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José Antonio Martínez Vela

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En el ámbito jurídico, el estudio de la noción y los efectos derivados del silencio, fue objeto de especial atención en las investigaciones de la dogmática alemana e italiana de finales del siglo XIX e inicios del siglo XX. En numeroso textos contenidos en las fuentes jurídicas romanas se constata que a la conducta pasiva o silenciosa de una persona se vinculan, en supuestos concretos, determinados efectos jurídicos. Viene a suponer un avance los estudios clásicos relativos al valor y la significación del silencio en las fuentes literarias latinas y griegas, pues contribuyen a la deseable conexión entre la investigación histórica y la dogmática moderna.

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