How to acquire Italian citizenship by ancestry

Italians don’t do anything on a small scale: they gesticulate, eat, and generally live life large. They also, over the years, have emigrated in large numbers: some 27 million Argentines, 18 million Brazilians, 17 million Americans, 1.5 million Canadians and 800,000 Australians currently claim Italian descent.

Some good news for those millions who trace their roads back to Rome: Italy is one of the countries that grants citizenship based on *jus sanguinis*, or blood right, so if family genealogy is well documented, it is often possible for 2nd or even 3rd generations to claim Italian citizenship.
Why Italy?

It's true that Italy has not reached its potential in a few thousand years, give or take the Renaissance. Years ago, I remember reading something in *The Economist* that I'll paraphrase: Italy boasts grand natural resources, great food, staggering beauty and rich culture and history. But it had had, at the time the piece was written, some 50 governments since WW2.

The line I remember most clearly was that—if Italy could get its political and economic act together, it could have, on the world stage... “the weight and voice of a Pavarotti.”

Clearly, today, it does not. It's undergoing severe economic woes at the moment, with youth unemployment at an all-time high (30-year-olds still living with mamma) and a state system that, after years of promises, cannot support its older people.

My Italian uncle, for example, never knows if he'll receive his naval pension. And two weeks before another uncle died of a long-term illness, he was told he could not see a doctor or receive pain meds because “the hospital would remain closed during August.”

The situation is grim.

You certainly would not want to open a business in Italy today, nor move a significant portion of your money.

The Heritage Foundation ranks Italy as the dismal 86th freest economy in the world, behind Switzerland (4th), Chile (7th), Ireland (9th), the UK (14th), Qatar (30th), Colombia (34th), Spain (49th), Rwanda (65th), Saudi Arabia (77th), Swaziland (82nd) and the Kyrgyz Republic (85th)... it barely squeaks by in the “Moderately Free” category. (North Korea, ranked last at 178, is “Repressed.”)

But as a place for non-resident citizenship, it makes a lot of sense.
Remember, it’s always a sharp idea to have a second passport. Having a second passport means more options, and more options means more freedom.

With a second passport, you’ll always have a place to go if you need to get out of dodge. You won’t be shut out of the international banking system. Your travel options will open up immensely. You’ll have a backup should you decide to renounce your primary citizenship.

And all of this can come with almost zero downside risk.

In Italy, for example, non-resident citizens (i.e. you have Italian citizenship but do not live in the country) in most cases have no tax reporting requirements, and zero taxes due. Nor is there compulsory military service; they got rid of that years ago.

Plus, Italian citizenship opens up practically the entire European continent as a potential place to live, work, and do business. This is a significant benefit, even if you never actually use it. It’s just nice to have the option.

It’s also nice for your children to have the option. And your children’s children. As the plate tectonics of the world economies shift, parts of Europe might offer your progeny more opportunities than will their current residence, so this is a real generational gift.

**Who is eligible?**

**Jus sanguinis**, or bloodlines, refers to citizenship being determined by ancestry. **Jus solis**, which we’ve discussed in previous papers, refers to citizenship being conferred based on where you were born.

The United States, for example, bestows citizenship based on both **jus sanguinis** – the fact that your parents are US citizens– and/or **jus solis** – the fact that you were born on US soil.

As for Italy, if you are a citizen of another country but have an Italian ancestor somewhere in the recesses, you might be eligible to acquire citizenship via **jus sanguinis**, thanks to Article 1 of Law n.91, passed in 1992, which confirms the idea of blood continuity.

And once you have claimed your citizenship, your spouse (depending on how long you’ve been married) and minor and/or future children also usually can become Italian.
How far back can that ancestry stretch? Pretty far, according to our stellar legal contact on the ground in Florence—seasoned immigration attorney. He has successfully helped clients gain citizenship based on Italian ancestry claims... even from a whopping four generations ago.

