

# Culture: Culture and Negotiation: Symmetrical Anthropology for Negotiators

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# CULTURE AND NEGOTIATION: SYMMETRICAL ANTHROPOLOGY FOR NEGOTIATORS

JAYNE SEMINARE DOCHERTY\*

To try to learn a culture from lists of traits and custom is akin to trying to learn English by memorizing the OED [Oxford English Dictionary]: all vocabulary, no grammar. This method is particularly ill suited if what one is trying to master in another culture is a dynamic process to begin with—a process such as negotiation.<sup>1</sup>

## I. INTRODUCTION

At least in the academic community, with a few notable exceptions,<sup>2</sup> the debate of the 1980s over whether conflict resolution practitioners—including negotiators—need to pay attention to culture seems to have been won by those who answered, “Yes, culture matters.”<sup>3</sup> Culture is now given at least a brief mention in most negotiation textbooks. Unfortunately, many people try to approach the problem of culture and negotiation by talking about culture as a list of traits or a catalogue of admonishments about what not to do when negotiating with a person from culture X. As Kevin Avruch notes, this is not

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1. Kevin Avruch, *Culture as Context, Culture as Communication: Considerations for Humanitarian Negotiations, An Annual Meeting* (May 12-14, 2003), available at [www.hdcentre.org/Programmes/hnnetwork/archive](http://www.hdcentre.org/Programmes/hnnetwork/archive).

2. See JOHN BURTON, *CONFLICT: RESOLUTION AND PREVENTION* (1990); I.W. ZARTMAN & M. BEMAN, *THE PRACTICAL NEGOTIATOR* (1982); I.W. Zartman, *A Skeptic's View*, in *CULTURE AND NEGOTIATION* (G. Faure & J. Rubin, eds., 1993).

3. In the late 1980's at the Institute for Conflict Analysis and Resolution, John Burton and Dennis Sandole engaged in a running debate with Kevin Avruch and Peter Black. Burton and Sandole were arguing that problem solving workshops—a process for dealing with deep rooted social conflicts—were culturally neutral. Avruch and Black (both anthropologists by training) argued that culture is always a factor in conflict. Taken together, their papers nicely summarize some of the competing approaches to culture in the field of conflict resolution, including negotiation. John Burton & Dennis J.D. Sandole, *Expanding the Debate on Generic Theory of Conflict Resolution: A Response to a Critique*, 3 *NEGOTIATION J.* 97, 97-100 (1987); Kevin Avruch & Peter W. Black, *A Generic Theory of Conflict Resolution: A Critique*, 3 *NEGOTIATION J.* 87 (1987); Kevin Avruch & Peter W. Black, *The Culture Question and Conflict Resolution*, 1 *PEACE & CHANGE* 22, 22-45 (1991).

an adequate approach to understanding culture in the context of negotiation.<sup>4</sup> This paper examines three ways of thinking about culture in negotiation, each more sophisticated and complete than the previous method, and concludes with some suggestions for how to teach reflective practitioners of negotiation cultural competency skills.

One commonly used heuristic device for thinking about culture is the iceberg. This model begins with the empirical observation that cultures differ in terms of normative behaviors and other traits, but assumes that these are like the tip of an iceberg. There is much more to culture under the surface of what we can readily observe. Above the surface we find behaviors, artifacts and institutions. Just below the surface we find norms, beliefs, values and attitudes. A sensitive observer can “uncover” these and become more knowledgeable about a culture. The deepest level is all but invisible even to members of a cultural group. It contains the deepest assumptions about the world, the sense-making and meaning-making schemas and symbols, the beliefs about what is real in the world, and beliefs about how individuals experience the world.<sup>5</sup> This is a useful model, but it is also misleading. It does not reflect the dynamic quality of cultures, which are far from frozen. It also implies that all of the individuals in a given iceberg (culture) share that culture evenly; this is never the case.<sup>6</sup>

## II. LOOKING AT THE TIP OF THE ICEBERG

Unfortunately, some negotiation texts—particularly but not exclusively popular books on negotiation—focus almost entirely on the part of the iceberg visible above the surface.<sup>7</sup> In these texts, cultures are presented as lists of do’s and don’ts. These lists are rooted in stereotypes and are of dubious value. Teaching negotiators about culture in this manner is of limited value and might actually be dangerous in some settings.<sup>8</sup>

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4. Avruch, *supra* note 1, at 1.

