

Quality of Legislative Drafting as a Mechanism for Achieving Legal Security

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Abstract

The clarity of legislative drafting and the soundness of its technical structure are essential for establishing the principle of legal security and ensuring the stability of legal positions. This is not merely a concern of formal linguistic presentation, but is also directly connected to the legislator's constitutional obligation to enable legal subjects to anticipate the legal consequences of their actions and safeguard their legitimate expectations. Therefore, the central issue lies in the extent to which drafting quality affects the effectiveness of legal rules and their capacity to achieve their intended purpose, particularly given the potential implications of ambiguity or inaccuracy for legal security. Well-crafted legislative drafting therefore helps to limit deviations in the exercise of administrative and judicial discretionary powers. It also serves as an effective technical tool with which to confront legislative inflation and facilitate access to legal information, thereby strengthening citizens' confidence in the legal system of the state.

Keywords: legislative drafting, legal security, legitimate trust, predictability, legislative inflation.

Introduction

Legislation is the supreme legal instrument through which the state expresses its intention to regulate society and guide individuals' behaviour. However, the effectiveness of a legislative text does not merely derive from its issuance by the competent authority; it fundamentally depends on the quality of its technical drafting. Legislative drafting is therefore both a science and an art, transforming public policies into clear, orderly and easily understandable legal rules that are free from ambiguity and contradiction. With the increasing complexity of contemporary life and the growing need for legislative intervention, the quality of drafting has become imperative to ensure the proper functioning of public services and protect the rights of those subject to the law.

At the heart of this legal landscape lies the principle of legal security, which is the ultimate objective of all serious legal systems. Legal security is not merely a theoretical concept, but a practical guarantee that provides reassurance and stability in legal positions while enabling individuals to anticipate the legal consequences of their actions. In this regard, the relationship between drafting quality and legal security is that of a means to an end. Ambiguous or overly complex legislation undermines legal security, turning the legal rule into a source of concern and disorder instead of safety and stability.

Good legislative drafting requires the legislator to adhere to a set of methodological, linguistic and technical controls. This process begins with accurately identifying the legislative need and culminates in ex post evaluation of the text. The Algerian legislator has recognised the importance of this by enshrining the quality of legislation as a constitutional principle aimed at strengthening trust between legislators and the various legal positions, while also strengthening the role of institutions. Indeed, a well-crafted legal text protects legal positions against legislative 'surprise'

and ensures that acquired rights are not affected except within the narrowest limits and for clearly justified, objective reasons.

From this standpoint, the research problem crystallises around a central question:

How does the quality of legislative drafting, as a technical and artistic process, contribute to entrenching the principle of legal security and ensuring the stability of legal positions?

To address this issue, the study will focus on two main areas. The first axis will examine the impact of legislative text clarity on legal position stability and legitimate trust protection. The second axis will investigate the role of legislative technique in ensuring access to law and combatting legislative inflation.

First Axis: The Impact of the Clarity of the Legislative Text on the Stability of Legal Positions

Achieving the principle of legal security requires high-quality legislative drafting. It enables the legislator's initial general ideas to be translated into clear and specific legal rules. This helps individuals to understand their rights and obligations, enabling them to organise their conduct appropriately and ensuring the stability of legal positions that arise from the application of the law.

A well-crafted legal text avoids ambiguity and contradiction and steers clear of complex, obscure formulations that could be open to multiple interpretations. This clarity enables legal subjects to fully understand the scope of their legal positions. Therefore, clarity in legislative drafting is not merely an aesthetic feature of legal language, but a protective function that can prevent judicial disputes from arising. It also gives practical effect to individuals' right to understand the law applied to them.

Within this axis, we will demonstrate how the drafting of high-quality legislation can help to build a protective barrier for legal positions. This is achieved by entrenching the principle of predictability and protecting legitimate trust, as well as by regulating the discretionary paths of public authorities. This prevents any deviation that might undermine individuals' security and the stability of their dealings within the modern rule-of-law state.

First: Predictability and the protection of legitimate trust

The principle of predictability is the foundation upon which legal security is built. It enables those subject to a legal norm to anticipate the legal consequences of their actions and initiatives with clarity and certainty.

