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NEW CRITERIA FOR PAIN: ORDINARY LANGUAGE, OTHER MINDS, AND THE GRAMMAR OF SENSATION

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Abstract
What does ordinary language philosophy contribute to the solution of the problems it diagnoses as violations of linguistic use? One of its biggest challenges has been to account for the epistemic asymmetry of mental states experienced by the subject of those states and the application of psychological properties to others. The epistemology of other minds appears far from resolved with reference to how sensation words are used in everyday language. In this paper, I revisit the Wittgensteinian arguments and show how they engage the ordinary language method (in the modified form of grammatical investigation) to 'dissolve' the problem. Several important results are generated by way of this reconstruction. An expressive view of the vocabulary of sensation is defended which facilitates a discussion of sensation discourse emphasising the normative grammatical conditions for the communication of psychological states. This motivates a reassessment of criterial justification for the ascription of psychological concepts in the third person. In the final sections, I mobilise a normative approach to expose the moral relevance of the epistemology of other minds. Even if it is conceded that belief in other minds lacks warrant from an epistemological standpoint, this does not justify adopting the skeptical attitude from an ethical standpoint. In light of this, a normative justification for the a priori belief that others are subjects of consciousness is defended.

It wasn't the exotic I was after, but the
ordinary, that strangest and most elusive of
enigmas.
- John Banville

ὁ ἄναξ, οὗ τὸ μαντεῖόν ἐστι τό ἐν Δελφοῖς,
οὔτε λέγει οὔτε κρύπτει, ἀλλά σημαίνει.
- Heraclitus (DK 93)[1]

Ordinary Language Philosophy (OLP) is a critical method that treats philosophical problems as a consequence of alienating language from its communicative environment. Words with perfectly adequate colloquial meanings, when inducted into the philosophical context, acquire enigmatic, precisely *extraordinary* qualities. The objective of OLP is to deflate the bogus profundity produced by this alienation-effect by insisting that the meaning of a word is inextricable from its everyday communicative

[1] "The lord whose oracle is in Delphi neither speaks out nor conceals, but gives a sign." (in Kirk and Raven's translation, 1964: 211). Diels Kranz fragment 93.

milieu. Although associated with post-war Oxford philosophers (in particular Ryle and Austin) the characteristic features of OLP arguably originated in Wittgenstein's seminars at Cambridge in the 1930s. In the *Blue Book*, for instance, there is the following advice: 'The thing to do in such cases is always to look at how the words in question *are actually used in our language*'.[2] Philosophic perplexity is attributed to a peculiar disposition to view concepts as inherently problematic. Yet Wittgenstein cautions: 'We are in all such cases thinking of a use different from that which our ordinary language makes of the words … a use which just then for some reason strongly recommends itself to us'.[3] Stanley Cavell has consistently emphasised the role of the ordinary in Wittgenstein's later philosophy: 'The ordinary occurs in *Philosophical Investigations*' he recently stated, 'as what skepticism denies, and metaphysics transcends'.[4] Even if it remains controversial to identify Wittgenstein exclusively with the approach, Cavell's emphasis is, I believe, correct. Wittgenstein's appeal to utility is identified as an attempt to retrieve words from their philosophic alienation and repatriate them in their lay 'habitat'.[5]

> When philosophers use a word – "knowledge", "being", "object", "I", "proposition", "name" – and try to grasp the *essence* of the thing, one must always ask oneself: is the word ever actually used in this way in the language-game which is its original home? (PI §116)[6]

'What *we* do' the paragraph concludes, 'is to bring words back from their metaphysical to their everyday use'. According to this motive, the method constitutes, in Cavell's words, 'the welcome idea of returning words to the circulation of language … rather than keeping them fixated in some imaginary service'.[7]

Returning words to linguistic circulation is fine: but what does OLP contribute to the relief of the problems it diagnoses as transgressions of ordinary use? One of its biggest challenges has been to settle the perennial conflict between 'private' more or

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[2] Wittgenstein (1958: 6).
[3] Ibid.: 56. See also Wittgenstein (1953: §89) (paragraph numbers in text are 1953 unless otherwise indicated).
[4] Cavell (2005: 195).
[5] For this translation of *Heimat*, see Nielsen (1958: 119).
[6] Cavell draws attention to connotations of the German words '*Sprache*' and '*Heimat*' lost in translation to the technical 'language-game' and 'original home' respectively. The image evoked when we attend to these words in context is not one of a philosopher who refuses to play 'the game of the ordinary' but rather someone who casts 'words into exile'. Cavell (2005: 197-98).
[7] Ibid.: 199.

less completely hidden psychological states and public behavioural manifestations of agency. How can it be claimed, for instance, that how I feel about him, when it seems so easy to conceal, is completely "open to view" (§435)? Such claims appear counter-intuitive, contrary to commonsense and not just common linguistic usage. The problem of other minds, as encapsulated by the epistemic asymmetry between mental states experienced by the subject of those states and the application of psychological properties to others, appears far from resolved with reference to how sensation words are employed in colloquial language. Yet Wittgenstein (according to some of his most dedicated commentators) accomplished a convincing resolution of this problem. Apropos the problem of other minds, I survey the Wittgensteinian argument and, with reference to the key commentaries, show how it engages the ordinary language method (albeit with important modifications) to 'dissolve' the problem. Wittgenstein's emphasis on the grammatical conventions that determine how concepts are employed in ordinary contexts contains a strong, if somewhat incipient, normative character. In the final sections, motivated by Cavell's re-negotiation of philosophical fields (itself inspired by his reading of Wittgenstein's *Investigations*), I amplify this normative character in a way intended to reveal the moral relevance of the problem. Even if it is conceded that belief in other minds is ultimately unwarranted, I argue that this does not prevent alternative justification being sought outside the epistemological domain. To this end, a normative solution to the problem of other minds is proposed.

Other Minds and the Argument from Analogy

Recently described as the 'most challenging of problems about consciousness,'[8] the epistemology of other minds seeks justification for the folk-psychological conviction that non-autobiographical mental states exist. The subjective perspective that affords conscious awareness of my own psychological processes, being unique, is ruled out a priori for other people: where my intentions, emotions and sensations are accompanied by an implicit "I know …" I am forced to infer to the best explanation[9] on the evidence of ambiguous physiological data that other subjects experience states of consciousness. Thus it is my restricted experiential (and hence epistemic) scope that facilitates the suspension of belief concerning other minds. April, the skeptic informs me, may turn

[8] Noë (2009: 25).
[9] Hacker (1997: 32).

out to be a sophisticated android. Such sci-fi hypotheses derive their persuasive power in philosophical discussion by presupposing that the only valid knowledge of conscious experience is secured by introspection. This, it seems, motivates the doubt that psychological predicates, strictly speaking, apply to others. If I, logically, begin to doubt that you cannot experience what I experience then my tendency to ascribe intentionality, emotion and sensation to you may begin to appear, at best, a fiduciary inclination that does not (and cannot) be justified evidentially, but rather has, at most, the support of doxological compulsion. 'The reason why I cannot directly know the experiences of another' A. J. Ayer observes 'is simply that I cannot have them'.[10] Others are compelled to hypothesise, on the basis of circumstantial evidence, what is available to me a priori. As such, any proposition about my own mental state, uttered by me, as I am subject to it, is uncontroversial, any proposition about another person's state (by me or by them *of me*), on the other hand, is epistemically controversial. Hence the epistemological asymmetry (identified by Stuart Hampshire) of autobiographical statements (author-subject identity) and 'heterobiographical' statements (author-subject heterogeneity)[11] distinguishes cogito-type certainty in the first instance from inferential and thus inherently dubitable conjecture in the other. One and only one subject, it seems, is in the position to know the truth conditions of sensation predicates; and that subject is, of course, me: private states, amenable to verification only via the process of introspection, ex hypothesi, logically exclude verification in cases that transcend mine (i.e., *all* other cases).

What is it not possible to achieve here? Omniscience? The capacity, that is, to directly experience, as in a realist novel or movie, the private psychological life of someone else (as I would be in a position to do if I shared their perspectival subjectivity)? This kind of phenomenological privilege, in practice, is excluded not only by logic but by physiological facticity: embodiment restricts subjectivity to a single perspective-point of consciousness. Because necessarily alternative to *my* viewpoint, I can never know (i.e., be certain about) the private thoughts, intentions, sensations or emotions of another.[12] 'The idea [of this incapability] is', Wittgenstein says in the *Blue Book*, that even if 'the same object may be before his eyes and mine …

[10] Ayer (1954: 194).
[11] Hampshire (1952: 2).
[12] Malcolm (1977: 135-6).

I can't stick my head into his (or my mind into his, which comes to the same) so that the *real* and *immediate* object of his vision becomes the real and immediate object of my vision too'.[13] Skepticism about other minds originates in the suspicion that others are radically 'closed off from me (within, as it were, *their* own experience).'[14] I am, it seems, destined, like Sylvia Plath's Esther, to remain forever shut inside the bell jar of subjectivity, 'stewing in my own sour air.'[15]

Attributed to Mill and later defended by Russell (and Ayer),[16] the Argument from Analogy suggests a way out of the bell jar of subjectivity. The argument renders intuitions about other minds conceptually respectable by proposing to logically extend what I know of my own experience to others. Drawing on the evidence of common existential features, it seems reasonable to infer that other people, like me, in all probability, are 'animated' by consciousness. Thus by way of this analogy, the problem of other minds becomes more tractable: we can take what we know from our own experience (of the causal correlation between psychological cause and behavioural effect) and extrapolate from this to the probable existence of other minds. So although I may not be in a position to immediately observe my various alter-egos' psychological states (by telepathy?), I can nevertheless read intentional motivation back into their overt behaviour and extrapolate to the causal mental agency underlying it. It seems prima facie reasonable, that is, to compensate for the lack of phenomenological verification for mental states other than our own by transferring what we *know* a priori (regarding the role of intentionality, sensation and emotion in determining my consequent behaviour) to explain another person's observed agency, and establish (even if I can never *ultimately know*) that, like mine, April's behaviour must have consciousness as its causal (if unobserved) antecedent. The argument from analogy, Russell concludes, thus logically justifies the inference to other minds.