5. SUSAN C. SCHNEIDER & JEAN-LOUIS BARSOUX, *MANAGING ACROSS CULTURES* (1997).

6. Avruch, *supra* note 1.

7. A surprising number of well read books contain little or no reference to culture. *See, e.g.*, ROGER FISHER ET AL., *GETTING TO YES: NEGOTIATING AGREEMENTS WITHOUT GIVING IN* (2d ed. 1991); ROGER FISHER & SCOTT BROWN, *GETTING TOGETHER: BUILDING RELATIONSHIPS AS WE NEGOTIATE* (1988); LAWRENCE SUSSKIND & JEFFREY CRUIKSHANK, *BREAKING THE IMPASSE: CONSENSUAL APPROACHES TO RESOLVING PUBLIC DISPUTES* (1987); WILLIAM URY, *GETTING PAST NO: NEGOTIATING YOUR WAY FROM CONFRONTATION TO COOPERATION* (1993). Other books focus limited energy on documenting “other” cultural behaviors in order to equip American negotiators to work in the global reality. *See, e.g.*, STEVEN COHEN, *NEGOTIATING SKILLS FOR MANAGERS* (2002); ROGER DAWSON, *SECRETS OF POWER NEGOTIATING* (2001). I am not aware of a book that teaches negotiators to approach culture the way this essay suggests.

8. JAYNE SEMINARE DOCHERTY, *LEARNING LESSONS FROM WACO: WHEN THE PARTIES*

Furthermore, this approach contains a number of faulty assumptions about human beings and about culture. Lists of do's and don'ts: Do not offer your left hand to an Arab; learn how to deeply bow to a Japanese negotiator; understand the protocols for offering refreshment to a Turkish counterpart; treat culture as a superficial overlay that covers a universal human nature or perhaps a universal human culture; deep down, where it counts, all persons are fundamentally the same when it comes to reasoning, emotionality, needs, and desires.<sup>9</sup> This confusion arises because there is a generic human culture, "a species-specific attribute of *Homo sapiens*, an adaptive feature of our kind on this planet for at least a million years or so."<sup>10</sup> But there are also local cultures—"those complex systems of meanings created, shared, and transmitted (socially inherited) by individuals in particular social groups."<sup>11</sup> It is local cultures that can create problems in a negotiation.<sup>12</sup>

### III. LEARNING PATTERNS OF CULTURE

A more sophisticated approach to culture in negotiation involves identifying patterns or types of cultures by studying a large group of cultures. Instead of getting inside of a specific culture to understand it, this approach stands outside of cultures and looks for patterns or cultural styles. These are often presented as a list of dichotomous characteristics including: high context/low context; individualism/collectivism; and egalitarian/hierarchical.<sup>13</sup> A high-context culture often relies on indirect communication, because the participants are expected to understand the complex meaning of relatively small non-verbal gestures. A low-context culture will tend to rely on direct statements and formal, clear ratification of written negotiated agreements. Negotiators from individualist cultures may worry less about preserving relationships than negotiators from collectivist cultures. And, negotiators from egalitarian cultures are likely to be less concerned about issues of rank and privilege than negotiators from hierarchical cultures.

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BRING THEIR GODS TO THE NEGOTIATION TABLE 110-12, 154-88 (2001).

9. Kevin Avruch & Peter W. Black, *Ideas of Human Nature in Contemporary Conflict Resolution Theory*, 6 NEGOTIATION J. 221 (1990).

10. KEVIN AVRUCH, CULTURE AND CONFLICT RESOLUTION 10 (1998).

11. *Id.*

12. Local cultures need not refer to ethnic or regional cultures; every profession also creates a culture—and even subcultures. It was evident at the conference that gave rise to this collection of pieces that participants shared a professional culture as teachers of negotiation, but it was equally clear that we also came from subcultures such as business, law, conflict resolution, and strategic peace building.

