

Legal drafting: precision and nuance

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The drafting of contracts, articles of association, wills, inheritance agreements, foundation deeds and regulations is one of the core professions of the financial centre. The quality of that drafting depends on mastery of the language in which it is carried out. Legal French, with its syntax, its connectives, its terminological precision and its tradition of clarity, offers practitioners a proven instrument.

This mastery is all the more valuable because many of the financial centre's clients are French-speaking. A contract drafted in French for a French, Belgian or African client will be read, understood and discussed in the client's own language, without the filter of a translation that may alter the meaning or create ambiguities. A will drafted in French by a Geneva notary for a French-speaking resident will be executed in the French-speaking countries where the heirs are located with a degree of certainty that the translation of an English document would not provide.

Bilingual or trilingual drafting, which is common in Geneva, calls for particular vigilance. Because a contract whose French and English versions diverge creates a potential dispute, the prevailing-language clause, which designates the authoritative version, must be drafted with care. Geneva practitioners, accustomed to working in several languages, have developed an expertise in multilingual drafting that monolingual financial centres do not possess.

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The language of drafting also has a reputational dimension. A poorly drafted document, in approximate French, discredits its author in the eyes of a clientele attentive to the quality of expression. The Geneva tradition of rigour, described in Part B in connection with Calvin's Academy, lives on in the demand for linguistic quality in the documents produced by the financial centre.

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