# 3. The Problem of Other Minds *Here and There*: Cavell's "Notes Mostly about Empathy"

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Knowledge is in the end based on acknowledgement. LUDWIG WITTGENSTEIN, On Certainty

## 1. An Incoherence in the Concept?

Stanley Cavell's 2009 essay "Notes Mostly about Empathy" represents a significant development of his investigation of other minds skepticism in Part IV of *The Claim of Reason*.<sup>1</sup> The essay begins with Cavell's concerns about the psychoanalyst Bennett Simon's — in Simon's own eyes, rather loose — use of the term "empathy" in interpreting the effects of tragedy on its audience in his book *Tragic Drama and the Family*. In Simon's words, "*empathy* is the English version of a nineteenth-century German term *Einfühlung* referring to the aesthetic act of 'feeling one's way into' a work of art"; and tragedy, for Simon, produces for the audience a "space [...] in which empathy can grow."<sup>2</sup> On his view, *King Lear* models relations between characters that call out an empathetic response from the audience. Cavell finds something akin to this relationship between characters and audience in the play; and he is certainly

<sup>1.</sup> Cavell, "Notes Mostly about Empathy," in *Here and There: Sites of Philosophy*, ed. Nancy Bauer, Alice Crary, and Sandra Laugier (Cambridge, MA: Harvard University Press, 2022), 164-80; Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (Oxford: Oxford University Press, 1979).

<sup>2.</sup> Cavell, "Notes Mostly about Empathy," 165, quoting Bennett Simon, *Tragic Drama and the Family* (New Haven, CT: Yale University Press, 1993).

not rejecting the idea that we will empathize with, say, Gloucester's suffering. His reservations, however, suggest that a more fundamental aspect of our relation to others is made manifest in tragedy:

The very attractiveness and immediacy of the idea that the audience of a great play is in a position, or space, that allows the capacity for empathy to grow somehow made me uneasy with the idea of empathy as a task of feeling into something or to someone. Lear's madness, Cordelia's helplessness, Edmund's villainy, appear rather to leap out at us, as though marking the task such matters present as one of working one's way *out of* something. Is this merely a quibble?<sup>3</sup>

Cavell makes something of his question. He notes that he is unsettled by "a sense of looseness or disorderliness" in the *concept* of empathy, not just in Simon's deliberately casual introduction of it. He seeks "some perspective from which to see conflicting forces as so to speak symptoms of the concept itself, that is, in our need of it."<sup>4</sup> Remarking that he has himself "studiously avoided appealing to the concept" of empathy, he wonders whether this is because he has the impression that the concept "pictures knowledge in a mode that precisely blocks the knowledge it claims."<sup>5</sup> He expresses the following, rather stark, "intuition" about the concept of empathy: "It presented itself to me as itself incoherent."<sup>6</sup> What is the source of Cavell's suspicion here, whence the "incoherence"? Why does feeling one's way into someone "block the knowledge it claims." I hope in what follows to cast light on these questions by providing a kind of 'reader's guide' to this dense, allusive piece.<sup>7</sup> This will require us to remind ourselves of Cavell's notion of acknowledgment as well as his treatment of what he calls "empathic projection" in *The Claim of Reason*.

<sup>3.</sup> Cavell, "Notes Mostly about Empathy," 165.

<sup>4.</sup> Ibid.

<sup>5.</sup> Ibid.

<sup>6.</sup> Ibid.

<sup>7.</sup> If nothing else, a map of this reader's often unsure and speculative efforts to come to a provisional understanding of the essay. In Parts 2 through 4, I explore some background. In Parts 5 and 6, I try to follow Cavell's thought in "Notes Mostly about Empathy" by working through the essay selectively, but more or less consecutively.

## 2. Skepticism and Empathy

Here, perhaps, is a start. Cavell moves almost instantly from Simon's appeal to empathy as an explanation of the mechanisms of tragedy to a general challenge to the coherence of the concept as involved with skepticism and responses to it. His concern is with the philosophical problem of other minds and the way it forms and deforms our relations with others. Cavell's suspicions target a specific kind of philosophical deployment of the notion of empathy — call this the 'empathy picture'. Simon's "feeling one's way into" phraseology, in its vagueness and generality, invites us to picture our relations to others in a way that distorts our real need — for the recognition of our separateness from others that skepticism discovers and that tragedy puts on display. Interpreted as on this philosophical picture, the appeal to empathy exposes a site for the denial or avoidance of others, a source of "disgrace or embarrassment."<sup>8</sup>

While the problem may begin with local issues about how we know or are certain about particular states of others — matters which can at first blush be handled by Austinian strictures on the specialness of these particular doubts — Cavell wants to give full rein to the sense that other minds skepticism poses a deeper, more general problem: How do we "get over to the other," get so much as a conception of a mind there, in the first place?<sup>9</sup> Taken up as a kind of answer here — an answer meant to address the skeptic — empathy will be treated not as a specific way of relating to others but as a candidate for "our route to knowing the existence of others," for playing a special role in "establishing the validity of human knowledge" of their minds, a competitor with and close cousin to introspecting another's feelings and inferring them from analogy with my own.<sup>10</sup> Conceived as "feeling into something or to someone," what empathy shares with these relations is that something must close a pre-existing gap between myself and others.<sup>11</sup> Like them, empathy will appear to Cavell to fall prey to a kind of self-defeat, leaving otherness behind; and the picture behind the *need* for

<sup>8.</sup> Cavell, "Notes Mostly about Empathy," 180.

<sup>9.</sup> Ibid., 179.

<sup>10.</sup> Ibid., 180 and 166.

<sup>11.</sup> Ibid., 165.

something like empathy to close a gap will lose its grip or maybe we should say its charm.<sup>12</sup>

In his essay, "On Sympathy: With Other Creatures," Ian Hacking interprets the differences between sympathy and empathy in a way that aids in understanding Cavell's placement of the latter. Citing an incident from J.M. Coetzee's Boyhood in which Coetzee witnesses a familiar sheep being slaughtered, Hacking captures the gist of the boy's response as "inside, the sheep is just like me. Outside too, in the castration scene."<sup>13</sup> Coetzee's recounting "gets at [...] the relation between the individual human and the individual sheep. That is a relation of felt identity of body. It is a relation of sympathy (between man and beast, which works through the living bodies of the two."<sup>14</sup> Sympathy – sympathy-with, not sympathy-for, Hacking says – represents a fellow-feeling, a recognition of or resonance with the other as an embodied, animate being. He sees sympathy as a key to expanding the circle of moral concern. Contrast empathy. Hacking takes over a dictionary definition - "the power of understanding and imaginatively entering into another person's feelings."<sup>15</sup> While not denying its significance, he is suspicious of an overly general use of the notion as fundamental to our relations with others. For one thing, he thinks, our willingness and ability to enter into the feelings of other people is rather limited; for another, "it is too much to ask ourselves imaginatively to enter into the feelings of animals":

I can pretend to imagine what it is like for a cur to be kicked in the chest. But I do not think I am entering into the animal's feelings, for I did not just feel

<sup>12.</sup> On empathy, see Karsten Stueber, "Empathy," the *Stanford Encyclopedia of Philosophy*, <u>https://plato.stanford.edu/archives/fall2019/entries/empathy</u>, especially the discussion of Theodor Lipps's phenomenological treatment of empathy "as a phenomenon of 'inner imitation'" at the end of Section 1, and of Lipps's compelling critique of the argument from analogy at the beginning of Section 2. Lipps's critique is meant to lend support to a conception of empathy as "the primary epistemic means for knowing other minds." We might say that for Cavell this gets the phenomenology wrong.

