

LINGUISTIC POLICY IN SWITZERLAND: THE PARADIGM SHIFTS BUT THE COMPLEXITY REMAINS

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Abstract

Taking into account the history and experiences of multilingual and multicultural Switzerland, this article pursues two goals. Firstly, to demonstrate that the official recognition of several languages is proof of wisdom, and an important factor in preserving peace and stability, because it is a sign of respect towards minority languages and communities. Secondly, as a reminder that this static dimension has to be accompanied by a strong political will, favourable pre-conditions, and a subtle political sense of adaptation to new circumstances (the dynamic dimension), like the defence of endangered minority languages. This paradigm shift has been enshrined in the Swiss Constitution since as early as 1996 and represents a certain infringement on the federal structure of the country. But linguistic policy is a never-ending story, and authorities should always be ready to integrate new developments in the linguistic Constitution, like the overwhelming and sometimes undesirable supremacy of English.

Keywords: Switzerland; multiculturalism, multilingualism, federalism.

LA POLÍTICA LINGÜÍSTICA A SUÏSSA: EL PARADIGMA CANVIA, PERÒ LA COMPLEXITAT ES MANTÉ

Resum

Tenint en compte la història i les experiències de Suïssa, un país multilingüe i multicultural, en aquest article es persegueixen dos objectius. En primer lloc, demostrar que el reconeixement de diferents llengües oficials és una prova de saviesa i un factor important per preservar la pau i l'estabilitat, ja que és un signe de respecte cap a les llengües i les comunitats minoritàries. En segon lloc, recordar que aquesta dimensió estàtica ha d'anar acompanyada d'una forta voluntat política, unes condicions prèvies favorables i un subtil sentit polític d'adaptació a les noves circumstàncies (dimensió dinàmica), com la defensa de les llengües minoritàries en perill. Aquest canvi de paradigma ja es va incloure en la Constitució suïssa el 1996 i representa una infracció en l'estructura federal del país. Tanmateix, la política lingüística és una història interminable i les autoritats sempre han d'estar preparades per integrar canvis en la Constitució lingüística, com la supremacia aclaparadora i a vegades indesitjable de l'anglès.

Paraules clau: Suïssa, multiculturalitat, multilingüisme, federalisme.

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For the Swiss, it is common to wear a watch, even quite a complicated one, in order always to be on time. Complexity belongs to the natural landscape of Swiss society. This is the same for the linguistic policy. As it is the fruit of a long evolution, it has resulted in a complex system underlain by quite an antagonistic base, from remarkable constitutional provisions to fairy tale myths.

This complexity has proved favourable for the preservation of peace and prosperity in Switzerland, and it is perhaps useful to understand why the system is less simple than one might imagine. Many people think that Switzerland is a country where everybody speaks four languages. This vision belongs to the universal (and very comforting) myths, like imagining that all Americans ride a Harley Davidson, all English wear a bowler hat and all Japanese ladies walk in the street dressed in a silk kimono.

The goal of this paper is therefore to address the complexity of the linguistic question, affirming that – among others – the official recognition is an important factor, but that this static dimension has to be accompanied by a strong political will, favourable pre-conditions, and a subtle political sense of adaptation to new circumstances (the dynamic dimension), like the defence of endangered minority languages.

1 History of language recognition in Switzerland

The building of constitutional consensus around the regulation of languages in Switzerland is mainly linked to historical factors. As according to Herodotus Egypt is a gift of the Nile, so Switzerland is a gift of history, and our ancestors have been wise enough to respect this background and to enshrine it into the Constitution.

1.1 History of multilingualism in Switzerland

Up to the end of the 18th century, German was considered as the sole language of the Confederation. Under the influence of Napoleon, who invaded the country, the Helvetic Republic between 1798 and 1803 recognised the equality of the languages as well as the equality of the citizens. As the so-called ‘subject-cantons’ (meaning submitted to another canton) of Vaud and Ticino (French and Italian-speaking, also both Latin cantons) wanted to remain linked to Switzerland, they integrated into the Republic. From 29 April 1798, legislative councils started to publish the laws and the decrees in French *and* in German. In July 1798, the two Italian-speaking cantons of Lugano and Bellinzona (created by Napoleon on the remains of the former Bailiwick Ticino) joined the republic: Italian was also recognised as a national language.

The Helvetic Republic did not succeed: Swiss citizens opposed the foreign centralisation and the regime proved unworkable. In 1803, Swiss leaders went to Paris to ask Napoleon to change this system since it was incompatible with the Swiss tradition. Napoleon had this famous formula:

‘Switzerland looks like no other State, whether it is by the events which followed one another for several centuries, or by the geographical situation, or by the various languages, the various religions, and this extreme difference of customs which exists between its various parts. Nature made your State federative, to want to overcome it is not of a wise man.’¹

So he delivered a new Constitution to Switzerland called the ‘Act of Mediation’. Between 1803 and 1815, under this new regime, Switzerland remained submitted to France and organised according to a federal model attributing more authority to cantons. Nineteen cantons made up the country; only Vaud and Ticino were not German-speaking. During the Diets (a weak assembly of the cantons’ delegates), German clearly dominated, with the *Bündner* (speakers of Italian and Romansh in addition to German) and the *Fribourgeois* (speakers of French in addition to German) using this majority language.

After Napoleon’s collapse in 1815, the so-called ‘Restoration’ (because the situation before 1798 had been restored) saw 22 sovereign cantons linked by a kind of compact, the Federal Pact. Although this new Confederation included some Latin or multilingual cantons (Geneva, Vaud, Neuchâtel, Fribourg, Bern, Valais, Ticino and Graubünden), German remained the privileged language of the country, to get revenge on the superiority of French under the Helvetic Republic. In the Diets, every speaker made use of the language of their choice but the decisions were published in German only.

¹ *Brève histoire constitutionnelle suisse (1798-1848)* ; <http://www.hegerm.ch/textes/his-fr.html>, Author’s translation.

But as usual things change and evolve. This period opened the door to the modern federal Switzerland. The creation of federal military institutions such as the military academy of Thun, as well as the creation of many students' societies, contributed to the emergence of a 'national' feeling and resulted in allowing people from diverse linguistic regions to start to mix. Moreover, the Protestant elites of the cantons of Geneva, Vaud, Neuchâtel and Bernese Jura were interested in the German culture. French had been introduced into the study planning of the German-speaking Swiss in Basel since 1817. From there on, French-speaking Switzerland started to occupy a place in the economic and cultural life of the country, creating a certain balance between German- and French-speaking Swiss.