Not quite. It is precisely the deficiencies of this inference that the Wittgensteinian critique undermines. Indeed, *Philosophical Investigations* has become a *locus classicus* of skepticism about the predication of psychological states to others by analogy. Wittgenstein shatters our confidence that we identify mental states by

[13] Wittgenstein (1958: 61).
[14] Cavell (1979: 161); quoted in Tanesini (2001: 14).
[15] Plath (1963: 178). For a similar sentiment see Kołakowski (1988: 61).
[16] Mill (1865); Russell (1948); Ayer (1953); see also Hampshire (1952) and Price (1938).

extending previously-identified private experiences to others. He drives in the skeptical wedge as follows:

> If one has to imagine someone else's pain on the model of one's own, this is none too easy a thing to do: for I have to imagine pain which I *do not feel* on the model of the pain which I *do feel*. That is, what I have to do is not simply to make a transition in imagination from one place of pain to another. (§302)

Wittgenstein's caveat suggests that 'abstraction from the paradigm' fails in this instance because the counterfactual move involved, rather than establishing the presence of sensation via something I *do* experience to something I don't (as from one painful somatic location to another), infers, from the imaginary idea of a sensation (which *qua* idea is not *felt*), another instance of unfelt sensation (the other person's pain). This is the difficulty identified in paragraph 302. Although the inference is assumed to employ sensation previously experienced (and felt) – but not *now* experienced or felt – as paradigm, this is not merely an application of past experience of pain to present instance of pain (application of prior acquired concept to new, but still radically different, case) (§§448-449). Rather what is involved here seems more intractable because it presupposes the Cartesian picture of mind as a hermetic enclosure containing a cache of 'objects' accessible only to the subject in whose body the enclosure is metaphysically embedded. The subject, searching inwardly, identifies the relevant object and retrieves it in order to identify, by comparison, the presence of the *same* sensation in the other person whose odd behaviour must otherwise appear a stylised and unintelligible mime.

The analogical inference from my concept to another person's sensation is inadequate to its target not only because it implies what Kripke has termed a 'behaviourist ersatz for imagining the sensation of others on the model of my own'[17]; but rather because the inference involves the application of a type of concept (a cogito-concept) to a qualitatively different epistemic scenario (physiological behaviour) presupposed to be a token instance of the type. Yet this comparative transition is theoretically compromised by the very theory of mind that seems to support it. In other words, the logical difficulty with analogy is not merely that there is insufficient evidence for the inference to an underdetermined cause (never mind that it is a very weak sort of inductive argument based on reasoning from a single instance) it is rather

[17] Kripke (1982: 125).

that one type of knowledge – non-inferential, direct and indubitable (call it Cartesian) – is prioritised as paradigmatic and partially induced out of an entirely different type – inferential, indirect, and defeasible (call it behaviourist) – according to a tacitly endorsed theoretical apparatus that has categorically separated the type (mental process) from the token (bodily behaviour). Yet the epistemic asymmetry operative here tacitly accepts that psychological states are *necessarily* private (and therefore radically inaccessible to external observers). On the premises of the Cartesian presuppositions, the conclusion that the publicly observed behaviour of others is *caused* by private conscious events necessarily involves a troublesome (and even ultimately inconsistent) leap of faith.

The difficulty about the primacy of private experience, as Wittgenstein observes, is 'not that each person possesses his own exemplar, but that nobody knows whether other people also have *this* or something else' (§272). Skepticism gains its intuitive plausibility by nourishing the epistemological insecurities associated with the post-Cartesian theoretical perspective according to which it is impossible not only to verify the existence of other ego cogitos (a phrase that, incidentally, doesn't make sense in the plural)[18] but also to justify the inference from something observed (surface behaviour) to something unobserved (deep consciousness). Indeed, the trouble with the analogical argument, as Malcolm observes, is the captivating picture that what is necessary for knowledge of mental states is phenomenological first-hand experience: that I learn about the existence of psychological attitudes only by introspection. This seems, he comments, to be 'the most natural assumption for a philosopher to make and indeed seems at first to be the only possibility'.[19]

Yet is it credible that the correlation of "inner" sensation and "outward" behaviour is established via self-observation? '*I* cannot be said to learn of [my sensations],' Wittgenstein remarks, 'I *have* them' (§246). If we insist that we *do* identify sensation through internal observation – by introspection ('private ostensive definition' or 'pointing-into-yourself' [§380]) – then, Wittgenstein argues, we abandon the very possibility of verification prior to the application to others that the argument from analogy demands. Private demonstration ('this') abolishes independent standards

[18] See Kołakowski (1988: 61): 'It is incontestable that the *Cogito* could be expressed only in the first person singular; in any other grammatical form … it becomes an absurdity.'
[19] Malcolm (1958: 974).

for distinguishing between success and failure because even if I could identify a sensation ('this') as it rises up in me (by private indexical demonstration) I could fail to recognise it as the 'same' (as 'that') sensation because a paradigm case cannot be established in isolation of criteria that transcend my subjective arbitration (necessary even for the initial identification): 'it is not possible to obey a rule "privately"' Wittgenstein observes, 'otherwise thinking one was obeying a rule would be the same thing as obeying it' (§202). What epistemic function can a *subjective* paradigm serve? Anything I decide is "right" will be right. From its seeming to me to be so, no criterion of identification follows. 'And that only means,' Wittgenstein observes, 'that here we can't talk about "right"' (§258). On the basis of introspection, it cannot but be 'a *contradiction* to speak of *another's* pain'; my pain and your pain are, as philosophers (and *only* philosophers) say, *numerically* different.

But is it an essential characteristic of sensation that *I* have it?[20] If the conclusion is that *I cannot refer to pain that is not my pain* then, clearly, something has gone wrong with the reasoning (because I frequently, effortlessly and without doubting, refer to pain not my own).

The Grammar of Sensation

Wittgenstein's remarks, typically, do not contain an explicit refutation of the argument from analogy (they invoke, by implication, a family of several heterogeneous, but related, targets). What is consistent about his engagement with the problem, however, is his conviction that the epistemological difficulties have a semantic genealogy that needs to be acknowledged if progress is to be made. When I predicate a sensation of myself it seems that I report an *experience* of the sensation. But "He is in pain," despite having a syntactical similarity to such reports, states an empirical proposition to the effect that (I observe that) *he is in pain* (i.e., I am saying precisely that *I* don't *feel* pain).

Can I be said to infer from epistemically equivocal behaviour that April is angry, that Jude is anxiously preparing for an exam, or that little Hans is frightened because I have already pre-identified these states in my imagination by introspection? To construe these quotidian acts of awareness as inferences to the best explanation on the basis of inconclusive evidence seems absurd. We know that the skeptic challenges

[20] Malcolm (1954: 538; 1977: 119).

something that seems intuitively obvious: ordinary propositions, that is, held certain and incontrovertible in practice, but when critically scrutinised, appear to lack the epistemic justification required to secure knowledge of them. But Wittgenstein has demonstrated that *knowing* the psychological attitudes of others (assuming that this is, in principle, at least possible) does not depend on analogical inference from self-observed correlations between behaviour and ontologically distinct psychological states (§417; §357) – nor does it depend on inductive reasoning "outward" from an introspectively-verified paradigm case. Because justification requires an independent (objective) criterion, and this cannot be supplied by the introspection of private objects, analogical reasoning cannot provide an adequate response to the skeptic's challenge. It would be as absurd to analyse my response to a child's cries of distress in terms of a pattern of inferential reasoning (from the conditional premise: *If April cries then she's in pain*) as it would be to confirm my own involuntary reaction to an accidental burn by *modus ponens*. In rejecting the theoretical explanation that we respond sympathetically to another person in pain 'because by analogy with our own case we believe that he too is experiencing pain'[21] Wittgenstein argues that the ordinary discourse of pain is never (or never in *quotidian* circumstances) informed by such reasoning. This constitutes, for him, a deep mistake of analysis. The behavioural pattern of sympathy and response to another person's distress (or pain) is, rather, a normative extension of nonverbal, infra-propositional instincts of concern. Indeed, the 'language-game' of sensation is, Wittgenstein claimed, erected on a foundation of pre-sentential behaviour around which the socio-symbolic conventional discourse is ultimately articulated.

Despite their syntactical homogeneity, however, there *is* a semantic difference between sensation-statements in the first person and their third-person counterparts. If Wittgenstein acknowledges the asymmetry of propositions in the 'autobiographical' and 'heterobiographical' modes, however, he insists that this is not due to the Cartesian distinction between the necessary privacy of mental states and their corollary epistemic inaccessibility to observers. Rather the asymmetry is a function of the grammar of ordinary language which, when reflected on through a philosophical prism (i.e., when alienated from everyday use), generates the impression of a metaphysical opposition between interior (subjective) and exterior (objective) dimensions of existence. When he

[21] Wittgenstein (2007: §542).

says 'we have only rejected the grammar which tries to force itself on us here' (i.e., in the semantics of sensation), in paragraph 304 of the *Investigations*, he suggests that the specific perplexity can be attributed to the tendency to misconstrue sensation-predicates as *objects*: yet, 'if we construe the grammar of the expression of sensation on the model of "object and designation",' he observes, the object always 'drops out of consideration as irrelevant' (§293).

