la costituzione italiana

Una Costituzione destinata a durare

Giorgio Napolitano
Presidente della Repubblica Italiana

dal Messaggio di insediamento pronunciato alla Camera dei Deputati il 15 maggio 2006

Sono convinto che la politica possa recuperare il suo posto fondamentale e insostituibile nella vita del paese e nella coscienza dei cittadini. Può riuscirvi quanto più rifugga da esasperazioni e immeschinimenti che ne indeboliscono fatalmente la forza di attrazione e persuasione, e quanto più esprima moralità e cultura, arricchendosi di nuove motivazioni ideali. Tra esse, quella del costruire basi comuni di memoria e identità condivisa, come fattore vitale di continuità nel fisiologico succedersi di diverse alleanze politiche nel governo del paese. Ma non si può dare memoria e identità condivisa, se non si ripercorre e si ricompone in spirito di verità la storia della nostra Repubblica nata sessanta anni fa come culmine della tormentata esperienza dello stato unitario e, prima ancora, del processo risorgimentale.

Ci si può – io credo – ormai ritrovare, superando vecchie laceranti divisioni, nel riconoscimento del significato e del decisivo apporto della Resistenza, pur senza ignorare zone d'ombra, eccessi e aberrazioni. Ci si può ritrovare – senza riaprire le ferite del passato – nel rispetto di tutte le vittime e nell'omaggio non rituale alla liberazione dal nazifascismo come riconquista dell'indipendenza e della dignità della patria italiana. Memoria condivisa, come premessa di una comune identità nazionale, che abbia il suo fondamento nei valori della Costituzione.

Il richiamo a quei valori trae forza dalla loro vitalità, che resiste, intatta, ad ogni controversia. Parlo – ed è giusto farlo anche nel celebrare il sessantesimo anniversario dell'elezione dell'Assemblea Costituente – di quei "principi fondamentali" che scolpirono nei primi articoli della Carta Costituzionale il volto della Repubblica. Principi, valori, indirizzi che scritti ieri sono aperti a raccogliere oggi nuove realtà e nuove istanze. Così, il valore del lavoro, come base della Repubblica democratica, chiama più che mai al riconoscimento concreto del diritto al lavoro, ancora lontano dal realizzarsi per tutti, e alla tutela del lavoro "in tutte le sue forme e applicazioni", e dunque anche nelle forme ora esposte alla precarietà e alla mancanza di garanzie.

I diritti inviolabili dell'uomo e il principio di uguaglianza, "senza distinzione di sesso, di razza, di lingua, di religio-

ne", si integrano e completano nella Carta europea, aperta ai nuovi diritti civili e sociali. Essi non possono non riconoscersi a uomini e donne che entrano a far parte, da immigrati, della nostra comunità nazionale contribuendo alla sua prosperità. Il valore della centralità della persona umana viene a misurarsi con le nuove frontiere della bioetica. L'unità e indivisibilità della Repubblica si è via via intrecciata col più ampio riconoscimento dell'autonomia e del ruolo dei poteri regionali e locali. Si rivela lungimirante come fattore di ricchezza e apertura della nostra comunità nazionale la tutela delle minoranze linguistiche.

Essenziale appare tuttora il laico disegno dei rapporti tra Stato e Chiesa, concepiti come, ciascuno nel proprio ordine, indipendenti e sovrani. La libertà e il pluralismo delle confessioni religiose sono state via via sancite, e ancora dovranno esserlo, attraverso intese promosse dallo Stato. Presentano poi una pregnanza ed urgenza senza precedenti, tanto lo sviluppo della cultura e della ricerca scientifica e tecnica, quanto la tutela del paesaggio e del patrimonio storico e artistico della Nazione. Infine, i valori, tra loro inscindibili, del ripudio della guerra e della corresponsabilità internazionale per assicurare la pace e la giustizia nel mondo, si confrontano con nuove, complesse e dure prove.

Ebbene chi può mettere in dubbio la straordinaria sapienza, e rispondenza al bene comune, dei principi e valori costituzionali che ho voluto puntualmente ripercorrere? In questo senso, è giusto parlare di unità costituzionale come sostrato dell'unità nazionale. Un risoluto ancoraggio ai lineamenti essenziali della Costituzione del 1948 non può essere scambiato per puro conservatorismo. I costituenti si pronunciarono a tutte lettere per una Costituzione "destinata a durare", per una Costituzione rigida ma non immutabile, e definirono le procedure e garanzie per la sua revisione. Nei progetti volti a rivedere la seconda parte della Costituzione che si sono via via succeduti, non sono stati mai messi in questione i suoi principi fondamentali. Ma già nell'Assemblea Costituente si espresse – nello scegliere il modello della Repubblica parlamentare – la preoccupazione di "tutelare le esigenze di stabilità dell'azione di governo e di evitare le degenerazioni del parlamentarismo". Quella questione rimase aperta e altre ne sono insorte in anni più recenti, anche sotto il profilo del ruolo dell'opposizione e del sistema delle garanzie, in rapporto ai mutamenti intervenuti nella legislazione elettorale.

La nostra Costituzione. Dalla memoria al futuro

ANPI di Zola Predosa
Associazione Nazionale Partigiani d'Italia

L'ANPI di Zola Predosa conta 24 ex partigiani e 125 sostenitori antifascisti. È sempre presente, al fianco dell'Amministrazione Comunale, nelle iniziative istituzionali che hanno lo scopo di ricordare gli avvenimenti passati e, soprattutto, farli conoscere alle nuove generazioni, tramandando i valori fondamentali di libertà e democrazia così duramente conquistati dalla lotta di Liberazione.

L'ANPI fu fondata dai partigiani nel 1944 a Roma, quando la seconda guerra mondiale ancora non si era conclusa e solo il centro-sud d'Italia era libero dall'oppressione nazi-fascista. Tanti furono gli italiani, di ogni età, di ogni estrazione sociale, di ogni credo politico che decisero di lasciare le loro famiglie, la loro "normalità" per combattere insieme, rischiando ogni giorno la vita, per riportare la libertà e la democrazia nel proprio paese che, da troppo tempo, aveva perso questi valori.

Conclusa la guerra e sconfitti il nazismo e il fascismo fu necessario ricostruire le basi dello Stato e il percorso democratico si sostanziò nel lavoro di costante confronto e scambio dell'Assemblea Costituente, di cui fecero parte molti partigiani, che scrisse la Costituzione della Repubblica Italiana, base fondamentale del nostro ordinamento giuridico.

La nostra associazione fin da allora ha inteso partecipare attivamente al progresso democratico della società, raggiungibile attraverso la piena attuazione della Carta Costituzionale. Per farlo non ci si può limitare a stare rinchiusi nelle proprie memorie, al contrario è fondamentale aprirsi, in particolare ai giovani, confrontarsi con il mondo che cambia, portando in questo cambiamento la nostra esperienza, i nostri valori.

Tra gli scopi prevalenti dell'ANPI che oggi, a sessantatre anni dalla Liberazione, hanno acquisito ancora maggior valore, vi è il "promuovere iniziative che si propongano fini di progresso democratico della società" e "battersi affinché i principi informatori della guerra di liberazione divengano elementi essenziali nella formazione delle nuove generazioni".

Per questi motivi abbiamo voluto sostenere questa pubblicazione che vuole far conoscere la nostra Costituzione a tutti, giovani e cittadini stranieri in particolare. Perchè siamo certi che solo comprendendo a pieno il valore della libertà, la sofferenza che porta l'averla perduta e il sacrificio che è costato riconquistarla è possibile riconoscere il valore assoluto, il profondo significato e l'importanza dei principi ispiratori della Costituzione.

Conoscere la Costituzione. Diventare cittadini

di **Giancarlo Borsari**
Sindaco di Zola Predosa

Carissimi,

mi rivolgo a tutti voi, cittadini italiani o stranieri, che abitate, lavorate o comunque trascorrete parte del vostro tempo qui, a Zola Predosa. Un comune che, come molti altri della provincia bolognese, sta vedendo aumentare il numero di immigrati stranieri che diventano sempre di più parte di questa realtà territoriale: scegliendo di stabilire qui la propria residenza, lavorando in una delle aziende del distretto produttivo, frequentando le nostre scuole o utilizzando i nostri servizi.

La nostra Amministrazione ha scelto di essere protagonista attiva in questo cambiamento, per evitare che nel suo sviluppo una società sempre più eterogenea in pensieri, idee e culture, possa disaggregarsi e non sentirsi unita e compatta.

A Zola Predosa ci sono 17.519 residenti di cui 1.116 stranieri. Ed è per queste 17.251 persone che, spinti dalle profonde parole che il nostro Presidente della Repubblica Giorgio Napolitano ha rivolto a tutta l'Italia nel messaggio di insediamento nel maggio 2006, abbiamo voluto realizzare questa pubblicazione.

Un progetto che si affianca ai tanti interventi rivolti ai nostri cittadini, agli stranieri come agli italiani, agli anziani come ai ragazzi e alle ragazze e che realizziamo per creare, sul nostro territorio, un'effettiva integrazione e per fare sì che le differenze non siano sinonimo di paura o diffidenza, ma rappresentino un arricchimento e contribuiscano a costruire una comunità coesa e solidale.

Ogni individuo deve avere una propria identità, una propria collocazione, ma anche diritti sicuri e precisi doveri, perché solo il rispetto delle regole da parte di tutti può consentire a ciascuno di sentirsi cittadino a tutti gli effetti di questa comunità.

Noi pensiamo che far conoscere la nostra Costituzione, pubblicandola in italiano e nelle diverse lingue parlate sul nostro territorio, significhi avviare un percorso di cittadinanza che possa coinvolgere tutti per costruire una comunità ispirata a quei principi e a quei valori universali, conquistati nel corso della storia anche a prezzo di grandi sacrifici, oggi più che mai vivi ed attuali e che ci chiamano ad impegnarci per la loro piena affermazione.

Il volto della Costituzione italiana

di **Augusto Barbera**
Ordinario di diritto costituzionale nell'Università di Bologna

I principi su cui si regge la costituzione sono stati elaborati dall'Assemblea Costituente eletta dal popolo italiano il 2 giugno 1946, dopo l'esperienza tragica della Dittatura fascista e la lotta di liberazione nazionale. Essa è entrata in vigore il 1 gennaio 1948, sessantanni fa, ma i principi in essa racchiusi trovano alimento nel costituzionalismo liberaldemocratico, quale si è venuto forgiando dopo le tre grandi rivoluzioni dell'Occidente, quella inglese del 1689, quella americana del 1776 , quella francese del 1789. Tali principi avevano già iniziato un primo cammino in Italia con il Risorgimento ma, interrottosi il cammino con la Dittaura fascista, avevano ripreso vigore con la lotta di liberazione nazionale, non a caso definita un "Secondo Risorgimento".

