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THE EPISTEMOLOGY OF PRIVATE LAW

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ABSTRACT

The aim of this article is to propose a reflection on the epistemology of private law. When referring to epistemology in Law, it is important to look back at history, when records show that, for a long time, everything produced outside positivist Law, containing critical content, was considered not to be science. This was due to the positivist view that science was absolutely neutral (the myth of neutrality). All other knowledge would be included in the field of morality, politics and religion, except scientific knowledge. It is important to note that positivism is not the same thing as legal dogmatics, and for some it is more than a current of thought, reaching the status of an Epistemology. This is a bibliographical study in which various publications on Internet sites were used.