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A modality-based approach to the United Nations Security Council's ambiguous positioning in the resolutions on the Syrian armed conflict

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Abstract: This paper examines the role of deontic and epistemic central modality as a discursive strategy to express vagueness in the United Nations Security Council Resolutions on the Syrian armed conflict. The paper follows a corpus-based methodology with a two-fold objective: (i) identification, quantification and analysis of the central modal verbs retrieved from the resolutions, and (ii) the description of the communicative functions performed by these verbs. Our ultimate aim is to reveal the use of deliberate flexible language leading to ambiguous positioning towards the Syrian armed conflict in the United Nations Security Council Resolutions which have been issued since 2012. The consequences associated with the institutional use of flexible language and ambiguous positioning in the resolutions under study will also be accounted for.

Keywords: modality, modality types, vagueness, Security Council Resolutions, Syrian armed conflict

1 Introduction

This paper is set within the context of the Syrian armed conflict, which has become a major concern for the international community since 2012. The Syrian conflict has triggered the world's largest humanitarian crisis since World War II, with over 11 million asylum seekers following the outbreak of the civil war in March 2011. This has produced the largest refugee population from a single conflict in a generation, with 4.8 million asylum seekers having found refuge in neighboring countries such as Turkey, Lebanon, Jordan, Egypt and Iraq, and 6.6 other million having been internally displaced. The remaining million have

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claimed asylum in Europe, where Germany and Sweden lead the number of applications received.

Within the response of the international community to this armed conflict, the Security Council — whose main responsibility is the maintenance of international peace and security (Charter of the United Nations 1945) — has issued twenty-one resolutions since 2012 (United Nations Security Council Resolutions, hereafter UNSCRs). All of them are aimed in principle at condemning the violation of international humanitarian law and human rights, calling for non-negotiable humanitarian aid and medical support for the victims and, more importantly, sustaining any effort to achieve a peaceful resolution to the conflict.

UNSCRs have often been found to use intentionally vague, general or ambiguous words as a political strategy (Scotto di Carlo 2017, Scotto di Carlo 2013, and Scotto di Carlo 2012; Jonas and Swift 2008; Lobel and Ratner 1999). Negotiators frequently reach compromises sacrificing “clarity for the sake of obtaining consensus” (Šarčević 1997: 204) by means of replacing firm language with flexible language in order to make controversial terms vague or optional and introduce caveats and conditions which leave controversial provisions open to multiple interpretations depending on certain political, social or economic circumstances (Linos and Pegram 2016; Guzman and Meyer 2010; Abbott et al. 2000; Abbott and Snidal 2000).

Flexibility in agreement language includes three linguistic techniques: vagueness, options and caveats (Linos and Pegram 2016). Much research has been done on how vagueness, as well as conditions and caveats, have generated significant interpretation debates around prominent international agreements (Scotto di Carlo 2017, Scotto di Carlo 2013, and Scotto di Carlo 2012; Linos and Pegram 2016; Gamble 1985; Gold 1983). Partial agreement is often seen as a good second-best option on the basis that it will achieve some desired results (Brewster 2010). Nevertheless, Linos and Pegram claim that these “may have no net effect on average and can be even used to undermine the agreement’s goals in certain countries”: “Vague language, as well as language introducing options and conditions, makes it harder for states and third-party monitors to concur on whether particular behavior conforms to the agreement” (2016: 590). For Scotto di Carlo (2013: 2), excessive vagueness leads to “biased or even strategically motivated interpretations of resolutions, triggering conflicts instead of diplomatic solutions.”

Given these premises, the present paper builds on the legalization literature on the form of international agreements (Abbot et al. 2000) and draws from the claim that, in the specific case of UNSCRs on the Syrian conflict, “firm language is more likely than flexible language to elicit compliance with an agreement’s

roles,” while “flexible language leads states to behave in ways an agreement’s drafter did not intend” (Linos and Pegram 2016: 594). Our aim is to reveal the Security Council’s deliberate use of flexible language leading to ambiguous positioning towards the Syrian armed conflict and, therefore, to subsequent subjective and personalized interpretations of the resolutions associated with the conflict. More specifically, our intention is to examine the Security Council’s alternation of deontic and epistemic central modality in the preambular and operative paragraphs of the resolutions as a discursive strategy to express such vagueness and ambiguous positioning.

We hypothesize that deontic modality and firm language are used in preambular paragraphs to present the background information of the resolutions, while epistemic modality and flexible language are used in operative paragraphs to mitigate the scope of the decisions made and the actions to be taken. We further claim that the Security Council’s intention is to hide vagueness and flexibility behind a presupposed firmness that can mostly be found in preambular paragraphs without losing sight of the fact that the use of firm language would have made “it harder for governments performing below the international standard to hide, and easier for governments performing at or above the international standard to shine” (Linos and Pegram 2016: 593).

Scotto di Carlo (2017) has claimed in this regard that “modal verbs can be used to determine the speaker’s attitude concerning the state of affairs expressed by the proposition asserted” in legal texts such as UNSCRs, whose “producers sometimes intentionally speculate on the receivers’ attitude of acceptability presenting texts containing vague elements that require important contributions in order to make sense” (Scotto di Carlo 2017: 227). As explained by this author, resolutions are legal written texts which suggest the idea of an “authority Speaking” even if they only report the decisions made by the Security Council, which are not always legally binding documents.

