

Lateran Pacts of 1929

The Lateran Pacts of 1929 contained three sections—the Treaty of Conciliation (27 articles) which established Vatican City as an independent state, restoring the civil sovereignty of the Pope as a monarch, the [Financial Convention](#) annexed to the treaty (3 articles) which compensated the Holy See for loss of the papal states, and the [Concordat](#) (45 articles), which

1. CONCILIATION TREATY ⁺

IN the name of the Most Holy Trinity.

Whereas the Holy See and Italy have recognized the desirability of eliminating every reason for dissension existing between them and arriving at a final settlement of their reciprocal relations which shall be consistent with justice and with the dignity of both High Contracting Parties, and which by permanently assuring to the Holy See a position *de facto* and *de jure* which shall guarantee absolute independence for the fulfillment of its exalted mission in the world, permits the Holy See to consider as finally and irrevocably settled the Roman Question which arose in 1870 by the annexation of Rome to the Kingdom of Italy, under the Dynasty of the House of Savoy;

And whereas it was obligatory, for the purpose of assuring the absolute and visible independence of the Holy See, likewise to guarantee its indisputable sovereignty in international matters, it has been found necessary to create under special conditions the Vatican City, recognizing the full ownership, exclusive and absolute dominion and sovereign jurisdiction of the Holy See over that City;

His Holiness the Supreme Pontiff Pius XI and His Majesty Victor Emanuel III, King of Italy, have agreed to conclude a Treaty, appointing for that purpose two Plenipotentiaries, being on behalf of His Holiness, His Secretary of State, viz. His Most Reverend Eminence the Lord Cardinal Pietro Gasparri, and on behalf of his Majesty, His Excellency the Cav. Benito Mussolini, Prime Minister and Head of the Government; who, having exchanged their respective full powers, which were found to be in due and proper form, have hereby agreed to the following articles:

Article 1

Italy recognizes and reaffirms the principle established in the first Article of the Italian Constitution dated March 4, 1848, according to which the Catholic Apostolic Roman religion is the only State religion.

Article 2

Italy recognizes the sovereignty of the Holy See in international matters as an inherent attribute in conformity with its traditions and the requirements of its mission to the world.

Article 3

Italy recognizes the full ownership, exclusive dominion, and sovereign authority and jurisdiction of the Holy See over the Vatican as at present constituted, together with all its

appurtenances and endowments, thus creating the Vatican City, for the special purposes and under the conditions hereinafter referred to.

The boundaries of the said City are set forth in the map called Annex I of the present Treaty, of which it is forms an integral part.

It is furthermore agreed that, although forming part of the Vatican City, St. Peter's Square shall continue to be normally open to the public and shall be subject to supervision by the Italian police authorities, which powers shall cease to operate at the foot of the steps leading to the Basilica, although the latter shall continue to be used for public worship. The said authorities shall, therefore, abstain from mounting the steps and entering the said Basilica, unless and except they are requested to do so by the proper authorities.

Should the Holy See consider it necessary, for the purpose of special ceremonies, temporarily to prohibit the public from free access to St. Peter's Square, the Italian authorities shall (unless specially requested to do otherwise) withdraw to beyond the outer lines of Bernini's Colonnade and the extension thereof.

Article 4

The sovereignty and exclusive jurisdiction over the Vatican City, which Italy recognizes as appertaining to the Holy See, forbid any intervention therein on the part of the Italian Government, or that any authority other than that of the Holy See shall be there acknowledged.

Article 5

For the purpose of the execution of the provisions of the preceding Article before the present Treaty comes into force, the Italian Government shall see to it that the territory forming the Vatican City shall remain free from any charge and from possible occupants. The Holy See shall arrange to enclose the access thereto, enclosing such parts thereof as remain open, except St. Peter's Square.

It is furthermore agreed that, in respect of the buildings there existing and belonging to religious institutions or bodies, the Holy See shall settle relations with the latter direct, the Italian Government having no part in such arrangements.

Article 6

Italy shall provide, by means of suitable agreements entered into with the interested parties, that an adequate water supply be fully assured to the Vatican City. Italy shall furthermore provide for connection with the State railways by constructing a railway station within the Vatican City on the spot shown on the annexed map, and by permitting the circulation of railway carriages belonging to the Vatican on the Italian railways. It shall further provide for direct connection with other States by means of telegraph, telephone, wireless, broadcasting, and postal services in the Vatican City. It shall equally also provide for the coordination of all other public services.

All expenses connected with the arrangements above mentioned shall be defrayed by the Italian State, within the period of one year from the entry into force of the present Treaty.

The Holy See shall, at its own expense, arrange the existing means of access to the Vatican, and those others which it may consider it necessary to make in the future.

Agreements shall be subsequently concluded between the Holy See and Italy concerning the circulation, on and over Italian territory, of land vehicles and aircraft belonging to the Vatican City.

Article 7

The Italian Government undertakes to prohibit the construction within the territory surrounding the Vatican City, of any new buildings which might overlook the latter, and shall for a like purpose provide for the partial demolition of similar buildings already standing near the Porta Cavalleggeri and along the Via Aurelia and the Viale Vaticano.

In accordance with the provisions of International Law, it shall be forbidden for aircraft of any kind whatsoever to fly over Vatican territory.

On the Piazza Rusticucci, and in the areas adjoining the Colonnade, over which the extra-territoriality referred to in Article 15 hereof does not extend, all structural alterations or street construction shall only be effected by mutual assent.