**What the law says (vs. what can actually be accomplished)**

According to Italian law, automatic citizenship is conferred based on the following:

1) If you have an Italian parent – if it’s your mother, you must have been born after 1/1/1948 (more on this below);
2) If you are born in Italy to stateless or unknown parents;
3) If you are legally claimed as the child of an Italian,*
4) If you are adopted by an Italian citizen.**

*If you are no longer a minor when claimed, you are obliged to become a citizen within one year of being legally recognized as the child of an Italian.

**If you are no longer a minor but were adopted by an Italian as one, you can become a naturalized citizen after five years of legal residence in Italy.

In all of these situations, you must never have renounced your Italian citizenship.

So, that’s the letter of the law. A few words about the spirit of the law regarding the so-called 1948 rule: before 1/1/1948, Italian law only allowed men to transfer Italian citizenship to their children, so the maternal line did not hold up in court. That meant that if you were born 31 December 1947 to an Italian mother and Swiss father, you were not Italian; if the reverse was true, you were.

The Italian Supreme Court finally recognized the inherent sexism in this ruling and rejected it... and it’s through this decision that has been able to fight for his clients in court.

However, the “rule of 1948” is still the basis for how most consulates, filled with people who don’t keep up with the law, interpret the rules. Consulate bureaucrats generally will toss out your application if your *jus sanguinis* stems from a maternal line that started before 1948.

**The application process**

First, the traditional process: most people approach the matter of citizenship from their home countries, which means you have to go through your local consulate. But you can’t just walk in and start applying for citizenship. Not these days. In many cases you must first apply for an appointment.

It will take some time to procure one. When a relative of mine requested an appointment at the Italian Consulate in Miami, he received, 6 months later, the response that his appointment would take place an additional 14 months later.
Of course, that’s better than what prospective Italians in Brazil face: in Sao Paolo, the consulate recently was dealing with more than 500,000 Italian citizenship applications. (As we always say at Sovereign Man, the sooner you get in on citizenship and residency processes, the better.)

The good news is that while you twiddle your thumbs for a few years, you’ll have plenty of time to assemble, apostille (authenticate) and have certified translations made of the required documents, especially if you’re going back a number of generations to claim jus sanguinis.

The bad news is that you’ll be doing all this culling, researching and assembling yourself, which is painful and annoying and likely transcontinental, and that, come time for your heralded appointment, you might miss something or turn in a document that was stamped or translated incorrectly – Do not pass Go. Do not collect $200. Come back in another 14 months.

The other bit of bad news is that the information you get will vary wildly depending on whom you speak to. Let us remember: these are not lawyers. These are not experts. These are bureaucrats whose job it is to sit behind a plastic window and find reasons to say no. Visit five different consulates and you’ll get five different answers to the same question.

If you do make it through the maze, it can take another 12-18 months more for citizenship to be approved and conferred, and a passport to be issued.

*It’s important to note that these timelines vary from consulate to consulate. Some will be much faster. Some will be much slower.

**The Fast-Track process**

For those of you who value your time like I do, I’m going to propose something that you may consider radical: move to Italy. At least on paper.

Believe it or not, if you have the means, this is a surprisingly efficient and effective choice if you are indeed eligible for citizenship. (Confirm that, of course, before packing up and going.)

This is a shortcut which exploits a tidy truth: if you’re not already an EU national and you enter Italy as a tourist, and, if are eligible for Italian citizenship, you can obtain legal Italian residency in as little as one month.

This process (which firm can take you through) entails making a residency application at the local comune (co-MOO-nay), or Town Hall, where firm’s team will demonstrate your claim to Italian citizenship.

Residency is generally approved within about 3-5 weeks, at which point you can apply for Italian citizenship right back at that same local comune.

Now that you’re a resident, you don’t have to go to the consulate in your home country and compete with hundreds of thousands of people for an appointment anymore. It doesn’t take 12, 18, 24 months to get everything in order and approved.

