

From subject lands to national language, 1798–1999

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The legal status of Italian in Switzerland is younger than the Italian-speaking presence in the Confederation. For almost three centuries the Confederates governed the valleys and lake towns south of the Gotthard as subject territories, a period described in Chapter A.II. During those centuries the language of Confederate government remained German. Georges Lüdi writes in the *Dizionario storico della Svizzera* that the old Confederation remained exclusively German-speaking until 1798, although Italian and French were spoken in its subject lands and allied territories, and that officials in practice used the languages that coexisted on the ground. In the Italian bailiwicks the *landscriba*, the bailiff's clerk, sometimes acted as translator and interpreter between the bailiff sent from the north and the population.¹ Italian was the language of local statutes, notarial deeds, communal assemblies and courts of first instance. It was not a language of the Confederation itself.

1 The Helvetic Republic: Italian as an official language

The revolution of 1798 changed this in a single stroke. The Helvetic Republic, the unitary state that France imposed on Switzerland in the spring of 1798, recognized German, French and Italian as official languages. Andreas Fankhauser summarizes the position in the *Historisches Lexikon der Schweiz*: "Als Amtssprachen waren Deutsch, Französisch und Italienisch anerkannt", and the laws and decrees of the republic were published in official cantonal gazettes.² The two Italian-speaking cantons of the Helvetic Republic, Lugano and Bellinzona, whose short history Chapter C.I has described, therefore received the laws of the central state in their own language. Lüdi adds that the importance of France and of French reached its peak in the brief Helvetic period. The recognition of Italian was part of a wider programme of equality between citizens, and it shared the fate of that programme when the republic collapsed in 1802 and 1803.

The Helvetic experiment left a legal precedent that outlived the regime. For the first time the Swiss state had treated its Italian-speaking citizens as addressees of national law who were entitled to read that law in their language. The Act of Mediation of 19 February 1803, which created the Canton of Ticino, restored a loose confederation of sovereign cantons in which there was little federal law to publish. Between 1803 and 1848 the question of the language of federal law therefore lost much of its practical weight. The Diet, the assembly of cantonal envoys, was dominated by the German-speaking cantons, so that envoys from Ticino, Vaud or Geneva often had to follow its proceedings in a language that was not their own.³ Ticino itself conducted its government and its courts in Italian from 1803 onwards, which made the canton the first Italian-speaking member state of the Confederation with a complete public administration in Italian.

2 Notes

1. Georges Lüdi, "Plurilinguismo", in Dizionario storico della Svizzera (DSS), version of 18 July 2013, translated from German by Daniela Idra, <https://hls-dhs-dss.ch/it/articles/024596/>. ↩
2. Andreas Fankhauser, "Helvetische Republik", in Historisches Lexikon der Schweiz (HLS), version of 27 January 2011, <https://hls-dhs-dss.ch/de/articles/009797/2011-01-27/>. ↩
3. Andreas Würzler, "Dieta federale", in Dizionario storico della Svizzera (HLS), <https://hls-dhs-dss.ch/it/articles/010076/>, which does not address the language of the deliberations. ↩

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