



Grundlagen unseres Zusammenlebens

Auszüge aus dem Grundgesetz für die Bundesrepublik Deutschland
und der Verfassung des Freistaates Sachsen



**Der Sächsische
Ausländerbeauftragte**

Fundamental principles of our society

Excerpts from the Basic Law for the Federal Republic of Germany and the Constitution of the Free State of Saxony

The Basic Law is the constitution of the Federal Republic of Germany. It sets out the fundamental rights which serve as the basis for coexistence in our society. The Free State of Saxony has also given itself a constitution, and this sets out the principles of social coexistence in Saxony. The Basic Law and the constitutions of the individual federal states are equally valid.

The fundamental rights are derived from human rights. They apply to everybody and create a framework that everybody who lives here can rely on. These basic values of our society are therefore both an opportunity and an obligation for all of us who live here.

This brochure is not a set of instructions. It is not meant to sound overbearing. It is an invitation to us all to periodically remind ourselves of the foundations of our society, to consciously share them and bring them to life.

Excerpts from the Basic Law for the Federal Republic of Germany

Article 1 (Protection of human dignity)

(1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.

Article 2 (Personal freedoms)

(1) Every person shall have the right to free development of his personality insofar as he does not violate the rights of others or offend against the constitutional order or the moral law.

(2) Every person shall have the right to life and physical integrity. Freedom of the person shall be inviolable. These rights may be interfered with only pursuant to a law.

Article 3 (Equality before the law)

(1) All persons shall be equal before the law.

(2) Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist.

(3) No person shall be favoured or disfavoured because of sex, parentage, race,

language, homeland and origin, faith, or religious or political opinions.
No person shall be disfavoured because of disability.

- Article 4 (Freedom of faith and conscience)
(1) Freedom of faith and of conscience, and freedom to profess a religious or philosophical creed, shall be inviolable.
(2) The undisturbed practice of religion shall be guaranteed.
- Article 5 (Freedom of expression)
(1) Every person shall have the right freely to express and disseminate his opinions in speech, writing and pictures, and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship.
(2) These rights shall find their limits in the provisions of general laws, in provisions for the protection of young persons, and in the right to personal honour.
(3) Arts and sciences, research and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.
- Article 6 (Protection of marriage and the family)
(1) Marriage and the family shall enjoy the special protection of the state.
- Article 10 (Privacy of correspondence and communications)
(1) The privacy of correspondence, posts and telecommunications shall be inviolable.
(2) Restrictions may be ordered only pursuant to a law.
- Article 13 (Inviolability of the home)
(1) The home is inviolable.
(2) Searches may be authorised only by a judge or, when time is of the essence, by other authorities designated by the laws, and may be carried out only in the manner therein prescribed.
- Article 14 (Property and the right of inheritance)
(1) Property and the right of inheritance shall be guaranteed.
Their content and limits shall be defined by the laws.
(2) Property entails obligations. Its use shall also serve the public good.
- Article 16a (Right of asylum)
(1) Persons persecuted on political grounds shall have the right of asylum.
- Article 17 (Right of petition)
Every person shall have the right individually or jointly with others to address written requests or complaints to competent authorities and to the legislature.

Article 18 (Forfeiture of basic rights)

Whoever abuses the freedom of expression, in particular the freedom of the press (paragraph (1) of Article 5), the freedom of teaching (paragraph (3) of Article 5), the freedom of assembly, the freedom of association, the privacy of correspondence, posts and telecommunications (Article 10), the rights of property (Article 14), or the right of asylum (Article 16a) in order to combat the free democratic basic order shall forfeit these basic rights. This forfeiture and its extent shall be declared by the Federal Constitutional Court.

Article 19 (Guarantee of recourse to the law)

(4) Should any person's rights be violated by public authority, he may have recourse to the courts.

Article 20 (Constitutional principles)

(1) The Federal Republic of Germany is a democratic and social federal state.

(2) All state authority is derived from the people. It shall be exercised by the people through elections and other votes and through specific legislative, executive and judicial bodies.

(3) The legislature shall be bound by the constitutional order, the executive and the judiciary by law and justice.

(4) All Germans shall have the right to resist any person seeking to abolish this constitutional order, if no other remedy is available.

Article 104 (Guaranteed rights in cases of deprivation of liberty, prohibition of torture)

(1) Liberty of the person may be restricted only pursuant to a formal law and only in compliance with the procedures prescribed therein. Persons in custody may not be subjected to mental or physical mistreatment.

Excerpts from the Constitution of the Free State of Saxony

Article 3 (The foundations of state order)

(1) All state authority is derived from the people. It shall be exercised by the people through elections and other votes and through specific legislative, executive and judicial bodies.

(2) Legislative authority shall be invested in the Landtag or directly in the people. Executive authority shall be in the hands of the state government and the administration. Judicial authority shall be exercised by independent judges.

(3) The legislature shall be bound by the constitutional order, the executive and the judiciary by law and justice.

Article 5 (Constitutive people, minorities)

(3) The Land shall respect the interests of foreign minorities whose members are legally resident in the Free State.

