020). This was revised twice again (BEK no 687 of 27/05/2020; BEK no 795 of 08/06/2020). The Ministry of Ecclesiastical Affairs published the detailed regulation on 17 May and in a revised version on 9 June (Kirkemisteriet 2020a) and 20 August 2020 (Kirkemisteriet 2020b). In the winter of 2020/21, when the pandemic re-emerged, restrictions were applied again, but the Ministry of Ecclesiastical Affairs now simply adjusted the regulations whenever needed – for instance 7 January 2021 (Kirkemisteriet 2020/2021a), 21 April 2021 (Kirkemisteriet 2020/21b), and 2 July 2021 (Kirkemisteriet 2020/21c). The regulations were very complicated and distinguished for instance between services with and without song, indoor and outdoor services, and whether participants were sitting or standing, as well as whether participants were wearing face masks and had coronavirus passports (Kirkemisteriet 2021). By 1 February 2022, all regulations were removed as COVID-19 was reclassified as no longer being an illness of special concern.

The impact of the pandemic on the regulation of religion in Denmark was significant. First, it is worth noticing that the pandemic preparedness systems in place did not mention religion (Sundhedsstyrelsen 2013), so there does not seem to have been any plan or legislation in place to regulate religious life in the event of a pandemic. When the pandemic developed, the Ministry of Ecclesiastical Affairs produced a highly bureaucratic system of regulation, which included both minority and majority religions. These regulations mainly concerned access to religious buildings, which with the bureaucratic regulations came to concern the number of participants allowed at specific types of arrangements. Another area that was highly regulated was funerals. Initially the strict rules for gatherings did not apply to funerals, but indoor funerals would have to apply to rules about distancing (BEK no 370 of 04/04/2020).

When the reopening began on 18 May 2020, the first round of regulation from the Ministry of Ecclesiastical Affairs retained this understanding but the regulations from 20 August 2020 contained

a reduction of participants at outdoor funerals at 200, and the regulations from 7 January 2021 a limit of 50. The reduction of the number of participants at outdoor funerals changed the balance of which area was the most restrictive – indoors or outdoors. The fact that there were now formally more restrictions on outdoor funerals could be seen as a reaction to the public debates on Muslim funerals as conforming to the majority conception of funerals in the majority church as indoor. The regulation of funerals led to many frustrations within the majority church as the employees found the regulations to be unclear and more specifically led to many concerns for the pastors since they simultaneously had to act as civil servants while also providing pastoral care (Videnscenter 2020, 127). An area that seems to have been little regulated is chaplaincies, where there was little discussion on the rights of ministers of religion to visit patients. The ELCD's online pastoral care site Sjælesorg.nu announced that it had received a growing number of requests (Ritzau 2021). This could mean a growth in the need to receive pastoral care but it seems more likely that this was yet another example of religion moving online. The long-term effects of religion moving online are still to be seen, but the short-term experiences suggest that religion cannot 'just' move online without fuelling processes of transformation. Most religious groups were – on that note – happy to return to being mainly centred around the physical presence. The main changes regarding organised religion may therefore readily be in relation to how the different actors conceive of the regulation of the religious landscape: the ELCD encountered that the price of being close to the state may have been higher than expected, while minorities, primarily the Muslim community, experienced how crisis situations often do not foster tolerance and inclusion. Paradoxically, the legal treatment of religious minorities during the pandemic did not follow the strict division between minority and majority religion that normally prevails in Denmark; minority and majority religious groups were treated almost equally. It is in this regard that the pandemic may be said to have produced changes to religion–state relations in Denmark.

Sociological Aspects

When the first case of COVID-19 in Denmark was reported, on 27 February, the initial reaction from the health authorities was that COVID-19 would probably be of little importance for Denmark.

The evaluation soon changed, and Denmark went into an extensive lockdown from 11 March. The lockdown meant the closing of public buildings, closed borders, and general policies for social distancing including restrictions for gatherings (a limit of ten individuals from 18 March) and the closure of all non-essential shops and services. The Danish narrative of the pandemic has focused extensively on questions of trust, social capital, and societal cohesion, with religion playing a very small part in that story. The prominent HOPE project, which followed the overall development in the reactions to the pandemic among the population via weekly surveys, did not include any questions relating to religion. The consequences of the pandemic for the role of religion generally and for the majority church was studied by the Education and Research Center of the ELCD (Videnscenter 2020). The Pew Research Institute also studied how government restrictions and COVID-19 affected faith among Danes, as well as their assessment of government handling of the pandemic (Devlin and Connaughton 2020; Majumdar 2022; Pew Research Center 2021). In addition, a quasi-representative panel survey funded by the private foundation Velux followed changes in religious beliefs and activities of the population as well as the opinions regarding the lockdown (Andersen et al. 2021; Mauritsen 2021). There were also several qualitative studies of religion, media, and change, and the research on COVID-19 and religion has all in all been quite comprehensive.

Collective Religious Life

The overall result from these various studies is that collective religious life was massively affected during the pandemic. During the first lockdown, Denmark had one of the most restrictive regimes regarding religion (De La Ferriere 2020) and consequently there was very little collective religious life during the spring of 2020 in Denmark. Even if legislation allowed for baptisms, weddings, and funerals, most people postponed weddings and baptisms and limited their participation in funerals. Some of the baptisms were moved to the summer period after the reopening of the majority ELCD, and confirmations were collectively postponed until after the reopening and therefore show the most marked decline in church activities (Videnscenter 2020). There was also disruption regarding participation in major religious holidays like Easter and Christmas, but also Ramadan and Eid, Pesach, Vaisakhi,

and Vesak (Larsen, Mauritsen, Kühle, et al. 2020). While both majority and minority religious groups experienced interruptions in terms of celebrating holidays, there was a marked difference in how the groups generally responded to the restrictions laid upon them. It can generally be argued that religious groups overall complied to restrictions to a very high degree; however, several of the minority groups expressed deep concerns related to the possible negative public perception of them. This was confirmed by different instances; for example, as earlier mentioned, when a mosque and a church decided to perform a common act of church bell ringing and public call to prayer to symbolise solidarity. This message was not apprehended in public debates and resulted in politicians discussing whether to entirely outlaw the access of Muslims to perform public call to prayer (Kühle 2021). Such cases made it clear that in Denmark the majority church ‘enjoys larger acceptance and less negative media coverage than religious minorities’ (Kühle and Larsen 2021, 15). This apprehension resulted in some minority groups – especially Muslim and Hindu groups – going beyond the restrictions and taking on the responsibility of conveying the restrictions in multiple languages, actively supporting these restrictions in their communication and sometimes adding even further precautions when meeting for religious practices such as cleaning extensively more than ordered and demanding that visitors should wear masks, even before this was commanded by authorities (Larsen, Mauritsen, Sothilingam, et al. 2021).

Overall, collective religious life in Denmark was therefore highly impacted by the pandemic and its accompanying restrictions. However, new digital approaches and tools were also developed and utilised by most of the religious groups to maintain some sense of community and communication and to continue performing rituals to some degree.

The Digital Turn

Since collective practices were so limited during the different phases of the pandemic, many religious groups turned to digital tools to support their collective religious life. However, there were differences in how different groups approached the digital. Many priests in the ELCD were quick to adapt to the digital and quickly filmed small services and prayers that were streamed on Facebook or the church’s website. In some churches, this digital practice became extensively advanced,

with full online Sunday services, while others were more hesitant with incorporating digital practices to that degree, sometimes with reference to discussions of whether for instance online communions could be theologically legitimised (Holm, Rønkilde, and Thorsen 2022; Kühle and Larsen 2021). Minority groups also integrated digital communication; several Muslim groups streamed Friday prayer online; Buddhist groups carried out meditation retreats online; and minority Christian groups also implemented online services (Larsen, Mauritsen, Sothilingam, et al. 2021). For many, the online solution was practical, but it lacked something. With regard to a group of Muslim women, it has been argued that:

The flavour of being physically together was lost during coronavirus. Hence, it appears that digital infrastructure is endowed with an ambivalence between, on the one hand, an immediate nearness that enables users to integrate participation easily into daily practicalities and makes home a territory of religious activity and community-building, and, on the other, a physical distancing that impairs religious and emotional connections. (Lyngsøe 2022, 197)

The turn to the digital could enable religious practices to some degree and substantially changed how the religious groups upheld community. However, if we turn to analyses of religiosity at the individual level, religiosity remained remarkably stable over the course of the pandemic.

Trends in Religiosity during the Pandemic

Unlike what has been the case in some other countries, the pandemic did not seem to increase Danes' religiosity (Christensen, Kühle, and Jacobsen 2021; Mauritsen 2021; Mauritsen, Bendixen, and Christensen 2022; Pew Research Center 2021; Poulsen et al. 2021) and few people mentioned religion when asked what they had missed mostly during the 2020 lockdown (Christensen, Kühle, and Jacobsen 2021). As earlier mentioned, Denmark is often described as a highly secular country, although most of the population are members of the ELCD, and, if we look simply at individual-level religiosity during the pandemic, this could be empirically supported. It has often been argued that crises increase levels of religiosity, since religion offers community and coping strategies. In Denmark, this does not, however, hold true;

analysis of four waves of longitudinal data shows that on average self-reported religiosity did not increase during the pandemic¹ (Mauritsen, Bendixen, and Christensen 2022). This could have multiple explanations. One possible explanation is that Denmark's welfare state handled the pandemic well, leaving no need for religious coping, another that the majority of Danes perceived religion and especially Christianity as a cultural and national marker rather than a source of comfort (ibid.). Nevertheless, the levels of self-reported religiosity remained low, which could be interpreted in favour of an understanding of Denmark as a secular country. We will return to this point and contextualise it with the other analyses of religion in Denmark during the pandemic in the conclusion.

Controversy Regarding Lockdowns

Finally, despite the enormous impact of the lockdown in the spring of 2020 on religious life and public life more generally, there was initially very little debate on the restrictive policies and the restrictions imposed were generally accepted. In the fall of 2020, concerns were raised regarding the spread of virus through farmed mink and, in November 2020, Danish authorities ordered a stop to the mink industry and all minks killed to prevent the mink-related virus variant from spreading.² It soon became clear that the government, after having received much praise for its initial handling of the pandemic in this case, had reacted too hastily and without legal backing. The debates and critique therefore became increasingly critical and both the opposition, which had previously supported the actions of the social democratic government, and the media took a more critical stance towards prime minister Mette Frederiksen. Different groups, 'Men in Black', 'Free Observer', and 'Danmark Vågner' (Denmark Is Awakening) became active on Facebook and one organisation, 'Men in Black', arranged several demonstrations and in one instance burned a puppet of the Danish prime minister with a sign stating 'She must and shall die' on a sign attached to it. Discussions of conspiracy theories increased, and ideas aligned with conspiracy theories like QAnon prospered (Jacobsen, Kühle, and Christensen 2021). There was also criticism and actions coming from spiritual milieus in Denmark, who saw the handling of the pandemic by the prime minister not only as a sign of a democratic crisis but also as a spiritual predicament (Lehrmann 2020). The Danish National

Center for the Prevention of Radicalisation also found that Danish Salafi organisations were very active recruiting under the COVID-19 lockdown, and, while they would not encourage going against the Danish authorities' instructions, they would criticise that the COVID-19 recommendations were without foundations in Islam and Sharia law (Ekstremisme 2020). All these groups were, however, quite small.

Religion was not a major topic of discussion generally during the COVID-19 in Denmark (Andersen et al. 2021) but there were some debates, which can broadly be divided into three overall themes or aspects. First, the media attention was almost entirely related to stories about the spread of the virus by religious communities and activities abroad (Borup 2020; Fibiger 2020). Global religions were generally portrayed as sources rather than solutions to the calamities of the pandemic and in some cases amounted to scapegoating (Fibiger 2020). Second, debates turned to the behaviour of the Muslim minority in Denmark (Jacobsen, Kühle, and Christensen 2021; Kühle 2021). The mosques as religions in Denmark in general abided by the instructions given by Danish authorities. The virus was at times spreading more in areas with a largely Muslim population. This – combined with the extensive attendance to the funerals of Yahya Hassan, a famous poet with an Arab background and Abukar Ali, a gang member with a Somali background in the summer of 2020 – fuelled public debates over whether a certain ethnic, cultural, or religious group was responsible for spreading the disease (Westengaard 2020). Denmark was – along with Montenegro and Spain – coded by Pew as the only European country in which 'any level of government (including public officials) attributed or linked the spread of COVID-19 to certain religious groups or events' (Majumdar 2022, 19). Denmark was, however, not – according to Pew – among the 17 European countries where individuals or groups were seen to do so (Majumdar 2022, 103).

Finally, while the closing of the churches for Easter had led to only minor debates, the restrictions on participating in religious gatherings around Christmastime led to increasingly heated discussions. The main issue was that the Ministry of Ecclesiastical Affairs was very slow to publicise the instructions and, when the restrictions were made public, many pastors and parish councils found that they did not have enough time to prepare; many services were cancelled. The state handling of the Christmas lockdown led to reflections of whether the state was considerate enough and whether it included the majority church

sufficiently as an actor in decision-making processes (Videnscenter 2020). In this way, the pandemic accentuated that the close relations of the ELCD vis-à-vis the state do not always translate into a position of privilege: it might be more beneficial for the church if more distance were kept.

The relation between majority as well as minority religious groups and the Danish state during the COVID-19 pandemic can conclusively be described as collaboration and perhaps even compliance. Religious groups facilitated the adherence to public health measures to prevent the spread of the virus by applying the regulations often eagerly and (for some) sharing information on social media (Larsen, Mauritsen, Kühle, et al. 2021). Though the initial situation and the resources of majority and minority religion were quite different, the patterns of reactions among minority and majority religion were not that different and the pandemic did in that way show that despite differences both majority and minority religion face many of the same difficulties.

Conclusion

In 2023, Danish society had long returned to the pre-pandemic condition. The overall changes produced by the pandemic have not been as profound as some prophesied and, regarding both religious vitality and online presence, the changes seem modest.

Summarising, both the ELCD and religious minority groups adhered to the restrictions imposed on them by the Danish state, but minority groups generally experienced more negative attention related to their practices, although they often did more than required to live up to the restrictions. This points to the clear differences in terms of position between the ELCD and other religious groups. This argument can be further supported by the fact that most of the guidelines brought forward by the government in terms of regulating religion were clearly formulated on the basis of an understanding of religion as that practised in the ELCD rather than a more diverse understanding of religion. However, both the ELCD and the minority religious groups were indeed heavily affected and restricted during the lockdowns, which points to how religion does not enjoy special privilege in Denmark in times of crises. Therefore, as the title of this chapter suggests, we conclusively argue that during the pandemic community spirit was in fact prioritised more than freedom of religion in Denmark.

Notes

- 1 'Self-reported religiosity' is defined as how important the respondents perceived religion to be. See Mauritsen, Bendixen, and Christensen 2022 for further information.
- 2 <https://www.nationalgeographic.com/animals/article/what-the-mink-coronavirus-pandemic-has-taught-us>.

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CHAPTER 14

The Impact of the COVID-19 Pandemic on Religious Communities in Finland

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Abstract

The COVID-19 pandemic reached Finland at the beginning of 2020. During the pandemic the Finnish government restricted citizens' basic constitutional rights in a manner that was entirely exceptional for the post-war years. This chapter focuses on how the various measures to curb the pandemic affected religious communities and religious life in Finland. The Finnish situation was made more complex by the special relationship between the state and the two national churches, which operate under public law but are nevertheless administratively independent of the state. The various legal exemptions for religious life from state regulation meant government restrictions on public gatherings and businesses did not apply to worship and other religious gatherings. Nevertheless, the majority churches and other religious communities adhered closely to the state regulations on their own initiative. The lack of government restrictions therefore did not mean the pandemic had no effect on religious life. The article describes how the religious communities adjusted their activities in some rather drastic ways during the shutdown periods.

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Introduction

The COVID-19 pandemic reached Finland at the beginning of 2020. In March the situation was deemed so serious that the Emergency Powers Act (1552/2011) was enforced. Finland was declared to be in a state of emergency twice during the pandemic: during the first wave, from 16 March to 15 June 2020, and the third wave, from 1 March to 27 April 2021.¹ In addition, several measures decreed in the Communicable Diseases Act (1227/2016) were also deployed throughout the pandemic. This meant the Finnish government restricted the basic constitutional rights of citizens in a manner that was entirely exceptional during peacetime, and especially since the 1993 constitutional reform of those rights in Finland.

During the first shutdown, in spring 2020, all schools (except for early education) and most government-run public facilities were closed, at most ten people were allowed to participate in public meetings, and people over 70 were advised to avoid all human contact if possible. In addition, outsiders were forbidden to enter hospitals and health care facilities, and plans to restrict movement across national borders were initiated. On 27 March, the borders of the region of Uusimaa were even temporarily closed until 15 April to all but work-related and other necessary traffic to avoid the spread of the virus. Several hundred police officers and the Finnish Defence Forces were deployed to guard the borders of Uusimaa to avoid the spread of the virus elsewhere. Restaurants were closed until 1 June, after which eating at restaurants and arranging sporting events were allowed with special arrangements, and the maximum attendance at public meetings was raised to 50. On 13 August, the Finnish Institute for Health and Welfare issued a recommendation that face masks be used in situations where contact was unavoidable. The use of masks was not enforced, however, and there were no sanctions for those who did not comply.

During the second shutdown the measures were less stringent, and they varied more between regions. The regional state administrative agencies (AVI) were responsible for deliberating the measures according to the regional situation.

The Finnish government approved its vaccination strategy in December 2020. It prioritised various risk groups and health and social care personnel but aimed at universal vaccinations. The vaccinations were organised by municipalities and offered free of charge.

The high vaccine coverage in Finland efficiently curbed serious cases, enabled the opening of the society, and kept the death rate relatively low (Tiirinki et al. 2022).

This chapter focuses on how the pandemic affected religious communities and religious life in Finland. The question addressed is how church–state relations influenced how religious communities were treated by the government and how religious activities were regulated in religious communities. Several scholars have suggested that there is a special ‘Nordic pattern’ of church–state relations that has had a deep influence on how religion is treated in legislation (see e.g. Christoffersen 2022; Ferrari 2010; Kühle et al. 2018). The pandemic provided us with an interesting ‘naturalistic experiment’ to test this claim. Were there special features, perhaps stemming from the long history of close relations between church and state, that influenced how the government treated religious communities and how religious activities were regulated during the state of emergency? To start this enquiry, it is first necessary to review the state’s legal and administrative relations with religious communities and the country’s basic demographic profile in terms of religious affiliation. Having set the structural context, the legal and sociological aspects of the situation will be examined in more depth.

Setting the Context

The legal scholar and church–state relations specialist Silvio Ferrari (2010, 2012) has identified three different European patterns of relations between states and religions. The first is based on the idea that traditional religions can still play a central role in the creation of national cohesion, providing a set of values and ideals that accompany full citizenship. This pattern is evident in some Catholic- and Orthodox-majority countries. The second, typified by the French concept of *laïcité*, is based on the opposite idea that common citizenship is built around a set of secular principles and values. The third is based on the idea of a multicultural or multireligious society in which social cohesion is founded on the multiple cultural, ethnic, and religious communities that live within the state, which limits itself to providing the legal framework for their peaceful coexistence.

Ferrari (2010) recognises that the ‘Nordic pattern’ does not fit neatly into any of these ideal types. Until recently, all the Nordic countries

had Lutheran state churches. However, since the last decades of the 20th century this system has undergone a significant transformation, characterised by the growing administrative autonomy of the majority churches in all the Nordic countries except Denmark (Kühle et al. 2018, 87–90). Ferrari considers the restructuring of church–state relations to be quite advanced, even if the Lutheran majority churches are still mentioned in all the Nordic constitutions. It is important to recognise that the process has not been driven by conflict or an overtly secularist agenda but largely by mutual interests resulting in both increased autonomy for the churches and the preservation of their special legal status. As Ferrari writes, ‘[t]he core of the Nordic countries experiment is the attempt to give up the special relationship of the Church with the State without giving up its special relationship with the Nation’ (2010, 34).

In Finland, the most important legal structures affecting the state’s relationship with religion are the reformed constitution (HE731/1999), which came into force in 2000, and the new Act on the Freedom of Religion (453/2003), which came into force in 2003. Section 11 of the constitution guarantees the freedom of religion, and section 76 guarantees the status of the majority church, the Evangelical Lutheran Church of Finland (ELCF) under public law. At the end of 2023, 3.6 million people in Finland belonged to the ELCF, 63.6 per cent of the total population of 5.6 million.

However, Finland also has another church governed by public law, namely the Finnish Orthodox Church (FOC), although its status is not guaranteed in the constitution. Both the ELCF and the FOC are often called ‘folk churches’ because of their special legal status, numerical significance, and special roles in Finnish society and history. The presence of two religious communities with special official status in a single nation state is internationally unique. In 2023 the FOC accounted for only 1% of the population, or about 53,000 people.

The Church Act (1054/1993)² and the Act on the Orthodox Church (985/2006) were passed by the parliament and are both therefore part of the public law. Despite their legal status, the national churches still have considerable internal autonomy. For example, the constitution provides that the ELCF’s own legislative organ, the synod, has the sole power to make initiatives on the content and enactment of the Church Act. Parliament can only accept or reject a proposal made by the synod.

This means the state's legislative authority as enshrined by the Church Act is very restricted in Finland.

The third legal category of religious organisations consists of registered religious communities, whose purpose and forms of action are specified in section 7 of the Act on the Freedom of Religion (453/2003):

The purpose of a registered religious community is to organize and support individual, communal and public activities relating to the profession and practice of religion that are based on a creed, religious texts regarded as sacred, or another specified and established basis for activities regarded as sacred.

Registered religious communities must also meet the formal requirements of the Associations Act (503/1989). The registration system is maintained by the National Patent and Registration Board under the Ministry of Education and Culture. A minimum of 20 persons over 18 years of age are required for the founding of a registered religious community, and the applications are screened by an Expert Board of the Ministry of Education and Culture. However, it is noteworthy that the law does not make registration mandatory for the organisation of religious activities. Associations with a religious purpose and aims can also be organised under the Associations Act (503/1989) or without acquiring the organisational status of a legal person at all.

The number of registered religious communities in Finland has grown steadily throughout the 21st century. Excluding members of the ELCF and the FOC, around 100,000 people, or 1.8 per cent of Finns, belonged to a registered religious community in 2023. The largest registered religious communities at the end of 2023 were the Jehovah's Witnesses (16,000, 0.3 per cent), the Catholic Church in Finland (16,000, 0.3 per cent), the Evangelical Free Church of Finland (14,000, 0.3 per cent), and the Pentecostal Church of Finland (13,000, 0.2 per cent) (Statistics Finland 2024).

There has been a small community of Tatar Muslims in Finland since the 19th century, but immigration since the 1990s has markedly increased both the numbers and the diversity of the Muslim population in Finland (Martikainen 2020). Muslims in Finland are organised in more than 50 different registered Islamic communities, which reflects their ethnic and linguistic plurality. The total membership of the Islamic communities was about 24,000 (0.4 per cent) in 2023. However, the majority of immigrants from Muslim-majority countries

do not formally belong to any Islamic community. According to some estimates there are therefore about 130,000 Muslims in Finland (2.3 per cent of the population) (Pauha and Martikainen 2022). Similarly, most Pentecostals do not formally belong to the Pentecostal Church, and it has been estimated that their total number is about 45,000 (0.8 per cent).

About 1.9 million Finns, or 34 per cent of the population, were not members of any religious community in 2023. The figure has been steadily rising in the 21st century. The increasing share of the non-affiliated population is mainly due to people leaving the ELCF, but also to some extent to immigration.

Growing religious diversity has also led to increased interreligious cooperation. While Christian ecumenical organisations have a long history in Finland, interreligious organisations have only emerged in the 2000s. The National Forum for Cooperation of Religions in Finland (CORE Forum) was formally established in 2011. During the pandemic the CORE Forum brought together Christians of many denominations, Muslim organisations, Jews, Buddhists, and the Latter-day Saints.³ The CORE Forum's mission is to foster peace in society by promoting interfaith dialogue, cooperation, and mutual respect. It also cooperates with the public authorities, acts as an expert in religious matters, organises various events, and participates in social dialogue. The CORE Forum has issued several public statements on social issues bearing on religious matters.

Legal Aspects

The most important law during the pandemic was the Communicable Diseases Act (1227/2016). This specifies the measures to be taken when a pandemic threatens the whole of society. However, the powers specified by the law were often deemed inadequate, and the Act was changed at least ten times during the pandemic (Junni 2021, 367). Many of the changes concerned temporary powers to restrict passenger transport and bar and restaurant customer services, but from the beginning there also arose discussion in the parliament about whether religious events were to be included in the proposed restrictions or not.

The original proposal by the government excluded religious events from the restrictions (HE 11.9.2020). In October 2020 the Regional

State Administrative Agency (AVI) also announced that the restrictions on public gatherings did not apply to religious services:

Restrictions on gatherings imposed by the Regional State Administrative Agency shall not apply to worship services and other similar services organized by religious communities which are part of the normal religious activities of the communities, and which are held for the purpose of public practice of religion on the community's own premises or equivalent. In addition to services, these include fairs, vespers, and religious processions. The Regional State Administrative Agency has no legal authority to restrict such opportunities. (quoted by Taira 2020)

This decision was based on the Assembly Act (530/1999), in which the scope of application (section 2) states: 'This Act does not apply to official events arranged by public corporations, nor to the characteristic events of religious communities where these are arranged for the purpose of public worship in the community's own premises or in a comparable place.'

The amendments to the Communicable Diseases Act that were finally accepted during the pandemic (HE 245/2020) ruled out the possibility of restricting the organisation of religious events, such as worship services. The municipalities or the AVI would not have the right to order the space used for religious practice to be closed. The amendments did, however, include obligations for religious communities to enable necessary distancing and hand sanitation facilities during the religious events.

There were a few isolated instances that provoked some discussion regarding the restrictions in relation to freedom of religion. For example, in one Pentecostal-charismatic community in Jyväskylä 50 people were infected, and about 700 were exposed to the virus and held in quarantine after a religious service in September 2020 (Yle 2020). On the other hand, there was also a case in which the police broke up an open-air Sunday service held by a Baptist community in April 2021, despite the fact that the restrictions did not apply to religious gatherings (Kotimaa 2021). Overall, the public discussion on the issues of religious freedom during the pandemic was rather limited and the issue was brought up mainly by religious organisations (Finnish Ecumenical Council 2020), Freethinkers (Vapaa-ajattelijain liitto n.d.), and some academics (Taira 2020). There are no prominent cases of

disputes relating to breaches of religious freedom due to restrictions under the pandemic that were brought to a court of law.

It was of crucial importance that the instructions given by the AVI required the religious communities to issue their own instructions and guidelines concerning religious services and other events during the pandemic. The National Church Council of the ELCF had already issued general instructions on 2 and 12 March 2020 for preparing for the pandemic in parish activities. According to the Church Act (1054/1993) of the ELCF it was the responsibility of each diocesan chapter, at the direction of the bishop, to instruct its parishes concerning religious events during the state of emergency. For example, the bishops' instructions concerning church services were issued on 16 March, arrangements for funerals on 18 March, and religious activities outside the state of emergency on 5 and 19 May and 1 June 2020 (Bishops' Council 2020a, 2020b, 2020c, 2020d). The National Church Council of the ELCF issued numerous more specific instructions for various areas of church work (e.g. Hirsto et al. 2020).

Other churches also curbed the participation in church services in similar ways. The church administration of the FOC instructed its parishes to continue services but to limit them to ten participants. Other parish activities were completely closed during the shutdown. From 1 June, services held outside were allowed, while participation continued to be limited to ten inside church buildings (Ahonen et al. n.d., 1). The Catholic Church in Finland made the participation in Mass voluntary and also urged people to participate in online services (Yle 2021a). The Pentecostal Church in Finland urged its congregations to follow government restrictions to curb the pandemic, even if they did not formally apply to religious events (Suomen helluntaikirkko 2020).

The Finnish legislation on funerals is a good example of how church and state are intertwined in their operations due to the shared cultural heritage of Lutheranism. Finnish Funeral Services Act (457/2003) decrees that maintaining public cemeteries is a statutory task of the ELCF. Thus, everyone, regardless of their faith or church membership, may be buried in cemeteries maintained by the church. The Funeral Services Act further requires the ELCF parishes to designate special, non-confessional areas in cemeteries where non-members may be buried upon request. Cemeteries can also be maintained by the FOC, local authorities, and, when authorised, other organisations and foundations. For instance, the Freethinkers' local organisations maintain

cemeteries in about ten municipalities. Nevertheless, the vast majority of graveyards are maintained by the ELCF, and around 90 per cent of Finns are still buried by the church.