Now it is the local authority that has jurisdiction over your case. So the entire citizenship process typically shrinks down to about **five to seven months**.

Here’s the best part – you don’t have to stay in Italy for that time. Although, let’s be honest, it’s not exactly the worst
place on the planet to be marooned.

Once your citizenship is approved, you can then cancel your residency status, which is important because as a non-resident Italian, you typically have no tax obligations—nothing to file and no taxes due if you’re living elsewhere.

Mattis Quisque’s firm is experienced in navigating this process for its clients and will assist you in person. They can even help you secure a residence while you’re on the fast track. If you have the flexibility to move to Italy for a short period of time, this is a very fast, effective option… one of those things you’re not going to hear about anywhere else.

**Doing some legwork**

There’s no blanket guarantee that you’ll be able to procure Italian citizenship if your most recent Italian ancestry stretches back 100 years, but if you can prove that when your ancestor was born, his or her parents were Italian citizens, you have a good shot.

Again, we’re flouting the 1948 rule on constitutional grounds; this is another reason to apply in Italy through a lawyer like Mattis Quisque, as you can appeal to the courts for citizenship as opposed to a bored bureaucrat in Chicago.

Sometimes people are unable to prove that their ancestor’s parents were bona fide citizens at the time of the ancestor’s birth, but they have some kind of documentation showing Italian ancestry. In this case, you can acquire residency fairly easily and spend three years in Italy as an official resident. (Again, you don’t need to be on the ground the entire time.)

If you have Italian ancestors, you can generally qualify for citizenship following those three years of legal residency.

As for the chain of ancestry that you must document, whatever track you take, you generally need originals and certified, translated and apostilled versions of:

1) Your birth certificate;
2) Your parent’s birth certificate(s) and, if applicable, death certificates;
3) Your parent’s marriage license, which may need to be apostilled;
4) If your (great or great-great) (grand)parent(s) naturalized to another citizenry, you’ll need his or her original naturalization certificate(s), plus everyone in the chain’s birth certificates, divorce decrees, marriage licenses, and death
certificates.

Samantha’s firm can help you procure all of these documents. If you’re looking for a long-lost ancestor on your mother’s side whom you think was named Norma or Minerva Scicolone or Scicoloni and was born in 1902 somewhere near Naples, they can use that as the jumping off point. But you’ll need to provide them something… a name, a birth year (range), a general location or village.

Another genealogist that came highly recommended from an SMC member is ( ), who lives in Naples and is a professional genealogist.

As for determining eligibility, analyze whether any of the following apply to you if your parents themselves were not Italian citizens at your birth:

**Your Paternal Grandfather was an Italian Citizen**
Your paternal grandfather was an Italian citizen at the time of your father’s birth. Neither you nor your father ever renounced the right to Italian citizenship.

**Your Paternal Grandmother was an Italian Citizen**
The consulates will tell you that your father would have to have been born after January 1st, 1948. But the Italian courts will likely tell you that he would have been Italian no matter the birth year, as long as your paternal grandmother was an Italian citizen at the time of your father’s birth. Neither you nor your father ever renounced the right to Italian citizenship.

**Your Maternal Grandfather was an Italian Citizen**
Your maternal grandfather was an Italian citizen at the time of her birth. Neither you nor your mother ever renounced the right to Italian citizenship.

**Your Maternal Grandmother was an Italian Citizen**
Your mother was born outside of Italy, and your maternal grandmother was an Italian citizen at the time of your
mother’s birth. Neither of you ever renounced the right to Italian citizenship.

**Your Paternal or Maternal Great-Grandfather was an Italian Citizen***
Your paternal or maternal great-grandfather was born in Italy and was an Italian citizen at the time of your paternal or maternal grandfather’s birth. Neither your great-grandfather, your grandfather, your father, your mother, nor you ever renounced Italian citizenship.

*If your primary ancestor died before 1861, citizenship might be difficult to claim, as Italy did not become a united state until that year. It’s usually worth consulting an attorney, however, in case there are exceptions.