La Costituzione consta di due parti. La prima è relativa ai principi fondamentali e riassume quei valori che devono informare tutto l'ordinamento giuridico e tutta la comunità nazionale; la seconda parte è relativa alla organizzazione dei poteri della Repubblica. I principi fondamentali sono così riassumibili :

a) lo Stato è in funzione della persona umana e non è , viceversa, la persona in funzione dello Stato. Sono pertanto garantiti, anche nei confronti dello Stato, i diritti inviolabili della persona umana e delle formazioni sociali ove si svolge la sua personalità (in primo luogo la famiglia, nonché le comunità e le associazioni culturali, politiche e professionali in cui l'individuo si inserisce). Dopo secoli di scontro, anche con risvolti tragici, i principi della tradizione cristiana ed i principi del razionalismo illuminista hanno avuto modo, nelle costituzioni del Novecento, di incontrarsi e di porsi a fondamento del valore della dignità della persona umana.
b) tutti i cittadini sono eguali davanti alla legge a prescindere dal sesso, dagli orientamenti sessuali, dalla razza, dalla religione professata, dalle condizioni personali e sociali. È compito della Repubblica, quindi, rimuovere gli ostacoli di carattere economico e sociale che limitano di fatto la libertà e l'eguaglianza dei cittadini e che impediscono il pieno sviluppo della persona con particolare attenzione ai diritti delle donne, cui devono essere assicurate "pari opportunità".

c) l'Italia è una Repubblica democratica, quindi trae la sua legittimazione dal popolo, unico titolare della sovranità. Nessuno può essere titolare di poteri sovrani per legittimazione dinastica (l'Italia ha compiuto la scelta della Repubblica con il referendum del 2 giugno 1946) o per investitura religiosa (lo Stato e la Chiesa cattolica sono separate, ciascuno essendo sovrano e indipendente nel proprio ambito, temporale o spirituale).
d) il popolo, benchè sovrano, si sottopone alle regole e ai vincoli della Costituzione che esso stesso si è data. Fra gli strumenti a disposizione del popolo per l'esercizio dei poteri sovrani il diritto di voto per la elezione delle assemblee elettive, la partecipazione ai referendum, la possibilità di dare vita a partiti politici; ma l'esercizio di questi poteri deve svolgersi nell'ambito delle regole che vincolano i poteri pubblici, secondo i principi dello "Stato di diritto".
e) la Repubblica, "una e indivisibile", riconosce e promuove le autonomie regionali e locali e contribuisce alla costruzione dell'Europa unita.
f) l'Italia "ripudia la guerra" come strumento di aggressione e di risoluzione delle controversie internazionali ma proprio per questo consente le limitazioni di sovranità necessarie per aderire a quelle organizzazioni internazionali che hanno come scopo la pace e la giustizia fra le Nazioni. A tal fine l'Italia sostiene le Nazioni Unite cui spetta garantire la pace e la giustizia internazionale. Solo in questo quadro, per garantire la pace, l'Italia accetta l'uso della forza militare.
g) la nostra Costituzione è "fondata sul lavoro". Tutela quindi il lavoro in tutte le sue forme ed applicazioni (sia esso autonomo o subordinato e con particolare attenzione al lavoro minorile) e promuove le condizioni per assicurare il diritto al lavoro. Tutela il diritto dei lavoratori al riposo e alle ferie retribuite, nonchè il diritto al sostegno in caso di infortunio, malattia, invalidità, vecchiaia, disoccupazione involontaria, assicurando a tal fine anche il diritto di sciopero e il diritto di associarsi in sindacati .

Fra i diritti fondamentali riconosciuti, primo fra tutti, il diritto alla vita (grazie alla Costituzione l'Italia è stato il primo paese europeo nel dopoguerra a bandire la pena di morte), cui seguono la libertà dagli arresti arbitrari, il divieto di violenze fisiche e di trattamenti contrari alla dignità umana, la libertà di circolazione, la libertà di corrispondenza, il diritto di libera manifestazione del pensiero, la libertà dell'arte e della ricerca scientifica, la libertà di insegnamento, la libertà di riunione e di associazione, la libertà di professare qualunque fede religiosa. Riconosce altresì il diritto di proprietà e di libera iniziativa imprenditoriale nei limiti fissati dalla legge a tutela della sicurezza dei lavoratori e della salvaguardia dell'ambiente; nonchè a tutela della libertà e della dignità umana (per esempio dall'inizio degli anni novanta è proibita in Italia la fabbricazione di mine antiuomo). La Repubblica riconosce altresì a tutti - ai cittadini e

ai non cittadini soggiornanti nel territorio nazionale - attraverso il Servizio sanitario nazionale - il diritto alla salute come fondamentale diritto e interesse della collettività.
Ma una comunità non può reggersi se i diritti perdono fondamento, se non vengono osservati, da parte di tutti, quei doveri che consentono la coesione di una comunità. È questa la ragione per cui accanto ai diritti vengono previsti i doveri di solidarietà politica, economica e sociale, fra cui l'obbligo di istruzione, l'obbligo tributario nonché il dovere di fedeltà ai principi e ai valori di fondo della Costituzione repubblicana.
La Costituzione dopo sessantanni di vita ha perso freschezza e vigore? Non è così: i valori e i principi costituzionali sono più forti oggi di quanto non lo fossero negli stessi anni in cui la Costituzione ha iniziato il suo cammino. Sono cadute le riserve di una parte del Paese sulle libertà sindacali e sui diritti dei lavoratori singoli ed associati sanciti dagli articoli della Costituzione. Parimenti sono stati progressivamente abbandonati, da un'altra parte del Paese, modelli collettivistici e sono stati accettati senza riserve i valori universali dei diritti fondamentali. Dal canto loro, i cattolici, dopo il Concilio Vaticano secondo, hanno abbandonato le riserve sulle libertà e sul pluralismo religioso, che li avevano portati a chiedere il rispetto di norme del Concordato fra Stato e Chiesa incompatibili con i principi della Costituzione.
Il terrorismo rosso e l'eversione nera, nelle forme che si erano manifestate negli anni settanta e ottanta, sono stati combattuti con le armi della Costituzione, e la loro sconfitta ha rappresentato un ulteriore rafforzamento dei principi costituzionali. L'Europa é divenuto un traguardo che oggi accomuna tutti gli italiani.
C'é un quadro di valori condivisi che può consentire una corretta alternanza al governo del Paese fra schieramenti alternativi che, pur mettendo l'accento su l'uno più che sull'altro valore, sulla libertà o sulla solidarietà, sui diritti dell'impresa o su quelli del lavoro, sulle gerarchie o sulla promozione dell'eguaglianza, non rinneghino tuttavia nessuno dei valori costituzionali.
Ma proprio la presenza di valori condivisi può oggi spingerci a rafforzare le istituzioni di governo e di autogoverno anche attraverso modifiche alla parte seconda della Costituzione relative all'organizzazione dei poteri pubblici. Caduto il muro invisibile che ha attraversato l'Italia, consolidatisi i valori costituzionali, raggiunto - come ancora auspicabile - un maggior grado di legittimazione reciproca fra le forze politiche possiamo rafforzare insieme Parlamento e Governo completando la costruzione di un sistema bipolare, rendendo più sicura la legittimazione popolare della maggioranza e del suo leader, superando un bicameralismo anacronistico e paralizzante, razionalizzando la produzione legislativa, rafforzando e snellendo la pubblica amministrazione, negli apparati e nelle procedure. Non dobbiamo temere istituzioni forti: solo istituzioni robuste possono promuove-

re libertà e solidarietà. Istituzioni di governo forti possono essere succubi di interessi e poteri forti ma istituzioni deboli, comunque orientate, ne sono sempre necessariamente succubi.
Non abbiamo bisogno di sconvolgenti riforme costituzionali né, tanto meno, di una nuova Costituzione. Abbiamo bisogno invece di riforme che, in modo sobrio, rivedano solo alcuni punti della parte seconda della Costituzione. Tanto dobbiamo essere fermi nella difesa della prima parte di essa quanto audaci e innovativi nella riforma della parte seconda relativa alla "forma di stato" e alla "forma di governo".
Noi italiani dobbiamo tenere ben stretta questa nostra Costituzione e farla conoscere alle nuove generazioni e a quanti provengono da altre culture. La prima parte di essa è la nostra carta dei valori che marca l' identità culturale e politica alla nostra comunità.
È assai apprezzabile l'inziativa del Comune di Zola Predosa che non solo ha voluto ristampare il testo costituzionale ma ha voluto altresì tradurlo nei principali idiomi dei numerosi lavoratori immigrati. Il rispetto dei valori fondamentali della Costituzione, che va richiesto anche ai nuovi cittadini, può essere la giusta via di mezzo fra (semplifico sul punto) l'indifferentismo multiculturalista, che considera sullo stesso piano tutti i valori di tutte le culture, e l'assimilazionismo omologante e soffocante che non tiene conto della specificità di ciascuna cultura. I diritti alla identità culturale delle comunità immigrate rappresentano un valore anche per la nostra Costituzione che all'art. 2 tutela - come si è detto - le formazioni sociali ove si svolge la personalità degli individui ma non minore deve essere il rispetto dei valori che la comunità italiana, richiamandosi alla propria tradizione, ha fissato nella Carta costituzionale della Repubblica.

THE ITALIAN CONSTITUTION

Fundamental Principles

Art. 1
Italy is a Democratic Republic, founded on work.
Sovereignty belongs to the people and is exercised by the people in the forms and within the limits of the Constitution.

Art. 2
The Republic recognises and guarantees the inviolable rights of the person, as an individual and in the social groups where human personality is expressed.
The Republic expects that the fundamental duties of political, economic and social solidarity be fulfilled.

Art. 3
All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinion, personal and social conditions.
It is the duty of the Republic to remove those obstacles of an economic or social nature which constrain the freedom and equality of citizens, thereby impeding the full development of the human person and the effective participation of all workers in the political, economic and social organisation of the country.

Art. 4
The Republic recognises the right of all citizens to work and promotes those conditions which render this right effective.
Every citizen has the duty, according to personal potential and individual choice, to perform an activity or a function that contributes to the material or spiritual progress of society.

Art. 5
The Republic, one and indivisible, recognises and promotes local autonomies, and implements the fullest measure of administrative decentralisation in those services which depend on the State. The Republic accords the principles and methods of its legislation to the requirements of autonomy and decentralisation.

Art. 6
The Republic safeguards linguistic minorities by means of appropriate measures.

Art. 7
The State and the Catholic Church are independent and sovereign, each within its own sphere.

Their relations are governed by the Lateran Pacts. Changes to the Pacts that are accepted by both parties do not require the procedure for constitutional amendment.

Art. 8
All religious confessions are equally free before the law.
Religious confessions other than the Catholic one have the right to organise themselves in accordance with their own statutes, provided that these statutes are not in conflict with Italian law.
Their relations with the State are regulated by law on the basis of accords between the State and the respective representatives.