Thus, the excess number of deaths incurred by the pandemic fell largely upon the ELCF to handle. The bishops' instructions on burials on March 2020 decreed that participants in burials were limited to ten but that the limit could be exceeded for special pastoral reasons. It was also recommended that the blessings to the grave be conducted at the grave site rather than indoors. When the state of emergency was lifted, the number of participants was raised to 50, again in line with the government's rulings.

In summary, it is noteworthy that the ELCF, FOC and most minority religious communities followed rather closely the rulings and recommendations made by the government concerning restrictions on public events, and the like, despite their administrative autonomy vis-à-vis the state in handling the pandemic. Nevertheless, their independent status enabled them to adjust the norms based on their own special considerations, as in the case of funerals. As one could imagine, the ten-person rule in funerals could have been cruel on occasion if it had been followed to the letter. It is not without significance that religious communities were given so much responsibility to devise their own rules. If there were any misgivings among members, the primary target for criticism was their community's own leadership, and not the government.

Sociological Aspects

The emergency conditions increased the cooperation between the public authorities and the churches in numerous ways. For instance, the national broadcasting company Yle increased the frequency of televised church services soon after the exceptional circumstances caused by the pandemic began. Previously, church services were shown on television on public holidays and irregularly on Sundays, about 35 services per year. During 2020 and 2021, the worship services were shown on every Sunday in addition to public holidays. The popularity of TV services was exceptionally high during the pandemic: in 2020 they had an average of 192,100 viewers, the highest number in eight years (Yle 2021b).

The government's instructions in early 2020 for people over 70 to stay at home in quarantine-like conditions was a strain on public health care. The officials in Helsinki, for instance, soon announced that they did not have adequate resources to deal with the situation, and even the mayor of Helsinki urged people to invent something new in response to the exceptional circumstances. In response, the City of Helsinki and ELCF parishes organised together a service called Helsinki Aid (Helsinki-apu) for people over 70 years old. The service was put up quickly and it started about a week after the state of emergency was declared in March 2020. Other large organisations and companies joined the operation, as well as hundreds of ordinary citizens as volunteers. By the end of August 67,902 phone calls had been made, 3,662 food bags and 2,535 acute aid bags for the poverty-stricken had been delivered, and there had been 342 medicine transports. In addition, about 700 separate chat help calls were made, organised by the ELCF in collaboration with mental health workers and minority religions (Mäenpää and Grönlund 2021).

In August 2020, the Ministry of Education and Culture gave a special grant of €4.5 million to the ELCF and FOC to support parishes in their diaconal work and their ability to help people to recover from the pandemic. The ELCF's share of the special grant was €4.43 million. This was distributed to parishes according to the population of the municipalities. A total of 264 parishes received grants and together these covered all regions of Finland (Gävert and Saarela 2021).

In December 2021, the Ministry of Social Affairs and Health, which was responsible for the national coronavirus strategy, made a request that diaconal workers and parish facilities could be available to help public health care because of the rapidly spreading omicron variant. The ELCF responded positively to this request. There are approximately 600 health care professionals working in the parish diaconal work. According to a subsequent survey, approximately 5 per cent of diaconal workers had been involved in helping health care in, for example, in coronavirus tracking, vaccination, or customer guidance during the pandemic (Kalanti 2022, 34).

The pandemic, especially during the shutdowns in the state of emergency, also affected religious life in religious communities. The severe restrictions on public gatherings, although administered by the religious organisations themselves (see above in Legal Aspects),

affected church services, life cycle rites, youth work, and diaconal work very significantly.

The general principle of the ELCF bishops' instructions concerning church services was that services were to be held but without the physical presence of the parishioners and with no more than ten people present (Bishops' Council 2020a). The situation during the first shutdown was especially acute for the Christian churches because it fell during Easter, when the Eucharist is especially important. The bishops of the ELCF had agreed that the holy communion could be celebrated during Easter. However, only a maximum of ten people could be present: one pastor, along with parish employees, and parishioners taking service duties. The instructions allowed each parish to exercise discretion. It was possible, but not mandatory, to celebrate the Eucharist during the state of emergency. In a survey of the vicars of the ELCF, three-fifths (60 per cent) of the respondents reported that there was no communion at all in their parishes, even during the Easter services in 2020 (Kallatsa and Mikkola 2020).

During the state of emergency, church services in the ELCF were thus conducted mostly without communion and behind closed doors, without the physical presence of parishioners. The situation gave a strong boost to the 'digital turn' in Finnish church life. Although about a third of parishes had provided streamed church and other internet services since 2016, the shutdown resulted in a veritable digital leap in ELCF parishes. During Easter 2020 almost all the parishes provided access to their services through the web by streaming (Kallatsa and Mikkola 2020, 11). The popularity of radio and televised services also increased markedly during the initial weeks of the shutdown (Yle 2021b). Digitally mediated church services generated discussion within the ELCF on the theological possibility of 'distant communion', that is, a communion service in which the participants' presence was mediated digitally, and in which they administered the sacramental elements themselves in their own locations (see Mikkola 2020). In their instructions to their dioceses, the bishops explicitly prohibited distant communions. However, only a few gave a detailed justification for the ban based on the Lutheran confession (Mikkola and Kallatsa 2021, 330–31). According to a study conducted among the vicars of the ELCF and a small sample of church members, about three-quarters of vicars viewed the possibility of distant communion negatively, and only one in ten positively. However, among church members almost a

third viewed the possibility positively. In both samples, women were more positive than men about distant communion (Mikkola and Kallatsa 2021, 334).

According to a representative survey among Finns during April–May 2020, 14 per cent reported following streamed church services. The same study indicated that about half of Finns considered it important that people could participate in church services in web-mediated ways during the pandemic (Salomäki 2020, 11–12). Statistics also indicate that far more people than normal participated in church services through the streamed services (Kirkon tutkimuskeskus 2021). However, the experiences of the parishioners of both the ELCF and the FOC were mixed. Some felt their spiritual connection with the church was enhanced by the new technologically mediated services. However, many also felt that distant web-mediated services were alienating and hollow (Metso et al. 2021).

Although some international studies have indicated that more people than usual were seeking solace from religion during the pandemic by turning to prayer (Bentzen 2021), this does not seem to have taken place in Finland. The Church Research Institute of the Evangelical Lutheran Church commissioned a representative survey of the Finnish population during the initial lockdown in April 2020. The survey included a question concerning the frequency of prayer, and, when comparing the results of this survey to a similar one only five months previously, one can detect no significant differences in prayer activity (Figure 14.1). In the survey conducted in November 2019 the share of those praying at least a few times a month was 35 per cent; in the beginning of April 2020, the share was 33 per cent. The only age group where frequency of prayer seems to have slightly increased was the 50–59-year-olds. In all the other age groups, the frequencies are slightly lower.

The ELCF parishes spend about €6.6 million annually in funding financial aid in diaconal work. During 2020 the total sum used for financial aid was increased to €8.4 million, a 27 per cent increase on 2019 (Gävert 2021, 114). Diaconal work was increasingly directed at individual encounters, which increased by 34 per cent in 2020 compared to 2019. The most important form of aid was food relief in the form of food bags distributed by diaconal workers. The figure for such aid doubled in 2020 compared to 2019. The largest single group seeking the church's aid was single people of working age. Food relief

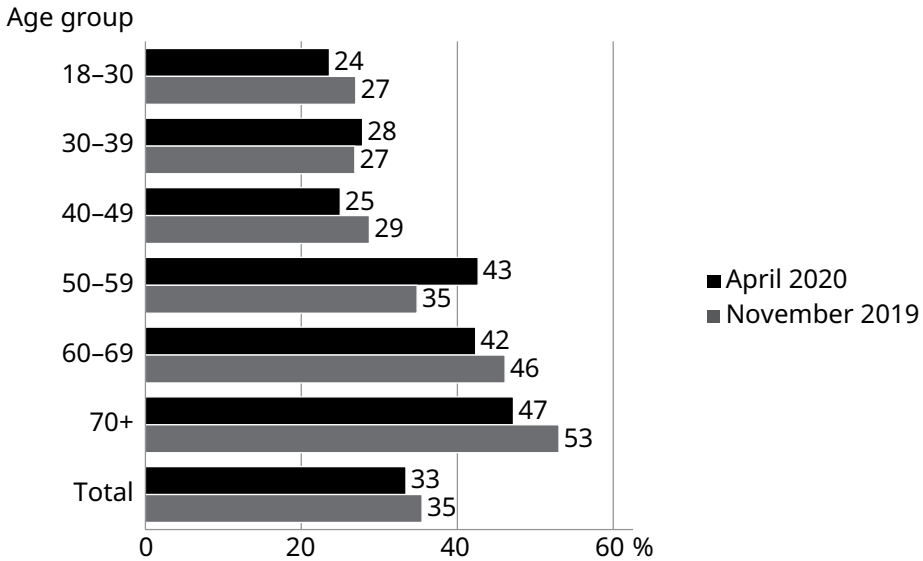


Figure 14.1: The shares of Finns by age group praying at least a few times a month in November 2019 and April 2020. Gallup Ecclesiastica 2019 (N = 4,182) and Church and Pandemic Survey 2020 (N = 1,236).

enabled a quick response in a situation in which the state reacted only slowly to the sudden falls in income many people experienced (Gävert 2021, 113–14).

During the initial shutdown, the bishops instructed that all weekly parish activities except church services were to be closed down during the state of emergency. Although the restrictions were subsequently relaxed during the summer, this required the reorganisation of confirmation preparation, which mainly takes place in Finland at summer camps, in which three-quarters (73 per cent) of the entire age cohort still participates (2023). The National Church Council of the ELCF issued its guidelines for confirmation preparation in April 2020. They instructed the parishes in organising web-mediated distant confirmation preparation. The basic principle was that distant learning should be thought of as an auxiliary learning method. The bishops stated that it was impossible to organise the entire confirmation preparation distantly. Some parts of the training had to involve the confirmation candidates' physical presence (Tervo-Niemelä, Porkka, and Pulkkinen 2021).

The parishes used three basic models to organise confirmation preparation during the pandemic: (a) intensive (unchanged) summer camps; (b) postponing intensive camps; and (c) switching to preparation in day sessions. During June 2020 there were therefore only 131 confirmation camps, whereas in 2019 there had been 458. However, whereas in 2019 there were 632 confirmation preparation courses during August–December, in 2020 there were 1,189 (Tervo-Niemelä, Porkka, and Pulkkinen 2021, 350).

According to a study of confirmation preparation during the pandemic (Tervo-Niemelä, Porkka, and Pulkkinen 2021, 351–52), about a fifth (18 per cent) did not involve a stay in a camp. About one in ten involved only a short one- to three-day period in a camp. A third involved four to six nights, and approximately a third involved a week-long camp. Almost half the respondents said there was no distant learning during confirmation preparation.

Church rites were a further area in which religious communities were forced to reorganise their services, sometimes drastically. During the shutdown periods, a maximum of ten people was allowed at these events. The rapidly changing rules and restrictions compounded the situation. There also appears to have been considerable local variation in the interpretation of the restrictions. For example, in some parishes the ten-person rule included the pastor and the church's director of music; in others the ten-person rule referred only to the participants. In their instructions of 18 March 2020, the bishops decreed that, for special pastoral reasons the ten-person limit could be exceeded for close relatives. When the state of emergency was over, the limit was increased to 50.

According to a study of the experiences of burials during the pandemic (Vähäkangas 2021), many experienced frustration and anxiety concerning the organisation of severely restricted funerals. Many also experienced conflicting emotions: safety was considered important; the ability to be physically present was sometimes equally important. Again, strong emotions were linked to the inability to express one's feelings through bodily contact like hugging and touching. In processing grief, bodily expressions are vital when verbal expressions seem inadequate, yet concerns about safety largely precluded them. The special conditions also highlighted the existential themes concerning the meaning of life and death exceptionally acutely for some participants.

Attitudes among the vast majority of Finns towards the vaccines and medical science were positive. A survey conducted in March–April 2021 by the Finnish Business and Policy Forum EVA showed that 87 per cent of Finns either had already been vaccinated or were certain to have it taken (Larros and Metelinen 2021). Only 3 per cent were certain to decline the vaccination and further 8 per cent were likely to decline. The study also showed that the majority of Finns trusted the medical science behind the vaccination: 80 per cent considered the benefits of the vaccination greater than potential harm, even if there were side effects.

Nevertheless, there was a small segment of people who opposed the vaccines and the use of the coronavirus pass. Some believed in conspiracy theories and various kinds of misinformation spread in the social media concerning the vaccines. There were also a few who opposed the vaccines for religious reasons. However, the major religious organisations actively encouraged people to take the vaccines. The Archbishop of the ELCF, Tapio Luoma, spoke in favour of the vaccines, and the Bishop of Helsinki, Teemu Laajasalo, wrote a strongly worded opinion piece in a major newspaper stating that the unvaccinated would bear responsibility for the suffering and death of their neighbours (Laajasalo 2021). The CORE Forum issued a release in October 2021 urging everyone to get vaccinated (CORE Forum 2021; Helsingin Sanomat 2021). The spokesperson of the CORE Forum also made clear that minority religions of a very broad spectrum supported the government programmes of vaccination, and the isolated exceptions concerned a tiny minority. Also, the imams of Muslim communities spoke in support of vaccination and helped to organise them in the mosques or their vicinity (Kirkko ja kaupunki 2022).

Conclusion

As the above documentation shows, the special relationship between the state and the two national churches strongly influenced Finnish religious life during the pandemic. These churches operate under public law and have a long history of close collaboration with the public authorities in many areas of life. Despite their status, the national churches are administratively independent of the state, and the restrictions on public gatherings and businesses placed by the government could not be legally applied to worship and other religious gatherings.

Despite their freedom, the national churches closely followed the state regulations on these matters on their own initiative, creating a model for other religious communities to follow. Despite isolated instances to the contrary, the minority religious communities seem largely to have followed the model provided by the official churches and to have voluntarily curbed their activities. Similarly, along with the national churches, most of the communities also gave their strong support to the vaccinations. The lack of direct government regulation therefore did not mean that religious life remained unaffected by the state regulation the pandemic prompted. On the contrary, religious communities adjusted their activities quite drastically on their own initiative during the shutdown periods. This situation resulted in scant public discussion concerning issues related to the freedom of religion, although some expressed doubts about whether such 'special treatment' of religion was warranted. The most heated debates revolved around the restrictions on freedom of enterprise, equally guaranteed by the constitution. For instance, the mandatory closing of restaurants was obviously a dire economic challenge for many business-owners. Similarly, the organisers of artistic and cultural events found the situation at times unfair and economically intolerable, which also created a lot of public discussion.

How things unfolded in Finland speaks volumes about the relationship between the public authorities and religious communities. The state's curbing of its own authority vis-à-vis religious organisations due to its extensive interpretation of the freedom of religion was mirrored by the religious organisations' swift and voluntary adoption of state-decreed measures to restrict the spread of the pandemic. The likeliest explanation for religious organisations' voluntary and large-scale adoption of state-decreed restrictions on public activities is related to the special Nordic pattern of a state religion system. This system is presently characterised by a long history of amicable collaboration and mutual trust on the one hand and more recently by the increased autonomy of national churches and strengthened freedom of religion on the other. The public authorities respected the autonomy of religious organisations in managing their own affairs, and the religious organisations respected the public authorities' ability to decide on the necessary measures to curb the public activities for the good of all.

The turn of events thus replicates with almost uncanny precision the Lutheran doctrine of the two kingdoms or regiments. According

to this doctrine, God created two regimes to rule: the temporal and the spiritual. The close relationship between the civil and ecclesiastical authorities was justified by this doctrine of the duality of legitimate authority. The regiments were thought to be different and separate, but not isolated from each other. They were both understood to be employed by God to supervise the world. It is important to realise that according to traditional Lutheran doctrine civil or secular authority was *religiously justified* because its activities were intended to guarantee social order by upholding justice and peace (see e.g. Knuutila 2019).

Although such arcane Lutheran doctrines are seldom invoked in today's public discussion, one can still detect their distant echoes in the Nordic political culture, in which state and religion are deemed to have their own separate duties and spheres of operation and yet are expected to work in mutual harmony towards the common good and for people's benefit. Although the political cultures in Nordic societies are increasingly secular, and the state church system has been gradually dismantled in most, 'cultural Lutheranism' can still be detected in their national cultures (see Sinnemäki et al. 2019).

Notes

- 1 In the state of emergency, the government may be authorised by presidential decree to use extended powers to secure the livelihood of the population and the national economy, to maintain legal order and constitutional and human rights, and to safeguard the territorial integrity and independence of Finland. For instance, the government may oblige a person to relinquish goods to the state and perform work, services, transportation, or other necessary tasks. It may also issue orders on communication, declare a curfew, and entitle the Ministry of Defence and the Ministry of Transport and Communications to temporarily requisition real estate, buildings, and premises.
- 2 The Church Act was reformed in 2023 (652/2023) but, since the reform took place only after the pandemic, the reference throughout the article is to the previous Church Act (1054/1993).
- 3 By 2024, Hinduism and the Bahá'í faith were also represented in the CORE Forum.

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CHAPTER 15

Pillars or Perils of Society?

Exploring the Role of Religion in the COVID-19 Pandemic in Norway

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Abstract

This chapter examines the relationship between the COVID-19 pandemic and religious communities, beliefs, and behaviours in Norway. The chapter briefly introduces the role of religion in Norwegian society prior to the pandemic, before tracking and assessing the trajectory of the pandemic and the fallout of the public health emergency measures introduced to contain the spread of the virus. Identifying three distinctive phases to these measures, the chapter points to numerous instances where religious communities were directly affected and examines their aftereffects.

Introduction

Writing in September 2020, in the midst of the global COVID-19 pandemic, five American sociologists identified what they saw as the

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‘emerging research agenda for studying religion and the COVID-19 pandemic’ in an editorial note in *Sociology of Religion* (Baker et al. 2020). Discussing the emerging research frontier in the study of religion, politics and law, the note highlighted what was characterised as ‘aggressive calls for religious exemptions for church gatherings’, observing that:

there appears to be a resonance between those who agitate for re-opening the churches and those who agitate for re-opening the economy—a Christian libertarian affinity that insists open churches and businesses are what is needed to keep America strong. (Baker et al. 2020, 366)

Setting this diagnosis, the note effectively framed the interrelationship between COVID-19 and religion within a deeply entrenched and highly politicised division in the field of law and religion, between defenders and critics of the modern notion of religious freedom. Defenders tend to portray its promotion as vital, because ‘religious repression is real and widespread. In great numbers, all over the world, human beings are killed, tortured, imprisoned, detained, robbed of their property, deprived of their houses of worship, and denied jobs, economic opportunities, and positions in public service on account of their religion’ (Philpott and Shah 2016, 394–95). According to the critical view, however, ‘indiscriminately promoting religious freedom as the solution may exacerbate the very divisions that plague the countries and communities cited most frequently as falling short in measures of religious freedom’ (Sullivan et al. 2015, 3).

The interrelationship between law and religion as it played out in the COVID-19 pandemic represents an opportunity to explore which version most closely aligns with the available evidence: were religious communities repressed during the pandemic and, if so, because of their religion? And, if so, was more religious freedom the antidote to this repression? Or were already-entrenched divisions between communities exacerbated by calls for exemptions in the name of religious freedom?

Arguably, none of these propositions can be examined in the abstract, general sense indicated by the quotes above. Both law and religion, despite their global reach and the considerable interchange of doctrinal and regulatory techniques and modes of reasoning across and beyond international borders, are fiercely contextual enterprises, where generalisations and simplifications soon fall apart as specific

cases and settings are included in the analysis. Seeking to evade such simplifications, this chapter examines the ways in which Norwegian authorities managed the COVID-19 pandemic, with a particular emphasis on the ways in which legal and other regulatory measures affected religion, widely put – from individual belief and practice to organisational adaptation and change. The examination will seek to detect the extent to which the divisions observable in the field of law and religion regarding the salience and relevance of religious freedom can be found in the Norwegian case.

Setting the Context

In order to contextualise the ways in which the multitude of legal, political, and social measures put in place in order to mitigate and control the effects of the COVID-19 pandemic affected religion in Norway, a brief note on the sociopolitical role of religion in Norwegian society is in order. The role of religion in Norway is decisively affected by three intersecting and interrelated trends. First, the Church of Norway, as a constitutionally established evangelical Lutheran church,¹ is dominant in terms of membership (approximately 62.6 per cent of the population), and in terms of its role as a custodian of Norwegian cultural heritage, representing the concrete manifestation of what is frequently characterised as 1,000 years of Christian heritage. Simultaneously, however, the church has seen its membership steadily decline for several decades, and burials, marriages, confirmation ceremonies, and attendance at church services are all decreasing, albeit at different paces.²

Second, the number and size of organised, registered religious communities outside the Church of Norway has never been higher, and is steadily increasing every year, making up approximately 13.6 per cent of the population. While more than half of these communities are Christian denominations, the other half is increasingly diverse, with Muslim communities amounting to approximately 190,000 members and the Humanist association at 160,000.³ Third, and strongly related to the dwindling numbers of the Church of Norway, the group of religiously unaffiliated – or ‘nones’ – is growing steadily, in line with similar trends observed in other European countries. The unaffiliated presently account for well over 20 per cent of the population, a figure that is likely to increase as those leaving the Church of Norway are more

likely to become unaffiliated than they are to join another religious community.⁴ Importantly, self-reported levels of non-belief are considerably higher, at 51 per cent,⁵ indicating that a substantial number of present members of religious communities, both in the Church of Norway and elsewhere, are unbelieving and therefore likely to either leave themselves, or to raise their children non-religiously, conforming to the patterns of ‘fuzzy fidelity’ identified by David Voas (Voas 2009).

These intersecting demographic trends can be traced back to at least the late 1970s and early 1980s, and have had profound effects on the social, political, and legal role of religion in Norwegian society, which has shifted substantively away from the hegemony of the Church of Norway to a far more diverse and multidimensional picture, in which the influence and importance of religion, organised or otherwise, has diminished considerably for most parts of the population.

Legal Aspects

Norway is a constitutional monarchy, with the oldest constitution in Europe still in force. The country was among the founders of the United Nations and the Council of Europe, and all the major international human rights conventions have been incorporated wholesale into the legal framework through the 1999 Human Rights Act. Following the introduction of this Act, reviewing the human rights implications of legal decisions has become fully integrated in the Norwegian legislative process. Norwegian legal culture does not have a tradition of judicial activism, nor do communities appear to seek redress through world regional arbitration courts, which would seem to go against Propositions 6 and 7 in the introduction to this volume, which postulate that weak judicial activism in the area of religious freedom would lead to increased reliance on world regional arbitration courts.

Despite the decline in religious membership, practice and belief, Norwegian law and policy on religion has long been dictated by a cross-political consensus⁶ in favour of an ‘actively supportive’ policy on religion, in which the accommodation and support of religion are perceived to be a key concern. While this policy has a long pedigree in Norway, its fullest realisation has been developed in the two first decades of the 21st century. In a government white paper in 2019, the policy was confirmed and itemised, listing the legal and economic frameworks necessary to accommodate the exercise of religious freedom.

The most prominent form of support, established in the constitution since 2012, is the economic funds offered to all registered religious communities in Norway,⁷ a support mechanism that has become subject to legal regulation in the 2021 Religious Communities Act, which lays down a list of criteria for state approval and support (for an overview of the prehistory and development of these criteria, see Årsheim 2021). Additionally, the ‘active support’ entails the wide-reaching accommodation of religion in state-driven institutions, from the armed forces and hospitals to prisons and in the educational system, and the continued status of the Church of Norway as an ‘established’ church that is legally required to be present in all Norwegian municipalities.

Crucially, the policy of accommodation is not based on the inherent value of religious belief, membership, or practice as such but rather on the perceived external effects of religion to social cohesion and togetherness. This ambition resembles the very differently argued French notion of *vive l'ensemble*, or ‘living together’, in its stress on the basic elements required for some kind of social amicability across religious boundaries. Whereas the French concept is derived from a secularist view of religion, the Norwegian approach has been developed from within a strong tradition of official religious establishment, resulting in very different policies on religion, despite a shared ambition to create well-functioning societies.

More specifically, the Norwegian policy on religion as a means for which to create ‘togetherness’ is based on the presupposition that an accommodating posture serves four purposes: (a) it ensures societal development and provides cultural infrastructure because of the many social services provided by religious communities; (b) it engenders mutual trust between state officials and religious communities by offering a platform for dialogue and engagement; (c) it offers vital input to public debate by stimulating religious communities to partake in discussions that concern them; and (d) it secures transparency through the continuous contact established between religious communities and state officials.⁸ Importantly, all of these purposes are limited to religious communities that succeed in gaining official approval, and the number of such communities has shrunk considerably as a cause of stricter rules for approval.⁹ This list strongly correlates with Propositions 1 and 2 in the introduction to this volume, regarding the

influence of a history of majority religion with a cordial relationship with the state as a predictor of successful pandemic management.

By the time COVID-19 was declared a global pandemic by the World Health Organization in February 2020, the Ministry of Health had determined that the spread of the virus made it ‘universally harmful’ under the 1994 Act on Contagious Diseases, section 1-3. This determination made it possible for the government to trigger a broad number of highly invasive restrictions that would otherwise have been unlawful without a broader discussion beforehand: Under section 7-12 of the Act, the government was empowered to ‘set aside other legislation’ to enforce necessary restrictions, in ways similar to those made available during war, war-like conditions, and similar events. Hence, the legal framework was well-prepared for an event such as the COVID-19 pandemic. The institutions empowered to implement the restrictions, on the other hand, were far less prepared for the situation, and the early weeks of the pandemic were marked by significant degrees of uncertainty concerning the ways in which to deal with the pandemic in terms of necessary equipment, decision-making, and communication.

While the Act on Contagious Diseases empowered the government to implement wide-reaching restrictions akin to those made during times of war, all major human rights guarantees remained in place, including the freedom of religion or belief, which is included in the list of rights that cannot be derogated from in the International Covenant on Civil and Political Rights, Article 4(2). According to legal analysis commissioned by STL, an umbrella organisation for religious communities, the limitation of the freedom of religion or belief put in place satisfied the basic requirements set out in international human rights law: that the limitations were prescribed by law, that they were required in order to protect the health, freedom, and rights of others, and that they were necessary in a democratic society and proportionate to their objectives. Despite expressing some misgivings with the quality and transparency of the decision-making distinguishing between ‘mounted’ and ‘non-mounted’ seating arrangements issue, the analysis largely condones the ways in which Norwegian authorities limited the freedom of religion or belief during the pandemic (see more on the STL assessment below).

Taken together, the Norwegian legal response to the pandemic was framed firmly within the boundaries of the right to freedom of

religion or belief in international human rights law. Arguably, the entrenched nature of this right in the Norwegian political culture and legal arrangements made it an efficient and useful tool with which to negotiate the boundaries between state power and the freedom of individuals and communities to maintain and exercise their religious freedom. Crucially, neither state authorities nor religious communities sought to weaponise or antagonise the boundaries of the right – rather, the right became a platform for negotiation between the communities concerned. In this way, the Norwegian legal response to the pandemic found a pragmatic middle way between the often antagonistic and polarly opposed views of this right in contemporary human rights scholarship, which has tended to frame religious freedom as an either/or (see the introduction to this chapter).

Sociological Aspects

The social role of religion in Norway is marked by what sociologist of religion Inger Furseth has diagnosed as a condition of ‘complexity’, in which religious decline in terms of membership, practice, and belief is accompanied by its continued vitality as a marker of identity and as a topic of continuous public debate and media coverage, particularly concerning the social and public role of Islam (Furseth et al. 2019). The observation that religion remains publicly contentious is backed up by survey data that regularly documents substantial suspicion and hostility towards religious minorities (Hellevik 2020). Against this backdrop of religious complexity, the developmental trajectory of the COVID-19 pandemic offers an interesting case study of the boundaries between law, religion, and society.

The interrelationship between law and religion during the COVID-19 pandemic may usefully be divided into three separate, yet strongly interrelated phases, ranging from (a) the initial phase, during which virtually every sector of society was closed down, including religious gatherings of all sorts; to (b) the intermediate phase, during which restrictions were adjusted, removed, and reintroduced over the course of the months following the original outbreak; and to (c) the aftermath, during which the prior phases were subjected to analysis and commentary, while vaccinations became a major topic of contention.