Commenting on his idea that skepticism becomes tragedy, Cavell writes: "Reading tragedy back into philosophical skepticism I would variously [...] characterize the skeptic as craving the emptiness of language, as ridding himself of the responsibilities of meaning, and as being drawn to annihilate externality or otherness, projects I occasionally summarize as seeking to escape the conditions of humanity" ("Benjamin and Wittgenstein," in *Here and There*, 122); Cavell's suspicion in "Notes Mostly about Empathy" amounts to the surmise that the empathy picture contributes to this annihilation of otherness.

<sup>13.</sup> Ian Hacking, "On Sympathy: With Other Creatures," *Tijdschrift Voor Filosofie* 63, no. 4 (2001): 691. See John M. Coetzee, *Boyhood* (New York: Penguin, 1997), 97.

<sup>14.</sup> Hacking, "On Sympathy," 691.

<sup>15.</sup> Ibid., 703.

pain, but also fear, anger, loathing of the attackers, self-loathing; I felt weak, petrified, surprised, confused, helpless, and desperately hoping they'd stop. If I were to identify with the animal so as to project these feelings into it, I should be making it up. Those are not the feelings of the animal; they are what I once felt. Humeian sympathy may arouse in me harsh memories of the time I was near kicked to death, but what is recalled by sympathetic vibration is my pain, not that of a wretched dog.<sup>16</sup>

For Hacking, expanding the circle of moral concern is better served by sympathywith, in his "Humeian" sense, than by empathy in the feeling-one's-way-into sense.

While Cavell's immediate concerns are different, he shares Hacking's worry about projection. My sense of which feelings of mine to ascribe to another – and given Cavell's determination to explore the impetus behind other minds skepticism, this applies to other humans as well as to animals – depends on my recognition of others as separate from me, as having minds of their own. Only against this background –the background of acknowledgment – will feeling one's way into other minds make sense.

Clearly Cavell, like Hacking, does not deny the importance of empathy in our relations with others; he means to begin the work of placing it. On the other hand, he may seem to do little to describe its role, and he does not specify target uses of the concept in philosophy. Is Cavell simply appropriating the concept for his own, perhaps idiosyncratic purposes? This seems prejudicial. If one takes empathy as "feeling into," and one asks whether this provides the "fundamental" route to knowledge of another's feelings, will it turn out to be the case that we must either take on the feelings of others as our own, or project ours onto them?

#### 3. Acknowledgement

Although this is not front and center in "Notes," empathy there stands in contrast to acknowledgment. Elsewhere Cavell offers this explanation of the role of acknowledgment in his response to the problem of other minds:

<sup>16.</sup> Ibid., 706.

This idea [of acknowledgment] has been criticized on the ground, roughly, that in offering an alternative to the human goal of knowing, either it gives up the claim of philosophy to reason or else it is subject to the same doubts that knowing itself is. Perhaps this takes my idea as offering something like a mode of feeling to replace knowing [...]. But I do not propose the idea of acknowledging as an alternative to knowing but rather as an interpretation of it [...]. In an essay on the tragedy of *King Lear* I say, 'For the point of forgoing knowledge is, of course, to know' [...] as if what stands in the way of further knowledge is knowledge itself, as it stands, as it conceives of itself.<sup>17</sup>

Acknowledgment, a matter of responsiveness to others rather than of certainty, represents a way of capturing our real need with respect to them. That is to say, Cavell is making the case that what is in question in *knowing* others — in understanding them — is a nexus of our responses to the claims that their expressions and other manifestations of behavior make on us (and ours on them). In contrast, in the philosophical empathy picture, what we might call a particularly direct way of knowing by feeling other minds is presented. This picture accounts for our interest in others by positing a candidate way of bridging a supposed gap between self and other. Focusing too narrowly on getting over this gap, the picture has contributed to reinforcing the problem it is designed to overcome. From Cavell's point of view, too much has been conceded to the skeptic's self-conception at the outset.

There is cause to be disappointed in our and others' responses. We have no guarantees that we will read others accurately or that we will make ourselves intelligible to them. Early on in "Notes," Cavell reflects that in "Knowing and Acknowledging" he "had not been able to open far enough to view my sense that what philosophy regards as ignorance of the other and pictures as the absence of something, is rather the presence of something, namely the refusal of knowledge, or said more plainly, an avoidance or rejection of the other."<sup>18</sup> This judgment is initially surprising. In

<sup>17.</sup> Cavell, "The Philosopher in American Life," in *In Quest of the Ordinary: Lines of Skepticism and Romanticism* (Chicago, IL: The University of Chicago Press, 1988), 8. Cavell quotes from "The Avoidance of Love," in *Must We Mean What We Say?* (Cambridge: Cambridge University Press, 1976), 325. On acknowledgment, see also Cavell, "Knowing and Acknowledging," in *Must We Mean What We Say?*, 238-66.

<sup>18.</sup> Cavell, "Notes Mostly about Empathy," 166.

"Knowing," with a nod to Heidegger, Cavell calls acknowledgment an *existentiale* — a fundamental dimension of our existence, here for describing and assessing a range of responses and interactions with others, "evidenced equally by its failure as well as its success."<sup>19</sup> Acknowledgment in its many variants is shown in the range of our responses to others as individual human beings. These possibilities are built into our understanding of otherness. "A 'failure to know' might just mean a piece of ignorance, an absence of something, a blank." By contrast, "a 'failure to acknowledge' is the presence of something, a confusion, an indifference, a callousness, an exhaustion, a coldness."<sup>20</sup> Our responses to others may imagine them as stone-like, but this is to respond to them in a particular way, not to mistake them for stone.