Art. 9
The Republic promotes the development of culture and of scientific and technical research.
It safeguards natural landscape 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 provisions and treaties.
A foreigner who is denied the effective exercise of the democratic liberties guaranteed by the Italian Constitution in his or her own country has the right of asylum in the territory of the Italian Republic, in accordance with the conditions established by law.
Extradition of a foreigner for political offences is not admitted.

Art. 11
Italy rejects war as an instrument of aggression against the freedom of other peoples and as a means for the settlement of international disputes. Italy agrees, on conditions of equality with other States, to the limitations of sovereignty that may be necessary to a world order ensuring peace and justice among the Nations. Italy promotes and encourages international organisations having such ends.

Art. 12
The flag of the Republic is the Italian tricolour: green, white and red, in three vertical bands of equal size.

PART I
RIGHTS AND DUTIES OF CITIZENS

Title I Civil Rights and Duties

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 a reasoned warrant issued by a judicial authority, and only in the cases and the manner provided for by law.
In exceptional cases of necessity and urgency, strictly defined by the law, law-enforcement authorities may adopt temporary measures that must be communicated to the judicial authorities within forty-eight hours. Should such measures not be confirmed by the judicial authorities within the next forty-eight hours, they are revoked and become null and void.
All acts of physical or moral violence against individuals subject in any way to limitations of freedom shall be punished.
The law establishes the maximum period of preventive detention.

Art. 14
The home is inviolable.
Inspections, searches or seizures may not be carried out except in the cases and in the manner set out by law and in accordance with the guarantees prescribed for the safeguard of personal freedom.
Controls and inspections for reasons of public health and safety or for economic and taxation purposes are regulated by special laws.

Art. 15
The freedom and confidentiality of correspondence and of every other form of communication is inviolable.
Restrictions thereto may be imposed only by a reasoned warrant issued by a judicial authority with the guarantees established by law.

Art. 16
All citizens may travel or sojourn freely in any part of the national territory, except for general limitations which the law establishes for reasons of health and security. No restrictions may be made for political reasons.
All citizens are free to leave and re-enter the territory of the Republic, provided all legal obligations are fulfilled.

Art. 17
Citizens have the right to assemble peacefully and unarmed.
No previous notice is required for meetings, even when the meetings occur in places that are open to the public.
For meetings in public places, previous notice must be given to the authorities, who may only forbid them for proven reasons of security and public safety.

Art. 18
Citizens have the right to form associations freely, without authorisation, for ends that are not forbidden to individuals by criminal law.
Secret associations and those associations that, even indirectly, pursue political ends by means of organisations having a military character, are prohibited.

Art. 19
All persons have the right to profess freely their own religious faith in any

form, individually or in association, to disseminate it and to worship in private or public, provided that the religious rites are not contrary to public morality.

Art. 20
The ecclesiastical nature and the religious or ritual purposes of an association or institution may not constitute a cause for special limitations under the law, nor for special taxation with respect to its establishment, legal status or any of its activities.

Art. 21
Tutti hanno diritto di manifestare liAll persons have the right to express freely their ideas by word, in writing and by all other means of communication.
The press may not be subjected to authorisation or censorship.
Seizure is permitted only by a reasoned warrant, issued by the judicial authority, in the case of offences for which the law governing the press gives express authorisation, or in the case of violation of its provisions concerning the disclosure of the identity of those holding responsibility.
In such cases, when there is absolute urgency and when timely intervention of the judicial authority is not possible, periodical publications may be seized by officers of the judicial police, who must promptly, and in any case within twenty-four hours, report the matter to the judicial authority. If the latter does not confirm the seizure order within the following twenty-four hours, the seizure is understood to be withdrawn and null and void.
The law may establish, by means of provisions of a general nature, that the financial sources of the periodical press be disclosed.
Printed publications, public performances and events contrary to public morality are forbidden. The law establishes appropriate means for the prevention and repression of all violations.

Art. 22
No person may be deprived for political reasons of legal capacity, citizenship or name.

Art. 23
No obligations of a personal or a financial nature may be imposed on any person except by law.

Art. 24
All persons are entitled to take judicial action to protect their individual rights and legitimate interests.
The right of defence is inviolable at every stage and level of the proceedings.
The indigent are assured, by appropriate measures, the means for legal action and defence in all levels of jurisdiction.
The law determines the conditions and the means for the redress of judicial errors.

Art. 25
No one may be withheld from the jurisdiction of the judge previously ascertained by law.
No one may be punished except on the basis of a law in force prior to the time when the offence was committed.
No one may be subjected to restrictive measures except in those cases provided for by the law.

Art. 26
Extradition of a citizen is permitted only in the cases expressly provided for in international conventions.

In no case may extradition be permitted for political offences.

Art. 27
Criminal responsibility is personal.
The defendant is not considered guilty until the final judgement is passed.
Punishment cannot consist in inhuman treatment and must aim at the rehabilitation of the convicted person.
The death penalty is not permitted, except in cases provided for under wartime military law.

Art. 28
Officials and employees of the State and public entities are directly answerable, under criminal, civil and administrative law, for actions committed in violation of rights. In such cases, civil liability extends to the State and the public entities.

Title II Ethical and Social Rights and Duties

Art. 29
The Republic recognises the rights of the family as a natural society founded on matrimony.
Matrimony is based on the moral and legal equality of the spouses within the limits laid down by law to guarantee the unity of the family.

Art. 30
It is the duty and right of parents to support, raise and educate their children, even if born out of wedlock.
In the case of incapacity of the parents, the law provides for the fulfilment of their duties.
The law ensures to children born out of wedlock every form of legal and social protection, that is compatible with the rights of members of the legitimate family.
The law lays down the rules and limitations for the determination of paternity.

Art. 31
The Republic assists the formation of the family and the fulfilment of its duties, with particular consideration for large families, through economic measures and other benefits.
The Republic protects mothers, children and the young by adopting the necessary provisions.

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 indigent.
No one may be obliged to undergo any given health treatment except under the provisions of the law. The law cannot under any circumstances violate the limits imposed by respect for the human person.

Art. 33
The Republic guarantees the freedom of the arts and sciences, which may be freely taught.
The Republic lays down general rules for education and establishes state schools for all branches and grades.
Entities and private persons have the right to establish schools and institutions of education, at no cost to the State.
The law, when setting out the rights and obligations for the non-state schools which request parity, shall ensure that these schools enjoy full liberty and offer their pupils an education and qualifications of the same standards as those afforded to pupils in 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 regulations within the limits laid down by the laws of the State.

Art. 34
Schools are open to everyone.
Primary education, which is imparted for at least eight years, is compulsory and free.
Capable and deserving pupils, including those without adequate finances, have the right to attain the highest levels of education.
The Republic renders this right effective through scholarships, allowances to families and other benefits, which shall be assigned through competitive examinations.

Title III Economical Rights and Duties

Art. 35
The Republic protects work in all its forms and practices.
It provides for the training and professional advancement of workers.
It promotes and encourages international agreements and organisations which have the aim of establishing and regulating labour rights.
It recognises the freedom to emigrate, subject to the obligations set out by law in the general interest, and protects Italian workers abroad.

Art. 36
Workers have the right to a remuneration commensurate to the quantity and quality of their work and in all cases to an adequate remuneration ensuring them and their families a free and dignified existence.
Maximum daily working hours are established by law.
Workers have the right to a weekly rest day and paid annual holidays. They cannot waive this right.

Art. 37
La donna lavoratrice ha gli stessi diritti
Working women have the same rights and are entitled to equal pay for equal work. Working conditions must allow women to fulfil their essential role in the family and ensure special appropriate protection for the mother and child.
The law establishes the minimum age for paid work.
The Republic protects the work of minors by means of special provisions and guarantees them the right to equal pay for equal work.

Art. 38
Every citizen unable to work and without the necessary means of subsistence has a right to welfare support.
Workers have the right to be assured adequate means for their needs and necessities in the case of accidents, illness, disability, old age and involuntary unemployment.
Disabled and handicapped persons have the right to education and vocational training.
The duties laid down in this article are provided for by entities and institutions established by or supported by the State.
Private-sector assistance may be freely provided.

Art. 39
Trade unions have the right to organise themselves freely.
No obligations can be imposed on trade unions other than registration at local or central offices, according to the provisions of the law.
A condition for registration is that the statutes of the trade unions establish their internal organisation on a democratic basis.
Registered trade unions are legal persons. They may, through a unified representation that is proportional to their membership, enter into collective labour agreements that have a mandatory effect for all persons belonging to the categories referred to in the agreement.

Art. 40
The right to industrial action shall be exercised in compliance with the law.

Art. 41
Private-sector economic initiative is freely exercised.
It cannot be conducted in conflict with social usefulness or in such a manner that could damage safety, liberty and human dignity.
The law shall provide for appropriate programmes and controls so that public and private-sector economic activity may be oriented and co-ordinated for social purposes.

Art. 42
Property is publicly or privately owned. Economic assets belong to the State, to entities or to private persons. Private property is recognised and guaranteed by the law, which prescribes the ways it is acquired, enjoyed and its limitations so as to ensure its social function and make it accessible to all.
Private property may, in the cases provided for by the law and with provisions for compensation, be expropriated for reasons of general interest.
The law establishes the regulations and limits of legitimate and testamentary inheritance and the rights of the State in matters of inheritance.

Art. 43
For purposes of general interest, specific enterprises or categories of enterprises related to essential public services, energy sources or monopolistic situations and which have a primary public interest, may be reserved from the outset to the State, public entities or communities of workers or users, or may be transferred to them by means of expropriation and payment of compensation.

Art. 44
For the purpose of ensuring the rational exploitation of land and equitable social relationships, the law imposes obligations and constraints on the private ownership of land; it sets limitations to the size of holdings according to the region and agricultural zone; encourages and imposes land reclamation, the conversion of latifundia and the reorganisation of farm units; and assists small and medium-sized holdings.
The law makes provisions in favour of mountainous areas.

Art. 45
The Republic recognises the social function of co-operation of a mutualistic, non-speculative nature. The law promotes and encourages co-operation through appropriate means and ensures its character and purposes through adequate controls.
The law safeguards and promotes artisanal work.

Art. 46
For the economic and social betterment of workers and in harmony with the needs of production, the Republic recognises the rights of workers to collaborate in the management of enterprises, in the ways and within the limits established by law.

Art. 47
The Republic encourages and safeguards savings in all forms. It regulates, co-ordinates and oversees the operation of credit.
The Republic promotes the access through citizensÅf mutual savings to the ownership of housing and of directly cultivated land, as well as to direct and indirect investment in the equity of the large production complexes of the country.

Title IV Political Rights and Duties

Art. 48
All citizens, male and female, who have attained their majority, are voters.
The vote is personal and equal, free and secret. The exercise thereof is a civic duty.
The law lays down the requirements and modalities for citizens residing abroad to exercise their right to vote and guarantees that this right is effective. A constituency of Italians abroad shall be established for elections to the Houses of Parliament; the number of seats of such constituency is set forth in a constitutional provision according to criteria established by law.
The right to vote cannot be restricted except for civil incapacity or as a consequence of an irrevocable penal sentence or in cases of moral unworthiness as laid down by law.