Good legislative drafting does more than set out rules; it is the technical instrument that gives this principle practical effect. When the legislator commits to drafting clear and precise texts, individuals are granted a legal roadmap that enables them to plan their economic and social activities without fear of legislative 'surprise'. This is because legal security requires the law to be transparent and unequivocal in its definition of rights and obligations, thereby preventing individuals' freedom of choice from being curtailed based on unstable legal criteria¹.

The right to predictability requires legislators to adhere to technical quality standards when drafting legal provisions and structuring rules. The Legislative Drafting Guide issued by Algeria's General Secretariat of the Government, for example, indicates that clarity of legislative language and simplicity of structure are essential for legal certainty. Using precise terminology and avoiding expansive expressions or terms with multiple meanings helps individuals to understand the legal position that will result if the text is applied as intended.

¹- Radia Amokrane: "Legislative Drafting and the Achievement of Legal Security," *Daftar Al-Buhuth Al-Ilmiyya Journal*, Vol. 11, No. 01, 2023, p. 857.

By contrast, drafting that lacks temporal or substantive specification, or repeatedly refers to subsequent regulatory texts whose content is unknown, creates a situation of legislative opacity. In such circumstances, individuals are unable to anticipate the outcome of their transactions, which inevitably leads to initiatives being frozen and threatens the stability of financial dealings. This risk is particularly acute in fields that require long-term investment².

The principle of predictability is organically linked to the principle of protecting legitimate trust³. In this regard, the quality of drafting requires that whenever the legislator introduces or amends a legal rule, the stability of legal positions established under the previous regime must be preserved. Individuals build their legal positions and invest their funds based on their confidence in the stability of the legal system. Legislative amendments that fail to meet technical quality requirements or provide insufficient transitional periods constitute flagrant violations of legal security and encroach upon individuals' peace of mind⁴.

A well-crafted formulation of transitional provisions and provisions on entry into force constitutes the true test of the quality of legislative drafting and of its respect for the principle of legitimate trust. Indeed, the competent legislator is the one who formulates detailed transitional rules that leave no room for interpretation. Such provisions precisely determine the fate of ongoing legal positions and grant individuals sufficient time to adapt their circumstances to the new legal requirements.

By contrast, legislative drafting that is not refined enough to include the necessary transitional provisions, or that formulates them using brief and unclear wording, may result in the legal rule being applied to situations that predate its entry into force (i.e. retroactive effect), without expressly providing for that. This catches individuals by surprise with legal consequences that they could not reasonably have anticipated, thereby undermining legal reassurance and weakening confidence in legislative rules. Consequently, the quality of drafting here ceases to be merely a linguistic skill and instead becomes a legal guarantee that protects acquired rights against unanticipated and unjustified legislative fluctuations⁵.

Furthermore, safeguarding legitimate trust necessitates the legislator's strict adherence to the principles of legislative consistency and coherence. Conflicts between different legal texts, or inconsistencies between special and general laws due to poor drafting and haste, create a state of legal disorder that destroys predictability. Therefore, the professional legal drafter must possess an integrated and systematic vision of the legal system before drafting any provision, ensuring that the new text fully harmonises with higher-ranking texts within the hierarchy of norms and with existing laws at the same level. This technical coherence strengthens legal certainty, making citizens feel that laws form a coherent whole rather than a set of conflicting, isolated provisions⁶.

Similarly, high-quality drafting helps to protect legitimate trust by narrowing the scope of what is known as legislative deviation. When a legal text is clear and precise, it reduces opportunities for

²- General Secretariat of the Government (Algeria), *Guide to the Preparation of Legal Texts*, 2nd ed., 2023, p. 15.

³- This principle, which is considered one of the major constitutional principles promoted by the quality of legislation, aims to protect individuals and economic actors from sudden, arbitrary, or unjustified changes in the legal system.

⁴- Ali Majid Al-Akili, Lama Ali Al-Dhahiri: "The Principle of Clarity in Legal Texts and Its Role in Achieving Legal Security," *Journal of the College of Law for Legal and Political Sciences, University of Kirkuk*, Vol. 13, No. 48, 2024, p. 18.

⁵- Abba Chichoun, Nadia Khalfa: "Good Legislative Drafting as a Tool for Strengthening Good Governance in Algeria," *Al-Bahith Journal for Academic Studies*, Vol. 09, No. 01, 2022, p. 494.

⁶- Ismail Ben Hafaf: "Legislative Drafting and Its Role in Serving Legislation," *Al-Mi'yar Journal*, Vol. 4, No. 8, 2013, p. 116.

the executive authority to exploit loopholes resulting from poor drafting to alter individuals' legal positions through regulations or implementing decrees that go beyond the legislator's intent.