Focusing on the prospect of an epistemic barrier between us and them, skepticism calls for a special cognitive capacity for getting over to the other — and in doing so, abstracts from our responses to the other. The empathy picture is a direct response to this call, and thus partakes of the abstraction. In taking acknowledgment as an existential category that "interprets" knowing others — provides the background for evaluating the significance of our claims — Cavell opens us to the prospect that this abstraction from responses empties the skeptic's overt concern with certainty about the mentality or humanity of others of its objects. In distancing us from mutual relatedness by focusing on cognitive penetration of each other, the shape of the skeptic's concern deprives us of those to whom we respond and who respond to us.<sup>21</sup>

<sup>19.</sup> Cavell, "Knowing and Acknowledging," 263-64.

<sup>20.</sup> Ibid., 264. As Cavell adds, "spiritual emptiness is not a blank"; it modifies acknowledgment. See also Cavell, *The Claim of Reason*, 389, referring back to the essays in *Must We Mean What We Say*?: skepticism and tragedy are juxtaposed to bring out "the fact that the alternative to my acknowledgment of the other is not my ignorance of him but my avoidance of him, call it my denial of him."

<sup>21.</sup> This is what Cavell means in finding in skepticism the tendency to interpret (and distort) the basic fact of otherness by treating "a metaphysical finitude as an intellectual lack" (Cavell, "Knowing and Acknowledging," 263, quoted at Cavell, *The Claim of Reason*, 493). To say this is not to deny that the skeptic is interpreting the right thing, the "fact" or "experience of separation from others," "the fact that behavior is expressive of mind" (Cavell, "Knowing and Acknowledging," 260 and 262). The skeptic, on Cavell's view, has the right "facts" in mind, but, understandably although fatefully, interprets them in terms of the limits of our cognitive capacities. Those who attempt to overcome skepticism by trying directly to refute the skeptic by showing that our cognitive capacities are not actually so limited more deny than distort Cavell's "fact." These anti-skeptics are "fighting the skeptic too close in" in taking over "the major condition of the skeptic's argument, viz., that the problem of knowledge about other minds is the problem of certainty" (Cavell, "Knowing and Acknowledging," 258). Such dogmatists would include those who appeal to the argument from analogy, to introspection, and to empathic projection, as well as those ordinary language philosophers who see a direct refutation of skepticism in appealing to the everyday meaning of words, Cavell's main target in "Knowing and Acknowledging" and in Part One of *The Claim of Reason*.

Why insist on avoidance as the "refusal of knowledge"?<sup>22</sup> This should not be unexpected if responsiveness to others (and again my responsiveness to their responses to me) is part of what it is to understand the other (and to make ourselves known). The point seems clear in the essay "Comments on Veena Das, 'Language and Body'," from 1996:

The utterance "I am in pain" is not simply a statement of fact [...] but is (as well) an expression of the fact it states; it is at the same time an utterance whose expression by me constitutes my acknowledgment of the fact it expresses [...]. One might even say that my acknowledgment is my presentation, or handling, of pain. You are accordingly not at liberty to believe or to disbelieve what it says - that is, the one who says it - at your leisure. You are forced to respond, either to acknowledge it in return or to avoid it; the future between us is at stake.23

Perhaps to stretch the point: Understanding pain involves understanding not only "behavioral expressions" of pain but responses to pain, including how the person in pain experiences the responses of those others who are involved. Knowledge of pain involves understanding what responsiveness to pain is.

Again, there is a contrast with the parties in the skeptical dialectic. As they interpret the matter, acknowledgment would have to be preceded by a "feat of cognition" in order to pick out the relevant others.<sup>24</sup> That is, they seek a prior determination as to whether the other (or "other") in question is in fact human (or an otherwise suitable subject for the relevant mental states). Now, however, we have not only abstracted from the object of our quest - the human being with whom we respond – we have, it seems, bracketed the background against which it makes sense to speak of the mental states of others — the roles these attributions play in our lives.

Is it an exaggeration to say that acknowledgment is fundamental to our understanding of pain? Is it not possible for someone to understand pain, and the

<sup>23.</sup> Cavell, "Notes Mostly about Empathy," 166.
23. Cavell, "Comments on Veena Das, 'Language and Body'," in *Here and There*, 182.
24. On empathic projection conceived as a "feat of cognition," see Cavell, *The Claim of Reason*, 424-28, and below.

language of pain, while simply being oblivious to our responses to others and the appeals to them in our expressions? Will Cavell not respond that such oblivion in the context of our lives is avoidance?<sup>25</sup> Perhaps it suffices to say, either in support of or in lieu of the claim about acknowledgment, that the appeal to responses and expressions puts the role of pain in our lives on display.

In Claim, one of the disappointments we experience with criteria – disappointments that Cavell sometimes characterizes as disappointment with human knowledge<sup>26</sup> — is that they do not by themselves establish our relation to the world or to others in a way that would satisfy the skeptic. Criteria give us our grasp of things, they provide us with ways of making ourselves intelligible; but for them to do this, "I have to accept them, use them."27 But, Cavell points out, there is a "background against which our criteria do their work, even make sense"; this background is the attunement or agreement in judgment that I by and large share with others (the others with whom I share a form of life).<sup>28</sup> That background is not established beforehand, prior to our orienting ourselves to each other in the process of making sense. Nothing in the line of further knowledge or certainty will guarantee with whom I am in agreement. To recognize this - to see that we may not reach or may fall out of attunement — is part of what it is for others to be relevantly other to, separate from, myself. This limit to criteria is one way of capturing Cavell's "truth of skepticism." The skeptic brings out — while misinterpreting in terms of a specter of arbitrariness or cognitive lack – that my acceptance of criteria, on which my intelligibility depends, is my doing, my responsibility.29

In particular, we discover that

there are not human criteria which apprise me, or which make any move toward telling me why I take it, among all the things I encounter [...] that some of them have feeling; that some of them "resemble" or "behave like" human

<sup>25.</sup> This is not an argument but a reminder, about which Cavell follows Wittgenstein in wondering who needs to be informed of this. See Cavell, "Notes," 175 and 178; and Wittgenstein, *Philosophical Investigations*, trans. G.E.M. Anscombe, P.M.S. Hacker and Joachim Schulte, rev. 4th ed. (Oxford: WileyBlackwell, 2009), §296.

<sup>26.</sup> See, e.g., Cavell, The Claim of Reason, 476.

<sup>27.</sup> Ibid., 83.

<sup>28.</sup> Ibid. See Wittgenstein, Philosophical Investigations, §242.