13. Jeanne M. Brett, *Culture and Negotiation*, 35 INT'L J. PSYCHIATRY 97-104 (2000); MICHAEL L. SPANGLE & MYRA WARREN ISENHART, NEGOTIATION: COMMUNICATION FOR DIVERSE SETTINGS (2003).

Some authors have tried to develop fairly rigid cultural profiles. Taken to its extreme, this approach leads to arguments such as Samuel Huntington's claim that the world is reorganizing around a "clash of civilizations."<sup>14</sup> Huntington offers little hope of negotiating across cultures, but others do not assume that patterns of cultural differences foreclose the possibility of negotiation. For example, Raymond Cohen describes "eastern" and "western" cultures and their approaches to negotiation, and he illustrates ways that eastern and western negotiators can achieve success despite their differences.<sup>15</sup>

The goal in identifying types of cultures or developing cultural profiles is to alert negotiators to communication patterns and to provide cautionary advice about how to communicate in a particular cultural context or with someone from a particular culture.<sup>16</sup> This way of thinking about culture is more useful for negotiators than lists of traits as long as they recognize the following: these dichotomies are actually continua; within cultures, changes in context (e.g., family versus business setting) will lead people to locate in different places along the continua; there are subcultural variations within any culture; and not all individuals carry their culture in exactly the same way.

At least this approach to culture alerts people to the fact that *they* have a culture too! The issue is not what is wrong with that person from another culture, but where the mismatches are between our cultures. On the other hand, describing cultures as a collection of styles or preferences that impact communication and therefore negotiation still does not get us to the deepest part of the iceberg. Many people who talk about culture this way miss the point that conflict as a domain of social interaction and negotiation as a mechanism for communicating about conflict are both culturally constructed. All cultures have conflict, but not all cultures see the same problems as conflicts, nor do they make the same assumptions about how human beings should respond to conflict.<sup>17</sup> All cultures have processes we can identify as negotiation, but they do not all negotiate the same way.

#### IV. SYMMETRICAL ANTHROPOLOGY

The most complete and sophisticated way of thinking about culture and

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14. SAMUEL P. HUNTINGTON, *THE CLASH OF CIVILIZATIONS AND THE REMAKING OF THE WORLD ORDER* (1998).

15. See, e.g., RAYMOND COHEN, *NEGOTIATING ACROSS CULTURES* (1991).

16. See, for example, the ten cultural factors that affect communication, including negotiations identified in JESWALD SALACUSE, *MAKING GLOBAL DEALS: WHAT EVERY EXECUTIVE SHOULD KNOW ABOUT NEGOTIATING ABROAD* (1991).

17. See DAVID W. AUGSBURGER, *CONFLICT MEDIATION ACROSS CULTURES* (1992); KEVIN AVRUCH & PETER W. BLACK, *CONFLICT RESOLUTION: CROSS-CULTURAL PERSPECTIVES* (1991).

negotiation requires that we greatly enrich our definition of culture. Avruch offers the following definition: "For our purposes, *culture* refers to the socially transmitted values, beliefs and symbols that are more or less shared by members of a social group, and by means of which members interpret and make meaningful their experience and behavior (including the behavior of 'others')." <sup>18</sup> He also points out that this definition includes a number of assumptions. <sup>19</sup> First, individuals belong to multiple groups and therefore carry multiple cultures. The implication is that an encounter between two individuals is likely to be a *multicultural* encounter since each participant can draw on more than one culture to make sense of the situation. This includes negotiation encounters. Second, it is important to understand the institutions and mechanisms that transmit culture. <sup>20</sup> Third, culture is almost never perfectly shared by all members of a community or group. <sup>21</sup> Individuals have the capacity to selectively adopt and adapt their multiple cultures, so you cannot assume that a person from culture X will do Y. <sup>22</sup> Each party can draw from, adapt, and modify a multifaceted set of cultural norms and rules; therefore every intercultural encounter is a complex improvisational experience.

