



COSTITUZIONE DELLA REPUBBLICA ITALIANA

CONSTITUTION OF THE ITALIAN REPUBLIC



Costituzione della Repubblica Italiana (*articoli 1- 54*)

a cura della Presidenza del Consiglio dei Ministri

edito dall'Istituto Poligrafico dello Stato

Si ringraziano la Prefettura e la Provincia di Alessandria per aver messo a disposizione il testo tradotto in lingua inglese.

Si ringrazia il Dipartimento del cerimoniale di Stato della Presidenza del Consiglio dei Ministri per la preziosa opera di verifica della presente traduzione.

The Italian Constitution is the fundamental compact which binds the citizen to the society and its institutions. It was born out of the values of democracy, antifascism, refusal of any totalitarianism which moved, all over Europe, the people against dictatorship at the cost of huge sacrifices in human lives.

The principles it expresses represent the highest element of cohesion of our People and the point of reference for the daily life of every citizen.

Our being citizens, be we born in Italy or not, results from our deep identification with all the rights and duties contained in the Republic Charter. Its carrying values adhere to the Declaration of Human Rights, adopted by the United Nations, which is at the basis of pacific cohabitation between peoples. Sixty years later, these values still maintain all their strength, which is why they have set the lasting rules of civil cohabitation we all are called to abide by.

For that matter, it is important that the Constitution also be acknowledged and understood by all those who want to become Italian citizens, with full rights and duties. This is the only way to be involved in the life of our "common" Country and to consolidate its freedom, democracy, social justice, non-violence: the four cardinal points of the Italian Republic.

The Government thus decided to translate and to print the fundamental principles and the first part of the Constitution in nine different languages, in order to allow those people who have chosen to live in our Country to know the contents and the values of these fundamental laws, to live by them every day with the sense of responsibility by which we become true citizens.

The Minister
Vannino Chiti

FUNDAMENTAL PRICIPLES

Art. 1

Italy is a Democratic Republic, based on labour. Sovereignty belongs to the people who exercise it in the forms and limits of the Constitution.

Art. 2

The Republic recognises and guarantees the inviolable human rights, be it as an individual or in social groups expressing their personality, and it requests the performance of the unalterable duty to social, economic, and political solidarity.

Art. 3

All citizens have equal social status and are equal before the law, without regard to their sex, race, language, religion, political opinions, and personal or social conditions. It is the duty of the Republic to remove all economic and social obstacles that, by limiting the freedom and equality of citizens, prevent full individual development and the participation of all workers in the political, economic, and social organization of the country.

Art. 4

The Republic recognises the right of all citizens to work and promotes conditions to fulfil this right.

According to capability and choice, every citizen has the duty to undertake an activity or a function that will contribute to the material and moral progress of society.

Art. 5

The Republic, one and indivisible, recognises and promotes local autonomy; it fully applies administrative decentralization of State services and adopts principles and methods of legislation meeting the requirements of autonomy and decentralization.

Art. 6

The Republic protects linguistic minorities by means of special laws.

Art. 7

The State and Catholic Church are, each within their own reign, independent and sovereign.

Their relationship is regulated by the Lateran Pacts. Amendments to these Pacts, which are accepted by both parties, do not require the procedure of constitutional amendment.

Art. 8

All religious confessions are equally free before the law. Confessions other than Catholicism have the right to organise themselves according to their own by-laws, provided they do not conflict with the Italian legal system. Their relationship with the State is regulated by law, based on agreements with their representatives.

Art. 9

The Republic promotes cultural development and scientific and technical research. It safeguards natural beauty and the historical and artistic heritage of the nation.

Art. 10

The Italian legal system conforms to the generally recognised rules of international law.

The legal status of foreigners is regulated by law in conformity with international rules and treaties.

Foreigners who are, in their own Country, denied the actual exercise of those democratic freedoms guaranteed by the Italian Constitution, are entitled to the right of asylum in the Republic, under conditions provided by law. Foreigners may not be extradited for political offences.