The subject-predicate (S-P) structure, traditionally, predicates a property of an object. In predicating sensation-concepts of a subject, however, the logical form creates the impression that a psychological property must correspond to the predicate in the same modality as that which corresponds to the subject-term (to which the concept is applied); and this carries the implication that the psychological property, in principle, has an ontological status independent of the body; but, 'Where our language suggests a body and there is none: there, we should like to say, is a *spirit*' (§36).[22] Sensation-predication thus creates the hypostatic effect of an inner object (which corresponds to the psychological property) privately accessible only to the subject (and *identified* by interior observation) – and leads to a precise iteration of Descartes's inaugural hypostasis of mind as thinking *thing* distinguished from extended things. If an ontology suggesting the existence of a colourless, shapeless residual object independent of its properties strikes us as unintelligible, however, what of the existence of a body divested of psychological properties (a zombie)?

Yet if the structure of our grammar here creates the impression that sensations are a species of uncanny 'intangible objects', however, it is only because we have momentarily forgotten the purpose of sensation-discourse: which is, simply, to *express*. In the discourse of sensation, language is used (at least in the first-person), not to predicate a sensation-concept of a subject, but rather to express how we feel. So although superficially identical, the grammar of first-person pain-statements differs to third-person predications of pain in that it relates to the act of conveying feeling. Who is the 'subject of pain'? Wittgenstein inquires: '[it is] the person who gives it expression' (§302). This helps to explain why no criterial evidence is relied upon to verify pains that *I* feel; the word "pain" is not used by me to confirm pains that *someone*

[22] See Wittgenstein (1989: 263): 'With the idea of a predicate, goes the idea of a *property* … Suppose I say, "This sofa is green", then the predicate is "is green". If I then ask what it is that has the property green, you would imagine something like a colourless sofa.'

perceives: because I don't *observe* someone in pain when I 'predicate' the sensation of myself (§290). But when I *need* to use the word "pain," that is, when I *feel* pain, I do so to express how I am feeling in a spontaneous (if not completely involuntary) way. Regarding my pains, 'I *have* them' (§246). We don't therefore 'identify the sensation by criteria: but [rather] repeat an expression' (§290). In order to bring out the distinction,[23] the *Blue Book* distinguishes between first-person and third-person statements in a manner that directly relates the grammatical form to the expressive function of sensation discourse: 'The difference,' he says, 'between the propositions "I have pain" and "he has pain" is not that of "L.W. has pain" and "Smith has pain." Rather, it corresponds to the difference between moaning and saying that someone moans'.[24] In the discourse of sensation, language is deployed as a semantic conduit for the expression of mental states.

In the *Investigations*, the grammar of sensation is developed by recalling how we learned to refer to sensations, by considering, specifically, how we train children to verbalise their feelings. 'A child has hurt himself' Wittgenstein observes 'and he cries; and then adults talk to him and teach him exclamations and, later, sentences. They teach the child', he concludes, 'new pain-behaviour' (§244). The expressive view therefore holds that, as we develop, we learn to mediate instinctive behavioural expressions of pain (such as crying, groaning etc.) *through* language. So the pain-sentence comes to *represent* a new and, importantly, more *controlled* means through which 'the child evinces his pain.' Semantic expressions of pain, as Kripke puts it, can be considered, therefore, to constitute 'more sophisticated, pain behaviour that adults teach the child as a substitute for the primitive, non-verbal expression of pain'.[25] A semantic expression of pain 'is not made on the basis of any special application of criteria any more than a cry is. In the most primitive case, it *escapes* from the speaker'.[26] Children are encouraged to recognise sensation-categories (hunger, toilet, fear, cold, warmth, as well as pain) independently *when they feel them* and to respond to them in the appropriate (socially conditioned) manner.

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[23] See Malcolm (2001: 73) (he calls them 'declarations').
[24] Wittgenstein (1958: 68) See also 69: 'We feel that in the cases in which "I" is used as subject, we don't use it because we recognise a particular person by his bodily characteristics; and this creates the illusion that we use the word to refer to something bodiless, which however, has its seat in the body. In fact this seems to be the real ego, in one of which it was said, Cogito, ergo sum.'
[25] Kripke (1982: 134).
[26] Kripke (1980: 135) (cf. §302). See also Malcolm (1954: 541).

Pain-language is related, Wittgenstein concludes, to 'the primitive [*ursprünglichen*], the natural, expressions of the sensation and used in their place' (§244). Pain, therefore, is not a logical construction out of behaviour, as behaviourism maintains; rather, the 'utterance' as Malcolm finesses, 'is itself an expression of sensation, just as flinchings, grimaces, and outcries are expressions of sensation'.[27] But rather than the pain-proposition expressing the pain in an identical way to the instinctive expressive behaviour, I read Wittgenstein as arguing that the sentence, "I am in pain," is a grammatical reconstruction of the visceral expression of pain; the instinctive, uninhibited complaints of pain *remain* causally sublimated in the sentence (yet can still escape, as we are well aware, from an adult who suddenly feels intense pain). The exclamation *ow!* is not a sophisticated substitute for the expression of pain. It is, rather, again, *just the* non-propositional *expression of pain*. (And similar exclamations of sensations, both painful and pleasurable, can be adduced.) The chef whose freshly sliced finger lies among the cucumber on the chopping board, it may be objected, does not have time to think of sophisticated language to express his pain; he just expresses it. Pain, if intense enough, is still expressed, even by adults, according to the classic behavioural scripts: involuntary groans, howled expletives, rapid or laboured breathing, facial grimaces, squirming, etc. (We can make accurate sketches.) What the grammar of sensation refers to, however, is the acquired capacity to mediate this visceral catharsis of pain *through language*. Yet this doesn't imply that the semantic expression is equivalent to the physiological behaviour ("non-verbal communication") nor is it reducible to the phenomenological experience of the sensation 'itself'. Rather the grammar here constitutes an apparatus through which the visceral expression is mediated such that, it could be suggested, both the instinctive behaviour and the syntactical expression act as different 'modes of presentation' with the same reference: PAIN.[28]

We simultaneously learn (something that seems immensely important to the species) to *suppress* the instinctual behavioural impulses (to scream, shout out, etc.)

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[27] Malcolm (1977: 127). Elsewhere, he writes: 'my sentences about my present sensations have the same logical status as my outcries and facial expressions'. Malcolm (1954: 542).

[28] In the *Zettel* the relationship between instinctual anatomical expression and the grammar of sensation is very clear: 'Surely that this way of behaving is *prelinguistic*: that a language-game is based on it, that it is the prototype of a way of thinking and not the result of thinking. … Our language-game is an extension of primitive behaviour.'

associated with extreme sensation; and it is as a result of this process, arguably, that the picture of the privacy of sensation develops so powerfully in us. Wittgenstein's suggestion is that the *ursprünglich* expressions of pain remain sublimated in the sophisticated grammatical articulations that eventually, but never completely, take their place. Rather, we *train* the child to *recognise* the signs, i.e., the feelings, associated with these sensations and act on them (rather than cry each time). From a very early stage in human development, linguistic competence gradually becomes entwined with (but, I would argue, never totally 'replaces') behaviour as socio-cultural conventions become efficiently internalised. At the same time, the more 'primitive' instinctual impulses become, concurrently (and highly significantly), ever tightly controlled. It is no accident that the region of the brain responsible for the affective or emotional dimension of pain (its suffering associated with the physical intensity) is also responsible for impulse management.[29]

Human language, although built up from within, informed by, and *shaped* according to instinctive species-expression, is not taught by mapping a conceptual embryonic grammar onto its latent Chomskian syntactic iteration. Rather, as any parent will appreciate, we develop into it through a lengthy program of initiation through imitation, tedious repetition and no small amount of correction. Learning language, as Wittgenstein famously observes, is just the mastery of a technique (§199; p. 208). As children we are inculcated in the norms of successful social integration; and it is according to this social program that grammar comes to prescribe correct linguistic behaviour, like all instruction in conventions, by correcting deviation and rewarding competence. Yet if grammar is normative (intended to straighten out 'people as well as thoughts'),[30] we must also bear in mind (before I start to sound too behaviouristic) that we are instructed in the structures of life until such time as we 'master' these structures – which means, paradoxically perhaps, that we are moulded by the prevailing socio-cultural matrix until such time as our own individually distinctive voice is enabled to emerge (and we become capable of creative agency or, at the limit, of dissension). Wittgenstein emphasises that 'we don't use language according to strict rules – it hasn't

[29] That is, the prefrontal cortex. See Apkarian et al. (2001).
[30] Garver (1996: 151).

been taught to us by means of strict rules, either.'[31] That is the reason why grammar in this interpretation cannot be wholly identified with the syntagmatic rules of syntax. Although the formal rules governing conventional linguistic value necessarily determine the value of the exceptional creative gesture, it is a mistake to completely reduce Wittgensteinian grammar to acquired practices of rule-following.

Grammar, in Wittgenstein's idiom, clearly has a much wider significance than the description of syntactical rules; it is intended to capture how conventions adopted by communities ultimately codify normative communicative behaviour. Yet such conventions, significantly distinguished as constitutive and not regulative[32], are never, as Cavell observes, reducible to *merely* arbitrary codes. To a certain extent, admittedly, the conventions of language *are* arbitrary (in that it is possible, *à la* Saussure, to imagine some entirely alternative system of encoding) (§§496-7); but the point is they are not relative to random alteration where 'convenience suggests a change' without interrupting what Cavell calls the very 'texture of our lives'.[33] Indeed, the 'array of conventions' signified by Wittgenstein's category of grammar, is provided for by what he calls the 'form of life,' that is, the shared culture of 'conduct and feeling' as codified by the natural history of the species.[34] If the codes were entirely arbitrary this would imply that 'nothing in the object of the game' determines their purpose. 'We don't make up the rules of these games' Wittgenstein adds: 'we have *inherited* [them]';[35] conventions may be crystallised by consensus but Wittgenstein emphasises that this is 'a consensus of *action*: a consensus of doing the same thing, reacting the same way'.[36] Expressions, when alienated from their situational – conventional, cultural, social, pragmatic – forms of life where they function according to community consensus, are semantically empty. For a word, 'To know its meaning is to use it *in the same way* as other people do. "In the right way" means nothing'.[37] Ultimately, the significance of Wittgenstein's category of grammar is its acknowledgement of the normative dimension of human nature (i.e., the recognition that human nature *is* culture).