1.2 The birth of the 1848 multilingual federal State

In 1847, the so-called Sonderbund war brought Catholic cantons (excepted Ticino) and Protestants into conflict. It was not only a war of religion, it was first and foremost a conflict about the future of Switzerland. Catholic cantons wanted to preserve the current situation with sovereign cantons (despite its dramatic lack of efficiency) and Protestant cantons wanted the creation of a federation like the United States. French-speaking cantons divided up in both camps according to their religious confession and not their linguistic membership; so soldiers from all across the country were mixed together for the same cause, which protected the linguistic peace. The victory of the Federal forces (the Protestants) allowed for the creation of a democratic and progressive State.

At that time, the problem of the languages was not (yet) a central theme of the new State. According to the article 109 (adopted with a tiny majority) of the 1848 Constitution, 'The three main spoken languages in Switzerland, German, French and Italian, are the national languages of the Confederation'. These three languages also became official languages. There was thus no coincidence between language and nation in Switzerland because German, the majority language, was not the only national language. It was something very rare and specific in the European context of nation states at that time.

It is noteworthy that the Swiss 'founding fathers' had recognised what was natural or, more scientifically, an 'unintended by-product of [the] cantonal autonomy'.² The recognition of nature is certainly an element many constitutions lack. Constituents want to impose their ideas. Most 'princes' consider that their mission is to 'educate' the people and to explain what they have to do. This leads to silly situations where the elites have imposed their policy on the population. In Switzerland by chance, the elites have wisely recognised the multicultural nature of the country.

1.3 The 'mythification' of Swiss linguistic policy

As a result of this wise linguistic policy, Switzerland is currently a country in which many languages are spoken, among them the four with a special recognition as national languages. But as table 1 shows, the two less spoken national languages of Switzerland (Italian and Romansh) face competition from other languages. This phenomenon is due to immigration and has contributed to a paradigm shift (see section 5).

Federal Switzerland with its 26 cantons and its huge socio-cultural differences is like masonry without mortar. There are quite a few elements able to unify the country or to give it a certain sense of 'nationhood' (Switzerland is not supposed to be a nation, but a *Willensnation*).³ In this sense, the pride associated with living in one of the few multilingual countries in the world plays an important role in preserving the national unity.

When Hitler and Mussolini demanded the integration of the German and Italian speaking parts into their empires in the 1930s, Switzerland reacted by declaring its fourth language Romansh a national language. Only a tiny minority of one per cent of the population speaks this language unique to Switzerland and everybody speaking it is perfectly able to speak German, too. Obviously declaring Romansh a national language with a strong majority in a national referendum was nothing other than a clear political signal that

² VAN PARIJS, Philippe, *Linguistic Justice for Europe and for the World*, p. 152.

³ See among many others the book from the former Swiss President VILLIGER, Kaspar. *Eine Willensnation muss wollen – Die politische Kultur der Schweiz: Zukunfts- oder Auslaufmodell?*, Zurich, 2009.

the Swiss have a strong national identity despite their differences in languages and culture.⁴ This reflects very well the ‘mythical dimension’ of the four languages. As a matter of fact, there has never been any secessionist movement in the country.

For the Swiss themselves, even if almost nobody speaks all four official languages fluently, it is essential to represent Switzerland as a kind of paradise without any ethnic conflicts. And it is true that in comparison with so many other countries, where internal differences in language and culture have been paralysing national politics for decades, Switzerland with its four native cultures appears to be astonishingly stable. Never in more than 150 years of modern democracy has a Swiss government had to resign and while external dictators, like recently Qaddafi, have proposed that Switzerland should be divided and its regions should be merged with the neighbouring countries representing their languages (Germany, France and Italy), this resulted only in hoots of laughter among citizens and politicians.

Language	2000		2013	
	Mother tongue/main language		Mother tongue/main language	
	Number	%	Number	%
German	4,639,762	63.66	4,348,289	64.47
French	1,484,411	20.37	1,525,003	22.61
Italian	470,961	6.46	561'857	8.33
Romansh	35,072	0.48	35'753	0.53
Serbo-Croatian	103,350	1.42	168,422	2.50
Albanian	94,937	1.30	176,293	2.61
Portuguese	89,527	1.23	238,327	3.53
Spanish	76,750	1.05	150,782	2.24
English	73,422	1.01	316,830	4.70
Turkish	44,523	0.61	76,379	1.13
Others			356,444	5.28

Table 1 – Mother tongue/main language in Switzerland⁵

This system of local social and linguistic conditions appears quite strange in this time of globalisation, because foreigners have to adapt themselves to local societies with all their codes, culinary differences, languages and accents which change from one kilometre to the next. But once again it seems to be the price to pay to enjoy the honour of becoming a member of this ‘king among secret societies’ with its complicated myths and rites. Moreover, it creates an extraordinary proximity (and stability) between regions, citizens and authorities.

The establishment of the Swiss national myth has been a successful operation of social psychology, because the origins of the myth were, by and large, not just accepted, but actually forgotten. When no-one worries about the roots of a myth, it means that it has succeeded. Over the years, further embellishments were added to the national myth, such as orderliness, hard-work, cleanliness, precision, the humanitarian calling symbolised by the Red Cross, etc.; this provided important grounding for a very unusual institutional arrangement.⁶

⁴ The constitutional amendment has been accepted by all cantons with 574,991 YES votes (91.6%) against 52,827 NO votes (8.4%) (FF 1938 I 533).

⁵ Recensement fédéral de la population 2000 - Structure de la population, langue principale et religion ; tableau 2.7.

⁶ GRIN, François. *Language Policy in Multilingual Switzerland: Overview and Recent Developments*.

2 The Swiss linguistic Constitution

2.1 Geography: the country and its languages

As we have seen in Table 1, Switzerland's four national languages are German (spoken by 64.5 per cent of Swiss), French (22.6 per cent), Italian (8.3 per cent), and Romansh (0.5 per cent)⁷ – each of which is of equal legal importance. If the three linguistic versions of a federal law differ, the judge has to choose the one that best conveys the will of the legislator because no language has precedence over the others.⁸ Romansh speakers may use Romansh in their official dealings with the federal administration; thus in federal-government matters, Romansh is a semi-official language. The Confederation wishes to preserve and promote linguistic diversity; it is obliged to provide financial support to the four multilingual cantons in order to cover the costs like bilingual schools, translation services, and publication of laws in several languages.



Table 2 – The four linguistic zones in Switzerland (principle of territoriality)⁹

But it would be wrong to conceive the country as a ‘mosaic’ of languages. In fact, languages are allocated according to the so-called principle of territoriality. As it is possible to see on the map above, Switzerland is divided into three main linguistic zones: a German one at the border with Germany, a French one at the border with France and an Italian one at the border with Italy. Romansh is secluded in one canton.