- Article 7 (The right to a decent existence as a goal of state policy)
(1) The Land shall recognise the right of every person to a decent existence, in particular to work, to suitable living accommodation, to a reasonable living, to social security and to education as a goal of state policy.
- Article 8 (Promotion of equality between women and men)
The promotion of the legal and actual equality of women and men shall be a duty of the Land.
- Article 9 (Protection of children and young people)
(1) The Land shall recognise the right of every child to healthy psychological, mental and physical development.
(2) Young people must be particularly protected from moral, mental and physical dangers.
- Article 14 (Human dignity)
(1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.
(2) The inviolability of human dignity shall be the source of all basic rights.
- Article 15 (General freedom of action)
Everyone shall have the right to the free development of his personality insofar as he does not violate the rights of others or offend against the constitutional order or the moral code.
- Article 16 (Right to life and physical integrity, liberty of the individual, prohibition of torture)
(1) Everyone shall have the right to life and physical integrity. The liberty of the individual shall be inviolable. These rights may only be encroached upon pursuant to a law.
(2) No person may be subjected to cruel, inhumane or humiliating treatment or punishment or, without his voluntary and express consent, to scientific or other experiments.
- Article 18 (Principle of equality)
(1) All persons shall be equal before the law.
(2) Women and men shall have equal rights.
(3) No person shall be favoured or disfavoured because of sex, parentage, race, language, homeland and origin, faith, or religious or political opinions.
- Article 19 (Freedom of faith, conscience or philosophical creed)
(1) Freedom of faith and conscience, and freedom to profess a religious or philosophical creed, shall be inviolable.
(2) The undisturbed practice of religion shall be guaranteed.

- Article 20 (Freedom of opinion and of the press and broadcasting)
(1) Every person shall have the right freely to express and disseminate his opinions in speech, writing and pictures, and to inform himself without hindrance from generally accessible sources.
Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship.
(3) These rights shall find their limits in the provisions of general laws, in provisions for the protection of young persons, and in the right to personal honour.
- Article 21 (Freedom of arts and sciences)
Arts and sciences, research and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.
- Article 22 (Protection of marriage and the family)
(1) Marriage and the family shall enjoy the special protection of the Land.
- Article 23 (Freedom of assembly)
(1) Everyone shall have the right to assemble peaceably and unarmed without prior notification or permission.
(2) With regard to open-air meetings this right may be restricted by or pursuant to a law.
- Article 27 (Privacy of correspondence, posts and telecommunications)
(1) Privacy of correspondence, posts and telecommunications shall be inviolable.
(2) This right may only be restricted pursuant to a law.
- Article 28 (Free choice of occupation)
(1) Everyone shall have the right freely to choose their trade, occupation or profession and their place of work insofar as this does not contradict Federal law.
(2) Child labour shall be absolutely prohibited.
- Article 30 (Inviolability of the home)
(1) The home is inviolable.
(2) Searches may be authorised only by a judge or, when time is of the essence, by other authorities designated by the laws, and may be carried out only in the manner therein prescribed.
- Article 31 (Property and the right of inheritance)
(1) Property and the right of inheritance shall be guaranteed. Their content and limits shall be defined by the laws.
(2) Property entails obligations. Its use shall also serve the public good; in particular it should safeguard natural resources.

Article 33 (Right to data protection)

Every person has the right to decide for himself as regards the collection, use and transfer of his personal data. Such data may not be collected, stored, used or transferred without the voluntary and express consent of the person concerned. This right may only be encroached upon by or pursuant to a law.

Article 35 (Right of petition)

Every person shall have the right individually or jointly with others to address written requests or complaints to the competent authorities and to the parliament. The right exists to a response, giving reasons, within a reasonable period of time.

Article 38 (Guarantee of recourse to the law)

Should any person's rights be violated by public authority, he may have recourse to the courts.

Bemerkung zum Sprachgebrauch:

Soweit die männliche Form gebraucht wird,
werden Männer und Frauen in gleicher Weise angesprochen.

Herausgeber:

Der Sächsische Ausländerbeauftragte
Bernhard-von-Lindenu-Platz 1
01067 Dresden

Grafik: Alexander Atanassow, Dresden

Foto: Steffen Giersch, Dresden

2. Auflage: 5.000

Druck: SDV Direct World GmbH

V.i.S.d.P. Markus Guffler

Stand: November 2015

Folgen Sie uns auf Twitter – @geertmackenroth



Der Sächsische Ausländerbeauftragte
Bernhard-von-Lindenau-Platz 1
01067 Dresden

Tel. 0351 4935171 · Fax 0351 4935474

saechsab@slt.sachsen.de

Fundamental principles of our society

Excerpts from the Basic Law for the Federal Republic of Germany
and the Constitution of the Free State of Saxony

Les fondements de notre vivre ensemble

Extraits de la Loi fondamentale pour la République fédérale d'Allemagne
et de la Constitution de l'État libre de Saxe

Основы нашего совместного проживания

Выдержки из Основного закона Федеративной Республики Германия
и Конституции Свободного государства Саксония

قواعد ومبادئ حياتنا المشتركة

نصوص من دستور جمهورية ألمانيا الاتحادية ومن دستور ولاية ساكسونيا الحرة

اساسات همزیستی ما

گزیده ای از قانون اساسی جمهوری فدرالی آلمان و قانون اساسی ایالت ساکسن

www.offenes-sachsen.de