A modality-based mixed quantitative and qualitative analysis will be conducted in order to test our hypothesis and achieve our objectives. At a first level of analysis, the semantic types of the central modal verbs that prevail in the resolutions will be addressed in line with Nauze’s (2008) simplified version of Van der Auwera and Plungian’s modality types (1998): in a first stage, the frequencies of distribution of the central modal verbs have been quantitatively obtained; in a second stage, a (qualitative) classification of the central modal verbs retrieved from the corpus into their different modality types will follow. At a second level, the main communicative functions performed by the recurrent modal verbs will be identified and qualitatively described. At both levels, the results will be separately obtained for preambular and operative paragraphs. As explained in the methodology section, this will facilitate the contrastive analysis of the results.

The paper is organized as follows: Section 2 “Modality and vagueness” reviews the concepts of modality and modal verbs. Section 3 “Corpus compilation and research methodology” explains the corpus compilation process and provides information on the research methodology followed. The results of the analysis, both quantitatively and qualitatively based, are offered in Section 4 “Results and analysis.” Lastly, the conclusions drawn from the analysis are presented in Section 5.

2 Modality and vagueness

The notion of vagueness was introduced by Peirce in 1902 in order to describe “words with blurred edges” (Guo, Yu and Gimeno 2017: 2076). The most popular view of vagueness (Barnes and Williams 2011; Sider 1997; McGee and McLaughlin 1995; Tye 1994; Fine 1975; Lewis 1970; Halldén 1949; Peirce 1902) considers it as some kind of indeterminacy which, as Kultgen explains referring to Black, admits of degrees because “‘vague’ is vague only if vagueness admits of degrees and ‘vague’ is demonstrably vague” (Kultgen 2018).

In addition, Channell (1994) points to intentionality and defines vague language as the deliberate use of linguistic means to make communication less precise in meaning and impossible to paraphrase precisely. In this vein, Guo et al. (2017) describe vagueness as a subcategory of hedging that focuses on lack of precision and exactness in communication. The authors explain that the appropriate use of vagueness is part of a speaker’s communicative competence and can serve specific purposes (Sabet and Zhang 2015; Zhang 2011), such as preserving flexibility and creating ambiguity; this means expressing imprecision and hampering interpretation by controlling the amount of information provided and complicating the interpretation of such information (Guo et al. 2017: 2076).

For Frade (2005), vagueness is a convention used in situations where flexibility and generalization are needed for legal drafters “to solve the problem of coping with the generality and all-inclusiveness of law and legal rules and the prediction of their different interpretations and recontextualizations in either local or external contexts of application over time” (136). In this vein, and building on Janney’s (2002: 463) assertion that firm language *in vacuo* can be interpreted as vague language in context, Endicott (2005) refers to the principle of ‘the science of legislation’ (Bentham 1843) to point to the central importance of vagueness in normative texts to avoid the arbitrariness of precision and make laws and legal rules “general, all-inclusive and flexible for wide applicability in changing contexts” (Frade 2005: 133). However, as explained in the introduction, Scotto di Carlo (2013: 2) considers that, in the specific case of UNSCRs,

excessive vagueness leads to “biased or even strategically motivated interpretations of resolutions, triggering conflicts instead of diplomatic solutions.”

Vagueness is expressed by lexical and syntactic means, such as the passive voice, where the agent is often omitted; nominalizations, which reduce the amount of information given through the omission of “indications of time and modality” (Goatly 2007: 330); and modal verbs (Danet 1980; Topala 2014). According to the *Communication vagueness dictionary* (Hiller 2014; Hiller et al. 1969), good examples of vague language also include qualifiers before a number to make it less specific, nonnumerical terms to refer to indefinite amounts, approximation terms, and the use of bluffing terms to shift onto receivers the responsibility of making sense of the information (Guo et al. 2017: 2076).

As pointed out in the introduction, the scope of the present paper is limited to the analysis of vagueness as expressed by the central modals ‘can’, ‘could’, ‘may’, ‘might’, ‘shall’, ‘should’, ‘will’, ‘would’ and ‘must’ (Biber et al. 1999: 484). It is difficult to define modality beyond the conventionally accepted approaches to this field of linguistics as “the grammaticization of the speaker’s (subjective) attitudes and opinions” (Bybee et al. 1994: 176) or the linguistic encoding of the speakers’ or writers’ “personal feelings, attitudes, value judgements, or assessments” towards the propositional content uttered (Biber et al. 1999: 966).

Nevertheless, there seems to be a consensus on the distinction between epistemic and deontic modality introduced by Lyons (1977). Epistemic modality concerns “matters of knowledge or belief on which basis speakers express their judgement about the factual status of a proposition, states of affairs, events or actions” (Hoye 1997: 42; Palmer 2001: 24). Deontic modality pertains to the obligation and permission imposed on a given agent, the “necessity of acts in terms of which the speaker gives permission or lays an obligation” for the performance of actions at some time in the future (Hoye 1997: 43; Palmer 2001: 132).

Building on Van der Auwera and Plungian’s modality types (1998), Nauze (2008) has developed a cross-linguistic schematic classification of modality by focusing on participant internal, participant external and epistemic modalities, as shown in Figure 1:

Participant-internal	Participant-external		Epistemic
	Deontic	Goal-oriented	
Ability	Permission	Possibility	Possibility
Needs	Obligation	Necessity	Necessity

Figure 1: Nauze’s typology of modality.