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[31] Wittgenstein (1958: 25). Compare (1969: §475): 'Any logic good enough for a primitive means of communication needs no apology from us. Language did not emerge from some kind of ratiocination.'
[32] Garver (1996: 149).
[33] Cavell (1979: 110).
[34] Ibid.: 111 cf. §435.
[35] Wittgenstein (1989: 143).
[36] Ibid.: (183-184).
[37] Ibid.: 183).

Explicitly identifying grammatical investigation with the ordinary language method, Cavell admires Wittgenstein's modus operandi for similarly directing 'a word back from its metaphysical capture by the appeal to its everyday use'.[38] Seeking to disclose, by description, how meaning is embedded in efficacious social activity, in pragmatic structures prescribed by 'human customs and institutions' (§337), Wittgenstein's method aims to describe the conventional 'criteria on the basis of which the word is applied in all the … contexts into which it fits and will be found to fit'.[39] Like OLP, therefore, grammatical analysis identifies 'the use of words in the language'[40] – with what it makes sense to say – but with the important modification that Wittgenstein now prioritises (at the risk of cliché) the dimension of nurture over nature.[41] One learns the concept "pain" he reminds us, when one learns language (§384). Repatriated into its natural habitat, "pain" is functionally efficient and *hence* semantically adequate. Fact: we feel pain, we *suffer*. Perhaps formerly expressed in a purely instinctive way, via anatomical behaviour, the visceral expression of pain is now mediated – and the expression (*not* the suffering) sublimated – through normative forms of communicative action; and these constitute the public criteria used to ascribe psychological (private) predicates to others.

Knowledge, Criteria and Conviction

There is an irresistible inclination to think that if I am in pain I *must* know it. This seems intuitively obvious: "I must know," in this instance means, of course, "I cannot *not* know." We also instinctively imagine that other people are epistemically restricted in this regard, having to reconstruct my mental attitudes from overt behavioural agency: I choose to reveal and they know as much as I (can) show them. Yet, against this backdrop, Wittgenstein insists, counter-intuitively, even bizarrely, that the proposition, "I know I am in pain," does not make sense. What he means, however, is that, because the epistemic operator has no function here, this locution is never *actually* used (and therefore is ungrammatical, hence meaningless). As it adds nothing to the expression "I am in pain," in ordinary discourse, *I know* is obviated (§246). Wittgenstein's criterion

[38] Cavell (1979: 385). See also §90.
[39] Ibid.: 77.
[40] Wittgenstein (1974: §60).
[41] See Malcolm (1954: 543).

for judging whether a sentence is meaningful was to examine the result of contradicting it: 'a proposition makes sense if and only if its negation [also] makes sense'.[42] Now, clearly, because the proposition, "I don't know she's in pain," is as meaningful as its affirmative counterpart, because it is *something*, some belief that possesses an intentional content open to confirmation or refutation by experience; "I know she's in pain" makes perfect sense. Indeed, it seems trivially disjunctive: either I know she's in pain or I don't.

The method of semantic inversion however makes the absurdity of the first-person proposition patent: "I don't know I'm in pain." No disjunction is possible in this case (unless we assume counterfactually that there can be hallucinations of pain[43]). Wittgenstein exposes the absurdity further by imagining someone claiming: "Oh, I know what the word 'pain' means; what I don't know is whether *this*, that I have now, is pain" (§289; §408); because it makes no sense to say – that is, there are no ordinary circumstances in which I *would actually* use the sentence – "I do not know whether I am in pain or not" – it is meaningless. Admissions of ignorance are ruled out in first-person present-tense expressions of pain because it not possible to be mistaken about my sensations (or my expressions). But if disbelief is logically excluded, if doubt 'has no place in [this] language-game' (§288), then, by Wittgenstein's conditions, the expression (sublimated in propositions such as "I am in pain") does not qualify as a knowledge-claim. This grammatical analysis reveals that it is meaningful to say of other people that *I know* they're in pain but not to say it of myself (§246; p. 222). "I know …" is not the kind of epistemic function it makes sense to complete with a "that clause" taking my sensation as its semantic content; therefore it is vacuous, hence unusable.

Again, his advice regarding knowledge is to consider the grammar that supports its communicative function. In other words, when and how do we use the word "know"? What kinds of statements are made about ordinary successes or failures of knowing in public discourse? What do we regard as the content of the noun "knowledge"? If we are using "to know" as the verb is 'normally used,' he observes in

[42] Garver (1996: 148-149).
[43] See Putnam (1991: 154) who, surely correctly, writes: 'one can have a pink elephant hallucination but one cannot have a pain hallucination … simply because any situation a person cannot discriminate from a situation in which he himself has a pain *counts* as a situation in which he has a pain'.

the *Investigations*, then, for instance, it is evident that others frequently *know* when I am in pain (contradicting the intuition that their epistemic capacity is restricted by precisely this fact) (§246). Elsewhere, he writes, 'I would like to reserve the expression "I know" for the cases in which it is used in normal linguistic exchange'.[44] And as it functions in ordinary communicative contexts, to know is to know *something*: I find out about something, I pass from ignorance to knowledge, I learn.[45] But a declaration of knowledge functions as such if and only if one is capable – in principle – of reflecting upon or ultimately defending *how* one knows (or could have learned) the content of the proposition against credible challenges that may undermine it (this is, perhaps, the key intuition of Gettier's critique of the justified true belief definition of knowledge). '"I know …" may signify "I do not doubt …"', Wittgenstein remarks, 'but that does not mean that the words "I doubt …" are senseless, that doubt is logically excluded' in this environment (p. 221). A knowledge-claim (or hypothesis), therefore, is relative to the possibility of its falsification by counterexample; such propositions are negated without incoherence. Knowing something implies informative contents that inherently (and, indeed, epistemically) *include* the potential for error. Fallibility and genuine (i.e., non-Cartesian) doubt are necessarily tolerated for the sake of maintaining our concept of what it means to know something.

Now, if on the basis of certain physiological signs I begin to suspect that a certain woman is suffering pain, and if I confirm this, then I *know* she's in pain. Although this realisation will more than likely mean that I don't harbour any reasonable doubts – does it mean that *doubt*, as such, is excluded? What 'do we *call* "getting to know"' in these circumstances?[46] To answer this, we advert to what Wittgenstein controversially[47] identifies as the *criteria* that enable the correct ascription of psychological states to others on the basis of corroborating behavioural data (this is simply given: the criteria for '"pain," "anger," "fear," are already *in the language*'[48]). If challenged, "But how do you know?" we would gesture exasperatedly in the sufferer's direction, indicating the obvious, characteristic expressive signs, and exclaim: "look, she is clearly in pain. And *she says* she is!" Above all, therefore, the principal criterion

[44] Wittgenstein (1969: §260).
[45] Cavell (1979: 16).
[46] Wittgenstein (1958: 24).
[47] See especially Wright (1982 & 1984).
[48] Malcolm (1995: 143).

for ascribing pain to another person is her statement "I am in pain," which, in ordinary circumstances, we have no reason to disbelieve (because, in these circumstances, we accept that her experience is incorrigible *to her*); that is, what makes her statement a criterion – as opposed to a *symptom* (a statistically correlated probability)[49] – *of* her sensation is the fact that it is an expression of feeling mediated spontaneously, yet also volitionally (i.e., it is *not* suppressed), *through* her words. Her statement represents a first-person, present-tense vocalisation of (her) pain, incorrigible for *her*; although mediated linguistically via the statement, it is a category mistake to consider this a knowledge-claim, a declaration of certainty or a proposition descriptive of her behaviour. What *I* witness in this case, on the other hand, is a first-person (incorrigible) expression of pain by the subject of the experience (the person actually *suffering*); I *realise* she's in pain *by virtue of* her expression (which is incorrigible to her).[50] The crucial passage in the *Investigations* concludes with the challenge: 'Just try – in a real case – to doubt someone else's fear or pain' (§303).

Skeptical doubt arises exclusively in philosophical contexts where counterfactual fictionalisations (or sci-phi scenarios) are conjured from the armchair with the sole intent of raising ingenious doubts where there would be no natural inclination to doubt. (In this context Eli Hirsch instructively disambiguates the conviction that we *ought* to doubt in the critical mode from the possession of warrant for legitimate doubt.)[51] Can I be wrong about someone else being in pain? It appears, intuitively, that I can; but the crucial point is that this fallibility (in itself) does not exclude *knowing* that someone else is in pain. We must inquire, however, what reason there could be, in quotidian circumstances, to doubt it. Is it accurate to claim that I know when someone is in pain precisely *because* I can be *mistaken* about it? Again, is the impossibility of error regarding my own pains equivalent to certainty?[52] Wittgenstein diagnoses a tendency in this context to equivocate between the schemas of sensation and knowledge, an attempt (in the philosophical milieu) to construe private

[49] See the distinction between symptom and criterion in Wittgenstein (1958: 24-25).
[50] This point, it should be noted, does not beg the question: I'm not presupposing she's in pain by assuming that what I witness is an expression of pain; rather, to repeat, I see she's in pain *by virtue of* her expression. By incorrigible I mean (contra Armstrong 1963) *immunity to error through misidentification* (IEM) (Evans: 1982). See also Wittgenstein (1958: 67).
[51] Thus it is 'alienated' doubt or 'pseudo-doubt' which cannot possibly occur in the absence of the real belief in an external reality' (Hirsch 2011: 21).
[52] 'Ironically' Priest remarks 'it is the possibility of [genuine] doubt rather than the fact of absolute certainty that allows the use of "to know".'Priest (1992: 60).

