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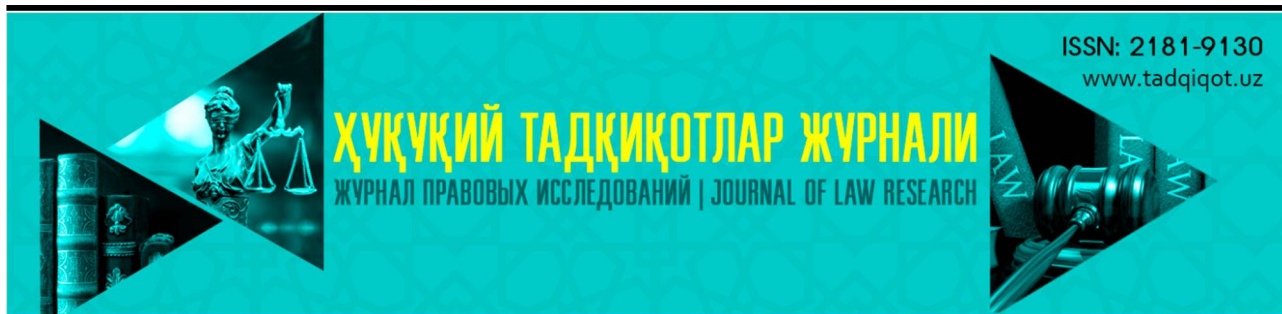
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12.00.01-ТЕОРИЯ И ИСТОРИЯ ГОСУДАРСТВА И ПРАВА. ИСТОРИЯ ПРАВОВЫХ УЧЕНИЙ

Sodikov Akmal Shavkat ugli,

Associate Professor at Tashkent State University of Law,

PhD in Law

ORCID: 0000-0001-6453-1327

E-mail: akmalsodikov81@gmail.com

Youwei Yan,

PhD Student at Tashkent State University of Law

ORCID: 0009-0004-0509-9924

E-mail: 19963821792@163.com

FROM OFFICIAL PUBLICATION TO EFFECTIVE USE: THE EVOLUTION OF STATE MECHANISMS FOR ENSURING THE DISSEMINATION AND USE OF LEGAL INFORMATION

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ANNOTATION

This article analyzes mechanisms for disseminating legal information and ensuring its effective use, as well as the evolution of key procedures in this field. The advanced practices of European Union countries and New Zealand are examined, with particular attention to mechanisms for disseminating normative legal acts from a doctrinal perspective. The article also identifies stages of institutional development in the dissemination of legal information. Scientifically grounded proposals and recommendations are developed to improve existing mechanisms. The study also addresses effective ways to ensure that legal information is delivered rapidly, reliably, and conveniently in the digital environment, with particular emphasis on accessibility, openness, and public use.

Keywords: legal information; official publication; access to law; legal-status identifiability; legal certainty; effective use; consolidated texts; rule of law.

Sodikov Akmal Shavkat o'g'li,

Toshkent davlat yuridik universiteti dotsenti

Yuridik fanlar bo'yicha falsafa doktori (PhD)

ORCID: 0000-0001-6453-1327

E-mail: akmalsodikov81@gmail.com

Youwei Yan,

Toshkent davlat yuridik universiteti mustaqil izlanuvchisi

ORCID: 0009-0004-0509-9924

E-mail: 19963821792@163.com

RASMIY NASHRDAN SAMARALI FOYDALANISHGACHA: HUQUQIY AXBOROTNI TARQATISH VA ULARDAN FOYDALANISHNI TA'MINLASHNING DAVLAT MEKANIZMLARINING EVOLYUTSIYASI