Art. 49
All citizens have the right to freely associate in parties to contribute to determining national policies through democratic processes.

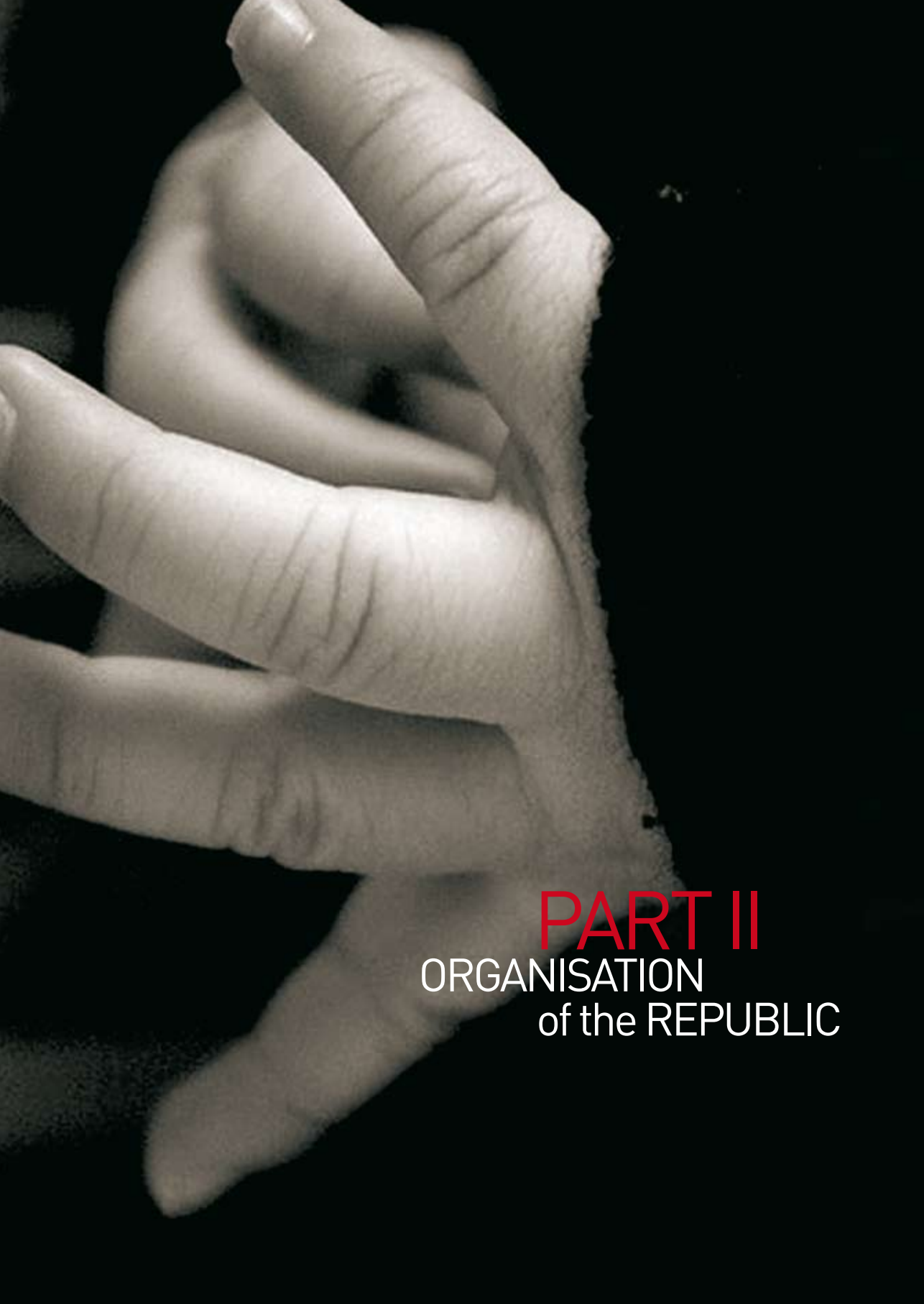
Art. 50
All citizens may present petitions to both Houses to request legislative measures or to express collective needs.

Art. 51
All citizens of either sex are eligible for public offices and for elective positions on equal terms, according to the conditions established by law. To this end, the Republic shall adopt specific measures to promote equal opportunities between women and men.
The law may grant Italians who are not resident in the Republic the same rights as citizens for the purposes of access to public offices and elected positions.
Whoever is elected to a public function is entitled to the time needed to perform that function and to retain previously held employment.

Art. 52
The defence of the Fatherland is a sacred duty for every citizen.
Military service is obligatory within the limits and in the manner set by law.
Fulfilment thereof shall not prejudice a citizenÅfs employment, nor the exercise of political rights.
The organisation of the armed forces shall be based on the democratic spirit of the Republic.

Art. 53
Every person shall contribute to public expenditure in accordance with his/her tax-payer capacity.
The taxation system shall be based on criteria of progression.

Art. 54
All citizens have the duty to be loyal to the Republic and to uphold its Constitution and laws.
Those citizens to whom public functions are entrusted have the duty to fulfil such functions with discipline and honour, taking an oath in those cases established by law.



PART II
ORGANISATION of the REPUBLIC

Title I The Parliament

Section I
The Houses

Art. 55
Parliament consists of the Chamber of Deputies and the Senate of the Republic.
Parliament meets in joint session of the members of both Houses only in those cases established in the Constitution.

Art. 56
The Chamber of Deputies is elected by direct and universal suffrage.
The number of Deputies is six hundred and thirty, twelve of which are elected in the Overseas Constituency. All voters who have attained the age of twenty-five on the day of elections are eligible to be Deputies.
The division of seats among the electoral districts, with the exception of the number of seats assigned to the Overseas Constituency, is obtained by dividing the number of inhabitants of the Republic, as shown by the latest general census of the population, by six hundred eighteen and distributing the seats in proportion to the population in every electoral district, on the basis of whole shares and the highest remainders.

Art. 57
The Senate of the Republic is elected on a regional basis, with the exception of the seats assigned to the Overseas Constituency.
The number of Senators to be elected is three hundred and fifteen, six of which are elected in the Overseas Constituency. No Region may have fewer than seven Senators; Molise shall have two, Valle d'Aosta one.
The division of seats among the Regions, with the exception of the number of seats assigned to the Overseas Constituency, in accordance with the provisions of the preceding Article, is made in proportion to the population of the Regions as revealed in the most recent general census, on the basis of whole shares and the highest remainders.

Art. 58
Senators are elected by universal and direct suffrage by voters who are twenty-five years of age.
Voters who have attained the age of forty are eligible to be elected to the Senate

Art. 59
Former Presidents of the Republic are Senators by right and for life unless they renounce the office.
The President of the Republic may appoint five citizens who have honoured the Nation through their outstanding achievements in the social, scientific, artistic and literary fields as life Senators.

Art. 60
The Chamber of Deputies and the Senate of the Republic are elected for five years.
The term for each House cannot be extended, except by law and only in the case of war.

Art. 61
Elections for the new Houses take place within seventy days from the end

of the term of the previous Houses. The first meeting is convened no later than twenty days after the elections.
Until such time as the new Houses meet, the powers of the previous Houses are extended.

Art. 62
The Houses shall convene by right on the first working day of February and October.
Each House may be convened in extraordinary session on the initiative of its President or the President of the Republic or a third of its members.
When one House is convened in extraordinary session, the other House is convened by right.

Art. 63
Each House shall elect from among its members its President and its Bureau. When Parliament meets in joint session, the President and the Bureau are those of the Chamber of Deputies.

Art. 64
Each House adopts its own Rules by an absolute majority of its members.
The sittings are public; however, each of the Houses and Parliament in joint session may decide to convene a closed session.
The decisions of each House and of Parliament are not valid if the majority of the members is not present, and if they are not passed by a majority of those present, unless the Constitution prescribes a special majority.
Members of the Government, even when not members of the Houses, have the right, and, when requested, the obligation to attend the sittings. They shall be heard every time they so request.

Art. 65
The law determines the cases of non-eligibility and incompatibility with the office of Deputy or Senator.
No one may be a member of both Houses at the same time.

Art. 66
Each House verifies the credentials of its members and the causes of ineligibility and incompatibility that may arise at a later stage.

Art. 67
Each Member of Parliament represents the Nation and carries out his/her duties without a binding mandate.

Art. 68
Members of Parliament cannot be held accountable for the opinions expressed or votes cast in the performance of their function.
Without the authorisation of their respective House, Members of Parliament may not be submitted to personal or home search, nor may they be arrested or otherwise deprived of their personal freedom, nor held in detention, except when a final court sentence is enforced, or when the Member is apprehended in the act of committing an offence for which arrest flagrante delicto is mandatory.
The same authorisation is required for Members of Parliament to be submitted to the surveillance of their conversations or communication, in any form, and to the seizure of their correspondence.

Art. 69
Members of Parliament shall receive an allowance established by law.

Section II
Legislative process

Art. 70
The legislative function is exercised collectively by both Houses.

Art. 71
Legislation is initiated by the Government, by each Member of Parliament and by those entities and bodies so empowered by constitutional law.
The people may initiate legislation by proposing a bill drawn up in sections and signed by at least fifty-thousand voters.

Art. 72
Every bill submitted to one of the Houses is, in accordance with its Rules, considered by a Committee and then by the House itself, which approves it section by section and with a final vote.
The Rules establish shortened procedures for draft legislation that has been declared urgent.
They may also establish in which cases and in what manner the consideration and approval of bills is deferred to Committees, including Standing Committees, composed so as to reflect the proportion of the Parliamentary Groups. Even in such cases, until the moment of its final approval, the bill may be referred back to the House, if the Government or one-tenth of the members of the House or one-fifth of the Committee request that it be debated and voted on by the House itself or that it be submitted to the House for final approval, with only explanations of vote. The Rules establish the ways in which the proceedings of Committees are made public.
The regular procedure for consideration and direct approval by the House is always followed in the case of bills on constitutional and electoral matters, enabling legislation, the ratification of international treaties and the approval of budgets and accounts.

Art. 73
Laws are promulgated by the President of the Republic within one month of their approval.
If the Houses, each by an absolute majority of its members, declare a law to be urgent, the law is promulgated within the deadline established therein.
Laws are published immediately after promulgation and come into force on the fifteenth day following publication, unless the laws themselves establish a different deadline.

Art. 74
The President of the Republic, before promulgating a law, may request the Houses, with a reasoned message, to deliberate again.
If the Houses once more pass the bill once again, then the law must be promulgated.

Art. 75
A popular referendum shall be held to abrogate, totally or partially, a law or a measure having the force of law, when requested by five hundred thousand voters or five Regional Councils.
Referenda are not admissible in the case of tax, budget, amnesty and pardon laws, or laws authorising the ratification of international treaties.
All citizens eligible to vote for the Chamber of Deputies have the right to participate in referenda.
The proposal subjected to a referendum is approved if the majority of those with voting rights have participated in the vote and a majority of votes validly

cast has been reached.
The procedures for conducting a referendum shall be established by law.

