

## Secondary Senses: Self-Legislation and Other Figurative Dramas

Abstract:

I elucidate a conception of the mind in which figurative ways of expression are sometimes essential to understanding the mind. My claim is that ideas like self-deception, self-control and self-legislation are best understood as secondary uses of language: figures of speech that do not have a literal equivalent, and are therefore essential.

I propose to elucidate a conception of the mind. I do that by clarifying the idea of a term having a secondary sense. My claim will be that ideas like self-deception, self-control and self-legislation are best understood as secondary uses of language: figures of speech that do not have literal equivalents, and are therefore essential.<sup>1</sup>

1.

Ideas like self-deception, self-control and self-legislation are deeply embedded in our philosophical and non-philosophical ways of thinking. It is therefore not easy to see that employing them literally may be problematic. The problem, in brief, is that they make the self seem un-unified, for example, split into a law-giver and a law-receiver. Similar problems arise when we try to account for the notions of self-control and self-deception, being angry with oneself, self-awareness, introspection, calculating in one's head, and many more: they all contain the idea that we could be another to ourselves, that we can have relations with ourselves—relations of types that seem only possible between people, or between a person and the outside world.<sup>2</sup>

To make things even worse, ideas like those I mentioned are often used in philosophical accounts of the unity of the self. Self-legislation, for instance, is part of the Kantian conception of the self's unity. Similarly, Plato and Aristotle both held that the soul was a basic unity.<sup>3</sup> To explain this basic unity, however, they talked about different parts in the soul in conflict with one another. Plato talked about wild horses and a charioteer trying to control them; Aristotle talked

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<sup>1</sup> A similar suggestion was made by Cora Diamond in her "Secondary Sense," *The Realistic Spirit*, Cambridge, Mass: MIT, 1991, 225-41, 237.

<sup>2</sup> Kant, for one, notes the difficulty: "For all duties a human being's conscience will, accordingly, have to think of *someone other* than himself (i.e., other than the human being as such) as the judge of his actions, if conscience is not to be in contradiction with itself. This other may be an actual person or a merely ideal person that reason creates for itself." (*The Metaphysics of Morals*, M. J. Gregor (trans.), Cambridge: Cambridge University Press, 1996—hereafter MM—6:438-9)

<sup>3</sup> Plato, *Phaedo*, 77; Aristotle, *On the soul*, III, 9-10.

about parts of the soul that behave like paralyzed body parts when we try to move them.<sup>4</sup> The difficulty is thus partly about the concept of mind: can such splitting of the self, of all things, be at the basis of its unity?

One way to overcome the difficulties with the notions I mentioned is to concede that in the relevant contexts talk of self-legislation self-control and self-deception are figures of speech. This is however a bad alternative. As I shall presently explain, if we concede that this talk about the self is merely figurative, we lose the possibility of making important distinctions, for instance between resoluteness and self-legislation, or between self-control and composure. We need those distinctions and concepts. There are things we will just not be able to say without them.

Figurative ways of speaking are indirect, and this normally implies that there should be more direct ways of expression to express the same content—ways to express the idea of self-legislation self-control, and the like without the images, the pictures, of legislation, control and so on. Probably, the most natural way to develop this suggestion in the Kantian context would involve a conception of the rationality of moral reasoning as equivalent to some psychological makeup—say resoluteness—that necessitates our actions. But most Kantians would think that this is a far cry from the sort of thing moral rationality ought to be. They refuse to give up the language of legislation. Self-legislation is similar but different from being resolute. It should, I think, be equally hateful to give up the language of “self-control” and start talking of mere composure, say, or give up the language of “self-deception” and start talking, say, of mere indecisiveness. Self-control is similar to composure but it is a different concept, and self-deception is similar but it is a different concept from being indecisive.

If, as I shall assume, those idea and concepts are indeed essential, and if figurative talk necessarily treats the picture it uses as an inessential way of conveying content, my suggestion that talk of moral self-legislation is a form of figurative talk would not have been worth saving. I grant that in many forms of figurative thought and talk the picture is indeed an inessential way of conveying the content. But this is not always the case. To show that, I will utilize the idea of secondary sense which is a form of figurative talk, in which the picture is essential for conveying the content. My suggestion will be that in talking about self-legislation self-control and self-deception we may be applying the ideas of legislation control and deception figuratively, but in a way that makes the use of those ideas essential: The figurative, in those cases, is irreducible.