In other words, clarity in drafting acts as a protective shield for individuals against arbitrary administrative interpretations. The more rigorously the legislative text is formulated, the smaller the margin for erroneous interpretation that could affect people's rights. In this way, good drafting enshrines the rule of law and ensures that the law protects trust rather than threatening it⁷.

Furthermore, good legislative drafting takes into account the temporal dimension of the legal rule. The aim is for legal provisions to remain relatively stable over time, enabling individuals to adapt to and understand the rules more easily. This also reinforces confidence in the continued effectiveness of the law and prevents sudden changes. Legitimate trust therefore requires a certain degree of durability in the law, providing a basis for reliance in legal conduct.

However, the legislator's frequent and abrupt amendments to laws, known as legislative 'liquidity', constitute a serious technical error that undermines legal security. This is because it makes it difficult for individuals to anticipate the legal effects of the rule or understand how it will apply to them in future.

Legal drafting that considers the future and provides clear yet flexible solutions helps to achieve stability and security. In contrast, legislation that is repeatedly amended due to weak drafting or insufficient planning undermines respect for the law, turning it into temporary and unclear measures. This reduces people's trust in the legal system, which has an adverse effect on investment and social development⁸.

Furthermore, the quality of drafting plays a significant role in enabling individuals to predict the effects of legislation through the consistent use of terminology. A good legislator uses the same term to denote the same legal concept throughout a text and across the legal system as a whole. However, if terminology changes or the same word is assigned different meanings in separate provisions, the meaning becomes fragmented, making it difficult for individuals to accurately determine the legal rule. Therefore, adherence to a unified legislative dictionary increases the clarity of legal texts, making their effects predictable and clear for all those to whom they apply, without requiring complex interpretation that could depart from the legislator's original intent⁹.

Second: the role of drafting quality in limiting discretionary power

Well-crafted legislative drafting is the most effective technical tool for regulating and preventing deviations in the discretionary power granted to administrative authorities or the judiciary when applying legal provisions. While legal security requires legal rules to be orderly and clearly defined, it is the quality of the drafting that ensures these rules do not leave scope for broad personal or subjective interpretation, which could undermine individuals' legal positions. Indeed, legislative texts characterised by ambiguity or broad, imprecise terms grant absolute and unclear authority to those responsible for implementing them. Consequently, discretion can shift from being an instrument of appropriateness and effectiveness to becoming arbitrary power that threatens the stability of transactions and acquired rights¹⁰.

⁷- Amina Ghilas, Awatif Mohieddine: "Good Legislative Drafting of the Legal Rule and Legal Security," *Journal of Rights and Freedoms*, Vol. 10, No. 02, 2022, p. 796.

⁸- General Secretariat of the Government (Algeria), *op. cit.*, p. 30.

⁹- Radia Amokrane, *op. cit.*, p. 860.

¹⁰- El-Houari Boussak, Fatima Zahra Ghribi: "Drafting and Its Impact on the Legislative Process," *Academic Journal of Legal and Political Research*, Vol. 08, No. 01, 2024, pp. 485–486.

The quality of drafting also plays a decisive role in achieving equality before the law by fostering a unified understanding that leads to consistent application. When legislators formulate legal rules in precise and specific language, the likelihood of conflicting judicial interpretations of the same text is substantially reduced. Variations in judicial decisions in essentially identical legal situations resulting from the ambiguity of the legislative text are among the most serious threats to legal security. In such cases, individuals lose confidence in the fairness of the legal system and perceive legal discrimination. Therefore, technical standards that clearly define conditions and prohibitions must be adhered to in drafting, to ensure that the law is applied uniformly and impartially, making the judge a servant of the text rather than its creator¹¹.

This relationship becomes even more evident in the field of public rights and liberties, particularly in the relationship between individuals and the administration. Here, vague or incomplete legislative provisions allow the administration to broadly interpret the law in a way that serves its bureaucratic objectives or short-term interests — a phenomenon described in legal scholarship as ‘discretion cloaked in legality’. Good drafting establishes clear legal barriers around discretionary power, binding the administration to specific procedural and substantive paths from which it cannot deviate¹².