Initial Phase

The first case of COVID-19 was identified in Norway on 26 February 2020. On 12 March, the day after the World Health Organization declared the spread of the virus a pandemic,¹⁰ the first death caused by the virus occurred, and the government introduced an array of measures to contain the virus, including the closure of schools and kindergartens, and the prohibition of all sports, cultural, political, and religious events.¹¹ Over the course of the next couple of weeks, numerous additional measures to reduce social contact were introduced, including forced quarantine for people arriving from abroad, and the closure of all ports of entry by land, air, and sea.¹²

Prior to these restrictions, a foretaste of the complex interaction between religious communities, beliefs, and behaviours and the pandemic had already become evident when the evangelical TV channel TV Visjon Norge aired a show on 27 February during which preacher Dionny Baez proclaimed that donations to the channel would secure God's protection against the virus. The claim was met with widespread condemnation from health service personnel, politicians, and co-religionists, some of whom branded the show 'anti-Christian.'¹³ This backlash did not stop the channel from engaging in further controversies related to COVID-19: the head pastor of the network, Jan Hanvold, announced in a broadcast on 22 March that the virus was 'built upon lies and seductions, planted by the government.'¹⁴ The network would go on to become one of the hotbeds of resistance towards restrictions imposed to contain the virus, and in August 2021 became the centre of a small outbreak, as 24 people from six different municipalities came down with the virus after attending a Visjon Norge event.¹⁵

These incidents notwithstanding, during the early stage of the pandemic, political, legal, and social attention was mainly directed at the establishment of procedures and mechanisms that could limit the spread and impact of the virus, with the health services in the spotlight. With the adoption of the COVID-19 Regulation¹⁶ on 27 March 2020, more specific ramifications for different parts of society were introduced, as the regulation spelled out different rules for a range of specific settings. Over the course of the next two years, these rules would be adjusted and altered more than 30 times to keep abreast with the evolving trajectory of the pandemic. While the first iteration of the regulation prohibited any kind of sporting or cultural event, religious

gatherings were first mentioned explicitly on 7 May, when an adjustment of the rules opened up the opportunity for sporting, cultural, and religious events with 50 participants, provided that they could maintain a distance of one metre. The continued adjustments to the regulation would go on to become one of the battleground areas in the later stages of the pandemic.

A key concern in the early stages of the pandemic was the distinction between functions that were ‘vital’ for society and functions that were not, the latter being eligible for limitations and restrictions.¹⁷ In 2017, the Norwegian Directorate for Civil Protection (DSB) created a generic inventory of such functions that would inspire the list of functions that were sheltered from restrictions during the COVID-19 pandemic.¹⁸ While the generic list does not feature religion in any way or form, the COVID-19 list created by the government in 2021 listed ‘burials’ as a vital function that could not be unduly restricted by pandemic measures.¹⁹ Although the inclusion of burials in this list sheltered the work of crematorium and graveyard workers from some of the restrictions imposed on other sectors, it did not prevent strict limits on the number of attendees at burial ceremonies. As such, while burials were considered ‘vital’, the rituals and gatherings associated with mourning were not.

In the early stage of the pandemic, the emphasis in social and print media concerning religion was mostly directed towards coping mechanisms – how religious communities were adapting their services to become available digitally as a replacement for physical gatherings. The restrictions were imposed only a few weeks before Easter and Ramadan, both of which became subject to media coverage. The emphasis on Easter services was largely sympathetic, focusing on alternative forms of commemoration, such as drive-in and online services, and reporting record turnouts and widespread sympathy for those who were prevented from their usual Easter observance.

Upon the beginning of Ramadan, a small number of similarly phrased media cases about coping and managing digital services were reported. Simultaneously, however, additional messages appeared: on 20 April, the minister for education, while congratulating Norwegian Muslims on the month ahead, issued a plea for religious leaders to ‘remind’ their congregations on the need to maintain official restrictions.²⁰ Shortly after, a professor of immunology at the University of Oslo recommended that Muslims should be drinking water despite

fasting, to keep hydrated as a preventive measure against contagion.²¹ Responding to these calls, the two major umbrella organisations for Muslims in Norway, the Islamic Council of Norway (IRN) and Muslimsk Dialognettverk (MDN), issued their own recommendations for how to celebrate Ramadan without violating the restrictions, stressing that people who were frail or ill should not be fasting.²²

Whereas the MDN recommendation went largely unnoticed, the IRN recommendation, which included an illustration of how prayer could be conducted at home, caused a minor flare-up across social media. In the recommendation, a variety of family constellations are depicted, but consistently with the father – or the son, if he has a better command of the Quran – in front of the rest of the family, with women and girls consistently placed at the back.²³ The Facebook post announcing the guidelines drew considerable attention, from both Muslims and non-Muslims, and sparked a debate about gender equality among Norwegian Muslims that was also covered in print media (Bøe 2022). Shortly after the IRN guidelines were published, an alternative set of guidelines placing women in front was published by Hikmah House, a liberal-leaning Muslim NGO founded in 2019.²⁴

Intermediate Phase

The intermediate phase of the pandemic – from early summer (May/June) 2020 to December 2020, when the first vaccine was administered in Norway – was marked by the ebb and flow of levels of contagion in the population. Although levels of contagion were significantly reduced during the summer months, fresh mutations and attendant outbreaks emerged throughout the autumn, leading to continuous adjustments of the COVID-19 Regulation, particularly section 13, which outlined which kinds of events and gatherings could be held, and under what conditions – starting from a maximum of 50 participants at least one metre apart. From 7 May, religious gatherings were mentioned explicitly in section 13, being subjected to the same kinds of restrictions as sports and cultural events. Starting on 15 June, however, as levels of contagion were easing up, a list of events exempted from restrictions were added to the paragraph, concerning professional athletes, youths attending summer schools and summer camps, and artists performing professionally. Notably, no similar easing was admitted to religious congregants. The number of exemptions grew steadily throughout the

summer months, and on 12 August ‘persons attending religious ceremonies that require brief, close encounters’ were added to the list.

As outbreaks erupted in a variety of different settings throughout the summer months, debates about whether immigrants in general and Muslims in particular were to blame emerged across social and print media. An Ashura celebration in August led to a major outbreak in cities in Viken county, inspiring scattered criticism about immigrants who refuse to integrate and about whether Muslims were eligible for ‘special treatment’. However, the number of comparable events from different types of gatherings caused the debate to dissipate quickly.²⁵

In October 2020, the COVID-19 Regulation went through a major overhaul. While restrictions for gatherings of up to 50 people were kept, an exemption for events made it possible to gather up to 200 people – but only if the seats in question were ‘mounted’, i.e. fastened to the floor or wall. Following some confusion over whether church benches were sufficiently mounted or not, the ministry of health concluded that they were not, limiting religious services to 50 attendees, unlike cultural or sporting events.²⁶ This requirement went on to become one of the major bones of contention in the interaction between religious communities and state authorities throughout the pandemic. It also turned out to be a political headache for the Christian Democratic Party, a minor partner in the ruling coalition government, whose leadership was strongly opposed to the requirement. In February 2021, the requirement for ‘mounted’ seats was scrapped, and replaced by ‘assigned’ seats, removing what appeared to be an arbitrary and potentially illegal requirement (see below).

The Aftermath

As the first dose of the recently developed COVID-19 vaccine was administered on 27 December 2020, Norwegian society gradually started entering the aftermath of the pandemic. Although numerous lockdowns and outbreaks erupted throughout 2021, the mood and mode of the restrictions and the public debate about the proper level of restrictions changed gradually. As in many other countries, concerns about lockdown and quarantine were slowly shifted towards vaccines – their efficiency and safety, and the extent to which they were distributed fast and equitably enough.

Although concerns about how an eventual vaccine would be received in some insular and conspiratorially leaning religious communities had been expressed as early as March 2020,²⁷ vaccination rates in Norway were generally high. In a survey conducted in June 2020 from a sample of 1,225 respondents, Dyrendal and Hestad found self-reported religiosity to be a weak predictor of conspiracy beliefs but a strong predictor of reported meaningfulness (Dyrendal and Hestad 2021, 109). Hence, while religionists may more easily believe in conspiracies about the virus and the vaccine, holding religious beliefs may also offer consolation and a sense of meaning in an otherwise dire situation.

Despite high levels of vaccination, concerns were quickly raised about the extent to which some immigrant communities would opt out of vaccination, prompting meetings between religious leaders and government representatives, and a social media campaign to convince religious communities about the need to get vaccinated, spearheaded by the Council for Religious and Life Stance Communities in Norway (STL), an umbrella organisation for religious communities. The campaign featured videos of religious leaders recommending vaccination in numerous of the most widely used minority languages.²⁸ The IRN followed suit with a recommendation to take the vaccine, based on an assessment by Islamic legal scholars finding that no prohibited ingredients were included in the vaccine, and that taking the vaccine would not amount to breaking the Ramadan fast because it was injected intramuscularly, and hence did not constitute food or drink.²⁹

Shortly after the pandemic reached Norway, in April 2020, the government appointed an independent commission that would review and assess the ways in which the pandemic was handled. The commission issued two reports – one in April 2021 and a final report in April 2022. Neither of the reports issued by the commission highlighted the impact of the pandemic on religious communities or individuals. In November 2021, however, STL presented an analysis of the limitations of freedom of religion or belief during the pandemic, in which the legal firm Wiersholm found that the justification for the differential treatment of ‘mounted’ seating arrangements could have been more extensive.³⁰ In June 2023, a second review commission followed suit, finding that the limitations of religion or belief during the intermediate phase of the pandemic may have been too restrictive, and should have been considered more extensively by the government.³¹

The restrictions imposed in March 2020 radically altered the ways in which people in Norway could practise their religiosity, both in the everyday and in relation to major holidays and events. As noted above, the Easter and Ramadan celebrations that year were strongly affected, as were Christmas celebrations, both in 2020 and 2021, with severe restrictions in place in order to contain the virus. Crucially, Norway has developed a sophisticated digital infrastructure, making the switch to digital, and sometimes hybrid, forms of gathering, services, and holiday celebrations relatively uncomplicated for large segments of society.

Numerous studies evaluating the management of the virus in Norway and elsewhere have been published during and in the aftermath of the pandemic. Among the reasons why the Norwegian government turned out to be a ‘high performer’ in crisis management, political scientists Tom Christensen and Per Lægreid cite ‘competent politicians, a high-trust society with a reliable and professional bureaucracy, a strong state, a good economic situation, a big welfare state, and low population density’ (Christensen and Lægreid 2020, 778). Similar reasons have been offered in other studies as well (Ihlen, Johansson, and Blach- Ørsten 2022; Johansson et al. 2023; Ursin, Skjesol, and Tritter 2020). These items add support to the third proposition developed in the introduction to this volume – that societies with high acceptance of scientific authority would be likely to exhibit receptiveness to religious-related restrictions.

While scattered studies have been made of how religionists interpreted and adjusted their practices to the restrictions imposed during the pandemic as it was ongoing (see Eggen 2021; Hodøl, Emanuelsen, and Christian 2022; Holte 2020; Johnsen 2023), little attention has been paid to the longer-term effects of the restrictions, either for the continuation of formats and procedures developed during lockdown or for the longer-term effects upon the worldview and self-understanding within and beyond religious communities. Anecdotal evidence – news reports, websites, social media, and video platforms – suggests that most digital and hybrid formats developed specifically to reach people during the pandemic have been discontinued, but this general impression can so far not be backed up by hard evidence until further research has been conducted. Nevertheless, the experiences gathered during the pandemic are likely to have a lasting impact both on the digital competence of religious communities in general, and on their

likelihood to be able to respond quickly to unforeseen challenges in the future.

Conclusion

When Norway was locked down in March 2020, virtually every sector of society was significantly limited and restricted. Although restrictions necessarily had different effects upon different people and communities, the scale, scope, and speed of the measures provided a sense of urgency. This sense was quickly framed as a need for solidarity and togetherness and translated into the Norwegian (and Nordic) concept of the *dugnad* – the ‘traditionally unpaid voluntary work where people gather to accomplish a task often involving manual labour that involves many workers’ (Simon and Mobekk 2019, 820). The term was mobilised by Prime Minister Erna Solberg at the very beginning of the lockdown and remained an important talking point for the duration of the pandemic. While the term clearly has positive connotations, its deployment always also indicates a potential boundary maintenance, between those who commit, partake and contribute to the *dugnad* – and those who do not, thereby spoiling the effort for everyone else.

Throughout the pandemic, public discussions about the restrictions, their legitimacy and their effectiveness also included direct and indirect discussions about who contributed to the effort, and who did not, confirming the role of *dugnad* as ‘embedded in a moral repertoire of the *socially responsible citizen* that is indicative of a specific Norwegian welfare mentality’ (Nilsen and Skarpenes 2020, 263, emphasis in the original). Despite the considerable complexity of religion in Norwegian society, however, discussions regarding who contributed, and who did not, only intermittently highlighted religious differences. Rather, the tendency in the public debate about restrictions was dominated by discussions of technical issues like border closures, quarantines, the number of people allowed to gather, and the rate of vaccinations.

Somewhat worryingly, researchers examining media coverage of the pandemic found Norwegian media outlets to exhibit ‘a high degree of consensus and a significant lack of critical journalism’ in a sample of 216 news articles published during two months of the autumn of 2020 (Fonn and Hyde-Clarke 2021). Hence, taking upon themselves the role of conveyors of publicly vital health information during a time

of crisis, the media may have neglected the critical task of examining how the restrictions played out for vulnerable sections of the population, including religious minorities.

Returning to the questions posed in the introduction to this chapter – whether religious communities were repressed during the pandemic and therefore in need of the protections offered by the freedom of religion or belief, or if already-entrenched divisions could become exacerbated through this very right, some tentative conclusions can be offered. As far as the Norwegian case is concerned, religious freedom appears to have been a useful tool for both the government and religious communities to identify and discuss the proper level of restrictions. Arguably, the ways in which public health authorities and religious communities interacted over the course of the pandemic may indicate that at least some of the stated goals of the Norwegian religion policy (see Legal Aspects) are well within reach – particularly concerning the fostering of mutual trust and transparency.

This conclusion comes with a significant asterisk, however – only those religious communities with the requisite resources in terms of manpower, congregants, channels of communication, and finances could partake fully in the *dugnad*. Communities outside this mainstream – without public financial support, official recognition, and a clear organisational structure – may have fared differently. Hence, while religious freedom can be a useful tool for those who are recognisably religious, it can be curiously unhelpful for those outside the mainstream. As research on the multitude of effects the pandemic may have had for different groups and subgroups in society develops further, this is an area that should be further explored.

Notes

- 1 The establishment of the Church of Norway is relatively recent, and was introduced through wide-reaching constitutional amendments in 2012. Prior to these amendments, the Church of Norway had no separate legal personhood, as a state-run entity devoted to maintaining evangelical Lutheranism, the state religion, as per the former section 2.
- 2 All figures in this section, unless otherwise indicated, are from Statistics Norway, <https://www.ssb.no/en/kultur-og-fritid/religion-og-livssyn> (accessed 11 June 2024). There is no available statistic that breaks down the population in main religions, no religions, or minority religions.

- 3 This number is self-reported by the Humanist Association, at <https://www.human.no/om-oss> (accessed 11 June 2024).
- 4 This figure is approximate, calculated manually on the basis of the membership of the Church of Norway and membership in other religious or worldview communities. There is no official statistic measuring the non-affiliated.
- 5 This figure is from Norwegian Monitor, a biannual social scientific survey conducted since 1985. See <https://www.ipsos.com/nb-no/ukens-tall-26-2-av-3-unge-voksne-tror-ikke-pa-gud> (accessed 11 June 2024).
- 6 The only political party to oppose the policy is the populist, right-wing Progress Party.
- 7 The arrangement has been legally mandated since the first law on religious communities, adopted in 1969. Its elevation to a constitutional principle underscores the cross-political consensus surrounding the active support of religious communities.
- 8 These items were spelled out in the whitepaper establishing the official Norwegian policy on religion: Prop. 130 L (2018–2019) Proposisjon til Stortinget (forslag til lovvedtak) Lov om tros- og livssynssamfunn (trossamfunnsloven), 58–60.
- 9 The new law requires religious communities to have at least 50 members, and to refrain from condoning or performing practices that violate human rights. A proposal to elevate the numerical limit to 100 is currently (2023) pending.
- 10 World Health Organization, ‘Coronavirus disease (COVID-19) pandemic’, <https://www.who.int/europe/emergencies/situations/COVID-19> (accessed 9 June 2023).
- 11 Regjeringen, ‘Omfattende tiltak for å bekjempe koronaviruset’, <https://www.regjeringen.no/no/dokumentarkiv/regjeringen-solberg/aktuelt-regjeringen-solberg/smk/pressemeldinger/2020/nye-tiltak/id2693327/> (accessed 9 June 2023).
- 12 A timeline of restrictions is available at the official website of the government. Regjeringen, ‘Tidslinje: myndighetenes håndtering av koronasituasjonen’, <https://www.regjeringen.no/no/tema/Koronasituasjonen/tidslinje-koronaviruset/id2692402/> (accessed 9 June 2023).
- 13 NRK Nyheter, ‘Ba om penger til Visjon Norge for å bli beskyttet mot koronaviruset’, <https://www.nrk.no/osloogviken/ba-om-penger-til-visjon-norge-for-a-bli-beskyttet-mot-koronaviruset-1.14922251> (accessed 16 June 2023).
- 14 NRK Nyheter, ‘Kontroversiell TV-pastor sa at koronaviruset bygget på en løgn’, <https://www.nrk.no/norge/kontroversiell-tv-pastor-sa-at-koronaviruset-bygget-pa-en-logn-1.14956164> (accessed 16 June 2023).
- 15 Norge iDAG, ‘Korona-smitteutbrudd hos Visjon Norge’, <https://idag.no/smitteutbrudd-hos-visjon-norge/19.36908>. (accessed 16 June 2023).
- 16 This regulation was adopted under the 1994 Act Relating to Control of Communicable Diseases. For more on the Act, see section 4.
- 17 The directly translated term, which also has some uptake internationally, is ‘critical infrastructure’. However, the Norwegian directorate in charge of this question has published a report using the term ‘vital functions’, and therefore this translation will also be used here to avoid terminological confusion.

- 18 DSB, 'Vital functions in society. What functional capabilities must society maintain at all times?' https://www.dsb.no/globalassets/dokumenter/rapporter/kiks-ii_english_version.pdf (accessed 19 June 2023).
- 19 Regjeringen, 'Liste over kritiske samfunnsfunksjoner', <https://www.regjeringen.no/no/tema/samfunnsikkerhet-og-beredskap/innsikt/liste-over-kritiske-samfunnsfunksjoner/id2695609/>. (accessed 19 June 2023).
- 20 Nettavisen, 'Kunnskapsminister Guri Melby (V) ber religiøse ledere om å minne om myndighetenes smitteverntiltak i anledning av ramadan', <https://www.nettavisen.no/nyheter/innenriks/kunnskapsministeren-ber-religiose-ledere-minne-om-smittevern/s/12-95-3423956167> (accessed 19 June 2023).
- 21 NRK, 'Ber muslimer drikke vann under ramadan', https://www.nrk.no/osloog-viken/professor_-muslimer-bor-drikke-vann-under-ramadan-1.14988045 (accessed 19 June 2023).
- 22 Until 2017, the IRN was the main organisation representing Muslims in Norway. After a string of controversial cases concerning the ideological drift of the organisation, however, a selection of the largest and most liberal-leaning mosques in Norway left and founded the MDN. For an account of the role of IRN, including the run-up to the breakout of MDN, see Elgvin (2021).
- 23 The illustration is available at <https://www.utrop.no/nyheter/kultur/215003/> (accessed 19 June 2023).
- 24 Hikmah-huset, <https://www.facebook.com/Hikmahhuset/>.
- 25 Utrop, 'Enkeltgrupper kan ikke gis skylden for korona', <https://www.utrop.no/nyheter/nytt/228989/> (accessed 22 June 2023).
- 26 Nettavisen, 'Maks 50 personer på gudstjenester i kirker med benker', <https://www.nettavisen.no/nyheter/innenriks/maks-50-personer-pa-gudstjenester-i-kirker-med-benker/s/12-95-3424042566> (accessed 22 June 2023).
- 27 Dagen, 'Konspirasjonsteorier dreper', <https://www.dagen.no/meninger/konspirasjonsteorier-dreper/> (accessed 22 June 2023).
- 28 STL. #tadetsistestikk – med tro på vaksine <https://stl.no/nyheter/tadetsistestikk-med-tro-pa-vaksine/>
- 29 IRN. Vaksinasjon mot COVID-19. <https://irn.no/vaksinering-mot-COVID-19/> (accessed 22.06.2023)
- 30 STL. Glemte myndighetene religions- og livssynsfriheten under pandemien? <https://stl.no/nyheter/glemte-myndighetene-religions-og-livssynsfriheten-under-pandemien/>. (accessed 26.06.2023).
- 31 NOU 2023: 16 *Evalueringsrapport om pandemihåndteringen*, p. 88-89. <https://www.regjeringen.no/contentassets/b1dace9390054c85a5a87c7bbf1bc384/no/pdfs/nou202320230016000ddd.pdf> (accessed 26.06.2023).

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CHAPTER 16

Impact of the COVID-19 Pandemic on Religion

The Case of Sweden

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Abstract

Sweden did not follow the same route that most other European countries embarked on in the handling of the COVID-19 pandemic. When other countries closed as a response to the spread of the virus, Sweden decided not to impose a full lockdown. Rather, Sweden kept a large part of society open, such as keeping schools for children and bars and restaurants open, albeit with some restrictions. The focus was on information, relying on each individual to reduce the spread of the infection by following two clear recommendations: maintaining individual hand hygiene and physical distance between people. Public gatherings were regulated in terms of the number of participants, but never banned. Although the Swedish government followed a more liberal

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route in the handling of the pandemic, the recommended restrictions had a considerable effect on religious life. The aim of this chapter is to understand the background of Sweden's different way of handling the COVID-19 pandemic and what impact it had on faith communities in Sweden, from both legal and sociological perspectives.

Introduction – a Unique COVID-19 Strategy

The fast development of the COVID-19 virus reported in China on 31 December 2019 surprised all countries, as well as the quick development in Italy a few weeks later, with overloaded hospitals and a massive death toll. Initially, most European countries reacted by activating their pandemic strategy plans, meaning closing borders with strict border control and closing public meeting places as much as possible, keeping people at home, isolated from others as much as possible.

Sweden's way of responding to the fast spread of the virus was different and an exceptional case in terms of its liberal way of handling the COVID-19 pandemic and the leading role of epidemiological experts (Askim and Bergström 2022; Kuhlmann et al. 2021). In most countries, politicians took the lead, using experts at state agencies for advice. However, the division of labour between the government and the state administration in Sweden differs from that in most other European countries. Swedish state agencies operate more independently, guided by laws and regulations enacted by the parliament. Government ministers are not expected to involve themselves in the agencies' daily operations. Thereby, the state epidemiologist jointly with other experts at the Public Health Agency (PHA) took the leading role deciding on the pandemic measures. The government and other politicians were largely passive in the initial phase and played a minor role during the entire pandemic period (Jerneck 2021).

While other countries had a more politically driven strategy, the Swedish strategy was described as science-driven, based on epidemiological research, theory, and statistics (Lindström 2021). Based on the initial reports from China and the following weeks, PHA experts stated that the virus was unlikely to spread to Sweden, indicating that there was no need to close the borders. In March, when it became evident that it was too late to introduce border controls, the PHA declared that maintaining secure distance between people and practising good hand hygiene would be sufficient. Facemasks were not recommended,

since it was stated that the virus was spread only by drops in close contact and not through aerosols. The overall strategy was to protect risk groups, i.e. the elderly and those with underlying health conditions, as the virus was not believed to pose a significant risk to most people.

When daily death rates increased to shocking figures in April 2020, the weakness of the Swedish COVID-19 strategy became obvious (Bergman 2023). It was not possible to protect the risk groups and the death toll became higher than in other Nordic countries with similar demographics. Despite the theoretical predictions, the experts at the PHA continued to defend their position. Several Swedish scholars from different scientific disciplines – as well as international experts – were heavily critical (for a comprehensive analysis, see Brusselselaers et al. 2022). Swedish politicians in opposition criticised the government for not regarding the pandemic as a national crisis and demanded extraordinary actions (Bergman and Lindström 2023). However, the government defended the different Swedish strategy and the PHA was the lead Swedish strategy throughout the pandemic.

At an early stage of the pandemic it became evident that mortality rates related to COVID-19 were disproportionately high for people born outside of Sweden. Thereby, light was shed on existing health care gaps and structures of inequality between people born in Sweden and people born abroad, who also often belonged to minority faiths (Socialstyrelsen 2021; Voyer and Barker 2023). The high death rates among immigrants have been explained as being related to socio-economic factors, language barriers, and the overcrowding in many households (Folkhälsomyndigheten 2021). Yet scholars have also argued that the explanations of Sweden's higher death rates among immigrants have been inverted, i.e. that, rather than looking at immigrants' risk as something that should be addressed and explained, the risk of immigrants was often blamed on the immigrants themselves (Voyer and Barker 2023).

Setting the Context

A key background factor to consider when it comes to understanding the liberal policy in Sweden is Swedish people's generally high trust in state authorities. This general trust can explain both the authorities' choice of strategy, the politicians' trust in the authorities, and people's obedience of recommendations, which in practice were largely

voluntary (Ortiz-Ospina and Roser 2020). According to the long-term comparative World Values Survey (WVS), there are significant differences in social trust between different countries, and Sweden is one of the countries with the highest levels of trust. Around 70 per cent of Swedish citizens say that they generally trust other people, compared to 40 per cent in the US and Germany, less than 30 per cent in Southern Europe and down to 10 per cent in countries such as Iran, Zimbabwe, and Brazil (Holmberg and Rothstein 2017; Uslaner 2018). There is also high trust in state authorities in Sweden, and studies have shown that this trust increased during the coronavirus pandemic, despite international and scientific criticism of the PHA (Esaïsson et al. 2021).

The roots of the high level of trust in state authorities can, at least partly, be understood by going back to the 16th-century Protestant reformation and the building of an alliance between the Protestant Church and the state. The reformation resulted in a Swedish national state with an integrated national church, without the Southern European tension between strong separate national Catholic churches competing with the state. This development was similar in the other Nordic countries and formed a common ground to the subsequent development of social democracies during the late 19th and 20th centuries. The church's support for the development of democracy and comprehensive welfare systems in the Nordic countries fostered a foundation of trust in the state and strengthened the alliance between church and state (Stenius 2015). Even after the formal separation of church and state in 2000, the Church of Sweden retains a semi-official role, contributing to the Nordic religious complexity (Furseth 2019; Pettersson 2011).

Sweden is often described as one of the most secularised countries in the world regarding regular participation in worship and belief in traditional church teachings (Zuckerman 2008). A majority of people say they have no belief in God (64 per cent) and have not attended a religious service in the past year (68 per cent) (Weissenbilder 2020). However, the Swedish religious situation is ambiguous, most clearly highlighted by the prevailing high level of membership of the Church of Sweden and its persisting role in society (Pettersson 2015). A majority of Sweden's 10.5 million population, 52 per cent (2023), belong to the Evangelical Lutheran Church of Sweden (which was a state church until year 2000), 3 per cent are members of different minority Christian Protestant denominations, 2.5 per cent belong to the Roman

Catholic or Orthodox churches, 1.8 per cent belong to Muslim communities, and less than 0.6 per cent belong to other religious communities. This means that around 60 per cent of the population belong to some kind of organised religion (Church of Sweden 2023; SST 2022). Statistics from 2023 show that one-third of all children born were baptised in the Church of Sweden, a quarter of marriages took place in the Church of Sweden, and two-thirds of funerals took place in the Church of Sweden (Church of Sweden 2023). However, there are no comparable statistics for minority religious communities. The Nordic complexity of high levels of secularisation in some respects and relatively high levels of religious affiliation and presence of religion in other respects is sometimes referred to as the Nordic Paradox (Bäckström, Edgardh Beckman, and Pettersson 2004).

Legal Aspects for Faith Communities during the COVID-19 Pandemic

After the separation between the state and the Church of Sweden on 1 January 2000, all faith communities should in principle be treated equally, and the Swedish state is officially neutral in relation to all faith communities. The Church of Sweden is, however, still regulated by a separate law and has particular responsibilities that give it a special position in society, which was clearly demonstrated during the COVID-19 pandemic as described below (SFS 1998:1591; SFS 1998:1593).

