

SPORT AND WELLBEING: NEW RIGHTS, INEQUALITIES AND PERSPECTIVES

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Abstract. The inclusion of sport among the principles enshrined in the Italian Constitution has represented a significant recognition by the State of the value of physical activity for the development of the individual and society as a whole. However, sport, as a domain of "concurrent legislation" between the State and the Regions, constitutes a subject divided between two legislative bodies: the first (the State), responsible for defining the fundamental principles, and the second (the Regions), tasked with its primary regulation in accordance with the national principles. This work aims to investigate whether and how legislative intervention has impacted the development and dissemination of sports practice across the entire population, with particular attention to the persistent inequalities still present.

1. Introduction – Sports in Italian Legislation

In 2001, for the first time, sports became one of the areas explicitly included within the Italian Constitution, but only with regard to the inclusion of the "sports system" among the subjects of concurrent legislation between the State and the Regions (Article 117 of the Italian Constitution). Consequently, sports became one of the subjects entrusted to the regulation of two legislative bodies: one (the State) responsible for defining the fundamental principles of sports; the other (the Regions) responsible for the primary regulation of sporting practice, in accordance with the general principles established by national laws. Regarding the connection between physical activity and personal development, no particular attention was given in 2001, although this aspect had already been highlighted at the European level within the Amsterdam Treaty of 1997 (Declaration No. 29 attached to the Treaty), which emphasized the social importance of sport. Later, in 2007, with amendments to the Treaty on the Functioning of the European Union, it was explicitly stated that the Union contributes to promoting the European dimension of sport, taking into account its specific features, its volunteer-based structures, and its social and educational functions.

In Italy, however, these values received recognition only later, as the dimension of sport began to emerge within the national education system. In 2009, guidelines were issued for motor education activities in secondary schools, highlighting how

sport in the educational context helps increase civic awareness among youth, improve social cohesion, integration, and socialization. In 2015, with the “Reform of the National Education and Training System and Delegation for the Reorganization of Existing Legislative Provisions” (Law No. 107/2015), the “strengthening of motor disciplines” was identified as a key educational goal. The same year, Decree-Law No. 185/2015 recognized the need to develop sports facilities in urban outskirts as a priority tool to address economic and social imbalances and enhance urban safety, establishing the “Sport and Peripheries Fund”.

Subsequently, the 2018 Budget Law (Law No. 205/2017) established the “Single Fund to Support the Enhancement of Italian Sports Movement,” recognizing sports practice as an “inescapable form of personal development for minors,” and supporting the initiation of disabled individuals into sports activities through the use of assistive devices. The 2019 Budget Law (Law No. 145/2018) introduced the “Sport Bonus” measure, allowing taxpayers to benefit from a 65% tax credit on voluntary donations aimed at maintaining and restoring public sports facilities and building new public sports structures. This measure was extended throughout 2020 with the enactment of the 2020 Budget Law. In 2021, pending a comprehensive reform of the school system, the 2022 Budget Law introduced physical education as a subject in primary schools starting from the 2022/2023 school year, explicitly recognizing the role of sports “as an expression of a personal right and a tool for cognitive learning,” and requiring qualified teachers and registration in the related “Physical and Sports Sciences in Primary School” teaching category for fourth and fifth grades. Additionally, the 2022 Budget Law acknowledged a tax credit for documented expenses related to “adapted physical activity,” allowing individuals with chronic illnesses or physical disabilities requiring specialized assistance to recover part of their expenditure

We arrive at the year 2023 with the recognition of sport among the rights acknowledged in the Italian Constitution: “The Republic recognizes the educational, social, and well-being-promoting value of sporting activity in all its forms” (Article 33, paragraph 7, Constitution). Firstly, the educational value emerges, linked to the development and formation of the individual. This is complemented by the social value: indeed, sport often serves as a factor of social cohesion and an instrument of inclusion for individuals or groups facing various forms of disadvantage or marginalization, such as those related to socio-economic, ethnic-cultural, or physical-cognitive conditions. Finally, sport has an undeniable correlation with health, especially when understood in its modern conception as the comprehensive psycho-physical well-being of the person, rather than merely the absence of disease. The phrase recognizing the value of sporting activity “in all its forms” appears to be aimed at explicitly encompassing sport in its broadest sense.