The uses adopted by the nine modals under analysis will be described according to Nauze's (2008) classification. However, the scope of the present paper is limited to the analysis of the expression of deontic and epistemic modality as realized by the nine central modal verbs 'can', 'could', 'may', 'might', 'shall', 'should', 'will', 'would' and 'must' (Biber et al. 1999: 484). For methodological reasons, semi-modals (also known as 'quasi-modals' and 'periphrastic modals') such as 'need', 'ought to', 'dare' and 'used to' (Biber et al. 1999: 484) will remain unstudied. No instances of 'might' were retrieved from the corpus.

3 Corpus compilation and research methodology

United Nations Security Council Resolutions are first approached in this third section of the paper as a genre with differential formal features and specific linguistic characteristics. Once the peculiarities of the genre have been stressed in Subsection 3.1, the criteria used for the compilation of the resolutions that shape the corpus of study and the methodology followed for the analysis of modality will be addressed in Subsection 3.2.

3.1 United Nations Security Council Resolutions as a genre

Resolutions show a unique formal structure (United Nations, Editing Section 1984), divided as they are into (i) nonlisted preambular paragraphs, which present contextual background information and provide some guidance pertaining to the purpose of the resolutions; and (ii) operative paragraphs, which enumerate the actions agreed to be taken. This division, as will be seen in the methodology section, is expected to shed some light on the key role of modality for the Security Council to express vagueness in order to disclose their ambiguous positioning on the Syrian conflict (Endicott 2001; Scotto di Carlo 2013).

3.2 Data sample and methodology

The central modals under study have been retrieved from the twenty-one UNSCRs on the Syrian armed conflict that have been adopted since the beginning of the conflict: 2042 and 2043 (2012), 2118 (2013), 2139, 2165, 2170, 2175, 2178 and 2191 (2014), 2199, 2235, 2249, 2254, 2258 (2015), 2268, 2314, 2319, 2328, 2332 (2016), 2393 (2017), 2401 (2018). Based on the premise that "Small specialized

corpora give insights into patterns of language in particular settings” (O’Keefe and MacCarthy 2010: 67), this makes for a small specialized corpus which amounts to a total of 32,407 words distributed between a first subcorpus of preambular paragraphs (15,850 words) and a second subcorpus of operative paragraphs (16,557 words). One should add that in the process of drafting Security Council Resolutions, “the draft will almost invariably have begun in English only (though drafts often record that their original languages were French as well as English” (Wood 1995: 81). In the final stage, when the text of the resolution is circulated as an official Council document, it will be available in the six official languages of the United Nations: Arabic, Chinese, English, French, Russian and Spanish.

All of the selected resolutions pertain to the Syrian armed conflict in one way or another. Nevertheless, not all of them address the conflict from the same perspective. The violation of human rights is addressed in resolutions 2042 and 2043; the use of chemical weapons is faced in resolutions 2118, 2235, 2314 and 2319; the escalation of the levels of violence, death and suffering of the Syrian people is approached in resolutions 2139, 2165, 2191, 2258, 2328, 2332, 2393 and 2401; terrorism with parts of Syria under the control of Islamic State is confronted in resolutions 2170, 2178, 2249 and 2199; violence against humanitarian workers in 2175; and the need for a Syrian-led political transition is approached in resolution 2254 and 2268.

All of the resolutions have been downloaded as portable document files (pdf) from the UN site <http://www.un.org/en/sc/documents/resolutions/>. Each of the texts has been labeled manually on the basis of Nauze’s (2008) semantic modality types. A comprehensive comparison of all the items studied with the BNC results was not relevant in this particular analysis since, as explained above, our aim was to examine the Security Council’s alternation of deontic and epistemic central modality in the preambular and operative paragraphs of the resolutions on the Syrian armed conflict.

As hypothesized in the introduction, the Security Council makes a strategic use of modality — either deontic- or epistemic-based — to fit the different communicative purposes of preambular and operative paragraphs. With a view to revealing such differences, the data presented in Section 4 has been analyzed — according to Nauze’s typology (2008) — in two stages:

Stage 1. Frequencies of distribution of the different modality types identified in the corpus (preambular and operative paragraphs). Quantitative-based analysis.

Stage 2. Analysis of the central modal verbs within the different modality types in preambular and operative paragraphs. This analysis will also pay particular attention to the communicative functions performed by central modal verbs. Qualitative-based analysis.

4 Results and analysis

This section of the paper unveils the results of the combined quantitative-qualitative analysis of central modality as expressed in the preambular and operative subcorpora. Starting with the quantitative side of the analysis, frequencies of distribution of the different modality types — according to Nauze's typology (2008) — have been obtained. As mentioned in the methodology section, preambular and operative paragraphs have been individually analyzed and results have been contrasted. Uncovering the most frequent modality types may well prove to be insightful in shedding light on the qualitative analysis that follows, which is also divided into preambular and operative paragraphs. In line with this qualitative analysis, the communicative function of modal verbs in each of the paragraphs will be explored. Such a procedure will allow us to conclude that, as hypothesized, the Security Council makes a strategic use of modality: more commanding (deontic) in preambulars — where background information on the need for the resolutions is given — and more tentative (epistemic) in operatives — where decisions are taken — due to the need to reach consensus among all the parties involved when passing resolutions.