It is critically important to remember that our own cultures are largely invisible to us; they are simply our "common sense" understandings of the world. Hence, "conflict is, at essence, the construction of a special type of reality. Most of the time we assume and take for granted that we share a single reality with others, but we do not." <sup>23</sup> We see culture when we are forced to recognize that not everyone experiences and lives in the world the way we do. Perhaps we experience "language shock" when we recognize that someone may be speaking the same language, but we are not sure they live on the same planet we do. <sup>24</sup> Or, we may encounter someone whose "moral order"—their "pattern of . . . compulsions and permissions to act in certain ways and [their] prohibitions against acting in other ways"—differs from our own. <sup>25</sup> In negotiations, these moments of shock and surprise may occur

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18. Avruch, *supra* note 1, at 1.

19. *Id.*

20. *Id.* at 2.

21. *Id.*

22. *Id.*

23. AUGSBURGER, *supra* note 17, at 17.

24. MICHAEL AGAR, LANGUAGE SHOCK: UNDERSTANDING THE CULTURE OF CONVERSATION (1994).

25. W. BARNETT PEARCE & STEPHEN W. LITTLEJOHN, MORAL CONFLICT: WHEN SOCIAL WORLDS COLLIDE 54 (1997).

around issues of risk because risk is very much a cultural construct.<sup>26</sup> We may also experience surprise when people use the same language, even the same metaphors, but we discover that their shared language is actually covering over profound differences in their sense of reality.<sup>27</sup> What we assume is negotiable may not be negotiable to another person and vice versa.

As negotiators, the recognition that we have a culture too reshapes the reality within which we work. We are forced to grapple with the fact that the very domain of our work—social conflict—is culturally constructed.

Culture frames the context in which conflict occurs. It does this partly by specifying what manners of things are subjects for competition or objects of dispute, often by postulating their high value and relative (or absolute) scarcity: honor here, purity there, capital and profits somewhere else. It does so by stipulating rules, sometimes precise, usually less so, for how contests should be pursued, including when they begin and how to end them.<sup>28</sup>

In France, there is a serious conflict over new government rules against wearing religious symbols in school. French officials have said this prohibits Muslim girls from wearing head coverings to school. Convening a negotiation in this case might be impossible because for many of the Muslim students this is a non-negotiable issue. Furthermore, the French officials may be reluctant to confer authority on religious leaders by engaging imams in a negotiation process. Each side brings a culture to this encounter that makes convening a negotiation difficult or perhaps impossible.

Culture frames our responses to conflict by giving us cognitive and affective frameworks for interpreting the behavior and motives of others and ourselves. Most negotiation models assume that “each individual human being pursues his or her personal values and self-interest, typically in the context of—and against others—rationally pursuing their own self-interest and their personal values.”<sup>29</sup> But this is not the only way to think about human beings and their motives. Some cultures may assume that human

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26. MARY DOUGLAS & AARON WILDAVSKY, *RISK AND CULTURE* 7-8 (1982).

27. FRANK BLECHMAN ET AL., *FINDING MEANING IN A COMPLEX ENVIRONMENTAL POLICY DIALOGUE: RESEARCH INTO WORLDVIEWS IN THE NORTHERN FOREST LANDS COUNCIL DIALOGUE, 1990-1994*; Jayne S. Docherty, *The Stewardship Metaphor in Forest Resource Management Conflicts: A Common Language Does Not Guarantee Consensus*, in *CONFLICT ANALYSIS AND RESOLUTION: CHALLENGES FOR THE TIMES* 191, 191-208 (D. McFarland ed., 1996).

28. Avruch, *supra* note 1.

29. Tom R. Burns, *Two Conceptions of Human Agency: Rational Choice Theory and the Social Theory of Action*, in *AGENCY AND STRUCTURE: REORIENTING SOCIAL THEORY* 197, 198 (Piotr Stzompka ed., 1999).

beings are inherently relational beings who seek to preserve their relationships even if it “costs” them something. Or a culture may assert that protecting traditions is the most important imperative for all members of the community.<sup>30</sup>

When we encounter cultural differences about when and how to negotiate, we can focus on what the other person is doing “wrong” compared to us.<sup>31</sup> This approach does, in fact, appear in many negotiation books and articles. If we look closely, we can see that the implicit, sometimes explicit, question is “how do we get the X (fill in the name of another culture or group) to negotiate ‘properly’?” Most commonly, this appears in the form of a question about how we get these other people to negotiate “rationally,” with no recognition that rationality is culturally constructed.