Good legal drafting helps to avoid situations in which the law is so ambiguous or incomplete that the judge is compelled to supplement it themselves, acting as if they were the legislator. This is what may be called the absence of legal clarity. While it is true that judges must interpret unclear texts, careful drafting ensures that their role is limited to interpreting the legislator’s will without inventing new rules that would alter the purpose of the law¹³. A skilled legislator recognises when a text requires flexibility or clarity and firmness, and uses clear, decisive wording accordingly. This protects individuals from interpretive approaches that could affect their legal security and understanding of their rights and obligations¹⁴.

Additionally, quality drafting requires the legislator to avoid making excessive or imprecise legislative referrals, which are often exploited by the administration to exercise overly broad discretion. Laws that perpetually and absolutely refer to regulatory texts that have not yet been issued or to vague laws place individuals in a state of confusion while granting the administration broad authority to fill this legislative gap through decisions that may fail to respect legal security. Good drafting ensures the self-sufficiency of the legal text in its essential principles while restricting regulatory details to a narrow scope that does not affect core rights. This enhances legal certainty for all and limits the executive authority’s ability to influence legislative policy¹⁵.

In the context of strengthening the role of drafting in regulating discretion, using precise legal concepts rather than flexible notions within rules that restrict liberties, or within tax and criminal rules, represents the pinnacle of technical quality. A legislator who uses terms such as ‘public order’ or ‘public interest’ without providing interpretive safeguards in the text effectively grants the administration free rein to intervene¹⁶.

¹¹- Abdelmadjid Zaalani, *Introduction to the Study of Law: General Theory of Law*, no publisher, Algeria, 2002/2003, p. 21.

¹²- General Secretariat of the Government (Algeria), *Guide to the Preparation of Legal Texts*, 2nd ed., 2023, p. 22.

¹³- Anwar Sultan, *General Principles of Law*, Dar Al-Jami'a Al-Jadida, Egypt, 2005, p. 95.

¹⁴- Amina Ghilas, Awatif Mohieddine, *op. cit.*, p. 801.

¹⁵- Abba Chichoun, Nadia Khalfa, *op. cit.*, p. 502.

¹⁶- Ali Majidi Al-Akili, Lama Ali Al-Dhahiri, *op. cit.*, p. 22.

Conversely, legislative drafting that links these concepts to specific factual circumstances helps to narrow the scope of administrative control, thereby increasing individuals' legal security. This enables citizens to monitor the legality of administrative actions based on clear, non-disputable textual standards.

The quality of drafting also helps to streamline judicial work. Clearly drafted texts reduce the burden of interpretation on judges, thereby accelerating dispute resolution and achieving legal stability more quickly. Furthermore, legal security is realised when litigants perceive that the outcome of their case is determined by a stable legal text rather than by the judge's personal inclination or the lawyer's ability to exploit drafting loopholes. Thus, effective drafting transforms the judiciary from a forum for interpreting ambiguity into a sanctuary for administering clear justice. This, in turn, reinforces the principle of legal certainty and protects established legal positions from sudden judicial amendments¹⁷.

The drafting of quality legislation limits discretionary power, constituting a practical and technical application of the rule of law in the modern state. When legislation is clear and crafted with great technical precision, the law itself governs — not individuals or the authorities responsible for implementing it. Protecting individuals against incorrect, innovative or biased interpretations of legal texts cannot be achieved through subsequent review alone. Rather, protection begins with the legislative drafter's self-review through adherence to standards of accuracy and coherence. This ensures that a legal rule is produced that is capable of achieving legal and social security, and that is resistant to exploitation of discretionary power at the expense of the individuals to whom the law applies, thereby guaranteeing the protection of their rights and the stability of their legal situations¹⁸.

Second Axis: The Role of Legislative Quality in Ensuring Access to Law and Stabilising Legislation

The quality of legislative drafting goes beyond controlling the objective content of legal rules, extending to safeguarding legal democracy and disseminating knowledge of legislation. True legal security cannot be achieved if legal texts remain confined within narrow technical frameworks or are written in complex language that is only intelligible to specialists. Modern legislative technique requires the law to become a clear and direct means of communication between the legislator and citizens. This makes it easier for individuals to access the texts and understand their essential purposes and effects.

Legal security becomes deeply rooted when knowledge of the law shifts from an abstract notion that can conflict with ignorance to knowledge that is accessible to all, thanks to the simplicity of the legislative language and the precise technical structure of the texts.

