

**PLAIN LANGUAGE AND MODALITY:
ANALYSIS OF A PARALLEL CORPUS WITH *SHALL*
AND SIMPLE FUTURE TENSE IN THE ENACTING
TERMS OF DELEGATED DIRECTIVES**

**LENGUAJE CLARO Y MODALIDAD:
ANÁLISIS DE UN CORPUS PARALELO CON *SHALL*
Y FUTURO SIMPLE EN LA PARTE DISPOSITIVA
DE DIRECTIVAS DELEGADAS**

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Abstract

Plain language should be recognised, by both writers and translators, as a key element for the qualities of European legal drafting. This is particularly relevant in the context of drafting European directives, where it is essential to maintain legal certainty, facilitate uniform interpretation across Member States and ensure that amendments are seamlessly integrated into existing legislative frameworks without introducing ambiguities or inconsistencies. This study focuses on a parallel corpus (English/Spanish) of enacting terms used in 20 delegated directives available in the EUR-Lex database. In particular, the study focuses on the use of the English modal verb *shall* and the simple future tense in Spanish. The corpus selection of delegated directives ranges from 2019 to 2024, after the publication of the *Joint Practical Guide of the European Parliament, the Council and the Commission for Persons Involved in the Drafting of European Union Legislation* in 2015. The study findings serve to identify common structural patterns and provide insights into the use and translation of modality in line with current European recommendations on plain language.

Keywords: Delegated directives, parallel corpus, modal *shall*, simple future tense, enacting terms, plain language.

Resumen

La redacción jurídica en el marco europeo ha de favorecer que redactores, redactoras, traductores y traductoras reconozcan que el lenguaje claro constituye uno de sus principales pilares. En la redacción de directivas europeas es imprescindible preservar la seguridad jurídica, favorecer una interpretación uniforme entre los Estados miembros y asegurar que las enmiendas se integren correctamente en los marcos legislativos vigentes para evitar ambigüedades o inconsistencias. Este estudio se centra en un corpus paralelo (inglés/español) de la parte dispositiva de 20 directivas delegadas de la base de datos EUR-Lex. En particular, el estudio se centra en el uso del verbo modal *shall* en inglés y del futuro simple en español. El corpus de las directivas delegadas incluye las redactadas entre 2019 y 2024, después de la publicación de la *Guía práctica común del Parlamento Europeo, del Consejo y de la Comisión para la redacción de textos legislativos de la Unión Europea* en 2015. Los resultados de este estudio sirven para identificar patrones recurrentes y arrojar luz sobre el uso y la traducción en español de la modalidad de acuerdo con las recomendaciones actuales de lenguaje claro.

Palabras clave: Directivas delegadas, corpus paralelo, modal *shall*, futuro simple, parte dispositiva, lenguaje claro.

1. Introduction to European Legal Drafting

Legal texts within the European Union can be grouped based on their pragmatic and performative functions (Gibová 2011). These texts fall into two primary categories as illustrated in Table 1:

Constitutive rules	Prescriptive rules
Regulations and decisions (performative language)	Directives (prescriptive language)

Table 1. EU texts and their pragmatic features (Gibová 2011)

Directives constitute a form of secondary legislation intended to harmonise national laws across European Union (EU) Member States in pursuit of common objectives. Although not binding in all their details, directives cannot be disregarded by Member States. As the principal instrument for legislative harmonisation, they

establish a framework that must be transposed into national legal systems, as explained in Andone and Coman-Kund (2017: 80):

In principle, EU Directives are not directly applicable but need to be enshrined into national law. In order to achieve the EU's objectives, these legislative acts require timely and proper transposition and implementation. This means that these acts need to be incorporated into national law in order to make the EU's objectives and requirements directly applicable in the Member States, and they need to be applied at the national [sic] and subnational level. Put simply, these legislative acts need to be complied with by the Member States (cf. Falkner et al. 2005: 12-13).

Typically, the main forms of secondary EU legislation (directives, regulations and decisions) frequently employ nuanced obligation markers to convey varying degrees of obligation and other modal meanings. Hence, these texts may be a rich source of modality in legal drafting for analysis. In particular, the present study focuses on delegated directives, a subgenre regulated by Article 290 of the Treaty on the Functioning of the European Union (TFEU):

Article 290 TFEU defines delegated acts as those that: (1) are adopted by the European Commission; (2) are of general application; (3) “supplement or amend certain non-essential elements” of the basic act; (4) are based on an explicit delegation of power (contained in a legislative act) that lays down the objectives, content, and scope of the delegated act, and is of specific duration; and (5) may not be concerned with “essential elements of an area” regulated by the basic act. (Del Monte and Manko 2021: 4)

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European legislation seeks to persuade Member States to comply with specific provisions (Andone and Coman-Kund 2017). This performative dimension aligns directives with the framework of speech act theory (Austin 1962; Searle 1969). Modality is closely associated with speech acts, with modal verbs serving as a clear expression of the legislator's attitude toward the action of the verb. In fact, modal verbs in legal drafting have been widely studied due to their role in encoding obligations, permissions and recommendations (Cooper 2011; Garzone 2013; Andone and Coman-Kund 2017). Previous research has highlighted that while some modal verbs such as *must* are generally unambiguous in legal contexts, others, particularly *shall*, have been criticised for their inconsistent use and ambiguity (Cooper 2011; Guarino 2023).

Furthermore, speech acts in legislative texts such as European directives can be classified according to their structure as either direct or indirect speech acts (Searle 1969). Direct speech acts occur when the grammatical structure of an utterance directly corresponds to its illocutionary force. For example, a directive illustrates a direct speech act, as in “Member States shall ensure the compliance of (...)” (Directive 2003/87/EC), where *shall* directly expresses an obligation.

20 In contrast, indirect speech acts, as described by Searle (1975), involve performing an illocutionary act indirectly through another act. For instance, in the directive “Member States may, if they deem necessary, adopt additional measures to ensure (...)” (Directive 2014/24/EU), the sentence indirectly encourages Member States to take action by framing the obligation within a conditional structure, rather than issuing a direct command. So far, legal drafting in *Common Law* systems has been characterised by a conservative approach to legislative language (Mellinkoff 1963; Crystal and Davy 1969; Tiersma 1999; Williams 2005, 2011; Mattila 2006). One of its most distinctive features is the persistence of *shall* as a marker of legal obligation. This modal verb has been widely used in legislative texts to impose duties and obligations, ensuring consistency in legal interpretation. However, its use has also been debated, as it can express other meanings across legislative texts (Gibová 2011; Felici 2012; Garner 2013; Garzone 2013; Escobar and Samaniego 2022; Guarino 2023). Cooper (2011) cites Tanner’s (2006) analysis of Directive 2002/2/EC, where 22 uses of deontic *shall* are identified together with other 5 non-deontic uses of this modal verb. This double use leads the author to conclude that the difficulty was compounded by the continued use of peculiar linguistic conventions, which included the use of *shall* both as a deontic modal and as an indication of the future (Tanner 2006 in Cooper 2011: 49).