Individual freedom of religion, as well as from religion, is stated in the Swedish constitution (SFS 1974:152), and a general common understanding in Swedish society is that religion is regarded as a private matter. The public sphere should be a secular, non-religious neutral arena where all people are treated equally and expected to accept the same social rules regardless of gender, ethnicity, cultural background, or religion. No special recognition should be given to religion as a factor to consider in public contexts. Sweden differs from most other countries in that there are no exceptions or special regulations in current legislation with reference to religion and there are, for example, no laws prohibiting blasphemy. The principle of regarding religion as a private matter explains why the PHA made no specific notion of religion and treated the faith communities as just one kind of voluntary organisations among others.

However, the Swedish state has a positive view of faith communities and regard them as central civil society actors that can complement the state in various ways, e.g. in crisis management, which was particularly emphasised during the pandemic. The largest faith community, the Church of Sweden, maintains strong connections to the state and complements and cooperates with public and state authorities in numerous ways. Minority faith communities are also increasingly recognised by the state as a social resource and receive special financial support from the Swedish Agency for Support to Faith Communities (SST). They are particularly recognised for having an important role in the integration of immigrants, something that was emphasised during the pandemic (Lundgren 2023; Edgardh and Pettersson 2010). Yet minority faith communities have also both historically and today been regarded as a risk to social cohesion and Swedish values, and thus in need of regulation and control (Lundgren 2023).

The liberal approach to handling the COVID-19 pandemic meant that Sweden, unlike other countries in Europe, did not impose a full lockdown, and facemasks were neither mandatory nor recommended. The PHA's measures for individual citizens were based on each individual's responsibility to follow the recommendations announced by the PHA to reduce the spread of the virus. These specifically focused on individual hand hygiene and keeping a physical distance of a minimum of two metres from others (Håkansson and Claesdotter 2022; Kuhlmann et al. 2021). The overarching priority of the PHA was to protect vulnerable groups and to secure the capacity of the health care system, yet without affecting individual freedom and liberties, nor society or economy at large (Winblad, Swenning, and Spangler 2022). This meant that Sweden kept a large part of society open, allowing bars, shops, and restaurants to remain open while having to secure social distance between people. Apart from some local closures, schools for children under the age of 16 remained open (Askim and Bergström 2022; Håkansson and Claesdotter 2022). Public events and gatherings, including the activities of faith communities, were regulated in terms of number of participants, but gatherings were never banned.

The PHA's use of the word 'recommendations' was criticised for being confusing. Typically, the PHA uses this term for rules directed at medical personnel, with the expectation that these 'recommendations' will be strictly followed. However, using this word in mass communication to the general population led to a significant communication

problem. Most people understood ‘recommendations’ in the usual sense, as advice that could be voluntarily followed. However, with this said, data showed that most people did adhere to the recommendations to a high degree (Håkansson and Claesdotter 2022) and, to our knowledge, there have been no legal processes, penalties, or fines for those (business, individuals, shops) who did follow the recommendations and regulations. While there was critique of voluntary compliance in the public debate, the criticism mostly revolved around the need for stricter measures such as those introduced in other countries, like border control and facemasks (see for example *USA Today* 2020).

While the more liberal policy response to COVID-19 was surprising to many international commentators, it can be understood in relation to the legal framework that regulates the government’s leeway for action. First, as the freedom of movement is stated in the Swedish constitution, it is not possible to introduce a full lockdown and, second, it is not possible to announce a state of emergency in Sweden in peacetime (Winblad, Swenning, and Spangler 2022). Introducing strict rules is therefore difficult, albeit not impossible if the parliament takes action. This finally happened in January 2021 when the Swedish parliament introduced a temporary nine-month pandemic law, making it possible for the government to quickly ban certain activities, along with the possibility for the parliament to revoke the government’s decision within a week (SFS 2021, 4).

Despite following a more liberal approach, Sweden did introduce preventive measures to combat the spread of the coronavirus, which affected also religious activities. On 12 March 2020, the first restrictions on public events and public gatherings were introduced and affected all kind of religious gatherings, since they were recognised as any other public gathering such as theatre performances, concerts, demonstrations, etc. On 29 March 2020 it was decided that only 50 people were allowed to gather at public events and gatherings, and in November 2020 this figure was lowered to eight people. The restrictions on the number of people at public gatherings were lifted in September 2021, but distance between people in public spaces such as shops, restaurants, concerts, and churches was still recommended. In December 2021, a COVID-19 vaccine pass was introduced at public gatherings with more than 100 people if no other infection control measures were in place, like e.g. increased distance between chairs. From February

2022, all restrictions in response to COVID-19 were removed, including the need to show proof of vaccination.

Faith Communities' Response to the Restrictions

Although Sweden did not employ a full lockdown, restrictions meant that faith communities could only gather in groups of up to 50 people, which for many congregations was fewer than under normal circumstances. Faith communities were even more affected during the period of ten months (from 24 November 2020 to 29 September 2021) when they could gather in groups of no more than eight people, in line with the restrictions for any social gathering. Restaurants could hold more people and during the same period had special regulations of a maximum of eight people sitting at each table, keeping at least one metre between the tables. The regulations for shops and shopping malls were different still and based on the number of people in relation to the area of the premises. Despite initially having to restrict their activities more than restaurants and shops, the critique among religious groups was limited, but many argued that the rights to meet for prayer and worship should be considered (*Dagen* 2021).

Many religious leaders refrained from criticising the government until the limit of eight participants was introduced in November 2020 and applied to all kinds of gatherings, including religious services. At this point, the Christian Council of Sweden and the Church of Sweden spoke up and criticised the decision, especially since it would limit people's opportunity to say a final farewell to loved ones at funerals. As a result of the criticism, funerals were exempted from the eight-participant restriction and a special limit of 20 people for funerals was set (SFS 2021, 3; SVT 2020). The Christian Council of Sweden was one of the most active voices in this debate, by writing opinion pieces but also by partaking in referral processes and writing open letters to ministers of the government. One of the questions they raised was regarding the inconsistencies that the regulations entailed (Alm et al. 2021), the main point being that public gatherings had much stricter rules than, for example, shopping malls, gyms, and restaurants, which were regulated by a different law. This perceived injustice was raised by the Christian Council of Sweden and the Church of Sweden Archbishop in March 2021, with Easter church services in mind (Alm et al. 2021;

SVT 2021). In an open letter to the government, the Christian Council of Sweden raised the example of Uppsala Cathedral:

In many cases, our church premises are large and could gather significantly more than eight people if the square meter rule was applied [this was the rule that was applied to shopping malls and shops]. As an example, Uppsala Cathedral could offer space for 273 people to celebrate worship on site if you used the square meter rule. (SKR 2021)

Except for this type of criticism, the relationship between faith communities and the state during the pandemic was characterised by cooperation and by being largely non-conflictual. Each faith community found its own way of adapting to the new restricted conditions, as described in the next section. To our knowledge, there have been no situations where religious groups tried to oppose the adherence to public health measures. On the contrary, the Church of Sweden and most other faith communities, such as the Union of Islamic Associations in Sweden and the Catholic Church, publicly supported the recommendations and regulations of the Swedish authorities (FIFS 2021; Katolska kyrkan 2021). Even groups that are often associated with having leaders that are more at odds with the majority, such as Muslim Salafi groups, encouraged people to follow the individual recommendations, although they simultaneously criticised the way of handling the pandemic due to the overrepresentation of deaths among certain immigrant groups (Sorgenfrei 2021).

Rather than seeing tensions between religious groups and Swedish authorities, there have been visible signs of partnership and cooperation. The Swedish state's Agency for Support for Faith Communities arranged meetings with representatives of minority faith communities during the pandemic to discuss issues of common concern (Löfgren 2021). One example of a result of these meetings was the joint production of online videos in which the main religious leaders spoke to their respective faith community (SST 2021). In line with this, the Swedish government highlighted minority faith communities as central agents in reaching out to minority groups with information about restrictions and vaccination practices (*Dagen* 2020; Lundgren and Fransson 2023). A recent study of minority faith congregations shows that most of them want to take a central role in the event of crisis or disaster and did so during the COVID-19 pandemic. A majority (65 per cent) of the congregations in the study helped to spread information regarding

COVID-19 and 25 per cent spread information about vaccinations. Most of the latter were congregations with a high number of immigrants (Lundgren and Fransson 2023).

Sociological Aspects on Religious Life

Faith communities at the local level adapted to the new situation, either by introducing more outdoor activities, e.g. worshipping in nature, arranging pilgrim walks, or by switching to digital solutions, e.g. gathering online for worship. A lot of different types of social and diacocial activities took place in alternative formats outdoors. For example, social activities for the elderly became walks with coffee and youth activities could keep going outdoors during the whole pandemic.

The Church of Sweden did not make a common decision for all 13 dioceses on how the parishes should adapt to the pandemic restrictions. However, the bishops advised the parishes to continue worship in the way possible and provided common recommendations on how to handle baptisms, weddings, and funerals. Each bishop added special advice for the respective diocese, for example whether Holy Communion could be celebrated or not (Edgardh 2021). It was up to each parish in the respective diocese to largely find the best practical solutions.

Although it was initially possible to gather people as usual for worship, many congregations decided to introduce their own restrictions by either additionally transmitting services digitally or by canceling the physical services and turning completely to digital solutions (Edgardh 2021; Fransson, Gelfgren, and Jonsson 2021; Josefsson and Wahlström 2022; Lundgren 2022). In Stockholm diocese, where the infections were considerably higher than in other parts of Sweden, the bishop proposed in April 2020 that people should not at all physically gather in the church due to the infection rates at the time, even though it was legally possible to gather 50 people. Such ‘unforced’ changes, where religious organisations made their own risk assessments, are reported in several studies on the impact of the COVID-19 pandemic on religious life in Sweden.

One of the studies focused on how the Church of Sweden’s parishes adapted in terms of the use of digital media (Fransson, Gelfgren, and Jonsson 2021). This was based on two surveys, in September and October 2020, both of which were answered by the responsible priest in the respective parish, with response rates of 41 per cent and 47 per

cent. The studies show that most parishes turned towards digital solutions rather than cancelling services. Before the pandemic, only 12 per cent of the Church of Sweden congregations offered digital solutions as an alternative to being physically present in the church at the Sunday services. During the pandemic, this number increased to 84 per cent of the congregations offering digital Sunday services. It is interesting to note that the COVID-19 pandemic seems to have had long-term effects in this respect since statistics from late 2022 show that 21 per cent still offered digital services every week (SVT 2022), thereby indicating that the COVID-19 pandemic led to increasing digitalisation of the Church of Sweden. The digital transformation varied depending on the type of activity and congregation (Lundgren 2022).

A study on how minority faith communities' congregations were affected by the pandemic show similar results. Seven out of ten congregations offered digital worship/prayer or meditation, compared to 2 per cent before the pandemic (Lundgren 2022). There were minor differences between different faith traditions' use of digital solutions, but smaller congregations with fewer than 100 members did not go digital to the same extent as larger congregations (Lundgren 2022). The study shows large differences regarding participation rates between the congregations that turned to digital alternatives. While 36 per cent experienced fewer people at their digital services than at ordinary physical activities, 26 per cent experienced an increase in the number of people participating (Lundgren 2022). When it came to activities for elders, only 14 per cent offered digital alternatives. A separate study of only Protestant minority churches show that the levels of participation were negatively affected in many congregations by the digitalisation of services, and members missed the physical elements of meeting people (Josefsson and Wahlström 2022).

As mentioned previously, a basic principle in the Swedish COVID-19 strategy was to protect people in risk groups, i.e. people over 70, people with certain diseases, and other vulnerable groups. These groups were recommended not to meet other people, not even their relatives, and not to visit shops or similar public places. A lot of local initiatives were taken to organise help for old people, especially to buy and deliver food to them. Many of these local initiatives were taken by the Church of Sweden's local congregations, which geographically covered the whole of Sweden, and by minority faith communities (Bobrowicz 2022; Lundgren 2022). The Church of Sweden also used its

Facebook posts online to clearly focus on providing the lonely and isolated with hope during the pandemic (Johnsen 2023). This role of faith communities as a societal resource was stressed by the Swedish Civil Contingencies Agency (MSB). During the initial outbreak of the pandemic, the MSB contacted the Church of Sweden to sign an agreement regarding support to buy and deliver food and medicine for those in risk groups. At the national level, a coordinator for the Church of Sweden was appointed early on, working together with the MSB and four other voluntary organisations on a structure for how this effort would be carried out. For the next six months, the Church of Sweden, the Swedish Sports Confederation, the Red Cross, the City Mission, and Save the Children collaborated on the handling and delivery of food, medicines, and other necessary goods to those who did not have the opportunity to shop for themselves. The Church of Sweden took most responsibility in this work; it was mainly deacons, operating at local level in the Church of Sweden's 1,288 parishes, who were responsible for and often carried out this work (Moilainen, Ahlqvist, and Lundberg 2022). Many of the ordinary volunteers in faith communities were older people, who according to the PHA recommendations were recommended to be especially careful, to keep their distance from other people, and not to meet other people at all if they were over 70 years old. As such, it is unsurprising that surveys from the Church of Sweden and the minority faith communities show that the number of volunteers decreased in many congregations during the pandemic, as well as many minority religious communities, raising concerns that the volunteers would not return (Fransson 2022; Lundgren 2022). Some even thought that the pandemic might have led to a professionalisation of church life (Fransson 2022).

Given the limited time since the pandemic, it is too early to say whether the pandemic has had any long-term effect on religious belief, practice, or belonging. A recent Pew study comparing how the pandemic affected religious beliefs and family life in different countries shows that the pandemic seems to have had limited effect on people's religious life in European countries. For example, 3 per cent of Swedes said that their own religious faith became stronger and 2 per cent said it had become weaker during COVID-19, and 94 per cent said that it had remained unchanged (Sahgal and Connaughton 2021). However, this result must be understood in relation to the religious landscape in Sweden, where only 9 per cent of people say that religion plays

a very important role in their lives and the Pew study could show that it was mainly very religious people who had a change in their religious engagement (Sahgal and Connaughton 2021). This is in line with the result of the Swedish study of how minority Christian Protestant denominations were affected by the pandemic. A large majority (79 per cent) of members of the churches experienced an increased importance of faith and spiritual issues in their life, a change that could not be seen among the general population (Josefsson and Wahlström 2022).

The Church of Sweden is the only Swedish faith community with continuous collection of statistical data. According to these statistics, attendance at both physical and digital worship services has decreased since the pandemic. Statistics from 2022 show that those in the Swedish population attending religious service in the Church of Sweden at least once a month decreased from 11.7 per cent in December 2019 to 7 per cent in December 2022 (*Dagen* 2022). In terms of the number of life rituals, child baptisms, weddings, and funerals held in the Church of Sweden, there are only small changes between 2019 and 2022 with the most notable shifts observed in the number of baptisms and weddings (see [Figure 16.1](#)). Figures from 2022 are almost back to the pre-pandemic rates of 2019 concerning the share of children baptised in the Church of Sweden, the percentage of all weddings that took place

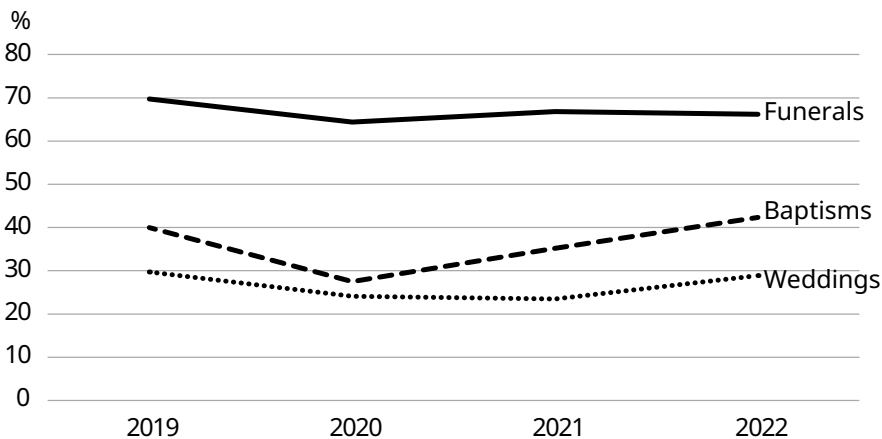


Figure 16.1: Percentage of baptisms, weddings, and funerals conducted in Church of Sweden 2019–2022. (Church of Sweden, 2023)

in the Church of Sweden, and the percentage of all funerals that took place as funeral services in the Church of Sweden. It is too early to say whether these figures are falsely alleviated due to postponed events during the pandemic and this needs to be followed up on in the coming years.

Conclusion

The Swedish way of managing the pandemic was different from the rest of Europe. This difference can to a large extent be explained by Swedish people's comparatively high level of trust in state authorities, and the more expert- and science-driven Swedish pandemic strategy without direct political involvement. Sweden did not react with strict border control; no demands to wear facemasks were introduced. Public events and gatherings of all types, including faith communities' activities, were regulated in terms of number of participants, but were never banned. Individual freedom for people to move and socialise during the pandemic was maintained, if they kept a physical distance according to strong, although not binding, recommendations. There were, however, no legal processes, penalties, or fines for those who did not strictly follow the recommendations or regulations.

Faith communities' activities were regarded as any other public gathering, in line with the ordinary Swedish way of not having any special legal regulation of religion. Faith communities were expected to follow the general regulation of public gatherings and accepted this. There were, however, some discussions when the restriction of a maximum of 50 people at gatherings was lowered to eight people in November 2020. Religious leaders' actions led to a separate regulation of maximum 20 people at funerals, regardless of whether they were secular or religious funerals. Local congregations made their own choice on how to adapt to the restrictions of number of people at each activity. They introduced digitised activities, arranged outdoors activities, or continued indoors according to the regulations. Swedish faith communities' adherence to the restrictions and lack of criticism and protests most likely relate to the long history of peace, consensus, and trust between religion and state in Sweden.

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PART V

Orthodox-Majority Countries

Introduction to Part V

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This introduction attempts to compare the case study countries belonging to the Orthodox-majority category. To recap, these countries are Bulgaria, Greece, and Romania. While each of these countries is characterised by an Orthodox majority, they also exhibit notable differences, especially with regard to this volume's conditioning factors, such as the presence or absence of a historical legacy of communism.

The three cases in this country grouping cohere in the historic dominance of the Orthodox Church in society. Bulgaria is an Eastern European country characterised by an historic Eastern Orthodox majority underpinned by a constitutional clause defining it as the society's traditional faith tradition (Fox 2008). Like other former communist countries, it also places a high level of constraints on religious minority groups (Fox 2008). The Greek case is characterised by a strong tradition of 'religious nationalism' (Soper and Fetzer 2018). This means that Orthodox Christianity and Greek nationalism are strongly intertwined in society, reflected in historic privileges accorded to the Orthodox Church (Fox 2008). Within this background, religious minorities enjoy relatively few rights (Fox 2008). At the same time, secularity is growing in the society, evidenced by numerical increases in the 'nones' category (i.e. people who self-identify as having no religion), as well as growing religious diversity brought on by the migration of Muslim adherents (Soper and Fetzer 2018). As with its Greek counterpart, the Romanian Orthodox Church also enjoys certain state privileges,

such as financial support for its churches (Fox 2008). While accorded constitutional protection, minority religious groups still operate in a somewhat constrained social environment, where the Orthodox faith tends to operate as a kind of gatekeeper (Fox 2008).

Regarding Proposition 1a, concerning the majority status of a church in a given society and the likelihood that this would foster relative agreement about pandemic management, the findings largely bear this out. For example, although Greek Orthodox leaders initially criticised state actions – speaking out against their lack of participation in state decision-making – they began to weigh in behind them relatively quickly. In seeking to underwrite their support for state actors, church leaders sometimes appealed to religious-based arguments, as with harnessing the idea of following God's plans in order to motivate compliance with pandemic-related restrictions. Similarly, in Romania the Orthodox Church's messaging to adherents lent support to the efforts of state authorities to dampen the virus's diffusion, notwithstanding the presence of critical voices within the church. At the same time, the Bulgarian case provides less support for the idea that majority status is associated with harmonious church–state interactions. For example, Bulgaria's Orthodox Church took issue with the state's restrictions regarding the closure of church buildings, opting to keep them open instead.

Regarding Proposition 1b – which had to do with a history (or not) of legal cooperation between church and state leading to harmonious relations – the country case studies largely reflect this. For example, the Greek case – where the Orthodox Church's autonomy is protected (Fox 2008) – revealed that state actions during the early phase of the pandemic were characterised by an inattentiveness to the needs and interests of religious groups, including the Orthodox Church (Fokas 2020). For example, this was reflected in part in the relative absence of religious leaders in state policymaking processes around restrictions, who expressed concern about religious settings being treated differently than secular ones when restrictions began to be eased (Fokas 2020). At the same time, the Orthodox Church worked hard to keep itself on the side of the state during most of the pandemic. Similarly, in Romania, a history of legal cooperation between church and state helped to foster close church–state interactions during the pandemic, reflected in regular meetings between representatives of different recognised religions (i.e. Consultative Council of Religions) and government and medical actors. By contrast, in the Bulgarian case,

an unsettled political climate involving anti-government mobilisation (unrelated to the pandemic) made it difficult for religious groups to advance their interests vis-à-vis the state during the pandemic. There were also divergences between religious groups, with Orthodox devotees complying more with restrictions than Eastern Orthodox ones.

Proposition 1d concerns our expectation that the degree of support for scientific authority should be similar across countries with the same religious majority, in light of the commonality in religious teaching about religion–science interactions in each case. Across the three Orthodox-majority countries, there was no one single approach to vaccinations, suggesting weak support for Proposition 1d.

In the Bulgarian case, there was mixed response regarding vaccines. For example, the Orthodox Church declined to participate in a public forum to support vaccination efforts, even as some of its own leaders publicly supported vaccines. In Greece, the Holy Synod supported vaccines and church leaders published statements about having received their vaccine, in the hope that devotees would follow suit. Likewise, the patriarch of Romania publicly announced having received a vaccine (Marica 2021), harnessing his position to promote population-wide vaccination. Minority religious groups (e.g. Muslims) also supported vaccines, even making access to mosques conditional on having received a COVID-19 certificate confirming one's vaccine status. The Orthodox Church tended to appeal to the 'compatibility perspective' (Ecklund, Johnson, and Lewis 2016), or the idea that religion and science are aligned with one another, in motivating its pro-vaccine position (Zay 2021). However, some religious leaders such as the Archbishop of Tomis leveraged a religious-based argument that prayer was more effective than vaccines against the virus (Harding 2021), suggesting a more conflictual interaction between religion and science.

Notwithstanding pro-vaccine sentiment, some religious groups were also active in mobilisation against vaccinations and other health protection measures. For example, in Greece, some lower-level individual clergy opposed vaccines. Also, some of the opposition to public health measures such as mask-wearing in this context seems to have been driven by a perceived lack of appreciation of the differences between religious and secular settings (Stamouli 2021). Perhaps because of the lack of confidence in vaccine safety among the general populace, religious groups in Bulgaria did not give strong support for vaccination efforts. In the Romanian case, anti-vaccine stances tended to appeal to

religiously grounded arguments, with some clergy leveraging the idea of Holy Communion as the best vaccine against the virus (Zay 2021).

Propositions 2a and 2b have to do with the degree to which the legacy of communism might impact pandemic responses. The countries included in this grouping facilitate a contrast between cases with a communist history (i.e. Bulgaria, Romania) and countries without this legacy (i.e. Greece), while recognising that the impact of communism on religion was not always the same across these former communist cases (Grzymała-Busse 2015). In this regard, the case studies provide partial support for Proposition 2a, with countries with a communist past exhibiting at least as much conflict during the pandemic as compared to Greece, which lacks a communist history. For example, the Bulgarian case was characterised, as mentioned, by relative disunity in responding to the pandemic.

Additionally, we find relatively little support for the idea that religious leadership enjoys less support among adherents during the pandemic in formerly communist countries than in ones that have not been communist (Proposition 2b). For example, trust in the Orthodox leadership in Greece eroded significantly during the pandemic, suggesting a falling away of support from adherents. Declining trust in Greek Orthodoxy may have been driven by a perceived overstepping by some church leaders in politics during the early stages of the pandemic. This was somewhat different to the Bulgarian and Romanian cases, where the church leadership's approach did not seem to lead to a similar falling away in support from devotees.

Turning to aspects of the legal culture, Proposition 3a concerns the degree to which a tradition of openness regarding defending the rights of religious groups might have impacted religious freedom cases. Thus, we expected that in countries with a 'constraining' role with regard to defending religious group rights resort to world regional courts to adjudicate freedom of religion cases should be more likely.

On this issue, the Greek case is instructive. This context has a long history of religious freedom cases, and indeed stands out in the European context for being the society with the largest number of cases brought to the European courts (Fokas 2018). This likely reflects the relatively 'constraining' role of Greece regarding defending religious (minority) rights more generally, in line with our expectations.

Available country-level measures of the European landscape regarding religious minority rights confirm this observation. According to

the *Atlas of Religious or Belief Minority Rights*, Greece has a P-index¹ score of 0.25, occupying a position at the lower end of this index (the 16-country average is 0.28). By comparison, Romania has a P-index of 0.27 (Ferrari et al. 2024). Thus, two of the countries in this grouping reflect relatively low levels of openness to religious minority groups.

Perhaps reflecting this relatively ‘constraining’ pattern regarding religious (minority) groups, the Romanian case reflected concerns about religious freedom during the pandemic. For example, the restrictions adopted by state authorities prompted a religious freedom case to the European Court of Human Rights by an individual prisoner who was prevented from attending an Adventist religious service during the pandemic, with the court ruling that this constraint was consistent with the unity-driven protection of public health² (Trispiotis 2022).

Although past research suggests that alternative civil society avenues for legal change beyond the court system may be a factor in shaping judicialisation processes (or lack thereof) in some societies (Mayrl 2018), in the Greek case it appears – in line with Proposition 3b – that the absence of recognition at the national level, where several cases were taken, likely prompted resort to the European court system, as in the recent European Court of Human Rights case brought by an Adventist Church adherent (Trispiotis 2022).

In the Bulgarian case, the unsettled political context (i.e. anti-government protest) complicated the legal situation, which may help explain the absence of cases in this setting. Against this background, it is not surprising that non-pandemic-related protests in Bulgaria – greater in scale than at any other time since the communist era – were much more frequent than pandemic-related ones, in contrast to the situation in Southern Europe, and culminated in the government’s collapse in 2021 (Kriesi and Oana 2022). This suggests – in line with past research (Mayrl 2018) – that legal processes in a given society can partly be driven by non-legal factors, such as the ‘political opportunity structure’ (Meyer and Minkoff 2004, 1457).

Finally, with regard to individual-level religiosity (Proposition 4), we expected that societies with higher levels of insecurity should exhibit higher levels of individual religiosity compared to societies with low levels of insecurity. Within the Orthodox-majority category, past research suggests that Greece may have experienced a higher increase in religiosity (as measured by online prayer searches) than Bulgaria and Romania (Bentzen 2021).

Notes

- 1 A limitation of the P-index is that it does not include data for Bulgaria.
- 2 *Constantin-Lucian Spînu vs. Romania* (application number 29443/20), 11 October 2022 (Trispiotis 2022).

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CHAPTER 17

Religion and COVID-19 in Bulgaria

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Abstract

Bulgaria was among the few countries in the world where the state authorities did not require the closure of religious sites during the pandemic. This peculiarity led to some deviations in the implementation of anti-epidemic measures in the religious sphere. This analysis pays special attention to the impact of the country's religious demography and the teachings of different faith communities on their response to the anti-epidemic policy of the Bulgarian state. It also discusses the diverse approaches of the local religious majority and faith minorities. Finally, it comments on the state's communication with religious communities during the pandemic.

Introduction

The COVID-19 pandemic hit Bulgaria in March 2020. As in other countries throughout the world, the state adopted an anti-epidemic policy based on the principle of social distancing. Until mass vaccination, there was no other effective tool for combating the spread of

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the disease. At the same time, the anti-epidemic requirements put into question the traditional performance of religious rites.

Setting the Context

On 13 March 2020, a few days after the first cases of coronavirus infection, the Bulgarian parliament declared a state of emergency (Parliament of Bulgaria 2020). Simultaneously, the minister of health imposed a ban on entertainment and other collective activities and events (Government of Bulgaria 2020b). At the same time, the government invited the leaders of local faith communities to close their religious sites. However, the Holy Synod of the Bulgarian Orthodox Church (BOC), representing the local religious majority, left its churches open. In this way, the religious minorities received the chance to do the same. As a result, the anti-epidemic policy in the religious sphere was marked by some specificities. The sanitary measures in religious sites included frequent disinfection of their interiors and objects of veneration. There were also requirements for their visitors. All believers were obliged to wear medical masks and keep a two-metre distance between each other during religious services.