Multilingualism in Switzerland does not mean that people are used to communicating in several languages and interest themselves in several cultures. Rather Switzerland knows a certain ‘social multilingualism’. It is composed of four quite homogenous linguistic communities, which communicate with each other with difficulty and have little interest in the culture of their neighbour. This reality is quite a long way from the beautiful principle enshrined in the constitution. It even represents a corruption of the constitutional ideal.¹⁰

⁷ Data 2012 on Wikipedia : <https://fr.wikipedia.org/wiki/Langues_en_Suisse>, consulted 14.12.2016.

⁸ According to a constant jurisprudence of the Federal Tribunal, e.g. ATF 117 V 287 S. 291 consid. 3a, ATF 115 V 448 consid. 1a, ATF 114 IV 177; see also GRISEL, André. *Traité de droit administratif*, Neuchâtel, Editions Ides et Calendes, 1984, p. 126.

⁹ <<https://theswisswatchblog.com/2011/10/09/the-language-divide/>>.

¹⁰ PREVITALI, Adriano. *Le plurilinguisme suisse entre droit et réalité*, p. XXIV.

2.2 The role of federalism

Federalism plays an essential role in the institutional management of Switzerland. Art. 3 of the Constitution states that ‘The Cantons are sovereign except to the extent that their sovereignty is limited by the Federal Constitution. They exercise all rights that are not vested in the Confederation’. The ability to deal with tricky issues at a low level (principle of subsidiarity) is an advantage, e.g. concerning education (although some aspects of higher education are regulated at the federal level) and language policy.

As a result, there is practically no federal-level language policy, even if the paradigm is starting to shift (see section 5.1), contrary to what can be observed in other states such as Canada, whose federal authorities are constantly involved in such policy. Another important result is that if a competence belongs to the cantons, the administrative acts flowing from this competence will take place in the respective official language of each individual canton. In the three bilingual cantons, cantonal authorities will normally use one language or the other (but not both) for the local provision of services (such as education), following the linguistic boundary. In the case of the (only) trilingual canton of Grischun/Graubünden/Grigioni, the choice of official language is devolved to both cantonal and communal authorities, according to the last census (see section 5.2.4).

2.3 Legally

Currently, there are three constitutional provisions forming the Swiss ‘linguistic Constitution’:

Art. 4 National languages

The national languages are German, French, Italian and Romansh.

Art. 18 Freedom to use any language

The freedom to use any language is guaranteed.

Art. 70 [Languages](#)

¹ The official languages of the Confederation are German, French and Italian. Romansh is also an official language of the Confederation when communicating with persons who speak Romansh.

² The Cantons shall decide on their official languages. In order to preserve harmony between linguistic communities, the Cantons shall respect the traditional territorial distribution of languages and take account of indigenous linguistic minorities. ³ The Confederation and the Cantons shall encourage understanding and exchange between the linguistic communities. The Confederation shall support the plurilingual Cantons in the fulfilment of their special duties.

⁵ The Confederation shall support measures by the Cantons of Graubünden and Ticino to preserve and promote the Romansh and the Italian languages.

Concretely, the Swiss linguistic Constitution is based upon four principles:

- equality of languages;
- freedom of citizens concerning the language;
- territoriality of languages, and
- protection of minority languages.

Following the principle of equality (art. 4 Constitution), the four national languages at the federal level have the same legal status: they are legally equal.

According to the principle of freedom of language (art. 18 Constitution), all Swiss citizens have the right to use the language they prefer, especially concerning their mother tongue (see section 2.4).

In reality, the jurisprudence of the Federal Court has always given the priority to the principle of territoriality (art. 70 para. 2; see section 2.5) at the expense of freedom of language. This third principle represents

therefore the cornerstone of Swiss linguistic law. Because of territoriality, the four linguistic zones remain almost exclusively monolingual. Even in a city crossed by the linguistic border (e.g. Biel/Bienne or Fribourg/Freiburg), territories remain monolingual and respect this border the Swiss call *Röstigraben*.¹¹ It also means that federal and cantonal authorities should never try to modify current linguistic borders. As such, these borders have not been moved for more than 1,000 years. In Switzerland, the practice establishes the supremacy of territorial separation of languages over any other consideration. The federal government does not define the linguistic borders, but cantons do.

Finally, the principle of protection of minority languages (art. 70 para. 3–5) means that, according to Swiss law, the Constitution guarantees the preservation of the four national languages and obliges special measures to be taken to protect Italian and Romansh. In this way, it represents an infringement on federalism, as the Confederation should normally not interfere in linguistic matters. This represents the most innovative element of Swiss linguistic policy (see section 5.1).

2.4 Freedom of language and its limitations

Freedom of language belongs to the fundamental human rights. It encompasses two sides, an active and a passive one. The active side means the right to express oneself in one's own language, and the passive side the right to get information and instruction in this language from the state, taking into account the limitations due to the principle of territoriality.

The freedom of language is reinforced by art. 4 of the Constitution. This rule protects the mother tongue when it is the same as an official language. Cantons do not have the right to oppress or to threaten the groups speaking a national language but representing a minority in the canton, among others they cannot impose only one official language, or only one language for education. To summarise 'it gives the citizens the right to use their own language in their linguistic regions'.¹²

In fact, freedom of language has a paradoxical and problematic dimension.¹³ Contrary to other human rights, its content varies if it is to be applied in the private or in the public sector. In the first case, it guarantees the right to express oneself in the language of one's choice in the private sphere, as the State has nothing to do with this matter. But in the second case, the State can interfere in order to define one or more official languages, meaning specific languages in which it maintains dialogue with citizens. In this case, the freedom of language is limited to a minimal guarantee: the right for linguistic minorities to use a minority national language in a defined zone, in other words the right for historic minorities not to be obliged to use only one official language or only one language for education.

Because of official languages and territoriality, freedom of language is submitted to strong limitations in the public sector. The articulation between freedom of language and territoriality represents therefore the major topic of the linguistic jurisprudence of the Federal Court.

2.5 The principle of territoriality

The principle of territoriality, which plays such an important role in Switzerland, is based upon the fact that every language is historically linked to a certain territory. The preservation of the linguistic composition of a territory should avoid an indigenous language being replaced by a foreign language.¹⁴

As cantons have the power to legislate on all fields which have not been transferred to the Confederation (art. 3 Constitution.), they have the right to legislate on linguistic topics and to establish norms concerning the use of language in the relations between state and citizens. As the Federal Court said, cantons can base themselves on the principle of territoriality in order to take measures aimed at the upholding of the traditional

¹¹ Which means 'the rösti gap', rösti being a way of cooking potatoes. Paradoxically, rösti are popular throughout Switzerland, so that the term 'Röstigraben' by itself does not reflect any difference between the different parts of the country.