<sup>29.</sup> See Cavell, "Benjamin and Wittgenstein," 122.

beings or human bodies; or that some exhibit (forms of) life — unless the *fact that* human beings apply psychological concepts to certain things and not to others is such a criterion.<sup>30</sup>

This last clause warns us not to think that agreement in judgment will provide us with the grounding that we want, certainty about to whom we can talk and to whom we can express ourselves. Now the truth of skepticism reveals itself in another guise: responding to others and measuring our responses to them is not backed up through the provision of criteria alone; criteria are open to repudiation, and must be if we are to find our way with others. At the same time:

To withhold, or hedge, our concepts of psychological states from a given creature, on the ground that our criteria cannot reach to the inner life of the creature, is specifically to withhold the source of my idea that living being are things that feel; it is to withhold myself, to reject my response to anything as a living being; to blank so much as my idea of anything as *having a body*.<sup>31</sup>

In withholding, I am in a sense already giving myself over to skepticism — to think that it is knowledge that I need leads me to deny the knowledge that I have, because I begin by treating the other (that body) as stone. I no longer have a candidate for privacy or separateness ("My feeling is: what this 'body' lacks is *privacy*"<sup>32</sup>). Here, Cavell concludes, "my condition is not exactly that I have to *put* the other's life there; and not exactly that I have to *leave* it there either. I (have to) *respond* to it; or refuse to respond. It calls upon me; it calls me out. I have to acknowledge it. I am as fated to that as I am to my body; it is as natural to me."<sup>33</sup> Where skepticism "closes [others] out" by seeking a certain guarantee that criteria apply outside our responsibility for their employment, acknowledgment, in contrast, emerges as recognizing their

<sup>30.</sup> Cavell, *The Claim of Reason*, 83. See Wittgenstein, *Philosophical Investigations*, §281: "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." The point here is as much about whom we regard as being or resembling a living human being as about giving a criterion for when the relevant mental predicates apply. What counts as a living human being and what behaves like one is not to be regarded as somehow pre-established.

<sup>31.</sup> Cavell, The Claim of Reason, 83-84.

<sup>32.</sup> Ibid., 84.

<sup>33.</sup> Ibid.

separateness of others – allowing them to speak on their own, thereby allowing us to test our mutual intelligibility and its limits.<sup>34</sup> The depth to which acknowledgment reaches shows up in its avoidance:

What happens to me when I withhold my acceptance of privacy — anyway, of otherness — as the home of my concepts of the human soul and find my criteria to be dead, mere words, word-shells? I said a while ago [...] that I withhold myself. What I withhold myself from is my attunement with others — with all others, not merely with the one I was to know.<sup>35</sup>

Unless I acknowledge others, recognizing them as *separate* sources of response, I have not just lost my access to their minds, I am also threatened with the loss of the terms in which I make sense of the world.

#### 4. Empathic Projection

In "Notes," as we have seen, Cavell remarks his studious avoidance of the concept of empathy. This might seem disingenuous in light of the fact that, in Part Four of *Claim*, the idea of *empathic projection* plays an important role in exploring the temptations of other minds skepticism.<sup>36</sup> "Empathic projection" is, however, introduced in a particular dialectical context, as a stand-in label, what he dubs a "dummy concept" for a particular "feat of cognition" justifying my taking you for a human being.<sup>37</sup> Its dialectical role is to be distinguished from that of acknowledgment. Empathic projection, unlike acknowledgment, competes directly

<sup>34.</sup> Ibid.

<sup>35.</sup> Ibid., 84-85.

<sup>36.</sup> What follows is basically a very cursory survey of Cavell, *The Claim of Reason*, 421-29. As far as I have been able to determine, Cavell does not use the concept of empathic projection either before or after *The Claim of Reason*. In addition, I have found no explicit discussion of empathy before "Notes Mostly about Empathy." On acknowledgment and empathic projection, see the sensitive reading in Alexander Altonji, "Acknowledgment and Empathy: A Critique of Mulhall's Reading of Cavell," *European Journal of Philosophy* 32, no. 1 (2024): 179-93. Altonji cites, but does not discuss, "Notes Mostly about Empathy." For Mulhall, see Stephen Mulhall, *Stanley Cavell: Philosophy's Recounting of the Ordinary* (Oxford: Oxford University Press, 194), 131-38. On related matters in *The Claim of Reason*, Part Four, see Richard Moran, "Cavell on Outsiders and Others," *Revue Internationale de Philosophie* 65, no. 256 (2011): 239-54.

<sup>37.</sup> Cavell, The Claim of Reason, 440.

with (for example) analogy and introspection, on the skeptic's ground. If it locates empathy, it does so with this particular philosophical context in the forefront.

Consider Cavell's running through of a "skeptical recital" with respect to other minds.38 In outline: Do I know that you, to whom I am talking and who are evincing no signs of excruciating pain, are currently not in fact in pain? "For all I know" you are keeping it from me.<sup>39</sup> In noticing this, I still seem to be assuming that you are a human being or at least something of that ilk, capable of various kinds of withholding and deception. What, however, justifies this assumption? How do I know that I have correctly identified you as such? "From some such fact as that my identification of you as a human being is not merely an identification of you but with you. This is more than merely seeing you. Call it empathetic projection."40 Here I suppose that you are similar to me in being a candidate subject for pains and acts of deception. Then again, I worry: "I could be empathically projecting, and there be nothing (of the right kind), empathically to project with, or rather upon."<sup>41</sup> With the transition to that "upon" – seemingly inevitable if I have to continue the investigation in these terms – the burden has been entirely shifted onto me, to my limited resources for settling the question. If I have to meet the demand to justify my "assumption" about your humanity, then concerns about my way of knowing – some such thing as my identification with you, my empathic projection – have come to the fore. And it now seems like it is my responsibility to ask, at least, whether it really turns out to be irrational to wonder whether there are other possibilities, other things that, for all I know, you might turn out to be. In the course of the investigation, taking empathic projection to be "the ultimate basis for knowing of your existence as a human being" seems to have led us into a skeptical predicament.<sup>42</sup> The figure of projection has produced the sense that empathy enters the picture to close an already existing gap, and so far, "my taking you for, seeing you as, human, depends upon nothing more than my capacity for something like empathic projection, and [...] if this is true then I must settle upon the validity of my

<sup>38.</sup> Ibid., 421-22. This is what Cavell calls the "active" skeptical recital.

<sup>39.</sup> Ibid., 421.

<sup>40.</sup> Ibid., 421.

<sup>41.</sup> Ibid., 422.

