

## 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.<sup>2</sup>

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 Muslim<sup>3</sup> 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.’<sup>4</sup>

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.<sup>5</sup>

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.<sup>6</sup> 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.<sup>7</sup> Later, they judged that the absolute limit of 30 people was to be rejected.<sup>8</sup> 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.<sup>9</sup>

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 case<sup>10</sup> 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.<sup>11</sup>

Whereas this decision took place in a procedure of suspension, the decision to cancel the challenged provisions was pronounced in 2022.<sup>12</sup> 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’.<sup>13</sup>

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, Sägerser 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.'<sup>14</sup> 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'.<sup>15</sup> 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.<sup>16</sup>

In the early stages of the pandemic, religious leaders took additional measures to those enacted by public authorities.<sup>17</sup> For instance, the BBConf cancelled all religious ceremonies slightly before public authorities adopted their measures.<sup>18</sup> 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.<sup>19</sup> In July, the EMB recommended that the prayer for the Feast of Sacrifice be cancelled and replaced by a prayer at home.<sup>20</sup> 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.<sup>21</sup>

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,<sup>22</sup> 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.<sup>23</sup> 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'.<sup>24</sup> 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'.<sup>25</sup> They were also more vocal about the need to reopen religious places: 'bishops ... call for the earliest possible resumption of public celebrations'.<sup>26</sup> In 2021, they criticised the absence of considering the size of religious places in determining how many believers could attend ceremonies,<sup>27</sup> 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 (Bourgau 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.

## References

- Belga. 2020. 'Comment les sectes ont encouragé les comportements dangereux en pleine crise sanitaire'. *7sur7.be*. <https://www.7sur7.be/belgique/comment-les-sectes-ont-encourage-les-comportements-dangereux-en-pleine-crise-sanitaire~aeca3016>.
- Bernaerts, Jonathan, and Adriaan Overbeeke. 2022. 'Case Law on the Freedom of Religion during the COVID-19 Crisis in Belgium'. *Journal of Church and State* 64(4): 663–82. <http://dx.doi.org/10.1093/jcs/csac073>.
- Bouhon, Frédéric, Andy Joustien, Xavier Miny, and Emmanuel Slautsky. 2020. 'L'Etat belge face à la pandémie de COVID-19: esquisse d'un régime d'exception'. *Courrier hebdomadaire du CRISP* 1(2446): 5–56. <http://dx.doi.org/10.3917/cris.2446.0005>.
- Bourgaux, Anne-Emmanuelle. 2023. *COVID-19, la démocratie confinée*. Brussels: Editions de l'Université de Bruxelles.
- Christians, Louis-Léon. 2021a. 'COVID-19, Law and Religion in Belgium'. *Fides & Libertas* 65–70.
- Christians, Louis-Léon. 2021b. 'La déstabilisation sanitaire de la liberté de culte en droit belge'. In *L'Eglise en état d'urgence. Droit canonique et gestion de la pandémie de la COVID-19*, edited by Ludovic Danto and Cédric Burgun, 151–78. Paris: Editions du Cerf.

- Christians, Louis-Léon. 2006. 'Le financement des cultes en droit belge: bilan et perspectives.' *Quaderni di diritto e politica ecclesiastica* 1: 83–106. <https://doi.org/10.1440/21998>.
- Christians, Louis-Léon. 2022. *L'impact de la pandémie de COVID-19 sur la religion. Belgique 2022: un bilan de cinq vagues*. EUREL.
- Christians, Louis-Léon. 2020. 'Religion et crise sanitaire: les nouvelles certitudes du droit.' *Revue théologique de Louvain* 51(4): 566–95.
- Dillen, Annemie. 2021. 'La crise de la COVID-19 et ses impacts sur la présence chrétienne dans la société, spécifiquement en Belgique.' *Revue Lumen Vitae* 76: 23–35.
- Franken Leni, and François Levrau. 2021. 'Godsdienstvrijheid en COVID-19 in België en Nederland: een kritische analyse.' *Religie & samenleving* 16(2): 176–97. <http://dx.doi.org/10.54195/RS.11469>.
- Goffaux, Patrick. 2022. 'Pouvoir de police de l'ordre public et crise sanitaire du coronavirus COVID-19'. In *Le droit public belge face à la crise du COVID-19*, edited by Frédéric Bouhon, Emmanuel Slautsky, and Stéphanie Wattier, 391–452. Brussels: Larcier.
- Hermesse, Julie. 2020. 'Du silence et des ambulances: construction sociale d'une catastrophe autour d'un virus'. In *Pensées d'anthropologue sur la pandémie*, edited by Julie Hermesse, Frédéric Laugrand, Pierre-Joseph Laurent, Jacinthe Mazzocchi, Olivier Servais, and Anne-Marie Vuilleminot. Paris: L'Harmattan.
- Hoffmann, Arvid, Daria Plotkina, Patrick Roger, and Catherine D'Hondt. 2022. 'Superstitious Beliefs, Locus of Control, and Feeling at Risk in the Face of COVID-19'. *Personality and Individual Differences* 196: 111718. <http://dx.doi.org/10.1016/j.paid.2022.111718>.
- Join-Lambert, Arnaud. 2020. 'Leçons du confinement pour l'Église'. *Études: Revue de Culture Contemporaine* 10: 79–90. <http://dx.doi.org/10.3917/etu.4275.0079>.
- Judo, Frank. 2020. 'De Gees is niet gehaast'. *Juristenkrant* 411: 12–13.
- Kessels, Roselinde, Jeroen Luyten, and Sandy Tubeuf. 2021. 'Willingness to Get Vaccinated against COVID-19: Profiles and Attitudes towards Vaccination'. *Vaccine* 39(33): 4716–22. <https://doi.org/10.1016/j.vaccine.2021.05.069>.
- Klein, Olivier, and Vincent Yzerbyt. 2023. *Psychologie de la vaccination*. Brussels: Editions de l'Université de Bruxelles.
- Mala Corbin, Caroline. 2021. 'Religious Liberty in a Pandemic: Constitutional Challenges to Mass Gathering Bans'. *Fides & Libertas*: 130–41.
- Mayer, Jean-François. 2021. 'How Essential Is Religion? Meanings and Perceptions of Religion during the COVID-19 Pandemic in Europe'. *Fides & Libertas*: 107–16.
- Mertens, Romain. 2020. 'Freedom of Religion and Freedom of Demonstration during the COVID-19 Pandemic: A Comparative Analysis of Administrative Case Law in France and Belgium'. *Ius Publicum* 1: 1–55.
- Mertens, Romain. 2022. *L'impact de la pandémie de COVID-19 sur la religion en Europe*. EUREL. [https://eurel.info/IMG/pdf/eu\\_covid\\_19.pdf](https://eurel.info/IMG/pdf/eu_covid_19.pdf).
- Nihoul, Marc, Stéphanie Wattier, and François Xavier. 2020. 'L'art de la juste mesure dans la lutte contre le coronavirus face à la dimension collective de la liberté de culte'. *Revue trimestrielle des droits de l'homme* 124: 1029–63. <http://dx.doi.org/10.3917/rtdh.124.1029>.



