

BERDISOVÁ, LUCIA: LUDWIG WITTGENSTEIN A KOPERNIKOVSKÝ OBRAT V PRÁVE [LUDWIG WITTGENSTEIN AND A COPERNICAN REVOLUTION IN LAW]. INSTITUTE OF STATE AND LAW SAS, 2023.

Mgr. Jakub Vanacký
Doctoral candidate
Comenius University Bratislava
Faculty of Law
Department of Theory of Law
and Philosophy of Law
Safárikovo nám. 6,
810 00 Bratislava; Slovakia
jakub.vanacky@flaw.uniba.sk
ORCID: 0009-0007-9651-3482

Suggested citation:

Jakub Vanacký, 'Berdisová, Lucia: Ludwig Wittgenstein a kopernikovský obrat v práve [Ludwig Wittgenstein and a Copernican Revolution in Law]. Institute of State and Law SAS, 2023' (2026) 10(1) *Bratislava Law Review* 293
<https://doi.org/10.46282/blr.2026.10.1.1443>

Submitted: 08 April 2026

Published: 01 August 2026

"...when we talk about legal science, everything is even more complicated, because law has been transcended by philosophy, subverted by economics, surpassed by anthropology, and taken over by sociology."

In addition to being part of Lucia Berdisová's reviewed work, the quote above could easily, with some distance, function as a concise indication of why the monograph is worth reading. It captures the book's principal strength: its thematic diversity, presented within a coherent whole that is rich in content while remaining relatively modest in scope when compared to parts of the broader literature in legal philosophy.

In this work, we move through two thematic units, which are developed simultaneously. Here and there in the text, these areas of study approach each other like two bodies on their (similar) orbits. As the title suggests, the first is Wittgenstein and the second is Copernican revolutions. The monograph is meant as a contribution to legal philosophy in which the author attempts to convince us that Wittgenstein, in addition to his "revolutionary nature" in the history of philosophy, also has something to offer to contemporary philosophy, legal theory, and practice. The key concept through which this relevance is articulated is the notion of therapy through philosophising.

The monograph is divided into six chapters, in which we are gradually guided into Wittgenstein's mental world. In the first three chapters we deal with the key concepts, Wittgenstein's life and then work. Suddenly, we jump to the philosophical part, where we discuss various interpretations of Wittgenstein. This leap, although expected, is the most striking anomaly in an otherwise very readable work. In the following chapters, Berdisová's work remains interesting, but in a relatively austere section, she repeatedly presents the reader with several interpretations of Wittgenstein, which she then either accepts or rejects.

Readers approaching Wittgenstein without a stronger philosophical background may occasionally find it necessary to navigate between multiple competing interpretations presented throughout the text. The objections raised are usually convincing, but the question arises as to whether it is necessary for them to be included in the book. The multiple interpretations serve as the main catalyst for the dynamics of the text in the second half of the work, and in the conclusion, Berdisová herself states that, in accordance with Wittgenstein's legacy, she is more concerned with changing perspectives than with bringing fundamental discoveries or new insights.

The readability of the text is assured by a high cadence of stimulating ideas. Even in passages where the text could seem lengthy or dull, the reader's attention is maintained with an appropriately chosen style, direct speech, interesting facts, and explanations of more complicated material. As a relative upside, author often offers valuable information in the footnotes. At the same time, the richness of the footnotes occasionally places greater demands on the reader, as some passages – such as the discussion of logical form – require careful attention to the notes in order to fully grasp the argument. Nevertheless, the monograph never gives the impression of superficiality. On the contrary, Berdisová demonstrates a confident command of the subject matter and an ability to reformulate complex ideas in a manner that remains accessible and intellectually engaging for the reader.

The practical application of Wittgenstein's method of analysis in law and social sciences acts as a (sly) teaser for readers from a legal background, who wait for it throughout the whole text. We do not find it in the first half, which is theoretical. Author herself argues that understanding Wittgenstein's writings and their interpretation requires a closer understanding of his life and, above all, his philosophical basis. But, in fact, it seems that the first three chapters are part of the monograph so that the book has informational value even for those who do not understand the second half.

It is only in the second half of the monograph that we begin to really understand that the significance of Wittgenstein's philosophy lies in his personal Copernican revolution. Therefore, as Berdisová suggests, the significance of Wittgenstein's philosophy in (legal) philosophy is in personal philosophical revolutions of every lawyer or philosopher. And there were quite a few of them. Gordon Baker, P.M.S. Hacker, and elsewhere Brian Bix (and also few others in many places) are mentioned. The diversity of views discussed in the monograph indicates that Wittgenstein's philosophy remains disputed and therefore the discussion on Wittgenstein is relevant.

Yet this interpretative openness should not obscure the considerable influence Wittgensteinian thinking has had on legal theory and practice. Wittgenstein, in our view, seems to repeatedly draw attention to the contextual and practice-dependent character of language, thereby resisting the idea that words possess fixed meanings detached from their use. His reflections on language and meaning contributed significantly to later concepts such as Hart's open texture of law and to the broader recognition that legal language is inherently indeterminate. His philosophy might encourage legal actors to remain aware that legal concepts rarely operate in isolation from context and that adjudication cannot be reduced either to strict textual formalism or to unconstrained relativism. Instead, legal reasoning appears as a continuous search for balance between the stability of legal text and the inevitably contextual character of its interpretation. If anything, it seems to be supporting the need for thorough reasoned legal argumentation.