mental state as the epistemic paradigm and consequently to discover a form of public knowledge as *immune to doubt as feeling a sensation* (i.e., to raise the gut-feeling of *being sure* to epistemological status). It is for this reason that he regards Moore's known-with-certainty truisms ('(I know) my body exists' (I know that) 'Many humans other than myself exist', 'Here is one hand' etc.)[53] as anomalous uses of "I know …" Moore treats the kind of "knowledge" he has in mind as immune to doubt, as incorrigible, that is, as a sensation. He doesn't *feel* doubt.[54] 'And this is because he wants to give himself the experience [the feeling] of knowing.'[55] This is why Moore's a priori propositions exhibit, as a result, Malcolm observes, 'a surprising amount of the logic of first-person declarations of sensation, feeling, or mood.'[56]

In *On Certainty* Wittgenstein argues that Moore misconstrues a 'hinge' statement (an a priori belief) as an indexical proposition known with certainty; but Wittgenstein responds, we cannot claim to *know* these fundamental 'hinges' at all for, as Wright that later demonstrated, such 'unearned certainties' actually constitute the conditional grounds of all a posteriori epistemic achievement. The Moorean propositions may be regarded as certain but it is misconceived to surmise that the beliefs expressed by these propositions enjoy internal evidential support and hence are *known*. Hinges, according to Duncan Pritchard, 'are not evidentially grounded (since nothing is more certain than a hinge proposition)'[57] yet we may be entitled to regard them nevertheless as legitimate a priori beliefs despite their recalcitrance to external epistemic justification. *Life* involves accepting unwarranted presuppositions that remain unsupported by evidentiary conditions: 'rational agency is not just an optional aspect of our lives', Wright reads Wittgenstein's last writings as arguing, 'we are entitled – save when there is specific evidence to the contrary – to make the presuppositions that need to be made in living out our conception of the kind of world we inhabit and the kinds of cognitive powers we possess'.[58]

In §377 Wittgenstein states unequivocally that the criteria of another person's sensations are, for me, just 'what he says and does.' And according to these criteria,

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[53] See Moore (1966 & 1998). See also Malcolm (1964).
[54] Wittgenstein (1969: §178).
[55] Malcolm (2001: 73).
[56] Malcolm (1977: 190).
[57] Pritchard (2005: 196-97).
[58] Wright (2002: 41).

therefore, if we still doubt that she's in pain, having seen and heard (and understood) her expressions, then there must remain viable reason for disbelief. This is not to deny that there could be viable reason; but it is to claim that whatever reason there is will *not* be cause for *skeptical* doubt. The problem here is that the skeptic misconstrues predications of sensation as hypotheses that are falsified by exactly one counterexample. However, to reason from the empirical fact that *sometimes* we cannot know *what* an individual is thinking to the proposition that we can *never* know what she's thinking and thereby conclude that we can never know *that* she's thinking – is a fallacy. If no relevant grounds for disbelief are apparent in the circumstances then her expression means, ceteris paribus, that she's in pain, even, contra Malcolm, in the absence of any other (behavioural) criteria. This, to paraphrase Wittgenstein, is simply what *we call being in pain*. Beyond the limits of convention lies the expression.

April's expression of pain provides us with criterial conviction (a kind of contextual 'unearned' certainty – not strictly opposed to belief – stronger than inductive probability yet weaker than entailment) to justifiably identify her expression as an expression of pain.[59] By virtue of this, her pain becomes the content of a belief that 'I have no grounds for doubting … but, on the contrary all sorts of confirmation'.[60] Doubts may still be *logically possible* but we need justifiable reasons for specific acts of dubiety if criterially supported judgments (made on the basis of a priori belief) are to be threatened (cf. §84). What Baker has dubbed 'C-support' is therefore assumed by Wittgenstein's commentators to yield conclusive confirmation (but, significantly, *not* logical entailment)[61] that she's in pain (just in case she is); as a result of which the onus, as Baker argues, is transferred to the skeptic who seemingly without justifiable reason may still insist that we can *never know* (i.e., possess complete and indubitable evidence

[59] Baker (1974: 162): criterial justification, as employed here, is simply the concept of citable reasons (*X,Y*) for something's (*Z*) being the case; even though the reasons in question remain context-sensitive, circumstantial and generally, but not irreducibly, conventional, they are normative. Malcolm and Hacker's account of criteria begs the question because it assumes that skepticism is wrong and that the concept of criteria refutes it (i.e., the consequent of their argument is accepted prior to the antecedent). But if a criterion were such that it established with certainty that *Y*, then *X* would be identical to *Y* and then, by Leibniz's law, $X = Y$ i.e., the criterion would be that which it is taken to be a criterion of.

[60] Wittgenstein (1969: §288). It is, in fact, disbelief that requires the justification in the case of pain-behaviour as a criterion of pain. Baker (1974:163).

[61] Baker defends the contentious claim that C-support yields semantic (grounds for) certainty despite admitting that a proposition *p* (about public *X*) C-related to another proposition *q* (about private *Y*) can be 'undermined since it doesn't amount to [logical] entailment' (i.e., *q* can be false and *p* true) (1974: 162, 176).

for her experience, the way she, transparently, can). Thus one principal motivation of the appeal to criteria is that of recasting 'certainty' as a form of conviction beyond actual (relevant) disbelief (in situations, in other words, where there is no evident reason – or natural inclination – to doubt) and not what is beyond *all imaginable*, logical or methodological doubt. Criteria are effective only in quotidian contexts where no credible grounds for the suspension of belief are apparent, and where certainty cannot be characterised as co-extensive with the *logical impossibility of doubt* – and relative to which the unconstrained patterns of doubt characteristic of skepticism look necessarily acontextual even pathological, conspiracy-theorist, paranoid. Certainty, as emerges in Wittgenstein's last writings, is not a kind of ultra-knowledge but something categorically different (something like the necessary natural inclination to suspend disbelief).

Yet a certain fact may come to light that alters everything. Imagine someone who moments before was 'writhing' in obvious pain, abruptly stopping, getting up, dusting off her clothes and fetching her coffee: from behind the crowd a voice yells "Cut!" Now, contrary to former evidence, I possess justification for disbelief; I think, nevertheless: that was a convincing performance phenomenally indistinguishable from the expression of (real) pain.[62] Thus as supplementary relevant data come to light, I may be epistemically compelled to reverse my initial judgment (but can I be said to doubt *this* initial judgment?). 'C-justification', to use Baker's terminology, is clearly defeasible[63]: it remains possible, that is, that, *even* in the presence of all salient criteria, the person may not *actually be* suffering (the) pain (that appears to be expressed). The outside may contradict the inside.

Criteria are subject to defeat, Baker concedes, by evidence delivered from an expanded frame of reference (as the counterexample shows).[64] According to Cavell, because of the defeasibility constraint, Wittgensteinian criteria fail, ultimately, to provide the certainty that the prevailing interpretation (Malcolm, Albritton, et al.) tends,

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[62] As McDowell (2009) observes, the antic scenario plays a role in the problem of other minds 'analogous to the role of the concept of illusion in the traditional approach to the epistemology of the "external world"' (76).

[63] 'If *p* is C-related to *q*, then it is possible that *p* is true and *q* false because of the defeasibility of the C-relation' Baker (1974: 167).

[64] Ibid.: 162.

despite acknowledging their limitations, to attribute to them.[65] Rather, the appeal to public criteria in order to mitigate the epistemological problems of predicating psychological (private) concepts to others, merely 'reveals' what Cavell refers to as 'the truth of skepticism,' i.e., that methodological dubiety is precipitated by recognising the limitations of the epistemological project per se. Such admission of epistemic threshold represents a genuine attempt to respond adequately to the reality of contingency, to the way, in other words, that a restricted cognitive perspective leads to a profound sense of disconnection from others. Relative to this acceptance of cognitive limitation, problems beset the entire ambition to transcend the conditions of situated, perspectival knowledge in order to access the mind of another – i.e., the desire to gatecrash someone's private subjectivity, to invade their interior, secret lives, which are, according to Cavell, '*exactly the problems the skeptic sees*'.[66] Skepticism is thereby reparsed as a conscientious idea born of authentic insight that mobilises its cognitive armoury in defence of the interdictions of mutual distance. Engendered, one could say, less from the desire to challenge uncritical dogmatism than from a respect of privacy, it is, basically, an acceptance of what Cavell refers to, in existential mode, as our shared human 'finitude'.[67] This constitutes the *truth* of the skeptical attitude, embracing the fallible, finite conditions of *human* knowledge. Thus we must remain, according to Cavell, sufficiently 'open', in Wittgensteinian mode, to the skeptic *in ourselves*[68] if we are to provide an adequate counterchallenge to its cognitive 'threat'.

Even Malcolm is obliged to recognise that it is possible to imagine a situation in which *all* criteria are satisfied and yet the person manifesting the relevant behaviour does *not actually* experience pain. 'If we come upon a man exhibiting violent pain-

[65] At the beginning of *The Claim of Reason*, Cavell criticises Malcolm's identification of pain-behaviour with "criteria for pain" (and, via the criteria, for *pain* itself). If 'the criterion of being in pain is satisfied' (this, however, is not a concept Wittgenstein employs) Malcolm argues 'then he *must* be in pain' (Malcolm 1954: 544). "Pain," we could say, for Malcolm, implies *pain*. In Cavell's reading, Malcolm interprets Wittgenstein as construing the 'outward criterion' as a means of confirming for certain the presence of the inner phenomenon. Necessarily: 'The satisfaction of the criterion of *y*' he quotes 'establishes the existence of *y* beyond question' (Malcolm, 1954: 544). Malcolm's exegesis interests Cavell who reads the *Investigations*, like Kripke, as an extended engagement with (as opposed to a solution of) what he terms, revealingly, the '*threat* of skepticism.' Cavell does not refer to Baker's 1974 (i.e., five years prior to the *Claim of Reason*); he also ignores Albritton's recanting postscript.

