

Swiss legal French: particular features

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The legal French of Switzerland has particular features that Geneva practitioners know and that their foreign counterparts must learn. Some concern terminology: Swiss law speaks of “*prévoyance professionnelle*” (occupational pension provision) where France speaks of supplementary retirement schemes, of “*raison sociale*” for a company’s name, of “*registre du commerce*” for what France calls the *registre du commerce et des sociétés*, and of “*ayant droit économique*” for the beneficial owner. Others concern the structure of institutions: federalism, direct democracy, the division of powers between the Confederation and the cantons, the role of the Federal Supreme Court.

These features reflect the coexistence of three languages in Swiss law and the influence of German-language scholarship. Swiss legal French has often translated concepts first formulated in German, which sometimes gives it a different cast from the legal French of France. Geneva practitioners, who read the texts in both languages, are attentive to these nuances and know how to explain to their French, Belgian or African clients the differences between the legal systems.

This knowledge is a skill specific to the financial centre. A Geneva lawyer is, by training and by practice, a comparatist between Swiss law, French law and the French-speaking legal systems, and often between civil law and the common law. Sought after by clients whose affairs extend across several legal systems, this skill forms part of the linguistic and legal infrastructure that this Part describes.

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