¹² AUBERT, Jean-François ; MAHON, Pascal. *Petit commentaire de la Constitution fédérale de la Confédération suisse du 18 avril 1999*, p. 171. Author's translation.

¹³ Ibid.

¹⁴ MARTI-ROLLI, Christine. *La liberté de la langue en droit suisse*, p. 36.

borders of linguistic regions and the preservation of their homogeneity.¹⁵ For that purpose, they have the right to restrict the freedom of any person to use their mother tongue, but these measures have to be proportionate and they should respect as much as possible the freedom and the dignity of citizens. But the Federal Court also drew attention to the fact that art. 116 para. 1 of the old (1874) Federal Constitution forbids cantons to oppress and endanger groups speaking a national language and forming a minority in a canton.¹⁶ Moreover, cantons should not do anything in order to move the linguistic borders.¹⁷

2.6 Criticisms levelled at the principle of territoriality

In the doctrine, this principle is questioned,¹⁸ not as such but in the way it has been applied by the jurisprudence. As the principle is focusing too openly on the preservation of traditional linguistic borders, it can lead to a result which contradicts its goal, the protection of minorities. The limitations of the freedom of language should be considered as a restriction (according to art. 36 of the Constitution) rather than limitations of its object *a priori*, and, as such, as subject to the three conditions of legal base, public interest and proportionality.¹⁹

As a result, what has been primarily conceived as a principle aiming at the protection of minorities proved in practice to be an obstacle for these minorities. For instance, authorities of the canton of Zurich obliged French-speaking children in Zurich to go to a German-speaking school after two-years in a private French-speaking school.²⁰ Similarly, the small municipality of St Martin in Graubünden, whose population is about 80 per cent German-speaking, has not been obliged to create classes in which teaching takes place in Romansh. The Federal Court has decided that this municipality was similarly not obliged to pay the scholarships for the children attending a neighbouring Romansh school.²¹

Finally, it is also because of this principle that the German-speaking minority living in the remote municipality of Bosco-Gurin in the Italian-speaking Ticino does not deserve any mention in the cantonal constitution.²² This small municipality is the only one where German – a so-called Walser dialect – is spoken in Ticino. The second Report of the Expert Committee concerning the implementation of the Language-Charter of 22 September 2004, says about this topic: ‘It does not appear that any other measures exist to preserve German Walser in the municipality in question [...] The Committee of Experts considers that the above-mentioned development clearly shows that German (Walser) in the municipality of Bosco-Gurin is dying out [...] The Committee of Experts encourages the competent Swiss authorities to take urgent measures to support German (Walser) in the municipality of Bosco-Gurin.’

3 Projections of the official status – the linguistic composition of the Federal Council (example)

As we have seen previously, federalism and the recognition of several national languages help to avoid too much national regulation in this field. But it is noteworthy to see how the recognition of several languages has an influence on the composition of the Federal Council, the Supreme Executive authority in Switzerland. There is only one constitutional provision linked to the composition of the Federal Council:

15 See BGE/ATF 106 Ia 299 [303, 305].

16 Ibid., p. 302.

17 See BGE/ATF 100, Ia 462 [466].

18 Among others, see AUER, Andreas. *D'une liberté écrite qui n'aurait pas dû l'être : la 'liberté de la langue'*. p. 963ss. ; BORGHI, Marco. *La liberté de la langue et ses limites*. p. 615.

19 *Petit commentaire de la Constitution fédérale de la Confédération suisse du 18 avril 1999*, cit., p. 562.

20 The famous case BGE/ATF 91 I 480, Association de l'école française.

21 Another ‘classical’ case : BGE/ATF 100 Ia 462, Derungs.

22 This question has been the topic of a legal notice of the Institute of Federalism: *Comment et à quel titre la commune tessinoise de Bosco Gurin pourrait-elle se déclarer bilingue?*

Art. 175 Composition and election

¹ The Federal Council has seven members.

² The members of the Federal Council are elected by the Federal Assembly following each general election to the National Council.

³ They are elected for a term of office of four years. Any Swiss citizen eligible for election to the National Council may be elected to the Federal Council.

⁴ In electing the Federal Council, care must be taken to ensure that the various geographical and language regions of the country are appropriately represented.

At the beginning of the system in 1848, there were only men representing a sole political party. The only constitutional provision dealing with the election of the Federal Council stated that there should not be two members coming from the same canton. Only the regional representation was a legal concern. Nevertheless, the first elected Federal Council in 1848 already comprised politicians speaking German, French and Italian. As early as 1848 and without any legal pressure, there was a mix of languages at the highest level of the country, granting *de facto* an over-representation to the linguistic minorities. The situation has not changed 168 years later. In 2016, there are three French-speaking members in the Federal Council compared to four German-speaking, which is a clear over-representation of the French minority which should, proportionally, have not even two (exactly 1.4) members of the Council.

4 De jure or de facto variations in the official status of languages and recognition of the official use of English

There are two main elements to be mentioned here, which are a reminder of the constant changes in linguistic policy: firstly, the changing relation between territoriality and freedom of language, and secondly the growing importance of English, unfortunately a worldwide phenomenon.²³

4.1 The changing relation between territoriality and freedom of language

From a legal point of view, the question of languages in Switzerland focuses on the articulation between freedom of language and the principle of territoriality.

When the language article of the Federal Constitution was revised in around 1990 – the newly formulated article was accepted by the Swiss voters in early 1996 – supporters of the principle of territoriality and defenders of the principle of language freedom could not agree on a common basis which might have made it possible to include these two instruments of Swiss language policy into the text of the provision. In retrospect it appears that the quarrel was over the potential shape of multilingual Switzerland. On the one hand, traditionalists would lobby for the inclusion of the principle of territoriality and against an inclusion of individual language rights. Modernists, on the other hand, would opt for language freedom, but against territoriality. The traditionalists, it appears, wanted to preserve the shape of the four-language nation, while the modernists wanted to do justice to the new realities of multi-lingual Switzerland.

Thus, taking as an example the canton of Graubünden, territoriality has won in the commune of Pontresina, where all children have to attend Romansh-speaking primary school, although there are fewer than 15 per cent Romansh-speaking inhabitants. In neighbouring St. Moritz, on the other hand, which is equally German dominated, children may now go to a German-speaking school while before the school language was Romansh, too. The implementation of the principle of territoriality, as this example shows, helps to maintain a language (in this case Romansh), even if the majority of the people concerned do not speak it. On the other hand, applying the principle of freedom of language causes language shift (in this case from Romansh to German) as soon as a majority of the people concerned speak a language other than the traditional regional one.

