

Legal scholarship and the professional associations

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The vitality of a professional language is measured by what is written and discussed in that language. Swiss banking and financial law has a body of scholarship in French, produced by the universities of French-speaking Switzerland, by law firms and by practitioners, and published in legal journals, commentaries and collections of case law. It remains less abundant than the scholarship in German, an imbalance that becomes more pronounced in new fields, such as the regulation of crypto assets and digital assets or sustainable finance, where the first analyses often appear in German or in English.¹ The Geneva professional associations, in law, wealth management, compliance, taxation and commodity trading, organise conferences and training courses in French that sustain this scholarship and create a community of practice.

These publications and gatherings have a function that institutions sometimes underestimate: they fix terminology, disseminate good practice and train the next generation. A Geneva practitioner who publishes in French an analysis of the Financial Institutions Act or of the transparency of legal entities renders a service to the whole financial centre, and to colleagues across the French-speaking world who refer to it. Support for legal scholarship in French, by the universities, the umbrella organisations and the institutions, is one of the least costly and most durable measures for maintaining the linguistic asset.

1 Notes

1. Wikipédia (fr), article “Commentaire romand”: a series of commentaries on the principal federal statutes published by Helbing Lichtenhahn since the early 2000s, each volume running to some 2,000 pages, “the only one written in French” among the major Swiss commentaries; article “Commentaire bâlois”: the equivalent series from the same publisher, of comparable size, edited by professors and practitioners. ↩

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