## 2.

In several places Wittgenstein mentions cases in which we employ figurative language and seem to be able to say what we want only at the price of some grammatical weirdness bordering

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<sup>4</sup> See Plato's *Phaedrus*; Aristotle's *Nicomachean Ethics*, I, 13.

on nonsense. In one of those discussions, Wittgenstein mentions how we sometimes feel observed by a portrait on the wall.<sup>5</sup> This is a figurative way of expressing what we experience. The meaning of “observe” when said about a portrait depends on the meaning of “observe” when said about humans: we cannot learn what it means for portraits to observe without first learning what it means for humans. These are not two independent concepts. And yet, they don’t seem to be identical either. We want to issue the following grammatical remark: “Portraits are inanimate objects, and inanimate objects don’t observe.” Saying of portraits that they observe does not have the same logical implications as saying that of humans. To see that, ask yourself for example if portraits observe us when we don’t notice; or if they can observe someone else in the room.<sup>6</sup> Like other cases of figurative thinking, the idea that something is observing seems, on reflection, not to fit here comfortably. But unlike other cases, there is no other, more direct, way of expressing what we experience here. We are being observed by a portrait. We *have* to say it this way. The idea is indispensable. Following Wittgenstein, I suggest that although a grammatical picture may be said here to hold us captive—the idea that we *must* have logical room here for an act of observation—our captivity is not confused; it is the result of a real need.

I suggest that the extraordinary fact that one can be said to legislate for one’s own self, lie to oneself, and control oneself, and that whole dramas, as it were, of legislation deception and restraint can take place in the context of just one unified soul, could be understood in a similar way. We might, that is, not be able to do without the pictures of legislation deception and control as part of uses of language that give expression to particular intentions. Despite the extraordinary substratum of those activities, the linguistic splitting of the self in those cases may be essential to conveying some intentions and some forms of unity of mind.

In the kind of cases under discussion, Wittgenstein says, we make a use of an expression in a secondary sense (PI, 216f), or secondary use (PI, §282), which is distinct from, but analogous to, the non-figurative use or sense of an expression. My suggestion will be, then, that when we talk of self-control, self-deception or self-legislation, we may be expressing our intentions by making secondary uses of language. For more clarity, before I continue to do that, let me first outline some of the main features of the phenomenon of secondary sense.

In expressing intentions using secondary senses, we seem to be misusing language. Our linguistic intentions in such cases are characterized by that fact. Given the two ideas “fat” and

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<sup>5</sup> *Philosophical Investigations*, 3<sup>rd</sup> edition, R. Rhees, and G. E. M. Anscombe, (eds.), G. E. M. Anscombe, (trans.), Oxford: Blackwell, 1958—hereafter PI—205h.

<sup>6</sup> These are not rhetorical questions. The point is that these are not empirical but conceptual questions, and the fact that those questions are open for us in the case of portrait observation, whereas the parallel questions are not open in the case of human observation, indicates that the logic of portraits observation is unlike the logic of human observation.

“lean,” Wittgenstein says, he would be inclined to say that Wednesday was fat and Tuesday lean. He asks:

[O]ught I really to have used different words? Certainly not that.—I want to use *these* words (with their familiar meanings) *here*. (PI, 216d)

The appearance of nonsensicality cannot be easily overcome in such cases, which separates secondary uses from other kinds of figurative uses of language.<sup>7</sup>

Secondary uses, like some other figurative uses, involve a kind of indirectness. In other kinds of figurative uses, we use pictures, figures, to express something we can express without those pictures. For example: the content of “After a long period of pregnancy she finally delivered her talk” can be expressed without the picture of being pregnant and giving birth: “The talk was long expected, extremely important for her, hard to write, and harder to deliver.” With a secondary use, the picture—the indirectness—is essential, and we cannot get rid of it. Sometimes we cannot say what we want in other terms, other words; ‘We want these words here.’ But often we can use synonyms: for example, say that Wednesday is corpulent instead of fat. The essential thing, however, is not the words; it is the meaning of the words, and those meaning in this case is determined by the grammatical picture: *this* we cannot do without. Importantly, this necessity is not empirical or psychological. In the empirical case, a picture is used to explain something that in itself does not depend for its sense on the picture.

