



Insults to the President of the Republic on social media: criticism is free, offense is a crime. Numerous convictions already handed down in recent years

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In recent hours, following the publication [of the article dedicated to the visit of President of the Republic Sergio Mattarella to the "Aegis 26" exercise at Monte Romano](#), **numerous comments have appeared on our social channels**. Alongside legitimate opinions, contestations and criticisms, openly offensive expressions have also been published toward the Head of State.

It is therefore appropriate to recall a simple principle: **criticizing the President of the Republic is a right; offending his honor or prestige, however, constitutes a specific crime provided for and punished by the Criminal Code.**

The President of the Republic and the Armed Forces

The Constitution assigns the President of the Republic a precise position also with respect to the State's military instrument.

Article 87 establishes that the President of the Republic is the Head of State, represents national unity and **"has command of the Armed Forces"**. He also presides over the Supreme Defense Council.

This is naturally not the daily operational command of the units, which follows its own political-military chain, but a constitutional function attributed to the Head of State.

For a community like the one that follows BrigataFolgore.net, composed largely of military personnel, former military, members of the Law Enforcement Forces and people close to the world of Defense, this is an aspect that deserves to be remembered.

What the Criminal Code provides

The protection of the President of the Republic is not merely a matter of institutional form.

Article 278 of the Criminal Code, titled **"Offense to the honor or prestige of the President of the Republic"**, provides:

"Whoever offends the honor or prestige of the President of the Republic shall be punished with imprisonment from one to five years."

The rule is still in force.

This does not mean, naturally, that every negative opinion, contestation or criticism directed at the President of the Republic automatically constitutes a crime.

In a democracy, political and institutional criticism is legitimate and can even be very harsh. It is another matter when it comes to gratuitous personal offense, insulting expression or contempt directed at the person and institutional function.

Writing on Facebook does not mean being in a legal free zone.

There have already been convictions for social insults to Mattarella

This is not merely a theoretical risk. In recent years there have been several judicial proceedings for insults and threats directed on social media at President Sergio Mattarella.

In **September 2021**, in Palermo, two people were convicted of offenses against the honor and prestige of the President of the Republic: one to **one year of imprisonment**, the other to **one year and four months**. The proceeding stemmed from heavy attacks published online in 2018.

In **March 2023**, again in Palermo, there came **five more convictions**: four defendants to **10 months and 20 days** and a fifth person to **one year, one month and ten days**. This proceeding also concerned offensive comments published on social media during the political crisis of 2018.

Also in **March 2023**, two other users who had insulted Mattarella on Facebook agreed to a sentence of **nine months**, converted into public utility work.

In **December 2024**, the Court of Trieste also condemned a man to **eight months of imprisonment, with suspended sentence**, for some posts published on Facebook against Mattarella in 2021.

In addition to the convictions, there are numerous investigations. In **2019** the Public Prosecutor's Office of Palermo closed an investigation against nine people for insults and threats published on social media; the investigation had initially involved dozens of Facebook profiles.

In **March 2021**, the Public Prosecutor's Office of Rome investigated ten people and ordered personal, home, and computer searches in the context of an investigation into insults and online threats against the Head of State.

In **May of the same year**, the Carabinieri of the ROS carried out another **eleven searches** in various Italian cities for offensive and threatening content published on social media between April 2020 and February 2021.

These precedents clearly show that a comment published on Facebook, X or any other platform can be subject to investigation and that the authors can be identified.

Social media are not a lawless zone.

Criticizing is a right, insulting is another thing

BrigataFolgore.net does not intend to establish what opinion its readers should have of the President of the Republic, the Government or any other institution of the State.

Disagreement is legitimate.

Criticism is legitimate.

Contesting a decision, a statement or an institutional position is legitimate.

Personal insult is another thing.

There is also a question that precedes even the legal one: that of respect.

One can profoundly disagree with a choice made by the President of the Republic without resorting to personal offense. One can challenge an institutional act without turning the confrontation into verbal aggression.

And this principle takes on an even more evident significance when addressing the Head of State, who represents national unity and to whom the Constitution assigns the command of the Armed Forces.

A call to our readers

BrigataFolgore.net will continue to leave room for different opinions, debate and even the most severe criticism, provided they are expressed with respect for people and institutions.

We do not ask our readers to agree with the decisions or words of the President of the Republic.

We simply ask you not to confuse the right to criticize with insult.

Before publishing a comment, it is useful to remember that behind a keyboard the same rules apply that apply in the real world.

And that a phrase written impulsively on social media may remain online for just a few seconds, but can have much longer-lasting consequences.