Article 8

Considering the person of the Supreme Pontiff to be sacred and inviolable, Italy declares any attempt against His person or any incitement to commit such attempt to be punishable by the same penalties as all similar attempts and incitements to commit the same against the person of the King.

All offences or public insults committed within Italian territory against the person of the Supreme Pontiff, whether by means of speeches, acts, or writings, shall be punished in the same manner as offences and insults against the person of the King.

Article 9

In accordance with the provisions of International Law, all persons having a permanent residence within the Vatican City shall be subject to the sovereignty of the Holy See. Such residence shall not be forfeited by reason of the mere fact of temporary residence elsewhere, unaccompanied by the loss of habitation in the said City or other circumstances proving that such residence has been abandoned.

On ceasing to be subject to the sovereignty of the Holy See, the persons referred to in the preceding paragraph, who, according to the provisions of Italian law (independently of the *de facto* circumstances considered above) shall not be regarded as possessing any other citizenship, shall be regarded in Italy as Italian nationals.

Notwithstanding that all such persons are subject to the sovereignty of the Holy See, the provisions of Italian law shall be applicable to them within the territory of the Kingdom of Italy, even in such matters wherein the personal law must be observed (when they are not covered by the regulations emanating from the Holy See) and, in the case of persons of foreign nationality, the legal provisions of the State to which they belong.

Article 10

Such dignitaries of the Church and persons belonging to the Papal Court as shall be indicated in a Schedule to be approved by the High Contracting Parties, shall always and in every case, even when not citizens of the Vatican, be exempt from military service as far as Italy is concerned, jury service, and any other service of a personal nature.

This provision shall also apply to regular officials whose services are considered indispensable by the Holy See, if permanently employed by the latter and earning a fixed salary, or employed in the Departments or Offices mentioned in Articles 13, 14, 15, and 16 hereof and residing without the Vatican City. The names of such officials shall be set forth in another Schedule to be drawn up and approved as above mentioned, and which shall be brought up to date each year by the Holy See.

The ecclesiastics whose duty it shall be to participate, without the Vatican City, in the execution of enactments emanating from the Holy See, shall not, on that account, be subject to any hindrance, investigation, or molestation on the part of the Italian authorities.

All foreigners in official ecclesiastical employment in Rome shall enjoy the personal guarantees appertaining to Italian citizens, in accordance with the laws of the Kingdom of Italy.

Article 11

All central bodies of the Catholic Church shall be exempt from any interference on the part of the Italian State (save and except as provided by Italian law in regard to the acquisition of property made by *corpi morali*, [recognized public bodies] and with regard to the conversion of real estate.)

Article 12

Italy recognizes the right of the Holy See to passive and active Legation, according to the general rules of International Law. Officials accredited by foreign Governments to the Holy See shall continue to enjoy, within the Kingdom of Italy, all the prerogatives of immunity enjoyed by diplomatic agents under International Law, and their headquarters may continue to be within Italian territory whilst enjoying the immunity due to them under International Law, even in the event of their State not having diplomatic relations with Italy.

It is understood that Italy undertakes in all cases to allow the freedom of correspondence for all States, including belligerents, to and from the Holy See, as well as free access to the Apostolic See by Bishops from all over the world.

The High Contracting Parties undertake to establish normal diplomatic relations between each other, by accrediting an Italian Ambassador to the Holy See and a Papal Nuncio to Italy, who shall be the *doyen* of the Diplomatic Corps, in accordance with the ordinary practice recognized by the Congress of Vienna by the Act of June 9, 1815, in consequence of the sovereignty hereby recognized and without prejudice to the provisions of Article 19 hereof, the diplomats accredited by the Holy See and the diplomatic couriers dispatched in the name of the Supreme Pontiff, shall enjoy within Italian territory, even in time of war, the same

treatment as that enjoyed by diplomatic personages and couriers of other foreign Governments, according to the provisions of International Law.

Article 13

Italy recognizes the full ownership of the Holy See over the patriarchal Basilicas of St. John Lateran, Sta. Maria Maggiore, and St. Paul, with their annexed buildings.

The State transfers to the Holy See the free management and administration of the said Basilica of St. Paul and its dependent Monastery, also paying over to the Holy See all monies representing the sums set aside annually for that church in the budget of the Ministry of Education.

It is also understood that the Holy See shall remain the absolute owner of the edifice of S. Callisto, adjoining Sta. Maria in Trastevere.

Article 14

Italy recognizes the full ownership by the Holy See of the Papal Palace of Castel Gandolfo, together with all endowments, appurtenances, and dependencies thereof, which are now already in the possession of the Holy See, and Italy also undertakes to hand over, within six months after the coming into force of the present Treaty, the Villa Barberini in Castel Gandolfo, together with all endowments, appurtenances, and dependencies thereof.

In order to round off the property situated on the northern side of the Janiculum Hill, belonging to the Sacred Congregation of Propaganda Fide and to other ecclesiastical institutions, which property faces the Vatican Palaces, the State undertakes to transfer to the Holy See or other bodies appointed by it for such purpose, all real estate belonging to the State or to third parties existing in that area. The properties belonging to the said Congregation and to other institutions and those to be transferred being marked on the annexed map.

Finally, Italy shall transfer to the Holy See, as its full and absolute property, the Convent buildings in Rome attached to the Basilica of the Twelve Holy Apostles and to the churches of San Andrea della Valle and S. Carlo ai Catinari, with all annexes and dependencies thereof, and shall hand them over within one year after the entry into force of the present Treaty, free of all occupants.