<sup>42.</sup> Ibid.

projection from within my present condition, from within, so to speak, my confinement from you."<sup>43</sup>

Characteristically, Cavell insists that responding to the skeptic by directly challenging the (ir)rationality of the idea that there might be other things for putative humans to be from within the skeptical recital would be premature.44 On the other hand, his tone here is tentative, the effect of just having emerged from the recital. He refrains from drawing an overtly skeptical conclusion, and immediately counters with a contending feeling: the failure of the recital at this point to convince lies in uncertainty that we have at hand a representative other, a best case for knowing, an instance of encountering others that represents our position as knowers and not merely an individual case. "The others in the room did not vanish in relevance upon my realizing that the one whom I had singled out for my attention could not be known for a human being apart from my empathic projection."45 To put it another way, Cavell differentiates the worry about others from doubts about external objects by saying, "I find that I do not accept [the] idea of the seamlessness of projection."<sup>46</sup> Each individual case will be different - or at least we don't know how to tell otherwise. My doubts about that one's humanity single her out, even a lack of specialness is special; I stay focused on him, "thrown upon just this other's body."47 With each individual's case, I start anew; "the others do not vanish when a given case fails me."<sup>48</sup> To take for granted that my doubts will generalize to all candidate others would be to assume that one can never know. Having worked through competing feelings about the upshot of the recital, Cavell concludes: "I do not [...] know whether to take it that I can never be certain of the existence of others on the basis of my empathic projection with them, or not so to take it."49

After calling attention to the singling out of an individual at the outset of the skeptical recital, Cavell turns from whether empathic projection alone allows us to

<sup>43.</sup> Ibid., 423.

<sup>44.</sup> Ibid., 422.

<sup>45.</sup> Ibid., 423.

<sup>46.</sup> Ibid., 424. This indicates something important about the differences between the role of seeing in external world skepticism and the role of empathic projection ("more than merely seeing," ibid., 421) in the other minds case. Seeing is a capacity of mine that is directed outward toward objects in general. Empathic projection may be interpreted as having a similar generality, but cannot evade the need to account for responding to particular others.

<sup>47.</sup> Ibid., 430.

<sup>48.</sup> Ibid., 425.

<sup>49.</sup> Ibid., 423.

know of others to whether "empathic projection is, or is not, a sufficient basis for *acknowledging* the other's existence."<sup>50</sup> If I understand: when in this context Cavell says that "nothing could be better than this feat of cognition" — for its envisioned role of getting to the other without "step[ping] outside my confinement from the other" —, he is mulling over the idea that we don't quite know what we are asking here; in particular, we no longer are sure what the "feat" is for.<sup>51</sup> Acknowledgment is not in competition in with, an alternative to, empathic projection. Cavell reminds us:

In "Knowing and Acknowledging" I said that acknowledgment "goes beyond" knowledge, not in the order, or as a feat, of cognition, but in the call upon me to express the knowledge at its core, to recognize what I know, to do something in the light of it, apart from which this knowledge remains without expression, hence perhaps without possession.<sup>52</sup>

What is at stake in our knowledge of the other, as "interpreted" in terms of acknowledgment, then, seems not to be addressed by measuring that knowledge's credentials as a "feat of cognition," starting from within my confinement from the other, isolated from our responses to and interests in others.<sup>53</sup>

Cavell raises two particular, not at this point surprising, suspicions about empathic projection, "the dummy concept for *something* that must be the basis for my claim to read the other, something that I go on in myself in adopting, or calling upon, my attitude toward other human beings."<sup>54</sup> First, a matter of separateness: Is the other like me, do I "read in" my characteristics as the figure of projection suggests?<sup>55</sup> What sort of match does my feeling ("feeling my way into") envision with what I am purportedly looking for in the other? "If you wish to say that we have somehow to get *over* to the other (or inside) then this is something already true of us before a given other appears on the scene."<sup>56</sup> Taking this "getting over" to be

<sup>50.</sup> Ibid., 428.

<sup>51.</sup> Ibid.

<sup>52.</sup> Ibid., referring to Cavell, "Knowing and Acknowledging," 257: "Acknowledgment goes beyond knowledge. (Goes beyond not, so to speak, in the order of knowledge, but in its requirement that I *do* something or reveal something on the basis of that knowledge)."

<sup>53.</sup> See the passage cited in note 18.

<sup>54.</sup> Cavell, The Claim of Reason, 440. See Altonji, "Acknowledgment and Empathy," 6.

<sup>55.</sup> Cavell, The Claim of Reason, 440.

<sup>56.</sup> Ibid., 441.

accomplished by empathic projection threatens to assimilate the other to me, leaving out the otherness of the other: "Whereas the essence of acknowledgment is that one conceive the other from the other's point of view."<sup>57</sup> Second, a worry about the *need* for a special "cognitive feat": knowing others seems to have become "everything that goes into the knowing of objects *plus* something else."<sup>58</sup> Why, Cavell wonders, are we obligated to read knowledge of others as something like a further development or sophistication of knowledge of objects? Has this picture been imposed before the skeptical recital has done its work, or is it the product of this dialectic?<sup>59</sup>

#### 5. Empathy and Its Discontents

"Notes" is an exploratory text, circling back on different articulations of Cavell's "intuition" about the coherence of the concept of empathy.<sup>60</sup> What does it contribute to our understanding of Cavell's responses to the problem of other minds, what does it add to Part Four of *Claim*? In "Notes," working out his dissatisfaction with the philosophical picture of empathy as fundamental to our knowledge of others, Cavell underscores the role of acknowledgment in our lives with others without relying on a prior grasp of that notion — even, without much mention of the concept — or the details of the skeptical recital. He develops his criticism of the philosophical picture as modeling our knowledge of minds on knowledge of objects, while beginning the task (not much in evidence in *Claim*) of placing empathy against the background of acknowledgment. He diagnoses the aspects of its use that might tempt us toward the empathy picture as taken up in the skeptical problematic. Finally, he places great emphasis on *conversation* as the central place in our lives where acknowledgment finds expression.

Early on Cavell revisits Austin's attempts in "Other Minds" to defuse skepticism. Austin insisted that while of course I sometimes know someone is angry, of course I

<sup>57.</sup> Ibid., 440-41.

<sup>58.</sup> Ibid., 441.

<sup>59.</sup> These related concerns are anticipated in the discussion of the "fantasy of a private language," earlier in Part Four: "In the fantasy of [the body] as veiling, it is what comes between my mind and the other's, it is the thing that separates us. The truth here is that we *are* separate, but not necessarily *separated (by* something)" (Cavell, *The Claim of Reason*, 369).