²³ Among many other authors, this phenomenon has been studied in a scientific way by VAN PARIJS, Philippe. *Linguistic Justice for Europe and for the World*, pp. 6–49 ‘Lingua Franca’, or in a funny way by ETIEMBLE, René. *Parlez-vous français?*

It is obvious that there are conflicting interests at stake. People who have migrated from language area A into language area B would like to make use of their linguistic rights. On the other hand, people in language area B would like to fend off the unwelcome influence of newcomers by insisting on territoriality. That it is not possible to apply either the principle of territoriality or the principle of language freedom strictly is reflected in a ruling of the Federal Court which stated in 1993 that the strict application of the principle of territoriality in schools means restricting individual language rights, i.e. a weakening of the principle of language freedom, which cannot be tolerated.²⁴

As Switzerland is moving from a static quadrilinguistic nation to a mobile multilingual one (even if only taking into account national languages), more and more exceptions to the principle of territoriality will be permitted.²⁵ The fear of some of the traditional language groups that they will lose ground cannot be fully justified.²⁶ It is true that it could become more and more difficult to define particular areas of Switzerland as being clearly Romansh, Italian, French or German, because increasingly more speakers of other languages will populate those areas, but these very speakers will also take their mother-tongue with them and use it in their daily contact with speakers of other languages. Statistics show that no linguistic shifts take place in the traditional linguistic areas (see section 5.2.2).

4.2 Use of English

Switzerland remains strongly based upon its four historic and traditional languages. English is far from being recognised as an official language. Nevertheless, its increasing role on the linguistic stage creates some problems. There follow two examples of the growing (and sometimes undesirable) role of English in Swiss society.

4.2.1 English, the fifth national language?

This dimension concerns attempts to add English to the list of official languages. There are several arguments in favour of this, especially linked to the status of *lingua franca* of English. In a multilingual country like Switzerland, where the majority of the population do not really speak the language of the other communities, the easy way out is to speak English. But even if this proposal sounds awkward, it is based upon a certain reality.²⁷

Many decades ago, it was a tradition among young Swiss people to spend one year as an *au pair* in the other community. As a result, if the French speakers did not really learn Swiss-German, the Swiss Germans (the majority of the population) were quite good at French. It was easy for communication, as French was the *lingua franca* among the Swiss. This tradition seems to have faded away. Young Swiss Germans do not speak French any more, and the French-speaking Swiss continue not speaking German, especially since the Swiss-German dialect (or *Schwyzertütsch*) became universal, to the point that populist political parties have launched cantonal initiatives to oblige children to speak only dialect at school.²⁸

As the Swiss have increasingly more difficulties to speak each other's language, it is becoming quite common to hear the Swiss speaking English together. This is really regrettable, but it also reflects the failure of (cantonal) authorities to set up a school system in which almost all citizens are bi- or trilingual.²⁹

24 HÄNNI, Peter. *Das freiburgische Sprachenrecht zwischen Sprachenfreiheit und Territorialitätsprinzip*, p. 210.

25 See SCHMITT, Nicolas. *Principles and Criteria of the Jurisprudence of the Swiss Federal Tribunal concerning Linguistic Questions*; but previously and more generally DÜR MÜLLER, Urs. *L'évolution du plurilinguisme : d'une Suisse quadrilingue à une Suisse multilingue*.

26 As proof of the sensitivity of the linguistic question, the case *F. v. Office AI Fribourg* (BGE/ATF 136 I 149) concerning the bilingual canton of Fribourg has been published *in extenso* in the cantonal Law Journal, assorted with three articles reflecting the different sensibilities of pros (like PREVITALI) and cons (like PAPAUX) of freedom of language v. territoriality.

27 This problem is well described by MORRISON, Taylor. *Switzerland: A Country of Multilingualism*.

28 It illustrates the possible abuse of language for political purposes.

29 As a personal reflection, I have been surprised in visiting Mauritius to discover that in this island, where the official language is English, almost everybody speaks English, French and Creole. I was disappointed to admit that this would be impossible in multilingual Switzerland.

4.2.2 *The sneaky emergence of a dangerous coeducation: monolingual universities which become bilingual with... English*

Switzerland's two most endangered languages are Italian and Romansh. To strengthen the 'Italianity' within the country, the Italian-speaking canton of Ticino recently created a university. However, the USI (University of Italian Switzerland or University of Lugano) as the only Italian-speaking university outside Italy, also has the purpose of improving multilingualism, but especially with English.

The Bologna Process has provoked quite a perverse effect which has probably been ignored by those who conceived it. Indeed, when we think about it, it appears that the idea of flexibility presiding over the Bologna Process can prove counter-productive for minority languages. Which English, French or German student would like to undertake a linguistic stay in the Basque, Galician, or Welsh language, or indeed in Swiss-German? On this basis, Bologna displays a dangerously standardising effect on the efforts many universities engage in to attract new students.

This problem arises because of the globalisation of higher education. As universities are conceived as service providers at the global level, new opportunities are offered to those that use an international language like English (or *the* international language). Obviously, it becomes problematic for universities using minority languages, especially in a bilingual context. Why propose a master's degree in commercial law in French or in Italian when the same master's degree in English will attract more students? 'Although the official language of the USI is Italian, many classes, especially at the level of master's degree and doctorate, are given in English.'³⁰ Outside Switzerland, the Spanish universities of the Basque Country, Catalonia and Galicia are also affected by this process; they tend to be more and more interested in the Latin American market. Every year, half-a-dozen doctoral theses are defended by these 'imported' students, while the number of theses in local languages stagnates.³¹

As Taylor Morrison has clearly understood: 'The challenge that lies ahead for Switzerland is integrating English in a manner that does not undermine its long-standing multilingualism but instead, enhances it.'³²

5 Policies aimed at ensuring the use of official or national languages

The sentence πάντα ῥεῖ (panta rhei) 'everything flows' was spoken by the pre-Socratic Greek philosopher Heraclitus of Ephesus (c. 535 – c. 475 BC). This sentence proves equally valid 2,500 years later. It is never possible to preserve a given situation for a long period, because the situation evolves and the subtle balance tends to change and requires a constant adaptation.

In terms of languages in Switzerland, this paradigm shift was initiated by the 1996 constitutional amendment.³³ After a long period during which the recognition of the four traditional national languages in Switzerland was quite static (including the successful recognition of Romansh in 1938) the country's linguistic evolution imposed a more dynamic recognition, with the possibility for the federal government to intervene in the linguistic management of the country.