The issue of modal ambiguity is also reflected in the Spanish translations of the modal verb *shall*, which frequently use the simple future tense. While this use aligns with legal drafting conventions, the simple future tense has also been described as polyfunctional and ambiguous, and can express obligation, prediction, warning or promise depending on pragmatic purpose (Real Academia Española (RAE) 2009; Escandell-Vidal 2010, 2018; Lara-Bermejo 2016). These linguistic sources underscore the interpretative flexibility of the future tense, which may pose difficulties in legal translation and transposition, especially in terms of clarity and consistency across multilingual legal systems.

Moreover, Thegel and Lindgren (2020), in a corpus-based study of EU parliamentary interventions, confirm this variability, showing that verbs such as *deber*, *poder*, *haber* and the simple future tense are commonly used to express obligation, necessity and possibility, with interpretations ranging from deontic (imposing obligation or granting permission) to epistemic (expressing probability or inference). These authors claim that this ambiguity has consequences for legal drafting and interpretation, underscoring the importance of precision in the choice of modal verbs. This concern is echoed in recent plain-language initiatives promoted by the RAE and the Asociación de Academias de la Lengua Española (ASALE), such as the creation of the Red Panhispánica de Lenguaje

Claro y Accesible (2022) and the *Guía panhispánica de lenguaje claro y accesible* (2024), which highlight clarity and precision in legal and administrative texts as institutional priorities across the Spanish-speaking world. Although these initiatives do not address modality specifically, they reflect a growing institutional concern with linguistic ambiguity in legal drafting.

The present study adopts a parallel corpus approach, focusing on delegated directives in English and their Spanish translations. Regarding parallel corpus analysis, we follow Felici (2012) and assume an original text in language A (English) and its translated version in language B (Spanish). Her findings illustrate the value of parallel data for uncovering systematic drafting and translation practices across languages, reinforcing the rationale for the design adopted in our study. By contrasting both languages, our study seeks to highlight not only how obligation and futurity are encoded, but also how translation choices may perpetuate or mitigate ambiguity.

The research focuses on the enacting terms of directives (the binding part), which exhibit a particular distribution of information: “[...] They are composed of articles, which may be grouped into parts, titles, chapters and sections [...] and may be accompanied by annexes” (Legal Service (European Commission) 2015: 7.3: 24). In the case of the delegated directives in our corpora, the enacting terms contain four articles: Article 1, Article 2, Article 3 and Article 4, where the modal verb *shall* corresponds to the Spanish simple future tense, after the enacting formula “HAS ADOPTED THIS DIRECTIVE”, at the beginning of the preamble. As discussed below, the modal *shall* in enacting terms may result in ambiguity and leave no discretion to Member States in the process of transposition, since directives should not be considered regulations (Legal Service (European Commission) 2015).

The main objective of this study is to enhance our understanding of obligation in EU secondary legislation and identify new avenues for research related to clarity recommendations. Accordingly, the following research questions are addressed:

- i) How is legal obligation expressed through modality in the enacting terms of delegated directives in the parallel corpus?
- ii) What type of modal ambiguity arises from the use of *shall* in English in contrast to the simple future tense in Spanish?
- iii) What clearer alternatives of modality may improve legal drafting in both languages?

2. Clarity and Modality in European Directives

The guide *How to Write Clearly* (2012), by the Directorate-General for Translation (European Commission), makes no mention of the modal *shall*. A later publication, the so-called *Joint Practical Guide of the European Parliament, the Council and the Commission for Persons Involved in the Drafting of European Union Legislation* (Legal Service (European Commission) 2015), seems to require that a text have a balance between simplification and precision, and illustrates a potential conflict with the use of the modal *shall* in texts, as follows:

Example of a text which did not achieve this balance:

“A compulsory [product] labelling system shall be introduced and shall be compulsory in all Member States from 1 January 2000 onwards. However, this compulsory system shall not exclude the possibility for a Member State to decide to apply the system merely on an optional basis in respect of [the product] sold in that same Member State”. (Legal Service (European Commission): 1.4: 10-11)

A few experts explicitly advocated replacing *shall* with *must* in legislative drafting, as in Williams (2005) and Garner (2013). The latter author observes that *shall* combines obligation, futurity, impersonal style and, therefore, can be overused in places where its meaning is less clear. According to Escobar and Samaniego (2022), there are two references for the use of *shall* in legal drafting. The first appears in Garner (2013) as a general recommendation, suggesting the deletion of *shall* except in cases of mandatory use. The second reference is found in the *Joint Practical Guide*, indicating the following:

In the enacting terms of binding acts, other languages, such as French, use the present tense, whilst English generally uses the auxiliary ‘shall’. In both languages, the use of the future tense should be avoided wherever possible. (Legal Service (European Commission): 2.3.2: 11)

The European Commission’s *English Style Guide* (2024, 10.27-28: 59) provides further insight into the issue. It recommends the use of *shall* to impose an obligation or a requirement through a positive or negative imperative in EU legislation. Therefore, it also stipulates that *shall* should not be employed outside the enacting terms of legislation. To date, no published study has provided a definitive solution to the ambiguity surrounding *shall* in legislative drafting.

Another recent study of EU secondary legislation is Guarino’s (2023), which presents a contrastive analysis of the use of *shall* in legislative texts in the European Union and the United Kingdom. Guarino’s findings indicate that *shall* remains the most frequently used modal verb in EU legislation, as evidenced by data from the European directives corpus. In contrast, the UK corpus shows a notable decline in

the use of *shall*, with many instances replaced by *may*, and an increasing preference for *must*.

Garner (2004) argued that *shall* is ambiguous and inconsistently interpreted in legal texts, recommending its replacement with clearer alternatives such as *must* or *may* to enhance legal precision, clarity and alignment with plain-language drafting principles. In the English corpus, the modal verb *shall* is mostly used to impose legal obligations, particularly in enacting terms. Despite its long-standing role in legal drafting, *shall* has come under increasing scrutiny from both legal scholars and plain-language advocates due to its semantic ambiguity and declining practical utility. While many drafters assume *shall* denotes obligation, research and judicial interpretation have demonstrated that the term can convey a range of meanings, including *must*, *may*, *will* and *is*, depending on the context.