<sup>60.</sup> Direct expressions of suspicion about the concept occur at "Notes Mostly about Empathy," 165 ("incoherent"), 169 ("not coherently asserted"), 174, 176 ("perverse"), and 179.

don't know this by introspecting that person's feelings.<sup>61</sup> Cavell bemoans Austin's "failure to take the estranged impulse to penetrate to the life of the other - said otherwise, the mad impulse to be the other – with more sustained seriousness."<sup>62</sup> On the other hand, in describing how particular, everyday doubts about the mental states of others arise and seek resolution, Austin's procedures point toward what Cavell regards as a deeper aspect of skepticism. True, in some cases at least, everyday doubts are readily resolvable and seem to present "in no instance a formidable threat to our knowledge of others."63 Where doubts about another's intentions and expressions do arise, Cavell observes, often "conversation would swiftly clarify what is happening."<sup>64</sup> Or not — should doubt persist, should it become unclear what is at issue or what could settle it — we come to recognize "that conversation might even be essential in becoming clear about one's feelings, hence about the importance of failing to appreciate what another, or oneself, is going through, the importance to the other or the importance to you [...] concerning why or how humans matter to one another."65 There are no guarantees that conversation will finally settle anything. Its continuation will shape what the situation – our relation with the other in this context – becomes. For Cavell, critically, "this suggests [...] another range of questions about the reality of another's emotion, a suggestion concerning whether you are in a position to know how it is with me. What do you, with your protected life, know of despair or shame or failure or ecstasy?"<sup>66</sup> Here is where the problem of being known becomes more palpable than Austin seems to account for. Cavell immediately adds, "The question is evidently not about certainty but about – perhaps we might say – empathy."<sup>67</sup> We arrive at an important juncture in the essay that seems to call out the capacity to empathize. Behind this call lies a background of, the possibility of, conversation.

Why the implied reservation about empathy — "perhaps we might say"? It works both ways: On the one hand, Cavell begins to explore the (everyday) role of empathy and its relation to acknowledgment — casting empathy as a modification of

<sup>61.</sup> J.L. Austin, "Other Minds," in *Philosophical Papers*, ed. J.O. Urmson and G.J. Warnock (Oxford: Clarendon, 1961), 44-84. Cavell quotes Austin's "Final Note," 83-84, in "Notes Mostly about Empathy," 167.

<sup>62.</sup> Cavell, "Notes Mostly about Empathy," 167.

<sup>63.</sup> Ibid., 168.

<sup>64.</sup> Ibid., 168.

<sup>65.</sup> Ibid., 168-69.

<sup>66.</sup> Ibid., 169.

<sup>67.</sup> Ibid.

acknowledgment, which means, not as a way of establishing particular epistemic credentials or a feat of cognition, but as a mode of responsiveness or openness to what defines our particular relations to the other.<sup>68</sup> Empathy with your despair or ecstasy might lie in my recognition of your current mood and its meaning to you, as well as openness to your revisions to and elaborations of my take on your position.<sup>69</sup> Empathetic responses (to be distinguished from empathic projection) rely on what brings us into conversation with others — the attunements in light of which we acknowledge their ability to speak for themselves. On the other hand, Cavell wants to illuminate the sources of the "estranged impulse to penetrate to the life of the other," expressed in the impulse to use the notion of empathy anti-skeptically.<sup>70</sup> If the issue is to secure the epistemic credentials of our interest in others ("why or how humans matter to one another") — an impression Austin's emphasis on the removal of doubts might reinforce — empathy appears as a candidate general "feat of cognition" allowing us to "feel our way in" by establishing a connection to the other's mentality.

How is empathy expressed? Cavell registers a suspicion — an intuition? — that hints at something crucial about the role the notion plays in our lives: "I will want to say something like this about empathy, namely that it is not coherently asserted, as philosophy attempts to justify its assertion, but only to be shown."<sup>71</sup> The "this" here is Wittgenstein's thought that my life shows that I know that the world exists — which for Cavell calls into question the point of *claiming* that it exists, as though I have a special position for this "knowledge" or purpose for asserting it.<sup>72</sup> The "something like this" in the case of empathy would be that empathy is not normally and authentically manifested in an explicit claim to empathize. Yet the philosopher attracted by the empathy picture is depicted as being drawn to imagine this kind of claim as expressing a special, particularly direct or intimate, cognitive basis for my relation to others. Empathy is instead a shape that acknowledgment takes in response

<sup>68.</sup> Acknowledgment, being recognition of the other's separateness, is not a single, uniform relation to a realm or kind of thing.

<sup>69.</sup> Establishing trust (see Cavell, "Notes Mostly about Empathy," 177), not certainty, is at stake; and we cannot be sure that in the working out of "what another, or oneself, is going through" it will not fall short (Cavell, "Notes Mostly about Empathy," 169).

<sup>70.</sup> Ibid., 167.

<sup>71.</sup> Ibid., 169.

<sup>72.</sup> Cavell alludes to Wittgenstein, *On Certainty*, §7: "My life shews that I know or am certain that there is a chair over there, or a door, and so on. — I tell a friend e.g. 'Take that chair over there', 'Shut the door," etc. etc." My life showing this involves not only my acting on the world but my continuing to interact with my friend.

to particular individuals in particular contexts; more often than not, it will manifest itself in a silence that is an ability to listen to the other.

Thus far Cavell has focused on the empathy picture as a version of or development from the "active direction" of the problem of other minds, which focuses on the question of how I know the other, interpreted as "how I get past the other's body to the living other."73 Now he begins to shift to "the passive or receptive direction," how I make myself known.74 This makes sense in terms of the emergence of the role of empathy in our lives just envisioned; from my point of view, empathy amounts to a kind of responsiveness from others in the light of my (perhaps fleeting, hesitant, or confused) efforts to express myself. The passive direction presents "the issue of making or allowing myself to be understood, to be another - the position of being known - as the fundamental or essential direction of the problem of knowledge of the other."75 How, given that my manifestations of my feelings, desires, experiences must be taken up, interpreted, do I present myself? In what sense is this kind of question, rather than the somehow more familiar, active ones about access to others on which we tend to fixate, more fundamental? Cavell points out that children undergoing and undertaking the acquisition of language communicate their desires in something that could be called "the natural language of all peoples" (Augustine), that the elders respond to the child's efforts, and that the child develops "the recognition that the sounds and motions one produces [...] are always already significant to others who are therefore of transcendent importance to [one's] life."76 That "one is understood before one understands" indicates at least a sense in which the passive issue is "essential."77 Without this capacity to make myself known, without my eliciting acknowledgment, there is as yet no other for me.

The traditional problem of other minds has, however, been approached, almost casually, from the active side, which "forces the realm of issues that concern how I get past the other's body to the living other."78 Cavell keeps wondering why this privileging of the active direction, speculating that modern philosophy has in effect

On 173, the emphasis is on my recognition by others; on 177, on my responsiveness to them.

- 77. Ibid., 173.
- 78. Ibid.