4.1 Quantitative analysis: Frequencies of distribution of the modality types retrieved from the resolutions

The normalized frequency of distribution per thousand words of the different modality types retrieved from each of the two subcorpora can be seen in Table 1 — for results obtained from the subcorpus of preambular paragraphs — and Table 2 — for results from the subcorpus of operative paragraphs. Both tables distribute each of the modal verbs retrieved from the two subcorpora into the classification of modality types put forward by Nauze (2008), which builds on Van der Auwera and Plungian (1998).

Regarding preambular paragraphs, the overwhelming use of modals with deontic value is worth noting: primarily those conveying a sense of obligation such as 'shall', 'must' and 'should' (36 tokens) with the resulting ratio of 2.271. This contrasts with the use of modals traditionally signaling epistemic value, particularly epistemic possibility, which accounts for 7 tokens and a much lower ratio (0.441). These results indicate that, in the specific case of preambular paragraphs, the modality force falls on the side of the Security Council either granting permission or demanding action to be taken by other Member States.

Table 1: Preambular paragraphs. Modality types. Raw frequency and normalized frequency or ratio per thousand words.

PREAMBULAR (15,850 tokens)				
PARTICIPANT INTERNAL				
		N	%	R
Participant Internal /ability (<i>possibility</i>)	can	9	14.3	0.567
Participant Internal / needs (<i>necessity</i>)	∅			
Total Participant Internal		9	14.3	0.567
PARTICIPANT EXTERNAL				
Deontic (Permission) (<i>possibility</i>)	∅			
Deontic (Obligation) (<i>necessity</i>)	shall	12	19	0.757
	should	5	7.9	0.315
	must	19	30.1	1.198
<i>Total Deontic (obligation)</i>		36	57.1	2.271
<i>Total Deontic (permission + obligation)</i>		36	57.1	2.271
Goal-oriented (<i>possibility</i>)	∅			
Goal-oriented (<i>necessity</i>)	∅			
Total Participant External		36	57.1	2.271
EPISTEMIC				
Possibility	could	1	1.5	0.063
	would	2	3.1	0.126
	may	4	6.3	0.252
<i>Total Epistemic Possibility</i>		7	11.1	0.441
Necessity (<i>prediction</i>)	will	11	17.4	0.694
Total Epistemic		18	28.5	1.135
TOTAL		63	100	3.974

Regarding operatives, in addition to the prevailing use of ‘shall’ as an overriding and pervasive feature of legal texts (36 tokens with the highest ratio of 2.174), it is interesting to notice – in marked contrast with preambulars – that the modality force now moves in a different direction with the frequent use of epistemic modals (26 tokens and a high ratio of 1.570); in particular, the wide use of ‘may’ with 14 tokens, much higher than the number found in preambulars (4 tokens), is noteworthy. This new scenario gives way to propositions implying a higher degree of vagueness, which is likely to be the result of an attempt by the Security Council to soften statements and not to take responsibility for the statements uttered in these paragraphs. This claim will be pursued further in the following section of the analysis.

Table 2: Operative paragraphs. Modality types. Raw frequency and normalized frequency or ratio per thousand words.

OPERATIVE (16,557 tokens)				
PARTICIPANT INTERNAL				
		N	%	R
Participant Internal / ability (<i>possibility</i>)	can	7	6.5	0.422
Participant Internal / needs (<i>necessity</i>)	∅			
Total Participant Internal		7	6.5	0.422
PARTICIPANT EXTERNAL				
Deontic (Permission) (<i>possibility</i>)	may	6	5.6	0.362
	can	2	1.8	0.120
	could	2	1.8	0.120
<i>Total Deontic Permission</i>		10	9.3	0.603
Deontic (Obligation) (<i>necessity</i>)	shall	36	3.3	2.174
	must	6	5.6	0.362
	should	10	9.3	0.603
<i>Total Deontic (obligation)</i>		52	48.6	3.140
<i>Total Deontic (obligation + permission)</i>		62	57.9	3.744
Goal-oriented (<i>possibility</i>)	∅			
Goal-oriented (<i>necessity</i>)	will	5	4.6	0.301
Total Participant External		67	62.6	4.046
EPISTEMIC				
Possibility	could	7	6.5	0.422
	would	5	4.6	0.301
	may	14	13.1	0.845
<i>Total Epistemic Possibility</i>		26	24.2	1.570
Necessity (<i>prediction</i>)	will	7	6.5	0.442
Total Epistemic		33	30.8	1.993
TOTAL		107	100	6.462

4.2 Qualitatively based analysis

Nauze's typology (2008) has been followed for the qualitative classification of all modal verbs retrieved from the corpus. Possible differences between the modality types used in preambulars and operatives will be explored in line with our hypothesis.

4.2.1 Preambular paragraphs

As already seen in the quantitative analysis, the three modality types under discussion for preambulars and operatives are participant-internal, participant-external and epistemic, each of them subdivided into possibility and necessity types whenever examples have been retrieved from the corpus¹.