Following Felici's (2012) study, the modal verb *shall* presents ambiguities in legislative texts, particularly within the context of the EU. Its excessive use can be problematic in legal translation and interpretation. While *shall* is typically associated with deontic speech acts such as ordering and prohibiting, there are instances where it serves other functions, including performativity and the establishment of necessary conditions. Furthermore, some EU languages lack a direct equivalent of *shall*, making translation complex and potentially inaccurate, as in the specific case of Spanish, given the parallel nature of our study. Therefore, EU legislative drafters should consider adopting clearer alternatives to *shall* in order to improve legal certainty across different language versions.

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3. *Shall* and Simple Future Tense

Both *shall* and the future tense may replicate semantic polyvalence, which can lead to ambiguity. To illustrate, there is a correspondence between the five primary uses of *shall*, as defined in Garner (2004), and their counterparts of the Spanish simple future as shown in Table 2. In all instances, *shall* is rendered using the Spanish simple future tense, which —as noted by RAE (2009), Escandell-Vidal (2010, 2018) and Lara-Bermejo (2016)— can express not only future actions but also commands, requests, warnings, threats and commitments, often articulated in the third person in normative or instructional contexts.

Use of <i>shall</i> (Garner 2004)	General English meaning	Observed Spanish translation	Function of Spanish simple future
1. <i>Has a duty to / is required to</i>	Obligation	Simple future	1. Mandate or instruction (often in 3rd person)
2. <i>Should</i>	Recommendation	Simple future	2. Advice
3. <i>May</i>	Permission/ possibility	Simple future	3. Polite request
4. <i>Will</i>	Future event	Simple future	4. Temporal future; may also imply intention, promise or threat depending on context
5. <i>Is entitled to</i>	Legal right/ entitlement	Simple future	5. Commitment

Table 2. *Shall* and the Spanish simple future tense

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To reduce the potential ambiguity of the simple future, and following plain language recommendations, alternative verbal strategies may be employed in Spanish, such as the periphrasis *deber + infinitive*, which clearly expresses obligation. Furthermore, RAE (2009), Parramon i Blasco (2017) and Serrano (2021) identify the present indicative as the prototypical form for conveying normative content. In line with this, the *Manual de lenguaje claro y estilo* (Tula del Moral and Núñez Gelvez 2021) recommends the use of the present tense in normative texts to enhance clarity and reduce imprecision.

4. Methodology

This study focuses on the creation of a parallel corpus of European directives where we analyse different aspects to answer the research questions stated above. To begin with, we created a parallel corpus of delegated directives which allowed us to carry out a contrastive analysis. The corpus would lead us to identify the uses of *shall* in English, in contrast to the uses of the simple future tense in Spanish. In particular, we selected the specific context where enacting terms are expressed in order to scrutinise the frequency of modal verbs and their Spanish counterparts. This approach follows previous research in Spanish administrative law (Montané 2022; Pistola and da Cunha 2024), where corpora of administrative texts were analysed to identify and clarify recurring phraseology.

4.1. Selection Criteria for Corpus Compilation

The study adopts a corpus linguistics approach. Corpus compilation was informed by previous research in the field of Spanish administrative law (Da Cunha and Montané 2020; Da Cunha and Escobar 2021; Pistola 2022) where the authors analysed specialised textual genres in the domains of administration and tourism. Building on this methodological framework, the present study applies both quantitative and qualitative analyses to a body of delegated directives. A total of 20 delegated directives were selected from the EUR-Lex database using the “Advanced Search” function based on specific criteria. In particular, the selection criteria applied to compile the corpus of delegated directives used in this study were as follows:

- a. Subgenre: Delegated directives specifically amending previous directives.
- b. Issuer and Audience: Issued by the European Commission and directed to Member States and EEA countries (Iceland, Liechtenstein and Norway).
- c. Target Groups: Addressed to EU Member States, relevant stakeholders and the general public.
- d. Time Frame: Published between 2019 and 2024. Delegated Directives issued prior to 2019 were excluded to ensure the selection of up-to-date texts.
- e. Length: Between 2 and 4 pages to maintain comparability in document scope.
- f. Content: Covering a variety of topics to ensure thematic diversity, such as exemptions of certain substances, sustainability factors, modifications to vehicle category designations, standards for marine equipment, methodologies for estimating atmospheric pollutant emissions, inland transport of dangerous goods, manufacturing, tobacco product regulation and financial issues.
- g. Format: Preference was given to documents primarily consisting of written text; texts composed mainly of tables were excluded.

A total of 86 delegated directives were initially compiled in both languages, as shown in Table 3. The resulting corpora consist of 15,298 words in English and 17,670 words in Spanish. Following the application of the selection criteria outlined above, 53 directives were retained for analysis. The remaining 33 were excluded due to factors such as insufficient textual content, excessive length or redundancy.

Genre	No. of compiled texts	No. of valid texts	No. of invalid texts
Delegated Directive	86	53	33

Table 3. Number of compiled, valid and invalid texts

The total number of directives initially identified per year, their approximate length, the number retained for analysis and those excluded is given in Table 4. Most retained documents were published between 2020 and 2023 and had a manageable length (2-4 pages). Older documents, especially from 2019 and earlier, were often excluded due to outdated content or because they appeared as corrigenda. Other reasons for exclusion included excessive length, limited textual content or redundancy across topics. This structured selection ensures that the pilot study focuses on current, representative and textually rich examples of EU legislative drafting.

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Publication Year	Total Directives	Length	Documents Retained	Documents Excluded
2024	3	2 short, 1 long	2	1
2023	6	4 short, 1 medium, 1 long	3	3
2022	17	17 short	4	13
2021	13	11 short, 2 long	8	5
2020	10	9 short, 1 long	3	7
2019	13	13 short	0	13
2018	7	—	0	7
2015	1	—	0	1
2019-2024 (Corrigenda)	16	—	0	16
Total	86		20	66

Table 4. Selected corpus of delegated directives

4.2. Digital Extraction of Modal Verbs

To analyse modality from the legal-drafting perspective in the chosen delegated directives, it was necessary to measure the frequency of the modal verb *shall* and the simple future tense in the Spanish counterpart. For this purpose, Natural Language Processing (NLP) techniques were applied using spaCy. These functionalities allowed for the precise identification and classification of verbs in the corpora. In English, occurrences of *shall* were counted by matching tokens whose text (in any case) was exactly *shall* regardless of their position in the sentence, lemma or part of speech. In Spanish, instances of the simple future were detected automatically by selecting finite verbs tagged with Tense=Fut in spaCy's morphological features, ensuring that only synthetic forms (e.g. *publicarán*, *entrará*, *adoptarán*) were counted.