ANNOTATSIYA

Ushbu maqolada huquqiy axborotni tarqatish va undan samarali foydalanishni ta'minlash mexanizmlari, shuningdek, mazkur sohadagi asosiy tartib-taomillarning evolyutsiyasi tahlil qilinadi. Yevropa Ittifoqi mamlakatlari va Yangi Zelandiyaning ilg'or tajribasi o'rganilib, normativ-huquqiy hujjatlarni tarqatish mexanizmlari doktrinal asosda tadqiq etiladi. Shuningdek, huquqiy axborotni tarqatishning institutsional rivojlanish bosqichlari aniqlanadi. Maqolada mavjud mexanizmlarni takomillashtirishga qaratilgan ilmiy asoslangan taklif va tavsiyalar ilgari suriladi. Tadqiqot natijasida huquqiy axborotning ommaviyligi, ochiqligi va undan foydalanish imkoniyatlarini ta'minlashning samarali mexanizmlari bo'yicha xulosalar shakllantiriladi. Tadqiqotda huquqiy axborotning raqamli muhitda tezkor, ishonchli va qulay shaklda yetkazilishini ta'minlash masalalariga ham alohida e'tibor qaratiladi.

Kalit so'zlar: huquqiy axborot; rasmiy e'lon qilish; huquqqa kirish; huquqiy holatning aniqlanuvchanligi; huquqiy aniqlik; samarali foydalanish; konsolidatsiyalangan matnlar; huquq ustuvorligi.

Содиков Акмал Шавкат угли,

Доцент Ташкентского государственного юридического университета

Доктор философии по юридическим наукам (PhD)

ORCID: 0000-0001-6453-1327

E-mail: akmalsodikov81@gmail.com

Youwei Yan,

Самостоятельный соискатель Ташкентского

государственного юридического университета

ORCID: 0009-0004-0509-9924

E-mail: 19963821792@163.com

ОТ ОФИЦИАЛЬНОГО ОПУБЛИКОВАНИЯ К ЭФФЕКТИВНОМУ ИСПОЛЬЗОВАНИЮ: ЭВОЛЮЦИЯ ГОСУДАРСТВЕННЫХ МЕХАНИЗМОВ ОБЕСПЕЧЕНИЯ РАСПРОСТРАНЕНИЯ И ИСПОЛЬЗОВАНИЯ ПРАВОВОЙ ИНФОРМАЦИИ

АННОТАЦИЯ

В государстве анализируются механизмы распространения правовой информации и обеспечения ее эффективного использования, а также эволюция основных процедур в данной сфере. Исследуется передовой опыт страны Европейского Союза и Новой Зеландии, особое внимание уделяется межам распространению нормативно-правовых актов с доктринальной точки зрения. Определяются этапы институционального развития распространения правовой информации. Разработаны научно обоснованные предложения и рекомендации по совершенствованию существующих механизмов. Особое внимание уделяется обеспечению оперативно, достоверного и удобного предоставления правовой информации в цифровой среде, а также вопросам ее доступности, открытости и эффективного использования обществом.

Ключевые слова: юридическая информация; официальное издание; доступ к праву; идентифицируемость правового статуса; правовая определенность; эффективное использование; консолидированные тексты; Верховенство права.