Article 15

The property indicated in Article 13 hereof and in paragraphs (1) and (2) of Article 14, as well as the Palaces of the Dataria, of the Cancelleria, of the Sacred Congregation of Propaganda Fide in the Piazza di Spagna of the S. Offizio with its annexes, and those of the Convertendi (now the Congregation of the Eastern Church) in Piazza Scossacavelli, the Vicariato, and all other edifices in which the Holy See shall subsequently desire to establish other offices and departments although such edifices form part of the territory belonging to the Italian State, shall enjoy the immunity granted by International Law to the headquarters of the diplomatic agents of foreign States. Similar immunity shall also apply with regard to any other churches (even if situated outside Rome) during such time as, without such churches

being open to the public, the Supreme Pontiff shall take part in religious ceremonies celebrated therein.

Article 16

The property mentioned in the three preceding Articles, as also that used as headquarters of the following Papal institutions - the Gregorian University, the Biblical, Oriental, and Archaeological Institutes, the Russian Seminary, the Lombard College, the two Palaces of St. Apollinaris, and the Home of the Retreat of the Clergy dedicated to St. John and St. Paul - shall never be subject to charges or to expropriation for reasons of public utility, save by previous agreement with the Holy See, and shall be exempt from any contribution or tax, whether ordinary or extraordinary and payable to the State or to any other body.

It shall be permissible for the Holy See to deal with all buildings above mentioned or referred to in the three preceding Articles as it may deem fit, without obtaining the authorization or consent of the Italian governmental, provincial, or communal authority, which authorities may in this regard rely entirely on the high artistic traditions of the Catholic Church.

Article 17

As from January 1, 1929, salaries of whatsoever nature payable by the Holy See, or by other central bodies of the Catholic Church and by bodies administered directly by the Holy See whether within or without Rome to dignitaries employed and salaried (whether permanently or not, shall be exempt from any contribution or tax whether payable to the State or to any other body.

Article 18

The artistic and scientific treasures existing within the Vatican City and the Lateran Palace shall remain open to scholars and visitors, although the Holy See shall be free to regulate the admission of the public thereto.

Article 19

Diplomats and envoys of the Holy See, as well as diplomats and envoys of foreign Governments accredited to the Holy See, and the dignitaries of the Church arriving from abroad and traveling to the Vatican City, provided with passports of the States whence they come duly furnished with the visa of the Papal representative abroad, shall be allowed free access to the Vatican City over Italian territory without formalities.

Article 20

Goods arriving from abroad for destinations within the Vatican City, or without its boundaries for institutions or offices of the Holy See, shall invariably be allowed transit over Italian territory (from any part of the Italian boundary as also from any seaport of the Kingdom) free of payment of any customs or *octroi* dues.

Article 21

All Cardinals shall enjoy, in Italy, the honours due to Princes of the Blood. Those Cardinals who may reside in Rome without the Vatican City shall, for all purposes, be considered citizens thereof.

In the event of the office of the Holy See falling vacant, Italy shall make special arrangements for the free transit and access of Cardinals over Italian territory to the Vatican, and shall provide that their personal liberty is not impeded or limited.

Italy shall also take all measures, within her territory surrounding the Vatican City, necessary to prevent the commission of any act which may in any way disturb the meetings of the Conclave.

The same provisions shall apply to Conclave held beyond the boundaries of the Vatican City and to Councils presided over by the Supreme Pontiff or his Legates, and with regard to all Bishops summoned to attend them.

Article 22

At the request of the Holy See, or by its delegate who may be appointed in single cases or permanently, Italy shall provide within her for the punishment of offences committed within the Vatican City, save and except when the author of the offence shall have taken refuge in Italian territory, in which event he shall immediately be proceeded against according to the provisions of the Italian laws.

The Holy See shall hand over to the Italian State all persons who may have taken refuge within the Vatican City, when accused of acts committed within Italian territory which are considered to be criminal by the law of both States.

The same provisions shall apply in regard to persons accused of offences who may have taken refuge within the buildings enjoying immunity in accordance with the provisions of Article 15 hereof, save and except if the persons having authority within such buildings prefer to request members of the Italian police force to enter and arrest such persons.

Article 23

The regulations provided by International Law shall apply for the execution, within the Kingdom of Italy, of sentences pronounced by the Courts of the Vatican City.

All sentences and measures emanating from ecclesiastical authorities and officially communicated to the civil authorities, in regard to ecclesiastical or religious persons and concerning spiritual or disciplinary matters, shall without other formality have legal effect in Italy even for all civil purposes.

Article 24

In regard to the sovereignty appertaining to it also in international matters, the Holy See declares that it desires to take, and shall take, no part in any temporal rivalries between other States, nor in any international congresses called to settle such matters, save and except in the event of such parties making a mutual appeal to the pacific mission of the Holy See, the latter reserving in any event the right of exercising its moral and spiritual power.

The Vatican City shall, therefore, be invariably and in every event considered as neutral and inviolable territory.

Article 25

By a special Convention written below and united to the present Treaty, which constitutes the IV codicil to the same and forms an integral part thereof, provision shall be made for the liquidation of the credit of the Holy See towards Italy. [±]

Article 26

The Holy See considers that the agreements signed to-day offer an adequate guarantee for assuring to it, together with the requisite liberty and independence, the pastoral administration of the Roman Diocese and the Catholic Church throughout Italy and the entire world, and it declares the Roman Question to be definitely and irrevocably settled and therefore eliminated, and recognizes the Kingdom of Italy under the Dynasty of the House of Savoy, with Rome as the capital of the Italian State.

Italy, on her part, recognizes the State of the Vatican City under the sovereignty of the Supreme Pontiff.