While NLP techniques facilitated the automatic identification of these verb forms, the interpretation of their speech act (prescriptive vs. performative) was conducted manually. This classification distinguished between modals used in prescriptive speech acts—which impose obligations, grant permissions or offer recommendations—and those found in performative utterances, which enact legal effects upon being stated. The extraction process involved the following steps:

- a. Corpus processing: The text files containing the directives were segmented into five different predefined sections: heading, preamble, enacting terms, closing and annex using regular expressions to detect structural markers.
- b. Verb detection: The English corpus was analysed with spaCy to extract all occurrences of the modal verb *shall*. The Spanish corpus was analysed in the same way to extract all verbs in the simple future tense.
- c. Frequency calculation: For each section and for the full corpus, absolute and relative frequencies (normalised to 1,000 words) were computed.
- d. Data aggregation and visualisation: The section-level frequencies for both corpora were aggregated and represented in grouped bar charts to compare the distribution of *shall* and the Spanish simple future.

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5. Parallel Corpus Study Results

In this section, we present the main findings from the parallel corpus, focusing on the enacting terms of the selected delegated directives. The analysis aims to determine whether *shall* in English and the simple future tense in Spanish convey similar types of modality in these enacting terms, ranging from strict obligation or requirement to a mere reference to a future event. For this purpose, we first

present the frequency of *shall* and the simple future tense; second, we examine their distribution according to Felici's (2012) category distinctions; and, third, we discuss the results of applying specific plain-language recommendations to certain uses of *shall* and the simple future tense in the same enacting terms.

5.1. Frequency of *Shall* and Future Tense in Directives

To begin with, we analysed the distribution of the modal *shall* across the entire corpus. First, each directive was divided into sections according to its structure in both English and Spanish. These sections include the headings, preambles, enacting terms, closings and annexes. This segmentation allowed us to observe the frequency of the verb and its distribution across the different sections of each directive.

We divided the number of occurrences of *shall* by the total number of words in each section and normalised the results to 1,000 words, which allowed for comparison across sections regardless of their actual length. The results indicate that *shall* is concentrated in the enacting terms, reflecting its role in expressing binding provisions within the main body of the directive.

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Moreover, we calculated the relative frequency of *shall* in the entire corpus: 10.92 occurrences per 1,000 words. This result confirms its prevalence in this legal genre, despite recommendations from plain language advocates to replace it with other verbs, such as *must* or *may* (Guarino 2023).

Next, we counted the total occurrences of *shall* and the Spanish simple future tense in each section of both corpora. This allowed us to identify patterns in the English corpus and its Spanish counterpart. In total, 167 occurrences of *shall* and 204 of the Spanish simple future were classified according to their performative or prescriptive function.

Regarding the relative frequency of the simple future in the entire corpus, we observed that it is slightly higher than in English, at 11.54 occurrences per 1,000 words, with an absolute frequency of 204. This higher frequency indicates that the simple future is the standard way to express obligation in Spanish legal drafting, whereas *shall* in English is used more selectively. The contrast in the relative frequency of both verbs is shown in Figure 1, adjusted for the length of each section within documents.

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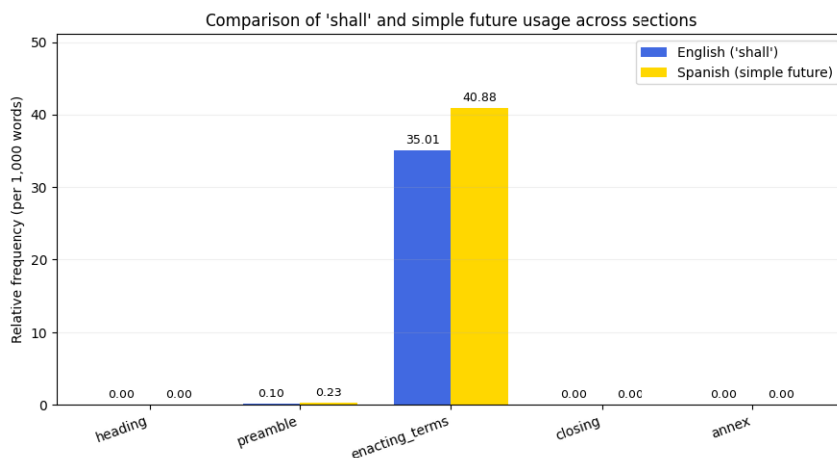


Figure 1. Relative frequency across sections in the parallel corpus

5.2. Identification of Categories

A second main finding of the contrastive study was the identification of all occurrences of *shall* and the simple future tense in the parallel corpus, classified according to the categories proposed by Felici (2012). These categories include necessary requirements, constitutive statements, deontic, anankastic, entitlements, authorisations, negative requirements and prohibitions. The corpus contains a total of 167 occurrences of *shall*, each translated into Spanish with the simple future tense. To illustrate these uses, we focused on recurring phrases appearing in at least 50% of the corpus, which identified 120 instances of utterances containing *shall*. One example of each case is provided in Table 5. Following Gibová (2011), the use of *shall* remains predominantly prescriptive when directives require intervention from an active agent to achieve a specific goal.

Shall	The future tense
(1) Deontic modality- obligation Member States <i>shall adopt and publish</i> by [date.] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. (Commission Delegated Directive (EU) 2021/1716)	(1) Deontic modality- obligation Los Estados miembros <i>adoptarán y publicarán</i> , a más tardar [fecha], las disposiciones legales, reglamentarias y administrativas necesarias para dar cumplimiento a lo establecido en la presente Directiva. (Commission Delegated Directive (EU) 2021/1716)

(2) Deontic modality- obligation They (Member States) <i>shall (forthwith) communicate</i> to the Commission the text of those provisions. (Commission Delegated Directive (EU) 2021/1716)	(2) Deontic modality- obligation <i>Comunicarán</i> inmediatamente a la Comisión el texto de dichas disposiciones. (Commission Delegated Directive (EU) 2021/1716)
(3) Deontic modality- obligation Member States <i>shall determine</i> how such reference is to be made. (Commission Delegated Directive (EU) 2022/2407)	(3) Deontic modality- obligation Los Estados miembros <i>establecerán</i> las modalidades de la mencionada referencia. (Commission Delegated Directive (EU) 2022/2407)
(4) Deontic modality- obligation Member States <i>shall communicate</i> to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. (Commission Delegated Directive (EU) 2021/1716)	(4) Deontic modality- obligation Los Estados miembros <i>comunicarán</i> a la Comisión el texto de las principales disposiciones de Derecho interno que adopten en el ámbito regulado por la presente Directiva. (Commission Delegated Directive (EU) 2021/1716)
(5) Deontic modality- obligation They (Member States) <i>shall apply</i> those provisions/measures from [date]. (Commission Delegated Directive (EU) 2022/1631)	(5) Deontic modality- obligation <i>Aplicarán</i> dichas disposiciones a partir de [fecha]. (Commission Delegated Directive (EU) 2022/1631)
(6) Constitutive statement This Directive <i>shall enter into force</i> on the twentieth day that of its publication/on the following day that of its publication/on the day its publication in the Official Journal of the European Union. (Commission Delegated Directive (EU) 2021/1716)	(6) Constitutive statement La presente Directiva <i>entrará en vigor</i> a los veinte días de su publicación en el Diario Oficial de la Unión Europea. (Commission Delegated Directive (EU) 2021/1716)