1. INTRODUCTION

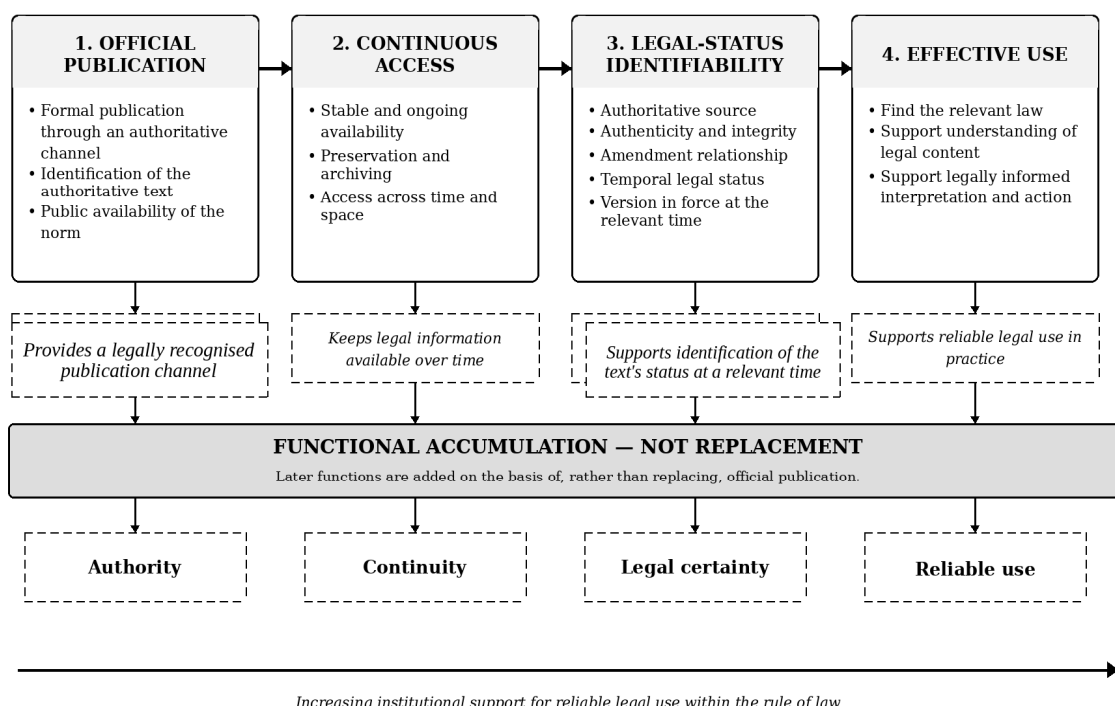
Legal norms can guide conduct only when their authoritative status can be identified. Official publication therefore remains a foundational requirement of legality and legal certainty. Fuller treated promulgation as an internal requirement of legality (10), Raz linked the rule of law to publicity, clarity and relative stability (18, pp. 210–229), and Bingham stressed accessibility, intelligibility, clarity and predictability (2, pp. 597–612). Crawford extends this concern to contemporary conditions of legislative complexity, arguing that law must remain reasonably knowable if it is to guide practical reasoning (7, pp. 1–21). The digital legal-information environment sharpens a further question: publication may establish legal authority without ensuring that legal information remains reliably usable over time.

Digital systems make that gap visible. A text may be easy to locate while its source, amendment history, current status or historical version remains uncertain; conversely, an authoritative original text may be incomplete for a later inquiry if subsequent amendments are not connected to it. The issue is therefore not simply access to a text, but the ability to identify which text, at which time, and with what legal status should ground a legal judgment.

Scholarship has already moved beyond equating publication with access. Greenleaf, Mowbray and Chung developed free access to legal information and distinguished the state’s responsibility to ensure access from the role of particular information providers (12). Roznai and Mordechay argued that access to legislation should extend beyond formal promulgation to the ability to obtain and understand the law (19, pp. 333–369). Liebwald developed the idea of intelligible access to law (14, pp. 301–314), while Doherty linked comprehensibility to the rule-of-law function of behavioural guidance (8). Nishikawa-Pacher and Hamann later assessed official legal databases across 204 states and jurisdictions and showed that an official database does not by itself ensure effective access (17, pp. 298–321). Importantly, the same study also identifies force status, commencement dates, amendment links and visualisations of legal change as more refined database criteria, while excluding them from its minimum-viability coding for methodological reasons (17, Section 2.C). The remaining doctrinal problem is therefore not the first recognition of temporal or amendment metadata, but how their documentary utility, evidential presumptions and normative authority differ and how public legal-information systems maintain those relationships over time.

Figure 1. Evolution of State Legal-Information Guarantees

From Official Publication to Effective Use: Functional Accumulation, Not Replacement



The unresolved problem lies between access and use. Once a legal text is available, users still need to identify its authoritative source, amendment relationships, temporal status and the version in force at the relevant point in time. Legal-status identifiability denotes the institutional organisation of those relationships: the informational basis that connects an accessible text to its authority, temporal position and reliable legal use.

The central question is how and why state legal-information guarantees have expanded from a publication-centred structure into a framework that also sustains access, legal-status identifiability and effective use. The analysis combines doctrinal and normative legal analysis, historical-functional analysis and a limited comparison of institutional materials. It makes three contributions: first, it organises already-recognised temporal and amendment information into a doctrinal account of documentary, evidential and normative status; second, it shows that similar information functions can carry different legal authority and therefore different maintenance implications for public legal-information systems; and third, it explains institutional development as functional accumulation rather than replacement.