Art. 76
The exercise of the legislative function may not be delegated to the Government unless principles and criteria have been established and then only for a limited time and for specified purposesi.

Art. 77
The Government may not, without an enabling act from the Houses, issue decrees having the force of ordinary law.
When in extraordinary cases of necessity and urgency the Government adopts provisional measures having the force of law, it must on the same day present said measures for confirmation to the Houses which, even if dissolved, shall be summoned especially for this purpose and shall convene within five days.
The decrees lose effect from their inception if they are not confirmed within sixty days from their publication. The Houses may however regulate by law legal relationships arising out of not confirmed decrees.

Art. 78
The Houses deliberate the state of war and confer the necessary powers on the Government.

Art. 79
Amnesty and pardon are granted with a law approved by a two-thirds majority in both Houses, for each section and in the final vote.
The law granting an amnesty or pardon establishes the deadline for its implementation.
Amnesty and pardon cannot in any case apply to offences committed following the introduction of the bill in Parliament.

Art. 80
The Houses authorise by law the ratification of international treaties which are of a political nature, or which call for arbitration or legal settlements, or which entail changes to the national territory or financial burdens or changes to legislation.

Art. 81
The Houses approve every year the budgets and accounts submitted by the Government.
The provisional budget cannot be granted unless by law and for periods not exceeding a total of four months.
It is not possible to introduce new taxes and new expenditures in the law approving the budget.
Any other law involving new or increased expenditures must specify the resources to meet these expenditures.

Art. 82
Each House may conduct inquiries on matters of public interest.
For such purposes, it appoints a Committee so composed as to reflect the proportional representation of the Parliamentary Groups. The Committee of inquiry conducts its investigations and examinations with the same powers and the same limitations as a judicial authority.

Title II The President of the Republic

Art. 83
The President of the Republic is elected by Parliament in joint session of its members.
Three delegates from every Region elected by the Regional Council so as to ensure that minorities are represented shall participate in the election. Valle dÅfAosta has one delegate only.
The election of the President of the Republic is by secret ballot with a majority of two thirds of the assembly. After the third ballot an absolute majority shall suffice.

Art. 84
Any citizen who has attained fifty years of age and enjoys civil and political rights can be elected President of the Republic.
The office of President of the Republic is incompatible with any other office.
Compensation and endowments of the President are established by law.

Art. 85
The President of the Republic is elected for seven years.
Thirty days before the expiration of the term, the President of the Chamber of Deputies shall summon a joint session of Parliament and the regional delegates to elect the new President of the Republic.
If the Houses are dissolved, or there are less than three months from their dissolution, the election shall take place within fifteen days of the meeting of the new Houses.
In the intervening time, the powers of the incumbent President are extended.

Art. 86
The functions of the President of the Republic, in all cases in which the President cannot perform them, shall be exercised by the President of the Senate.
In the case of permanent incapacity or death or resignation of the President of the Republic, the President of the Chamber of Deputies shall call an election of a new President of the Republic within fifteen days, except in the case of the longer term which is provided for when the Houses are dissolved and are within less than three months to their dissolution.

Art. 87
The President of the Republic is the Head of the State and represents national unity.
The President may send messages to the Houses.
The President shall:
authorise the introduction to the Houses of bills initiated by the Government;
promulgate the laws and issue decrees having the force of law as well as regulations;
call popular referenda in the cases provided for by the Constitution;
appoint State officials in the cases provided for by law;
accredit and receive diplomatic representatives, and ratify international treaties which have, where required, been authorised by the Houses.
The President is the commander of the armed forces, shall preside over the Supreme Council of Defence established by law, and shall make declarations of war which have been decided by the Chambers.

The President shall preside over the High Council of the Judiciary.
The President may grant pardons and commute punishments.
The President shall confer the honorary distinctions of the Republic.

Art. 88
The President of the Republic, having heard the Presidents of the Houses, may dissolve Parliament or even only one House.
The President of the Republic cannot exercise said right during the last six months of the presidential mandate, unless said period coincides in full or in part with the last six months of Parliament.

Art. 89
No act of the President of the Republic is valid if it is not signed by the proposing Ministers, who assume responsibility for it.
The acts which have legislative strength and those laid down by law shall be countersigned also by the President of the Council of Ministers.

Art. 90
The President of the Republic is not responsible for the actions performed in the exercise of the presidential duties, except in the case of high treason or attempt against the Constitution.
In such cases, the President may be impeached by Parliament in joint session, with an absolute majority of its members.

Art. 91
The President of the Republic, before taking office, shall take an oath of allegiance to the Republic and swear to uphold the Constitution before Parliament in joint session.

Title III The Government

Section I
The Council of Ministers

Art. 92
The Government of the Republic is made up of the President of the Council and the Ministers who together form the Council of Ministers.
The President of the Republic appoints the President of the Council of Ministers and, on his/her proposal, the Ministers.

Art. 93
The President of the Council of Ministers and the Ministers, before taking office, shall be sworn in by the President of the Republic.

Art. 94
The Government must have the confidence of both Houses.
Each House grants or withdraws its confidence through a reasoned motion and which is voted on by roll-call.
Within ten days of its formation the Government shall come before the Houses to obtain their confidence.
An opposing vote by one or both the Houses against a Government proposal does not entail the obligation to resign.
A motion of no-confidence must be signed by at least one-tenth of the members of the House and cannot be debated earlier than three days from its presentation.

Art. 95
The President of the Council conducts and holds responsibility for the general policy of the Government.

The President of the Council ensures the coherence of political and administrative policies, by promoting and co-ordinating the activity of the Ministers.
The Ministers are collectively responsible for the acts of the Council of Ministers; they are individually responsible for the acts of their own ministries.
The law establishes the organisation of the Presidency of the Council, as well as the number, competence and organisation of the ministries.

Art. 96
The President of the Council of Ministers and the Ministers, even if they resign from office, are subject to normal justice for crimes committed in the exercise of their duties, provided authorisation is given by the Senate of the Republic or the Chamber of Deputies, in accordance with the norms established by Constitutional Law.

Sezione II
Public Administration

Art. 97
Public offices are organised according to the provisions of law, so as to ensure the efficiency and impartiality of administration.
The regulations of the offices lay down the areas of competence, the duties and the responsibilities of the officials.
Employment in public administration is accessed through competitive examinations, except in the cases established by law.

Art. 98
Civil servants are exclusively at the service of the Nation.
If they are Members of Parliament, they may not be promoted in their services, except through seniority.
The law may set limitations on the right to become members of political parties in the case of magistrates, career military staff in active service, law enforcement officers, and overseas diplomatic and consular representatives.

Section III
Auxiliary Bodies

Art. 99
The National Council for Economics and Labour is composed, as set out by law, of experts and representatives of the economic categories, in such a proportion as to take account of their numerical and qualitative importance.
It serves as a consultative body for the Houses and the Government for those matters and those functions attributed to it by law.
It can initiate legislation and may contribute to drafting economic and social legislation according to the principles and within the limitations laid out by law.

Art. 100
The Council of State is a legal-administrative consultative body and it oversees the administration of justice.
The Court of Auditors exercises preventive control over the legitimacy of Government measures, and also ex-post auditing of the administration of the State Budget. It participates, in the cases and ways established by law, in auditing the financial management of the entities receiving regular budgetary support from the State. It reports directly to the Houses on the results of audits performed.
The law ensures the independence from the Government of the two bodies and of their members.

Titolo IV The Judicial Branch

Section I
The Organization of the Judiciary

Art. 101
Justice is administered in the name of the people.
Judges are subject only to the law.

Art. 102
Judicial proceedings are exercised by ordinary magistrates empowered and regulated by the provisions concerning the Judiciary.
Extraordinary or special judges may not be established. Only specialised sections for specific matters within the ordinary judicial bodies may be established, and these sections may include the participation of qualified citizens who are not members of the Judiciary.
The law regulates the cases and forms of the direct participation of the people in the administration of justice.

Art. 103
The Council of State and the other organs of judicial administration have jurisdiction over the protection of legitimate rights before the public administration and, in particular matters laid out by law, also of subjective rights.
The Court of Auditors has jurisdiction in matters of public accounts and in other matters laid out by law.
Military tribunals in times of war have the jurisdiction established by law. In times of peace they have jurisdiction only for military crimes committed by members of the armed forces.

Art. 104
The Judiciary is a branch that is autonomous and independent of all other powers.
The High Council of the Judiciary is presided over by the President of the Republic.
The first president and the general prosecutor of the Court of Cassation are members by right.
Two thirds of the members are elected by all the ordinary judges belonging to the various categories, and one third are elected by Parliament in joint session from among full university professors of law and lawyers with fifteen years of practice.
The Council elects a vice-president from among those members designated by Parliament.
Elected members of the Council remain in office for four years and cannot be immediately re-elected.
They may not, while in office, be registered in professional rolls, nor serve in Parliament or on a Regional Council.

Art. 105
The High Council of the Judiciary, in accordance with the regulations of the Judiciary, has jurisdiction for employment, assignments and transfers, promotions and disciplinary measures of judges.

Art. 106
Judges are appointed by means of competitive examinations.
The law on the regulations of the Judiciary allows the appointment, even by election, of honorary judges for all the functions performed by single judges.
Following a proposal by the High Council of the Judiciary, full university professors of law and lawyers with fifteen

years of practice and registered in the special professional rolls for the higher courts may be appointed for their outstanding merits as Cassation councillors.

Art. 107
Judges may not be removed from office; they may not be dismissed or suspended from office or assigned to other courts or functions unless by a decision of the High Council of the Judiciary, taken either for the reasons and with the guarantees of defence established by the provisions concerning the organisation of Judiciary or with the consent of the judges themselves.
The Minister of Justice has the power to originate disciplinary action.
Judges are distinguished only by their different functions.
The state prosecutor enjoys the guarantees established in the prosecutorÅfs favour by the provisions concerning the organisation of the Judiciary.

Art. 108
The provisions concerning the organisation of the Judiciary and the judges are laid out by law.
The law ensures the independence of judges of special courts, of state prosecutors of those courts, and of other persons participating in the administration of justice.

Art. 109
The legal authorities have direct use of the judicial police.

Art. 110
Without prejudice to the authority of the High Council of the Judiciary, the Minister of Justice has responsibility for the organisation and functioning of those services involved with justice.