Table 5. Typology of *shall* and the future tense in the enacting terms of the parallel corpus

As illustrated in Table 5, most examples of recurring phrases are deontic in nature, confirming that the use of *shall* is appropriate in the enacting terms of delegated directives. The parallel corpus study identified 20 distinct prescriptive contexts in which *shall* and the simple future tense are used to impose legal obligations, establish compliance requirements or assign duties to Member States. In these cases, *shall* and the simple future tense preceded verbs in either active or passive forms, such as *adopt (adoptar)*, *publish (publicar)*, *communicate (comunicar)*, *determine (determinar)*, *apply (aplicar)*, *be laid down (establecer in the active voice)*, *require (requerir)*, *identify (identificar)*, *assess (evaluar)*, *consider (considerar)*, *reconsider (reconsiderar)*, *notify (notificar)*, *establish (establecer)*, *bring into force (poner en vigor)*, *ensure (garantizar)*, *be accompanied (ir acompañado)*, *be presented (ser*

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presentado), *be reviewed* (*ser revisado*) and *be exempted* (*estar exento*). In contrast, and to a much lesser extent, eight performative contexts were identified, which predict future performance and precede verbs such as *contain* (*contener*), *enter into force* (*entrar en vigor*), *apply* (*aplicar*), *be accompanied* (*ir acompañado*), *carry* (*llevar*), *include* (*incluir*), *comprise* (*determinar*) and *exceed* (*exceder*).

5.3. A Proposal for the Application of Plain Language Recommendations

Once the categories of *shall* in English and the future tense in Spanish have been established in the parallel corpus of enacting terms, the corresponding plain language recommendations should be applied. First, the original sentences, together with our proposed revisions, are presented in Table 6, where alternative formulations aim to enhance clarity without altering the legal effect.

Source recurring phrases	Version validated by experts
(1) Member States <i>shall adopt and publish</i> by, [adoption and publication deadlines for Member States to implement the Directive into their national laws] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They <i>shall forthwith communicate</i> to the Commission the text of those provisions.	(1) Member States <i>shall adopt and publish</i> by, [adoption and publication deadlines for Member States to implement the Directive into their national laws] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They <i>shall inform</i> the Commission of the text of those provisions promptly.
(2) They <i>shall apply</i> those provisions from [date of application for the amendment].	(2) They <i>shall apply</i> those provisions from [date of application for the amendment].
(3) When Member States adopt those provisions, they <i>shall contain</i> a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States <i>shall determine</i> how such reference is to be made.	(3) When Member States adopt those provisions, they <i>shall contain</i> or refer to this Directive with this particular reference on the occasion of their official publication. Member States <i>shall determine</i> how to make this reference.
(4) Member States <i>shall communicate</i> to the Commission the text of the main provisions of national law, which they adopt in the field covered by this Directive.	(4) Member States <i>shall communicate</i> to the Commission the text of the main provisions of national law, which they adopt in the field covered by this Directive.
(5) This Directive <i>shall enter into force</i> on the day following that of its publication in the Official Journal of the European Union.	(5) This Directive <i>enters into force</i> on the following day of its publication in the Official Journal of the European Union.

Table 6. *Shall* in recurring phrases and clearer alternatives

As discussed in the previous section, our proposed revisions, as summarised in Table 6, maintain the claim that *shall* is generally appropriate in deontic contexts, as illustrated in examples (1)-(4). In contrast, a shift to the present simple can enhance clarity without compromising legal precision in constitutive contexts, as can be seen in example (5). The recurring phrase “This Directive shall enter into force on the day following that of its publication in the Official Journal of the European Union” represents a constitutive statement in Felici’s (2012) classification, since it establishes a legal state of affairs rather than imposing an obligation on an agent. For this reason, we reformulated it in the present simple: “This Directive enters into force on the day of its publication in the Official Journal of the European Union”, which more clearly expresses the intended effect without the ambiguity associated with *shall*.

Secondly, beyond the recurring phrases, and given the importance of distinguishing functions, we also analysed other instances of *shall* in the enacting terms. Ten corresponded to anankastic *shall* (necessary requirements), for which Felici (2012) recommends *must* as the clearer alternative. We also identified one instance of ambiguity in deontic modality due to agentless construction and one negative requirement, where *must* likewise ensures clarity. The remaining occurrences include three constitutive statements, best expressed in the simple present, and the rest are deontic, where *shall* remains the clearest option. All instances of non-recurring contexts where *shall* appears together with our proposal of clearer alternatives are illustrated, as in Table 7.

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Non-recurring uses of shall and proposed alternatives

<p>Anankastic <i>shall</i> (necessary requirement) (1) The methods of making such reference <i>shall be laid down</i> by the Member States. (Commission Delegated Directive (EU) 2021/1716)</p>	<p>Anankastic <i>shall</i> (necessary requirement) (1) The methods of making such reference <i>must be laid down</i> by the Member States. (Commission Delegated Directive (EU) 2021/1716)</p>
<p>Negative proposition (2) [...] the thresholds <i>shall not exceed</i> [quantity] for the balance sheet total [...] (Commission Delegated Directive (EU) 2023/2775)</p>	<p>Negative proposition (2) [...] the thresholds <i>must not exceed</i> [quantity] for the balance sheet total [...] (Commission Delegated Directive (EU) 2023/2775)</p>
<p>Ambiguity in deontic modality due to agentless constructions (3) [...] they (measures) <i>shall contain</i> a reference to this Directive [...] (Commission Delegated Directive (EU) 2021/1716)</p>	<p>Ambiguity in deontic modality due to agentless constructions (3) [...] they (measures) <i>must contain</i> a reference to this Directive [...] (Commission Delegated Directive (EU) 2021/1716)</p>

Table 7. Non-recurring uses of *shall* and clearer alternatives

Overall, the European Commission’s drafting exhibits little ambiguity in this corpus, as *shall* is consistently used with a deontic value to impose obligations, in accordance with established conventions. However, we identified 16 instances among the 167 occurrences of *shall* in the enacting terms across the entire corpus—comprising anankastic *shall*, constitutive statements, one instance of deontic ambiguity, and one negative requirement—in which clearer alternatives such as *must* or the present simple are precise and do not alter the legal effect.

Finally, the analysis of Spanish enacting terms was conducted to identify the verbal counterparts in recurring phrases in plain language, as shown in Table 8. The enacting terms in the source directives are presented in column 1, and our proposed clearer alternatives are presented in column 2, following the recommendations of previous authors.