Or, instead of focusing on what is wrong with the other culture, we can become adept at a form of “symmetrical anthropology” that is “capable of confronting not beliefs that do not touch us directly—we are always critical enough of them—but the true knowledge to which we adhere totally.”<sup>32</sup> We can subject our own culture(s) to the same scrutiny we apply to the culture(s) of others. That means we will need to become critically aware of our own assumptions about negotiation. What does it mean to say “get beneath positions to interests?” Does everyone share the assumptions about human nature and social relationships on which this approach to finding a “win-win” solution rests?<sup>33</sup>

## V. TEACHING CULTURAL SKILLS TO NEGOTIATORS

So, how do negotiators learn to become “symmetrical anthropologists” in cross cultural settings? How do they learn to read the culture of their interlocutors and heighten their awareness of their own culture? First, they broaden their expectations about negotiation behavior. They do not always assume the other party is a cost-benefit calculator who is motivated only, or even primarily, by self-interest. They recognize that the reasons individuals choose one action over another are complex and that they are shaped by context. In a car dealership, I might be a rational actor trying to maximize my

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30. For an examination of the four forms of social action, the four types of rationality identified by Max Weber and their impact on negotiation, see DOCHERTY, *supra* note 8, at 161-71.

31. AGAR, *supra* note 24, at 23.

32. BRUNO LATOUR, *WE HAVE NEVER BEEN MODERN* 92 (1993). For an application of a “symmetrical anthropology” to crisis negotiation practices, see DOCHERTY, *supra* note 8, at 72-76, 280-82.

33. For a concise cultural analysis of the “getting to yes” approach to negotiation, see AVRUCH, *supra* note 10, at 77-80. See also Robert Dingwall, *What Makes Conflict Resolution Possible?*, 4 *NEGOTIATION J.* 321-26 (2002).

own benefit. But in a divorce, I might be operating with much more complicated motives and much different sets of moral imperatives and prohibitions.<sup>34</sup>

Having widened their set of expectations about human motivations, negotiators need some “quick and dirty” methods for exploring the motivations of other parties in a negotiation. Obviously, it is impossible to explain these tools in detail in this paper. What follows is a short discussion of some ways of listening for culture while negotiating.

One way into culture is through worldviews, or more accurately, through the worldviewing process that every human being engages in every day. “[*W*orldview denotes a *concept* that attempts to articulate the consequences of human activities that are individual as well as collective, psychological as well as social. . . . Worldviewing is a universal activity, even though worldviews differ significantly from one community to another.”<sup>35</sup> Our own worldviewing (and our own worldviews) are largely invisible to us unless we bump up against a worldview other than our own or we confront a new experience for which we do not have easy answers. Every individual and every society engages in worldviewing—which is not a conscious, rational, intellectual activity, but a largely unconscious process of ordering the world and giving it meaning. A useful way to think about and get hold of a worldview (our own or someone else’s) is to think of people as answering the following five questions at an unconscious level as they move through their daily lives:

- What is real?
- How is the real organized?
- What is valuable about those things (or people or institutions or traditions, etc.) that are real?
- How do we know about what is real?
- How should I (or we) act (or not act)?<sup>36</sup>

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34. See Jayne Docherty, Russell Korobkin, & Christopher Honeyman, *Three Conceptions of Power*, 87 MARQ. L. REV. 861 (2004), for an example of the way different cultural models of the person can influence the way we think about negotiation. For more detailed studies of the way cultures (worldviews) influence conflict resolution practices such as negotiation and mediation, see AUGSBURGER, *supra* note 17; AVRUCH, *supra* note 10; DOCHERTY, *supra* note 8, at 72-76, 280-82; JOHN WINSLADE & GERALD MONK, *NARRATIVE MEDIATION: A NEW APPROACH TO CONFLICT RESOLUTION* (2000).