The law dated May 13, 1871 (No. 214) and any other dispositions contrary to the present Treaty, are hereby abrogated.

Article 27

Within four months after the signature thereof, the present Treaty shall be submitted for ratification by the Supreme Pontiff and the King of Italy, and shall enter into force as soon as ratifications are exchanged.

Dated in Rome this 11th day of February, 1929.

(Signed) PIETRO CARDINAL GASPARRI
BENITO MUSSOLINI

2. THE FINANCIAL CONVENTION ANNEXED TO THE TREATY [±]

The Holy See and Italy having in consequence of the stipulations of the Treaty which has definitely composed ' the Roman Question ' held it necessary to regulate with a distinct convention, forming an integral part of the same, their financial relations;

The supreme Pontiff considering on the one hand the immense damage sustained by the Apostolic See through the loss of the patrimony of S. Peter constituted by the ancient Pontifical States, and of the Ecclesiastical property, and on the other side, the ever-increasing needs of the Church in the City of Rome alone, and taking into consideration the present financial condition of the State and the economic condition of the Italian people, especially after the war, has deemed it well to restrict the request for indemnity to the barest necessity; asking for a sum partly in cash and partly in bonds which is much inferior in value to the

which the State to-day should disperse towards the Holy See if only in execution of the obligation assumed by the law of May 13, 1871.

The Italian State appreciating the paternal sentiments of the Supreme Pontiff has felt bound to adhere to the request for the payment of the said sum.

Art. 1. Italy, on the exchange of ratifications of the Treaty, shall pay to the Holy See the sum of Italian lire 750,000,000 (seven hundred and fifty millions) and at the same time consign Italian 5 per cent bonds (with coupons, June 30) of the nominal value of Italian lire 1,000,000.

Art. 2. The Holy See declares that it accepts the above as a definite systemization of the financial relations with Italy in consequence of the events of 1870.

Art. 3. All the acts necessary for the execution of the Treaty with regard to the present Convention and of the Concordat shall be exempt from every form of taxation.

Rome, eleventh February, one thousand nine hundred and twenty-nine.

PIETRO CARD. GASPARRI.
BENITO MUSSOLINI.

3. THE CONCORDAT [±]

IN the name of the Most Holy Trinity.

Seeing that from the beginning of the negotiations between the Holy See and Italy for the solution of ' the Roman Question ' the Holy See itself has proposed that the Treaty relating to the said question should be accompanied, as its necessary complement, by a Concordat to regulate the conditions of religion and the Church in Italy.

Seeing that to-day a Treaty has been concluded and signed for the solution of ' the Roman Question.'

His Holiness the Supreme Pontiff Pius XI and His Majesty Vittorio Emanuele III, King of Italy, have resolved to make a Concordat and to that end have nominated the same Plenipotentiaries delegated for the stipulation of the Treaty, that is: on the part of His Holiness, His Eminence the Most Reverend Lord Cardinal Pietro Gasparri, his Secretary of State; and on the part of His Majesty, His Excellency Cav. Benito Mussolini, Prime Minister and head of the Government, who having exchanged their full powers and found them to be in good and due form, have agreed upon the following articles:

Art. 1. Italy, in the sense of Art. I of the Treaty, assures the Catholic Church of the free exercise of her spiritual power, the free and public exercise of worship, and of jurisdiction in Ecclesiastical matters in conformity with the norm of the present Concordat, and when it occurs, accords to Ecclesiastics for the aids of their spiritual ministry defence on the part of its authority.

In consideration of the sacred character of the Eternal City, the Episcopal See of the Sovereign Pontiff, centre of the Catholic world and place of pilgrimage, the Italian Government will take care to impede in Rome whatsoever may be in opposition with its said character.

Art. 2. The Holy See shall communicate and correspond freely with the Bishops and clergy of the whole Catholic world without any interference on the part of the Italian Government.

Equally in everything that concerns their pastoral ministry the Bishops shall communicate and correspond freely with their clergy and all the faithful. Like the Holy See the Bishops can freely publish and affix within and to the external doors of buildings destined for public worship or for the offices of their ministry, instructions, ordinances, pastoral letters, diocesan bulletins and other ads concerning the spiritual government of the faithful which they see fit to issue in the sphere of their competence.

Such publications and affixions and in general all the acts and documents relative to the spiritual government of the faithful shall not be subject to any taxation.

Such publications as regards the Holy See may be made in any language, those of the Bishops in Italian or Latin, but besides the Italian text the Ecclesiastical Authority can adjoin translations into other languages.

The Ecclesiastical Authorities can, without any interference on the part of the Civil Authorities, make collections within and at the doors of the churches and buildings belonging to them.

Art. 3. Theological students in the last two years of their theological course devoted to the priesthood, and novices of religious institutions can, at their request, put off from year to year until the twenty-sixth year of their age the fulfilment of the obligation of military service.

Clerics ordained '*in sacris*' and religious who have made their vows are exempt from military service, saving the case of a general mobilization. In such case the priests pass into the armed forces of the State, but conserve their ecclesiastical habits in order to exercise amongst the troops their sacred ministry under the ecclesiastical Jurisdiction of the military ordinary in the sense of Art. 14. The other clerics and religious of preference shall be destined to military service.

Nevertheless, even in the case of a general mobilization, those priests are dispensed from the call to present themselves who have cure of souls. As such are considered ordinaries, parish priests, vice-parish priests and coadjutors, vicars and priests permanently appointed to rectories and churches open to the public.

Art. 4. Ecclesiastics and religious are exempt from serving on juries.