Source recurring phrases in Spanish Proposed clearer alternatives

Deontic modality-obligation (1) Los Estados miembros <i>adoptarán y publicarán</i> , a más tardar [fecha], las disposiciones legales, reglamentarias y administrativas necesarias para dar cumplimiento a lo establecido en la presente Directiva.	Deontic modality-obligation (1) Los Estados miembros <i>deberán adoptar y publicar</i> , a más tardar [fecha], las disposiciones legales, reglamentarias y administrativas necesarias para dar cumplimiento a lo establecido en la presente Directiva.
Deontic modality-obligation (2) (Los Estados Miembros) <i>Comunicarán</i> inmediatamente a la Comisión el texto de dichas disposiciones.	Deontic modality-obligation (Los Estados Miembros) <i>Deberán comunicar</i> inmediatamente a la Comisión el texto de dichas disposiciones.
Deontic modality-obligation (3) (Los Estados Miembros) <i>Aplicarán</i> dichas disposiciones a partir de [fecha].	Deontic modality-obligation (3) (Los Estados Miembros) <i>Deberán aplicar</i> dichas disposiciones a partir de [fecha].
Deontic modality-obligation (4) Los Estados miembros <i>establecerán</i> las modalidades de la mencionada referencia.	Deontic modality-obligation (4) Los Estados miembros <i>deberán establecer</i> las modalidades de la mencionada referencia.
Deontic modality-obligation (5) Los Estados miembros <i>comunicarán</i> a la Comisión el texto de las principales disposiciones de Derecho interno que adopten en el ámbito regulado por la presente Directiva.	Deontic modality-obligation (5) Los Estados miembros <i>deberán comunicar</i> a la Comisión el texto de las principales disposiciones de Derecho interno que adopten en el ámbito regulado por la presente Directiva.
Constitutive statement (6) La presente Directiva <i>entrará en vigor</i> a los veinte días de su publicación en el Diario Oficial de la Unión Europea.	Constitutive statement (6) La presente Directiva <i>entrará en vigor</i> a los veinte días de su publicación en el Diario Oficial de la Unión Europea.

Source recurring phrases in Spanish Proposed clearer alternatives

Necessary requirement (7) Los Estados miembros <i>establecerán</i> las modalidades de la mencionada referencia. (Commission Delegated Directive. (EU) 2021/1716)	Necessary requirement (7) Los Estados miembros <i>deben establecer</i> las modalidades de la mencionada referencia. (Commission Delegated Directive. (EU) 2021/1716)
Negative proposition (8) [...] los umbrales <i>no rebasarán</i> los [cantidad] en el total del balance [...] Commission Delegated Directive. (EU) 2023/2775)	Negative proposition (8) [...] los umbrales <i>no deben rebasar</i> los [cantidad] en el total del balance [...] Commission Delegated Directive. (EU) 2023/2775)
Ambiguity in deontic modality due to agentless constructions (9) [...] estas (medidas) <i>incluirán</i> una referencia a la presente Directiva [...] (Commission Delegated Directive (EU) 2021/1716)	Ambiguity in deontic modality due to agentless constructions (9) [...] estas (medidas) <i>deben incluir</i> una referencia a la presente Directiva [...] (Commission Delegated Directive (EU) 2021/1716)

Table 8. Future simple tense in recurring phrases and alternatives in Spanish

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Our proposed Spanish alternatives in Table 8 illustrate the interaction between modality and tense in both prescriptive contexts, as follows: i) deontic obligation, expressed with *deber* in the simple future tense, which explicitly marks obligation; ii) necessary requirements, expressed with *deber* in the present simple, which retains the prescriptive intent while signalling an anankastic meaning (i.e. a condition that must be fulfilled in order to achieve a goal). For constitutive statements, such as “*La Directiva entrará en vigor*”, we retained the simple future tense, as it conveys temporal futurity rather than deontic force. Finally, for agentless constructions or negative requirements, the use of *deber* in the simple present reduces ambiguity by clearly denoting obligation.

6. Concluding Remarks

This study has examined the use of the modal verb *shall* in 20 delegated directives drafted in English between 2020 and 2024, together with their Spanish translations retrieved from the EUR-Lex database. Our aim was to shed light on the lack of balance between simplicity and precision when using modality in European legal drafting, already attested by the European Commission (Legal Service 2015). Overall, the findings confirm that while the Commission’s drafting practices are largely consistent, targeted adjustments could further enhance clarity in both languages. Alternatives such as *must* were not employed in deontic contexts. In

contrast, we recommend using the present simple tense to reduce ambiguity in constitutive statements in both English and Spanish. These results align with broader concerns raised in the literature (RAE 2009; Escandell-Vidal 2010, 2018; Lara-Bermejo 2016) regarding the modal weakening and polyfunctionality of the Spanish future tense.

The quantitative analysis identified 167 occurrences of *shall* in the English corpus and 204 occurrences of the simple future tense in the Spanish corpus. In both languages, these forms are concentrated in the enacting terms, highlighting their role in imposing obligations. However, while *shall* is used more selectively in prescriptive contexts, the Spanish future tense is distributed more widely across sections, reflecting a broader functional scope. This greater reliance on the simple future reinforces its status as the default device for expressing obligation in Spanish. Following RAE (2009) and Escandell-Vidal (2010, 2018), other devices, such as the periphrasis *deber + infinitive*, also express obligation and reduce ambiguity. We further recommend their use for the sake of clarity.

Building on Felici's (2012) categories, all occurrences of *shall* and the Spanish simple future were classified as deontic, anankastic, constitutive, entitlements, authorisations, negative requirements or prohibitions. The majority were deontic in nature, confirming that *shall* is generally used appropriately in delegated directives. However, out of 167 instances of *shall* in the enacting terms, 16 revealed potential for clearer alternatives: 10 anankastic uses, three constitutive statements, one negative requirement and one ambiguous deontic use. In these cases, alternatives such as *must* or the present simple provide more explicit marking of obligation or constitutive effect. Reformulating recurring phrases such as "This Directive shall enter into force [...]" as "This Directive enters into force [...]" demonstrates that such changes enhance clarity without undermining precision. The corpus also revealed 20 distinct prescriptive contexts in English in which *shall* is used to impose duties (e.g. *adopt, publish, notify, establish*), and eight performative contexts, where *shall* marks future states or conditions (e.g. *contain, enter into force, include*). This distribution further supports the need to distinguish prescriptive from performative uses when applying plain language recommendations.

Our proposal of clearer alternatives in Spanish distinguishes between functions. Deontic obligation is best expressed with *deber* in the simple future, which marks obligation explicitly and conveys the binding force of the provision. By contrast, necessary requirements are expressed with *deber* in the present simple, which retains the prescriptive intent but signals an anankastic meaning. Constitutive statements (e.g. "*La Directiva entrará en vigor*") are maintained in the simple future, as they convey temporal futurity rather than obligation. Furthermore, in agentless constructions or negative requirements, *deber* in the present simple

tense reduces ambiguity, since it unambiguously denotes obligation. This difference shows how the Spanish verbal system can disambiguate functions that remain problematic in English, thereby aligning legal drafting with principles of clarity and precision.