Whether some expression has a secondary sense does not depend on the words it contains, but on its use. For example: “This portrait is observing me” can be used in at least two distinct figurative ways. It can be a figurative way of saying that this picture is taken *en face* and not *en profil*. Here, the image of being observed by the portrait is unnecessary, and we can do without it. We may use the very same words to describe a different kind of experience: We might express a similar sort of intention by saying for instance that the portrait is scrutinizing us, or that its gaze makes us uncomfortable. In this case the portrait has a mind. The figure of speech is here essential and we cannot convey our intentions without it.

Like non-secondary kinds of figurative uses of language, secondary uses are derived by analogy from literal uses, and do not carry all the logical implications of those literal uses. In the case of some non-secondary kinds of figurative uses, the difference can be marked by distinguishing those features of the picture that are part of the speaker’s intention from those that are not. For example: unlike a baby, a speech can be delivered more than once. In the case of secondary talk, there is no way to calculate or deduce how the analogy goes, and how far. This has to be looked for in particular cases. For example, we can order the vowels according to

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<sup>7</sup> Wittgenstein distinguishes between secondary uses and metaphors on this basis, although he recognizes that secondary uses are ordinarily called “metaphors.”

relative darkness in analogy to ordering colors according to relative darkness.<sup>8</sup> We might, thus, say that “u” is darker than “i.” We have here two logical spaces: one in which we compare the darkness of colors and another in which we compare the darkness of vowels. But the relation between them is complex: It is not that some of the logical patterns that characterize those two spaces are the same. The two spaces are not altogether distinct: the vowel-space depends on the color-space; it can only come into existence from the analogy with the color-space. Given that dependency, though, are we to say that the contrast between “u” and “i” is sharper than between “o” and “e” as the contrast between blue and yellow is sharper than between red and orange? And are we to say that in certain circumstances “u” can be brighter than “i” as light-blue can be brighter than dark-yellow?<sup>9</sup>

3.

Self-deception, I suggest, is best understood as a secondary use of “deception,” self-control as a secondary use of “control,” and self-legislation as a secondary use of “legislation.” Before I defend this suggestion, I need to clarify something. I have been implicitly opposing the figurative to the literal. But this opposition is really very problematic. Secondary language is figurative. However, since we cannot get rid of the picture in such cases, and since the figurative way is our most direct way to express our intention, one may insist that this talk is also literal. Here is Christine Korsgaard:

Personal interaction, I have argued, is quite literally acting with others. But for a creature who must constitute her own identity, it is equally true that acting is quite literally interacting with yourself. (SC 202)

To the extent that this allows that self-legislation is at the same time both figurative and literal, I do not wish to disagree.

To investigate my suggestion, let us ask: what indicates that the problematic concepts I mentioned involve secondary uses of language? – A conjunction of reasons. First, they meet all the logical characteristics of secondary uses. Take self-legislation for example: (1) “self-legislation” does not carry the same logical implications as “legislation”; unlike inter-personal cases of legislation, for example, the self-legislator has to understand the reasons for, and agree with, the law with which she anyway must comply; (2) “legislation” in inter-personal contexts and “legislation” in intra-personal contexts are related, and do not merely have unrelated meanings like river-bank, and money-bank; and (3) we cannot learn the meaning of “self-legislation” independently of the meaning of “legislation,” as we can learn the meaning of “cut

<sup>8</sup> See Wittgenstein, *The Blue and Brown Books*, 2<sup>nd</sup> edition, Oxford: Blackwell, 1969 BB, p. 136.

<sup>9</sup> Again, these are not rhetorical questions. See footnote 6 for a parallel case.

the cake” independently of the meaning of “cut the grass.” “Self-legislation” thus involves more than just application of “legislation” to a new kind of case. Like other secondary uses, we learn the meaning of “self-legislation” only by reference to, by looking at, the meaning of “legislation.” This does not mean that we can simply deduce the meaning of “self-legislation” from the meaning of “legislation.”<sup>10</sup> And similar things can be said about self-control and self-deception.