Note to Figure 1: arrows indicate an analytical ordering of complementary functions, not a universal chronology or causal sequence.

2. LITERATURE REVIEW AND METHODOLOGY

Five strands frame the analysis. Rule-of-law scholarship explains why promulgation, accessibility and predictability matter to legality (2), (10), (18). Free-access scholarship asks whether the public can obtain legal information under conditions that permit meaningful reuse (12). Access-to-legislation and legal-design scholarship adds comprehension and user orientation (8), (14), (19). Empirical research on official legal databases shows that online official provision remains uneven and also recognises force status, commencement and amendment metadata as advanced dimensions of access (17, Section 2.C). Recent work on legal complexity, legal knowledge and user-oriented drafting situates access within the broader problem of navigating dense, interconnected and rapidly changing legislation (1), (7), (13), (21). These literatures establish the importance of publication, access, comprehension, complexity and temporal metadata; the present analysis asks how those information functions are legally organised across documentary, evidential and normative categories.

The institutional materials were selected for analytical leverage rather than representativeness. The doctrinal analysis is limited to publicly promulgated legislation and official legal-information systems; it does not generalise the same publication effects to every source of law. The EU sequence from Skoma-Lux to Regulation (EU) No 216/2013 and its 2024 amendment provides a traceable transition from factual online availability to legally recognised electronic publication, authenticity and continuity. As a supranational legal order, the EU is used to isolate these legal functions with unusual clarity. New Zealand supplies the principal state-level statutory evidence because the Legislation Act 2019 expressly regulates consolidation, official versions, continuous access and the evidential status of official consolidations (16).

Four distinctions structure the analysis: factual availability versus legally valid official publication; authenticity and integrity versus independent legal effect; consolidated or explanatory texts versus the authoritative legal acts on which they rest; and identification of the law in force at a relevant point in time versus application of that law to a concrete dispute. Together, these distinctions separate information support from normative effect and prevent category errors across publication, consolidation and use.

Dynamic legal sources were verified to 7 October 2026. The New Zealand legislation website identifies the Legislation Act 2019 as in force, with the latest displayed version dated 4 September 2026, and separately flags amendments not yet incorporated. Incorporation status was not used as a proxy for commencement. Section 2 of the Legislation Amendment Act 2026 provides for commencement by Order in Council, subject to specified automatic dates; the official website recorded no commencement secondary legislation under that section at the cut-off. The amendments relevant here—those to ss 70, 72, 79, 79A and 80—were therefore not yet in force on 7 October 2026 and, absent earlier commencement, were scheduled to commence on 2 November 2026 (16). The analysis accordingly relies on the operative text of the Legislation Act 2019 as displayed at the cut-

off. The comparison tests a bounded proposition: similar informational functions may carry different legal authority. It does not rank the EU and New Zealand systems.

3. DISCUSSION

3.1. Official Publication and Continuous Access

Official publication performs a legal function distinct from dissemination. In the settings examined, publicly promulgated legislation is made available through a legally recognised publication regime, while the consequences for authenticity, enforceability and commencement depend on the governing rules. Skoma-Lux illustrates this distinction. Under the EU framework then applicable, making legislation available on the Internet did not satisfy the required official-language publication, so the obligations at issue could not be enforced against individuals in that Member State (6, paras. 48–51). The Court separately held that the publication defect did not invalidate the regulation or remove its binding force on the Member State (6, paras. 57–61). The case therefore separates factual availability, enforceability and validity rather than treating them as a single question.

The later EU framework shows how electronic publication can acquire legally recognised publication status through institutional design. Regulation (EU) No 216/2013 makes the electronic edition of the Official Journal authentic and legally effective, requires the publication date to be shown, provides for indefinite public access in a non-obsolescent format, and assigns responsibility for authenticity, system implementation, maintenance and accessibility (3, arts. 1–4). Regulation (EU) 2024/741 further strengthens authenticity, integrity and inalterability and regulates continuity during exceptional system disruption (5, art. 1). Digitalisation thus changes the institutional conditions of official publication without collapsing publication, validity and enforceability into the same legal effect.