Finally, the data-driven recommendations align with ongoing calls for plain legal drafting made by institutions such as Clarity International, the Plain Language Association International (PLAIN) and the European Commission itself. Ensuring greater uniformity and adopting clearer alternatives where appropriate would not diminish legal certainty but would instead enhance readability and reduce the risk of misinterpretation across multilingual versions of EU law. The main limitation of the parallel corpus is that translation choices and structural differences between the languages can prevent exact equivalence, limiting the generalisability of observed patterns. Looking ahead, the methodology developed here should be extended to a larger corpus of EU legal genres in order to assess the consistency of modal usage across text types and further explore its implications for clarity and precision in multilingual drafting.

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Contribution of the Authors

The present paper is the contribution of two authors. Author 1 oversaw the theoretical framework, as well as the compilation, processing and analysis of the corpus, using both quantitative and qualitative approaches. Author 2 introduced the study of modality in directives, contributed relevant literature to the theoretical framework and was responsible for structuring, guiding and reviewing the manuscript. Both authors participated in the writing and final revision of the entire work.

Notes

1. SpaCy is an NLP library designed for text processing. It provides pre-trained language models in both English (en_core_web_sm) and Spanish (es_core_news_sm), which include key features such as lemmatisation, part-of-speech (POS) tagging and syntactic dependency parsing (Honnibal and Montani 2017).

Works Cited

ANDONE, Corina and Florin COMAN-KUND. 2017. "Argumentative Patterns in the European Union's Directives: An Effective Tool to Foster Compliance by the Member States" *Journal of Argumentation in Context* 6 (1): 76-96. <https://www.researchgate.net/publication/315957182_Argumentative_patterns_in_the_European_Union's_directives_An_effective_tool_to_foster_compliance_by_the_Member_States>. Accessed December 3, 2025.

AUSTIN, John Langshaw. 1962. *How to Do Things with Words*. Oxford U.P.

COOPER, Paul K. 2011. *Is There a Case for the Abolition of 'Shall' from EU Legislation?* Riga Graduate School of Law. <<https://www.rgsl.edu.lv/uploads/research-papers-list/22/1-cooper-final.pdf>>. Accessed December 3, 2025.

CRYSTAL, David and Derek DAVY. 1969. *Investigating English Style*. Longman.

DA CUNHA, Iria. (ed.) 2022. *Lenguaje claro y tecnología en la Administración*. Comares.

DA CUNHA, Iria and M.ª Ángeles ESCOBAR. 2021. "Recomendaciones sobre lenguaje claro en español en el ámbito jurídico-administrativo: análisis y clasificación" *Pragmalingüística* (29): 129-148. <<https://doi.org/10.25267/Pragmalinguistica.2021.i29.07>>. Accessed December 3, 2025.

DA CUNHA, Iria and M. Amor MONTANÉ. 2020. "A Corpus-Based Analysis of Textual Genres in the Administration Domain" *Discourse Studies* 22 (1): 3-31. <<https://doi.org/10.1177/1461445619887538>>.

DEL MONTE, Micaela and Rafael MANKO. 2021. *Understanding Delegated and Implementing Acts*. European Parliamentary Research Service. <[https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690709/EPRS_BRI\(2021\)690709_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690709/EPRS_BRI(2021)690709_EN.pdf)>. Accessed December 3, 2025.

Directorate-General for Translation (European Commission). 2012. *How to Write Clearly*. Publications Office of the European Union. <<https://data.europa.eu/doi/10.2782/54318>>.

ESCANDELL-VIDAL, M. Victoria. 2010. "Futuro y evidencialidad" *Anuario de Lingüística Hispánica* 26: 9-34. <<https://uvadoc.uva.es/handle/10324/9480>>. Accessed December 3, 2025.

ESCANDELL-VIDAL, M. Victoria. 2018. "El futuro simple del español. Sistema natural frente a usos cultivados" *Verba Hispánica* 26 (1): 15-33. <<https://journals.uni-lj.si/VerbaHispanica/article/view/8327>>. Accessed December 3, 2025.

ESCOBAR, M.ª Ángeles and Eva SAMANIEGO. 2022. "Análisis contrastivo inglés-español de las

recomendaciones sobre lenguaje claro en el ámbito jurídico-administrativo en los últimos 10 años dentro de la Unión Europea". In Da Cunha, Iria (ed.): 15-40.

EUR-Lex. n.d. *European Union*. <<https://eur-lex.europa.eu/homepage.html>>. Accessed December 3, 2025.

European Commission. 2021. *Commission Delegated Directive (EU) 2021/1716 amending Directive 2014/47/EU of the European Parliament and of the Council as regards Modifications to the Vehicle Category Designations Stemming from Amendments to the Typeapproval Legislation*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021L1716>>. Accessed April 6, 2026.

European Commission. 2022. *Commission Delegated Directive 2022/2407 Amending the Annexes to Directive 2008/68/EC of the European Parliament and of the Council to Take into Account Scientific and Technical Progress*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022L2407>>. Accessed April 6, 2026.

European Commission. 2022. *Commission Delegated Directive (EU) 2022/1631 Amending, for the Purposes of Adapting to Scientific and Technical Progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an Exemption for the Use of Lead in Bismuth Strontium Calcium Copper Oxide Superconductor Cables and Wires and Lead in their Electrical Connections*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022L1631>>. Accessed April 6, 2026.

European Commission. 2023. *Commission Delegated Directive (EU) 2023/2775 Amending Directive 2013/34/EU of the European Parliament and of the Council as regards the Adjustments of the Size Criteria for Micro, Small, Medium-sized and Large Undertakings or Groups*. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202302775>. Accessed April 6, 2026.

European Commission. 2024. *English Style Guide: A Handbook for Authors and Translators in the European Commission*. 8th Edition. Knowledge Centre on Translation and Interpretation. <https://knowledge-centre-translation-interpretation.ec.europa.eu/sites/default/files/ckeditor5-files/styleguide_english_dgt_en.pdf>. Accessed April 6, 2026.

European Parliament and the Council of the European Union. 2003. *Directive 2003/87/EC Establishing a Scheme for Greenhouse Gas Emission Allowance Trading within the Community*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003L0087>>. Accessed April 6, 2026.

European Parliament and the Council of the European Union. 2014. *Directive 2014/24/EU on Public Procurement and Repealing Directive 2004/18/EC*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0024>>. Accessed April 6, 2026.