In this context, quality drafting acts as a mechanism for reducing individuals' sense of legal alienation, which arises from the proliferation of rules and the diversification of their sources. It also ensures individuals' right to clarity and understanding of legal texts as part of human rights in a law-governed state. Accordingly, the law should be written in simple, organised language that allows everyone to easily grasp its content and legal effect. This creates a transparent legislative environment that facilitates access to legal information and ensures it is understood correctly.

We will explain this by studying the mechanisms for facilitating access to legal information and addressing the problem of legal inflation.

¹⁷- Ismail Ben Hafaf, op. cit., p. 125.

¹⁸- Radia Amokrane, op. cit., p. 865.

First: Facilitating access to legal information and clarifying legislative language

The ability to access and understand legislation is fundamental to achieving legal certainty. The obligation of a person to comply with a legal rule — ethically or legally — cannot be deemed valid unless the rule has first been made available to them and they have understood it. Thus, good legislative technique transforms the principle of knowledge of the law from a rigid theoretical presumption colliding with the reality of complex texts into accessible knowledge.

Legal security requires drafting to move out of the realm of elitist ambiguity, where the law is confined to specialists, and into the sphere of social clarity. In this way, the legislator's language becomes a tool that empowers citizens, rather than an obstacle to understanding their rights¹⁹.

Clear legislative language requires the legislator to use precise and specific terms that convey the intended meaning in the shortest and most direct manner. A competent legislator avoids linguistic redundancy, complex sentences and lengthy formulations that distract the reader. Likewise, using terms with a single clear connotation and avoiding ambiguous expressions increases the clarity and understanding of the legal text. Conversely, drafting based on vague concepts can lead to legal alienation. In such cases, individuals feel disconnected from the legal system because they cannot comprehend what the state requires of them. This undermines the trust that legal security is intended to provide²⁰.

The structure of the legislative text also plays an important role in facilitating access to legal information. Provisions should be organised and divided into sections and chapters with clear headings to help individuals and researchers quickly locate the relevant legal rule. Good drafting pays attention to what may be termed the text's mental indexing, arranging the provisions in a logical order that allows the reader to move easily from general principles to exceptions and from substantive rules to implementation procedures. This makes the sequence of legal ideas intelligible and free from confusion. By contrast, texts that lack this clear classification or include provisions unrelated to their subject matter mislead those addressed by the law, making it difficult to reach the correct ruling and thereby undermining the very core of legal security²¹.

In addition, legislative drafting quality requires addressing the problem of legislative cross-references. Excessive referencing, whether from one text to another or from one provision to another in a different statute, creates a state of cognitive fragmentation. Drafting that serves legal security limits cross-references to what is strictly necessary, striving to make the text self-contained wherever possible. Vague or general references (such as 'in accordance with the applicable regulations') that do not precisely identify the source of the regulation leave citizens uncertain and grant the administration broad discretion to obscure legal information behind a veil of procedural ambiguity. Therefore, to facilitate access, legislative cross-references must be transparent and guide the reader to the intended destination with certainty²².

Moreover, the use of simple language is fundamental to modernising legal drafting. This does not mean lowering the level of language, but rather eliminating obsolete terms and complex sentences that make the law difficult to understand. Effective drafting ensures that legal texts are clear and easy to understand, enabling individuals to understand their rights and responsibilities directly,

¹⁹- Mohamed Tayeb Skirifa, Abdelmalek Regani: "The Quality of Legal Drafting and Its Impact on Consolidating Legal Stability and Security," National Conference on Information and Communication Technologies and Legal Security, Faculty of Law and Political Science, University of Ghardaïa, October 25, 2023, p. 11.

²⁰- General Secretariat of the Government (Algeria), Guide to the Preparation of Legal Texts, 2nd ed., 2023, p. 35.

²¹- Mohamed Tayeb Skirifa, Abdelmalek Regani, op. cit., p. 12.

²²- Ismail Ben Hafaf, op. cit., p. 118.

without the need for intermediaries — particularly in legislation related to everyday life, such as consumer and labour laws. This direct understanding reduces compliance burdens and increases the effectiveness of legal rules because people who understand the law are more likely to respect and apply it voluntarily. This, in turn, strengthens social stability and legal security²³.