**Money**

I promised to touch on taxes and will do so here with the caveat that this is not tax advice. (Sovereign Man and/or firm can put you in touch with Italian financial advisors if you have specific questions.)

The first general rule is, again, if you’re a non-resident citizen of Italy, there’s nothing owed, nothing to file.

If you opt for the Fast Track program and move to Italy briefly, you’ll want to be careful to not earn too much money during those few months while you are an Italian resident. Because in this case, you will have to pay into the system.

Again, this is something that can be managed properly to minimize impact, but it would be critical to bring in a specific Italian tax advisor for this.

Naturally, if you’re going through your home country’s consulate and do not change your residency, you will not be subject to Italian tax.

As for government fees related to the citizenship process, it used to be free to apply. But just recently, the government of Italy imposed a 300 euro fee. (They’ll make a lot of money off Brazil.)

It goes to show, again, that it’s always important to get in the game sooner rather than later, before they close the gates or make them more expensive to access

**Conclusion**

If you qualify for Italian citizenship, I think it’s a no-brainer move to apply. If you think you might qualify, I think it’s a no-brainer move to find out more.

If you’re in a rush, consider the Fast Track process if you have the means. If not, let it work through the consulate system. You can still have an attorney like take you through the process and supervise it all for you.

The main thing to bear in mind is that this is essentially a one-time cost of time and money. But once the investment is made, every subsequent generation of your family will be able to benefit from this.

As I wrote last week, there are few investments in this world you can make with that sort of return.

I definitely recommend getting on this now before the lines become more crowded, the fees more expensive and the roads to Rome harder to access. No matter what happens with your home country, the long-term amortization of such an investment is miniscule compared to what it might bring you and your family.
Speaking of citizenship, you may have heard about...

There's something to be said for working with the lowest cost people out there. As the saying goes, you get what you pay for.

Recently, one ultra-low cost residency specialist in Paraguay was taken into custody by the local authorities after it was discovered that she had been manufacturing fraudulent visas.

Needless to say, there is unfortunately no shortage of websites out there claiming to have 'expert information' about international diversification. But in reality they're nothing more than unqualified snake oil salesmen trying to make a fast buck.

These sites were all singing her praises... and having their pockets lined to boot. That's because she paid a substantial commission to anyone who would promote her services.

As this story recently broke, I thought it was appropriate to highlight once again how we do business at Sovereign Man (obviously we never promoted this person ever because she never made it past our due diligence process...)

1) Everything we do is completely aligned with the interests of our members—You. You pay us, and we work hard to earn that money. We strive to ensure that both of us benefit from this arrangement.

2) We do not accept commissions, fees, or kickbacks from third party providers. Period.

3) We do not rent out the customer list, sell leads, send out advertisements, or anything of the sort. Though such tactics are the norm in the 'newsletter' business, I don't engage in them. I am, in fact, reviled by many in this industry because I refuse to play in that sandbox.

4) More importantly, we don't just willy nilly recommend people. Our contacts come from hard research, time, experience, and a strict vetting process. As I'm fond of saying, there is no substitute for putting boots on the ground. When we strive to deliver the utmost quality, that includes the honesty and quality of our professional contacts.

5) This is a professional service. As such, you're always going to hear the right way to do things. No hidden secrets or cloak and dagger stuff. This isn't the publication where we're going to tell you to not file your tax disclosures.

6) Integrity means everything to me. And while we strive for perfection, we're not going to get it right 100% of the time. When we don't, you'll hear about it from me first.

When we look around and see people and organizations in the same industry selling fake Bulgarian passports, promoting 'economic citizenship programs' that don't exist, hawking poor quality land, and raking in big commissions from dubious visa forgers, we want to distance ourselves as much as possible.

The best way to do that is to stay true to ourselves and to do what we do like no one else out there—deliver our members and customers actionable, high quality information and solutions based on honest, boots on the ground intelligence and data-driven analysis.