Art. 11

Italy repudiates war as an instrument offending the freedom of other peoples and as a means for settling international disputes; it agrees to limitations of sovereignty where they are necessary to allow for a legal system of peace and justice between nations, provided the principle of reciprocity is guaranteed; it promotes and encourages international organizations furthering such ends.

Art. 12

The flag of the Republic is the Italian tricolour: green, white, and red, in three vertical bands of equal sizes.

Part 1
Rights and Duties of Citizens

Title I
Civil Relations

Art. 13

Personal liberty is inviolable. No form of detention, inspection or personal search nor any other restriction on personal freedom is admitted, except by order of the Judiciary stating a reason and only in such cases and in such manner as provided by law. As an exception, under the conditions of necessity and urgency, strictly defined by law, law-enforcement authorities may take provisional measures that must be reported within forty-eight hours to the Judiciary and, if they are not ratified within the next forty-eight hours, are considered revoked and remain without effect.

Any acts of physical or moral violence against persons subject to restrictions of personal liberty are to be punished.

The law establishes the maximum duration of preventive detention.

Art. 14

Personal domicile is inviolable.

No one's domicile may be inspected, searched, or seized save in cases and in the manner laid down by law conforming to the guarantee of personal liberty. Verifications and inspections for public health and safety, or for economic and fiscal purposes are regulated by special laws.

Art. 15

Freedom and secrecy of correspondence and other forms of communication are inviolable.

Restrictions thereto may be imposed only by judicial decision stating the reasons and in accordance with guarantees established by law.

Art. 16

Every citizen has the right to travel and reside freely in any part of the national territory, except for limitations provided by general laws for reasons of health or security. No restrictions may be imposed for political reasons. Every citizen is free to leave the territory of the Republic and return to it except for obligations defined by law.

Art. 17

All citizens have the right to assemble peacefully and unarmed. No previous notice is required for meetings, including those occurring in places that are open to the public.

For meetings held in public places previous notice must be given to the authorities, who may forbid them only on the ground of proven risks to security and public safety.

Art. 18

Citizens have the right to form associations freely, without authorisation, for aims that are not forbidden to individuals by criminal law.

Secret associations and associations pursuing, even indirectly, political aims by means of military organisations, are prohibited.

Art. 19

Everyone is entitled to freely profess religious beliefs in any form, individually or with others, to promote them, and to celebrate rites in public or in private, provided they are not offensive to public morality.

Art. 20

For associations or institutions, their ecclesiastical character or religious or confessional aims do not justify special legal limitations or fiscal burdens regarding their establishment, legal capacity, or any of their activities.

Art. 21

Everyone has the right to freely express thoughts in speech, writing, and by other communication.

The press may not be subject to authorisation or censorship. Seizure is permitted only by judicial order stating the reason in the case of offences for which the press law gives express authorisation or for violation of the obligation to disclose the identity of those holding responsibility. In cases of absolute urgency, when immediate judicial intervention is impossible, periodicals may be seized by the judicial police, who must promptly and in no case later than twenty-four hours report the matter to the judiciary. If the seizure is not validated by the judiciary within the following twenty-four hours, the measure is considered revoked and has no effect. The law may, by general provision, order the disclosure of financial sources of periodical publications. Printed publications, public performances and other exhibits offensive to public morality are forbidden. Measures of prevention and repression against violations are provided by law.

Art. 22

Nobody may be deprived of legal capacity, citizenship, or name for political reasons.

Art. 23

Nobody may be forced to perform personal service or payment without legal provision.

Art. 24

All persons are entitled to bring cases before a court of law to protect their rights and legitimate interests.

Defence is an inviolable right at every stage and instance of legal proceedings. Proper means for action or defence in all courts are guaranteed to the poor by appropriate measures.

The law defines the conditions and forms for reparation in the case of judicial errors.

Art. 25

No case may be removed from a court, but must be heard as provided by law. No punishment is allowed except provided by a law already in force when the offence was committed.

No one may be subject to restrictive measures except in those cases provided for by law.

