
Atheism and the Italian Legal System

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Résumé

Over the last 20 years in Italy there has been a decrease in the number of Catholics who are not always active in religious practices. On the other hand, there has been an increase in the number of those who declare themselves Catholic more as a result of the culture of origin than for religious or spiritual reasons. This sub-group takes form in a religious belonging without believing: they belong to the Catholic Church because with this religion and the relative values they 'feel at home'; at the same time they do not believe in God. And this probably explains the limited number of atheists or agnostics in Italy.

Yet, in the last decades in Italy atheism has played a very important role. One of the most preminent examples of that is given by The *Unione degli Atei e degli Agnostici Razionalisti* - UAAR (Italian Union of Rationalist Atheists and Agnostics) that, since 1996, has initiated legal proceeding against the Italian method of bilateralism State-Churches, which is based on Articles 7.2 and 8.3 of the 148 Constitution. In 2016, this legal proceeding led to the decision (no. 52/2016) of the constitutional Court and now it is waiting for a decision of the European Court of Human Rights. This marks a watershed moment in the history of atheism, being the first time in Italy that atheists actively participate in defying the role of the State law in matters of religious issues.

On the basis of these premises, I will focus the attention on the peculiar connection among national (religious?) identity and atheism in Italy. Then I will investigate the manner in which atheism considers some provisions stated by the Constitution, including those referring to the supreme principle of State secularism (*principio supremo di laicità*), as the Italian Constitutional court has called it.

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