Participant-internal / ability (possibility)

– **can**:

- (1) *Bearing in mind the need to address the conditions conducive to the spread of terrorism, and affirming Member States' determination to continue to do all they **can** to resolve the conflict and to deny terrorist groups the ability to [...] (UNSCR 2178/2014)*

This first example reveals an internal type of possibility, since the Security Council refers to the internal ability that states must take actions against terrorism, working as the voice of authority that proclaims the efforts that can be assumed by Member States, in this particular case regarding terrorism. Thus 'can', which is neither deontic nor epistemic, refers to events that are potentially possible.

Participant external / deontic / obligation (necessity)

– **shall, must, should**:

- (2) *Noting that on September 14, 2013, the Syrian Arab Republic deposited with the Secretary-General its instrument of accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Convention) and declared that it **shall** comply with its stipulations and observe them faithfully and sincerely, [...] (UNSCR 2118/ 2013)*
- (3) *Reaffirming that the use of chemical weapons constitutes a serious violation of international law and reiterating that those individuals, entities, groups or governments responsible for any use of chemical weapons **must** be held accountable. (UNSCR 2178/2015)*

¹ The preambular subcorpus did not retrieve examples of participant internal/needs (necessity) and participant external in the following subtypes: deontic/permission (possibility), goal-oriented (possibility), and goal-oriented (necessity).

- (4) ... and emphasizing that future credible allegations of chemical weapons use in the Syrian Arab Republic **should** be investigated, [...] (UNSCR 2118/2013)

The focus in these examples is on deontic modality, but particular attention must be paid to obligation. The modals in examples (2), (3) and (4) — ‘shall’, ‘must’ and ‘should’ — indicate different degrees of obligation. In the first case, ‘shall’ points to a clear sense of obligation, as there seems to be no other alternative but to suppress the “financing of terrorist acts.” Most examples of ‘shall’ found in this subcorpus (12 tokens) are clearly agent-oriented, coinciding with the logical and grammatical subjects and are articulated according to the legislation that guides the functioning of the Member States, as seen in example (2). The co-occurrence of ‘shall’ with the agent who is subject to the obligation is characteristic of legal discourse.

It is particularly striking to see that the ratio of the deontic ‘must’ (1.198) is even higher than that of ‘shall’ (0.757), the most pervasive modal verb in legal language, as mentioned above. This modal, as pointed out by Williams (2007: 124), cues the highest level of prescriptive force (“from the present tense to shall to must”). In roughly half of the occurrences, ‘must’ collocates with a human agent, which makes explicit who is to comply with the law (Member States). In the other half, ‘must’ occurs in the passive voice, where the focus is on the action to be performed against those violating the law, but no reference is made to whom it will be enforcing it; such is the case in example (3), where ‘individuals [...] responsible for violations of international law — such as the use of chemical weapons — must be held accountable’. Hence, the choice of active/passive voice is “fundamental in argumentative texts since it signals whether processes are attributed to specific Agents or are strategically agentless” (D’Acquisto 2017: 74).

In the case of ‘should’ (5 tokens), the sense of obligation conveys the idea of necessity and, above all, advisability, which means that the sense of obligation is weaker than it was in the case of ‘shall’. In example (4), it is surprising to see that — even though there is a Chemical Weapons Convention prohibiting the use of those weapons — the investigation of credible allegations of chemical weapons use in Syria is only recommended, but not compulsory. The syntactic structure chosen in this case is that of a passive voice, where “credible allegations of chemical weapons use” has been promoted to the role of subject, whereas the agent that would be conducting such an investigation is not mentioned. The absence of a real subject, as mentioned above, contributes to a sense of vagueness that may well be used by other Member States for their own interest.

Based on the total number of tokens in this category (36), with a wide majority of ‘must’ (19 tokens) and ‘shall’ (12 tokens), it can be said that the driving force in preambulars is a sense of obligation of what must be done. The source of

authority demanding action is the Security Council, which conceptualizes itself as having the capacity and as being well-advised to take the right decisions on what actions must be taken.

Epistemic (possibility)

– ***could, would, may:***

- (5) [...] *and noting that direct or indirect trade with IS in such materials [oil, oil products, modular refineries and related material, other natural resources including precious metals such as gold, silver, and copper, diamonds, and any other assets] **could** constitute a violation of the obligations imposed by resolution 2161 (2014) (UNSCR 2199/2015),*
- (6) *Taking note of the assessment by the Secretary-General that a United Nations monitoring mission deployed quickly when the conditions are conducive with a clear mandate, the requisite capacities, and the appropriate conditions of operation **would** greatly contribute to observing and upholding the commitment of the parties to a cessation of armed violence in all its forms and [...]* (UNSCR 2043/2012)
- (7) *Condemning in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification (apologie) of terrorist acts that **may** incite further terrorist acts,* (UNSCR 2170/2014)

A small number of examples of the modals ‘could’, ‘would’ and ‘may’ have been retrieved from the preambular subcorpus (7 tokens and a low ratio of 0.441) within the subtypology of epistemic possibility indicating uncertainty as a particular “event is judged to have an equal possibility of occurring or not” (Scotto di Carlo 2013: 110). In these examples, the Security Council cannot fully account for its claims and resorts to the use of modal verbs in order to limit the epistemic support of the statements. This is the case in (5), where it must be elucidated whether trading with IS constitutes a violation of the human rights, (6) whether setting up certain conditions would contribute to observing particular commitments, although the use of “greatly” reduces the ambiguity resulting from the use of the modal “would,” or (7) whether the apology for terrorist acts may serve to justify further terrorist acts. In the three examples, propositions are presented as tentative possibilities. However, whereas (6) and (7) point to the possibility of a future action or event, (5) points to the possibility of regarding certain actions or events as punishable. In this particular example, ‘direct or indirect trade with IS *could* constitute a violation of the obligations imposed by SC Resolution 2161’ even

though the resolution makes it clear that any involvement or association with IS seems to lead to a violation of the obligations imposed by resolution 2161 ‘[...], and reiterating its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, [...]’. Thus, the use of ‘could’ shows an intended degree of vagueness which actually leads to either not taking the necessary actions by the appropriate authority or opening the door to conflicting ways of handling the same situation by different parties.