Art. 5. No Ecclesiastic may be employed or remain in the employment of an office of the Italian State or any public entity depending from the same without the *nihil obstat* of the Diocesan ordinary.

The revocation of the *nihil obstat* deprives the Ecclesiastic of the capacity of continuing to exercise the employment or office which he has assumed.

In any case, apostate priests, or those subject to censure, cannot be appointed or continued as teachers, or hold office or be employed as clerks where they are in immediate contact with the public.

Art. 6. The stipends and the other assignments which Ecclesiastics enjoy by reason of their office are open to mortgages in the same measure as the stipends and assignments of clerks in the offices of the State.¹

¹ Stipendiaries of the State are allowed to mortgage one-fifth of their salaries.

Art. 7. Ecclesiastics cannot be required by magistrates or other authorities to give information concerning persons or matters which have come to their knowledge by reason of their sacred ministry.

Art. 8. In case of an Ecclesiastic or religious being brought before a magistrate for some crime, the Procurator of the King must immediately inform the ordinary of the diocese in the territory of which he exercises jurisdiction, and ought carefully to transmit to the office of the same the instructional decrees, and where necessary the definitive sentence of the judgment both in the first grade and also on appeal.

In case of the arrest of an Ecclesiastic or religious he shall be treated with the regard due to his hierarchical grade.

In the case of the condemnation of an Ecclesiastic or religious the punishment shall be performed in a place separate from that for lay people, unless the competent ordinary shall have already reduced the condemned person to the lay state.

Art. 9. Regularly buildings open for public worship shall be exempt from requisitions and occupation.

If in consequence of a grave public necessity it is necessary to occupy a building open for worship, the authority which proceeds to the occupation should have come to a previous accord with the ordinary, unless the reasons are of such absolute urgency as to prevent it. In such a case the authority should immediately proceed to inform the same (i.e. the ordinary).

Saving cases of urgent necessity, the public forces shall not in the exercise of their functions enter any building open for worship, without giving previous notice to the Ecclesiastical Authority.

Art. 10. For no cause whatsoever is it possible to proceed to the demolition of a building open for worship without previous accord with the competent Ecclesiastical Authority.

Art. 11. The State recognizes the Feast-days established by the Church, which are the following:

All Sundays.

The first day of the year.

The Epiphany (January 6).

The Feast of S. Joseph (March 19).

The Ascension.

The Feast of Corpus Domini.
The Feast of SS. Peter and Paul (June 29).
The Assumption of the B.V. Mary (August 15).
All Saints' Day (November 1).
The Feast of the Immaculate Conception (December 8).
Christmas Day (December 25).

Art. 12. On Sundays and feasts of precept in churches which have a chapter, the celebrant shall sing at the Conventual Mass according to the norm of the Sacred Liturgy a prayer for the prosperity of the King of Italy and for the Italian State.

Art. 13. The Italian Government shall give to the Holy See a table of the Ecclesiastics enrolled in the work of spiritual assistance to the military forces of the State as soon as they are approved in the mode of law.

The designation of the Ecclesiastics to whom is committed the high direction of the service of spiritual assistance (the military ordinary, the Vicar-General and the inspectors) shall be made confidentially by the Holy See to the Italian Government. Whenever the Italian Government has reason to oppose such designation, it shall communicate the fact to the Holy See, which shall proceed to another designation.

The military ordinary shall have Archiepiscopal rank.

The nomination of the military chaplains shall be made by the competent authority of the Italian state upon the designation of the military ordinary.

Art. 14. The Italian troops by land, sea and air shall enjoy in regard to their religious duties the privileges and exemptions sanctioned by Canon Law.

The military chaplains in regard to the said troops have parochial authority. They shall exercise their sacred ministry under the jurisdiction of the military ordinary assisted by his proper curia.

The military ordinary has jurisdiction also over the religious, both masculine and feminine, engaged as workers in the military hospitals.

Art. 15. The military Archiepiscopal ordinary is Provost of the Chapter of the Church of the Pantheon in Rome, constituted by his clergy, to whom is entrusted the religious service of the said Basilica. Such clergy are authorized to provide for all the religious functions, even outside Rome, which in conformity with the Canon Law are required by the State or by the Royal House.

The Holy See consents to confer on all the canons composing the Chapter of the Pantheon the dignity of Protonotaries *ad instar durante munere*. Their nomination shall be made by the Cardinal Vicar of Rome after presentation by the King of Italy, a confidential indication being given previous to presentation.

The Holy See reserves to itself the right to transfer the Diaconia to another church.

Art. 16. The High Contracting Parties shall proceed to an accord by means of a mixed commission for the revision of the boundaries of the dioceses for the purpose of rendering them more in agreement with those of the provinces of the State.

Moreover the Holy See shall erect the diocese of Zara, and no part of the territory subject to the Sovereignty of the Kingdom of Italy shall be subject to a bishop whose seat is found in territory subject to the Sovereignty of another State, and no Diocese of the Kingdom shall include territory subject to the Sovereignty of another State.

The same principle shall be observed for all the existing parishes as for those to be constituted in the territory near the confines of the State.

The modifications which after the enquiry shall be deemed necessary to arrange the boundaries of the dioceses, shall be disposed by the Holy See in previous accord with the Italian Government, and in observance of the direction expressed above, saving small rectifications of territory required for the good of souls.

Art. 17. The reduction of dioceses that may result from the application of the preceding Article, shall be brought into force as the said dioceses become vacant.

The said reduction shall not import the suppression of the titles of the dioceses, nor their Chapters, which shall be conserved when regrouping the dioceses in such a mode that the chief place therein shall correspond with that of the province.