This linguistic intervention has been primarily conceived as a way of supporting Italian and Romansh, as well as the promotion of understanding between communities. Following this interventionist trend, the new 1999 Constitution contains some provisions linked to the necessity of harmonisation of education between

30 Secrétariat d'Etat à l'éducation et à la recherche SER, Office fédéral de la formation professionnelle et de la technologie OFFT, en collaboration avec Présence Suisse et la Conférence universitaire suisse (eds.), *Panorama de l'enseignement supérieur en Suisse*, 2006, p. 83. Author's translation

31 The process is identical in Galicia, where the number of theses defended in Portuguese by the Portuguese or the Brazilians exceeds appreciably those that are written in Galician; cf. NOGUEIRA LOPÉZ, Alba, 'Distribución de competencias y organización administrativa en materia de universidades'. González Garcías, Julio V. *Comentario a la Ley Orgánica de Universidades*, [Madrid, Civitas, 2009], pp. 129 – 166.

32 Op. cit.

33 Popular vote of 10 March 1996; revision of Constitutional provision about languages (art. 116 aCst), accepted with a majority of 76.2% YES votes (and 84.0% in Ticino and only 68.3% in Graubünden which is paradoxically the greatest beneficiary of this new provision; the canton does not appreciate the incursion by the federal government into a cantonal topic); <<https://www.admin.ch/ch/f/pore/va/19960310/index.html>>; hereafter all explanations by the Federal Council: <<https://www.bk.admin.ch/themen/pore/va/19960310/index.html?lang=fr>>.

cantons. As education contains a linguistic dimension, the merging of these two elements leads to a possible infringement of federalism by the federal authorities.

5.1 The paradigm shift in itself

The 1996 vote represents quite a change in the notion of recognition. Previously, it was rather static, as it consolidated a natural reality. In 1996, according to the comments of the Federal Council before the vote, things were no longer so easy and natural. From then on, the quadrilingualism was presented as wealth, a basic element that cantons but also the Confederation (this was new) had the right and the duty to defend. According to the government, quadrilingualism is Switzerland's wealth and pride. It is therefore the duty of the Confederation to preserve quadrilingualism and to improve the communication between linguistic communities. It is a major requirement for the preservation of national cohesion.

Since 1996 (because the current 1999 Constitution merely copied these 1996 provisions), some important elements have been introduced in the linguistic Constitution of Switzerland.

Firstly, Confederation and cantons are explicitly obliged to develop understanding and exchanges between the four linguistic communities in order to allow them to continue to live peacefully under what is called 'peace of the languages'. The linguistic diversity of Switzerland should not be reduced to a mere juxtaposition of several languages (or linguistic communities). It has to serve a community of destiny representing an enrichment for the whole community. This is the opinion of the Federal Council, but the latter has obviously very (perhaps too) high expectations. There is no sense of nation in Switzerland, just as there is no sense of community of destiny. Swiss citizens are used to this polite indifference between communities. It is what the former Swiss President, Jean-Pascal Delamuraz, expressed as follows: '*C'est parce qu'ils ne se comprennent pas que les Suisses s'entendent bien.*'³⁴

Secondly, the Confederation (and in its comment the Federal Council does not say: the Confederation and the cantons) must take specific measures to safeguard and promote languages in the cantons of Graubünden and Ticino. As a matter of fact, in Graubünden, the practice of Romansh had strongly diminished in the years preceding the adoption of the new provision. But in some valleys of the same canton (the only trilingual canton) it is the Italian language which is threatened. Moreover, the place given to Italian in Switzerland – according to the Federal Council – is not in appropriate proportion to the international influence of the Italian language and culture.

The new provision was implemented by the Federal Law of 6 October 1995, on financial assistance for the safeguard and the promotion of the Romansh and Italian languages and cultures.³⁵ After the adoption of the new 1999 Constitution, it was replaced by the *Loi fédérale sur les langues nationales et la compréhension entre les communautés linguistiques (Loi sur les langues, LLC)*, of 5 October 2007, RS 441.1 (see section 5.2.1).

Things evolve all the time, and it is one of the strengths of federalism to be able to deal with this evolution. At the beginning of the Swiss federal state, the tensions that existed were between Catholics and Protestants. With time, the importance of religion faded, and currently the tensions that exist are between French- and German-speaking communities. Preserving the peace is therefore a never-ending process, meaning that not only minorities and/or minority languages have to be recognised, but also that this recognition must be dynamic in order to adapt itself to the constant changes in the socio-political conditions in the country.

5.2 The constant necessity for political will at all levels

From a legal-political point of view, it is not enough – even if it is a good thing – to recognise many different languages. This recognition is a blank canvas on which the political will has to write the national history of languages.

³⁴ 'It's because we do not understand each other that the Swiss get along well.' quoted by Federal Councilor Alain Berset in a 2013 Conference about linguistic rights of minorities; <<https://www.admin.ch/gov/fr/start/dokumentation/mediemitteilungen.msg-id-51294.html>>.

³⁵ This text is not yet computerised, because it has been replaced by a new one: <<https://www.admin.ch/opc/fr/classified-compilation/19950288/index.html>>.

5.2.1 Political will at the national level – the new law on languages and its protracted origins

To take into account the new constitutional frame established by article 70 para. 5, the federal administration elaborated a draft law intended to apply the new linguistic policy. Nevertheless, on 28 April 2004, the Federal Council decided not to submit this text to the parliament. The government justified its decision by budgetary constraints and the necessity of making savings. But the parliament did not remain passive and, legitimised by a parliamentary intervention,³⁶ prepared its own draft. Once more, the Federal Council opposed it, invoking this time not only budget, but also federalism (the protection of the minority languages is an exclusive competence of the cantons and no federal law should depart from the principle). But despite the governmental opposition, the Law on the Languages – LLC (Federal law on national languages and understanding between linguistic communities), was finally adopted by the parliament on 5 October 2007. Moreover, some three years of work were needed to finalise the implementation ordinance, so that the law came into force on 1 January 2010, and its ordinance on 1 July 2010, more than ten years after the coming into force of the new Constitution.

The implementation prescriptions regulate four important questions: (1) the use of official languages within the Confederation and the promotion of multilingualism in public services; (2) the measures intended to promote mutual understanding and exchanges; (3) the support for the multilingual cantons; and (4) the protection and the promotion of the Italian and Romansh language and culture.

5.2.2 Political will at the cantonal level I: The principle of territoriality during the drafting of the new Constitution of Fribourg

The situation in the bilingual canton of Fribourg is peculiar, as the French speakers, a minority at the federal level, represent the majority at the cantonal level, with 63.2 per cent of the population speaking French and 29.2 per cent German. From that point of view, the canton is a ‘reversed Switzerland’. In the centre of the canton, along the linguistic border, there are two bilingual districts: Sarine/Saane (but here only the capital Fribourg is supposed to be bilingual although it is officially monolingual French-speaking with a certain tolerance for the German-speaking minority) and Lac/See.