<sup>73.</sup> Cavell, "Notes Mostly about Empathy," 173.

<sup>74.</sup> Ibid., 173. The shift mirrors that from active to passive in *The Claim of Reason*, Part Four.
75. Cavell, "Notes Mostly about Empathy," 173.
76. Ibid., 173. The Heideggerian phrase "always already" recurs in a similar but distinct context on 177.

materialized our knowledge of the world and has as a result been led to ask what more there is to the human being than the body, considered simply as a material object. This is no real answer, however, because this modern conception is not independent of a picture of the problem that originates with the skeptic's active query. In the light of his (and presumably our) "intellectual disappointment over philosophical solutions to the problem of knowing the mind of another" Cavell finds that "philosophy's mode of investigation (what I am calling its active or outward direction [...]) has worked to determine that it leave out, or close out, the heart of the matter."79 The outward direction has deployed the argument from analogy and the picture of some kind of introspective access to the minds of others. In the case of analogy, we cannot get over to others without likening their states as well as their expressions to our own (and without a clear conception of our own states, at that). In the case of introspecting others' feelings, we risk not being able to make sense of their feelings being theirs. The skeptic will not be moved. Having started from within, trying in our various ways to model the other on ourselves, we are not even sealed out - the other's mind has not achieved independence from ours. As Cavell puts it, more simply, "Well, better the pain of skepticism than a shrug of mystery."<sup>80</sup> The mystery arises from the existence of the other; the shrug would be a kind of complacency in the face of treating the problem as something to be overcome by a "feat of cognition" without producing to the skeptic's satisfaction a clear conception of how this might work.

At this point, Cavell becomes more open: "Now I can perhaps indicate my interest in, and I guess my suspicion concerning, the concept of empathy, namely my sense that it remains drawn to the philosophical tropism in which we come to sense the need for a passage past a standing barrier to knowledge of the other, call this the human body."<sup>81</sup> He senses a standing temptation to exploit empathy in the way we had sought to use analogy or introspection. What are we to make of empathy in this role? Could it be a genuinely alternative "feat of cognition," more immediate or intuitive than inference by analogy, less anchored in the self than introspection? Recall the idea of empathy as feeling one's way into someone's feelings. If this is to be our fundamental

79. Ibid., 174.

<sup>80.</sup> Ibid.

<sup>81.</sup> Ibid.

source of information about what the other is feeling, how do we assure ourselves that

we have access to what is behind the barrier of the body? If the empathy route literally involves feeling the feelings of the other, then we must ask (as with introspection), how we differentiate their feelings from our own, let alone find assurance of a relevant match. As a justificatory strategy for my claims that there are others around whose feelings are to be felt, this appeal hardly seems to dispel the "mystery." Perhaps, however, this is simply to assimilate empathy to introspection. Suppose, then, that we look at empathy more broadly as "the power of understanding and imaginatively entering into another person's feelings."82 This seems vague enough to encompass any number of ways we interact with others. Does it provide any clue to how knowledge of the other is possible? Like analogy and introspection, empathy in its philosophical guise starts from within, with an idea of the other as already behind a "barrier"; and now this strikes Cavell as just another expression of the "desire to overcome our separateness from each other."83 In starting from my position and trying to penetrate the other - and also in failing that, settling for myself as the model for otherness - the active skeptical path has denied to others what it takes for me to understand them. Not only their minds, but their expressions and responses, have disappeared.

Both feeling the other's feelings and the engagement of imagination with another person's situation are already particular ways of responding to the other, not ways of gaining access to otherness in the first place. My ability to engage involves my acknowledging the other's expressions as their own; we have, as Cavell puts it here, "the necessity, in understanding another, of my knowing and understanding my response to the other."84 To know that another is angry is for me to recognize that mine is a response to her anger, and therefore a response to her. What the second part adds is that I allow that my understanding will involve how she responds to my responses, granting her this independence.

The notion of responsiveness is developed through emphasis on conversation, "the golden path to - and from - the other":<sup>85</sup>

84. Ibid.

<sup>82.</sup> Hacking, "On Sympathy," 703.83. Cavell, "Notes Mostly about Empathy," 174.

<sup>85.</sup> Ibid., 176.

Perhaps the idea of conversation is the background against which to suggest what I meant by speaking of the concept of empathy as perverse, inherently inviting disorder. The reciprocity, the necessary responsiveness, in continuing conversation throws light on the denial of reciprocity produces by the philosopher's sense of the solution to the problem of knowing the other as requiring "introspecting the other's feeling."<sup>86</sup>

Why disorder, exactly? With respect to everyday contexts, Cavell is glancing back at his worry about the coherence of assertion of empathy, ways in which overt appeals to empathy may literally disrupt paths of communication. "I empathize with you" will often express a kind of withholding, and this is a way in which "conversation may [...] close or disguise its paths."<sup>87</sup> His main point, however, is again about the skeptical problem seen from the active direction, with its alleged "denial of reciprocity." Why this denial? To see what Cavell has in mind, let us look more carefully at the role of conversation.

Taking up, continuing, repeating, interrupting, refusing, breaking off, conversation, all these provide scenes against which our responses get meaning and our claims to knowledge get their significance. "If I mistook your embarrassment for anger, or your silence for acquiescence, either of us or both of us might have a stake in coming to an understanding of what misled me."<sup>88</sup> Cavell has already had it that conversation is where our understanding of others is shaped, and where the working out of our relations to others largely takes place (or fails to). Now, following the passage on reciprocity quoted above, Cavell hints that investigating knowledge of others from the active direction, by "producing the helpless attempts to determine whether what I aim to do, or need to get to, or get to first, in knowing the other, is the other's insides or outsides" not only distorts what knowledge of others means by abstracting from the articulations worked through in conversation, but also skews our conception of the objects of such knowledge — the grammar of mental states.<sup>89</sup> If knowledge of others is imagined as getting over to them, penetrating them and

- 87. Ibid., 177.
- 88. Ibid., 176.

<sup>86.</sup> Ibid.

<sup>89.</sup> Ibid., 177.

perhaps possessing what we find there ("overcoming separateness," not recognizing it), the objects of knowledge seem to take the form of discrete items reached and somehow grabbed onto. If the objects turn out to be limited to others' "outsides," then we seem to be stuck with their bodies. If, on the other hand, the objects are regarded as residing on the "insides," the idea of discreteness suggests that the items we are trying to get a hold of amount to thing-like private entities, present to the other and already fixed in their nature. Either way, responsiveness has been factored out; the only question is what sort of "feat of cognition," if any, suffices to for us to take in the relevant objects. This conception "inevitably produces and confirms a skeptical impasse, with a long history of unstable solutions or refutations."90 Whereas on the idea of conversation as "the golden path to - and from - the other," an alternative and more realistic outlook on the objects of our knowledge and what we can know of them is available.<sup>91</sup> Articulating ourselves in conversation is the ongoing reciprocal process of rereading and revising the emotions and experiences that conversation uncovers. Part of what it is to discover such "objects" now would be that while they are indeed there, they are not fixed in their nature, knowable as "all of something, and all at once."92 The idea that what we are after is in this sense present is a fantasy belying the role of responsiveness in our mental lives. It should at least be in question that the particular objects of our interest in the minds of others (or our own) should be modeled more or less on the objects of sight.

