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Delitos contra la administración pública (Título XV) Cesar Augusto Otálvaro Sánchez, 2021-04-01 La segunda parte de esta obra está orientada al examen de los tipos penales en particular y de las disposiciones a través de las cuales se efectúa la integración normativa recurriendo a la evolución legal del instituto a los planteamientos doctrinarios y a los desarrollos que ha efectuado nuestra jurisprudencia permeadas por el imprescindible cedazo de la crítica cuando ello se hace necesario para fundamentar propuestas hermenéuticas También se hace referencia a la legislación española en cuanto muchas de las hipótesis delictivas que consagra nuestro legislador se han inspirado de alguna manera en la referida codificación a efectos de que el lector pueda sacar sus propias conclusiones al efectuar los correspondientes cotejos y análisis Debe destacarse que este segundo acápite que bien podría denominarse la verdadera parte especial de los delitos contra la administración pública no sigue necesariamente en el análisis de las diferentes hipótesis delictivas en particular los estrictos dogmáticos de la estructura típica en su componente objetivo sujetos objeto conducta elementos normativos descriptivos y subjetivo dolo culpa elementos subjetivos distintos del dolo no porque se desestimen sino para evitar repeticiones que resultarían innecesarias y fatigosas máxime cuando la parte primera hace precisiones in extenso sobre estos temas En consecuencia entender el lector como en el examen de ciertos tipos penales pareciere prescindirse de esta metodología recurriendo en su lugar a señalar las características propias de las hipótesis delictivas y en otros casos se desarrolla en su integridad para destacar ante todo los aspectos problemáticos de las particulares descripciones comportamentales en el devenir jurisprudencial y doctrinal

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