The said reductions shall leave the economic resources of the dioceses and of the Ecclesiastical entities existing in the same unchanged, including the assignments from the Italian State.

Art. 18. By disposition of the Ecclesiastical Authority the parishes shall be regrouped provisionally or definitively, entrusting them to one parish priest assisted by one or more curates uniting in one presbytery several priests. The State shall maintain unaltered the economic treatment of the said parishes.

Art. 19. The choice of Archbishops and Bishops belongs to the Holy See.

First before proceeding to the nomination of an Archbishop, a Diocesan Bishop or a coadjutor with right of succession, the Holy See shall communicate the name of the person chosen to the Italian Government so as to be assured by the same that it has no reason of a political character to offer against the nomination.

The relative practice shall be performed with the greatest possible care and with every reserve so that the name of the person chosen shall remain secret.

Art. 20. Bishops before taking possession of their dioceses shall take an oath of fidelity to the head of the State according to the following formula:

Before God and his Holy Gospels I swear and promise on becoming a Bishop fidelity to the Italian State. I swear and promise to respect and make respected by my clergy the King and the Government established according to the constitutional laws of the State. I swear and promise moreover that I shall not participate in any agreement or any counsel that can damage

the Italian State and the public order and I shall not allow to my clergy such participation. I shall concern myself with the well-being and interests of the Italian State and endeavour to avert any danger that can possibly menace it.

Art. 21. The provision of Ecclesiastical benefices belongs to the Ecclesiastical Authority.

The nomination of those invested with parochial benefices shall be communicated under reserve by the competent Ecclesiastical Authority to the Italian Government, and cannot have effect until thirty days from the date of the communication.

Within this period the Italian Government shall where grave reasons are opposed to the nomination manifest them under reserve to the Ecclesiastical Authority, and if the dissent continues shall bring the case before the Holy See.

When grave reasons arise which render the continuance of an Ecclesiastic in a determined parochial benefice injurious, the Italian Government shall communicate such reasons to the ordinary who in accord with the Government shall take the appropriate measures within three months thereof.

In case of divergences between the ordinary and the Government, the Holy See shall entrust the solution of the question to two Ecclesiastics chosen by it, who in accord with two delegates of the Italian Government shall take a definitive decision.

Art. 22. Ecclesiastics who are not Italian citizens cannot be invested with the existing benefices in Italy. Those in charge of dioceses or parishes must speak the Italian language.

Where necessary they shall have helpers assigned to them who, besides Italian, understand and speak the language locally in use, for the purpose of giving religious assistance in that language to the faithful according to the rules of the Church.

Art. 23. The dispositions of Articles 16, 17, 19, 20, 21 and 22 do not apply to Rome and the suburban dioceses.

But the Holy See shall proceed to a new arrangement of the said dioceses, the assignments at present being made by the Italian State both of their revenues and of the other Ecclesiastical Institutions shall remain unchanged.

Art. 24. The *exequatur* and the Royal *placet* are abolished, and any Césarean or Royal nomination in the matter of the appointment to any Ecclesiastical benefices or offices throughout Italy, saving the exceptions made by Art. 29, letter *g*.

Art. 25. The Italian State renounces the sovereign prerogative of the Royal patronage of benefices both major and minor.

Likewise the *regalia*¹ over major or minor benefices and the *terzo pensionabile*² in the provinces of the Kingdom of the two Sicilies is abolished.

¹ *Regalia*. The right on the part of the Crown to appropriate to itself the income of Ecclesiastical benefices during the period they remain vacant.

² *Terzo pensionabile*. The right of the State to apply a third part of the income of a benefice in favour of

persons designated by itself. Such rights were in force in the provinces of the former Kingdom of the Two Sicilies.

The relative burdens cease to be chargeable to the State and to the dependent administrations.

Art. 26. The nomination to the possession of the major or manor benefices and of the temporary representative of the vacant See or benefice has the effect of the said Ecclesiastical provision, in which the Government officially participates.

The administration and enjoyment of the revenues during the vacancy shall be arranged according to the norm of Canon Law.

In the case of bad management the Italian State in accord with the Ecclesiastical Authority shall proceed to the sequestration of the temporalities of the benefice, devoting the net revenues in favour of the possessor, or in his absence to the advantage of the benefice.

Art. 27. The Basilicas of the Holy House at Loreto, of S. Francis at Assisi and of S. Antony at Padua, with the buildings and works annexed, except those of a purely lay character, shall be ceded to the Holy See and their administration shall belong to the same. They shall be free from every interference by the State and from the conversion of other entities of whatsoever nature under the management of the Holy See, even the Missionary Colleges. In any case the Italian law regarding the acquisitions of moral corporations remains in force.

With regard to the property now belonging to the said sanctuaries, a mixed commission shall proceed to deal with their distribution, having regard to the rights of third parties and to the necessary endowment of the said works of a lay character. For the other sanctuaries in which a lay administration exists, these shall be replaced by the management of the Ecclesiastical Authority, saving the case of the distribution of the property according to the norm of the preceding paragraph.

Art. 28. For the tranquillization of consciences the Holy See accords a full condonation to all those who in consequence of the Italian laws changing the Ecclesiastical patrimony, are found in possession of Ecclesiastical property.

For such purpose the Holy See shall give the ordinaries the opportune instructions.

Art. 29. The Italian State shall revise its legislation in so far as it concerns Ecclesiastical matters, reforming and reintegrating them in order to bring them into harmony with the direction which inspires the Treaty with the Holy See and the present Concordat.

