

Italian in Parliament and in the federal courts

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The Federal Assembly and the federal courts are the institutions in which the equality of the official languages is tested in public. In Parliament, the right of each member to speak his or her own language is unqualified. In the courts, the language of the judgment depends on the rules of procedure, and the resources available for Italian are those of a court system in which about one judgment in twenty is written in Italian.

1 The Federal Assembly

Article 8 of the Languages Act guarantees each member of the Federal Assembly the right to use a national language of his or her choice in debates of the chambers and committees, and requires that dispatches, reports, draft legislation and requests be submitted in German, French and Italian.¹ The National Council provides simultaneous interpretation of its plenary debates into German, French and Italian. The Council of States, with its tradition of a smaller chamber in which members are expected to understand each other, has long worked without simultaneous interpretation.² Members from Ticino and the Italian-speaking Grisons therefore face a practical choice. They may speak Italian in the National Council and be understood through the interpreters, but in committees and in the Council of States they often speak German or French in order to persuade colleagues who do not follow Italian.

Under the federal allocation of seats made for the elections of 2019, the canton of Ticino elects eight members of the National Council. Like every full canton, it also sends two members to the Council of States.³ Together with the representatives of the Italian-speaking Grisons and Italian speakers elected in other cantons, the Italianspeaking group in the Federal Assembly therefore numbers about a dozen of the 246 members. Their influence depends on their ability to work in the majority languages, which is why most of them are at least bilingual. The official records of

parliamentary debates reproduce speeches in the language in which they were given, so that the Italian contributions appear in Italian in the official bulletin.⁴ For the interpretation of statutes this matters, because the legislative history in Italian can be consulted directly when the Italian version of a provision was discussed in the chambers.

2 The Federal Council and the Federal Chancellery

The Federal Council has been composed without an Italian-speaking member for long periods. The constitutional requirement of appropriate representation of the language regions, in force since 2000, was not met for Italian between 1999 and 2017. Its effect has been political pressure, which contributed to the election of Ignazio Cassis in September 2017.⁵ The Federal Council's communications are published in all three official languages, and its press releases and dispatches appear simultaneously in Italian on the government's website, which is available in German, French, Italian, Romansh and English.⁶ The Federal Chancellery, as the staff office of the government, houses the central language services and is therefore the federal unit with the highest density of Italian-speaking specialists.

3 Notes

1. LangA, Art. 8 (above). ↩
2. On simultaneous interpretation in the Federal Assembly see the information of the Parliamentary Services on parlament.ch. ↩
3. Ordinance of 30 August 2017 on the Allocation of Seats for the General Election of the National Council, SR 161.12, Art. 1 (Ticino: 8 seats, 51st legislative period), <https://www.droit-bilingue.ch/de-it/1/16/161.12-1-4.html>. ↩
4. Amtliches Bulletin der Bundesversammlung / Bollettino ufficiale dell'Assemblea federale. ↩
5. Wikipedia, "Ignazio Cassis" (above), which records the absence of Italian-speaking Switzerland from the Federal Council since 1999 as an argument for his election (used as a last resort); Swiss Federal Council, "Cantoni e lingue nel Consiglio federale" (above). ↩

6. Swiss Federal Council, website,
<https://www.admin.ch/gov/it/pagina-iniziale.html>, available in
German, French, Italian, Romansh and English. ↩

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