Section II
Rules and Jurisdition

Art. 111
Jurisdiction is implemented through due process regulated by law.
All court trials are conducted with adversary proceedings and the parties are entitled to equal conditions before an impartial judge in third party position.
The law provides for the reasonable duration of trials.
In criminal law trials, the law provides that the alleged offender shall be promptly informed confidentially of the nature and reasons for the charges that are brought and shall have adequate time and conditions to prepare a defence.
The defendant shall have the right to cross-examine or to have cross-examined before a judge the persons making accusations and to summon and examine persons for the defence in the same conditions as the prosecution, as well as the right to produce all other evidence in favour of the defence. The defendant is entitled to the assistance of an interpreter in the case that he or she does not speak or understand the language in which the court proceedings are conducted.
In criminal law proceedings, the formation of evidence is based on the principle of adversary hearings. The guilt of the defendant cannot be established on the basis of statements by persons who, out of their own free choice, have always voluntarily avoided undergoing cross-examination by the defendant or the defence counsel.
The law regulates the cases in which the formation of evidence does not occur in an adversary proceeding with the consent of the defendant or owing

to reasons of ascertained objective impossibility or proven illicit conduct.
All judicial decisions shall include a statement of reasons.
Appeals to the Court of Cassation in cases of violations of the law are always allowed against sentences and against measures affecting personal freedom pronounced by ordinary and special courts. This rule can only be waived in cases of sentences by military tribunals in time of war.
Appeals to the Court of Cassation against decisions of the Council of State and the Court of Auditors are permitted only for reasons of jurisdiction .

Art. 112
The public prosecutor has the obligation to institute criminal proceedings.

Art. 113
The judicial safeguarding of rights and legitimate interests before the organs of ordinary or administrative justice is always permitted against acts of the public administration.
Such judicial protection may not be excluded or limited to particular kinds of appeal or for particular categories of acts.
The law determines which judicial bodies are empowered to annul acts of public administration in the cases and with the consequences provided for by the law itself.

Title V Region, Provinces, Municipalities

Art. 114
The Republic is composed of the Municipalities, the Provinces, the Metropolitan Cities, the Regions and the State. Municipalities, provinces, metropolitan cities and regions are autonomous entities having their own statutes, powers and functions in accordance with the principles laid down in the Constitution.
Rome is the capital of the Republic. Its status is regulated by State Law.

Art. 115
(Repealed)

Art. 116
Friuli-Venezia Giulia, Sardinia, Sicily, Trentino-Alto Adige/Sudtirol and Valle d'Aosta/Valle d'Aoste have special forms and conditions of autonomy pursuant to the special statutes adopted by constitutional law.
The Trentino-Alto Adige/Sudtirol Region is composed of the autonomous provinces of Trent and Bolzano.
Additional special forms and conditions of autonomy, related to the areas specified in art. 117, paragraph three and paragraph two, letter l) - limited to the organisational requirements of the Justice of the Peace - and letters n) and s), may be attributed to other Regions by State Law, upon the initiative of the Region concerned, after consultation with the local authorities, in compliance with the principles set forth in art. 119. Said Law is approved by both Houses of Parliament with the absolute majority of their members, on the basis of an agreement between the State and the Region concerned.

Art. 117
Legislative powers shall be vested in the State and the Regions in compliance with the Constitution and with the constraints deriving from EU-legislation and international obligations.
The State has exclusive legislative powers in the following subject matters:
a) foreign policy and international relations of the State; relations between the State and the European Union; right of asylum and legal status of non-EU citizens;
b) immigration;
c) relations between the Republic and religious denominations;
d) defence and armed forces; State security; armaments, ammunition and explosives;
e) the currency, savings protection and financial markets; competition protection; foreign exchange system; state taxation and accounting systems; equalisation of financial resources;
f) state bodies and relevant electoral laws; state referenda; elections to the European Parliament;
g) legal and administrative organisation of the State and of national public agencies;
h) public order and security, with the exception of local administrative police;
i) citizenship, civil status and register offices;
l) jurisdiction and procedural law; civil and criminal law; administrative judicial system;
m) determination of the basic level of benefits relating to civil and social entitlements to be guaranteed

throughout the national territory;
n) general provisions on education;
o) social security;
p) electoral legislation, governing bodies and fundamental functions of the Municipalities, Provinces and Metropolitan Cities;
q) customs, protection of national borders and international prophylaxis;
r) weights and measures; standard time; statistical and computerised co-ordination of data of state, regional and local administrations; works of the intellect;
s) protection of the environment, the ecosystem and cultural heritage.

Concurring legislation applies to the following subject matters:
international and EU relations of the Regions; foreign trade; job protection and safety; education, subject to the autonomy of educational institutions and with the exception of vocational education and training; professions; scientific and technological research and innovation support for productive sectors; health protection; nutrition; sports; disaster relief; land-use planning; civil ports and airports; large transport and navigation networks; communications; national production, transport and distribution of energy; complementary and supplementary social security; harmonisation of public accounts and co-ordination of public finance and the taxation system; enhancement of cultural and environmental assets, including the promotion and organisation of cultural activities; savings banks, rural banks, regional credit institutions; regional land and agricultural credit institutions. In the subject matters covered by concurring legislation legislative powers are vested in the Regions, except for the determination of the fundamental principles, which are laid down in State legislation.

The Regions have legislative powers in all subject matters that are not expressly covered by State legislation.

The Regions and the autonomous provinces of Trent and Bolzano take part in preparatory decision-making process of EU legislative acts in the areas that fall within their responsibilities. They are also responsible for the implementation of international agreements and EU measures, subject to the rules set out in State law which regulate the exercise of subsidiary powers by the State in the case of non-performance by the Regions and autonomous provinces.

Regulatory powers shall be vested in the State with respect to the subject matters of exclusive legislation, subject to any delegations of such powers to the Regions. Regulatory powers shall be vested in the Regions in all other subject matters. Municipalities, provinces and metropolitan cities have regulatory powers as to the organisation and implementation of the functions attributed to them.

Regional laws shall remove any hindrances to the full equality of men and women in social, cultural and economic life and promote equal access to elected offices for men and women.

Agreements between a Region and other Regions that aim at improving the performance of regional functions and that may also envisage the establishment of joint bodies shall be ratified by regional law.

In the areas falling within their responsibilities, Regions may enter into agreements with foreign States and with local authorities of other States in the cases and according to the forms laid down by State legislation.

Art. 118

Administrative functions are attributed to the Municipalities, unless they are attributed to the provinces, metropolitan cities and regions or to the State, pursuant to the principles of subsidiarity, differentiation and proportionality, to ensure their uniform implementation.

Municipalities, provinces and metropolitan cities carry out administrative functions of their own as well as the functions assigned to them by State or by regional legislation, according to their respective competences.

State legislation shall provide for co-ordinated action between the State and the Regions in the subject matters as per Article 117, paragraph two, letters b) and h), and also provide for agreements and co-ordinated action in the field of cultural heritage preservation.

The State, regions, metropolitan cities, provinces and municipalities shall promote the autonomous initiatives of citizens, both as individuals and as members of associations, relating to activities of general interest, on the basis of the principle of subsidiarity.

Art. 119

Municipalities, provinces, metropolitan cities and regions shall have revenue and expenditure autonomy.

Municipalities, provinces, metropolitan cities and regions shall have independent financial resources. They set and levy taxes and collect revenues of their own, in compliance with the Constitution and according to the principles of co-ordination of State finances and the tax system. They share in the tax revenues related to their respective territories.

State legislation shall provide for an equalisation fund - with no allocation constraints - for the territories having lower per-capita taxable capacity.

Revenues raised from the above-mentioned sources shall enable municipalities, provinces, metropolitan cities and regions to fully finance the public functions attributed to them.

The State shall allocate supplementary resources and adopt special measures in favour of specific municipalities, provinces, metropolitan cities and regions to promote economic development along with social cohesion and solidarity, to reduce economic and social imbalances, to foster the exercise of the rights of the person or to achieve goals other than those pursued in the ordinary implementation of their functions.

Municipalities, provinces, metropolitan cities and regions have their own assets, which are allocated to them pursuant to general principles laid down in State legislation. They may resort to indebtedness only as a means of financing investment expenditure. State guarantees on loans contracted for this purpose are not admissible.

Art. 120

The Regions may not levy import or export or transit duties between Regions or adopt measures that in any way obstruct the freedom of movement of persons or goods between the Regions. Regions may not limit the right of citizens to work in any part whatsoever of the national territory.

The Government can act for bodies of the regions, metropolitan cities, provinces and municipalities if the latter fail to comply with international rules and treaties or EU legislation, or in the case of grave danger for public safety and security, or whenever such action is necessary to preserve legal or eco-

nomic unity and in particular to guarantee the basic level of benefits relating to civil and social entitlements, regardless of the geographic borders of local authorities. The law shall lay down the procedures to ensure that subsidiary powers are exercised in compliance with the principles of subsidiarity and of loyal co-operation.

Art. 121
The organs of the Region are: the Regional Council, the Regional Executive and its President.
The Regional Council shall exercise the legislative powers attributed to the Region as well as the other functions conferred by the Constitution and the laws. It may submit bills to Parliament.
The Regional Executive is the executive body of the Region.
The President of the Executive represents the Region, directs the policy-making of the Executive and is responsible for it, promulgates laws and regional statutes, directs the administrative functions delegated to the Region by the State, in conformity with the instructions of the Government of the Republic.

Art. 122
The electoral system and the cases of ineligibility and incompatibility of the President, the other members of the Regional Executive and the Regional councillors shall be established by a regional law in accordance with the fundamental principles established by a law of the Republic, which also establishes the term of elective offices.
No one may belong at the same time to a Regional Council or to a Regional Executive and to one of the Houses of Parliament, to another Regional Council, or to the European Parliament.
The Council shall elect a President amongst its members and a Bureau.
Regional councillors are not answerable for the opinions expressed and votes cast in the exercise of their functions.
The President of the Regional Executive shall be elected by universal and direct suffrage, unless the regional statute provides otherwise. The elected President shall appoint and dismiss the members of the Executive

Art. 123
Each Region shall have a statute which, in harmony with the Constitution, shall lay down the form of government and basic principles for the organisation of the Region and the conduct of its business. The statute shall regulate the right to initiate legislation and promote referenda on the laws and administrative measures of the Region as well as the publication of laws and of regional regulations.
Regional statutes are adopted and amended by the Regional Council with a law approved by an absolute majority of its members, with two subsequent deliberations at an interval of not less than two months. This law does not require the vis_ of the Government commissioner. The Government of the Republic may submit the constitutional legitimacy of the regional statutes to the Constitutional Court within thirty days from their publication.
The statute is submitted to popular referendum if one-fiftieth of the electors of the Region or one-fifth of the members of the Regional Council so request within three months from its publication. The statute that is submitted to referendum is not promulgated if it is not approved by the majority of valid votes.

In each Region, statutes regulate the activity of the Council of local authorities as a consultative body on relations between the Regions and local authorities.

Art. 124
(Repealed)

Art. 125
Administrative tribunals of the first instance shall be established in the Region, in accordance with the rules established by the law of the Republic. Sections may be established in places other than the regional capital.