From a technical perspective, good drafting requires legislators to organise legislation in a way that facilitates digitisation and electronic access. Laws must be written in a way that allows them to be easily classified and retrieved through legal databases²⁴. Likewise, clear headings and consistent terminology facilitate digital searches and improve access to legal information. In Algerian legislation, ensuring consistency between the Arabic and French versions is part of the drafting process: it prevents differences in understanding arising from translation and guarantees that legal information remains accessible to all²⁵.

Access to legal information is facilitated by clear dates governing the law's application. Good drafting should clearly state when the new text comes into force and when the old rules cease to apply. However, if it is unclear whether the new law repeals the old one entirely or only partially, confusion arises and it becomes difficult to determine which law must be applied²⁶. A legislator who explicitly clarifies the scope of repeal contributes to the organisation and understanding of the legal system, thereby enhancing individuals' security and ability to anticipate the legal consequences of their actions²⁷.

Therefore, facilitating access to the law and clarifying legislative language are not merely superficial improvements, but the essence of genuine democratic rights. Good drafting transforms the law from an instrument of control and ambiguity into an instrument of empowerment and clarity. A legislator who prioritises the technical quality of drafting seeks to build a society of legal certainty, where each person knows their rights and obligations without ambiguity. Furthermore, improving the language used by legislators and structuring texts is the only way to ensure that the law belongs to everyone, rather than remaining a mystery to specialists. This is the real guarantee of legal security sustainability in the contemporary state²⁸.

Second: Legislative Stability and Avoiding Legal Inflation

The stability and relative permanence of legal texts constitute the cornerstone of legal security. Essentially, law is not just a means of instant or temporary regulation; it is a forward-looking framework that allows people to plan their lives and transactions with confidence.

Furthermore, legislative drafting is not just about linking linguistic formulations. It also encompasses the concept of legislative durability, or the capacity of a text to withstand changing conditions over time without frequent amendments that would burden those it affects. Successive and accelerated amendments to the same text within short periods lead to legislative fluidity — a state of instability that strips the legal rule of its authority and leaves individuals and economic actors in continuous uncertainty about which law will be applied. This undermines the solid

²³- Ali Majid Al-Akili, Lama Ali Al-Dhahiri, op. cit., p. 25.

²⁴- Mazen Lilo Radi: "Legal Security through the Quality and Improvement of Law," Al-Bahith Al-Arabi Journal, Vol. 02, No. 02, 2021, p. 52.

²⁵- Tori Yakhlaif, "Components and Standards of Legislative Drafting Quality," Annals of the University of Algiers 01, Vol. 37, No. 02, 2023, p. 185.

²⁶- Diaa Al-Din Ramadan Jadidi: "Controls for the Quality of Legislative Drafting," Journal of Rights and Freedoms, Vol. 10, No. 02, 2022, p. 139.

²⁷- General Secretariat of the Government (Algeria), op. cit., p. 42.

²⁸- Mohamed Tayeb Skirifa, Abdelmalek Regani, op. cit., p. 12.

foundation of legal security, weakens public confidence in the law and leaves individuals uncertain of their rights and responsibilities²⁹.

Furthermore, the accumulation and interweaving of texts — often referred to as ‘legal inflation’ — is one of the most prominent challenges facing modern legislative technique. It hinders understanding and application of the law. Legal inflation is not simply an increase in the number of laws; it often results in contradictory rules and confusion regarding their content, creating legislative disorder that is difficult for everyone to manage, even specialists. Therefore, drafting quality is one of the most important means of curbing this inflation. By adopting a sound legislative style, legislators can produce comprehensive texts that avoid excessive detail while taking into account how any new provision coheres with existing legislation. This helps to prevent repetition or conflict that may later necessitate urgent amendments³⁰.

In this context, legislative impact assessment is one of the most important controls for ensuring the quality of legislation and promoting legislative stability. Studying the legal and social feasibility of a text before drafting it ensures that legislators do not act under the pressure of momentary emotions or in response to urgent circumstances that could be addressed by means other than legislation. Rushed legislation is often of poor quality and prone to rapid amendment when difficulties arise in its practical implementation. This hasty approach places a burden on legislative institutions and undermines individuals’ confidence in the law and the stability of the state’s legal system — an effect that has a negative impact on the investment and business environment³¹.