Epistemic (necessity)

– **will**:

- (8) *Emphasizing that the humanitarian situation **will** continue to deteriorate further in the absence of a political solution to the crisis, (UNSCR 2393/2017)*

Within the subtypology of epistemic necessity – as a judgment by the Security Council in terms of probability – all of the examples retrieved from the corpus convey the idea of prediction of what is to happen in the future based on evidence and reasoning, but – as will be seen – no examples with the meaning of intention were found, contrary to the case of operatives. This was the case in (8), where the humanitarian situation is expected to continue to deteriorate if no action is taken.

Regarding the functions performed by modals in this section, the prevailing use of the deontic ‘must’ (with a ratio of 1.198) presents a Security Council with a very determined and strong-willed approach to the actions that must be undertaken under the circumstances presented in the resolutions. Deontic modals (obligation) total 36 tokens and a ratio of 2.271.

4.2.2 Operative paragraphs

The categories discussed in this section are equally participant-internal, participant-external and epistemic, each of them subdivided into possibility and necessity types whenever examples have been retrieved from the subcorpus:²

Participant internal / ability (possibility)

– **can**:

- (9) *[...], and underscores the role education **can** play in countering terrorist narratives; (UNSCR 2178/2014)*

² No examples were retrieved from the operative subcorpus for the following categories: participant internal /needs (necessity) and participant external goal-oriented (possibility).

In example (9) the modal verb ‘can’ is interpreted as an all-round-ability (Nauze 2008), as education is seen as a valuable resource in regard to countering terrorist narratives. In total, there are 7 tokens with the same meaning of ability in this subcorpus.

Participant external / deontic / permission (possibility)

– **may, can, could:**

- (10) *Notes that foreign terrorist fighters and those who finance or otherwise facilitate their travel and subsequent activities **may** be eligible for inclusion on the Al-Qaida Sanctions List maintained by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) [...]* (UNSCR 2178/2014)
- (11) *... recommendations for actions that **can** be taken to enhance the response to the threat posed by these foreign terrorist fighters;* (UNSCR 2178/2014)
- (12) *Endorses fully the Geneva Communiqué of June 30, 2012 (Annex II), which sets out a number of key steps beginning with the establishment of a transitional governing body exercising full executive powers, which **could** include members of the present Government and the opposition and other groups and shall be formed on the basis of mutual consent;* (UNSCR 2118/2013)

Occurrences (10), (11) and (12) are examples of participant-external modality because they present “a deontic ordering source” (Nauze 2008: 163) — the Security Council — which grants permission for a number of actions to be taken. In the case of examples (10) and (11), the agent being granted permission — other Member States — is not mentioned, which may be a source of some indeterminacy and ambiguity as to whom the initiative to take those actions corresponds. In example (12), ‘could’ is used to indicate the members who qualify to enter the transitional governing body.

Participant external / deontic / obligation (necessity)

– **shall, must, should:**

- (13) *Decides that Member States **shall** inform immediately the Security Council of any violation of resolution 1540 (2004), including acquisition by non-State actors of chemical weapons, their means of delivery and related materials in order to take necessary measures therefore;* (UNSCR 2118/2013)

- (14) [...], *and recalls that under international humanitarian law, the wounded and sick **must** receive, to the fullest extent practicable, and with the least possible delay, medical care and attention required by their condition and that medical and humanitarian personnel, facilities and transport must be respected and protected, [...]* (UNSCR 2139/2014)
- (15) [...] *and recalls in addition that in identifying such funds and benefits, States **should** be alert to the possibility that property owned or controlled indirectly by the listed party may not be immediately visible.* (UNSCR 2199/2015)

The overwhelming use of the deontic modal ‘shall’ in this section – unlike in preambulars – should come as no surprise since the Security Council Resolutions fall into the scope of English legal discourse (Bhatia 1993; Foley 2002; Williams 2011). Examples (13), (14) and (15) suggest varying degrees of obligation through the use of different modals. In the first example (13), the Security Council must be informed of any violation of a given resolution, which is presented as a strong necessity; in other words, the Security Council is reassuring the other Member States of what ‘shall’ certainly happen in the future in the case of a violation of such a resolution. This means that obligation and ‘futurity’ are both implied through the use of this verb, which may give way to some vagueness, as pointed out by authors such as Cooper (2011), D’Acquisto (2017), Krapivkina (2017) and Triebel (2006). Nevertheless, it should be emphasized that ‘shall’ occurs only in pure deontic agent-oriented sentences in 26 cases, with Member States presented as the agents upon whom the obligation is laid; in the remaining examples (10 tokens) ‘shall’ mostly expresses a performative value.