Still, the government's abstention from closing the churches triggered heated public debates in Bulgarian society. In the spring of 2020, two extreme positions took shape. The first was supported by Orthodox believers, who welcomed the government's concession to their church and adopted a selective approach to the imposed sanitary measures. In general, worshippers accepted the requirements for wearing masks and keeping distance in the churches. They also started bowing before icons and other objects of veneration instead of kissing them. At the same time, the adherents of Eastern Orthodox Christianity continued receiving Holy Communion from the same spoon. In their turn, secular citizens criticised the government's softness as being dangerous for public health and called for religious sites to be closed, as they were in other parts of the world, including the neighbouring Orthodox countries of Greece, Romania, Serbia, and North Macedonia. In this way, the public debates opposed the common good and religious rights.

In the spring of 2020, the public debates were intensified by the conjunction of the first pandemic wave in Bulgaria with the most important Christian, Muslim, and Jewish festivals. The Orthodox Bulgarians, representing the local religious majority, became especially

sensitive to the very idea of closing their churches. In this regard, it is necessary to point out that the Great Lent is the most strenuous time in the life of Orthodox Christians, preparing them for their holiest holiday – Easter. In contrast to Christmas, which Orthodox Bulgarians traditionally celebrate as a family holiday at home, Easter gathers them in the churches. Therefore, the number of churchgoers and communion takers is higher during Lent than in regular Sunday liturgies.

In the summer of 2020, the outbreak of political protests against the then-ruling government of Boyko Borisov additionally fuelled the debate on the anti-epidemic measures and led to a politicisation of the issue of religious rights.¹ In particular, the political opposition was tempted to attack the policy of social distancing as an anti-democratic development. Meanwhile, Orthodox churchgoers admired the government's tolerance towards religion. They also drew parallels with the closure of churches under communism and insisted that the government was acting in line with the norms of democracy.

At a later stage, the start of the vaccination campaign triggered the next round of debates. This time, however, the debates revealed a division between the majority and minority religions. Despite the concessions received from the state during the pandemic, the BOC, the most influential religious institution in the country became the only religious body that did not send its representative to the public council set up at the Ministry of Health to promote the COVID vaccines (Hristiyanstvo.bg 2021). Meanwhile, the leaders of the religious minorities supported the efforts of the state to popularise vaccination.

Finally, the religious responses to the challenge of the pandemic were also influenced by the religious demography of Bulgaria. According to the national census of 2021, the country had 6,519,789 citizens. As they are not obliged to answer questions regarding their religious, ethnic, and linguistic identity, the data collected on these criteria are not full but only 472,606 of the respondents (7.25 per cent of the country's population) refused to reveal their religious identity (National Statistical Institute of Bulgaria 2022). There is also no information about the religious affiliation of 616,681 persons added from administrative sources and for whom information is missing in the registers used in the census. At the same time, 305,105 citizens (4.68 per cent) declared that they had no religion and another 259,235 (3.98 per cent) found it difficult to define their religion.

From this perspective, the census offers a good idea of the religious composition of the Bulgarian population. It reveals that 4,219,270 citizens, or 64.71 per cent of the entire population, belong to Christianity (National Statistical Institute of Bulgaria 2023, 50–51). Though confessionally diverse, this group is strongly dominated by the adherents of Eastern Orthodoxy. According to the census, 4,091,780 Bulgarian citizens (62.76 per cent) are Orthodox, 69,852 (1.09 per cent) are Protestants, 38,709 (0.59 per cent) are Catholics, 5,002 (0.08 per cent) are Apostolic Armenians, and 13,927 (0.21 per cent) belong to other Christian denominations. There is also a significant Muslim community. In the case of faith minorities, the census registered 638,708 adherents of Islam (9.8 per cent), 1,736 Jews (0.02 per cent), and 6,451 believers belonging to other various faith communities (0.1 per cent).

Legal Aspects

The COVID-19 pandemic presented a challenge to Bulgarian legislation in the sphere of human and religious rights as well. To fight the spread of the virus the Bulgarian government took the unprecedented step of issuing the first proclamation of a state of emergency on the grounds of the 1991 Constitution of Bulgaria (Article 64.2).² In addition, the National Parliament adopted a special law on the measures and activities during the state of emergency (Government of Bulgaria 2020a). This guaranteed state subsidies for the BOC and the Muslim religious denominations (paras 17 and 18). At the same time, it did not discuss any special sanitary measures regarding the faith communities in the country. Yet the general requirements for social distance had an effect on the right of believers to practise their faith ‘in community with others’ (European Charter of Fundamental Rights of the European Union, Article 10.1), as well as on the performance of certain rites.³ The Bulgarian Constitution does not contain an explicit reference to the religious freedoms of citizens regarding the collective practising of their faith but employs a rather general formula about the freedom of Bulgarian citizens to practise their religion.⁴ In addition, the constitution clearly states that the freedom of religion ‘shall not be practiced to the detriment of national security, public order, public health and morals, or of the rights and freedoms of the others’ (Article 37.2).⁵

To combat the quick spread of coronavirus, the government appointed a national consultative board of experts. In parallel, the Ministry of Public Health issued a series of normative documents and instructions. On 13 March 2020, it introduced a complex set of sanitary norms that were to be observed during the state of emergency, and the Directorate of Religious Affairs invited the leaders of the local faith communities to inform their members about the sanitary measures they had to follow during the pandemic.⁶ At the same time, even during the most extreme moments of the spread of the infection, the state authorities abstained from closing religious sites. As a result, the final decision belonged to the respective religious leaders. In this way, less than 1 per cent of the religiously active citizens, mainly Roman and Eastern rite Catholics, Apostolic Armenians, and Jews, were temporarily restricted from the right of worship in their religious sites.

Meanwhile, some sanitary measures caused various problems for the faith communities whose religious sites remained open. In the case of the Muslim community, disinfection presented a peculiar challenge because most available substances contain alcohol. In this regard, the Grand Muftiate explicitly instructed the faithful that disinfection is absolutely mandatory, even when the disinfectant has alcohol (Grand Muftiate (Bulgaria) 2020a). At the same time, the quarantine-related requirements turned out to be less challenging for the adherents of Islam. In this regard, the Grand Muftiate reminded them of a hadith teaching that neither the inhabitants of a place contaminated by a disease should leave it nor should outsiders visit it (*ibid.*).

During the pandemic, the Ministry of Public Health issued additional instructions reducing the attendance at such major family religious rites as weddings, baptisms, and funerals. At the same time, while baptism and wedding ceremonies continued to be performed inside temples in the presence of a few closest family members, funeral rites began to be conducted outside the religious buildings. The state authorities also did not cancel such major religious rituals as the blessing of military flags on Epiphany (6 January) and the blessing of the Bulgarian Army on St George's Day (6 May), which are carried out in open-air spaces. Yet the attendees were limited to a minimum. Similarly, the public performance of the midnight Easter liturgy – the most important festivity of Orthodox Bulgarians – was not banned. Still, Orthodox Bulgarians were asked not to visit the churches but to watch the TV transmission of the Easter liturgy in the patriarchal cathedral

of St Alexander Nevski or the online transmissions of the church services in their diocesan cathedrals. In contrast to other years, church services were not attended by politicians. Further, the part of religious services performed in front of the Orthodox temples was prolonged. In fact, the Easter celebrations in 2020 became the least visited since the fall of communism.

As a rule, the state normative documents issued during the pandemic observed the principle of religious non-discrimination (Charter of the Fundamental Rights of the European Union, Article 21). Still, there were cases of its infringement. In April 2020, the Roma evangelical community in the town of Samokov was accused of breaking the anti-epidemic measures because of a collective prayer in the churchyard held on Palm Sunday (Bulgarian National Radio – Horisont 2020; see also Kalkandjieva 2024, 252–53). The imposed administrative sanctions were immediately contested by the United Evangelical Churches (UEC), whose leaders sent a letter of protest to the prime minister with copies to the prosecutor general, the minister of the interior, and the Directorate of Religious Affairs (News.bg 2020). In response, the evangelicals provided evidence that their gathering was conducted in line with the sanitary measures, namely that all believers had worn medical masks and kept a two-metre distance between themselves. The UEC also pointed to the constitutional guarantees for their civil and religious rights in a state of emergency (Bulgarian Constitution, Article 57, section 3).

Two months later, media publications about the coronavirus contamination of several pastors, allegedly caught during their working meeting in Perushtitsa, provoked another remonstrance (Bulgarian National Radio – Radio Plovdiv 2020). This time, the UEC's chairman sent a letter to the minister of public health and the chief health inspector. He complained that the publications blamed the evangelicals for the spread of the infection in the same town and accused the media of using double standards aimed at stigmatising their faith and community (Unified Evangelical Churches 2020). According to the chairman, the media disclosed the religious identity of the diseased persons only in the case of evangelicals. Therefore, he reminded them of the instructions of the World Health Organization to respect the religious freedoms of believers during the pandemic (World Health Organization 2020).

Sociological Aspects

The legally recognised religious denominations in Bulgaria responded differently to the anti-epidemic policy of the state. Although none of the governments that ruled Bulgaria during the pandemic ordered the closure of religious sites, the local Catholic and Armenian Churches as well as the Jewish Central Consistory closed their places of worship. They also instructed the faithful to temporarily conduct their religious rites at home. At the same time, the leaders of the Muslim and Protestant communities adopted a different approach. The Grand Muftiate left the mosques open but appealed to Muslims to abstain from the collective Friday prayers at mosques and to perform their religious duties at home (Grand Muftiate (Bulgaria) 2020a). Similarly, the Protestant churches remained open for individual prayers. Only the BOC's Holy Synod preserved the traditional face-to-face religious gatherings.

Two factors determined the different behaviour of faith communities. The first is linked to their shares in the country's religious demography. Correspondingly, the places of worship that remained open during the pandemic belonged to the two most numerous faith communities – Orthodox Christians and Muslims. It is also necessary to pay attention to the fastest-growing religious denomination of Protestants. For the first time in the history of Bulgaria, its membership reached, and exceeded, 1 per cent of the local population. At the same time, they did not form a unified religious body. According to the Register of Legally Recognized Religious Entities, maintained by the Directorate of Religious Denominations at the Council of Ministers of Bulgaria, these believers are organised into about 200 churches.⁷ In short, about 77 per cent of the country's population had the opportunity to visit their religious sites during the pandemic. From this perspective, it seems that the government of Boyko Borisov (May 2017–May 2021) abstained from closing churches to avoid the potential discontent of so many citizens at a moment when the protests of the political opposition were gaining momentum. In the summer and autumn of 2020, its representatives even organised the public burning of medical masks as an act in support of civil freedoms and democracy (Lyuba Ivanova 2020). In addition, there were mass protests by parents who disagreed with their children wearing masks at school (Darik Radio 2020). In fact, the sentence of the only Bulgarian citizen condemned for protests

against the mask-wearing rules was overturned by a court of higher instance (Zhelyazkova 2023).

Theology was another factor that determined the different conduct of religious communities during the epidemic. In general, Islam and Judaism allow greater flexibility than Christianity regarding the private practising of religion at home. As religious gatherings and collective prayers are paramount for evangelical churches, the requirement for social distancing turned out to be especially challenging for their faithful. Meanwhile, the Catholic and Orthodox churches were more concerned about the customary methods of receiving communion, which non-believers considered incompatible with the sanitary measures. Both theologies teach that the Holy Eucharist is the body and blood of Christ and that by receiving communion believers become one with their God and reaffirm the unity of the Church. Correspondingly, the disruption of this custom is perceived as a 'sacramental shut-down' threatening the church and its members (Condon and Flynn 2020).

At the same time, the Catholic and Orthodox churches are differently organised. The Catholic Church has a unified hierarchical structure and decision-making is in the hands of the Roman Pope. Meanwhile, the Orthodox Church is decentralised and consists of multiple autocephalous churches whose ruling bodies act independently of each other. As a result, the decisions in Eastern Orthodox Christianity can vary from church to church. In Italy, public church services were cancelled by the Vatican before the issue was discussed by the Italian government (Condon and Flynn 2020). Further, the Roman Pope allowed priests to celebrate Holy Mass 'even without the presence of the people' when it would help to rescue human lives (Holy See Press Office 2020). In addition, the Pope offered an example of spiritual communion prayer that believers may say from home (Mares 2020). This was the model adopted by the Catholic Church in Bulgaria.

The BOC, however, adopted a different approach. Its Holy Synod decided to leave churches and monasteries open. Thus, it introduced sanitary measures for disinfection and required churchgoers to keep physical distance. At the same time, only lay believers were obliged to wear medical masks, because they would impede clergy from the normal performance of religious rites. In addition, the sick parishioners were invited to worship at home. Owing to the growing spread of the coronavirus in the spring of 2020, the Bulgarian government

attempted to persuade the Orthodox episcopate to close churches during the Easter holidays. For this purpose, state representatives visited the Synod on 30 March and 9 April. Although Prime Minister Boyko Borisov attended the second round of negotiations, the mission did not reach its goal. The church hierarchs agreed only to cancel some popular local customs that were not rooted in Orthodox teaching, e.g. the traditional distribution of blessed willow branches on Palm Sunday was revoked (*Sofia Globe* 2020).

The use of digital platforms for reaching the faithful marks another difference between the Orthodox and Catholic Churches in Bulgaria. After the outbreak of the epidemic, the Catholic clergy started transmitting church services online, while the Orthodox clergy remained 'analogue'.⁸ The BOC's episcopate insisted on the face-to-face participation of the faithful in the church services. During Lent, the patriarch, the Holy Synod, and diocesan hierarchs issued special encyclicals instructing believers to fast, attend liturgy, and take communion as a cure for their bodies and souls (Bulgarian Orthodox Church 2020b). Orthodox churchmen repeatedly stated that communion could not transmit any disease (Bulgarian Orthodox Church 2020c). Further, priests were obliged to visit sick people in their houses whenever they asked to receive communion. The fear of infection was not accepted as a reason for declining such requests (Sofia Metropolitan's Office 2020). Similarly, some of the BOC's parishes abroad continued to distribute communion by the same spoon during the pandemic (Infante 2021; Ivanov 2021).

Furthermore, although the Orthodox Church resisted the digitalisation of liturgy, it employed social media and the internet to promote its engagement with the pandemic in quite a selective manner. On the one hand, the BOC, as well as the other religious denominations, avoided providing statistical data about the infected and deceased churchmen. In the case of the Orthodox Church, such information could undermine the belief that communion would save not only the soul of the true believer but also their body. In the summer of 2020, the death of the Orthodox metropolitan of Dorostol and the growing number of priests who had perished due to the coronavirus contagion provoked a change in the BOC's rhetoric. The focus of church media moved to the engagement of clergy in fighting the pandemic. Yet this commitment is not linked with the role of medical chaplains, because the BOC, as well as the other religious denominations in the country,

do not have such chaplains. Meanwhile, as only the Orthodox Church erected chapels near or inside hospitals, it was able to organise their public prayers for the victims of the pandemic and the health of the medical personnel and their patients (Dveri.bg 2020b). In November 2020, on the feast of the Christian family, several Orthodox priests from the Diocese of Sofia, who had cured themselves of the COVID infection, donated blood necessary for the production of antibodies serum then used for the healing of infected people (Dveri.bg 2020a). These gestures received significant publicity thanks to the national media. At the same time, there is no information on whether religious minorities had similar access to hospitals.

Furthermore, the pandemic had an effect on the religious rites connected with the main stages of human life, e.g. baptisms, weddings, and funerals. During the state of emergency, the number of people attending them was restricted. In parallel, the number of Orthodox weddings and baptisms declined as many people preferred to postpone them. In the meantime, the funerals rapidly increased during the first pandemic year, when mortality in Bulgaria marked a growth of 32 per cent (Petya Ivanova 2020). At this point, religious ministers of all faiths agreed to modify the funeral ceremonies, and Orthodox priests were instructed to perform them outside the churches (Bulgarian Orthodox Church 2020a). In line with the sanitary requirements, the coffins were closed and the mourning relatives had to abstain from such customs as touching and kissing the dead. Further, cremation became customary. If cremations in pre-pandemic Bulgaria varied between 10 and 15 per cent of all funerals, now they reached about 50 per cent (Bulgarian National Television 2022). This shift was provoked not only by the sanitary measures but also because of the shortage of graveyards in the big cities and the increased prices of traditional burials. Generally, the Orthodox hierarchs were not satisfied by this development. For years, they had insisted on body burials as the only proper mode of funeral for Orthodox Christians. Thus, some priests used to refuse funeral services for dead people who had asked in advance for cremation. During the pandemic, however, the BOC's episcopate agreed that funeral services would also be performed for those dead who would be cremated afterward.

Similarly, the Grand Muftiate paid special attention to funeral rites. At the start of the epidemic, the Fetwa Commission of the Higher Muslim Council issued a special instruction (Grand Muftiate (Bulgaria)

2020b) according to which, when a Muslim dies of COVID-19 in a hospital, the body must be buried in the manner it was received from the medical institution. Muslims were also instructed not to take out the bodies of the deceased person from the disinfected sack or coffin. In such cases, the only rite that had to be performed was a ritual cleaning known as *teyemmüm*. The fatwa explained that this modest rite did not mean that the relatives had not properly fulfilled their duties to the dead. It also pointed out that the simplicity of the rite aimed to limit the spread of the disease and was in line with the priority that the Quran gives to the safety of the life of the living over the washing of the dead.

At the same time, media publications from the pandemic period raised the complaints of relatives of Muslim coronavirus victims who had been placed in coffins with Christian symbols. To resolve the problem, the Grand Muftiate and its regional branches sent letters to the hospitals and the regional sanitary inspectorates (Blitz.bg 2020). It is worth mentioning that, in 2012, the Grand Muftiate called on Muslims not to bury their deceased in coffins and reminded them that such practices used to be forcefully imposed on Bulgarian Muslims during communism (Vitkova 2012). Finally, another fatwa instructed imams on how to protect themselves during the traditional funeral washing of people who had died at home. They had to wear masks, gloves, high boots, and raincoats (Grand Muftiate (Bulgaria) 2020c). Muslims were also advised to temporarily stop performing customs requiring physical contact between the participants during funeral ceremonies (Kardzhali Bgvesti 2020). It is intriguing that publications on the funerals of Muslims who had died of coronavirus do not mention any cases of cremation.

Finally, when the first vaccines appeared in Bulgaria in the last days of December 2021, the religious denominations failed to take a common stand in support of the vaccination campaign. To a great degree, this was a result of the BOC's general anti-ecumenical approach. Only a few Orthodox bishops made positive public statements about the vaccines. One of them was Metropolitan Naum of Ruse, who elucidated that vaccination was not an act of apostasy and that God had given free will to people to decide for themselves (Dveri.bg 2021). Yet he did not disclose whether he had been vaccinated. The only hierarch who publicly announced his vaccination was Bishop Tikhon, who is not a member of the Holy Synod and has medical education (Fakti.bg 2021). At the same time, anti-vaxxer gossips found fertile soil among a good

number of Orthodox and other believers. According to a survey held by Eurobarometer in February 2022, only 49 per cent of Bulgarians agreed that the vaccines from the EU were safe and 29 per cent were totally against the vaccination (Eurobarometer 2022). Under these circumstances, the ministers of most religious minorities did not give much publicity to their vaccination. The main exception was the chief mufti, Mustafa Hadzhi, whose vaccination was publicly announced (Novini.bg 2021). At the same time, in the summer of 2021, when the Ministry of Health set up a public board for the promotion of the vaccination campaign, the BOC refused to send its representative there and only the religious minorities did so (Trifonova 2021). It should be clarified that this council was not an interreligious body but a public one. Its members were prominent Bulgarian citizens whose voice was expected to make the vaccination more popular.

Conclusion

The presented overview of the encounter of religion with COVID-19 in Bulgaria reveals a set of peculiarities. The abstention of state authorities from ordering the closure of religious sites allows us to see how the teaching and organisation of different faiths influence their responses to the pandemic, including the range of solutions found in their attempts to balance between the duty to God and the responsibility to the local society. The analysis also points out that the share of one or another faith community in the country's religious demography could also impact the decisions of its religious leadership and the behaviour of its faithful in a state of emergency.

At the same time, the attitudes of Bulgarian citizens to religious liberties during the pandemic were not defined only by their secular or religious worldviews. The debate on the choice between the freedom of religion and the public good was also influenced by the memory of the communist persecution of religion. As a result, not only practising believers but many nominal ones were inclined to perceive any restriction of religious freedom as an infringement of democracy. Finally, the majority–minority divides also left its imprint on the attitude of Bulgarian citizens. The state authorities accepted the refusal of the BOC's leadership to close its temples and make changes in its sacramental practices, but seem to have been less sensitive to the rights of Roma evangelicals.

Notes

- 1 The politicisation of the issue of religious rights during the COVID-19 pandemic is discussed in Daniela Kalkandjieva (2024).
- 2 Constitution of Bulgaria <https://www.parliament.bg/en/const>.
- 3 Article 10.1 of the European Charter of Fundamental Rights of the European Union reads: ‘Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.’ See https://www.europarl.europa.eu/charter/pdf/text_en.pdf.
- 4 The Bulgarian original of the constitutional text on the freedom of practising religion (Article 13.1) is very vague. It reads: ‘Veroizpovedaniyata sa svobodni’, which literally means ‘Religious denominations are free’. See <https://www.parliament.bg/bg/const>. At the same time, the meaning of the word *veroizpovedaniya* is unclear. In Bulgarian, this word could mean a religious denomination, institution, community, or all these notions together. According to the Additional Provisions (§1.1) in the Religious Denominations Act, the term *veroizpovedanie* embraces ‘the totality of religious beliefs and principles, the religious community and its religious institution’. See <https://lex.bg/laws/ldoc/2135462355>. At the same time, the English translation of the above-cited constitutional text, presented on the website of the Bulgarian Parliament reads: ‘The practicing of any religion shall be unrestricted.’ See <https://www.parliament.bg/en/const>.
- 5 Constitution of Bulgaria.
- 6 The Directorate’s appeal to the religious leaders is available on its website: <http://veroizpovedania.government.bg/home>.
- 7 The Register of Legally Recognized Religious Entities in Bulgaria is retrievable from the website of the Directorate of Religious Denominations (<http://veroizpovedania.government.bg/docs>).
- 8 One of the BOC’s youngest metropolitans, Kipriyan of Stara Zagora, issued an encyclical letter advising the faithful from his diocese to follow the Easter liturgy home via Facebook instead of coming to the church (Bulgarian Orthodox Church 2020d).

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CHAPTER 18

Religion, Politics, and the COVID-19 Pandemic in Greek Society

Legal Confrontations and Social Implications

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Abstract

The COVID-19 pandemic affected many aspects of people's professional, family, and social lives including religious and spiritual practices. In Greece, although the government took strict measures to protect the population from infection, it hesitated to impose similar immediate restrictions on the Orthodox Church of Greece. The church was reluctant to close all the temples and persisted in practising the Sunday Mass and major religious holidays, albeit with a limited number of participants. Owing to this lack of unconditional compliance with the governmental restrictions, the church was perceived as being against the state and medical regulations. The main questions that this chapter will try to answer are the following: what kinds of measure were taken by the government in relation to religious places and practices during the pandemic? How did religious groups and institutions, mostly the

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Orthodox Church, respond to them? Did society accept these measures? Which was the pandemic's impact on people's religious beliefs, practices, and trust towards the Orthodox Church? The purpose of this chapter is twofold: on the one hand, to examine the implications on the societal level in the light of the Orthodox Church's social and political dominance under the prism of secularisation and, on the other hand, to systematically describe the political and legal developments during the pandemic pertaining to the 'politics–science–religion' triangle in order to showcase the pandemic's impact on religious practices.

Introduction

Despite the evidence of the last decade showing a gradual distancing of the Greek people, especially younger generations, from religion (Sakellariou 2022a), the Orthodox Church of Greece still holds quite a strong and influential role in society and politics. Drawing on the historical and legal background, it could be argued that the Orthodox Church and the state have been collaborating closely on a variety of issues. In 1833, the Orthodox Church was declared independent of the Patriarchate of Constantinople and was incorporated into the state apparatus, thus becoming an ideological proponent of the national ideology. With very few exceptions from then on, the state has been protecting the Orthodox Church, considering it the nation's saviour during the Ottoman Empire (the 'mother of the nation'), and the church, on the other hand, has been supporting the state on ideological and political issues (e.g. anti-communism) (Sakellariou 2022b, 133–38).

When it comes to the legal framework, it could be argued that the Orthodox Church is much closer to what could be described as a *de facto* state church, although not *de jure* (Sakellariou 2013). The Greek Constitution starts with the phrase 'In the name of the Holy, one in essence and indivisible Trinity', and, according to Article 3, 'the prevailing religion in Greece is the religion of the Eastern Orthodox Church of Christ'. A number of scholars (Dimitropoulos 2001, 70–80; Pappazios 1998) have claimed that, as long as there are such statements in the constitution, Greece is far from being a secular state. Others (Manitakis 2000, 72–74; Venizelos 2000, 137–38) have contended that the above constitutional statements are not critical and have primarily a symbolic and cultural meaning, acknowledging the Orthodox Church's historical role and that the majority of Greek society self-identifies

with the Orthodox Christian religion. Furthermore, Article 2 of the first chapter of the law about the operation of the Orthodox Church and its relations with the state (Official Government Gazette A 146, 31 May 1977), mentions that the church of Greece should cooperate with the state on themes of common interest, for example the Christian education of the youth, religious service in the army, support for the institution of marriage and family, the protection of holy relics and ecclesiastical and Christian monuments, and the establishment of new religious holidays. The church can ask for the protection of the state whenever the Orthodox religion is insulted.

With the above in mind, this chapter will try to shed light on the following questions: what kinds of measure were taken by the government in relation to religious places and practices during the pandemic? How did religious groups and institutions, mostly the Orthodox Church, respond to them? Did society accept these measures? Which was the pandemic's impact on people's religious beliefs, practices, and trust towards the Orthodox Church? The purpose of this chapter is twofold. On the one hand, it aims to describe the political and legal developments pertaining to the 'politics–science–religion' triangle in order to showcase the pandemic's impact on religious communities in Greek society, with a special focus on the Orthodox Church of Greece. On the other hand, the chapter examines the implications at the societal level in the light of the Orthodox Church's political and social dominance through the secularisation lens.

Setting the Context

The pandemic of COVID-19 had a severe impact on every aspect of people's family, professional, and social lives, including every religious and spiritual manifestation (see the introduction to this volume). The eruption and expansion of the pandemic during February and March 2020 led the Greek government to take all the necessary measures in order to prevent the spread of infection. However, the government was hesitant to impose rigorous restrictions on the Orthodox Church and offered it the option to decide for itself on the necessary limitations. The church's reluctance to immediately close all Orthodox temples around the country and its persistence in practising Sunday Mass, albeit only with a few participants, caused huge debates in the public sphere during the first weeks of the pandemic.

Although the church acknowledged the dangers derived from COVID-19 and did not officially, through the Holy Synod, oppose scientific evidence and state decisions (Mitralexis 2022), its initial reaction and lack of unconditional compliance with the governmental restrictions made the church appear to be against the state and medical regulations. The Holy Synod from the beginning expressed its trust in science as a gift from God, a position that was derived from the Holy Scripture, and asked people to follow doctors' advice. Moreover, the Holy Synod supported the hospitals with an amount of €150,000 as early as April 2020.¹ After the production of the vaccine, the church supported the effort to achieve high levels of vaccination, sending its spokesperson to vaccinate with the archbishop, and other members publicly doing the same. Furthermore, the Holy Synod decided to issue an encyclical letter to its adherents in support of the vaccine and in collaboration with the scientific community replied to a number of questions in order to clarify misunderstandings and confront conspiracy theories.²

As the pandemic escalated, the church realised that it had to adjust further, but a significant number of clergy members (higher and lower rank), monks and nuns, theologians, and laypeople started to stand against the restrictions (e.g. not wearing masks inside the churches, kissing religious icons, not keeping social distance) and vaccination. They participated in demonstrations and they reproduced conspiracy theories (Stamouli 2021), thus fuelling the anti-vaxxers' and COVID-19 deniers' milieu (Makrides and Sotiriou 2024, 67–72). Some of the opinions that were voiced by metropolitans, lower-rank priests, and theologians were arguing that God's laws are more powerful and that doctors are weak and only Christ is omnipotent. Especially during the periods of important religious holidays (e.g. Easter and Christmas), the church wished to keep temples open, and sometimes it actually did bypass the governmental restrictions (e.g. during the celebration of Epiphany on 6 January 2021). In some cases, the police had to arrest, fine, and prosecute clergy members for not following the imposed restrictions, e.g. because they opened the churches and practised Sunday Mass or because they organised prohibited litanies (Sakellariou 2020, 122–23).