The temporal dimension follows from the continuing life of legal norms. Once published, a norm may be amended, partially repealed, fully repealed or replaced. A system organised only around the initial publication event may therefore be inadequate for later legal use. The EU electronic-publication framework links official publication with continuing availability, while New Zealand's Legislation Act 2019 connects publication with consolidated versions and continuing electronic access (16, ss. 70, 72). Legal-information guarantees consequently extend from authoritative publication to the continuing maintenance of reliable information conditions.

The Council's 2015 Report on Access to Law confirms this institutional shift. It describes access to law as pivotal, emphasises better dissemination of legal data and reliable, up-to-date access, and treats consolidation as a practical means of lowering the cost of understanding amended legislation (4, pp. 2–10). Although the report is not itself a source of general legal obligations, it documents the emergence of continuous and reliable access as an institutional objective beyond the bare fact of publication.

3.2. Legal-Status Identifiability: From Text Access to Legally Usable Information

Finding a legal text is only the first step toward reliable legal use. Users may still need to establish whether the source is authoritative, whether the text is authentic, whether it has been amended or repealed, and which version was in force at the relevant point in time. These questions are not merely matters of interface design; they determine whether retrieved material can responsibly support legal reasoning.

EUR-Lex consolidated texts show why informational usefulness and legal effect must be separated. Consolidation integrates an original act with subsequent amendments and corrections and may present the rules at a particular point in time. EUR-Lex nevertheless classifies consolidated texts as documentation tools without independent legal effect (9). Their value lies in making the state of the law easier to navigate while preserving traceability to the original and amending acts published in the Official Journal.

New Zealand adopts a different legal design. Section 70 of the Legislation Act 2019 requires consolidations for amended legislation, while section 79 gives an official consolidation a rebuttable statutory presumption that it correctly states the law as at the stated date (16, ss. 70, 79). The comparison is theoretically significant because similar information functions can carry different legal

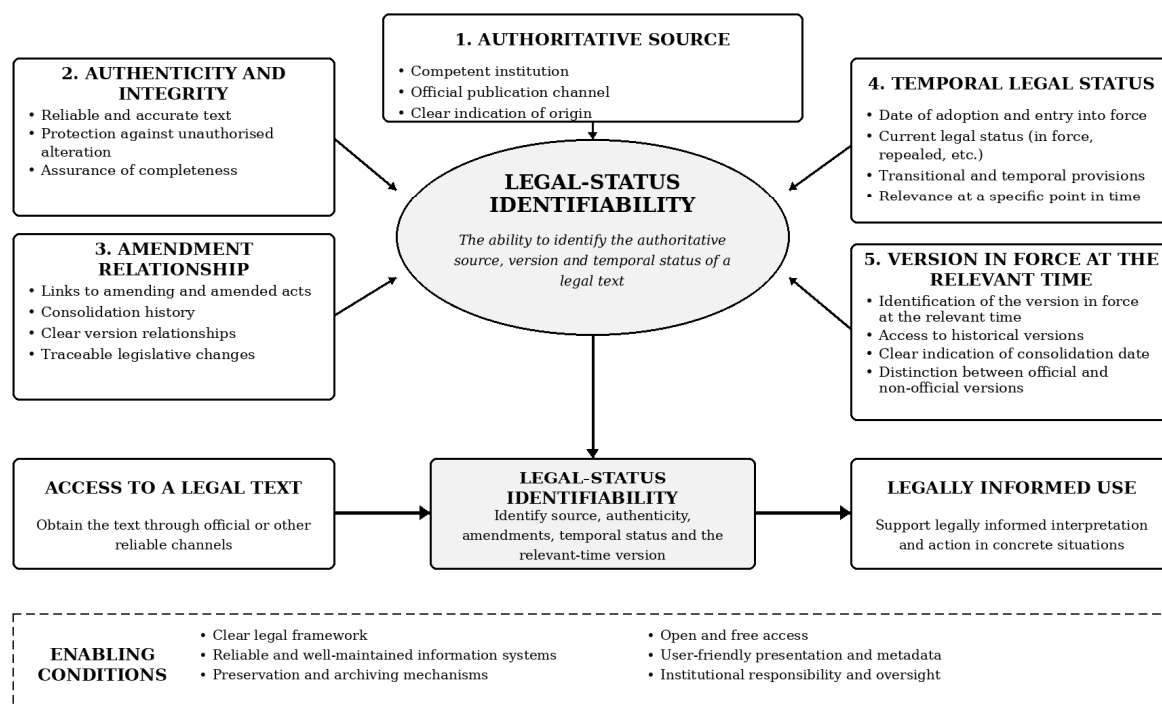
authority. A theory of legal-information use must therefore ask both what a text enables a user to do and what legal status the system assigns to that text.