It remains now for the two High Contracting Parties to agree the following :

(a) The personality of the Ecclesiastical entities already recognised by the Italian law (the Holy See, Dioceses, Chapters, Seminaries, parishes, etc.) shall remain unchanged. Such personality shall be recognized also in churches open to public worship which at present do not enjoy it, composing those that formerly belonged to Ecclesiastical entities now suppressed, with the assignment in regard to these last of the revenue actually destined to each one from the Fund of Public Worship. Saving what is settled in the previous Art. 27, the council of administration wheresoever existing, and even if wholly or in part composed of lay

persons, shall not interfere in the service of public worship, and the nomination of those composing the administration shall be made in agreement with the Ecclesiastical Authority.

(b) The juridical personality of those religious congregations shall be recognized, with or without votes, approved by the Holy See, which have their principal house within the Kingdom, and are there represented juridically and in fact by persons who are of Italian citizenship and are domiciled in Italy.

The juridical personality shall also be recognized of the Italian religious provinces of those associations having their principal house abroad within the limits of the State and its colonies? when the same conditions concur.

The Juridical personality of houses, when the particular rules of each order attributes to them the right of acquisition and possession, shall likewise be recognized.

Finally shall be recognized the houses of the Generals, and the procurators of religious associations, including those abroad. The religious houses and associations which at present enjoy juridical personality shall conserve the same.

The acts relating to the transfer of the property to which the associations now come into possession from the present owners to the association shall be exempt from any taxation.

(c) The confraternities exclusively or principally devoted to worship and which are not subject to ulterior transformation as regards their purpose, depend on the Ecclesiastical Authority for what concerns their functioning and administration.

(d) The foundation of religious worship of any kind is permitted provided that it responds to the needs of the people, and imposes no financial burden on the State. These dispositions apply to such as are already in existence.

(e) In the civil administration of Ecclesiastical patrimony resulting from the aversive laws half the council of administration shall be composed of members designated by the Ecclesiastical Authority, and likewise for the religious funds of the new provinces.

(f) The acts computed up to the present by Ecclesiastical or religious entities, without the observance of the civil law, shall be recognized and regularized by the Italian State at the request of the ordinary if presented within three years from the entry into force of this Concordat.

(g) The Italian State renounces the exemption from Ecclesiastical jurisdiction of the palatine clergy in all Italy (saving for those belonging to the Church of the Santa Sindone of Turin di Superga, and of the Sudario of Rome and the chapels annexed to the palaces which are occupied by the Sovereign and the Royal princes) entering all the nominations and provisions of benefices and offices under the norm of the preceding Articles. An appropriate commission shall provide for the assignment to any basilica or palatine Church of a suitable endowment according to the criteria indicated for the property of the sanctuaries in Art. 27.

(h) The tributary facilities already established by Italian law in forms of Ecclesiastical entities at present existing shall remain in force; the scope of worship and religion is for all tributary effects made equal to the scope of beneficence and education.

The extraordinary tax of 30 per cent imposed by Art. 18 of the law of August 15, 1867, n. 2848, the quota of concurrence of which see Art. 31 of the law of July 7, 1866, n. 3036, and Article 20 of the law of August 15, 1867, n. 3848, are abolished; also the tax on the passage of interest of property constituting the endowment of benefices and other Ecclesiastical entities established by Art. I of the Royal Decree, December 30, 1923, n. 3270, and for the future the institution of any special tribute charged on the property of the Church. Neither shall there be applied to ministers of worship in the exercise of their sacerdotal ministry any professional tax or licensing tax instituted by Royal Decree, November 18, 1923, n. 2538, in place of the suppressed tax of trade and resale, or any other tax of that nature.

(i) The use of the Ecclesiastical and religious habit on the part of seculars as on the part of Ecclesiastics or religious who have been forbidden to wear it by definitive provision of the competent Ecclesiastical Authority, which should be officially communicated to the Italian Government, is forbidden: and shall be punished with same sanctions and pains with which is forbidden and punished the unlawful use of the military uniform.

Art. 30. The ordinary and extraordinary administration of property belonging to any Ecclesiastical Institute or religious association shall be under the direction and control of the competent authority of the Church, every intervention on the part of the Italian State being excluded, and without the obligation to submit the conversion of real estate.

The Italian State recognizes in Ecclesiastical Institutes and religious associations the capacity to acquire property, saving the dispositions of the civil law concerning the acquisition of moral corporations.

The Italian State by the new accords, unless established otherwise, shall continue to supply the deficiencies in the income of Ecclesiastical benefices with assignments that shall correspond to a measure not inferior to that established by the laws actually in force, in consideration of which the administration of the patrimony of the said benefices as far as it concerns acts and contracts which exceed simple administration shall take place with the intervention of the Italian State, and in the case of a vacancy the assignment of the property shall be made in the presence of a representative of the Government expressed by an appropriate document.

The Episcopal income of the suburban dioceses, and the patrimonies of the chapter and parishes of Rome and the said dioceses, is not subject to the said intervention.

For the purpose of a congruous supplement, the amount of the said incomes and patrimony corresponding to the benefices shall result from a declaration rendered annually under the proper responsibility of the Bishop for the suburban dioceses and of the Cardinal Vicar for Rome.

Art. 31. The erection of new Ecclesiastical entities or religion associations shall be made by the Ecclesiastical Authority according to the norm of Canon Law; their recognition as regards civil effects shall be made by the civil authority.

Art. 32. The recognitions and the authorizations foreseen in the provisions of the present Concordat and of the Treaty shall take place through a norm established by the civil law which shall be put into harmony with the dispositions of the said Concordat and Treaty.