Overall, it could be argued that the impact of COVID-19 on religious practices was a theme that attracted much attention during the pandemic from a variety of perspectives. It was mostly related to the

role of the Orthodox Church and its reactions against the restrictive measures, adding to the long-standing discussions already taking place in the public sphere on church–state relations and the infiltration of religion in politics. The result was a number of publications, studies, conferences, online seminars, and lectures³ on the topic. First, a number of opinion polls (Sakellariou 2020, 163–70) included questions about the role of the Orthodox Church and trust in the church as an institution, resulting in very interesting findings that will be discussed in the following section. Furthermore, the publications included edited volumes examining the issue from theological and church perspectives (Asproulis and Wood 2020; Chrysostomos 2020; Dimitriadis 2020; Ierotheos 2021); sociological essays (Sakellariou 2020); chapters in edited volumes dedicated to the broader theme of the pandemic (Papanikolopoulos 2020); academic articles focused on how the pandemic affected people’s spiritual health (Papazoglou et al. 2021) and religious practices (Papantoniou and Vionis 2020); the attitudes of the Greek believers towards the state’s restrictive measures (Issaris, Kalo-gerakos, and Milas 2023; Kousi, Mitsi, and Simos 2021; Michailidis, Vlasidis, and Karekla 2021); and legal perspectives (Androutopoulos 2021; Karavokyris 2021).

It is worth noting that, apart from Orthodox Christians, there are also smaller religious communities (Muslims, Catholics, Protestants, Jews, Jehovah’s Witnesses, etc.) and a growing number of people who self-identify as atheists, agnostics, or religiously indifferent, especially among younger generations. In Greece, there are no official data on religious affiliation since the national census does not collect such information. According to 2017 data from the World Values Survey (WVS), Orthodox Christians comprise 91 per cent of the population, Muslims 2.9 per cent, Roman Catholics 0.5 per cent, and Jews and Hindus 0.2 per cent each, with Protestants at 0.1 per cent.⁴ Additionally, the Pew Research Center (2017) estimates the Muslim population in Greece at 5.7 per cent.⁵ Various opinion polls conducted since 2017 have indicated a gradual increase in the number of non-religious individuals. To offer a brief overview, in one opinion poll (Public Issue 2008), 7 per cent stated that religion was not at all important in their lives, while 14 per cent said that religion was not very important. More recently (Kapa Research 2015), 81.4 per cent said they were Orthodox Christians, while 14.7 per cent said that they were atheists, a number much higher than the 1.8 per cent mentioned in the same company’s

opinion poll in 2006. In the most recent surveys conducted by Dianeosis (2024), it was mentioned that 18.9 per cent did not believe in God, while in 2016 (Dianeosis 2016), this number had been 15.8 per cent. It is important to mention that these numbers are much higher among the ages of 17–24 years. With regard to religiosity, there seems to have been a significant shift between 2006 and 2015, based on the aforementioned opinion poll (Kapa Research 2015). The proportions of those who attended church weekly went from 22.7 per cent in 2006 to 6.7 per cent in 2015, those who went one to three times per month from 24.6 per cent to 10 per cent, and those who never went from 6.9 per cent to 36.7 per cent.

Legal Aspects

During the first weeks of the pandemic, the Greek government started to impose a series of measures in order to protect the population from COVID-19. The first infections were recorded at the end of February 2020, but the first serious restrictions were imposed in March through the ban on all carnival celebrations and school excursions in Greece and abroad. On 11 March 2020, the government decided to close all kindergartens and schools and, two days later, all bars, cultural events, malls, shops, restaurants, museums, and sports halls. Religious places were exempted from the measures, while the government was trying to persuade the Orthodox Church to take this decision on its own through official and unofficial contacts. In every public announcement from 3 to 16 March, the church, after the Holy Synod's assemblies, expressed its support for governmental measures by asking people to follow the instructions, but underlined the importance of praying and saw the pandemic as an opportunity 'to surrender to God's will' and 'to act in solidarity'. On 15 March, the prime minister asked the archbishop to keep churches open only for individual prayer. On the 16th, the Holy Synod decided to stop baptisms and weddings unless there was a need and a small number of people attended. Furthermore, the church decided to cancel all daily rituals, but did not do the same for Sunday Mass. The same night, the prime minister announced that, owing to the seriousness of the situation, every religious place would be closed down without exceptions (Sakellariou 2020, 106–17).

This was the first piece of legislation (Common Ministerial Decision) to regulate religious practices and was in force from 16 to 30

March 2020 (Official Gazette B 872, 16 March 2020). The measures continued until May through the renewal of the Common Ministerial Decision. The only exemption was that, in some churches, the priests were allowed to practise a ritual, especially the Sunday Mass, but only in order to transmit it via the internet, television, or radio. In May 2020, the situation was significantly improved and religious places reopened with limitations. At the beginning, all religious places opened only for individual prayer (Official Gazette B, 1643, 2 May 2020), and afterwards with regulations about the number of people who could attend inside and outside as well as protective measures (e.g. masks and social distance) (Official Gazette B, 1816, 12 May 2020). As expected, in the summer, the measures ceased for every activity, including religious practices and rituals, but gradually the legislation came back into force in the autumn and winter of 2020–2021 with the following waves of the pandemic (e.g. Official Gazette 5509, 15 December 2020). As shown above, all these measures were temporary; they were withdrawn in times when the pandemic was abated and put back into force in periods of outbreaks. As has been argued, the spring 2020 response of the Greek state to the pandemic involved strong limitations on fundamental rights, especially freedom of movement and assembly, economic freedom, and the exercise of freedom of religion. Their legal basis mostly referred to the ‘necessity law’ provision of Article 44, paragraph 1 of the Greek Constitution (Karavokyris 2021). It should be noted that this was the first time such legislation was implemented in order to confront a public health issue and currently this legal state of exception is not active.

The restrictions on religious places caused a variety of reactions from the Orthodox Church. Letters were sent out to the prime minister, the minister of education and religious affairs, and other officials to protest against the ban, especially during important religious holidays. A number of lawyers, theologians, and in some cases priests appealed to the courts to overturn the restrictions, arguing that their religious freedom had been violated. In March 2020, a group of priests and believers appealed to the Administrative Court of First Instance of Athens against the first legislation that included the provision to close religious places (Act of Legislative Content, 25 February 2020). During the same period, Orthodox believers appealed to the Council of State, asking to open the churches in order for the people to attend religious rituals. Finally, a group of people appealed to the Supreme Civil and

Criminal Court of Greece (28 May 2020), arguing that the restrictions ‘violated the Constitution, insulted the name of God, and infringed the Holy Canons of the Church in order to alienate and extinguish the religious consciousness of the Greek people and to inflict atheism on the individual and state levels’ (Sakellariou 2020, 142–43). All the above appeals against the restrictions imposed on religious places were turned down by the Greek courts. It is also interesting that the Orthodox Church, through the Holy Synod, did not participate in these legal initiatives.

During the Christmas period of 2020–2021, the government took more strict measures due to the new wave of the pandemic, including religious places, especially for the day of Epiphany, on 6 January. The Orthodox Church reacted and argued that it would not implement the new decision but would follow the previous one, which allowed the participation of people during the celebrations on the days of Christmas and the New Year with limitations in their number and wearing protective masks. In addition, on 5 January the church appealed to the Council of State against the government’s decision (Loudaros 2021). As a consequence, all churches were open for celebrations during Epiphany. A few days later, the Council of State turned down the appeal. What is worth underlining, though, is that in the past it had mostly been religious minorities or non-religious groups and people that were legally active in order to protect their religious freedom.⁶ During this period, it was the Orthodox Church and its members who reacted against the restrictive measures and appealed to the courts.

The main restrictions that affected religious life were, first, the closure of all religious places, mainly during the peak of the pandemic, and, second, the limitations on the number of people who could attend religious rituals inside and outside of the religious places. As a consequence, when it came to the appeals, the main claims were that there had been a violation of the Greek Constitution, more particularly Article 3, according to which the dominant religion in Greece is the religion of the Eastern Orthodox Church of Christ, meaning that the Orthodox Church should be treated exceptionally compared to other religious groups, and Article 13, regarding religious freedom. In addition, it was claimed that the European Convention on Human Rights (Article 9) had been violated.

The courts examined whether the administrative decisions overcome the legal settlement usually produced by an Act of Legislative

Content in terms of Article 43, paragraph 2 of the constitution. The judicial reasoning in the above cases implied crucial assumptions. First, the rise of the public health interest covered practically any restriction of rights. Second, the application of the proportionality principle equalled a smooth necessity test, in which the unusual conditions of the pandemic justified the large discretionary power of the state. Finally, the legality of the debated measures was essentially dependent on their temporary and exceptional character (Karavokyris 2021). Therefore, according to the case law of the Greek courts, the principle of proportionality was not infringed by the restrictive measures regarding the freedom of worship, mostly because of the duration of the measures and particularly their temporary nature. Thus, it became obvious that, as far as their content is concerned, the prohibitive or restrictive measures related to the freedom of worship could not remain unchanged but had to be redesigned ‘from time to time’ based on the renewed data regarding the pandemic, in order for the least restrictive and most adequate of them to be chosen (Androutsopoulos 2021, 8).

Therefore, the critical question is what should be done in this particular case when two obligations of the state – on the one hand, the assurance of religious worship and, on the other, the protection of public health – should simultaneously be served despite fighting each other (Androutsopoulos 2021, 4). Based on the constitutional law, it is accepted that an abstract hierarchy between constitutional rights does not exist and, in the event that one conflicts with another, they must be weighed in accordance with the specific actual circumstances existing at the time. However, when not only health but even citizens’ lives are put in danger, it is obvious that the protection of human life has increased weight in the procedure because, ultimately, the existence of life becomes the prerequisite for the realisation of all other human rights (Vlachopoulos 2020).

Sociological Aspects

It is still early to reach a conclusion about the impact of the pandemic on people’s religious lives and religiosity. Despite the fact that restrictive measures were temporary, it is clear that the pandemic affected people’s participation in religious practices (religious holidays, everyday church attendance, Sunday Mass, and religious pilgrimages). For a long time, people had no access to religious places or they had access only under

very strict limitations. Even when religious places gradually reopened, many people hesitated to attend because they were afraid of the level of implementation of the measures, such as wearing a protective mask or keeping social distance. Baptisms and weddings were postponed for long periods of time, while funerals continued with limitations. There are no data yet to demonstrate a sustained rise in civil weddings, civil partnerships, and civil funerals due to the pandemic. Here it is important to mention that a shift in weddings had already started to take place since the economic crisis. Civil marriage was introduced in 1982. According to the data available for 1991, out of the total of 65,568 weddings, only 5,858 were civil. In 2001, of a total of 58,491, 10,404 were civil, and 2012 was the first year that civil weddings surpassed religious marriages. From then on, civil weddings and civil partnerships, the latest being introduced in 2008, have steadily increased compared to religious ones. In 2021, there were 18,487 religious ceremonies, 22,272 civil ceremonies, and 11,550 civil partnerships; in 2022, those numbers were 21,381, 21,974, and 13,157, respectively.⁷ Apart from baptisms, weddings, and funerals, Holy Communion, kissing holy icons, and litanies were among the practices that were considered infectious practices. Pilgrimages were also affected since people could no longer travel and visit places of religious significance in Greece (e.g. the island of Tinos or Mount Athos) and abroad (e.g. Jerusalem) (Papazoglou et al. 2021). The use of the internet and the media (radio and television) was an innovative solution for people who wanted to attend religious services but could not, either because of the restrictions or because of fear for their health. Many local parishes organised religious services offering the option of online, television, and radio transmissions (Makrides and Sotiriou 2024, 74–76).

A very interesting impact of the pandemic was the materialisation of individual religion, as shown by qualitative research on homemade *epitaphioi* (epitaphs) during the Good Friday of 2020 (Papantoniou and Vionis 2020). At that time, owing to the restrictions imposed on practising this communal Easter feast publicly in churches, people reacted inventively by constructing homemade epitaphs, displaying them in privately owned spaces and posting photographs and comments on social media. This new form of domestic ritual relates to formal ecclesiastical support, since a number of Church officials encouraged the faithful, through interviews in the newspapers before and during lockdown, to revitalise the practice of the house church, as has

been known since early Christianity, while intensifying their prayers at home (Papantoniou and Vionis 2020, 100).

A last point related to religious practices comes from unsystematic observations during the Easter holidays from 2020 to 2024. Usually, on Holy Saturday night people gather and have dinner after the church service at midnight in order to celebrate Christ's resurrection, ending the Easter fast. However, owing to the restrictions in 2020 and 2021, the religious services were organised earlier, at nine or ten o'clock, and as a consequence people assembled for the celebration dinner earlier, before midnight. In the following years (2022–2024), some people decided to have the celebration dinner before going to church at midnight, although the church service returned to the original time. It seems that these people realised that celebrating Christ's resurrection at midnight and then having dinner is a human-made tradition, and changing this practice is not such an important violation of religious teachings.⁸

When it came to the regulation of religious places, a number of opinion polls conducted during the pandemic showed that the vast majority of the population (e.g. 78.6 per cent and 85 per cent in two polls) agreed with the government's decision to close the churches in March 2020. In another poll, 84.7 per cent argued that, during Easter 2020, all churches should remain closed. When asked which three activities should open first after the lockdown, only 9 per cent answered 'the churches' and, when asked which should open last, 34 per cent replied 'the churches'. Moreover, when people were asked what they missed most during the lockdown, only 30 per cent replied 'attending a religious service in the church', compared with 62 per cent who replied 'a walk for coffee or lunch' and 31 per cent who replied 'go out for a drink at night' (Sakellariou 2020, 167–68). Bearing in mind that in most surveys and opinion polls Greek people self-identify with Orthodox religion, to the level of 85 to 90 per cent, this is a striking finding.

Regarding faith and trust, the data showed a significant growth in trusting science, medicine, and the state and only a small rise in faith in God. In one opinion poll, people were asked how much they trusted a number of values, institutions, and principles during the lockdown of 2020. While belief in God increased by 12 per cent, trust in science rose by 28 per cent. Similar to studies in other countries (Kanol and Michalowski 2023), which showed no significant rise in religiosity due to the pandemic, a number of surveys among university students and

school teachers have equally shown that people's faith and relationship with God did not change significantly during the pandemic, with most of them (more than 50 per cent) characterising it as 'the same' and 'stable' (Karamouzis and Sakellariou 2023; Karamouzis, Tsirevelos, and Sakellariou 2024).

On the other hand, trust in the church faced a profound decrease. In one of the first opinion polls, 44.2 per cent replied 'no' and 'not so much' when people were asked about their trust in the Orthodox Church, while 54.6 per cent replied 'enough' and 'very much'. Scientists were much higher on the relative list of trust, in third place, while the church was in seventh. In another opinion poll, people were asked to evaluate a number of institutions and their role during the pandemic on a scale from 0 to 10; the church scored 3.2 and appeared in last place, even below the usually untrusted media. In a later study during the pandemic, 67 per cent replied that they did not trust the church at all. In total, all the surveys have shown that, in cases of conflicts between science and religion, people favour science as being right, a reply scoring very high (from 60 to 75 per cent), especially among young people 17–39 years old (Karamouzis and Sakellariou 2023; Koliastasis 2022, 21).

It is very interesting that, in an opinion poll of May 2019, before the pandemic, 64.85 per cent argued that they trusted the church, meaning that during the pandemic the church lost at least 10 per cent, or even more depending on the time each poll was conducted. Moreover, it is worth mentioning that, in past surveys conducted in the 1990s and early 2000s, the church scored even higher, being among the first two or three most trusted institutions, even among young people, which is certainly not the case anymore.⁹ Finally, it is worth noting that, contrary to the church's public discourse during the pandemic and its teachings, only 22 per cent argued that COVID-19 could not be transmitted through the Holy Communion, while 70 per cent argued that it could (Sakellariou 2020, 168–69). Even when surveys were focused only on the followers of the Orthodox religion, the vast majority agreed with the restrictions. An interesting finding, however, was regarding the attitude of a number of young Orthodox believers and churchgoers (15–24 years old), who appeared more conservative than others of their age. This particular (minority) group of young people believed that the state had taken the restrictive measures in order 'to attack' the church and that the attitude of the church was a little to not at all

satisfactory; they also appeared a little happy with the way in which the churches were reopened after the lockdowns, i.e. with restrictions (Michailidis, Vlasidis, and Karekla 2021, 13).

One last critical point is the relationship between religious groups and the state. During the two years of the pandemic, reactions from other religious or non-religious communities were not recorded. No other religious group reacted against the restrictions imposed without exception on all religious places by the government or appealed to the courts, arguing that their religious freedom and human rights were violated. On 29 February, the Catholic Church of Greece issued an encyclical letter introducing preliminary measures to avoid infection. These measures included distributing Holy Communion in people's hands, removing holy water from temples' entrances, and discouraging the kissing of holy icons.¹⁰ Notably, the Orthodox Church had issued an encyclical letter the day before, on 28 February, which did not introduce any restrictions in relation to religious practices. Instead, it suggested just keeping temple windows open for fresh air and advised vulnerable individuals (those with serious medical issues) to stay at home, while recommending that others simply wash their hands.¹¹

It further needs to be underlined that, while the government decided to close every religious place on 16 March 2020, because of the Orthodox Church's unwillingness to take such a decision, other religious communities proceeded in this direction a few days earlier without waiting for the state to regulate this issue. For example, a well-known Muslim website asked all Muslims on 11 March 2020 to pray from their homes on the forthcoming Friday, 13 March, and avoid visiting official and non-official mosques. Similarly, the Synod of the Evangelical Church of Greece decided on 14 March 2020 to suspend every physical, face-to-face, religious ritual, to broadcast the Sunday Mass through the Internet, to suspend Holy Communion, and to ask people to pray from home (Sakellariou 2020, 116). Based on the above it is no surprise that during the pandemic there was no formal inter-religious body to discuss and decide on issues of common interest. This absence can likely be attributed to the dominant position of the Orthodox Church in Greek society and politics, and the influential role the church sought to play in the decision-making process regarding restrictive measures.

As mentioned above, the Orthodox Church (metropolitans, priests, monks) and theologians or groups of Orthodox believers were the

only ones who reacted in a number of ways (e.g. legal initiatives, official public letters to the authorities, not respecting the restrictions). Many Orthodox monks, nuns, priests, theologians, and laypeople participated in COVID-19, anti-mask, anti-vaccination, and anti-measure demonstrations in Athens and other parts of Greece and they reproduced conspiracy theories arguing that ‘Orthodox religion is persecuted’ (Sakellariou 2020, 137–44, 153–63). Related to the above, a political party founded in 2019, Niki (Victory), participated in the national elections of May 2023, failing only by a few thousand votes to surpass the 3 per cent threshold to enter Parliament. In the following elections of June 2023 it managed to garner 3.7 per cent of the votes and had 10 MPs elected. The party comprises and is followed by very religious people and is supported by Orthodox monasteries and local parishes. This is the only political party that includes a special section on COVID-19 in its published political theses, expressing its criticism of all the measures implemented during the pandemic (masks, social distance, and closure of churches), even against vaccination.¹²

It is worth mentioning, though, that, after the first weeks of the pandemic, the Orthodox Church and the Holy Synod made a noteworthy turn and explicitly supported and followed the restrictive measures, collaborating with the state. However, there were individual and local cases of disobedience (e.g. the metropolitans of Corfu and Kythera), while there were also a few instances when the church, officially, through the Holy Synod, did not follow the government’s regulations, e.g. during the 2020 summer litanies and the Epiphany of 2021, when it introduced its own guidelines and instructions.

Overall, it could be argued that, from confrontation at the beginning, relationships between church and state moved to a status of collaboration. The crucial problems were first that the Orthodox Church failed to control the extreme and/or disobedient voices coming from some of its members (higher- and lower-rank priests), who continued to have significant influence on large parts of the population, and, second, that the church wanted to be considered the state’s partner and that the government should ask for its views and advice respecting its power and authority, as was implicitly or explicitly argued (Sakellariou 2020, 128–30). On the same issue, it seems that the pandemic and the church’s stance strengthened the already-dominant view among the population that religion has nothing to do with politics and that the

church should be separated from the state, an opinion even stronger among young people (Sakellariou 2022c; Sakellariou 2022d).

Conclusion

Two main conclusions can be drawn about the impact of the pandemic on religion in Greek society. The first relates to politics and religion and is divided into two main issues. On the one hand, the pandemic showed that the political power in Greece was hesitant to impose any measures on the church owing to the perceived political cost and the church's influence over the political sphere. As mentioned already at the beginning, the Orthodox Church holds very close relations with the state and this was what the church tried to preserve during the pandemic. Therefore, on the other hand, the pandemic made clear the church's goal of protecting its status and privileges, as well as having access to political power and participating in political decisions. Despite the fact that ultimately the government followed the strict path to close down the churches, it seems that there is still a long way before it could be argued that the Greek state is secular and that the church's power in the political realm is low and insignificant. In a few words it could be argued that the church did not become stronger and more influential during the pandemic but continued to keep its privileged relationship with the state.

The second conclusion refers to the social level. Following a slow but visible trend that started almost a decade ago, it seems that Greek society has made a few steps towards secularisation and the pandemic might have played a role in this development, especially among young people. Science has strengthened its position against the church, scoring very high in terms of trust, while at the same time trust in the church has faced a significant decrease. Furthermore, people seem to be clear that, on matters of science and medical issues, religion has a very small, if any, role to play. Finally, as in other countries (Pew 2021; Witt-Swanson, Benz, and Cox 2023), belief in God did not face any significant rise, meaning that, despite the critical times experienced by the people, there was no observed turn to religion and God. In sum, it could be argued that a secularisation process in Greek society started before the outbreak of COVID-19 (Sakellariou 2022a), but the pandemic can be considered a catalyst that could accelerate this process in various ways in the future, without nevertheless meaning that religion

and the Orthodox Church have lost their importance, especially in terms of cultural identity.

In sum, the pandemic can lead us to the following hypothesis. While the secularisation of the state is slow and it seems very difficult for politics to dislodge the church's influence, society is actually ahead of politicians and is moving, though not very fast, towards secularisation, proving that the two forms of secularisation do not have to develop in parallel.

Notes

- 1 <https://www.ecclesiagreece.gr/ecclesiajoomla/index.php/el/iera-synodos/enkyklioi/peri-ton-apophaseon-tes-diarkous-hieras-synodou-tes-1-4-2020-hos-pros-to-zetema-tou-neou-koronoiou-COVID-19>, accessed 29 May 2024.
- 2 <https://www.ecclesiagreece.gr/prostolao/53.pdf>, accessed 29 May 2024.
- 3 For example, a session dedicated to the topic was included in a conference organised in 2021 by the Aristotelian University of Thessaloniki <https://cutt.ly/wwYQ4Wn>, as well as an online seminar of interreligious dialogue between Orthodoxy and Islam with the theme 'Religion and Health' <https://cutt.ly/jKgc-MyJ>, accessed 29 May 2024.
- 4 <https://www.worldvaluessurvey.org/WVSDocumentationWV7.jsp>, accessed 29 May 2024.
- 5 <https://www.pewresearch.org/religion/2017/11/29/europes-growing-muslim-population/>, accessed 29 May 2024.
- 6 That is why, among EU countries, Greece has the most cases against it at the European Court for Human Rights accused of violating religious freedom. https://www.echr.coe.int/documents/d/echr/Overview_19592021_ENG, accessed 29 May 2024.
- 7 See the data from the Hellenic Statistical Authority on this: <https://www.statistics.gr/documents/20181/0431ead9-e21a-81ba-17af-9584f61c9196> and <https://www.statistics.gr/documents/20181/3a2748aa-9f4c-a4fa-76b1-2c14348eaa19>, accessed 29 May 2024.
- 8 This is a quite interesting impact of the pandemic that needs to be further and more systematically studied in the future under the approach of lived religion (McGuire 2008).
- 9 See, for example, Eurobarometer 48 (1997), where 77 per cent said that they trusted the Church and 21 per cent that they did not, and, for young people, see a survey from 2005 (Stratoudaki 2005). According to a recent opinion poll (Kapa Research 2024), this image is completely reversed: 38 per cent trusted the Church 'very much' and 'enough' and 61 per cent 'not at all' and 'not so much'. https://www.huffingtonpost.gr/entry/ereena-kapa-research-7-stoes-10-eper-toe-diachorismoe-kratoes-ekklusias_gr_662d1c38e4b0c2fde1a5c6d6, accessed 29 May 2024.

- 10 <https://shorturl.at/jwbfv>, accessed 29 May 2024.
- 11 <https://www.ecclesiagreece.gr/ecclesiajoomla/index.php/el/iera-synodos/enkyklioi/metra-prolepseos-tou-neou-koronaïou-2019-ncov>, accessed 29 May 2024.
- 12 See <https://nikh.gr/theseis/ygeia/4-COVID-19-o-ios-tis-dixonoias>, accessed 29 May 2024.

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CHAPTER 19

Religion–COVID-19 Interplay in Romania¹

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Abstract

The COVID-19 pandemic dramatically influenced the whole of human society, from the least significant of its components to fundamental ones, such as religion. The present chapter aims to explore how this global event altered the religious landscape in Romania. The main goal is to investigate how religious institutions and individuals affected and were affected by the legal and social changes provoked by the pandemic. Considering the local historical, political, and cultural particularities, it observes how religious behaviour changed, at the group level as well as individually, following the imposition of pandemic restrictions; how public authorities succeeded (or not) in ensuring an acceptable level of (collective) religious freedom; how religious institutions succeeded (or not) in continuing to structure social life, from the personal context to the public or legal one; and how religious groups facilitated or hindered the adherence to public health measures and what public opinion was to their public actions. The Romanian case shows how important it is to have clear legislation as well as a structured dialogue among the main social actors in order to ensure

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that all rights and freedoms are exercised in a fair manner in a moment of maximum stress caused by a global medical issue.

Introduction

Officially, in Romania, the COVID-19 pandemic consisted of five epidemiological waves during a period of almost two years, between 16 March 2020, the date on which the state of emergency was established, and 8 March 2022, the last day of the state of alert (COVID-19 Official News 2023).

According to the legislation issued during the state of emergency and state of alert put in place to prevent the spread of the coronavirus, a series of fundamental rights and freedoms were restricted, among which were: free movement; the right to intimate, family, and private life; the inviolability of residence; the right to education; freedom of assembly; the right of private property; the right to strike; and labour social protections (Stănciulescu 2021).

These restrictions, along with express sanitary legislation regarding religious communities, inevitably affected religious freedom, especially the public expressions of religious beliefs, and the activity of the religious institutions. Therefore, a whole range of religious activities, during a period of two years, was partially or completely discontinued, including: physical participation at regular religious services; religious school courses; the organisation of and participation in pilgrimages; the organisation of weddings, baptisms, commemorations, and funerals; and the organisation of meetings, conferences, and symposia with a character or on religious themes.

During the state of emergency period, 16 March 2020–15 May 2020, successive measures were established to limit the freedom of movement and assembly of citizens, measures that also affected the religious life of believers. For example, religious services were officiated by religious leaders inside their places of worship without the participation of the faithful and were broadcast on media channels (TV, radio, online, etc.). Although the Romanian state did not order the closure of places of worship, some religious groups decided on their own initiative to close them temporarily. Muslims, for instance, adopted much stricter and broader measures than those required by the government: the Muftiate made it compulsory to present a green certificate for access to Muslim places of worship (Muftiate of the Muslim Cult in Romania

2021). Individual services (baptisms, weddings, funerals, etc.) took place inside places of worship with the participation of a maximum of eight people. Special sanitary measures were also ordered that limited contact between worshippers, as well as between worshippers and objects (touching the icons, communion with the same spoon, etc.).

After 18 May 2020, religious manifestations of a collective nature (religious services, religious gatherings, etc.) were no longer included in the category of public gatherings and consequently the number of participants was no longer limited, the only condition being the observance of the general sanitary rules (i.e. social distancing, wearing of the mask) ordered by the public authorities.

The main topics taken up by researchers and by the press relating to religion during the pandemic included the limiting of access to religious services due to social distancing rules and observance/failure to comply with these rules by religious institutions/everyday believers; the support/opposition of religious institutions towards the vaccination campaign; the digitalisation of religion; granting the communion with single-use spoons; restricted access to pilgrimages; the relationship between state and church during the pandemic; the protest of religious groups against restrictions; the illness/death of some prominent religious personalities (especially if they had previously denied the existence of the virus or the need for the vaccine or green passes); and the popularisation of charity acts made by religious groups. An increase in the volume of religion-related news took place around the major religious holidays. For example, around the Easter holiday of 2020, the media coverage of events or debates of a religious nature was more intense and it was found that the church also had a significant role in terms of social sustainability in the context of the COVID-19 pandemic (Tudor, Benea, and Bratoşin 2021). Also, some media attention focused on the immediate or long-term consequences of a sociological, anthropological, or political nature, addressing topics such as whether the pandemic would lead to significant changes in the religiosity of the population or changes in the relationship between state and religious groups.

