



# La representación (Spanish Edition)

*Hinestrosa Fernando*

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## **La representación (Spanish Edition)** Hinestrosa Fernando

Abundan las referencias etimológicas y semánticas para explicar el significado prístino de la representación: praesentare = mostrar, hacer presente; hacer pasar a alguien o algo por otro, hacer las veces de. Alguno le agrega el sentido de transmisión: en cuanto la transmisión de un derecho conduce a que una persona tome el lugar de otra. Lo usual ha sido que cada quien atienda sus asuntos y disponga de sus intereses personalmente. Sin embargo, cada día es más cómodo, útil y sencillo valerse de otros, obtener el concurso de personas que están en el lugar, a plena disposición y posiblemente más capacidades. La representación, cuya función es la de proveer al desempeño de una actividad jurídica en interés y en nombre ajeno, es una necesidad ineludible. En esas condiciones, la representación pasó a ser un capítulo fundamental, y por demás complejo, de los principios del negocio jurídico, que de plano han de dar cuenta de cómo se inviste a alguien de atribuciones para disponer de lo de otro a nombre de éste, cuál el ligamen del gestor con el poderdante, cómo ha de proceder, cuáles los efectos de su actividad. Empero, bien se advierte que la injerencia de otra persona, físicamente distinta de los contratantes, cuya actividad va afectar la condición de cada cual de estos, no deja de traer implicaciones y problemas que demandan específicas.

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