35. DOCHERTY, *supra* note 8, at 50.

36. Here is a realistic hypothetical illustration of how differently parties in a conflict can answer these worldviewing questions. In a complex environmental negotiation, Party A sees ecosystems as real living entities and Party B thinks ecosystem is just a fancy term used by environmentalists to shut down logging operations. Party A sees the world as organized through complex living systems while Party B looks at the world as a collection of separate animal and plant

People are not able to answer these questions directly, but their answers “leak out” in their language, in their actions, and in their institutions—in their culture. So, if we hold these questions in mind while we are listening to a party in a conflict tell his story, we can learn to hear his worldview. From that we know what matters to him, what he thinks he can and cannot do, what he values, and what kinds of knowledge he will accept or reject. These are all factors that will motivate him in a conflict.

Taking this perspective seriously, we see that in a multi-party conflict over the management of fragile rangelands in the Southwest, a rancher who says, “My grandfather managed for beef, my father managed for grass (beef is a byproduct of grass), and I am trying to manage for ecosystem health” is telling us that, in his family, worldviews about ranching have shifted considerably in three generations—at least in some ways. Like his grandfather, he still values being a cowboy; but his sense of how the terrain on which he ranches is organized and his responsibility for that terrain differ from his grandfather’s.<sup>37</sup> Associated with these different ways of thinking about ranching (and the identity of a rancher) is a pattern of compulsions and permissions<sup>38</sup> about how a rancher should and should not act.

As negotiators, mediators, or facilitators, when we hear what sounds like a significant and important indicator of a party’s worldview (cultural assumptions), we can gently probe for clarification. In the case above, we might probe a little more on what it means to manage a ranch for ecosystem health. We will want to be particularly attentive to places the rancher says, “I must do or I should do X” or “I can’t do or I mustn’t do Y.” This pattern of compulsions and permissions and prohibitions will reveal possible sticking points for the negotiation and/or possible points for an integrative agreement.

Metaphors are another window onto culture.<sup>39</sup> “Metaphors link two concepts together by employing familiar entities or systems to give shape to unfamiliar entities or systems. By drawing an analogy between the (relatively) known and the (relatively) unknown, metaphors guide perception,

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species. Party A values the ecosystem in its own right while Party B looks at what can be harvested from the natural world for human use. Party A favors ecological approaches to knowledge and validates Native American folkloric knowledge about the environment while Party B prefers to rely on forestry and botany. The ethical imperatives for Party A and Party B are understandably different: Party A says we should live with and work within the constraints of the ecosystem while Party B says we should manage and control and master the environment. Negotiation is going to be difficult.

37. This is a real quote from interviews conducted by Murl Baker as part of his practicum in the Conflict Transformation Program at Eastern Mennonite University.

38. PEARCE & LITTLEJOHN, *supra* note 25, at 54.

39. See Jayne Seminare Docherty, *Narratives, Metaphors, and Negotiation*, 87 MARQ. L. REV. 847 (2004).

action, and reasoning.”<sup>40</sup> It makes a difference whether we call the forest a farm or a wilderness. We will advocate for different policies and take different actions depending on which metaphor we validate.<sup>41</sup> When someone uses a metaphor—particularly if it resonates with others or it brings a negative response from others—we can gently probe for more information. Metaphor interviewing—taking someone’s own metaphor or a metaphor used by another party and asking the interviewee to expand on the metaphor—elicits stories that are rich in worldviewing information.<sup>42</sup>

Metaphors can be used in conflict resolution to help parties explore creative options in a non-threatening way. For example, with a church that is experiencing conflict between the older, long-standing members and the younger new members, do we continue doing what we have always done or do we try new things? Here, the metaphor of renovating a house can be helpful. A facilitator can acknowledge that the older members feel like the newer members have “brought in a wrecking ball and want to tear the whole house down,” but perhaps the newer members just want to put on an addition or do some remodeling so everyone can fit in the house. If this metaphor resonates with the parties, people will start “chaining on” the remodeling metaphor by playing with it. The church community can have a “playful” and less threatening conversation about their needs by thinking about what they need in their home—not just physical space, but activities and programs and services.