Example (14) reminds States of their strong obligation to assist the wounded and the sick under current international legislation on humanitarian issues. It is interesting to note that the few cases of ‘must’ located in this section (19 tokens in preambulars versus 6 in operatives) are connected to the enforcement of humanitarian law, considered as a critical issue by the Security Council for the sake of maintaining peace and security. Hence, the low ratio of ‘must’ in this subcorpus (0.362 in operatives versus 1.198 in preambulars) seems to portray a Security Council willing to sound less mandatory except in those cases connected to humanitarian law, which is one of the main objectives of the Security Council, as mentioned in the introduction.

Lastly, in example (15), ‘should’ may be interpreted as a weak obligation with clear overtones of recommendation, as States are advised to be alert to the possibility “that property owned or controlled indirectly by the listed party may not be immediately visible.” This means that the use of this modal verb – with a

ratio of 0.610 in operatives versus 0.315 in preambulars — can also give way to some ambiguity and indeterminacy by combining “a deontic value but stripped of any prescriptive strength” (D’Acquisto 2017: 41).

The overwhelming number of tokens of the deontic ‘shall’ (36) — although only in 26 examples does it co-occur with a human subject who needs to conform to the rule of law — reminds us that we are dealing with a type of document that belongs to the genre of legal discourse, where ‘shall’ is “the verb with the highest frequency [...]” (Bázlik and Ambrus 2009: 65). Hence, ‘shall’ is only a symbol of the legalese typically found in this type of prescriptive text.

Participant external / goal-oriented (necessity)

– **will:**

- (16) *Affirms that it will take further measures in the event of noncompliance with this resolution or resolution 2139 (2014) by any Syrian party; (UNSCR 2165/2014)*

This example portrays a Security Council willing to remain seized of this matter (the escalating level of violence, the death of more than 150,000 people, including children, and the deterioration of the humanitarian situation in Syria). Consequently, it retains its authority by projecting its involvement and efforts into the future even if there is no compliance with the resolutions.

Epistemic (possibility)

– **could, would, may:**

- (17) *Expresses its concern that aircraft or other transport departing from territory controlled by ISIL **could** be used to transfer gold or other valuable items and economic resources for sale on international markets,[...] or to make other arrangements that **could** result in violations of the asset freeze; (UNSCR 2170/2014)*
- (18) *[...], reiterates further the obligation of Member States to prevent the movement of terrorists or terrorist groups, in accordance with applicable international law, by, inter alia, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists and financing that **would** support terrorists; (UNSCR 2170/2014)*

- (19) [...] *and reiterates that such engagement [in direct or indirect trade involving ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida] would constitute support for such individuals, groups, undertakings and entities and **may** lead to further listings by the Committee;* (UNSCR 2199/2015)

In these examples, the modals ‘could’, ‘would’ and ‘may’ function as markers to indicate the Security Council’s assessment of the likelihood of the events, which gives them a tentative value. Two different instances of ‘could’ should be noted in example (17), where their use reinforces the idea of a tentative possibility. Beyond possibility, however, a lack of epistemic support towards the proposition is evidenced by the second ‘could’, which mitigates the claim that the ISIL transfer of valuable items and economic resources results in violations of the asset freeze. In the same way, the modal ‘would’ involves a lack of full epistemic support towards the proposition “the supply of weapons for terrorists and financing supports terrorists” in (18). Quite similarly, ‘may’ is used in (19) to indicate a lack of epistemic support towards the proposition, which gives rise to a sense of indeterminacy. This mitigates the validity of the claim that “engaging in direct or indirect trade with IS by individuals or groups will lead to being listed as a terrorist group by the Committee.”

The much higher number of tokens of the epistemic ‘may’ in this operative subcorpus (14 and a ratio of 0.845), which more than triples the number of these tokens in preambulars (4 and a ratio of 0.252), increases ambiguity. In fact, all the examples including ‘could’, ‘would’ and ‘may’ in this section give way to a clear sense of vagueness and indeterminacy where the Security Council, aware of the fact that consensus is needed to pass resolutions, prefers to remain on the safe side and not to commit itself to any fixed wording, since that would seriously hamper a compromise. As a result, the meaning of some important paragraphs will remain open to different interpretations, which can be used by different parties to their own advantage. To further emphasize and explore this mitigating function of epistemic modals, two more examples taken from the subcorpus of operatives will be examined in detail:

- (20) *Demands that all parties immediately put an end to all forms of violence, irrespective of where it comes from, cease and desist from all violations of international humanitarian law and violations and abuses of human rights, and reaffirm their obligations under international humanitarian law and*

international human rights law, and stresses that some of these violations may amount to war crimes and crimes against humanity (UNSCR 2139/2014)

- (21) *Recalls that widespread or systematic attacks directed against any civilian populations because of their ethnic or political background, religion or belief may constitute a crime against humanity, [...] (UNSCR 2170/2014)*

Vagueness deriving from many of the propositions in operatives results from the frequent use of the epistemic modal of possibility ‘may’, not only by claiming that certain actions have the same chances of occurring or not (7 tokens), but, above all, by expressing that some actions may (or not) be considered punishable (7 tokens); in other words, whether or not certain violations amount to war crimes or crimes against humanity (example 20), and whether or not certain attacks constitute a war crime (example 21). Hence, the claims in examples (20) and (21) are worded in a context of mere possibility even if it is a fact that:

- (20) Following the *Universal Declaration of Human Rights* (1948), particularly article 5, the use of “all forms of violence” is a clear violation of human rights. Moreover, “violations of the international humanitarian law and violations and abuses of human rights” are clearly against the *Geneva Conventions* (1949) and its two Additional Protocols (1977),³ which relate to the protection of victims, noncombatant civilian population, of international and non-international armed conflicts.
- (21) Nobody should be attacked on the grounds of “their ethnic or political background, religion or belief” according to the *Universal Declaration of Human Rights*, particularly articles 2 and 3.