From the analysis of the legislative provisions outlined above, it clearly emerges that, more recently, the socio-educational value of sport has been recognized among the constitutional principles. However, it is also evident that, for many years, the regulation of the subject of "Sport" has been governed through specific regulations and interventions aimed at supporting citizens' motor activity, particularly among the youth. In addition to the aforementioned legislative measures enacted by the State, regional laws have also been adopted to regulate various aspects of sport and physical activity, as well as their dissemination within the relevant territories. Therefore, to understand the role attributed to sport within Italy, it is essential to first consider the regional legislation.

The purpose of this work is therefore to highlight how physical activity has been interpreted by regional institutions; to examine the potential role that regional legislation may have played in the dissemination of sports practice; and to assess the impact of local institutional interventions in promoting the recognition of physical activity and sports as a means of individual and territorial development.

In the following paragraphs, we will describe the main aspects of regional legislation concerning sports and will emphasize, through an analysis of official statistical data on sports and physical activity, how, despite significant institutional recognition of the "right to sport" for all citizens, substantial differences and inequalities persist in the sports participation of the Italian population. This is a complex phenomenon involving gender, economic, social, and geographical factors..

2. Analysis of regional legislation on sports

For the analysis of regional legislation on sports, an initial in-depth study was conducted on the genesis and evolution of regional legislation in Italy regarding sports; a second in-depth study focused on the contents of the current regional laws issued by the 19 Italian Regions and the two Autonomous Provinces (Trento and Bolzano)¹. Two important aspects have emerged: a) all Regions have issued specific measures regarding sports since the 1990s (approximately), although the first laws

¹ For the analysis of regional legislation and specific content, the laws issued by each region regarding sports were examined. In particular, the current legal texts (and the subsequent amendments and integrations over time) were reviewed: Abruzzo –LR n. 2/2018 s.m.i., LR n. 20/2020; Basilicata – LR n. 26/2004 s.m.i.; P.A. Bolzano – LP n. 19/1990 s.m.i.; Calabria – LR n. 28/2010 s.m.i.; Campania – LR n. 18/2013 s.m.i.; Emilia Romagna – LR n. 8/2017, LR n. 2/2024; Friuli Venezia Giulia – LR n. 8/2003 s.m.i.; Lazio – LR n. 15/2002 s.m.i.; Liguria – LR n. 40/2009; Lombardia – LR n. 26/2024 s.m.i.; Marche – LR n. 5/2012 s.m.i.; Molise – LR n. 23/2016 s.m.i.; Piemonte – LR n. 23/2020 s.m.i.; Puglia – LR n. 33/2006 s.m.i., LR n. 14/2017; Sardegna – LR n. 17/1999 s.m.i.; Sicilia – LR n. 29/2014 s.m.i.; Toscana – LR n. 21/2015 s.m.i.; P.A. Trento – LP n. 4/2016 s.m.i.; Umbria – LR n. 19/2009 s.m.i.; Valle d'Aosta – LR n. 3/2004 s.m.i.; Veneto – LR n. 8/2015 s.m.i.

enacted between the late 1980s and the 1990s concern sports facilities and the organization of sporting events; b) in all currently valid regional laws, a clear orientation emerges regarding the social and educational value of physical activity and sports practice, as elements of personal and community growth and development, social inclusion, and reduction of inequalities.

The in-depth analysis of regional legislation regarding sports reveals a fairly homogeneous framework concerning the presence of a territorial discipline, as well as widespread recognition of the central role of physical activity in the social and cultural development of individual territories, albeit with different approaches among the Regions. Some regions (such as Emilia-Romagna, Marche, Basilicata, Liguria, Toscana, Puglia, Autonomous Province of Trento, Umbria, Sardegna, Valle d'Aosta) explicitly acknowledge the social value of sport and/or "Sport of citizenship," often identifying vulnerable groups of citizens to whom special attention should be given (people with disabilities, the elderly, at-risk youth). Legislation in Lazio, Piemonte, and Campania also explicitly recognizes sport as a tool to reduce inequalities and promote social inclusion, directly mentioning disadvantaged subjects, people with disabilities, social/economic hardship, and equal opportunities. Emilia-Romagna appears to have the most detailed and integrated focus on reducing dropout (with a specific law addressing these aspects) and promoting social and economic inclusion through sport. Marche, Liguria, and Toscana emphasize accessibility and usability of facilities for all. Molise and Abruzzo show less emphasis on these specific aspects related to inclusion and inequality reduction. Almost all the examined regions foresee the training of operators and some form of monitoring or data collection. Direct economic support for individual participation, beyond specific cases (such as medical visits or municipal sports vouchers), is not widely evident, as it is typically deferred to sector-specific economic and financial measures. The Autonomous Province of Bolzano and Sicilia seem to focus more on the general promotion of sport, support for facilities and organizations, and, in the case of Sicilia, on the regulation of activities and personnel, with few or no explicit provisions specifically aimed at reducing inequalities or ensuring universal access for disadvantaged groups. In order to summarize the results of the analysis on regional legislation on Sport, some key elements directly connected to the socio-educational value of Sport present in most of the legislative texts under examination have been identified and standardized. Below is a diagram highlighting the areas of discipline uniformly present in regional laws, which highlight the recognition attributed by local institutions to sports-motor practice as a new form of citizenship right.