[66] Cavell (1996: 64). See also Wright (2002). There is something important to be learned from skepticism (that Moore, for instance, didn't appreciate) i.e., that the limits of justification they express derive from a genuine insight: namely, that 'cognitive achievement must be reckoned to take place within such limits.' Otherwise complete epistemic 'paralysis' would result (37).

[67] Cavell (1966: 172).

[68] Cavell (1979: 47).

behaviour, couldn't something show that he is not in pain?' To which he replies: 'Of course.' [69] For, the person in question, as considered, may have been acting, malingering, rehearsing a part … etc. Can I be certain, *even* given the presence of all relevant behavioural criteria in the *right circumstances* that this person *actually feels* the pain that he expresses? Evidently not. To illustrate, we could say that it would be absurd to insist that, because all the relevant behavioural criteria are (more than) satisfied, that John Hurt, for instance, was actually suffering pain in the famous scene in Ridley Scott's *Alien*. But, as a result of such examples, 'how can we ever know whether another person is actually *suffering* pain?'[70] The outward criterion fails to establish, by observation of physiological behaviour that the inner (psychological) sensation is *present* … that it *actually exists*: thus, by virtue of these counterexamples, as well as the admission of defeasibility, it seems undeniable that I cannot be certain that the agent of pain-behaviour actually *feels* pain.

Yet this uncertainty was precisely what the appeal to criteria was intended to eliminate. It follows, for Cavell, that there are no necessary and sufficient public (behavioural) conditions for *knowing with certainty* that the mental state exists, that another person *really* is experiencing, phenomenologically, a private sensation (or is deliberately deploying the classic behavioural signs in an antic way to fake it). Relative to Cavell's analysis, McDowell's disjunctive insistence that, despite their paradoxical defeasible status, criteria merely *appear* to be satisfied in the antic scenario – that they 'are not really satisfied' – may seem naïve.[71] For Cavell's position amounts to the conditional argument that if 'the knowledge is not really available' in the antic scenario then neither can it be said to be 'available' in the *real* incidence. [72] Failure to support certainty, for Cavell, makes criteria very 'disappointing'.[73]

Do we never succeed in genuinely understanding the psychological lives of others? For even if someone, for example, fulfils '"all the criteria" marked out by "all parts of the grammar of pain" then, to be sure, it is exceedingly likely that he is in pain

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[69] Malcolm (1954: 545); see also Cavell (1979: 41).
[70] Cavell (1979: 44).
[71] But supported by §304 where Wittgenstein has his imaginary antagonist say: "But you will surely admit that there is a difference between pain-behaviour accompanied by pain and pain-behaviour without any pain?" He answers: 'Admit it? What greater difference could there be?'
[72] McDowell (2009: 76). McDowell proposes 'an anti-skeptical thesis which has all the main features of neo-Mooreanism' (Pritchard 2006: 290).
[73] Ibid.: 79 (and *passim*).

i.e., that he's not feigning, etc.' the point is, however, that this likelihood connotes at best merely abductive probability: *we cannot be certain*.[74] Indeed, even if we have to depend on behavioural (or, indeed, neurological) data for criteria to verify the existence of mental states then, as Noë has observed, this is equivalent to admitting that knowledge of other minds is beyond our epistemic capacity.[75] And, if so, it seems we cannot credibly claim to *know* (because we can't provide the theoretical justification in refutation of the skeptical counterexample that would supply the sufficient and necessary conditions for epistemic confidence). Criteria perhaps provide 'good evidence,'[76] but acceptance of their mere adequacy (whether necessary or possible) acquiescently presupposes that we are obliged to rely on inconclusive behaviour for pseudo-access (reconstruction from behavioural cues) to the psychological attitudes of others; so although criteria may be sufficient to facilitate a *skeptical* solution (to the effect that our concept of the consciousness of others can be regarded as a kind of working stratagem for predicting agency) they fail to deliver the 'grail' of knowledge (i.e., certainty).[77]

'C-justification' thus remains vulnerable to the skeptical challenge because, ironically, its entire motivation can be exposed as determined by a tacit acceptance that certainty still conditions the only kind of knowledge that counts if the ingrained impulse to doubt is to be satisfied. All discussion of criteria is thus hampered by a kind of subliminal disenchantment engendered by this admission of failure to achieve the elusive objective of certainty. Cavell notes the repeated use of qualified phrases like 'near certainty' and 'almost certain' in the official Malcolm-Albritton accounts.[78] Conceding the defeasibility of the criterion (that criteria are context-sensitive, circumstantial and conventional) amounts to retaining the concept of mind (as an expedient theoretical construct) only at the expense of acquiescing to the radically contingent relationship between behaviour and intentionality.[79] The epistemic 'gap' between the presence of public criteria and their satisfaction by private psychological content, Cavell comments, ultimately cannot be bridged by appeal to criteria: the quasi-

[74] Cavell (1979: 44, 79).
[75] Noë (2010: 28).
[76] Cavell (1979: 79).
[77] The phrase 'grail' of knowledge comes from Kołakowski (1988: 71).
[78] Cavell (1979: 39).
[79] Noë (2010: 30).

certainty provided by C-justification is preserved only at the cost of never knowing for sure 'that the criterion is satisfied, that what it is *of* is *there'*.[80] Thus the connection between criterion and what it is a criterion *of* seems undermined by the defeasibility constraint. 'The wince itself is one thing', Cavell concludes, 'the pain itself [remains] something else; the one can't *be* the other'.[81]

But does criterial defeasibility provide evidence of the 'truth' of skepticism? I don't believe so – but *not* because criteria fail to provide the anti-skeptical knowledge that Malcolm, Baker, and Hacker assume they do. What it does demonstrate, perhaps, is the irrelevance of skeptical dubiety to quotidian epistemic conditions (and conventions) that pertain to contexts where there is no natural inclination to doubt. (The relevant certainty here is that which, necessarily, ignores the myriad counterfactual alternatives, possible or impossible, that could conceivably be the case.)

Admittedly, we say *X* is a criterion of *Y* thus confirming that *X* is different (roughly: in ontological status) to *Y*. Necessarily, however, (i.e., by Leibniz's law) no criterion can *be* that which it is a criterion of any more than a representation can be identical to what it represents. Yet *X still* remains a criterion of *Y* even if, in specific circumstances, *Y* is discovered not to be the case. And this is the key to the concept: criteria are always criteria *of* something. The pain-criterion, that is, represents its content (the concept of pain) and that is how it comes to *mean* pain to us: "Pain" represents PAIN which, in turn, represents *pain* (just as the simulated concept CAT in the skeptical scenario [BIV] still represents *cats*). Where we are referred *through* the representation (sense) to focus on *what* it represents (referent), the behaviourist mistakenly fixates on the representation itself, confusing it with what it represents (misidentifying sense as reference); the skeptic repeats the same error but, while focusing on the representation, *denies* that it represents anything (in both cases the criterion *qua* representation is treated as opaque and / or self-referential). By concentrating on the 'subsidiary' *representation* rather than what it 'focally' represents, both behaviourism and skepticism misconstrue the logic of representation (it is treated with paranoid suspicion by the skeptic and too much credibility by the behaviourist).[82]

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[80] Cavell (1979: 41).
[81] Ibid.: 79.
[82] Such a switch in perspective leads to the 'aesthetic fallacy', that is, the inference that the referent is reducible to its representation. Cashell (2009). These are two aspects of the structure of tacit knowing

Another way of putting this is that both reduce the epitome of the human *being*, as McDowell remarks, to the cipher of the human *body*.[83]

By virtue of the way Cavell and (it could be argued) Wittgenstein develop the concept, criterion is synonymous with *representation*; so that, for instance, in the antic scenario, Cavell says that '*what* he is feigning must be precisely *pain*, what he is rehearsing must be the part of a man *in pain*, the hoax depends on his simulating *pain*, etc.'[84] Pretending to be in pain necessarily engages conventional pain-behaviour to convincingly imitate pain: that is to say, a person's performance, to be convincing in this regard, must try to fulfil what we (the community) employ to establish, in the typical case, that someone is suffering pain; they may then be said to 'satisfy' the criteria *of* pain: they know that we know how someone is likely to behave when suffering pain and they reason, "if I behave like *this and this*, then it will appear to observers as if I'm really suffering pain." It is only because it has the property of representing content that it is possible to '*retain the concept*' of pain and flexibly apply it to heterogeneous cases. In other words, it is only because it represents (pain) that the criterion (of pain) can determine the correct application of the concept (of pain) to other, future, instances in the appropriate circumstances. If new information becomes a criterion for her *not* being in pain, then the criterion itself is clearly *not* invalidated by circumstantial change. Criteria provide reasons for reliable judgement: that's all (but that's enough i.e., it's sufficient for making cognitive decisions that are beyond reasonable doubt).

Even in the antic scenario, the agonist satisfies 'the criteria we use for applying the concept of pain to others. [But] It is because of *that* satisfaction that we know that he is feigning pain (i.e., that it is pain he is feigning), and that he knows what to do to feign pain'.[85] While many regard criteria as providing, at most, context-sensitive, circumstantial epistemic support (and this is accurate as far as it goes) analysis of the antic scenario demonstrates (contra the skeptical assumptions) that criteria do *not change* with context. For when new evidence is brought to light through context-expansion (think of a legal inquiry or on-going police investigation) such evidence

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which determines the foundation of all knowledge achievements according to Michael Polanyi (1969: 182; 1967).

[83] McDowell (2009: 78).

[84] Cavell (1979: 45).