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<sup>10</sup> Elizabeth Anscombe famously rejected Kant’s idea that we can legislate for ourselves. She insists that “legislation requires superior power in the legislator” (“Modern Moral Philosophy,” *Ethics, Religion and politics*, Oxford: Blackwell, pp. 26-42—hereafter MMP, 27). If I’m right, however, this may not be so when “legislation” is put to a secondary use; and even if it is so, the literal meaning of “having superior power” does not fully determine the meaning of that notion when it is put to secondary use.

My suggestion would not have been foreign to Kant. Like some philosophers who dealt with the problem of the unity of the soul, Kant both felt the need to split the self, and recognized the logical weirdness of doing so. Kant fully and openly recognizes the apparent contradiction in the idea that a man has duties to himself. “Nevertheless,” he announces, “a Human Being Has Duties to Himself” (MM, 6:417). This does not happen only once; Kant mentions the logical weirdness of moral thought throughout his ethical writings:

And just in this lies the paradox that the mere dignity of humanity as rational nature, without any other end or advantage to be attained by it—hence respect for a mere idea—is yet to serve as an inflexible precept of the will [...]. (*Groundwork of the Metaphysics of Morals*, M. J. Gregor, (trans.), Cambridge: Cambridge University Press, 1997, 4:439)

The thing is strange enough, and has nothing like it in all the rest of our practical cognition. (*Critique of Practical Reason*, M. J. Gregor, (trans.), Cambridge: Cambridge University Press, 1997, 5:31)

Kant also explored extensively the unique and peculiar logic of self-legislation. He explains how the moral law necessitates action by distinguishing between juridical and ethical legislation. Part of the difference, he says, is between the ways in which the law connects with the incentive to do the action prescribed.

That lawgiving which makes an action a duty and also makes this duty the incentive is *ethical*. But that lawgiving which does not include the incentive of duty in the law and so admits an incentive other than the idea of duty itself is *juridical*. (MM, 6:219)

Normally, a law gives us reason to act in a certain way, but by itself does not motivate us. In Kant’s words, juridical laws do not create an incentive: they are not enough to necessitate actions. We have a duty to pay taxes, but we need some extra motivation, e.g. fear of punishment, to actually do it. In the moral case, the duty and the incentive are inseparable in this way. The moral law has the astonishing ability to necessitate action all by itself.

A question of Simone Weil’s demonstrates this:

What is it, exactly, that prevents me from putting that man’s eye out if I am allowed to do so and if it takes my fancy? (“Human Personality,” in: *Simone Weil: An Anthology*, New York: Grove Press, 1986, 49-78, 51.)

Try to imagine yourself in such a situation. There is something that stays your hand: something that cannot be traced back to any natural aversion, and yet makes that action impossible for you. For the Kantian, this demonstrates the power of moral duty:

[T]he unconditional command leaves the will no discretion with respect to the opposite, so that it alone brings with it that necessity which we require of a law. G 4:420

There is a logical difference between moral and juridical legislation and between moral and natural motivations. My suggestion to understand self-legislation as a figurative, and more precisely secondary, use of legislation allows the Kantian to insist on the indispensability of *that* idea in describing moral necessity, despite the logical differences. It allows the Kantian to claim that the kind of unity of mind we achieve in ethics requires the idea of legislation: that *this* splitting of the self is essential to conveying moral intentions.

A second indication that self-legislation self-deception and self-control are best understood as secondary uses is that like many other secondary uses, they indicate a sense of depth: a sense that what we mean lies beyond what minds and words can capture, so to speak, as a simple matter of course. In particular, we might resort to secondary uses to convey the depth of a soul, “the inner”—our own and others’. I take the possibility to describe that sort of depth, and to convey such intentions—for example to explain how and in what sense we talk about looking into the eyes of a loved one, but not into the eyes of a fish—I take this to be essential to any proper account of the mind.

When we self-legislate, this need not be a sophisticated way to say, for example, that we declare ourselves for something. Failure to act as we “ought” may incline us to say that we “cannot look at ourselves in the mirror,” thereby expressing an internal drama of shame or guilt that cannot be conveyed without the idea of someone looking at us—observing us.<sup>11</sup> Similarly, being involved in a drama of self-deception is not being indecisive, and controlling oneself is not just being composed. To explain what is involved, we have to utilize the language that describes—figuratively, but irreducibly so—certain kinds of dramas.