The close interrelationship between the quality of a text and legal security is clearly evident in the concept of economic security. Above all, investors seek a stable legislative environment that enables them to calculate long-term risks and benefits. By contrast, legislative inflation and a lack of textual stability create a hostile environment because legislative instability reduces trust. For this reason, adopting text consolidation techniques, which involve integrating scattered provisions into unified thematic codes, represents one of the highest expressions of drafting quality. Consolidation removes outdated or conflicting provisions from the legal system, making the law coherent and easy to navigate. This enhances the value of legal security as an element that attracts investment and supports development³².

Moreover, legislative stability does not imply negative rigidity, but rather orderly and deliberate development. Well-drafted legislation can be flexible in its objectives and precise in its means, giving it a longer lifespan and the ability to accommodate changing circumstances without requiring structural replacement. Furthermore, a legislator who relies too heavily on temporary or situation-specific laws demonstrates a flaw in their legislative technique. Rather than treating the symptoms of legal problems with short-term provisions, legislators should use sound drafting techniques to anticipate the future and provide solutions characterised by generality and abstraction. Allowing a text to remain stable for a sufficient period enables the judiciary to develop a stable jurisprudential approach to it, thereby reinforcing legal security through uniform judicial interpretation — something that can only be achieved when the original text remains stable³³.

Furthermore, bodies responsible for drafting legislation, such as the General Secretariat of the Government and the Council of State, play a pivotal role in curbing legislative inflation by

²⁹- Diaa Al-Din Ramadan Jadidi, *op. cit.*, p. 139.

³⁰- General Secretariat of the Government (Algeria), *op. cit.*, p. 48.

³¹- Abba Chichoun, Nadia Khalfa, *op. cit.*, p. 508.

³²- Ismail Ben Hafaf, *op. cit.*, p. 122.

³³-Amina Ghilas, Awatif Mohieddine, *op. cit.*, p. 805.

exercising quality control over draft texts. This oversight helps to ensure that unnecessary laws are not enacted, and that laws are only enacted when they are necessary. A state's strength is not measured by the sheer number of its laws, but by the quality and stability of those laws, and by their ability to achieve social security without burdening citizens with a barrage of constantly changing rules. Indeed, a legislator's commitment to keeping the legal system free from legislative disorder is one of the greatest forms of respect for legal security³⁴.

Accordingly, legislative stability and avoidance of legal inflation result from conscious legislative drafting that recognises the fact that excessive legislation undermines justice. A legislator who produces high-quality texts understands that legal security is achieved when the law serves as a stable refuge rather than shifting sand. The only way to cleanse the legal environment of inflation and ensure that the legal rule remains clear, stable and reliable is to advance legislative quality by adopting text consolidation policies and conducting both prior and subsequent impact assessments of texts. This guarantees individuals a secure and stable legal life³⁵.

Conclusion:

In conclusion, it is clear that the quality of legislative drafting is not just an artistic luxury or a secondary linguistic skill. Rather, it is an essential foundation and the primary technical means of achieving legal security in the modern state. Furthermore, legal drafting and legal security are closely related: the higher the quality of drafting, the greater the certainty and reassurance experienced by those affected by the law. Well-crafted, robust texts protect legal positions from legislative surprises, limit erroneous interpretations arising from discretionary powers and ensure the law is clear and easily understood, enabling individuals to access their rights.

Algeria's experience of institutionalising legislative quality through the publication of the Guide for the Preparation of Legal Texts (2023) reflects a profound awareness that lawmaking requires a rigorous methodology. This methodology begins with an accurate diagnosis of social needs and culminates in the drafting of texts characterised by clarity, coherence and durability. Legal security thus shifts from a theoretical concept to a tangible reality when the legislator succeeds in drafting provisions that respect legitimate expectations, define rights and obligations in a way that cannot be interpreted, and firmly confront the phenomenon of legislative inflation that drowns the legal system in ambiguity.

Accordingly, the following results and recommendations can be drawn:

First: Results

- The importance of drafting: The quality of legislative drafting is key to achieving the principle of the rule of law. A legal rule does not acquire its full mandatory character unless it is clear, legible and accessible to all.
- Legal security as a right: Legal security is no longer merely a guiding principle for legislators; it has become an inherent right of every person to be informed of their current and future legal status, free from legislative surprises that could undermine their stable legal position.
- The Role of Technical Control: Compliance with technical drafting rules (terminological unity, logical structuring and explicit repeal) helps to reduce the discretionary scope of the administration and judiciary and ensures equality in the application of the law.