Berdisová also justifies the many interpretations she presents. She mentions that Wittgenstein, the "revolutionary" is often referred to as one of the greatest thinkers of the twentieth century, but at the same time adds that we are witnessing numerous interpretations of his work mainly because he published only three texts under his own

name – specifically, his *Tractatus Logico-Philosophicus*, one conference paper, and one book review. The way his works are written is just the cherry-on-top in creating the image of the mystical Wittgenstein. As we learn, he himself tries to clarify the focus and purpose of philosophy. Whether he succeeded in doing so is something you have to judge for yourself. That is not an easy task.

To say the least, the author builds on this effort and explains the focus and purpose of Wittgenstein's philosophy (although she herself states that it is controversial whether we can even call it that, i.e., whether such a thing even exists). Berdisová dispels the mysterious reflection on the surface of Austrians difficult text in order to help the reader delve deeper into the world of language games, the meanings of words and sentences, and, in general, the world as it is as such. She does this with the help of cleverly used metaphors (for example, when explaining the difference between Wittgenstein and Kripke).

In the chapter with Kripke Berdisová refers to Wittgenstein as "therapeutic". But what does it mean? To illustrate: a method of (Wittgensteins) philosophising is presented to us, namely that we must try to eliminate the philosophical problems that torment us by changing our view of the problem, by realising what we already knew but did not realise we knew. The cognitive dissonance between what we thought we knew and what we discovered we knew but were not aware of is to be considered as therapy. It is certainly necessary to understand the "therapeutic nature" of this philosopher based on the context in which he uses this term and to realise that it is, obviously, an attempt not to make philosophy into something it is not and to attribute to it only the purpose that the author himself recognised. Therefore: For Wittgenstein, Wittgensteinian philosophising appears to be therapeutical. The therapeutic effect of Wittgenstein's philosophy on the average reader may, however, prove rather limited.

There is no clear consensus on the interpretation of much of what Wittgenstein wrote, and therefore different philosophers may interpret his work differently to a greater or lesser extent. Berdisová partially accepts and partially rejects the arguments of some theorists and philosophers (e.g., Petterson) on Wittgenstein. Berdisová does not attempt to provide an exhaustive overview of all existing interpretations of Wittgenstein. Instead, she works selectively with those approaches that are most compatible with the conceptual direction of the monograph and consistently explains why certain interpretations are more persuasive for her purposes than others. Although this leaves room for a broader engagement with the wide spectrum of Wittgensteinian interpreters, the chosen approach allows the study to maintain a coherent line of argument throughout the text. Given both the interpretative flexibility of Wittgenstein's work and the therapeutic character of his philosophising, such selectivity appears not only understandable but, to some extent, methodologically inevitable.

In explaining the practicality of Wittgenstein's use in law, several case studies are cited. Probably the most interesting one focuses on "fundamentality" of fundamental human rights and freedoms. This study takes up a large part of the fourth chapter and elegantly concludes that it is precisely in disputes over fundamental rights that we have a chance to "experience" what really matters – and that is why proportionality and "principles" appear differently: as a sensitive balancing act that depends on legal actors paying attention to the nuances of the situation. The best example of linking Wittgenstein and law, offers Berdisová when referring to the decision of the French Constitutional Council. There she allows the reader to identify the abstract issue under examination by following it through the physical world. Nevertheless, the practical implications of Wittgenstein's philosophy for legal decision-making remain difficult to articulate.

The most significant shortcoming that readers may encounter is addressed in the conclusion. It concerns the source material, in the person of Ludwig Wittgenstein, who, as is admitted, appeals only to some people. It is therefore impossible to hope that this monograph will leave the reader feeling significantly more satisfied with Wittgenstein's work. However, one thing that can be acknowledged as a plus for this book is its clear demonstration that, despite the dissatisfaction we get from Wittgenstein, he is not a redundant philosopher.

The main argument of the monograph is that Wittgenstein is a "cure" for everyone personally – including lawyers (as well as architects). This argument is debatable as far as therapies and drugs can have varying effects on different people. Though, it ought to be said that in the parts of the book devoted to Wittgenstein's work and not to the contradictory interpretations of this philosopher, the argument was more convincing than in other passages. Simply because it's more approachable.

At the same time, readers should be warned against having excessive expectations. This book alone cannot be expected to provide a definitive understanding of Wittgenstein, but it undoubtedly represents an excellent stepping stone in this endeavour. As a PhD student, I found this work both challenging and interesting. This is likely a consequence of Berdisová's unusually deep engagement with Wittgenstein's thought, combined with her background in legal theory – a rather uncommon combination within local contemporary legal scholarship. In conclusion, it shall be said that one cannot expect more from this work than from Wittgenstein himself – which is evident, we assume, mainly because the author, in an effort to interpret Wittgenstein correctly, uses his methodology and, in many cases, his wording throughout the entire work. There are also mentioned limits of Wittgenstein's use in legal thinking. Wittgenstein's philosophy appears to contribute more to transforming the way we think about law than to determining how we reason within law itself.

Berdisová's monograph is particularly valuable in a way, that it makes Wittgenstein's method more accessible and encourages its considered use in legal thinking. At the same time, Wittgenstein's contribution appears to lie less in offering concrete solutions than in inspiring subsequent generations of philosophers, including legal theorists. Its limitation remains the inevitable complexity of Wittgenstein's writing, which places increased demands on concentrated reading. Details needed to understand the meaning are often clarified in the footnotes. The book can therefore be recommended primarily to readers with a solid background in philosophy (including legal philosophy), while for a broader legal audience it will be more suitable as supplementary literature.