Table 1 - Areas uniformly regulated in regional sports laws.

Common Elements in Regional Laws	Description
<i>Recognition of the socio-educational-health function of Sport</i>	The law explicitly recognizes sport/physical activity as a tool for social inclusion, reduction of inequalities and promotes access for all
<i>Specific target groups of interventions - policies</i>	The law identifies recipients of specific interventions, vulnerable groups or groups at risk of exclusion
<i>Accessibility and Usability of Facilities</i>	The law promotes measures to guarantee access, availability and usability of sports facilities and spaces for all citizens
<i>Financial Support for Participation</i>	The law provides for forms of financial support for individuals or associations, in order to facilitate participation
<i>Promotion in the Educational/School Sector</i>	The law actively promotes sports and physical activity in schools or in collaboration with educational institutions
<i>Training of Operators</i>	The law promotes initiatives for the training and qualification of sports operators
<i>Monitoring and Research</i>	The law provides for the establishment of bodies to monitor the sporting phenomenon (observers, data)
<i>Integration with Other Policies</i>	The law promotes connections and synergies between sports and social policies, health, education, work

Sport, therefore, from what emerges from the analysis of regional legislation, represents in a priority way an activity supported and guaranteed by the institutions for the well-being of people, economic development, social cohesion and the growth of a more integrated society. In light of this sensitivity of the regional bodies towards a vision of sport as a driver of individual and territorial growth, the data of the official statistics on the participation of the population in sporting and physical activities were observed, to understand whether the recognition that the institutions attribute to sport corresponds to a real diffusion of these activities throughout the population.

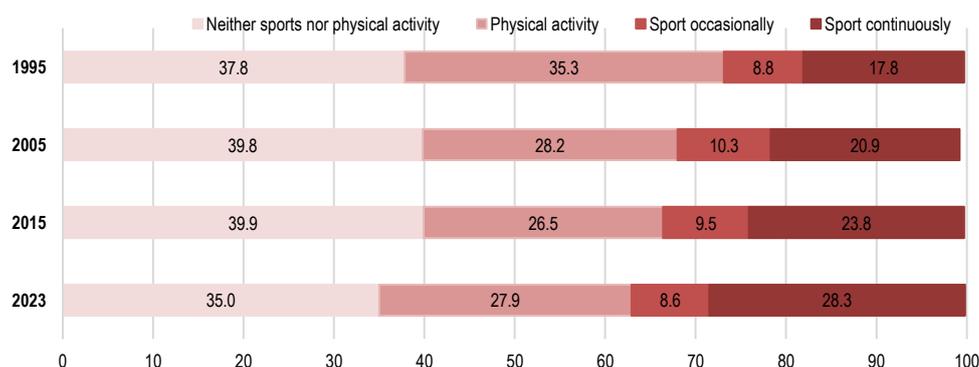
3. Trends in Sport Participation in Italy: a statistical overview

Physical-sport practice represents a fundamental factor in promoting the health and well-being of the population; therefore, the accurate and systematic monitoring of statistical data related to this practice plays a crucial role in deepening the understanding of participation dynamics and supporting the implementation of effective sport policies. In 2023, 36.9% of the population aged 3 and over engaged in sports activities, with 28.3% participating regularly and 8.6% occasionally.

Additionally, 27.9% undertook at least some form of physical activity (including movements and exercises not strictly classified as sports). From 1995 to 2023, there has been a positive trend in sports participation, particularly in regular activity, which increased from 17.8% to 28.3%. This growth persisted steadily throughout the pandemic, despite restrictions on both indoor and outdoor sports (Figure 1).

Concurrently, the proportion of individuals who neither practice sports nor engage in physical activity declined from 37.8% in 1995 to 35% in 2023. This suggests a gradual improvement in physical engagement across the population, with positive implications for public health, given the crucial role of physical activity in preventing chronic diseases and enhancing overall wellbeing.