Art. 33. The disposition of the existing Catacombs in Rome and other parts of the territory of the Kingdom are reserved to the Holy See, with the consequent honour of keeping, maintaining and conserving them. The Holy See can, with the observance of the law of the State and saving the eventual rights of third parties, proceed to future excavations and the transfer of the bodies of the saints.

Art. 34. The Italian State, wishing to restore to the institution of matrimony, which is the foundation of the family, that dignity which is conformable with the Catholic traditions of its people, recognizes the civil effects of the Sacrament of matrimony regulated by Canon Law.

The publication of matrimony as above shall be effected in the parish, and also in the communal hall.

Immediately after the celebration of matrimony, the parish priest shall explain to the newly wedded pair the civil effects of matrimony, reading to them the Articles in the civil code regarding the rights and duties of married persons, and commit the act of matrimony to writing, of which within five days he shall send an exact copy to the Commune, in order that it may be transcribed in the registers of the civil State.

Causes concerning nullity of matrimony and dispensations from matrimony ratified but not consummated are reserved to the competence of the Ecclesiastical Tribunals and their departments.

The provisions and the relative sentences when they have become definitive shall be carried to the supreme tribunal of the Segnatura, which shall control them and see that the norm of the Canon Law relative to the competence of the judge, the citations, the legitimate representation and the contumacy of the parties, has been observed.

The said provisions and definitive sentences with the relative decree of the supreme tribunal of the Segnatura shall be transmitted to the Court of Appeal of the State competent for the territory, which shall, by an order of chamber of Council, render effective the civil effects and order the same to be annotated in the margin of the Act of Matrimony of the civil State.

As to causes of personal separation the Holy See agrees that these shall be judged by the ordinary civil authority.

Art. 35. For secondary (*scuola media*) schools of instruction carried on by Ecclesiastical or religious associations the examination by the State with effective parity of conditions for candidates of the Government schools and candidates of the said schools shall remain in force.

Art. 36. Italy, considering the teaching of Christian doctrine according to the form received by Catholic tradition as the foundation and the crown of public instruction, agrees that religious instruction imparted in the public elementary schools shall have a further development in the secondary schools according to a programme to be established by an accord between the Holy See and the State.

Such teaching shall be given by means of masters and professors, priests and religious approved by the Ecclesiastical Authority, and subsidiaries by means of lay masters and

professors, who for this end shall be furnished with a certificate of fitness to be issued by the ordinary of the diocese.

The revocation of the certificate on the part of the ordinary deprives the teachers of the capacity to teach.

For the said religious teaching there shall only be used in the public schools the text-books approved by the Ecclesiastical Authority.

Art. 37. The director of the State Association of physical culture for pre-military instruction, of the Avanguardisti and the Balilla, in order to render possible the religious instruction of the youth entrusted to them, shall dispose the hours in such a way as shall not impede on Sundays and days of precept the fulfilment of their religious duties.

The same applies to the directors of public schools for gatherings of their pupils on the said feast days.

Art. 38. The nomination of the professors of the Catholic University of the Sacred Heart and the dependent institute of Mary Immaculate are subject to the *nihil obstat* on the part of the Holy See directed to secure that nothing shall be wanting from the moral and religious point of view.

Art. 39. The Universities, the greater and lesser Seminaries, diocesan, inter-diocesan or regional, the academies, the colleges and other Catholic Institutes for Ecclesiastical formation and culture shall continue to depend solely from the Holy See without any interference on the part of the scholastic authority of the Kingdom.

Art. 40. The doctorate in Sacred Theology bestowed by the Faculty approved by the Holy See shall be recognized by the Italian State ; likewise shall be recognized the diplomas which shall be given in the schools of palcography, archives and diplomatic documents erected near the Library and the Archives in the City of the Vatican.

Art. 41. Italy recognizes the use in the Kingdom and its colonies of the Pontifical honours of knighthood by means of a register of briefs of the nominations through the presentation of the brief by the person interested and the request for its inscription therein.

Art. 42. Italy shall admit the recognition by a Royal decree of titles of nobility conferred by the Supreme Pontiff, even after 1870, and of those that shall be conferred in the future.

It shall also be established that the said recognition in Italy shall not be subject to taxation.

Art. 43. The Italian State recognizes the organizations dependent from the Italian Catholic action in so far as the Holy See has disposed that they carry out their activity outside any political party and under the immediate dependence of the Hierarchy of the Church for the diffusion and exercise of Catholic principles.

The Holy See takes the occasion of the stipulation of the present Concordat to renew to all Ecclesiastics and religious of Italy the prohibition of belonging to and fighting for any political party whatsoever.

Art. 44. If any difficulty shall arise in the future concerning the interpretation of the present Concordat, the Holy See and Italy shall proceed by a common examination to a friendly solution.

Art. 45. The present Concordat shall come into force by exchange of the ratifications at the same time as the Treaty between the two High Parties for the elimination of ' the Roman Question. '

With the entry into force of the present Concordat, the Concordat with the former Italian States shall cease to be operative. The Austrian law, the laws and decrees of the Italian State actually in force, in so far as they are opposed to the depositions of the present Concordat, shall be abrogated by the entry into force of the same.

To prepare for the execution of the present Concordat, a commission shall be nominated immediately after the signing thereof, comprised of persons to be designated by the two High Parties.

Rome, eleventh February, one thousand nine hundred and twenty-nine.

PIETRO CARD. GASPARRI.
BENITO MUSSOLINI.