New Zealand law also differentiates normative text from auxiliary information. Section 79A provides that publication notes, links, metadata and legislative history do not become part of the legislation merely because they accompany an official version, while section 80 assigns specific evidential functions to certain minimum legislative information (16, ss. 79A, 80). Modern legal-information systems therefore operate through multiple informational layers whose functions and legal status should remain visible to the user.

Legal-status identifiability is the institutional condition in which a user who has obtained a legal text can reasonably identify its authoritative source, amendment relationships, entry into force or cessation, temporal position, and the version in force at the relevant point in time. It supplies the informational basis for interpretation without deciding questions of retroactivity, transitional provisions, conflict rules, factual classification or judicial meaning. Recent work on legal knowledge under legislative complexity similarly shows that access to legal texts does not exhaust the interpretive practices through which law becomes legally meaningful (13, pp. 1–22).

Figure 2. Structure of Legal-Status Identifiability

Key Elements Linking a Legal Text to Its Authoritative Source and Temporal Status



Toward effective use of legal information within the rule of law

Figure 2 maps the constituent information relationships captured by legal-status identifiability. Tables 1 and 2 then separate their institutional functions from their legal status and compare the treatment of consolidated texts in the EU and New Zealand.

Table 1. Functions, Institutional Basis and Use of State Legal-Information Guarantees

n	Function	Main institutional materials (examples)	Legal status authority	Support for use	Interpretive limits
	Official publication	Legislation, official gazettes; Regulation (EU) No 216/2013	Legally recognised publication framework	Provides an authoritative published text and supports the legal consequences	Effects on validity, commencement and enforceability depend on governing law;

Function	Main institutional materials (examples)	Legal status authority /	Support for use	Interpretive limits
			assigned by the governing regime	online availability alone is insufficient
Continuous access	Official databases and archives; Regulation (EU) No 216/2013; NZ Legislation Act 2019 s 72	Institutional access and maintenance obligations	Keeps published law stably and verifiably available over time	Access support does not guarantee correct individual interpretation
Legal-status identifiability	Metadata, amendment information, consolidated texts; NZ Legislation Act 2019 ss 70, 79, 79A, 80	Depends on legal design; may be documentary, official or evidential	Connects authoritative source, temporal status and the relevant version	Information function does not itself create independent legal effect
Effective use	Search tools, explanatory materials and user support	Normative objective / functional outcome	Supports legally informed interpretation and action	The state supports conditions for use, not individual outcomes

Table 2. Similar Information Function, Different Legal Status: EU Consolidated Texts and New Zealand Official Consolidations

Dimension	EU Consolidated Texts	New Zealand Official Consolidations	Theoretical Implication
Core function	Integrate the original act with subsequent amendments and corrections	Integrate legislation with amendments as at a stated date	Both support identification of legal status over time
Temporal reference	May represent the rules in force at a particular point in time	Expressly linked to the stated date of consolidation	Access to a text must be connected to a relevant temporal status
Legal status	Documentation tool; consolidation itself has no independent legal effect	Subject to a rebuttable statutory presumption that it correctly states the law at the stated date	Similar information functions can carry different legal authority
Relationship to authoritative sources	Must remain traceable to the original and amending acts published in the Official Journal	Remains connected to the underlying legislation and amendments from which the official consolidation is produced	Legal usability depends on traceability to authoritative legal sources

