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NARRATIVES, METAPHORS, AND NEGOTIATION

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Walter Fisher suggests using the root metaphor *Homo narrans* as an extension of Kenneth Burke's definition of human beings as the "symbol-using (symbol-making, symbol-misusing) animals."¹ Thinking of human beings as storytellers makes great sense for students of negotiation. The medium of negotiation is language, and primary among the types of language we hear in negotiation are stories. Mediation has been described as assisted negotiation, and many mediators are trained to begin by asking the parties in a conflict to "tell their stories." One of the most powerful frames influencing negotiation behavior is the "whole story frame"—the way parties answer the question "What is this conflict about?"² Yet, as a group, many negotiators pay very little attention to the nature of narrative and to the nature of human beings as story tellers.

Closely tied to storytelling is the use of metaphors. "The essence of metaphor is understanding and experiencing one kind of thing in terms of another."³ Many scholars have argued that human thought processes are essentially metaphorical; we can only make sense of something by comparing it to something else.⁴ Furthermore, metaphors shape our actions and our sense of right and wrong. A powerful metaphor orders the world in such a way that we can identify roles that are useful and actions that are prohibited or unthinkable because they fall outside the metaphor.

To demonstrate the nature and the power of metaphors and stories, let us take an example from a field unrelated to negotiation. Metaphors are closely related to stories, and they may become shorthand references to stories that

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1. WALTER R. FISHER, HUMAN COMMUNICATION AS NARRATION: TOWARD A PHILOSOPHY OF REASON, VALUE, AND ACTION 63 (1987); see also Walter R. Fisher, *Narration as a Human Communication Paradigm: The Case of Public Moral Argument*, 51 COMM. MONOGRAPHS 1, 1-22 (1984).

2. 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).

3. GEORGE LAKOFF & MARK JOHNSON, METAPHORS WE LIVE BY 5 (1980).

4. *Id.*; EVA FEDER KITTAY, METAPHOR: ITS COGNITIVE FORCE AND LINGUISTIC STRUCTURE (Andrew Ortny ed., 1987); METAPHOR AND THOUGHT (Andrew Ortny ed., 2d ed. 1993).

are shared by many people. Shared metaphors and their related stories validate (or stigmatize) particular social actions. For example, at the beginning of the twentieth century, through a contentious political process, Gifford Pinchot and his supporters convinced the government to create the U.S. Forest Service.⁵ The Forest Service is housed in the Department of Agriculture, primarily because the metaphor promoted by Pinchot was *the forest is a farm*.

The metaphor of the forest as a farm encapsulates a narrative about human beings as good stewards and farmers of the forest; it privileges careful management of resources, harvesting timber and other products from the forest, and nurturing good species, while suppressing weed trees and pests. It is difficult to stretch this metaphor and narrative to encompass the idea of designated wilderness areas, places where human beings do not farm. On the other hand, as farming moved from small family farms to agribusiness, forestry moved from careful, selective harvesting to clearcutting entire hillsides and replanting a diverse forest with a single species of tree. The world was literally reshaped as human beings enacted this particular metaphor and its related story.

Metaphors become invisible through habitual use and processes that institutionalize the story behind the metaphor. The forest-is-a-farm metaphor was new and different in the early twentieth century; it was being offered in place of the forest-is-a-mine metaphor that had guided logging practices for the previous hundred years. By the mid-to-late twentieth century, this metaphor had entered the culture and become normalized. For many people it was no longer seen as a metaphor at all, the forest *was* a farm. Or, as one forester I interviewed said, "If you want cabbage you plant cabbages; if you want fiber you plant trees." The farm metaphor only became visible again when it was challenged by environmentalists and others who were unhappy with Forest Service practices. Now the forest-is-a-farm metaphor is under attack and is likely to be replaced by the forest-is-an-ecosystem metaphor.

Obviously, metaphors and stories, especially when they are shared by many people, shape and reshape the social and material worlds in which we live. They also shape our sense of professional practice. What is a good forester? She is a good farmer of the forest. But if we adopt and implement a metaphor and institutionalize it without careful reflection, we may take actions that do great harm.

Negotiators also start with powerful metaphors, particularly their

5. See 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 191-208 (D. McFarland ed., 1996).

metaphor of the person. Rather than starting with *Homo narrans*, much of the literature on negotiation begins with *Homo economicus* or “rational man”—the person as a rational, analytical, value-maximizing, pain avoiding calculator of costs and benefits. The economic paradigm and rational actor model of human beings both hold the notion 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 . . . personal values” and self interest.⁶ This underlying sense of reality is entrenched in concepts such as cost-benefit analysis, Best Alternative to a Negotiated Agreement (BATNA), and practices such as distributive bargaining. Connected to this paradigmatic construction of a human nature and social interaction is the metaphor of conflict as a game and negotiation as a way to structure the game of conflict nonviolently.

In negotiation, if we start with a metaphor of human beings as self-centered, rational actors, we will focus on bargaining, and we will proclaim a great breakthrough when we progress from assuming that bargaining is distributive to recognizing that it can also be integrative. Taking our lesson from forestry, we can see that it is important to subject the underlying metaphors and narratives behind negotiation practice and theory to careful scrutiny.

For evidence that shifting our metaphor for human beings influences the way we think about negotiation, we need only compare the essays on power written by Docherty and Korobkin in this volume.⁷ Docherty begins with human beings as meaning makers, while Korobkin begins with human beings as value-maximizing, cost-benefit calculators.⁸ Korobkin acknowledges that his hypothetical bargainers in the essay on power in this volume probably do not have perfect information and that few negotiations lack emotion. Consequently, he concludes:

If both negotiators believe that they have a strong BATNA but that their counterpart does not, each might try to exercise power while neither yields. Thus, lawsuits go to trial, labor strikes drag on, and ethnic warfare continues, even when agreements that would make

6. Tom R. Burns, *Two Conceptions of Human Agency: Rational Choice Theory and the Social Theory of Action*, in *AGENCY AND STRUCTURE: REORIENTING SOCIAL THEORY* 198 (Piotr Stzompka ed., 1994).