Directly interested in the defence of religious freedom, religious groups were the main institutions that organised seminars or conferences (online) or edited articles, studies, etc. on this topic. For example, the Romanian Academy and various specialists in religious freedom featured prominently in these debates. Also, in April 2021 the

Romanian Patriarchate organised a debate on the topic of religious freedom during the pandemic, which was broadcast online (Covaci 2021; Marcu 2021).

Setting the Context

With a religious affiliation of 99.8 per cent (Census 2011; INS 2013 – the results of the 2021 census have been contested by some stakeholders and scientists and are rarely mentioned and used in studies), Romania is one of the most religious countries in Europe (Pew Research Center 2018; State Secretariat for Religious Affairs 2023) and the Romanian Orthodox Church (ROC), with a membership rate of 86.45 per cent (Census 2011), is the majority religious group. For this reason, during the COVID-19 crisis, the ROC has been one of the constant presences in the media and public discourse.

The regime between the state and religious groups, governed by the Romanian Constitution (1991, revised in 2023 – CDep 2003) and Law no. 489/2006 on religious freedom and the general regime of religious groups (CDep 2006), is one of cooperation and recognition.

The Romanian system of interaction between the state and religious groups follows the logic of recognition. Depending on the legal form, the number of persons that a religious group comprises, and the length of time since the establishment of the religious group, persons living in Romania may associate to exercise their religious faith in three categories of organisations: *religions* (or, to give an exact translation, religious cults), *religious associations*, and *religious groups*. Religions and religious associations have legal personality and can receive public subsidies. Religions benefit from tax incentives and may receive, upon request and in proportion to the number of their affiliates, public funds for the salary of clerical and non-clerical staff, as well as for the operation, repair, and construction of religious establishments. Religious associations only benefit from tax relief related to their religious activity.

At this moment, Romania recognises 18 religions, 44 religious associations, and over 850 other associations and foundations that also develop religious activities (State Secretariat for Religious Affairs 2023).

The law on religious freedom (489/2006) states that public authorities guarantee respect for the autonomy of the religious groups and

assume the necessity of cooperation with all various religious groups, recognising their spiritual, educational, charitable, cultural, and social partnership role, as well as the status of factors of social peace (Article 7.1). Religious groups are equal before the law and public authorities, and the state does not promote or favour the granting of privileges or the creation of discrimination against any religious group, which makes the Romanian state neutral from a religious point of view. Over time, this neutrality has been interpreted in the sense that the state is equidistant from religious groups, but not indifferent. The Romanian state declares itself neutral but not secular. In the interpretation of a former secretary of state for religious affairs, Victor Opaschi (Lehaci 2015), it did not assume secularism, becoming an opponent of religion or an indifferent witness of religious life.

As in other European states such as Austria and Belgium, where by tradition the majority of the population belong to a certain religious group (there, Catholicism), the relationship between the state and religious groups in Romania is marked by the historical and legal tradition of the presence of a majority church, the ROC being considered the crucial pillar of the nation's founding (Conovici 2012), but also of the existence of substantial religious minorities (State Secretariat for Religious Affairs 2018).

According to Article 9.1 of Law no. 489/2006, on religious freedom and the general regime of religious groups, 'in Romania there is no state religion; the state is neutral towards any religious belief or atheistic ideology'. At the same time, however, Article 7.2 says that 'the Romanian state recognises the important role of the ROC and other recognised churches in the national history of Romania and in the life of Romanian society'. Although there is no state church, owing to its dominant position and especially its historical and cultural connection with the Romanian state the ROC is considered to be the 'default Church of the nation' (Barbu 2016). Thus, Romania belongs in a European context where the historic/traditional religious groups have retained their implicit advantage over newer arrived religions (Margiotta-Broglio, Mirabelli, and Onida 2000).

Precisely because of the influence and the historical ascendent that the majority religious group has in relation to the state authorities, the custom was created of minority religious groups collaborating with it and following its steps. Thus, at the initiative of religious groups, a Consultative Council of Religions (composed of 14 recognised

religions) was established in 2011, an informal body for consultation and dialogue of religious groups on issues of common interest. The major objectives of this council are to promote tolerance, interreligious and interconfessional dialogue, and civil rights and liberties, as well as the adoption of common positions and attitudes towards important societal issues (Ziarul Lumina 2011). The existence of such a council proved useful during the pandemic, because the religious groups were able to express together their dissatisfaction with some measures of the state and, at the same time, they were able to transmit a powerful, collective message to the population announcing their compliance with the public sanitary measures (Adevărul 2020).

The main authorised institution in Romania that protects religious freedom and facilitates the dialogue between religious groups and the state is the State Secretariat for Religious Affairs, a specialised institution of the central public administration subordinated to the government. During the pandemic, this institution had a decisive role in the development of religious life because it was the most important body through which religions collaborated, dialogued, and negotiated with the state.

Legal Aspects

According to the Romanian legislation in force, any person has the right to manifest their religious faith according to their own convictions. Article 29 of the Romanian Constitution states that ‘freedom of conscience is guaranteed’. At the same time, freedom of thought and opinions, as well as freedom of religious beliefs, ‘cannot be restricted in any way’. However, under certain conditions, religious freedom can be limited. According to the provisions of Article 53 of the Romanian Constitution, the constraint of a fundamental freedom can only be done by law if it pursues a legitimate goal and if it is necessary, proportional, adequate, and non-discriminatory (Noață 2022; Stănescu-Sas 2020; Vedinas and Godeanu 2023).

Invoking Article 53 of the Romanian Constitution and Article 9.2 of the European Convention on Human Rights, regarding the limits of the restriction of certain rights and freedoms (Article 20 of the Romanian Constitution ensures the priority of more favourable international treaties regarding human rights over national legislation), the Romanian state supported the legality of Law no. 55/15 May 2020 Regarding

Some Measures to Prevent and Combat the Effects of the COVID-19 Pandemic, by which it ordered measures that limited the exercise of certain rights and freedoms, including the right to manifest religious freedom. The measures were of a temporary nature, being available only for the period of the state of emergency or the state of alert.

Also of a temporary nature was the order of the Minister of Health no. 570/2020. Alongside regulations on the burial of corpses confirmed with the new coronavirus, burial/cremation was to be carried out as soon as possible with sealed coffins, and the bodies of people who died of COVID-19 would be autopsied and sanitised, but no cosmetic manoeuvres were to be performed on them and they were not to be dressed before they were sealed. Such provisions were detrimental to human dignity and to the right to religious assistance, as the law did not allow the possibility of providing religious assistance to COVID-19 patients or respecting religious rules regarding funerals. Thus, religious groups approached the authorities to amend the law. On the subject of human dignity, it should be mentioned that during the pandemic Romania activated Article 4 of the International Covenant on Civil and Political Rights, which allows derogations and limitations of the rights provided elsewhere in the covenant (Bulgaru and Bena 2020; Stănescu-Sas 2020).

Thus, on 9 April 2021, after 13 months, a new order was issued to change the specific protocol on the deaths of patients infected with COVID-19, as well as access to hospitals for clergy. According to the new regulations, a family/legal representative could provide the deceased's clothing and the coffin in which the deceased was going to be placed, and burial/cremation could be carried out with the sealed coffin, in the same burial conditions imposed on deceased persons for other reasons, respecting the will of the deceased's family and the rituals of the religion to which the deceased belonged. Also, in the case of patients infected with COVID-19 who showed severe symptoms of the disease, patients could receive, upon request, religious assistance during hospitalisation, depending on the specifics of the religion to which they belonged and with the consent of the attending physician. From this perspective, even for a short period of time, religious groups had to adapt funeral rites, most often to shorten them, in order to comply with government restrictions (Brudiu 2021).

At the level of the collective understanding, the state was considered solely responsible for the restrictions on rights (LARICS 2020),

especially violations of religious rights (Axânte 2021). The most active critics in this regard were religious leaders, who, in more or less veiled terms, argued that the anti-pandemic measures violated religious rights and that they were not proportionate to the de facto situation (Tănase 2020, 2021).

Other fields of activity considered themselves discriminated against in comparison with religions, in the sense that the state made the most exemptions from restrictions in favour of religious groups, or that the law was not fully applied when religious groups had violated the restrictions. Also, at the level of the collective mentality, the ROC, the largest religious group, benefited from (positive) discriminatory treatment, to the detriment of the other religious groups. Such suspicions were occasioned by the exemptions from restrictions granted on major holidays or by the protocol concluded between the ROC and the Ministry of Interior as a result of which the Holy Light of 2020 Easter was distributed to believers by police officers (Basilica 2020b), although there was a suspicion that the COVID-19 restrictions imposed before the Easter holidays had as a direct target the ROC and religious freedom in general (Zidaru 2020b).

Regarding responsibility for the violation of religious rights, the state did not consider itself guilty because religious freedom, as a right exercised in one's conscience, cannot be restricted – the important distinction here being between *forum internum* and *forum externum* (Voiculescu and Berna 2020). However, while the public manifestation of religious freedom may be temporarily subject to exceptional measures for the defence of national security, order, health protection, etc., this kind of measure is included in the national legislation.

Concerning court decisions, although there were a few attempts to overturn the anti-pandemic measures in court, in part or in full, the general situation has remained the same. From the perspective of religious freedom, it is worth noting the attempt to overturn the restrictive measures applied to pilgrimages. The Bucharest Court of Appeal overturned the decision that allowed participation in religious holidays only for people who lived in the locality where they took place (AGERPRES 2020). The restrictions imposed by Decision 47/2020 of the National Committee for Emergency Situations, which prohibited the participation in pilgrimages by believers outside the locality, were cancelled by the Bucharest Court of Appeal. But the court decision could not take effect, as the provision was also included in a valid

government decision that had not been challenged in court. The decision of the Bucharest Court of Appeal was not final and was appealed, but it still highlighted the lack of clear legislation regarding the limits of religious freedom. Likewise, Romania registered a single complaint at the European Court of Human Rights on the subject of violation of religious freedom in the context of the COVID-19 pandemic: ‘one-off refusal, on COVID-19 grounds, of permission for prisoner to attend church services outside prison which subsequently offered online access to religious support’ (ECHR 2022). The unanimous conclusion of the court, in the *Constantin-Lucian Spînu v. Romania – 29443/20* case, was that there had been no violation.

Sociological Aspects

During the pandemic, the number of believers present at the religious services decreased, this trend being visible in the following years. According to the Religious Life Barometer, participation in religious services in 2021–2022 declined to 26 per cent, compared to 36 per cent in 2020 (LARICS 2020, 2021, 2022). According to the same surveys, the percentage of those who prayed daily dropped from 68 per cent in 2020 to 53 per cent in 2021–2022. Only the percentage of those who believed in God remained constant (at 90 per cent) over the three years.

To the same extent, although pilgrimages were not banned, the number of participants was significantly lower than in pre-pandemic years. Because of the alarming increase in the number of infection cases, a measure to limit the participation of believers in religious pilgrimages was implemented, allowing access only to people who lived in the locality where the pilgrimage took place. Given the restrictions and limitations of this period, these measures were interpreted as illegal and anti-religious reactions (Roman 2021; Zidaru 2020a).

Many religious groups made their religious services available through radio, television, and online streaming (Borza, Căzan, and Cosma 2023). Some believers even used prayer apps. Also, religious organisations’ institutional communication, both internal and external, took place exclusively online. During the state of alert, the State Secretariat for Religious Affairs directed that all communication should be done only through electronic mail. The pandemic also affected religious classes in schools, with the teaching process moving to digital forms.

One of the consequences of social distancing was the reduction of door-to-door missionaries, although the priests of the ROC continued to make traditional pastoral visits around Christmas, Epiphany, and Easter. Another consequence was the decrease in the revenue of religious groups, which led to a decrease in the income of their employees. For many religious groups during the pandemic, the only source of income was funding from the Romanian state. In this context, the contested state salary of religious groups' staff proved beneficial.

According to UNICEF, the social category most exposed by the suspension of religious activities was older persons, the age category most often present in places of worship (UNICEF Romania 2020). Other vulnerable groups that suffered, not necessarily from a religious perspective, were homeless, low-income, or single persons. Care centres and social canteens run by religious groups and serving some of these categories were closed during the pandemic.

Many traditions that accompanied the religious rituals on baptisms, weddings, and burials (Lazăr 2020) were interrupted or dramatically changed and are unlikely to be resumed to the same extent even though the pandemic has now ended. For example, the organisation of a commemorative meal after funerals was widespread; due to the pandemic, this habit has been disrupted or replaced by the provision of food packages. Also, due to pandemic restrictions, many young people have given up religious marriage, preferring only secular marriage. The same is true of baptisms. According to the National Institute of Statistics (INS 2020), 2020 recorded the lowest number of marriages since 1946. Compared to 2019, there were 35 per cent fewer marriages in 2020. Further, data provided by the ROC (Arhiepiscopia Bucureștilor 2020; Basilica 2021a), the largest religious group, show that in the Archdiocese of Bucharest alone, the most densely populated administrative unit of the ROC, there were 70 per cent fewer religious marriages in 2020 than in 2019. According to the same data, the number of baptisms fell by 17 per cent.

Although one possible explanation is that religious marriage – which in Romania is conditional on civil marriage – was easier to postpone than civil marriage (and consequently less important), so the motivation was not necessarily a religious one. The impact of the pandemic on religious marriages is still being felt, as evidenced by the fact that their numbers in the post-pandemic years have not yet returned to 2019 levels.

An interesting controversy that took place concerned the use of shared spoons for communion. Health authorities proposed the use of disposable spoons for communion, to prevent the spread of the virus. After a short derogation – imposed by public authorities – the ROC argued that the question of Holy Communion belonged exclusively to the church and that the communion of the faithful would continue, according to the liturgical tradition, from a single holy chalice and a single holy spoon (Basilica 2020a).

Although the single-use communion spoon controversy was interesting in its own right, it must be viewed within the broader context of the interaction between religion and science/medicine, a key question being whether religious groups helped to stop or to spread the pandemic. The second lens through which this controversy may be viewed is the relationship between church and state.

In this regard, from an institutional public communication point of view, all religious groups supported public institutions in their responses to the pandemic. For example, they urged the faithful to respect the state-imposed restrictions. The religious groups reacted quickly and through their own provisions accommodated the religious needs of the faithful to the realities imposed by the COVID-19 pandemic. Also, from the beginning of the pandemic, religious groups participated in supporting vulnerable people alongside the central and local authorities, giving an example of collaboration in this critical period (Drăguț, Nastacă, and Simion 2023). The aid consisted, in addition to permanent religious assistance, in donations of medical equipment and financial support, spotlighting religion's role in responding to a large-scale crisis (Gheorghiu and Bădescu 2021).

Because of its conservative doctrine, the (unjustified) presumption was made that the Orthodox Church would react much less quickly and effectively than other churches in Western Europe to the demands of the anti-COVID-19 fight. Being a 'tactile and sensual religion' (Carroll, Lackenby, and Gorbanenko 2022), Orthodox rituals had the potential to increase COVID-19 transmission events, perhaps more than within other religious traditions. Instead, the ROC followed the recommended measures and advised all believers and clerics to take appropriate precautions. In addition, through the media channels of the church, governmental advice was reiterated alongside traditional religious guidance. This shows that religious groups in Romania adhered to the state's anti-COVID-19 strategy.

More specifically, prominent religious leaders collaborated successfully with the state in its efforts to communicate with the population about the pandemic (Dascălu 2020). For example, the ROC got involved in the vaccination campaign, although not all bishops were equally engaged: some also spoke out against the vaccination (Dascălu, Flammer, et al. 2021). Also, the church disseminated informative materials about vaccination in the dioceses, through a brochure entitled ‘Vaccination against COVID-19 in Romania. Free. Volunteer. Safe’. The announcement was made by the Patriarch of Romania himself (Basilica 2021b). Moreover, in November 2021, the patriarch publicly announced that he had been vaccinated and advised believers to follow doctors’ guidance (Digi24 2021). Through press releases or interviews, other leaders of minority religious groups also announced their intention to vaccinate as well as contributing to the state’s efforts to boost the vaccination campaign. Notable here were the interventions of the Catholic Archbishop of Bucharest, who announced that he would follow the example of Pope Francis and get vaccinated, as well as the announcement of the Mufti of the Muslim Cult of Romania, who was among the first religious leaders to get vaccinated.

There were also critical voices from within or close to the church, but these were perceived by the mass media and the public as marginal (Tănase 2021). There were theologians who questioned the compatibility between transmitting religious services on the internet and church doctrine (Fodorean 2020; Ojică 2020; Tocia 2020), doctors who considered that science had terrorised religion (Astărăstoae 2020), and bishops who personally opposed vaccination (Archbishop Teodosie of Tomis, Constanța, and Bishop Ambrozie of Giurgiu). None of these voices engaged any level of institution and did not garner significant support among the population. Further, on a personal level, other hierarchs also expressed their dissatisfaction with the perceived ‘dictatorial’ way in which the authorities imposed the restrictions. During 2020, the Patriarch of Romania, the Metropolitan of Moldova and Bucovina, and other hierarchs, took a position in their sermons (a pastoral and not institutional attitude) against the lack of communication and the imposition of measures without dialogue and consultation (Tănase 2020, 2021). During the state of emergency and during the first three days of the state of alert (15–18 May 2020), decisions regarding the conduct of religious life were taken only based on the recommendations of the World Health Organization and the National

Institute of Public Health, with no consultation with the representatives of religious groups.

A second perceived fault of the public authorities was that they arguably breached the position of neutrality and intervened in the liturgical practices central to the church's identity, namely the imposition of disposable spoons for communion (INSP 2020). Thus, in order to ensure that religious groups did not harm public health (Article 5.1 of Law 489/2006), the state did not respect the principles of the autonomy of religious groups (Article 8.1 of Law 489/2006) and cooperation between the state and religious groups (Article 9.3 of Law 489/2006). Regardless of its ethical implications, the government's approach to the liturgical practices of the ROC led to some discontent, but the church leadership did not change course or challenge the state (Vanca 2020): 'Still, they did not express themselves openly and aggressively to compromise or break the collaborative relationship between the State and the Church' (Tănase 2021, 571). This approach was likely due to the political instability at the time. During the pandemic there were three governments, two of which were minority governments, composed of or supported by parties with opposing or even different views from those of the church.

By establishing a dialogue platform at the level of the State Secretariat for Religious Affairs, in which the members of the Consultative Council of Religions were included, the tension between the state and religious authorities dissipated. A clear sign of this was the meeting between the president of the country and the patriarch of the ROC. On the occasion of his seventieth birthday, the patriarch received from the president of Romania an important decoration – the Star of Romania, publicly congratulating him for balance and wisdom (Tănase 2021, 572).

Through this dialogue between religious groups and public authorities, religious groups were given the opportunity to contribute to public debate, and thus to establish themselves as important actors in the public sphere. In this context, it is worth mentioning that, owing to state restrictions, religious services moved outside church buildings, making religious rituals more accessible and closer to the public space, especially in large cities. This approach seemed to be favourable to the ROC, as indicated by increases in levels of confidence in it between 2019 and 2020, from 54.5 to 71.2 per cent (HotNews 2019; LARICS 2020). Moreover, for some religious actors and scholars, the pandemic

was also perceived as a sign of spiritual rebirth, a moment of reflection and theological debate, and thus an opportunity to reconsider the place of religion in contemporary modern society (Crețu 2020; Kaminis 2022).

A common topic in debates about the interaction of the COVID-19 pandemic and religion is secularisation, the major question being whether or not the pandemic was a gauge for secularisation (Obadia 2022). In other words, did the pandemic accelerate or reverse the secularisation process? Globally, both trends have been encountered (Pew Research Center 2021). But what do the data say about Romania?

Immediately after the 1989 revolution, following almost 50 years of atheist communism, Romania experienced a short-term explosion of religiosity (Gillet 1997). From that point on, going down the path of modernity and modernisation, thus falling within the terms of classical theories of secularisation from Weber to Norris and Inglehart (2004), Romania went through several cycles of secularisation (Bănică 2022). The COVID-19 pandemic might have been the trigger of a new one.

The pandemic, especially in its intensity but also in its duration, may be the inflection point through which a new ‘world disenchantment’ (Weber) may take place and through which the chain of memory (Hervieu-Léger 2000) may be weakened.

The dispute over the communion spoon shows an accelerated advance of modernity and rationalisation of Romanian society, in the sense that scientific and technical reason rejects magical-religious explanations, and what was once considered healing-protective is now potentially dangerous-contaminating. In this particular case, for the state especially, the religious explanation and its significance for a part of the population was excluded. On the other hand, for a religious person the communion spoon is sacredness itself (Bănică 2022). Moreover, what was previously only thought about and debated has now been decided and even accepted by the church. It seemed as if the church had lost control over communion (even for only a few days), thus becoming a subsystem amid other subsystems and subject to the secular world (Dobbelaere 2011).

The pandemic has revealed the secularisation of the church itself. From its simplest definition it follows that the church is a divine-human institution, so its main field of activity is the transcendent, or the mediation of the human–God relationship. During the pandemic, the church was asked for its social services and not religious services,

thus conveying the image of a charity NGO. More than that, during the pandemic, the church entered completely into the logic of social (secular), using all means of PR to please both ‘believers’ and ‘non-believers’, in order to keep or regain its share of influence or at least image in the public sphere.

Although the 99.8 religious affiliation percentage (Census 2011) is an impressive figure, it masks growing levels of disaffiliation, especially among young people (Voicu 2020). According to the last census (2021), nearly 2.7 million Romanians – around 14 per cent of the total population – did not declare their religious affiliation (Romanians also refused in large numbers to declare their ethnicity and mother tongue), compared to just 6 per cent in 2011. This figure did not statistically affect the membership rate of any religious group or the religiosity of the population because, according to Romanian law, they are measured only by the number of people who completed the religious affiliation form, so the 2.7 million persons who did not do so were excluded from the calculation. The high level of non-response could be explained by a lack of trust in state institutions or perhaps alienation from religious institutions.

The population census was supposed to take place in 2021 but was postponed because of the pandemic, and took place instead between February and July 2022. So, the results of the census bear the imprint of almost the entire pandemic experience. Statistics show a decrease in membership as well as involvement (attending services etc.), a decline in religious events in the family (i.e. religious marriages, baptisms) and an erosion of traditions around religious holidays, pilgrimages, etc., all of which have likely contributed to the breaking of the chain of memory and making people more amnesic about their religious past (Hervieu-Leger 2000). These trends also seem to go against the existential security thesis of Norris and Inglehart (2004). Overall, after almost three years of the pandemic, there has been no religious revival, such as occurred around the time of the ending of communism.

Conclusion

In terms of scale and duration, the COVID-19 pandemic was the biggest test for Romania and its citizens since 1989. The pandemic was a massive stress test (Meng 2020) and an ‘opportunity’ to X-ray in real time the entire Romanian institutional apparatus. Inevitably, the

religious spectrum was also subjected to this test: the way the public administration performed or underperformed to defend religious freedom (Raiu 2022), the way religious organisations defended or promoted their religious doctrine, and the way believers manifested their faith/attachment to religious values/institutions. The pandemic only accentuated the upward trend of secularisation that was already present. The figures on religious life in Romania from the last census (Census 2021) show a general decline in terms of religious affiliation. The surveys during the pandemic also show a decrease in religious service attendance and less observance of religious traditions.

Faced with the pandemic, the Romanian state did not have adequate legislation relating to religious freedom. In addition to the lack of legislation, there was also a degree of illiteracy regarding religious life (Raiu 2021). This aspect was most visible when the authorities refused to dialogue with religious groups, especially at the beginning of the pandemic (Dascălu 2020; Dascălu, Flammer, et al. 2021; Dascălu, Geambasu, et al. 2021).

Two factors could help account for this. One possible explanation was the lack of a regulated means of dialogue between the state and religious groups, which was established after the creation of the dialogue platform at the level of the State Secretariat for Religious Affairs. An insufficiently developed legislative system is a second possible explanation. For historical reasons (i.e. the legacy of communism), Romania did not develop a political culture oriented towards respect for religious freedom, with political structures born from or related to religion (Raiu 2022; Schiop 2022).

Even so, religious groups, especially the ROC, proved to be important institutional partners in the management of the pandemic, managing to win the trust of both the population and the state. At the same time, while Romania did not have any previous legislation regarding the regulation of religious life in the event of a pandemic, afterwards several institutions of the Romanian state developed regulations on the management of emergency situations generated by epidemics and their associated risks (Health Ministry 2023) but without making reference to religion, going against trends in other national contexts (Handel 2022).

Notes

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Conclusion

Comparative Analysis¹

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Sudden external shocks affecting virtually everyone at the same time often help societies to view themselves in a new light (Klinenberg 2024).² The COVID-19 pandemic revealed the significance of health care to society's well-being, in some cases exposing existing deficits in national health systems as societies struggled to cope with COVID-19 cases, especially in the early stages of the pandemic (Falkenbach and Caiani 2021). As such, the pandemic brought out the different priorities of different societies and how these, in turn, reflected their basic value systems (Klinenberg 2024). Large-scale societal disruptions such as pandemics have a way of peeling back the curtain, so to speak.

Likewise, one could argue that the COVID-19 pandemic also helped us to see other aspects of the social world, in this case the internal workings of religions and religious freedom in society, afresh. Never before in living memory were regular religious services prohibited, major life cycle rituals severely constrained, and religious groups challenged to make sense of a sudden event whose contours were only beginning to be understood. Suddenly not being able to do familiar, taken-for-granted religious things, such as attending religious services, rendered religiosity more visible (and strange) than before.

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More broadly, it helped us to see religion's role as a comfort blanket during hard times. In most countries in Europe, devotees turned to less familiar religious practices such as online services to express their faith. Also, religion frequently functioned as a source of legitimation during the pandemic, bolstering state authorities as they attempted to respond to the pandemic. In still other contexts, religious groups helped foster acceptance of scientific authority as a way out of the pandemic. At the same time, the pandemic revealed religion's role as a propagator in some contexts, either directly or indirectly, of conspiracy theories (Baker et al. 2020; [Chapter 12](#), this volume; Whitehead and Perry 2020), stoking up the idea of the pandemic as basically bogus and linked to the influence of hidden social forces (Baker et al. 2020). Instead of a comfort blanket, religion operated as a kind of pitchfork.³ Whether as an enabling or a constraining force, then, religion mattered during a time of societal crisis.

Yet sociologists of religion have paid considerably less attention to sudden, short-term critical events as drivers of religious change than to long-term processes such as secularisation (Conway forthcoming; Molteni and Biolcati 2023; see also Bruce and Voas 2016), especially in cross-national terms. This is surprising as some, though relatively few, past studies have considered the potential of societal crises to produce changes in established patterns of religiosity (e.g. Bruce and Voas 2016; see also Stolz and Voas 2023). Here a crisis can be understood as a sudden shock to a society that upends taken-for-granted ways of thinking and acting (Stolz and Voas 2023).

Against this background, this edited volume has paid attention to how period effects (in this case, a global pandemic) influenced religiosity in the European context. Period effects have to do with specific events in society that impact most (or usually all) ordinary people at the same time (Molteni and Biolcati 2023). As such, we follow in the tradition of a line of research that focuses on how big events may prompt religious change (Molteni and Biolcati 2023).

Past research shows that the pandemic impacted religion at a range of levels (individual, organisational, and societal), prompting sociologists to assess its consequences for future religious dynamics (Baker et al. 2020). At the same time, in previous work, attentiveness to the international comparative aspects of the pandemic's impact on religion has been rare.

Thus, this concluding chapter attempts to provide a comparative societal-level analysis of the country case studies included in this volume, based on the points of comparison identified in the volume's introduction (Type I–III factors). This goes beyond the introductions to the country groups by considering all the country groupings together. In other words, it focuses less on differences *within* the country groupings than on differences *between* them.

To recap, Proposition 1a suggests that societies with a majority religion should exhibit less conflict regarding the management of the pandemic compared to societies without a majority religion. On this issue, how do the case studies compare?

An important distinction can be made here between the Catholic grouping and the other contexts. In the Catholic cases, religious leaders (e.g. Belgium) tended to appeal to the idea of solidarity in their messaging to adherents, drawing on this religious group's tradition of social teaching (Palacios 2007). This, in turn, helped to operate as a cue for motivating consensus among adherents.