Art. 26

A citizen may be extradited only in cases expressly provided for by international conventions.

In no case extradition may be permitted for political offences.

Art. 27

Criminal responsibility is personal.

The defendant is not considered guilty until definitively sentenced. Punishment cannot consist in inhuman treatment and must aim at re-educating the convicted.

Death penalty is prohibited.

Art. 28

State officials and employees of other public bodies are directly responsible under criminal, civil, and administrative law for acts committed in violation of rights. In such cases, civil liability extends to the State and public bodies.

Title II
Ethical and Social Relations

Art. 29

The Republic recognises the rights of the family as a natural society founded on marriage.

Marriage is based on moral and legal equality of the spouses within the limits laid down by law to guarantee the unity of the family.

Art. 30

Parents have the duty and right to support, educate, and tutor their children, including those born out of wedlock.

Should the parents prove incapable, the law provides for the fulfilment of their duties. The law ensures to children born out of wedlock any legal and social protection compatible with the rights of members of the legitimate family. Rules and limits to determine paternity are set by law.

Art. 31

The Republic furthers family formation and the fulfilment of related duties by means of economic measures and other benefits, with special regard to large families. The Republic protects maternity, infancy, and youth supporting the institutions needed for this purpose.

Art. 32

The Republic safeguards health as a fundamental right of the individual and as a collective interest, and guarantees free medical care to the poor. Nobody may be forcefully submitted to medical treatment except as regulated by law. That law may in no case violate the limits imposed by the respect for the human being.

Art. 33

The arts and sciences as well as their teaching are free. The Republic lays down general rules for education and establishes state schools for all branches and grades. Public bodies and private persons have the right to establish schools and education institutes, at no cost to the State.

The law defining rights and obligations of those private schools requesting recognition has to guarantee full liberty to them and equal treatment with pupils of state schools. State examinations are prescribed for admission to and graduation from the various branches and grades of schools and for qualification to exercise a profession. Institutions of higher learning, universities and academies, have the right to establish their own by-laws within the limits of State law.

Art. 34

Schools are open to everyone.

Primary education, given for at least eight years, is compulsory and free of tuition. Capable and deserving pupils, even if lacking financial resources, have the right to attain the highest levels of education.

The Republic furthers the realization of this right by scholarships, allowances to families, and other benefits, to be assigned through competitive examinations.

Title III
Economic Relations

Art. 35

The Republic protects labour in all its forms and practices. It provides for the training and professional enhancement of workers. It promotes and encourages international agreements and organisations aiming at asserting and regulating labour rights.

It recognises the freedom to emigrate, except for legal limitations for the common good, and protects Italian workers abroad.

Art. 36

Workers are entitled to remuneration commensurate with the quantity and quality of their work, and in any case sufficient to ensure to them and their families a free and honourable existence.

The law establishes limits to the length of the working day.

Workers are entitled to a weekly day of rest and to annual paid holidays; they cannot relinquish this right.

Art. 37

Working women have the same rights and are entitled to equal pay as men for equal work. Working conditions have to be such to allow women to fulfil their essential family role and ensure an adequate special protection of mothers and children. The law establishes the minimum age for paid labour. The Republic establishes special measures protecting juvenile labour and guarantees equal pay for comparable work.

Art. 38

All citizens unable to work and lacking the resources necessary for their existence are entitled to welfare support.

Workers are entitled to adequate insurance for their needs in the case of accidents, illness, disability, old age and involuntary unemployment. Disabled and handicapped persons are entitled to education and vocational training. Responsibilities laid down in this article are entrusted to public bodies and institutions established or supplemented by the State.

Private welfare work is free.

Art. 39

The organisation of trade unions is free.

No obligation can be imposed on trade unions other than registration at local or central offices, as provided by law.

Trade unions are only registered on condition that their by-laws lead to internal organisation of democratic character.

Registered trade unions are legal persons. Being represented in proportion to their registered members, they may jointly enter into collective labour contracts which are mandatory for all who belong to the categories referred to in the contract.

Art. 40

The right to strike is exercised according to the law.