Because of this special situation within the Swiss context, French speakers are oversensitive. Many fear a creeping Germanisation of the bilingual municipalities located on the linguistic border by an influx of German-speaking inhabitants. Therefore, they ask for a strict application of the principle of territoriality, which means that all newcomers have to adapt themselves to the traditional language of the community. But the reality described by the last census in 2000 shows that there is a slight homogenisation: in the district Sarine/Saane, where French predominates, it tends to increase slightly; it is the same for German in the predominantly German-speaking district of Lac/See.

During the drafting of the new 2004 cantonal Constitution, the Constitutional Assembly faced a difficult question: should it enshrine *expressis verbis* the principle of territoriality? The French-speaking majority expressed itself in favour of such a guarantee, and after long and passionate debates it was able to impose its point of view. As such, the Constitution of Fribourg is the only one in Switzerland explicitly enshrining this principle. But one could doubt whether this provision will change anything in reality. Its motivation is mainly psychological and is due to the tensions between communities along the linguistic border. Constituents have probably forgotten that a committee in charge of applying the principle of territoriality, when it was first enshrined in the former cantonal constitution on 23 September 1990, abandoned its work after 10 years of unsuccessful debates.³⁷

5.2.3 Political will at the cantonal level II: Ticino – the University of Lugano

The University of Lugano (USI)³⁸ was founded in 1996, but the idea of a university has a much longer history. It was at the beginning of the 19th century that the first proposal for an institution of higher education was

³⁶ Levrat 04.429, federal Law on national languages; hereafter the report of the Commission: <<https://www.admin.ch/opc/fr/federal-gazette/2006/8505.pdf>>.

³⁷ ALTERMATT, Bernhard. *La politique du bilinguisme dans le canton de Fribourg/Freiburg (1945-2000)*.

³⁸ University of the Italian-speaking Switzerland (USI in Italian); <<http://www.usi.ch>>.

mooted, addressing the aspirations of the Italian-speaking culture of Switzerland. In 1803, Ticino acquired sovereign status as a Canton of the Swiss Confederation. The realisation of the university project, however, required stronger demographic and economic resources than the Italian-speaking region of Switzerland could afford at that time.

The USI was established by a law passed by cantonal parliament on 3 October 1995.³⁹ The first academic year opened on 21 October 1996 with some 300 full-time undergraduate students in three faculties. Besides Ticino residents, the initial student body included a number of students from the rest of Switzerland, Italy, and other countries.

At present the USI comprises the following four faculties: (1) Academy of Architecture in Mendrisio; (2) Faculty of Communication Sciences in Lugano; (3) Faculty of Economics in Lugano; and (4) Faculty of Informatics in Lugano. There is no law school at the USI, in other words no legal education in Italian in Switzerland. It explains why many students from Ticino study law in Fribourg.

The USI, as the only Italian-speaking university outside Italy, promotes and preserves the culture of Italian Switzerland in Swiss academia, and serves as a cultural bridge to Italy, especially thanks to its close relationships with the main universities of Lombardy (Northern Italy). While the official language at the USI is Italian, many courses and entire master's degree programmes are taught in English (see section 4.2.2). Knowledge of French and German is also encouraged. Basic and advanced courses in these four European languages prepare students for international careers.

5.2.4 Political will at the cantonal level III: A new law on languages in Graubünden, the only trilingual canton in Switzerland

On 1 January 2004, the new Constitution of Graubünden entered into force. It contains an important provision devoted to languages, art. 3: municipalities are no longer fully autonomous – as they were previously – to define their languages. They should take care of the established minorities and act in consultation with the canton. This should have a positive impact on municipalities where there is a weak Romansh community.⁴⁰ In order to apply this constitutional provision, a ‘law on languages’ was adopted on 19 October 2006.⁴¹

Previously, the linguistic law of the canton was marked by a strong local autonomy: municipalities were free to choose one official language from among the three official languages of the canton. The new linguistic law foresees the division of the canton into well-defined monolingual or bilingual municipalities, according to the last census: monolingual municipalities are those where the minorities represent less than 10 per cent of the population, bilingual those where this proportion is between 10 and 50 per cent. Municipalities are obliged to define their language in the so-called local constitution (*Gemeindeordnung*). Bivio is the only trilingual municipality in Switzerland.

5.3 Pressures against the teaching of French at school

The peaceful coexistence of languages is never permanent. There are always circumstances which allow for tensions to be reborn. These tensions have arisen over the obligation to teach French at primary school.

5.3.1 The problem and its origins

In Switzerland cantons are primarily responsible for education. As a result, there are 26 different systems. The need for harmonisation very quickly became the cornerstone of the Swiss school system. But it proved quite difficult to harmonise systems rooted in long historical traditions and representing key elements of cantonal sovereignty. For instance, some cantons (mostly Catholic) started the school year in September, after the long summer holidays, while others started in spring around the Easter period. For the children of

³⁹ Legge sull'Università della Svizzera italiana, sulla Scuola universitaria professionale della Svizzera italiana e sugli Istituti di ricerca, del 3 ottobre 1995; RL 5.3.1.1.; <<http://www.lexfind.ch/dtah/73634/4/160.htm>>.

⁴⁰ There is an abundant literature about the ‘survival’ of Romansh language; the most recent work is: BISAZ, Corsin; GLASER, Andreas (eds). *Räto-romanische Sprache und direkte Demokratie*.

⁴¹ Sprachengesetz des Kantons Graubünden (SpG), vom 19. Oktober 2006; BR 492.100; it was by the way the third attempt to adopt such a law, after unsuccessful trials in 1981 and 1985; <<http://www.gr-lex.gr.ch/frontend/versions/238>>.

parents who moved from one canton to another, it could be very complicated. Nevertheless, it took decades to find a consensus and for the school year to start in autumn everywhere. It has even been necessary to enshrine the new date in the Constitution! As any constitutional amendment is submitted to a compulsory referendum, the beginning of the school year in Switzerland has been the topic of a popular vote necessitating the double majority of citizens and cantons.⁴²

This demonstrates the difficulty in harmonising the school systems. And it now also encompasses the tricky question of languages. At the beginning of the 2000s, the necessity of increased school harmonisation became more and more obvious. On 21 May 2006, Swiss citizens voted for a new ‘school constitution’, in the form of a constitutional amendment requiring an increased level of harmonisation among cantons, without the intervention of the Confederation in order not to hinder the cantonal sovereignty in such an important field.⁴³ As was easily foreseeable, the harmonisation work proved difficult.