Figure 1 – People aged 3 and over who, during their leisure time, either practise sports continuously or occasionally, engage in some physical activity, or do neither. Years: 1995*, 2005, 2015, and 2023. Percentage values.



Source Istat, *Aspects of daily life Survey* *The 1995 data refers to the survey "Leisure Time and Culture".

Sport participation is more common among young people, especially those aged 6 to 14, where nearly 7 out of 10 engage in regular sporting activities. However, from the age of 15, there is a noticeable decline in sports participation, which is particularly pronounced among girls. This downward trend becomes even more marked after the age of 25, partly due to increased work and family commitments limiting available time for sports.

Sedentary behaviour tends to increase with age. Approximately 2 out of 10 adolescents and young adults up to 24 years old (people aged from 15 to 24 years) lead predominantly sedentary lifestyles, while this figure rises significantly among the elderly (people aged 65 and over), affecting nearly 7 out of 10 individuals aged 75 and over². This highlights the need for targeted interventions to promote

² https://esploradati.istat.it/databrowser/#/en/dw/categories/IT1,Z0850DAI,1.0/SPORT_FRIENDS

continuous engagement in sport and physical activity throughout life, in order to counteract the negative effects of sedentariness and support a healthy, active lifestyle³.

Over time, from 1995 to 2023, the gender gap in sports participation has gradually narrowed, decreasing from 17 to 11.1 percentage points (Figure 2). This reduction is especially evident among young people, indicating a closing gap in sports participation levels between males and females in these age groups⁴.

Figure 2 – Percentage values. People aged 3 and over who, during their leisure time, practise sports (continuously or occasionally) by gender. Years 1995, 2005, 2015, 2023. Percentage values.



Source Istat, Aspects of daily life Survey.

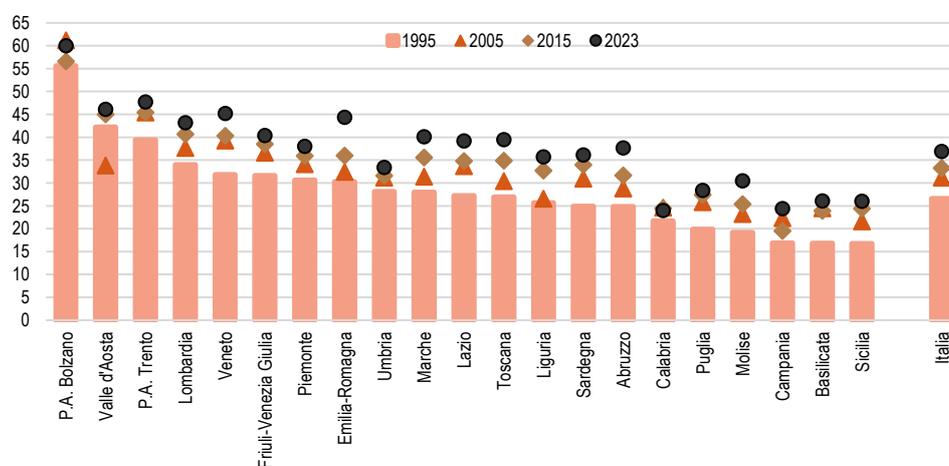
However, gender differences remain significant in certain age groups, still exceeding 10 percentage points. It is important to note that among children aged 3 to 5 years, no substantial gender differences in sports participation are observed, suggesting near parity in early childhood. With increasing age, gender disparities tend to widen, highlighting the need for targeted measures to promote greater inclusion and female participation in sport, especially in age groups where the gap is most pronounced. From 1995 to 2023, sports participation increased across all Italian regions (Figure 3), although significant territorial disparities persist, particularly the longstanding North-South divide. In Northern Italy, approximately 43% of the population engage in sports, compared to 39% in the Centre and around

³ Istat (2024), Fumo, alcol, eccesso di peso e sedentarietà – Anno 2023 . Statistica report 17 dicembre 2024.

⁴ https://esploradati.istat.it/databrowser/#/en/dw/categories/IT1,Z0850DAI,1.0/SPORT_FRIENDS

27.5% in the South and Islands. This divide is accompanied by higher levels of sedentary behaviour in southern regions, where nearly 49% of the population lead sedentary lifestyles. Some southern regions, such as Basilicata (54.2%), Campania (53.1%) and Sicily (52.7%), report particularly high rates of sedentariness⁵⁶.

Figure 3 – Percentage values. People aged 3 and over who, during their leisure time, practise sports (continuously or occasionally) by regions. Years 1995, 2005, 2015, 2023. Percentage values.