[85] Ibid.

invites the application of *different* criteria (having *different* content), criteria *of* something else that justify the judgment that something else is the case; we are (as above) compelled to revisit and alter (if needs be) our initial judgment on the basis that *new criteria* suggest that something *other* is, precisely, now the case. If criteria cannot confirm the necessary *existence* of something they can nevertheless 'determine the [accurate] application' of the concept in the appropriate circumstances.[86] Thus, for the sake of the provision of knowledge, criteria are not error-immune, that is, they do not provide ultra-knowledge exempt from the logical impossibility of doubt. So despite valid counterexamples, an expression of pain, regardless of the lack of supporting evidence, *still remains* a criterion – that is *evidence enough*, ceteris paribus – of pain. Although John Hurt may deploy representations that presuppose criteria for the *real* expression of *real* pain for their efficacy, different criteria, quite simply, apply in the antic scenario; criteria that are satisfied by a relevantly different state of affairs being the case (they are the criteria for *playacting*).

Criteria are *not relativised* to context. (And thus McDowell's disjunctive interpretation turns out, in fact, to be the more accurate one). In imagining the antic scenarios, just as in cases of hiding 'private' sensations or beliefs, it is, Wittgenstein remarks, 'important that I have to imagine an artful concealment' (§391). We would be profoundly shocked if it were revealed that the actor was actually suffering *that* pain.

It is only because sensations are represented that we can represent sensation. The signs of pain, like all signs, can be imitated. Thus it is otiose to complain, pace Cavell, that the signs are *not* the pain itself; it makes more sense to observe that because the signs of pain are *about* pain, they refer to the concept PAIN, a reading supported by the cryptic aphorism, 'An "inner process" stands in need of outward criteria' (§580). Sensation, that is to say, must be represented in order to be communicated. How is a sensation represented? When pain is expressed in (physical, observable) signs, for instance, the body is the vehicle, the epitome of its representation. Predications of sensation, contra Baker (and Chihara & Fodor), are therefore *neither* statements about behaviour *nor* about states of mind but rather *both*, 'not side-by-side, however, but

[86] Ibid.

about the one *via* the other' (p. 179).[87] At this junction, the body becomes a *living* sign through which (*durch das andere*) consciousness, interiority, sentience – is *represented.* And it is here that the infamous Wittgensteinian aphorism comes into its own: 'only of a living human being and what resembles (behaves like) a living human being can one say: it has sensations; it sees; is blind; hears; is deaf; is conscious or unconscious' (§281). The living human is the epitome 'to which third-person attributions of consciousness, sensations, feelings, are related'.[88] As my verbal expression "I am in pain" draws attention to *myself* (§405) so I 'look to him for information about his thoughts and intentions,' Malcolm confirms, 'He is our primary source of information about himself'.[89]

The epistemology of other minds is recast as the consequence of an entrenched conviction that the only knowledge that counts as adequate in this instance is certainty (i.e., omniscience); but, as William Poteat has observed, we don't even know *ourselves* in this way.[90] According to Cavell, skepticism does not succeed in developing its insights, however, because what it seeks is more than what any philosophical genre is capable of delivering; for the only thing likely to inoculate against the viral doubt of skepticism is a kind of *über*-Cartesian certainty, the kind of omniscient point of view that would immediately invalidate the very possibility of doubt (both reasonable *and* unreasonable). But this, as demonstrated by Cavell, is simply not achievable: the gap will never be bridged if approached from this vantage point; all it will achieve is to reinforce at a metaphysical stratum the existential condition of alienation recognised at the ordinary stratum. Thus skepticism ultimately ends up in its own dogmatic *cul de sac* with an (albeit aporetic) endorsement of the regnant disjunctions of post-Cartesian metaphysics – behaviour *or* consciousness, body *or* mind, object *or* subject. But our relation to (and relationships with) others are not primarily epistemic in nature: they are *not* relationships of 'knowing, where knowing construes itself as being certain. So it is also true that we do not *fail* to know' in this context.[91] The moral of skepticism (and the reason why Cavell argues that it is important to take its impulse seriously) is that our

[87] This way of thinking about criteria strikes me as mistaken: it is wrong to construe criterial support as a semantic relation between a proposition about behaviour and a proposition about a mental state. There is no 'suppression of a middle term' in linking behaviour to mental state.
[88] Malcolm (1954: 548).
[89] Malcolm (1977: 131).
[90] Poteat (1994: 215).
[91] Cavell (1979: 45).

relationship with the world and other people is, at best, derivatively cognitive (the essence of such relationships cannot be reduced to evidential justification for the folk-psychological belief in putative entities such as "mind-independent objects" or "the minds of others"). Skepticism misconstrues the intersubjective relationship as epistemic in structure (explicable only in relation to the failure to provide justification to support ungrounded inveterate beliefs). Intended to 'find the other', therefore, skepticism ultimately 'closes' the other 'out.'[92] In refusing to treat the body 'as *expressive* of mind' the skeptic, in Cavell's arresting metaphor, 'scoops mind out of it'.[93] Even if it is possible (at a stretch) to imagine a committed, systematic skeptic who *always* doubts whether another person suffers pain – even to the point of *surrealism* (to use Cavell's own bromide),[94] such doubts, Cavell admits, often 'seem to make good sense only on the basis of ideas of behaviour and of sentience that are invented and sustained by skepticism itself'.[95] It is important that, in imagining the hard-core skeptic, we think of someone cold and cruel, incapable of empathy or conditioned to suppress the normal response to suffering, someone like *A Clockwork Orange*'s Alex, pathologically indifferent to the pain of others. Though strictly speaking not illogical, the 'abnormal reaction' as Malcolm correctly insists '*must* be the exception and not the rule'.[96] Regarding the pain of others, it is de facto important to 'shut our eyes' in the face of de jure doubt (p.224). It is humanely, ethically important that, contra Cavell, we are clear that it is *doubts* and *not criteria* that come to an end.[97]

The Ethics of Skepticism

Although it may be to dwell on its most troubling aspect, it is necessary at this late point in the discussion to inquire what putting the consciousness of others into question implies from a moral standpoint. This concern, frequently elided in discussion, becomes apparent with the realisation that 'other minds' skepticism, unlike its external world variety, pertains in a non-trivial way to *other people*. Recent research in this area

[92] Cavell (1979: 84).
[93] Ibid.: 67 (my emphasis).
[94] In an earlier essay, Cavell had used the descriptor 'surrealism' to characterise the more bizarre arguments of philosophical discourse Such statements of the surreal were presented as paradigmatic of the consequences of banishing words from their natural habitat. Cavell (1964: 89-90).
[95] Cavell (1979: 47). The language-game of (Cartesian) doubt, as Wittgenstein observes, 'presupposes certainty' Wittgenstein (1969: §115).
[96] Malcolm (1954: 547).
[97] Cavell (1979: 412); Wittgenstein (p. 181).

has significantly begun to recognise that the problem is not disinterestedly epistemological[98] in character, in relation to which, I want to contextualise Cavell's exegesis of Wittgenstein.

Although characterised (in my view) by an overreaction to the 'threat' of skepticism (and fascination with its alleged 'truth'), Cavell nevertheless develops an insightful attempt to redefine the problem from an ethical perspective while conceding its irrefutability according to the principles of classical epistemology; he manages, that is, to recast the epistemology of other minds in a way that shifts the focus of the skeptical challenge by compelling us (and even by virtue of the antecedent concession) to recognise the implicit (and non-benign) moral implications of withholding the concept of consciousness from others. Although it has been observed that the potentially harmful ('pernicious') effects of skepticism imply the normative injunction that 'We should not take such an attitude,'[99] skepticism regarding other minds may seem intuitive because irrefutable (the Cavellian truth is that it may be impossible to justify our tendency to ascribe consciousness to other people in epistemological terms). Yet, from an ethical standpoint, this still does not morally justify adopting the skeptical attitude.[100] From the stronger intuitive realisation that we have reason not to suspend belief in the minds of others, the general inference may be drawn that epistemic commitments have significant ethical consequences (which would warrant a conclusion that the ethical is supervenient on the epistemological) but this argument is not required (at least not entirely) to defend the normative justification for the existence of other minds proposed here. Indeed, what I propose implies that the epistemic justification sought for other minds becomes the problem of defending why it may appear intuitive to suspend belief. What reason or purpose would require me to deny body, face or speech as expressive of psychological attitudes – to what end? I would argue (more extensively if space permitted) that there is no reason to motivate the denial of subjective agency to another person that does not supervene on an antecedent ethical presupposition to the contrary. Yet the 'attitude' associated with the skeptical suspension is equivalent to the refusal to concede that the concept of consciousness applies to anyone else (and not just to the admission that it is possible that another

[98] Overgaard (2007), Hirsch (2011), Pritchard (2005, 2008), Williamson (2011).
[99] Williamson (2011: 8).
[100] See also Cavell, (2005: 210).

person does not have phenomenological experience of psychological states). In other words, it is defensible to construe other minds skepticism as an active decision (to regard the behaviour of others as *mere* behaviour, that is, to insist that human behaviour is an opaque presentation or stylised mime) rather than an innocuous armchair indulgence.

In practice, skepticism (that is, if the concept of "practical skepticism" is not an oxymoron) connotes an evaluative, axiological attitude that discriminates on the basis of some transcendental (and obvious) property that it is stipulated others lack, namely, the capacity for subjective life (and all that this implies of agency, freedom of thought, emotion, intentionality). On the basis of impeccably (and tortuously) argued inferences that appear to endorse the irrefutability of skepticism, it may seem reasonable to decide that others, because it cannot be established conceptually that they share our cognitive capacities, are not deserving of respect. Indeed, that professional philosophers have failed to disprove the skeptical hypotheses (or failed to establish that they are irrational) may be taken, erroneously, to provide reasonable corollary evidence of their truth. And as a consequence, we may come to believe, for instance, that our attitude to others ultimately doesn't matter – that the effort to understand another's point of view is academic or naïve, or that, because we cannot always be certain if a person actually suffers pain, that compassion (or care) is sentimental.