One of the trickiest points was the teaching of languages. Traditionally in Switzerland, at primary school pupils learn in their own mother tongue, then a second language which is a second national language (German for the French speakers and French for the German speakers) and then a third language which is almost always English. During the discussions, Swiss Germans argued that it was much more useful for children to learn English than French, taking into account globalisation and the world economy. French Swiss were more attached to the respect for federal faithfulness, even if pupils do not like learning German very much, a language that moreover nobody likes to speak in German-speaking Switzerland. After long discussions, a national consensus has been found over an intergovernmental agreement called HarmoS.⁴⁴

5.3.2 A possible – but potentially dangerous – solution to the problem

By an agreement developed in 2004 and reaffirmed in 2014, cantons made a commitment to teach two foreign languages at primary school, of which at least the second must be a national language. But this decision is questioned: some cantons in eastern Switzerland, including Thurgau or Glarus, want to push aside the learning of French in secondary school (from age 12 onwards) and to teach only English at primary school level. Several popular initiatives are also pending, in Zurich and in Lucerne; others are collecting signatures.

Until now, the Home Secretary, Alain Berset (Federal Councillor in charge of the question), preferred to give some time to the cantons, who are the competent authorities regarding education. But he fixed a deadline at the end of June 2016, and marked out the ground with the aim of a federal intervention declaring: ‘You should not expect that we stand idly by if cantons [...] do not respect the objectives that they set themselves.’⁴⁵ But from that point of view, there is a difficult relation between federalism and linguistic diversity: as the regulation of languages is a cantonal power, any trial to rule this field on a larger scale infringes on the cantons’ sovereignty.

In mid-June 2016, the Conference of the Cantonal Directors of Public Education (CDIP) set out its position by letter to the Home Secretary. The CDIP underlined its attachment to federalism more than to language teaching. Simultaneously, it tried to save time. Among cantons, the French-speaking Swiss are favourable to a strict application of the agreement of 2004; those who line the linguistic boundary also defend French, a part of eastern and central Switzerland would prefer to organise themselves as they want, and finally Ticino, Graubünden and Uri experience a special situation (because they belong to or border on Italian-speaking Switzerland).

For his part, the Home Secretary has asked his department to prepare a draft amendment of the law on the languages, specifying that the teaching of the second national language begins at the primary school level and lasts until the end of secondary school education. This formulation does not specify either the first foreign language that has to be introduced, or the particular school year during which it has to be introduced. Consulted on this point, the CDIP admits that ‘the freedom of action of cantons remains guaranteed’.⁴⁶

42 Currently, art. 62 para 5 of the Constitution states that: ‘The Confederation shall regulate the start of the school year’.

43 Federal Decree of 16 Dec. 2005, Federal Council Decree of 27 July 2006; AS 2006 3033; BBl 2005 5479 5547 7273, 2006 6725.

44 <<http://www.ides.ch/dyn/11737.php>>.

45 As he declared it in the newspaper ‘Le Temps’ in April 2016. Author’s translation

46 The question of the possibility of a national rule in this matter has been the topic of a legal notice by prof. Benhard WALDMANN,

But the basic question remains: is it really necessary to defend the national cohesion and multilingualism at all costs, or is it better to leave it in the hands of the cantons? In any case, the risk of a referendum could turn into the ultimate test on a national scale. The collateral effects of the adoption of a law followed by a popular vote would be catastrophic. Therefore, cantonal ministers tried to convince their colleagues not to follow the example of Thurgau.⁴⁷ They seem to have succeeded, as on 16 December 2016, the Home Secretary gave up the idea of a federal rule⁴⁸... at least for the present.

5.4 Another tricky issue: mobilisation to save an endangered French Chair at Zurich University

The Home Secretary has recently been confronted with another issue on the theme of languages. Twenty-one professors of modern French literature from the universities of Neuchâtel, Lausanne, Geneva, Fribourg, Basel and Bern addressed him, because they oppose the project of the University of Zurich to abolish the Chair of 19th- and 20th-century French literature in January 2019, after the resignation of its holder, Prof. Patrick Labarthe.⁴⁹ This fear could suggest that the global context is clearly not very favourable to the national cohesion and to the respect for linguistic diversity.

6 Does official status matter?

After having described so many elements concerning languages and linguistic policy in Switzerland, even very recent ones, it seems possible to draw a simple conclusion: the official status matters (of course), but the linguistic recognition must be accompanied by a linguistic policy and a political will in order to prove effective. Any recognition helps to give some official status to a language: the best way to show respect and to avoid frustration.

In Switzerland, the early recognition of three (in 1848) and then four (in 1938) languages has allowed for the preservation of peace and prosperity in the country. In contrast to Canada with Quebec, Ukraine with Donbass, or Spain with Catalonia, there has never been any secessionist movement in Switzerland. This shows the value of the principle of ‘unity in diversity’ and the strength that an officially recognised diversity can bring to a country.

The awareness of the importance of multilingualism has led to a paradigm shift. Since 1996, with the consent of a large majority of Swiss voters, it has been decided to move from a purely static recognition of language to a more dynamic incentive for multilingualism. This is proving useful as new tensions currently arise around the teaching of national languages.

But linguistic policy is an endless story. In Switzerland, numerous migrants tend to overcome the classical language divisions.⁵⁰ And what to say about the arrival of English as a possible new *lingua franca*? Previously, most of the official terms were conceived in Latin to respect the linguistic cleavages, like *Confoederatio Helvetica*, or *Helvetia*, not to mention *Pro Juventute*, *Pro Infirmis* or *Pro Senectute*. Now the federal administration tends to use English for the same reason: Swiss Mint, Swisspol, Swissinfo, Swissmedic, or Swiss Startup Day.

Director of the Institute of Federalism: *Besteht eine Bundeskompetenz zur Regelung des Fremdsprachenunterrichts?* On 21 May 2017, citizens of Zurich (the most populated canton) rejected an initiative aiming at transferring the teaching of the second foreign language from the primary to the secondary school. This is a good sign for national cohesion.

47 *Enseignement des langues: l'heure de la riposte pour Alain Berset*, Le Temps, 28 June 2016.

48 <<https://www.letemps.ch/suisse/2016/12/16/confederation-nimpose-francais-aux-cantons>>.

49 The signatories of the letter denounce ‘the general movement of dismantling of French teaching in German-speaking Switzerland at every level’.

50 Switzerland is currently described as a ‘Tower of Babel’ by two studies published in 2005: SWI swissinfo.ch – La Suisse parle bien plus que quatre langues, 12 April 2005.

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