In sum, some prevalent and important uses of self-legislation self-control and self-deception meet all the logical characteristics of secondary uses, and they are useful for much the same reasons that many other secondary uses are useful. I conclude that these concepts are best understood as secondary uses of language.

#### 4.

My conclusion, I suspect, would be hard for many to accept. Those ideas I’ve been discussing, some may object, have important theoretical work to do in grounding ethical theories, theories of action, and of the mind. Their ability to do that work, the objection continues, depends on their being understood literally, or at least not irreducibly figuratively; for it seems if they are not to be understood literally, then we cannot draw the kinds of inferences that we might have thought we

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<sup>11</sup> This lays down the foundation for rejecting Anscombe’s famous rejection of the moral “ought” as nonsense (MMP, p. 32). The so called “mesmeric” force that the word “ought” has on us in such cases, its strong psychological effect, can only be accounted for in legislative terms

Since we cannot deduce the meaning of “self-legislation” when it is a secondary sense of “legislation” from the idea of legislation, there can be other ways of developing this idea. Another such idea can be found in Romans ii: 13-15, and Romans vii 14-25. Like the Kantian drama of self-legislation, the Paulinian drama is also intra-personal. There are, however, differences: Kant describes a thoroughly judicial and legal internal drama; St. Paul describes an internal drama of circumcision of hearts and of thoughts that accuse and excuse one another. In Kant’s drama, the self is the source of the law; in St. Paul’s, God is. In that latter drama, the motivation to act morally contained in the law is not the idea of duty as in Kant. It is not related to a sense of self-respect that we have towards our rational selves as ultimate authorities.

could draw. And if we cannot draw those inferences, then with what insight does appeal to those notions provide us? How can it play a role in grounding our theories?

To answer this worry, let me ask: what do we need from moral theories, theories of action, and theories of mind? One thing we might expect from such theories is to tell us what is morally right and what is wrong, or to organize for us facts about actions and about our mental experience, and to identify the relevant forms of inference. Those facts should be independently available to us, the forms of inference should be readily familiar to us, and it should be independently clear to us how to identify those facts and use those forms of inference. Another, more fundamental, thing we might expect (or sometimes reveal that such theories do—this may even come as a surprise) is that our theories will help us to formulate our conceptions of moral thinking, of action and of the mind—that they will elucidate the forms of rationality involved. Our theories might point out new forms of thinking, and reveal methods of inference with which we have not been familiar, and of which we cannot make sense independently of the theories. Such theories might thus elucidate the kind of mental activities we need to perform to even be in a position to entertain a moral thought, to even be in a position to distinguish right from wrong, to think about actions, and to contemplate about mental activities and life. The difference between those two tasks is also a difference between two kinds of difficulties:<sup>12</sup> our problem may not just be to make sure that we do not misidentify our subject matter—‘the good,’ ‘action,’ ‘mental content;’ it is also, and mainly, to help us make sure that we are even in a position to think about it: to identify or misidentify it.<sup>13</sup>

This is what I take my proposal to do. Figurative thinking is sometimes essential to our understanding of the mind, and sorts of apparent ungrammaticalness can be essential to our linguistic intentions.<sup>14</sup> – It is sometimes our only way to make sense.

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<sup>12</sup> In James Conant’s terms, the difference is between Cartesian and Kantian difficulties, “Varieties of Scepticism,” in: *Wittgenstein and Skepticism*, D. McManus (ed.), London and New York: Routledge, 2004, pp. 97-136.

<sup>13</sup> This strategy of interpretation is in line with the idea that Kant is chiefly interested in his moral philosophy in characterizing a form of thinking and rationality. As Thomas Hill puts it, Kant is often “less concerned with which propositions about the world one affirms or denies than with which working framework one must adopt in order to take seriously the question ‘What should I do?’” *Dignity and Practical Reason*, Ithaca: Cornell University Press, 1992, 76-96, 86.

<sup>14</sup> In this context it would be interesting to compare Kant’s criticism of Deism in: *Critique of Pure Judgement*, J. C. Meredith (trans.), Oxford: Oxford University Press, 1952, §59.