- Ost, François. 2022. *Abécédaire d'une pandémie. Ce que le COVID révèle de notre société*. Wavre: Anthémis.
- Overbeeke, Adriaan. 2011. 'Minderheidserediensten en het Belgische erediensrecht. Notities in de marge'. In *Levensbeschouwingen en de overheid in België. Een toelichting door vergenwoordigers van de erkende erediensdiensten en de vrijzinnige niet-confessionele levensbeschouwing*, edited by Patrick De Pooter, Ina Lodewijckx, and Adriaan Overbeeke, 165–96. Berchem: Epo.
- Overbeeke, Adriaan, and Louis-Léon Christians. 2020. 'L'interdiction belge des activités religieuses dans le cadre de la crise sanitaire du COVID-19'. *OJUREL* (online). <http://belgianlawreligion.unblog.fr/2020/04/09/linterdiction-belge-des-activites-religieuses-dans-le-cadre-de-la-crise-sanitaire-du-covid-19>.
- Sägesser, Caroline. 2018. 'Les débats autour de l'interdiction de l'abattage rituel'. *Courrier hebdomadaire du CRISP* 2385: 5–48. <http://dx.doi.org/10.3917/cris.2385.0005>.
- Schreiber, Jean-Philippe. 2020. *La religion à l'épreuve de la pandémie (mars-juin 2020)*. Brussels: ULB-Orela.
- Sinardet, Dave, and Jade Pieters. 2021. 'Nationalism and COVID in Belgium: A Surprisingly United Response in a Divided Federal Country'. *Nationalism and Ethnic Politics* 27 (3): 311–30. <http://dx.doi.org/10.1080/13537113.2021.1954299>.
- Torfs, Rik, and Jogchum Vrielink. 2019. 'State and Church in Belgium'. In *State and Church in the European Union*, edited by Gerhard Robbers, 11–50. Baden-Baden: Nomos.
- van Loenhout, Joris, Kirsten Vanderplanken, Stephan Van den Broucke, and Isabelle Aujoulat. 2022. 'COVID-19 Measures in Belgium: How Perception and Adherence of the General Population Differ between Time Periods'. *BMC Public Health* 22(245): 1–12. <http://dx.doi.org/10.1186/s12889-022-12654-7>.
- Van Cleempoel, Luca. 2022. 'Belgium: Recovering from the Calamity in the Heart of Europe'. In *The Social Impact of COVID-19*, 6–11. EARS.
- Vanhamel, Jef, Marie Meudec, Ella Van Landeghem, Maya Ronse, Charlotte Gryseels, Thijs Reyniers, Anke Rotsaert, Charles Ddungu, Lazare Manirankunda, Deogratias Katsuva, et al. 2021. 'Understanding How Communities Respond to COVID-19: Experiences from the Orthodox Jewish Communities of Antwerp City'. *International Journal of Equity in Health* 20(78): 1–13. <http://dx.doi.org/10.1186/s12939-021-01417-2>.
- Wattier, Stéphanie. 2011. 'Le financement des cultes au XXIe siècle: faut-il réviser l'article 181 de la Constitution?'. *Revue belge de droit constitutionnel* 1: 23–50.
- Wattier, Stéphanie, and François Xavier. 2021. 'Les restrictions à la liberté de religion durant la deuxième vague de coronavirus: analyse des arrêts du Conseil d'État'. *Journal des Tribunaux* 6851: 241–46.