Art. 126
The Regional Council may be dissolved and the President of the Executive may be removed with a reasoned decree of the President of the Republic in the case of acts in contrast with the Constitution or grave violations of the law. The dissolution or removal may also be decided for reasons of national security. The aforementioned decree is adopted after consultation with a committee of Deputies and Senators for regional affairs which is set up in the manner established by a law of the Republic.
The Regional Council may adopt a reasoned motion of no confidence against the President of the Executive that is undersigned by at least one-fifth of its members and adopted by roll call vote with an absolute majority of members. The motion may not be debated before three days have elapsed since its introduction.
The adoption of a no confidence motion against a President of the Executive elected by universal and direct suffrage, and the removal, permanent inability, death or voluntary resignation of the President of the Executive entail the resignation of the Executive and the dissolution of the Council. The same effects are produced by the contemporary resignation of the majority of the Council members.

Art. 127
The Government may submit the constitutional legitimacy of a regional law to the Constitutional Court within sixty days from its publication, when it deems that the regional law exceeds the competence of the Region.
A Region may submit the constitutional legitimacy of a State or regional law or measure having the force of law to the Constitutional Court within sixty days from its publication, when it deems that said law or measure infringes upon its competence.

Art. 128
(Repealed)

Art. 129
(Repealed)

Art. 130
(Repealed)

Art. 131
The following Regions shall be established:

Piedmont;
Valle d'Aosta;
Lombardy;
Trentino-Alto Adige;
Veneto;
Friuli-Venezia Giulia;
Liguria;
Emilia-Romagna;
Tuscany;
Umbria;
The Marches;
Latium;
Abruzzi;
Molise;
Campania;
Apulia;
Basilicata;
Calabria;
Sicily;
Sardinia.
Basilicata;
Calabria;
Sicilia;
Sardegna.

Art. 132
By a constitutional law, after consultation with the Regional Councils, a merger between existing Regions or the creation of new Regions having a minimum of one million inhabitants may be decided upon, when the request has been made by a number of Municipal Councils representing not less than one-third of the populations involved, and the request has been approved by referendum by a majority of said populations.
The Provinces and Municipalities which request to be detached from one Region and incorporated in another may be allowed to do so, following a referendum and a law of the Republic, which obtains the majority of the populations of the Province or Provinces and of the Municipality or Municipalities concerned, and after having heard the Regional Councils.

Art. 133
Changes in provincial boundaries and the institution of new Provinces within a Region are regulated by the laws of the Republic, on the initiative of the Municipalities, after consultation with the Region.
The Region, after consultation with the populations involved, may establish through its laws new Municipalities within its own territory and modify their districts and names.

Title VI Constitutional Guarantees

Section I
The Constitutional Court

Art. 134
The Constitutional Court shall pass judgement on:
controversies on the constitutional legitimacy of laws and enactments having the force of law issued by the State and the Regions;
conflicts arising from allocation of powers of the State and those powers allocated to State and Regions, and between Regions;
accusations made against the President of the Republic and the Ministers, according to the provisions of the Constitution.

Art. 135
The Constitutional Court shall be composed of fifteen judges, a third nominated by the President of the Republic, a third by Parliament in joint sitting and a third by the ordinary and administrative supreme Courts.
The judges of the Constitutional Courts shall be chosen from among judges, including those retired, of the ordinary and administrative higher Courts, from full university professors of law and lawyers with at least twenty years practice.
Judges of the Constitutional Court shall be nominated for nine years, beginning in each case from the day of their swearing in, and they may not be re-appointed.
At the expiry of their term, the constitutional judges shall leave office and the exercise of the functions thereof.
The Court shall elect from among its members, in accordance with the rules established by law, a President, who shall remain in office for three years and may be re-elected, respecting in all cases the expiry term for constitutional judges.
The office of constitutional judge shall be incompatible with membership of Parliament, of a Regional Council, the practice of the legal profession, and with every appointment and office indicated by law.
In impeachment procedures against the President of the Republic, apart from the ordinary judges of the Court, there shall also be sixteen members chosen by lot from among a list of citizens having the qualification necessary for election to the Senate, which the Parliament prepares every nine years through election using the same procedures as those followed in appointing ordinary judges.

Art. 136
When the Court declares the constitutional illegitimacy of a law or enactment having the force of law, the law ceases to have effect from the day following the publication of the decision.
The decision of the Court shall be published and communicated to the Houses and to the Regional Councils concerned, so that, wherever they deem it necessary, they shall act in conformity with constitutional procedures.

Art. 137
A constitutional law shall establish the conditions, the forms, the terms for proposing judgements on constitutional legitimacy, and the guarantees of

the independence of the constitutional judges.
Ordinary laws shall establish the other provisions necessary for the constitution and the functioning of the Court.
Against the decision of the Constitutional Court no appeals are allowed.

Section II
Amendments to the Constitution. Constitutional Laws.

Art. 138
Laws amending the Constitution and other constitutional laws shall be adopted by each House after two successive debates at intervals of not less than three months, and shall be approved by an absolute majority of the members of each House in the second voting.
Said laws are submitted to a popular referendum when, within three months of their publication, such request is made by one-fifth of the members of a House or five hundred thousand voters or five Regional Councils. The law submitted to referendum shall not be promulgated if not approved by a majority of valid votes.
A referendum shall not be held if the law has been approved in the second voting by each of the Houses by a majority of two-thirds of the members.

Art. 139
The form of Republic shall not be a matter for constitutional amendment.

Provisions

I
With the implementation of the Constitution the provisional Head of the State shall exercise the functions of President of the Republic and assume that title.

II
If, at the date of the election of the President of the Republic, all the Regional Councils have not been set up, only members of the two Houses shall participate in the election.

III
For the first composition of the Senate of the Republic, Deputies to the Constituent Assembly who possess all the requisites by law to be Senators and who:
had been Presidents of the Council of Ministers or of legislative Assemblies;
had been members of the dissolved Senate; had been elected at least three times including to the Constituent Assembly;
had been dismissed at the sitting of the Chamber of Deputies of 9 November 1926;
had been imprisoned for not less than five years by a sentence of the special Fascist tribunal for the defence of the State;
shall be appointed Senators.
Those also shall be appointed Senators, by decree of the President of the Republic, who had been members of the dissolved Senate and who had been part of the Consulta Nazionale.
The right to be appointed Senator may be renounced before the signing of the decree of appointment. Acceptance of candidacy in political elections shall constitute renunciation of the right to be appointed Senator.

IV
For the first election of the Senate Molise shall be considered a Region in itself, having the due number of Senators on the basis of its population.

V
The provisions of Article 80 of the Constitution on the question of international treaties which involve budget expenditures or changes in the law, shall become effective as from the date of convocation of Parliament.

VI
Within five years after the Constitution has come into effect the special jurisdictional bodies still in existence shall be revised, excluding the jurisdiction of the Council of State, the Court of Auditors, and the military tribunals.
Within a year of the same date, a law shall provide for the re-organisation of the Supreme Military Tribunal according to Article 111.

VII
Until such time as the new law on the Judiciary in accordance with the Constitution has been issued, the provisions in force shall continue to be observed.
Until such time as the Constitutional Court begins its functions, the decision on controversies indicated in Article 134 shall be conducted in the forms and within the limits of the provisions already in existence before the implementation of the Constitution.

VIII
Elections of the Regional Councils and the elected bodies of provincial admin-

istration shall be called within one year of the implementation of the Constitution.
The laws of the Republic shall regulate for every branch of public administration the passage of the state functions attributed to the Regions. Until such time as the re-organisation and redistribution of the administrative functions among the local bodies has been accomplished, the Provinces and the Municipalities shall retain those functions they then exercise and those others which the Regions may delegate to them.
Laws of the Republic shall regulate the transfer to the Regions of officials and employees of the State, including those from central administrations, which shall be made necessary by the new provisions. In setting up their offices the Regions shall, except in cases of necessity, draw their personnel from among the employees of State local bodies.

IX
The Republic, within three years of the implementation of the Constitution, shall adjust its laws to the needs of local autonomies and to the legislative jurisdiction attributed to the Regions.

X
To the Region of Friuli-Venezia Giulia, as per Article 116, shall be applied temporarily the general provisions of Title V of the second part, without prejudice to the protection of linguistic minorities in accordance with Article 6 .

XI
Up to five years after the implementation of the Constitution other Regions may, by constitutional laws, be established, thus amending the list in Article 131, and without the conditions requested by the first paragraph of Article 132, without prejudice, however, to the obligation to consult the peoples concerned.

XII
It shall be forbidden to reorganise, under any form whatsoever, the dissolved Fascist party.
Notwithstanding Article 48, the law has established, for not more than five years from the implementation of the Constitution, temporary limitations to the right to vote and eligibility for the leaders responsible for the Fascist regime.

XIII
The assets, existing on national territory, of the former kings of the House of Savoy, of their consorts and of their male descendants shall revert to the State. Transfers and the establishment of royal rights on said patrimony which took place after 2 June 1946, shall be null and void.

XIV
Titles of nobility shall not be recognised.
The predicates of those existing before 28 October 1922 shall serve as part of the name.
The Order of Saint Mauritius shall be preserved as a hospital corporation and shall function in the ways established by law.
The law shall regulate the suppression of the Heraldic Council.

XV
With the entry into force of the Constitution, the legislative decree of the Lieutenant of the Realm No. 151 of 25 June 1944 on the provisional organisation of the State shall pass into law.

XVI
Within one year of the entry into force of the Constitution, the revision and co-ordination therewith of the preceding constitutional laws which had not at that moment been explicitly or implicitly abrogated shall begin.

XVII
The Constituent Assembly shall be called by its President to decide, before 31 January 1948 on the law for the election of the Senate of the Republic, on the special regional statues and on the law governing the press.
Until the day of the election of the new Houses, the Constituent Assembly may be called, when it is necessary to decide on matters attributed to its jurisdiction by Article 2, paragraphs one and two, and Article 3, paragraphs one and two, of legislative decree No. 98 of 16 March 1946.
At that time the Standing Committees shall maintain their functions. Legislative Committees shall send back to the Government those bills, submitted to them, with their observations and proposals for amendments.
Deputies may present questions to the Government with request for written answers.
The Constituent Assembly, in accordance with the second paragraph of this Article, shall be called by its President at the documented request of the Government or by at least two hundred Deputies.

XVIII
The present Constitution shall be promulgated by the provisional Head of State within five days of its approval by the Constituent Assembly and shall come into force on 1 January 1948.
The text of the Constitution shall be deposited in the Town Hall of every Municipality of the Republic and there exposed, for the whole of 1948, so as to allow every citizen to know of it.
The Constitution, bearing the seal of the State, shall be included in the Official Records of the laws and decrees of the Republic.
The Constitution must be faithfully observed as the fundamental law of the Republic by all citizens and bodies of the State.