This national-level discourse articulated well with global-level dynamics. For example, Pope Francis attempted to harness the COVID-19 pandemic experience as an opportunity to create a better world. Institutionally, this was reflected in the establishment of a Vatican COVID-19 Commission to help steer societies after the pandemic towards a social order rooted in concern for the well-being of all humanity (Santos and Chai 2022). But it was expressed in other ways too, such as the Pope's use of social media, especially in the pandemic's early stages (Pérez-Martínez 2022), and his well-received *Urbi et Orbi* (To the City and to the World) message (27 March 2020) to an empty St Peter's Square (Pérez-Martínez 2022; Scardigno et al. 2021), to help foster a sense of hope amid the pandemic.

Regarding other religious groups, we find less evidence of this kind of socially motivated discourse. Although an appeal to solidarity was not absent in Protestant-majority countries, this tended (as in the Norwegian case) to be mainly promoted by secular rather than religious actors. For example, the Norwegian prime minister invoked the idea of *dugnad* to foster a cooperative response among the general populace to the pandemic, a reference to this society's deeply rooted mutual aid system (see [Chapter 15](#), this volume). Likewise, in Denmark there was a strong appeal to the communitarian idea of *samfundssind* to inspire solidarity during hard times.

It is also clear that there is not a simple or straightforward relationship between majority status and societal consensus. To take just one example, the Greek case reveals that, despite the historic dominance of the Orthodox religion in this society, consensus appeared to be lacking in the very early stages of the pandemic, when the church pushed back against its perceived lack of involvement in state pandemic decision-making. At the same time, the Orthodox Church began to support state restrictions a few weeks into the pandemic.

In other Orthodox-majority contexts, such as Bulgaria, it is worth noting the Orthodox Church's stance of keeping church buildings open even as other religious groups voluntarily closed theirs. The state tacitly approved this approach by not mandating their closure, likely owing to its reluctance to stoke opposition at a time when anti-government feeling was already running high.

On the other hand, in Protestant-majority societies such as Sweden, there was a broad consensus about the management of religion, even if some religious leaders did speak out against the perceived harshness of restrictions applying to funeral services or perceived differences in rules applied to secular versus religious settings.

Another aspect worth mentioning in this context concerns the presence or absence of interfaith interactions. In a number of countries under study here (e.g. Ireland, Romania, Slovakia, and Sweden) – interfaith bodies or interfaith exchanges, at either a national or a regional level, helped to foster a shared approach among different religious groups during the pandemic. In Ireland, the Dublin City Interfaith Forum played an important dialoguing and awareness-raising role and regular meetings between religious and state elites also took place at the national level, even if these did not preclude controversies arising between them. In Romania, an interfaith forum existed between religious groups (the Consultative Council of Religions) and political and medical authorities. Similarly, in the Swedish case, an interfaith body (of religious minorities) also existed and met with state representatives to find common ground around a pandemic response. At the same time, it seems that these various fora were more revealing of established religion–state interactions than drivers of changes in them.

In the secular-majority grouping, religious groups were supportive of the state's public health efforts. In France, for example, Catholic leaders as well as leaders of other religious groups lent their support to restrictions. In Estonia, too, religious leaders supported restrictions

and, as with religious-majority contexts, called into question, when restrictions began to be relaxed, the apparent dissimilarity in treatment by the state of similar secular and religious settings. Although Germany experienced well-publicised protests against restrictions and vaccines, the interactions between the state and religious groups in responding to the pandemic were cooperative. And the Latvian case revealed that religious groups also supported state actions.

Thus, religious-majority contexts did not look very different from secular-majority ones in terms of their degree of conflict around pandemic management. Overall, then, we did not find strong support for Proposition 1a across the country groupings.

Proposition 1b concerns whether societies with historic legal cooperative relations between church and state should exhibit more harmonious relations during a pandemic compared to societies that lacked a tradition of legal cordial interactions. Regarding the case studies, we find some support for this proposition. For example, the Catholic-majority Croatian case, where formal concordats exist between the Catholic Church and the state, revealed cordial church–state interactions, even if the bishops did not necessarily agree with all state actions during the pandemic. Indeed, in this context state actions frequently privileged the dominant religious group, as in the state’s looking-away in the case of some priests who breached pandemic-related restrictions.

Similarly, in the Finnish case, also characterised by close legal church–state ties, the country’s two dominant religious groups – the Evangelical Lutheran Church and the Finnish Orthodox Church – both supported the state’s restrictions, although religious groups were not specifically curtailed by them. Indeed, this Protestant-majority case provides strong support for political scientist Alfred Stepan’s idea of ‘twin tolerations’ (Buckley 2016, 13), whereby church and state mutually respect each other’s autonomy. As the chapter on Finland put it, ‘The public authorities respected the autonomy of religious organisations in managing their own affairs, and the religious organisations respected the public authorities’ ability to decide on the measures necessary to curb the public activities for the good of all’ ([Chapter 14](#), this volume). In the Danish case, the state imposed strong restrictions on its own state Lutheran church, even though reflection on their implications for religious freedom was absent.

Although in some Orthodox-majority countries – such as Greece, where there is also legal cooperation – there was some disagreement between the Orthodox Church and the state during the pandemic, on the whole church–state interactions were harmonious. The disunity arose particularly with regard to perceived deficits by the Orthodox Church in the state’s decision-making processes, in which it sought a greater role.

Within the Catholic grouping (with preferred religion), unsurprisingly there was also cooperation with the state. For example, in Lithuania the church complied with state restrictions and when it held Masses that breached restrictions it changed course in response to the state’s request. Similarly, in Spain there was little or no conflict, although the absence of religious groups in the state’s decision-making around restrictions may have contributed to anomalies, whereby a secular activity such as purchasing tobacco was considered ‘essential’ while attending Mass was not. In Italy, the bishops’ conference cooperated with the state but also argued for its right to exercise autonomy, an observation that prompted a clarification from Pope Francis.

Compared to societies without an historic tradition of legal cooperation in church–state interactions, the pattern is not very different. Consider, for example, the French case, which was characterised by relative unity in managing the pandemic.

Overall, then, we did not find strong support for Proposition 1b. Perhaps this reflects a ‘rally around the state’ effect in a time of crisis like a pandemic, regardless of the presence or absence of historic legal cooperation between religious and state authorities.

Proposition 1c is based on the idea that societies with a secular majority should be more accepting of scientific authority than societies with a religious majority.

Based on our analysis of the religious-majority and secular-majority countries, we find limited support for this perspective. Within the secular majority grouping, views of scientific authority wavered between acceptance and disagreement. In France and Germany, for example, religious groups, for the most part, supported vaccination efforts and efforts to dampen the virus’s social reproduction. In another secular-majority case, Estonia, different religious groups were supportive of vaccination efforts even if ethical concerns about the use of abortion cells in vaccines were brought out by the Central Estonian Mārjamaa congregation. By comparison, in the Latvian case there was some

disagreement about vaccines, especially within the Catholic leadership. For example, the country's cardinal and archbishop took diverging anti- and pro-vaccine positions, respectively. Here, too, there was some Catholic involvement in anti-vaccine mobilisation.

Regarding the religious-majority countries, in the Catholic and Protestant groupings there was stronger support for vaccination efforts than in the Orthodox-majority grouping, where disagreement about vaccines and public health strategies tended to be more salient, perhaps even more so than in the secular-majority countries. In this context, it is worth mentioning that past research suggests that across different world regions Christianity was negatively associated with vaccination (Trepanowski and Drązkowski 2022).

Overall, then, we did not find strong support for the idea that scientific authority should be greater in secular-majority countries than in religious-majority ones. Perhaps this reflects increasingly secular trends even within religious-majority countries nowadays (e.g. Dobbelaere and Pérez-Agote 2015).

Whereas Proposition 1c has to do with religious-secular contrasts regarding scientific authority, Proposition 1d concerns views of scientific authority within the same religious tradition.

In the Catholic subgroup (with and without a preferred religion), bishops in general supported vaccination efforts. For example, the church in Lithuania supported scientific messaging around vaccines notwithstanding some ethical concerns around the use of abortion cells. Additionally, the church offered churches for use as vaccination centres.

Similarly, in the Protestant-majority grouping, scientific authority was supported in the four case studies, especially in the Swedish case. Indeed, Sweden stood out globally in the symbolic weight accorded to its scientific community by political actors (Greer et al. 2021). [The chapter on Sweden](#) reveals that this was grounded in the historical intimacy between church and state in this context, expressed via the Lutheran church's strong social welfare involvements.

Within the all-Orthodox grouping, the Bulgarian Orthodox Church was not supportive of vaccination efforts, revealing its sceptical approach to scientific authority. For example, the church declined to participate in a public forum established to support vaccination efforts. This may have reflected similar scepticism in the society more widely, with social surveys showing less than half of the general

population viewing vaccines as safe. This contrasted with the situation in Greece, where high levels of support for vaccination efforts within the Orthodox church were reflected in the publication of statements about its own leaders availing of vaccines, as a spur to adherents to do likewise. At the same time, individual clergy diverged from the official church stance by supporting anti-vaccine sentiment.

Similarly, in Romania, the patriarch's decision to publicly disclose having received his vaccine likely had a similar intended purpose of motivating wider acceptance among the general populace. Thus, even within the same religious tradition, the pandemic revealed variation regarding acceptance of scientific authority. This suggests that, within a single religious group, different and sometimes opposing messaging can operate regarding its doctrines. It also suggests that, in contexts of uncertainty, such as a global pandemic, religious leaders may struggle to articulate where their church stands on a given issue (in this case, the religion–science nexus).⁴ Public signalling of their vaccine status by prominent leaders within other religious traditions was also present, as in the example of Pope Francis in the Catholic case (Vatican 2021).

Thus, regarding Proposition 1d we find that within the Catholic- and Protestant-majority groupings there was little or no difference across countries in the degree of support for scientific authority. However, we find more variation across countries within the Orthodox-majority category. Thus, the case studies suggest partial support for the proposition about within-group homogeneity.

Two propositions were developed in this study regarding the impact of communism. Proposition 2a is based on the idea that societies with a prior history of communism should be more likely to exhibit conflict with regard to religious restrictions compared to societies lacking this history.

The empirical data presented in the case studies suggested that this proposition is only partially supported. On the one hand, in some contexts (e.g. Latvia), religious groups supported the state's restrictions, even though sometimes there was an issue with compliance. On the other hand, in other cases (e.g. Bulgaria) restrictions activated collective memories of the communist era, a finding in line with past research (e.g. Rudenko and Turenko 2021; Tytarenko and Bogachevska 2021). In other words, the past was drawn upon to speak to present-day debates about state power. To take two brief examples, the mobilisation of memories of communism in Bulgaria helped to legitimise the 'special

pleading' of religious groups during the pandemic, as imposing restrictions on them would have been viewed as an unwelcome reminder of past communist repression. Similarly, in Estonia, memories of communism were harnessed to oppose state restrictions. At the same time, in some other former communist countries (e.g. Lithuania), there was little or no weaponising of collective memories of communism to delegitimise state restrictions.

Partial evidence in support of conflict-related Proposition 2a comes from studies of protest activity in different parts of Europe during the pandemic. For example, past research revealed interesting divergences within Europe in levels of mostly street-based protest activity during the pandemic, with higher levels in North-Western Europe than in Southern Europe. Also, protest levels increased more in Eastern Europe as the pandemic went on than in Southern Europe, even if pandemic-related protests were less salient in Eastern Europe (where restrictions tended to be weaker) than in Southern Europe (and in North-Western Europe) (Kriesi and Oana 2022).

At the same time, it is worth mentioning that some former communist societies exhibited fewer street protests against pandemic-related restrictions (e.g. Bulgaria) than some countries that lacked a communist past (e.g. France), while some societies with a communist experience (e.g. Germany) exhibited more street protests than societies that lacked a communist past (e.g. France)⁵ (Kriesi and Oana 2022).

Proposition 2b concerns whether societies with a prior history of communism should be more likely to exhibit less support for the cues of religious leaders during a pandemic compared to societies lacking this history. Here, the evidence suggests partial support for this proposition. Although restrictions related to COVID-19 gave rise to contestation in Germany as a whole, it is also the case that dissatisfaction with these tended to be heightened in the eastern part (Pronkina et al. 2023), which may reflect its more secular context and the legacy of East Germany's communist past. At the same time, in other former communist societies, there is mixed evidence of an historical legacy effect on religious leadership. For example, in Bulgaria, Orthodox adherents sided with the church leadership's stance on restrictions. By contrast, although in Croatia devotees were broadly supportive of the Catholic Church's approach to pandemic restrictions, there was less evidence of support for its pro-vaccine stance. In Slovakia, the Orthodox Church's position on the closure of church buildings prompted public protest.

Also, here there is evidence of a long-term erosion of trust in religious institutions, which may be related to the historical legacy of communism. By comparison, the pandemic-related cues of religious leaders in the countries that lacked a communist history in the other country groupings (e.g. Catholic-majority and Protestant-majority countries) tended to be broadly supported by the general populace.

The third set of propositions had to do with legal culture. Here we were interested in looking at whether societies with a tradition of openness with regard to defending the rights of religious groups should be more likely to exhibit more religious freedom cases during the pandemic than societies that lack this tradition (Proposition 3a). We find some support for this proposition.

Clearly, the countries under study reflect variation in the severity of restrictions on religion, ranging from ‘strict’ contexts (e.g. Ireland) to ‘lax’ ones (e.g. Bulgaria), resulting in variation in the pandemic’s ‘piety’ (Madera 2022b). However, most European countries implemented some form of restriction on religion. According to the *Atlas of Religious or Belief Minority Rights*, it is also the case that the different countries reflect variation in their degree of openness to religious minority issues (Ferrari et al. 2024), which may be viewed as a proxy measure of their openness to religious claims more generally. Here, the secular-majority case of Germany is instructive (see [Chapter 11](#), this volume), a country with a tradition of imposing some restrictions on religious minorities (Fox 2008). This case was characterised by a number of religious freedom cases brought by religious groups during the pandemic, with the Federal Constitutional Court ruling in favour of an Islamic group’s claim against restrictions on religious services, on the grounds that they treated similar secular and religious settings differently. Here – as in other contexts – the idea of proportionality seems to have been one of the key legal issues at stake (du Plessis and Portaru 2022; Madera 2022b; Martínez-Torrón 2021). In other words, restrictions on basic rights ought to reflect the degree of risk at a given point in time and not overstep it (Martínez-Torrón 2021). Yet, in other societies (e.g. Estonia) and country groupings (e.g. Protestant-majority countries) with generally a strong tradition of openness to supporting religious group rights, there were few or no legal cases about religious freedom.

Proposition 3b concerns whether societies with a weak tradition of openness with regard to defending the rights of religious groups

should be more likely to rely on the international regional courts during the pandemic than societies that lack this tradition. The country cases show that religious freedom cases were taken to national court systems during the pandemic in Catholic-majority (e.g. Belgium), secular-majority (e.g. France), and Orthodox-majority settings (e.g. Greece) (Christian Network Europe 2023; du Plessis and Portaru 2022) but, interestingly, not in the Protestant-majority ones. A recent review of such court decisions concluded that in the European context (compared to the North American context) ‘courts adopted analogous deference toward public decision-making’ (Madera 2022a, 722), whether on a substantive or a procedural basis, even if some cases did find in favour of religious groups⁶ (Madera 2022a).

Against this background, and in line with expectations, we find evidence of religious groups in some of the case study countries resorting to the European court system during the pandemic to advance religious freedom claims. For example, cases were taken by individuals or groups from Croatia, Greece, and Romania (du Plessis and Portaru 2022). Perhaps the Greek and Romanian cases reflect the relative lack of openness of their national legal systems to religious (minority) group claims.⁷ It is worth mentioning that there also is one pending post-pandemic case regarding religious freedom in Slovakia (Christian Network Europe 2023; Puppink 2023). By contrast, the relative lack of cases in the Protestant-majority countries likely reflects their greater openness to religious group claims, thus providing support for Proposition 3b.

Perhaps the most salient legal issue that arose across the country case studies had to do with the issue of religious freedom, either in relation to public worship (*libertas ecclesiae*) or private belief (*libertas fidelium*) (Colaianni 2020). Thus, the pandemic brought to the fore a relatively new context for the exercise (or not) of some religious freedoms in modern European societies, one that collided with other competing interests such as the duty of the state to protect public health. Of course, legal rights are not absolute (Trstenjak 2023) and in the early stages of the pandemic some religious freedoms were curtailed to protect public health, the latter being the basis of other rights in society. This revealed that the adjudication of rights involves a kind of weighing up of colliding rights or interests (Trstenjak 2023), where one may trump the other in specific contexts. Proportionality was an important principle guiding state decision-making in this context (du Plessis

and Portaru 2022; Madera 2022b; Martínez-Torrón 2021). However, as restrictions eased, some religious freedoms became more contested as an issue, especially in light of perceived differences in the treatment of similar secular and religious settings.

Finally, Proposition 4 had to do with our expectations about the impact of the pandemic on religious commitment at the individual-level in societies with varying levels of (in)security. We expected individuals in societies characterised by high levels of insecurity to exhibit greater religiosity in the wake of the pandemic than individuals in societies with low levels of insecurity. Here, the evidence is not clear cut.⁸ In terms of secure societies, empirical studies in some settings (e.g. Spain) reported both upticks and declines in religiosity. In others (e.g. Sweden), studies revealed that life cycle rituals are basically on the same level as before the pandemic and religious service attendance may well have even declined. In still others, such as Estonia, surveys revealed a 17 per cent uptick in interest in spirituality among young people. In secular-majority France, the evidence is mixed as well, with some studies pointing to an increase and others to a decrease in religiosity. On the insecure societies side, there were only a handful of cases (i.e. Bulgaria, Greece, Romania) included in this volume. Comparing the countries in the Orthodox-majority category to the ones in the Protestant-majority one, research suggests a higher uptick in religiosity in the Orthodox case of Greece than in the Nordic countries (Bentzen 2021), providing partial support for Proposition 4. At the same time, in most societies included in this volume the pandemic had some effect on individual-level religiosity, but there was no clear pattern and it remains to be seen if the effects are lasting.

Overall, although we find support for some of the propositions, others received less support. This invites the question of the extent to which other factors beyond the ones considered here might be important in accounting for the patterns observed in this volume. One potential factor not directly incorporated into our framing relates to the relevance of religious traditions themselves. We deliberately categorised the countries in this volume into groupings reflecting particular religious groups, traditions, and backgrounds on the basis that the cases within these groupings might be expected to exhibit a high degree of commonality owing to this shared heritage. It may be that this factor may help explain why within each country grouping – though perhaps less so for the Orthodox-majority category – we find a broad similar-

ity in the approach adopted by religious groups to the pandemic. For example, within the Catholic category bishops in Europe supported vaccines, prompted by the pro-vaccine messaging of the centralised authority of the Vatican and Pope Francis especially (*Vatican News* 2021). Here, the shared teachings of Catholicism ensured that national churches did not waver from Vatican directives. Likewise, in the Protestant-majority countries a similar approach was taken regarding scientific authority, each national context rooted in a shared Lutheran tradition, albeit one less centralised than the Catholic case. By contrast, within the Orthodox grouping – where authority is horizontally organised – religious leaders tended to exhibit more latitude regarding their approach to vaccines. Thus, it may be that by taking the national society as the unit of analysis our framing overlooked to some extent the role of international contexts and religious traditions in shaping how the pandemic influenced the internal workings of religions and religious freedom across Europe.

Another factor worth considering here is the secularisation experience within the specifically European context. What distinguishes Europe as a world region is that it is generally regarded as a kind of exemplar of secularisation theory, where countries are moving towards greater secularity as modernity takes hold more and more (Davie 2002). Within this background, it is worth noting that, while the countries included in this volume may be at different steps in the secularisation process, some further along than others or some beginning earlier than others, all the countries, despite national specificities in the contextual factors considered here, are in one way or another basically on the same ‘secular transition’ pathway (Voas 2008, 25; see also Davie 2002). This may help explain why, say, religious-majority and secular-majority contexts did not look very different in terms of acceptance of scientific authority. Put otherwise, had we compared countries within a different world regional context (e.g. Africa), reflecting different ‘staging points’ in the secularisation process, one might observe different consequences of the pandemic for the internal workings of religions and religious freedom.

Conclusion

Based on the country case studies and comparative analysis presented in this volume, what are the broader empirical and theoretical

takeaways for students of religion and law or, more generally, for how religion responds to crises in the modern world?

Empirically, an important contribution of this volume is that it presents a profile of religion in diverse countries in Europe during a time of crisis, ranging in their confessional traditions and religion/secular dynamics. As such, it will likely serve as an important database or reference work for social scientists – and, indeed, non-researchers – in seeking to better understand how religious forces were influenced by the societal crisis brought on by the pandemic (and vice versa) and, more broadly, of how the pandemic influenced the social world. This historical archive, so to speak, could also be profitably utilised by teachers of religious education across Europe, as a chronicle of how the pandemic experience impacted religion as a social institution. More broadly, this volume will help future generations who want to know more about the afterlife of this aspect of their collective past.

Regarding this impact, perhaps one of the most significant issues concerns the durability (or not) of changes in religion arising from the pandemic. Unlike previous studies, which have focused on the pandemic's impact during a particular phase of the pandemic (e.g. Greer et al. 2021), this volume has focused on its impact as a whole, in this case on religion. Even so, our answer to the long-term question can only be somewhat tentative, as we have yet to see how religion will play out five or ten years from now. To what extent are observed changes in religion across the country case studies (e.g. rise in online forms of religion) likely to endure into the future? Although our answer to this question is somewhat speculative, it is likely that the provision of a mix of online and in-person religious rituals will be one of the pandemic's enduring impacts. For example, the Swedish case suggests that online rituals are likely here to stay, with 21 per cent of Church of Sweden congregations offering online services at the end of 2022 compared to a pre-pandemic level of 12 per cent (see [Chapter 16](#), this volume). Even in other cases, where empirical research on this aspect is less available (e.g. Norway), the embrace of digital technologies will likely continue. The Estonian case – long seen as a global leader in technological change (Kattel and Mergel 2019) – also suggests that online religious activity will become a more important part of future evangelisation, as evidenced by the establishment here of a dedicated Christian support website.

Another important issue brought out by the country case studies is that they reveal religion to be both a constraining and an enabling

force during pandemic times. For example, a predominant finding in nearly all of the case study chapters was how religious groups helped to legitimise the efforts of state actors to minimise the social and medical harms brought about by the pandemic by encouraging adherents to follow restrictions or avail themselves of vaccinations (or both). Even where the state did not mandate the closing of places of worship (e.g. Bulgaria), religious groups willingly brought in restrictions of their own out of concern for the whole society.⁹ Some religious groups were also involved in providing direct humanitarian aid to ameliorate the impact of the pandemic. Moreover, religious groups (e.g. the Orthodox Church in Greece) actively supported state actors in providing social welfare support to the general populace during the pandemic, even furnishing financial support of its own to the state. In France, religious groups mobilised social and spiritual support for victims of the pandemic via telephone. Additionally, the humanitarian role of chaplains in hospitals in supporting the victims of the pandemic (e.g. Croatia, Estonia) brought a spotlight on a frequently overlooked occupational category. More broadly, religious groups saw the pandemic as an opportunity to imagine a better world, especially for the most disadvantaged (Phillips 2020).

At the same time, some of the country case studies revealed how some religious groups were supporters of the notion of the pandemic as some kind of conspiracy, which was sometimes weaponised to fuel anti-vaccine sentiment. For example, in the Norwegian case, evangelical-related media (i.e. *Visjon Norge*) sought to empower conspiracy ideas about the pandemic, even though this was admittedly a minority view among religious groups in society. Likewise, in Catholic-majority Austria religious groups were active in anti-vaccination efforts. It is also the case that religious groups were sometimes indifferent to restrictions by carrying on with religious practices (Rudenko and Turenko 2021). For example, in the Greek case, the Eastern Orthodox Church decided to celebrate the Eucharist, going against state elites (Rudenko and Turenko 2021).¹⁰

Theoretically, this study has attempted to put forward an analytical framing to account for cross-national variation in the impact of the pandemic on religion, focusing on the role of three conditioning contextual factors (religious landscape, political history, legal culture). This framing motivated a set of propositions and we find support for some of these in the empirical analysis of the country cases.

More generally, perhaps the most significant theoretical takeaway of this study is the importance of centring the role of critical events in understanding religious dynamics in society. This focus goes against the more common attentiveness to large-scale social processes (e.g. secularisation) (e.g. Casanova 1994) but aligns with the relatively small number of studies that focus on sudden, short-run events – e.g. wars and economic upheavals (Stolz and Voas 2023) and internal church events (Conway 2016) – as potential influences on religious change.

Looking to where research on this topic might go in the future, it is our hope that this edited volume will spur other researchers to investigate the impact of COVID-19 on religion in other world regional contexts and to engage in comparative work across regional settings. Additionally, we hope that it might inspire research on the impact of the pandemic on other religious groups apart from the ones examined here, especially non-Christian religious groups, and comparing its impacts across different religious traditions.

To take just one example, comparing Christian-majority and Muslim-majority countries regarding religion–science interactions could shed light on how the teachings of different religious traditions regarding the place of scientific knowledge in relation to religious worldviews could potentially shape this interaction. Another fruitful line for future inquiry would be to engage in comparative historical analysis of the impact of different pandemics on different religious groups across different world regional settings. For instance, a comparison of the influence of the Spanish flu and the COVID-19 pandemics on religion could shed light on how religion–science interactions have changed across time and space.

Although this study has relied mainly on textual materials and survey-based work, future research could utilise other qualitative approaches such as ethnography to better understand the local influences of the pandemic on different religious groups varying in their numerical size, cultural position, legal status, etc. across different countries. Additionally, mixed-method studies combining social surveys and ethnographies would be useful for better understanding both population-wide dynamics as well as local contextual experiences within individual countries. A number of ongoing large-scale research studies¹¹ offer the potential to bring this methodological diversity to this interesting topic, as well as yielding important empirical and theoretical insights.

Finally, by providing international comparative evidence about the different yet similar influences of a short-term event (in this case, a global pandemic) on the internal workings of religions and religious freedom in diverse countries within Europe varying in their religious/secular landscapes, this study has attempted to advance our understanding of the societal role of religion nowadays, especially during times of sudden, large-scale uncertainty and disruption.

Notes

- 1 I thank Lene Kühle and Francesco Alicino for helpful comments on an earlier version of this chapter.
- 2 Similarly, anthropologist Didier Fassin argues that epidemics can be seen as ‘unveiling’ exercises (Fassin 2007, 32).
- 3 Likewise, sociologist Linnea Lundgren usefully distinguishes between religion as a resource or a risk in her study of state dynamics concerning religious minority groups in Sweden (Lundgren 2023). I owe this reference to Grace Davie (EUREL correspondents’ meeting, 22 September 2022).
- 4 For a similar example in a different context, see Johnston, Holleman, and Krull (2023).
- 5 For a visual representation of trends in street protests across six select European countries during the COVID-19 pandemic, see Figure 7 in Kriesi and Oana (2022).
- 6 For example, courts found in favour of religious groups in Belgium, France, and Germany, especially after the early period of the pandemic (Madera 2022a).
- 7 According to the *Atlas of Religious or Belief Minority Rights*, Greece and Romania have P-index scores of 0.25 and 0.27, respectively, compared to a European average of 0.28 (Ferrari et al. 2024). In the Greek example, the case was taken by the Association of Orthodox Ecclesiastical Obedience, independent of the Greek Orthodox Church, whereas in the Romanian one it was by a Seventh-day Adventist adherent (du Plessis and Portaru 2022).
- 8 This volume’s categorisation of European societies as either secure or insecure is based on sociologist Francesco Molteni’s global mapping of levels of insecurity using Human Development Index data (Molteni 2021, 50).
- 9 See also Martínez-Torrón (2021).
- 10 Past studies suggest that religious groups were associated with ‘end time’ thinking in relation to the pandemic (e.g. Dein 2021), though we found little evidence of this in the country case studies.
- 11 These include: *Churches Online in Times of Corona* (<https://contoc.org/contoc-en>); *Exploring the Pandemic Impact on Congregations* (<https://www.COVIDreligionresearch.org/>); *The Changing Role of Religion in Societies Emerging from COVID-19* (<https://www.transatlanticplatform.com/the-changing-role-of-religion-in-societies-emerging-from-COVID-19/>); *Religious Communities in the Virtual Age* (<https://recovira.org/>); and *British Ritual Innovation under COVID-19* (<https://www.mmu.ac.uk/research/projects/bric-19>).

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