The use of epistemic modal verbs of possibility with overtones of uncertainty — ‘may’ — is aimed at conveniently lowering the degree of epistemic support of the Security Council towards the validity of their propositions with regard to the nonobservance of human rights. Since the wording chosen is of the utmost importance in this type of genre, it seems obvious that a certain degree of intentional vagueness is required, thereby facilitating consensus and allowing the different Member States with conflicting positions and interests to reach an agreement on these pronouncements (UNSC Resolutions).

³ According to Article 85 (5) of Protocol I (1977), breaches of the Conventions and of Protocol I ‘shall be regarded as war crimes’ (Kalshoven and Zegveld 2001: 149).

Epistemic (necessity)

– **will:**

- (22) *Reaffirms that it will take further measures under the Charter of the United Nations in the event of noncompliance with this resolution or resolution 2139 (2014) or 2165 (2014) by any party to the Syrian domestic conflict; (UNSCR 2191/2014)*

In this operative section epistemic necessity refers to modals which indicate either prediction or intention to project actions towards a future scenario (7 are the tokens which mark prediction and 5 the ones marking intention). Example (22) features the use of the modal ‘will’ in the sense of intention, where the Security Council shows its willingness to take further measures under the Charter of the United Nations in the case of noncompliance with resolutions 2191, 2139 and 2165 – all connected to the unacceptable level of violence and the need to respect the United Nations’ guiding principles of humanitarian assistance. This means that although operative paragraphs tend to be worded in a more tentative fashion, the Security Council still strives to sound like a voice of authority by pleading to take more measures, if necessary, which gives this institution some leeway to act in the future.

Concerning the functions performed by modals in operatives, the more subjective character of this section is revealed by the higher use of epistemic modals: (1) mostly, modals marking epistemic possibility (‘would’, ‘could’ and ‘may’, ranging upwards), which mitigate statements and present, in turn, a less positive and more ambiguous Security Council (ratio of 1.570 in operatives versus 0.441 in preambulars); and (2) the modal ‘will’ expressing epistemic necessity, which is used not only to convey prediction (7 tokens) – as in preambulars – but to show intention, in this case of taking further measures in the event of noncompliance with certain resolutions (5 tokens). Thus, even though the Security Council seems to soften its claims in operative paragraphs, as will be seen below, it still presents itself as the voice of authority promising, if necessary, more measures in the future, which gives the institution room to maneuver to try to regain control of events.

5 Conclusions

In this article, special attention has been paid to the role of modality as a cue in interpreting the positioning of the Security Council in the resolutions issued on the Syrian armed conflict since 2012.

In line with the first objective (identification, quantification and analysis of the different modality types retrieved from preambular and operative paragraphs), quantitative analysis has revealed that the total normalized frequencies of distribution of modal verbs per thousand words is higher in operative paragraphs than in preambulars (6.462 versus 3.974). Since modality has been defined as the linguistic encoding of the writers' attitudes towards the propositional content uttered (Biber et al. 1999), such a figure discloses a much higher presence of the writer's attitudes and value judgments in operatives than in preambulars, which is in keeping with the fact that operative paragraphs play a very critical role in packaging the agreements on the most delicate issues in order to facilitate consensus among various Member States.

Regarding the second objective (description of the communicative functions performed by the central modal verbs in each type of paragraph), it is worth noting that, in preambulars, examples indicating epistemic possibility remain in the background and, consequently, do not determine the tone of preambulars. In contrast, modals marking obligation ('shall', 'must' and 'should') have much higher visibility with 36 tokens (a ratio of 2.271); it is precisely this high ratio what makes the Security Council appear as a strong source of authority with the capacity to establish obligations and expect Member States to conform to them.

On the other hand, when evaluating the communicative function of the modal verbs used in the operative subcorpus, attention should be paid to the fact that — apart from the modal 'shall', whose use is widespread in legal written texts — the use of modals indicating epistemic possibility, in particular 'may', shows a much higher normalized frequency (0.845 in operatives versus 0.252 in preambulars). This change in the modality value of operatives clearly points to the direction of a vague positioning of the Security Council in an attempt to temper its claims when issuing recommendations and deciding on the actions that must be taken in order to face particular issues.

This mitigating function of vagueness as expressed by modality, whose main use is the avoidance or attenuation of speakers/writers' responsibility, or 'desresponsibilization' (Caffi 2007), seeks to soften the strength of the claims made and, in turn, minimize the unwelcome effect they might have on the reader (Fraser 1980). This means that vagueness enables the speakers/writers to "trace his/her steps in order to produce ambiguous messages that can be assigned conflicting interpretations" (Caffi 2007: 129). Modals fulfilling this function are frequently found in the epistemic category, where the Security Council must be cautious concerning the claims made about international sensitive issues, since agreement is necessary to pass resolutions.

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