³⁴- Abba Chichoun, Nadia Khalfa, op. cit., p. 512.

³⁵- Radia Amokrane, op. cit., p. 870.

- Confronting legislative inflation: Drafting quality is the only preventive mechanism for combating legislative inflation. The issue is not the quantity of texts, but their ability to remain consistent and stable while keeping pace with changes without becoming fluid or unstable.

Second: recommendations

- Activating methodological guides: There is a need for all bodies involved in the legislative process to strictly enforce compliance with the Guide for the Preparation of Legal Texts, treating it as a binding technical reference to unify the language of the Algerian legislature.
- Preliminary quality review (upstream control): Strengthen the consultative role of the Council of State and the General Secretariat of the Government in providing technical oversight of draft laws. The aim is to assess the quality of the drafting and the extent to which the new text aligns with the existing legal framework prior to issuance.
- A policy of codification and consolidation: Accelerate the adoption of a national policy for consolidating laws into comprehensive subject-matter codes. This will cleanse the legislative arsenal of contradictory and outdated provisions, and facilitate access to legal information.
- Specialised training: It is essential to establish training programmes for officials responsible for drafting laws in ministries and institutions. These programmes should focus on the scientific and technical method of drafting clear, precise and easy-to-understand legislation. These programmes should combine in-depth legal knowledge with the linguistic and technical skills required to produce comprehensible and implementable legal texts that effectively achieve the legislator's objectives.
- Impact assessment: An official mechanism should be adopted to examine the effect of any law before drafting begins, ensuring that the law's issuance is necessary and guaranteeing that the text remains stable for many years without repeated amendments.
- Improving the quality of drafting is key to building a state of institutions. A clear law is a just law, and a stable law is a secure law. By improving the quality of lawmaking, we can ensure that legislation continues to safeguard rights and drive development, rather than becoming a burden to those subject to it.

List of sources and references:**First: Official documents:**

- General Secretariat of the Government of Algeria, Guide for the Drafting of Legal Texts, 2nd edition, 2023.

Second: Books

- Anwar Sultan, General Principles of Law, Dar Al-Jamia Al-Jadida, Egypt, 2005.
- Abdelmadjid Zaâlani, Introduction to the Study of Law: General Theory of Law, no publisher, Algeria, 2002/2003.

Third: articles

- Amina Ghilas and Awatif Mohi Eddine, 'Good Legislative Drafting of the Legal Rule and Legal Security', Journal of Rights and Freedoms, Vol. 10, No. 2, 2022.
- Yakhlaf, Toury. 'Components and Standards of Quality Legislative Drafting'. Annals of the University of Algiers 1, Vol. 37, No. 2, 2023.

- Radhia Amokrane, 'Legislative Drafting and the Achievement of Legal Security', Journal of Scientific Research Notebooks, Vol. 11, No. 1, 2023.
- Smail Ben Hafaf, 'Legislative Drafting and Its Role in Serving Legislation', Al-Mi'yar Journal, Vol. 4, No. 8, 2013.
- Diao Eddine Ramadan Djedidi, 'Standards for the Quality of Legislative Drafting', Journal of Rights and Freedoms, Vol. 10, No. 2, 2022.
- Abia Chichoune and Nadia Khalfa, 'Good Legislative Drafting as a Tool for Strengthening Good Governance in Algeria', Al-Baheth Journal for Academic Studies, Vol. 9, No. 1, 2022.
- Ali Majid Al-Ukaili and Lama Ali Al-Dhahiri, 'The Principle of Clarity in Legal Texts and Its Role in Achieving Legal Security', Journal of the College of Law for Legal and Political Sciences, University of Kirkuk, Vol. 13, No. 48, 2024.
- Mazen Lilo Radhi, 'Legal security through the quality and improvement of law', Al-Baheth Al-Arabi Journal, Vol. 2, No. 2, 2021.
- El Houari Boussaï and Fatima Zahra Ghribi, 'Drafting and its impact on the legislative process', Academic Journal of Legal and Political Research, Vol. 8, No. 1, 2024.

Fourth: Conference Papers

- Mohamed Tayeb Skirifa and Abdelmalek Raghani, 'The Quality of Legal Drafting and Its Impact on Consolidating Stability and Legal Security', paper presented at the National Conference on Information and Communication Technology and Legal Security, Faculty of Law and Political Science, University of Ghardaia, 25 October 2023.