Skepticism is always presented as a position of epistemic superiority; yet I would claim that denying consciousness to others, when 'everything speaks for and nothing against it,'[101] actually represents a kind of cognitive perversion. It is therefore, I would argue, not reasonable to reject the necessary truth that others are subjects of conscious experience; it may not be an exaggeration, indeed, to suggest that the denial of mind (especially when the culture values it so inordinately) constitutes a kind of intellectual violence. Is this not perhaps the paradigm of irrationality? (Although, in practice, it should suggest that something is seriously wrong with the reasoning.)

One of Cavell's most original contributions to the debate is his discussion of the other (typically neglected) alternative to first-person propositions of sensation, namely, second-person epistemic statements of the form: "I know *you* are *X* " the correct analysis of which is as expressions of *sympathy*: Cavell treats such propositions as

[101] Wittgenstein (1969: §117).

equivalent to "I know what you're going through," or "I've done all I can" or even, perhaps, "I'm here for you." The expression of pain, when our vulnerability is also crucially exposed, precipitates a reciprocal response that Cavell captures with the category of 'acknowledgment.' The latter is elsewhere thematised as a response to the 'call' of the other: an interpellation which stakes a claim by invoking in me an imperative for 'comforting, succoring, healing'.[102] This, if anything, constitutes the only significant form of 'knowing what pain is.' To *know* pain in this way, in other words, is to acknowledge the person who *expresses* it, that is, to respond (emotionally) to her—to reply to her appeal.

"I know *you* are in pain" cannot be reduced to an epistemic statement because what it communicates is recognition (of your pain): 'an expression of *sympathy*', a state equal and opposite to your state, implying an emotional reaction determined by beholding your presence. This analysis allows us to differentiate between the concept of epistemic access to the psychological (or intentional) states of others (even if possible, always vulnerable to the 'threat' of skepticism) and emotional responses of sympathy evoked by another person's presence (and, by extension, any being capable of expressing pain, therefore feeling pain, hence suffering). We respond to another person by ac*know*ledging their presence in a way that a priori accepts their otherness (transcendence) without necessarily seeking to comprehend it.

> It is not enough that I *know* (am certain) that you suffer – I must do or reveal something (whatever can be done). In a word I must *acknowledge* it, otherwise I don't know what "(your or his) being in pain" means. Is.[103]

In 'its requirement that I *do* something or reveal something', acknowledgement, Cavell says, actually 'goes beyond knowledge' and toward *agency*.[104] We may respond to expressions of pain with reactions of sympathy (or, indeed, as Cavell points out, with indifference) but we cannot but respond actively in some way that, paradoxically, transcends the classical epistemological categories. When someone expresses something, tells or reveals something to me, I am obliged to act in a way that ipso facto expresses my attitude (if, for instance, I *refuse* to act, this also expresses a very clear

[102] Cavell (1979: 81).
[103] Cavell (1996: 68)
[104] Ibid.: 63.

attitude). Accordingly, my empathetic reaction (positive or negative) vividly reveals that I cannot but regard him or her as a conscious being; and it takes a good deal of concentrated (we could even say *perverse*) effort to doubt it.

So the category of acknowledgement importantly challenges the skeptic's official cognitive disinterestedness and, at the same time, helps to disclose the ethical structure of the interpersonal relationship. Cavell notes the fundamental distinction between the 'failure to know' and the 'failure to acknowledge' for, evidently, the latter, unlike the former, is liable to be evaluated as a lack of empathy: a kind of 'indifference … callousness, an exhaustion, a coldness'.[105] Moral vacuity, he reminds us, can never be considered ethically neutral and, as a community informed by normative means of expression, we should not take it to be. Suffering matters: and 'your suffering makes a *claim* upon me'.[106] Even if – obviously – I may not immediately feel your pain as a tangible episode in my body, I may, nevertheless, be compelled to acknowledge it through my involuntary emotional reaction to you. For when *you* say "I'm in pain" this elicits a very strong emotional response – even though I may not, by contingent physiological facticity, physically *feel* the sensory intensity of your pain: but the accompanying distress expressed, affectively communicated and thus literally sharable by me, may be more important in this context than the fact of being unable to feel your sensation (this is not only meaningless, incidentally, but also strictly irrelevant to your suffering). It should be pointed out however that neuroscientific research has experimentally established that the affective dimension of pain, that to which I respond empathetically and which constitutes what, following Wittgenstein, we may call the 'physiognomy' of pain, is felt in an entirely non-metaphorical, vicarious way by observers of others in pain.[107] Not only this, but observing someone in pain (even their facial expressions) has been found to engage neural mechanisms in observers that duplicate the sensory *and* affective neurological dimensions of the phenomenology of pain. Thus the aphorism that concludes "Knowing and Acknowledging" anticipates the most recent findings of the neurological study of nociceptive empathy: 'I know your

[105] Ibid.: 69.
[106] Ibid.: 68.
[107] See Osborne & Derbyshire (2010) for bibliography of contemporary research in this area.

pain the way you do' (implying that, reciprocally, through acknowledging it, you know my pain the way I do).[108]

Discussion of criteria tends to omit a crucial dimension of the discourse of pain: namely, sensitive response to the pain of others. Vicarious acknowledgement of another person's pain, like our empathetic response to the phenomenon in general, to use Wittgenstein's word, is '*ursprűnglich*' – that is, again, visceral, impulsive, instinctual, above all, *emotional*. Yet pain is a purely physical phenomenon; a fact of physiology associated with the neurological structure of the sensitive beings we are (§281). We react instinctively adversely to its alarming nature, to its semiotics of harm. Yet it is also an irreducibly mental phenomenon toward which we develop codified cognitive (therapeutic) attitudes: instead of expressing pain through inarticulate ejaculations, we acquire normative grammatical modes of representing it (that, as argued, actually serve to suppress the more impulsive averse reactions).[109] My reaction to another person in pain, therefore, may be as instinctual, visceral, and immune to error as my own experience of pain: 'I can be certain of someone else's sensations as of any fact'. '"But if you are *certain*, isn't it that you are shutting your eyes in the face of doubt?" – They are shut' (§224). Eyes shut, perhaps, but emotionally open. In paragraphs §§ 540-545 of the *Zettel*, Wittgenstein confirms that responses of concern for others in pain are as *ursprűnglich* as my pain in the same circumstances: 'being sure that someone is in pain, doubting whether he is, and so on, are so many natural, instinctive, kinds of relationship towards other human beings, and our language is merely an auxiliary to, and further extension of, this behaviour'.[110] These remarks clarify that the expressive view of the discourse of pain is what primarily (but not exclusively) motivates the ethical approach to the problem of other minds suggesting the identification of new normative criteria that may be taken to refute the skeptical hypotheses in practice if not in theory (but this is *precisely* where it matters).[111] It is my instinctive *attitude* (toward others), paradoxically, that confirms that they, in fact, suffer: this attitude (of empathy and the

[108] See especially Avenanti et al. (2005); Botvinick et al. (2005); Fan et al. (2008); Jackson et al. (2005; 2006a; 2006b). Osborne & Derbyshire (2010) have found that the *physical sensation* of pain (and not just the affective dimension) is evoked in observers of others in pain.
[109] It is important to remind ourselves that acted pain tends to be more exaggerated than expressions of pain in ordinary real-life circumstances.
[110] Wittgenstein (2007: §545). See also Loggia et al. (2008).
[111] Note that it does not follow from this that the ethical position defended here is itself expressivist in orientation.

capacity to identify with), to paraphrase Wittgenstein, 'is a form of conviction that someone else is in pain' (§287). It is this attitude (the ethos of compassion) that, above all, provides reason for the ethical commitment to the consciousness of others.[112]

It is becoming increasingly clear that the "theory of mind" still current in contemporary cognitive science needs to be abandoned if the issue of the consciousness of others is to be realistically addressed. Jettisoning the entrenched picture of the mind as an 'unobservable domain … whose effects are evident in what people say and do'[113] is required for the acknowledgment that our 'commitment' to the 'alive consciousness' of others cannot be justified because it is simply not the kind of commitment amenable to justification according to conceptual criteria of epistemological analysis. Our commitments in this regard, as Wittgenstein argues in *On Certainty*, are, contrary to the whole approach associated with the post-Cartesian epistemological paradigm, unjustifiable in essence; nevertheless we are entitled to (believe in) them despite their lack of supporting 'evidence.' Of course this implies, according to Pritchard, that 'the propositions that we hold to be most certain are *of their nature*, lacking in evidential support'.[114] Even if warranted justification cannot be earned for our commitment to the consciousness of other people (or the external world), and this distresses us, 'the fact remains that I really believe it'.[115] Because the skeptical suspension of belief in the consciousness of others has non-trivial moral consequences, however, I have argued that justification *should* not be demanded for this commitment. Ultimately, therefore, Wittgenstein's dissolution of the problem of other minds is normative in three intimately related senses: his emphasis on the grammar of sensation (that is, on the norms of linguistic behaviour) and on the criteria (i.e., the norms) for the ascription of psychological concepts to others also suggests that we do not doubt that other people are subjects of consciousness because in an important sense we *ought* not to.[116]

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[112] Loggia et al. (2008).
[113] Noë (2010: 29).
[114] Pritchard (2005: 198).
[115] Hirsch (2011: 19).
[116] See also ibid.: 195. The link made here, incidentally, is also tacitly developed in Wright (2002): Not accepting unwarranted (yet transcendental) presuppositions, he says, 'is to avoid having a life'; for all 'rational thought and agency involves ineliminable elements of cognitive risk' (41). Hirsch and Wright both refer to intellectual or epistemic 'responsibility' in this context.

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