Metaphors can also be dangerous in conflict resolution agreements. Parties may agree on a metaphor, but interpret it very differently. A four year dialogue process on managing forest lands can produce a report and recommendations that are rich in metaphorical language—“a healthy forest and a healthy economy go hand in hand” and “our future depends on good stewardship”—and when the parties try to implement the proposals, they discover they are still deeply entrenched in conflict. Why did this happen? Because they did not take time to discover whether they meant the same thing by a healthy forest!<sup>43</sup> Furthermore, the stewardship metaphor in environmental conflicts frequently covers over profound worldview (cultural) differences.<sup>44</sup>

Social scripts are also a window into culture. A script is “a commonly assumed temporal ordering for some kind of event, for example, ‘a meal in a

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40. DOCHERTY, *supra* note 8, at 74.

41. *Id.* at 74-75.

42. BLECHMAN ET AL., *supra* note 27, at 15-18.

43. *Id.*

44. Docherty, *supra* note 27.

restaurant', 'trip to the beach.'"<sup>45</sup> Formal education is a widely shared life experience, but the script for "participating in a class" varies considerably depending on cultural context. As an undergraduate I enrolled in many small classes. The script for attending class involved rigorous preparation before class, vigorous discussion and debate during the class, and a sense of intellectual equality—ideas were judged on their merit, not on whether they came from the professor or the students. When I went to Scotland for graduate school, I discovered that the script for attending class involved sitting quietly and taking notes while the professor lectured. Years later, when teaching in South Carolina in a conflict resolution program, I created a script for attending class that required active participation in a wide variety of activities including discussions, role plays, listening to and responding to short lectures, group work, and brainstorming.

I discovered that students bring their own scripts to class! About forty percent of my students were African American, and many of them responded to my more active teaching methods with a form of verbal participation drawn from their church experience of "call and response" preaching. If they liked what I said or what someone in the class said, they responded with a hearty "Amen!" This did not always sit well with some of the white students, and at the beginning of each fall semester, I would use the different scripts for playing out in the classroom as a teachable moment for demonstrating cultural scripts and the diversity issues we encounter in our practice. Once they got used to the new script, some of the white students actually enjoyed it. When I moved to Eastern Mennonite University, I found classes filled with Fulbright scholars from South Asia. They had a more difficult time adjusting to my script for attending class because they were accustomed to lectures, but they did adjust and they actually say they like it. When I told them about the "call and response" script I observed in South Carolina, they even started doing their own version of "Amen" for lectures or student presentations that met with their approval.

Every culture, and every individual, carries a script—or more likely a set of scripts—for negotiation. We may see one script applying to family negotiations and another script applying to business negotiations. Whatever script or scripts we have to work with creates a range of choices for our own actions and a set of expectations about the other party's behaviors. It is precisely when these scripts clash that we think there is a "cultural issue" or a "cultural problem" in a negotiation. The good thing about scripts is that they

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45. JENNIFER BOTHAMLEY, *DICTIONARY OF THEORIES* 477 (1993); *see also* ROGER C. SCHANK & ROBERT P. ABELSON, *SCRIPTS, PLANS, GOALS, AND UNDERSTANDING: AN INQUIRY INTO HUMAN KNOWLEDGE STRUCTURES* (1997).

can be flexible. We can improvise new scripts, and in fact, we do that when we try to find ways to negotiate in cross-cultural settings. Or, at least we do that if we do not treat culture asymmetrically by assuming the real problem is to get the other person to take a “proper” role in our script.

One of the most obvious places that culture can be seen in a conflict resolution process, including negotiation, is when we have a problem with framing and reframing the problem, the process, or both. Negotiators can become more culturally adept by learning how to see frames and work with them.<sup>46</sup>

## VI. CONCLUSION

Since the big battles of the 1980s over whether culture was a significant factor at all in negotiation and conflict resolution practice, we have seen an increasing awareness of the importance of culture in negotiation. Concepts of culture being taught in negotiation courses have become richer and more complex. However, we have not yet integrated the richest understanding of culture into our curricula or our practice. There is much work to be done on this pressing issue.

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46. See Marcia Caton Campbell & Jayne Seminare Docherty, *What's in a Frame? (That Which We Call a Rose by Any Other Name Would Smell as Sweet)*, 87 MARQ. L. REV. 769 (2004).