



Germany: Amendments to the Constitution

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GERMANY

The Constitution of the Federal Republic of Germany was enacted on May 23, 1949.¹ Since then, it has been amended through at least 36 different amending laws. The latest amendments were made in the Unification Treaty of August 31, 1990.² On the basis of this treaty, the West German Constitution became applicable to all of Germany as of October 3, 1990.

As is provided in Article 79 of the Constitution, amendments to the Constitution require the affirmative vote of the two thirds of the members of both houses of the Federal legislature.

Although the Constitution can be very easily amended, there is a hard core of essential principles that may not be affected. These are the division of the Federation into *Länder* (states), the participation of the *Länder* in federal legislation, the catalog of human rights, the democratic principle, the rule of law, and the right of resistance.³

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¹ Grundgesetz für die Bundesrepublik Deutschland, May 23, 1949, *Bundesgesetzblatt* (BGB1., Official Law Gazette of the Federal Republic of Germany) p. 1. A translation of arts. 1-20 and 79, as contained in *Basic Law of the Federal Republic of Germany* (Bonn, 1977), is included as an *Appendix*.

² Einigungsvertrag, August 31, 1990, BGB1. II, p. 885.

³ GG, art. 79, para. 3 in conjunction with GG, arts. 1-20 (included in the *Appendix*).