Art. 41

Private economic enterprise is free.

It may not be carried out against the common good or in a way that may harm public security, liberty, or human dignity.

The law determines appropriate planning and controls so that public and private economic activities may be directed and coordinated towards social ends.

Art. 42

Property is public or private. Economic assets belong to the State, to public bodies or to private persons. Private property is recognised and guaranteed by laws, determining the manner of acquisition and enjoyment and its limits in order to ensure its social function and to make it accessible to all.

Private property, in cases determined by law and with compensation, may be expropriated for reasons of general interest.

The law establishes the rules and limits of legitimate and testamentary succession and the State's rights to the heritage.

Art. 43

To the end of the general good, the law may reserve establishment or transfer, by expropriation with compensation, to the state, public bodies, or workers or consumer communities, specific enterprises or categories of enterprises of primary common interest for essential public services or energy sources, or act as monopolies in the prominent public interest.

Art. 44

For the purpose of ensuring the rational exploitation of land and establishing equitable social relations, the law imposes obligations on and limitations to private ownership of land, sets its limits depending on the regions and the various agricultural areas, encourages and imposes land reclamation, transformation of latifundia and reorganisation of productive units; it assists small and medium sized farms. The law makes provisions in favour of mountainous areas.

Art. 45

The Republic recognises the social function of co-operation for mutual benefit free of private speculation. The law promotes and encourages its implementation with suitable provisions and ensures its character and purposes through proper controls. The law protects and promotes the development of handicrafts.

Art. 46

In order to achieve the economic and social betterment of workers and in accordance with the needs of production, the Republic recognises the right of workers to collaborate, within the forms and limits defined by law, in the management of companies.

Art. 47

The Republic encourages and protects saving in all its forms; it regulates, co-ordinates and controls the provision of credit.

The Republic promotes the access of citizens, through their savings, to the ownership of housing and directly cultivated land, as well as to direct and indirect investment in shares of the Country's large production enterprises.

Title IV
Political Relations

Art. 48

All citizens, male and female, who have attained their majority, are voters. The vote is personal and equal, free and secret. Its exercise is a civic duty. The law defines the conditions under which the citizens residing abroad effectively exercise their electoral right. To this end a constituency of Italians abroad is established for election of the Houses of Parliament; the number of seats of such constituency is set forth in a constitutional provision and in accordance with criteria established by law. The right to vote may not be limited except for civil incapacity or as a consequence of an irrevocable penal sentence or in cases of moral unworthiness established by law.

Art. 49

All citizens have the right to freely associate in parties in order to contribute by democratic methods to determine national policy.

Art. 50

All citizens may address petitions to both Houses demanding legislative measures or presenting collective needs.

Art. 51

Citizens of one or the other sex are eligible for public offices and for elective positions under equal conditions, according to the rules established by law. To this end, the Republic adopts specific measures in order to promote equal chances for men and women. The law may, regarding their right to be selected for public positions and elective offices, grant to those Italians who do not belong to the republic the same opportunities as citizens.

Anyone elected to public office is entitled to the time necessary to perform that function and to retain previously held job.

Art. 52

The defence of the Fatherland is a sacred duty for every citizen. Military service is compulsory within the limits and under the terms of the law. The fulfilment of military duties does not prejudice a citizen's position as an employee, nor the exercise of political rights. The organisation of the Armed Forces conforms to the democratic spirit of the Republic.

Art. 53

Everyone has to contribute to public expenditure in proportion to his/her taxpayer capacity.

The tax system conforms to the principle of progression.

Art. 54

All citizens have the duty to be loyal to the Republic and to observe its Constitution and laws.

Citizens entrusted with public functions must perform them with discipline and honour, taking an oath of office where required by law.

(...)

Given in Rome this 27th Day of December 1947

ENRICO DE NICOLA

COUNTERSIGNED

President

of the Constituent Assembly

UMBERTO TERRACINI

President

of the Council of Ministers

ALCIDE DE GASPERI

Visé: Keeper of the Seal

GRASSI