7. See Jayne Seminare Docherty, Russell Korobkin, & Christopher Honeyman, *Three Conceptions of Power*, 87 *MARQ. L. REV.* 861 (2004).

8. To be fair, Korobkin probably does not hold rigidly to this metaphor when he is thinking about negotiation. He has written elsewhere about heuristics and decision-making in negotiation. See Russell Korobkin & Chris Guthrie, *Heuristics & Biases at the Bargaining Table*, 87 *MARQ. L. REV.* 795 (2004).

both sides better off are feasible. Alternatively, or in addition, the less powerful party might resent the sense of coercion or inequity inherent in the more powerful negotiator's demands and refuse to yield, even knowing that this course of action will cause harm to both sides.⁹

The implication here is that the same reasoning processes are at work in negotiators involved in lawsuits, labor strikes, and ethnic warfare. Every negotiator is an "asocial (or trans-social) being oriented to the consequences of action for self (and only for self) [T]hey have no defined social relationships, shared meanings, or cultural forms."¹⁰ In other words, context is of little importance. Furthermore, each negotiator has subjectively based interests; but questions of ethics or of moral sentiments, if they are acknowledged, are "understood as incorporated into [the] actors' preference structures."¹¹ Korobkin's negotiators are also presumed to operate within a given situation; they do not "transform conditions"; they neither have nor exercise creative or destructive capacities to alter the systems in which they are operating.¹²

By contrast, in the same essay on power in negotiation, Docherty describes a divorce negotiation and portrays the husband and wife as socially constructed agents. They have "acquired or learned social rules, institutions, relationships, and roles."¹³ Moral sentiments enter into their judgment and action processes; they "are motivated by—and their judgments and actions biased by—moral and ethical aspects of their relationships with others."¹⁴ They also have the capacity to be innovative or destructive; the power not only to play within a set game of bargaining but to actually transform the game into something different.¹⁵ In short, they are meaning-making creatures,¹⁶ and in the process of giving meaning to their world, to themselves, and to others, they can frame and reframe their conflict situation.¹⁷ They may choose to act as rational bargaining agents when buying a car and choose to

9. Docherty, Korobkin, & Honeyman, *supra* note 7, at 871.

10. Burns, *supra* note 6, at 202 (emphasis omitted).

11. *Id.* at 203.

12. *See id.* at 203-04.

13. *Id.* at 202.

14. *Id.* at 203.

15. *Id.* at 204.

16. JEROME S. BRUNER, *ACTS OF MEANING* (1990); MARY E. CLARK, *IN SEARCH OF HUMAN NATURE* (2001); JAYNE SEMINARE DOCHERTY, *LEARNING LESSONS FROM WACO: WHEN THE PARTIES BRING THEIR GODS TO THE NEGOTIATION TABLE* (2001).

17. *See* Caton Campbell & Docherty, *supra* note 2. For evidence that in some negotiations a failure to account for the meaning making characteristic of negotiators can be deadly, see DOCHERTY, *supra* note 16.

act otherwise when negotiating their divorce; context and relationships matter.

Obviously, it is helpful to understand our own metaphors as theorists, teachers, and practitioners of negotiation. Reflective practitioners of any craft (including negotiation) are more effective when they understand how they are thinking in action.¹⁸ Equally useful is understanding that *every negotiator we encounter* is also a meaning-making creature, a user of stories and metaphors. We can train ourselves to hear their metaphors and stories¹⁹ and to probe them in order to learn more about how they are framing the conflict and the negotiation process, and this in turn opens options for reframing both the conflict and the process we are using to manage it.²⁰ A highly skilled, reflective practitioner of negotiation should be able to recognize the way different contexts and social relationships reshape the negotiation experience;²¹ understanding metaphors and stories is one way to develop this sensitivity.

18. DONALD A. SCHON, *THE REFLECTIVE PRACTITIONER: HOW PROFESSIONALS THINK IN ACTION* (1983); Michael Moffitt & Scott R. Peppet, *Action Science and Negotiation*, 87 MARQ. L. REV. 649 (2004).

19. See Jayne Seminare Docherty, *Culture and Negotiation: Symmetrical Anthropology for Negotiators*, 87 MARQ. L. REV. 711 (2004).

20. See FRANK BLECHMAN ET AL., *FINDING MEANING IN A COMPLEX ENVIRONMENTAL POLICY DIALOGUE: RESEARCH INTO WORLDVIEWS IN THE NORTHERN FOREST LANDS COUNCIL DIALOGUE, 1990-1994* (2002); DOCHERTY, *supra* note 16; DONALD A. SCHON & MARTIN REIN, *FRAME REFLECTION: TOWARD THE RESOLUTION OF INTRACTABLE POLICY CONTROVERSIES* (1994); Caton Campbell & Docherty, *supra* note 2; Docherty, *supra* note 5, at 191-208; Linda L. Putnam & Majja Holmer, *Framing, Reframing, and Issue Development, in COMMUNICATION AND NEGOTIATION* 128-56 (Linda L. Putnam & Michael E. Roloff eds., 1992).

21. Jayne Seminare Docherty & Marcia Caton Campbell, *Teaching Negotiators to Analyze Conflict Structure and Anticipate the Consequences of Principal-Agent Relationships*, 87 MARQ. L. REV. 655 (2004).

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