Up to this point, Cavell has circled back several times to the picture produced in asking "How do I know another's mind?" when this is inflected as "how do I get over to the other?," a question that seems both to abstract from the conditions on which I can ask about others and to presuppose a picture of the mental and physical as already having been pulled apart. At a high point in the essay, the alternative gains more substance; Cavell says, unguardly, that "an alternative to the hopeless demand to span an immeasurable abyss between myself and the other" — where we have been left with the active question — "would be to understand how it is that I am always already on the other side of a distance, or say separation from the other, always

<sup>90.</sup> Ibid.

<sup>91.</sup> Ibid., 176.

<sup>92.</sup> Ibid.

already responsive, or defensive against response, to the other."<sup>93</sup> The role of acknowledgment in conversation anticipates this response. Conversation can only be carried on if I grant the other a voice, remain attuned to their responses to my voice, and vice versa. What we get to (or fail to get to) in conversation is not a realm of already present objects but rather openings in which others are revealed, however incompletely. Here "the knowledge of others, as of myself, is not an act" — in particular not a cognitive feat of grasping a particular object by making it present — "but an adventure; if one is lucky it is an interesting and unending one."<sup>94</sup>

The alternative Cavell ponders, on which I am always already with, that is somehow responsive to, others, invites the worry: Have we "beg[ged] the question whether my responsiveness is to another's consciousness, to the innerness of what shows, its invisibility"?95 Cavell's reaction to this kind of concern is multi-layered. His initial reaction is to speak, without much elaboration, of his position as "occupying the space of trust" – presumably, trust in another's expressiveness and mine, in our willingness to take each other on, sustaining conversation even when our attunements seem to be in jeopardy. Trust is neither a variety of nor a replacement for certainty. To put the point similarly, taking on the passive direction of the question of the other makes trust an issue going both from the other to me (how does the other make herself known?) and from me to the other (how do I make myself known?). In the first instance, my understanding of the other (or lack thereof) depends on my responses to her expressions. In the latter case, my self-knowledge is at stake. Do I recognize the other's response as a response to me? If not, I need to explore: Did the other get it right? Or is the problem in me? Self-knowledge comes through this back-and-forth. So again, in elaborating this aspect of the passive direction, is Cavell "merely assuming that there is a proper other in question, a notme?"96 And again, he elides the question, confessing: "I am exploring the passive direction, the making of myself known, as the fundamental case," implying that the investigation has rather changed the subject from the original question of spanning

96. Ibid., 178.

<sup>93.</sup> Ibid., 177.

<sup>94.</sup> Ibid.

<sup>95.</sup> Ibid. A similar concern arose on 175: "How can I be confident that the philosophical avoidance of the human condition, with its unsure experience of separateness, will not again find ways to cast doubt on my feeling for the feelings of others."

the abyss.<sup>97</sup> To illustrate his sense of how the transition matters, he returns to the figure of the infant, "who must make its existence, hence what it depends upon for existence, known."<sup>98</sup> She accomplishes this through the expressions and manifestations of desire and aversion that are recognized by her elders. At this point the child is as yet in a stage of pre-existence; and it is here that empathy — exemplified in the responsiveness of the parent to the child — finds a natural home. Empathy at its "origin" goes in this one direction, allowing for response to the other's needs, but not yet allowing the other (that is, the child) the independence of having a voice in response to that response. Here, "there is as yet no discernible abyss."<sup>99</sup> What we have gleaned from focusing on the passive direction is that "the fundamental problem [...] is not to get over to the other, and work our way in, but to learn separateness."<sup>100</sup>

# 6. "The Depth of the Mystery of Human Separateness"

Cavell's "confession" of "wariness" about "the term empathy, or empathize, or empathetic" has basically turned out to be suspicion that the preemption of these terms for the philosophical purpose of bridging a gap between ourselves and others represents an intellectualization of the problem of the other.<sup>101</sup> Cavell, however, singles out the relevant *terms* here, neither the concept nor the philosophical picture. He takes up the case of a woman who, having been falsely imprisoned for seven years, reports, "people have been quite empathetic toward me."<sup>102</sup> Cavell is dismayed by the thought that we might look for the empathetic response to her in the *words*, "I empathize with you." ("Who would dare [...]?"<sup>103</sup>) He finds something *disgraceful* here. The *claim* to empathy may well deaden my response to the other by expressing an assimilation of her experience to mine. Asserting empathy, just like that, may be a peremptory gesture, an enactment, a feat accomplished, blocking her response, "her

97. Ibid. 98. Ibid. 99. Ibid. 100. Ibid., 179. 101. Ibid. 102. Ibid. 103. Ibid. appreciation and acknowledgment of whatever variety of expressions of concern and gestures of solace have come her way."<sup>104</sup> One might better express empathy by admitting that one cannot imagine her pain, leaving open paths to a further sharing of experiences, assuming that a footing can be found. Knowing her involves letting her be, letting her allow herself to be known.

"The cause of disgrace or embarrassment [...] is a function of attempting to ascertain by divination or telepathy of the other what can only be revealed by owning one's own experience and one's responses, and failures of response."<sup>105</sup> While potentially fending off the task of responding to her as an individual, I close myself off by avoiding what I find about myself (the limits of my self-knowledge) in her responses to me. What Cavell hopes for is "no longer a mere shrug of mystery in knowing others but a human gesture of acknowledgment before the depth of the mystery of human separateness."<sup>106</sup> The shrug of mystery is the fantasy of knowing as making the other fully present to us. The disgrace lies in turning one's back on other human beings as those to whom one responds and those who responds to one. The deeper mystery lies in the day to day unfolding of what Cavell has called conversation, the sites in our lives in which acknowledgment makes its calls on one's ability and openness to "owning one's own experience and one's responses, and failures of response."<sup>107</sup>

106. Ibid.

<sup>104.</sup> Ibid.

<sup>105.</sup> Ibid., 180.

<sup>107.</sup> Ibid. I am very grateful to Randall Havas for advice and support, as well as years of conversation on related topics.