Dimension	EU Consolidated Texts	New Zealand Official Consolidations	Theoretical Implication
Role in legal-information use	Facilitates navigation, reading and identification of amendments	Facilitates status identification and additionally provides statutory evidential support	Information usefulness and formal legal status must be analysed separately

3.2.1. From Legal Status to Maintenance Implications

The legal-status distinction also changes the verification path that a legal-information system should make visible. Consider a hypothetical discrepancy between a consolidated text and an amending instrument. In the EU setting, where a consolidated text is a documentation tool without independent legal effect, verification must return to the original and amending acts published in the Official Journal. The corresponding maintenance task is to preserve provenance links, amendment history, version dates and a clear indication of documentary status. In New Zealand, an official consolidation is taken, subject to rebuttal, to state the law correctly at its stated date (16, s. 79). That evidential presumption changes the user's starting point, but it does not erase the underlying legislation or the possibility of contrary proof. Publication and access duties under ss. 70 and 72, and evidential consequences under ss. 79 and 80, should therefore be analysed separately.

These consequences support a three-part distinction. These dimensions are not mutually exclusive categories: the same legal-information object may have documentary utility and evidential significance, while any normative legal effect depends on the governing legal framework. First, positive-law duties require specified institutions to publish, consolidate or make legislation available. Second, evidential rules determine what weight the legal system gives to particular official information. Third, provenance links, update notices and version-navigation features may be justified as use-oriented design standards, but they should not be described as universal legal duties without an independent legal basis. Legal-status identifiability thus concerns not only what information a system displays, but also whether users can identify the verification route appropriate to the legal status of that information.

3.3. From a Publication Act to a Continuous Institutional Guarantee

These materials support a broader theoretical inference: legal-information guarantees operate across time. Public authorities or institutions exercising relevant public functions maintain not only recognised publication channels but also the conditions through which later legal change can be identified. In digital settings those conditions include authentication, continuing access, system maintenance, version updating and links between amended and amending instruments. A continuous institutional guarantee therefore maintains traceable relationships among authoritative published texts, subsequent legal change and temporal status.

State responsibility for these conditions need not imply a monopoly over legal information. Free-access scholarship shows that the state may ensure access while search, indexing and explanatory services are also supplied by universities, public institutions, non-profit legal-information institutes and other actors (12). Official bodies remain central to authoritative sources; downstream services remain reliable only when users can trace their information back to those sources and identify its legal status.

Three functional orientations follow from the analysis. A publication-centred guarantee asks whether legislation has been made available through the legally recognised publication channel relevant to the system. An access-centred guarantee adds whether legal information remains realistically and verifiably obtainable. A use-oriented guarantee further requires the source, amendment relationship, temporal status and relevant-time version to be identifiable. These orientations are ideal types of functional accumulation: later functions preserve the role of recognised publication while adding access, status-identification and use-support functions.

The legal basis and normative force of these functions vary across jurisdictions and institutional designs. Some duties are expressly prescribed by law, including official publication and

the legal status of official versions. Others arise from operating publication systems over time, including access, authentication and updating. A third category consists of use-oriented expectations such as clearer version relationships, source links and navigational information. Where no specific legal basis exists, these expectations are best understood as institutional standards for reliable use rather than universal justiciable obligations.

3.4. Competing Interpretations and Boundaries

A first challenge is conceptual overlap with effective or intelligible access. Earlier scholarship already rejects the view that promulgation alone is sufficient (14), (19), and Nishikawa-Pacher and Hamann expressly identify force status, commencement dates, amendment links and visualisations of change as advanced database criteria (17, Section 2.C). Legal-status identifiability therefore does not claim first recognition of versioning. Its narrower contribution is doctrinal: two systems may expose similar temporal and amendment information yet assign different documentary, evidential or normative status to the resulting texts. The relevant question is how users can identify why a particular text should count as evidence of the law at a particular time and which institution maintains that relationship.