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

Visè
Keeper of the Seal
GIUSEPPE GRASSI

INNOCENTIVSXIII
PON · MAX ·
ANNO SALV · MDCCXXIII
PONT · II

Il Tricolore

Il tricolore italiano quale bandiera nazionale nasce a Reggio Emilia il 7 gennaio 1797 a seguito della votazione del parlamento della Repubblica Cispadana che approvava: "che si renda universale lo Stendardo o Bandiera Cispadana di Tre Colori Verde, Bianco e Rosso, e che questi tre Colori si usino anche nella Coccarda Cispadana, la quale debba portarsi da tutti".
I colori del bianco, rosso e verde erano a quel tempo fortemente radicati nel patrimonio collettivo della Lombardia; infatti il bianco e il rosso comparivano nell'antichissimo stemma comunale di Milano mentre verdi erano le uniformi della Guardia Civica milanese. Questi colori furono adottati anche negli stendardi della Legione Italiana che raccoglieva i soldati delle terre dell'Emilia e della Romagna. Al centro della fascia bianca era previsto lo stemma della Repubblica, un turcasso contenente quattro frecce, circondato da un serto di alloro e ornato da un trofeo di armi.
Nell'epoca napoleonica e in quella pre risorgimentale la bandiera viene avvertita non più come segno dinastico o militare, ma come simbolo del popolo, delle libertà conquistate e, dunque, della nazione stessa. Durante i moti del '48 la bandiera tricolore divenne il simbolo di una riscossa nazionale, da Milano a Venezia, da Roma a Palermo.
Il 14 marzo 1861 venne proclamato il Regno d'Italia e la sua bandiera continuò ad essere, per consuetudine, quella della prima guerra d'indipendenza. Solo nel 1925 vennero definiti, per legge, i modelli della bandiera nazionale e della bandiera di Stato, nella quale allo stemma fu aggiunta la corona reale.
Dopo la nascita della Repubblica, il Decreto Legislativo Presidenziale del 19 giugno 1946 stabilì la foggia provvisoria della nuova bandiera, confermata dall'Assemblea Costituente nell seduta del 24 marzo 1947 e inserita all'articolo 12 della Costituzione.

L'inno nazionale

In un clima di grande fervore patriottico, l'Inno di Mameli fu scritto da Goffredo Mameli nell'autunno del 1847 e successivamente musicato a Torino da un altro genovese, Michele Novaro. Fu il canto più amato non solo nel corso dell'unificazione d'Italia, ma anche nei successivi decenni soprattutto per l'immediatezza dei suoi versi e per l'impeto della sua melodia. Nel 1862 Giuseppe Verdi lo scelse quale simbolo della nostra Patria, nel suo Inno delle Nazioni, preferendolo alla Marcia Reale, ma è solo il 12 ottobre 1946 che l'Inno di Mameli diventa l'inno nazionale della Repubblica Italiana.

Si narra che in una sera di metà settembre, a casa di un certo Carlo Alberto Barrili, patriota e poeta, un gruppo di giovani faceva musica e parlava di politica. Nel corso della serata si presentò Ulisse Borzino, un pittore genovese, che consegnò a Michele Novaro un foglietto da parte di Goffredo Mameli. Michele Novaro lesse le parole impresse nel foglio, si emozionò e le rilesse ad alta voce, suscitando l'entusiasmo di tutti i presenti. Provò sul momento a musicare quei versi seduto al cembalo, ma senza trovare la giusta melodia che potesse adattarsi a quelle emozionanti parole. Giunto a casa, senza nemmeno togliersi il cappello, Michele Novaro si sedette al pianoforte, strimpellò la melodia abbozzata in precedenza e scrisse il suo motivo musicale sul primo foglio di carta che trovò. Nell'agitazione del momento rovesciò la lucerna sul cembalo e sul povero foglio: fu questo l'originale dell'inno "Fratelli di Italia".

Fratelli d'Italia
L'Italia s'è desta,
Dell'elmo di Scipio
S'è cinta la testa.
Dov'è la Vittoria?
Le porga la chioma,
Ché schiava di Roma
Iddio la creò.
Stringiamci a coorte
Siam pronti alla morte
L'Italia chiamò.

Noi siamo da secoli
Calpesti, derisi,
Perché non siam popolo,
Perché siam divisi.
Raccolgaci un'unica
Bandiera, una speme:
Di fonderci insieme
Già l'ora suonò.
Stringiamci a coorte
Siam pronti alla morte
L'Italia chiamò.

Uniamoci, amiamoci,
L'Unione, e l'amore
Rivelano ai Popoli
Le vie del Signore;
Giuriamo far libero
Il suolo natìo:
Uniti per Dio
Chi vincer ci può?
Stringiamci a coorte
Siam pronti alla morte
L'Italia chiamò.

Dall'Alpi a Sicilia
Dovunque è Legnano,
Ogn'uom di Ferruccio
Ha il core, ha la mano,
I bimbi d'Italia
Si chiaman Balilla,
Il suon d'ogni squilla
I Vespri suonò.
Stringiamci a coorte
Siam pronti alla morte
L'Italia chiamò.

Son giunchi che piegano
Le spade vendute:
Già l'Aquila d'Austria
Le penne ha perdute.
Il sangue d'Italia,
Il sangue Polacco,
Bevé, col cosacco,
Ma il cor le bruciò.
Stringiamci a coorte
Siam pronti alla morte
L'Italia chiamò

L'Italia in Europa

1951: con il Trattato di Parigi nasce la Comunità Europea del Carbone e dell'Acciaio (CECA) per formare un mercato comune, senza pagamento di dazi, dei prodotti carbosiderurgici. L'Italia è tra gli Stati fondatori, insieme con Belgio, Francia, Paesi Bassi, Lussemburgo e Germania. Con questo Trattato gli Stati volevano innanzitutto garantire la pace fra i vincitori e i vinti della seconda guerra mondiale, associandoli e inducendoli a cooperare in un quadro istituzionale comune improntato al principio dell'uguaglianza.

1957: con il Trattato di Roma i sei Stati della CECA fondano la Comunità Economica Europea (CEE) che prevede l'unione doganale, cioè la progressiva eliminazione delle principali tasse di importazione e di esportazione delle merci fra i Paesi membri. Con lo stesso Trattato viene creata anche l'EURATOM, la Comunità europea dell'energia atomica.

1990: Con l'accordo di Schengen vengono eliminati i controlli alle frontiere fra i paesi membri della Comunità Europea.

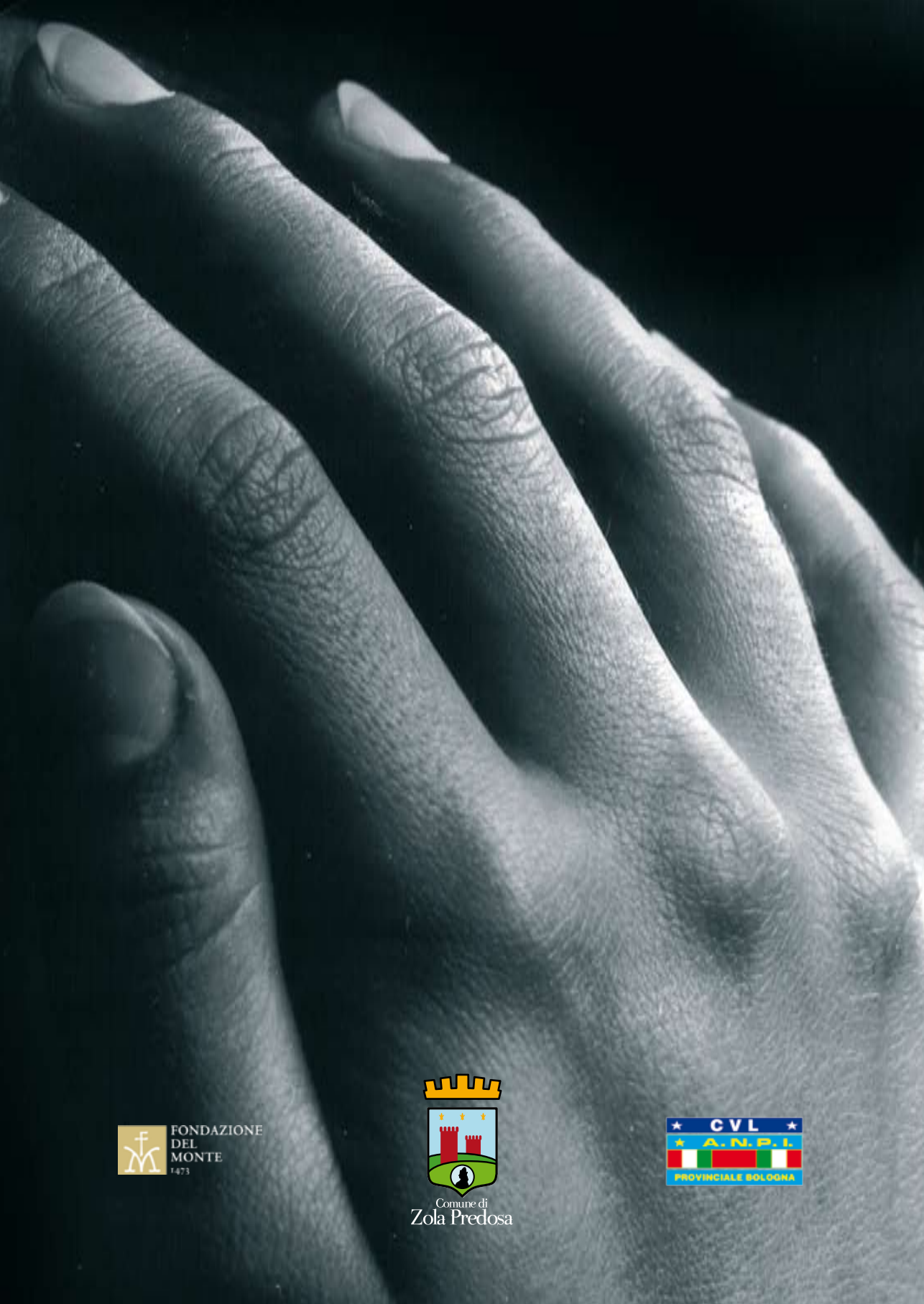
1992: con il Trattato di Maastricht, entrato in vigore dal 1° novembre 1993, la CEE diventa Unione Europea per sottolineare la maggiore unità di intenti fra gli Stati aderenti che, all'epoca, erano già passati da 6 a 15.

1999: dal 1° gennaio l'euro diventa la moneta unica di molti degli Stati aderenti all'Unione Europea.

2002: il 1° gennaio l'euro entra in circolazione sostitundo le valute nazionali dei paesi che lo hanno adottato.

Oggi l'UE conta 27 Paesi aderenti e una popolazione di circa 493 milioni di abitanti.

I Paesi dell'Unione Europea sono: Austria, Belgio, Bulgaria, Cipro, Danimarca, Estonia, Finlandia, Francia, Germania, Grecia, Irlanda, Italia, Lettonia, Lituania, Lussemburgo, Malta, Olanda, Polonia, Portogallo, Regno Unito, Repubblica Ceca, Romania, Slovacchia, Slovenia, Spagna, Svezia, Ungheria.



FONDAZIONE DEL MONTE 1473

Comune di Zola Predosa

C V L
A.N.P.I.
PROVINCIALE BOLOGNA