Source Istat, Aspects of daily life Survey.

The persistent disadvantage of Southern Italy is often attributed to a lack of adequate and easily accessible sports facilities. Supporting this, in 2024 approximately 40% of residents in southern regions consider the available sports infrastructure unsatisfactory—a proportion roughly halved in northern regions⁷. These data highlight the need for targeted interventions to improve the availability and quality of sports facilities in the South, aiming to reduce regional inequalities in sports participation and promote a more active lifestyle nationwide.

Moreover, in 2023, sport participation was highest in central municipalities of metropolitan areas (41.8%) and in nearby zones (35.6%), while smaller municipalities with up to 2,000 inhabitants showed lower levels (28.9%). Between 1995 and 2023, participation increased significantly in large municipalities (+18.7 percentage points), whereas the growth in small municipalities was minimal (+1.5

⁵ Idem.

⁶ People aged 3 and over who do not engage in either sports or physical activity.

⁷ Istat (2025) La pratica sportiva in Italia. Statistica Today, 30 giugno 2025

points), highlighting ongoing territorial disparities. Only 15.3% of individuals with at most a lower secondary education engage in sports, compared to 53.8% of university graduates. Sociocultural differences in sports participation are evident across both genders and all age groups, emphasizing education level as a key differentiating factor. People with higher educational attainment tend to participate in sports more frequently, regardless of age, suggesting education plays a crucial role in encouraging active lifestyles. Although sports participation declines with age across the population, inequalities linked to education persist, underscoring the need for specific strategies to improve inclusion and access to sport among socioeconomically disadvantaged groups⁸. Confirming these observations, the European Health Survey⁹ highlights well-established socio-economic inequalities that strongly influence healthy lifestyles. In particular, economic resources play a decisive role in facilitating access to adequate and regular physical activity. In many European countries, including Italy, income disparities translate into significant differences in physical activity levels. These inequalities tend to increase with age and are particularly pronounced among women, illustrating how economic and gender factors interact in shaping opportunities to maintain an active and healthy lifestyle. Such findings reinforce the need for targeted policies that address economic barriers and promote social inclusion, aiming to reduce inequalities and ensure equitable access to physical activity across all population segments¹⁰.

4. Conclusions

This paper has highlighted the evolution of the institutional recognition of sport in Italy, culminating in the inclusion of the right to sport in the Constitution (Art. 33, paragraph 7). This milestone marks a fundamental step in the acknowledgment of sport not only as a means of physical well-being, but also as an educational, social, and inclusive tool. However, the analysis has shown that the formal recognition of the value of sport is not yet fully matched by an equitable and widespread participation in sports activities across the population.

From a legislative perspective, both national and regional laws have increasingly recognized the role of sport in individual development and territorial growth. Regional governments, in particular, have played a key role in promoting initiatives ranging from support for sports facilities to the inclusion of vulnerable groups, demonstrating a growing awareness of sport as a right of citizenship. Nonetheless,

⁸ https://esploradati.istat.it/databrowser/#/en/dw/categories/IT1,Z0850DAI,1.0/SPORT_FRIENDS

⁹ <https://www.istat.it/microdati/indagine-europea-sulla-salute-ehis-file-per-la-ricerca/>

¹⁰ Istat (2021) Prevenzione e fattori di rischio per la salute in Italia e in Europa. Statistica report 16 Dicembre 2021.

differences between regions—in terms of policy approaches and available resources—have contributed to maintaining significant territorial disparities, with the South of Italy remaining at a clear disadvantage.

Statistical data confirm the persistence of deep inequalities in access to and participation in sport. Factors such as gender, age, education level, economic status, and geographic location significantly influence the ability to engage in physical activity. Women, individuals with lower educational attainment, residents of southern and rural areas, and economically disadvantaged groups are less involved in sports practice, despite legislative efforts aimed at ensuring universal access.

This mismatch between principles and practice underscores the need for stronger public policies—not only through infrastructure investments, but also via targeted economic support, cultural promotion, and social inclusion strategies. Furthermore, improving policy monitoring, evaluation mechanisms, and the training of sports professionals is essential if sport is to become a structural tool for well-being and equity.

In conclusion, the constitutional recognition of the right to sport presents a valuable opportunity to build a more equitable, active, and cohesive society. For this potential to be fully realized, it is crucial that the right to sport is effectively guaranteed to all citizens, with particular attention to those currently excluded. Only then can sport truly fulfill its educational, social, and health-promoting functions.

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