Legal complexity sets a second boundary. Webb and Geyer show that plain-language and Good Law initiatives can overlook forms of complexity inherent in legislation and legislative drafting (20, pp. 129–158). Appermont's multidimensional framework likewise links legal complexity to accessibility, interconnectivity and determinacy, highlighting trade-offs between simplification and legal precision (1, pp. 236–263). Zariski's 2026 study traces a development in legislative drafting from simplification to clarification and then to an edifying phase that adds context and guidance in response to statute users' needs (21). The implication is narrower than a general call for simplification: legal-information systems can reduce avoidable informational complexity arising from unclear provenance, temporal mismatch, uncertain versioning and confusion about legal status while leaving substantive legal complexity intact.

State responsibility raises a third boundary. Mitee argues for universal recognition of public access to legal information as a human right (15, pp. 1429–1496), whereas Gerards questions whether a distinct right of access to law adds sufficient normative value beyond existing structures of legality and legal aid (11, pp. 555–562). That debate need not be resolved here. The narrower institutional question is whether existing publication, access and versioning mechanisms provide conditions for reliable legal use; enforceable rights, compensation and invalidity remain matters for the constitutional and administrative law of each jurisdiction.

Evolution is best understood here as functional rather than technological. Legal compilations, amended editions, indexes and explanatory materials predate digitalisation. Digital systems alter the speed, combination and practical feasibility of these functions, but the analytical point concerns how publication-centred, access-centred and use-oriented guarantees accumulate within an institutional framework.

4. RESULTS: AN INTEGRATED MODEL OF STATE LEGAL-INFORMATION GUARANTEES

Three results follow from the analysis. First, state legal-information guarantees can be analysed as a continuous institutional process rather than as isolated publication or service functions. Official publication supplies a recognised authoritative basis; continuous access maintains availability; legal-status identifiability connects text, source and temporal status; and use-support functions build on those relationships. The model preserves earlier institutional functions while adding later ones. Its arrows express analytical ordering, not a universal chronology, measured causal effect, or a necessary sequence for every instance of legally informed action.

Second, legal-status identifiability is a distinct analytical component within effective access. It captures the ability to identify the authoritative source of a legal text, its amendment relationships, temporal status and the version in force at the relevant time. In dynamic legal systems, this function is particularly important because a formally valid original text may no longer represent the law relevant to a later inquiry. Legal-status identifiability does not determine the outcome of

interpretation; it identifies the legal-information basis on which interpretation can responsibly proceed.

Third, similar information functions can carry different legal authority. EU consolidated texts and New Zealand official consolidations both assist users in understanding amended law, yet their formal status differs significantly (9); (16, s. 79). This contrast shows why legal-information theory should distinguish informational usefulness, evidential status and normative legal effect. The integrated relationship is one of functional accumulation: publication continuous access legal-status identifiability effective use.

5. CONCLUSION

In the systems examined, legally recognised official publication remains an authoritative starting point for public legal-information guarantees. Contemporary systems add further functions to that foundation: continuing access, authentication, version maintenance, temporal identification and support for legally informed use. The evolution examined here is therefore an expansion of institutional capacity rather than a substitution of digital access for publication, and the legal consequences attached to publication remain jurisdiction-specific.

Legal-status identifiability captures the institutional link between obtaining a legal text and using legal information reliably. It requires the source, amendment relationships, legal status and relevant-time version of a text to remain identifiable. These conditions structure the informational basis for legal interpretation while leaving questions of validity, application and adjudication to the governing legal framework. Their practical value lies in reducing avoidable error from obsolete, incomplete or temporally mismatched texts.

The resulting model treats publication-centred, access-centred and use-oriented guarantees as analytically distinct but institutionally cumulative. State responsibility is best located in the provision and maintenance of conditions for reliable legal use, rather than in the outcome of each user's interpretation. Official publication is thus treated as the institutional foundation from which reliable access, status identification and effective use can be organised in the settings examined.

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ҲУҚУҚИЙ ТАДҚИҚОТЛАР ЖУРНАЛИ

ЖУРНАЛ ПРАВОВЫХ ИССЛЕДОВАНИЙ

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