FELICI, Annarita. 2012. "SHALL Ambiguities in EU Legislative Texts". *Comparative Legilinguistics* 10: 51-66. <<https://doi.org/10.14746/cl.2012.10.04>>.

GARNER, Bryan A. (ed.) 2004. *Black's Law Dictionary*. 8th Edition. Thomson West Publishing Co.

GARNER, Bryan A. 2013. *Legal Writing in Plain English: A Text with Exercises*. University of Chicago Press.

GARZONE, Giuliana. 2013. "Variation in the Use of Modality in Legislative Texts: Focus on shall". *Journal of Pragmatics* 57: 68-81. <<https://www.sciencedirect.com/science/article/abs/pii/S0378216613001720>>. Accessed December 3, 2025.

GIBOVÁ, Klaudia. 2011. "On Modality in EU Institutional-Legal Documents". *English Matters II: A Collection of Papers by the Institute of British and American Studies Faculty*: 6-12. <<https://www.semanticscholar.org/paper/ON-MODALITY-IN-EU-INSTITUTIONAL-LEGAL-DOCUMENTS-Gibov%C3%A1/c48e3d58c2653d0f7af45a50907320917b585994>>. Accessed December 3, 2025.

GUARINO, Ornella. 2023. "English Language and European Union: A Corpus-Based Study of EU Secondary Legislation". *De Europa* 6 (1): 27-55. <<https://doi.org/10.13135/2611-853X/7140>>. Accessed December 3, 2025.

HONNIBAL, Matthew and Inés MONTANI. 2017. *SpaCy 2: Natural Language Understanding with Bloom Embeddings, Convolutional Neural Networks and Incremental Parsing*. <<https://spacy.io/>>. Accessed December 3, 2025.

LARA-BERMEJO, Víctor. 2016. "La expresión del futuro en las lenguas romances de la Península Ibérica". *Boletín de la Real Academia Española* 96 (314): 529-558. <<https://revistas.rae.es/brae/article/view/160>>. Accessed December 3, 2025.

Legal Service (European Commission). 2015. *Joint Practical Guide of the European Parliament, the Council and the Commission for Persons Involved in the Drafting of European Union Legislation*. Publications Office of the European Union. <<https://data.europa.eu/doi/10.2880/5575>>. Accessed December 3, 2025.

MATTILA, Heikki E.S. 2006. *Comparative Legal Linguistics*. Ashgate Publishers.

MELLINKOFF, David. 1963. *The Language of the Law*. Little, Brown and Company.

MONTANÉ, M. Amor. 2022. "Hacia la clarificación de la fraseología del ámbito de la Administración: un estudio basado en corpus". In Da Cunha, Iria (ed.): 41-75.

PARRAMON I BLASCO, Jordi. 2017. "Leyes sin futuro: El uso de los tiempos en la traducción de textos normativos". *Punto y Coma: Boletín de los traductores españoles de las instituciones de la Unión Europea* 151: 1-4. <<https://www.parlament.cat/document/intrade/204007>>. Accessed April 1, 2026.

PISTOLA, Sara. 2022. "Análisis de la estructura y contenidos de un corpus de géneros textuales". In DA CUNHA, Iria (ed.): Comares: 77-116.

PISTOLA, Sara and DA CUNHA, Iria. 2024. "Análisis y clarificación de un corpus de fraseología administrativa: una propuesta orientada al uso del lenguaje claro en la Administración española". *Logos: Revista de Lingüística, Filosofía y Literatura* 34 (2): 494-522. <<https://revistas.userena.cl/index.php/logos/article/view/2419>>. Accessed December 3, 2025.

Real Academia Española y Asociación de Academias de la Lengua Española. 2009. *Nueva gramática de la lengua española* (Vol. 2). Espasa Libros.

Real Academia Española y Asociación de Academias de la Lengua Española. 2022. *Red panhispánica de lenguaje claro y accesible*. <<https://www.rae.es/la-institucion/red-panhispanica-de-lenguaje-claro-y-accesible>>. Accessed August 23, 2025.

Real Academia Española y Asociación de Academias de la Lengua Española. 2024. *Guía panhispánica de lenguaje claro y accesible*. <https://www.rae.es/sites/default/files/2025-10/Guía_panhispánica_de_lenguaje_claro_y_accesible.pdf>. Accessed December 3, 2025.

SEARLE, John R. 1969. *Speech Acts: An Essay in the Philosophy of Language*. Cambridge U.P.

SEARLE, John R. 1975. "Indirect Speech Acts". In Cole, Peter and Jerry. L. Morgan (eds.) *Syntax and Semantics 3: Speech Acts*. Academic Press: 59-82. <<https://brill.com/display/book/edcoll/9789004368811/BP000004.xml>>. Accessed December 3, 2025.

SERRANO, María José. 2021. "La modalidad deóntica como (de)subjetivación del discurso: variación entre las perífrasis haber/tener que + infinitivo". *Anuario de Letras. Lingüística y Filología* 9 (2): 43-79. <<https://doi.org/10.19130/iifl.adel.2021.9.2.47362>>. Accessed December 3, 2025.

TANNER, Edwin. 2006. "Clear, Simple, and Precise Legislative Drafting: How Does a European Community Directive Fare?" *Statute Law Review* 27 (3): 150-175. <<http://dx.doi.org/10.1093/slr/hml007>>. Accessed December 3, 2025.

THEGEL, Miriam and Josefin LINDGREN. 2020. "Subjective and Intersubjective Modality: A Quantitative Approach to Spanish Modal Verbs" *Studia Neophilologica*. <<https://doi.org/10.1080/00393274.2020.1724822>> Accessed December 3, 2025.

TIERSMA, Peter M. 1999. *Legal Language*. University of Chicago Press.

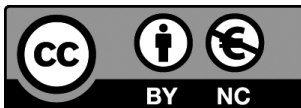
TULA DEL MORAL, María Lorena and Paula NÚÑEZ GELVEZ. 2021. *Manual de lenguaje claro y estilo*. Editorial Jusbaies. <https://www.ivap.euskadi.eus/r612347/es/contenidos/informacion/bibl_digital/es_documento/adjuntos/Manual-de-lenguaje-claro-y-estilo.pdf>. Accessed December 3, 2025.

WILLIAMS, Christopher. 2005. *Tradition and Change in Legal English: Verbal Constructions in Prescriptive Texts*. Peter Lang. <https://www.academia.edu/1619328/Tradition_and_Change_in_Legal_English_Verbal_Constructions_in_Prescriptive_Texts>. Accessed December 3, 2025.

WILLIAMS, Christopher. 2011. "Legal English and Plain Language: An Update" *ESP Across Cultures* 8: 139-151. <<https://edipuglia.it/wp-content/uploads/ESP%202011/Williams.pdf>>. Accessed December 3, 2025.

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