

The antagonism of the doctrine of nullity and administrative responsibility: Myth or reality?

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Abstract

While the divergence of the doctrine is a phenomenon common to other legal areas, within administrative litigation it imposes particular difficulties, as it affects the guarantee of legality and legal certainty, essential components of a State of Law. The division of the administrative doctrine, however, can be reconciled through re-reading of the traditionally confronted positions, as well as appreciation of their reciprocal influence. Within the framework of general jurisdictional actions, the theories of administrative nullity and the responsibility of the administration prove it.

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