We all live a great proportion of our lives in a surrender to stories about our lives, and about other possible lives; we live more or less in stories, depending on how strongly we resist surrendering to what is “only” imagined. Even those few tough-minded ones among us who claim to reject all “unreality”; even those who read no novels, watch no soap operas, and share no jokes; even those (if there are any) who . . . have truck only with “the facts”; even the statisticians and accountants must in fact conduct their daily business largely in stories: the reports they receive from and give to superiors and subordinates; the accounts they deliver to tax lawyers; the anecdotes and parables they hear told by a histrionic president as he sells his panaceas; the metaphors, living or moribund, implied in the vignettes that flood the office correspondence and publicity releases (“When things got just too gross, he blew the whistle on the whole operation”; “As soon as the heat was on, they left her to face the vultures on her own”).

—Wayne Booth, The Company We Keep: The Ethics of Fiction¹

Imagine, in one global day, the pages of prose turned, plays performed, films screened, the unending stream of television comedy and drama, twenty-four-hour print and broadcast news, bedtime tales told to children, barroom bragging, back-fence Internet gossip, humankind’s insatiable appetite for stories. Story is not only our most prolific art form but rivals all activities—work, play, eating, exercise—for our waking hours. We tell and take in stories as much as we sleep—and even then we dream. Why? Why is so much of our life spent inside stories?

—Robert McKee, Story: Substance, Structure, Style, and the Principles of Screenwriting²

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We are all, already, storytellers. More or less. The question is how much more and how much less. Stories, it turns out, are not left behind with childhood; they follow, plague, bless, and puzzle us.

We know what a story is; we know what it means to hear one and know what it means to tell one. We use stories in everyday life to convey information, to pass the time, to chart the contours of the life we’re trying to live, and to create the literature that will be left as a legacy for the future. We use stories for a host of instrumental purposes; we use them for pleasure. We need stories to entertain ourselves. Stories are a fundamental part of our human inheritance, we use them to survive, and to imagine that in the life we live we are doing something more than just surviving.

Stories confirm our existence and locate us in the world—in a family, a community, a nation. Stories give meaning to common, shared experience. Alasdair MacIntyre notes that “[t]he story of my life is always embedded in the story of those communities from which I derive my identity.”3 It is with stories that we share the world with others, a world we sometimes try to escape. MacIntyre argues, rightly I think, that “the fact that the self has to find moral identity in and through its membership in communities” does not mean “that the self has to accept the moral limitations of the particularity of those forms of community.”4

Our stories speak of what we want to call home, of leaving home, and our efforts to return home after we’ve headed off out into the world. In stories we hear tales of wanderers and travelers, exiles and immigrants. Our stories keep us close to home and they set us off on travels that carry us

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4 Id.
to the ends of the earth. With stories, we discover and imagine possibilities for lives that defy standard categories, commonly assumed roles, stereotypes, and pre-cast images.

- A story identifies us by connecting the disparate elements and fragments of a life into a meaningful plot. A good story weaves thought and feeling, time and place, here and there, self and other. Stories mediate the inner and outer, self and world, the world as I “make” it and the world as it is “given” to me.

- Our stories—our storytelling—transfigure the ordinary and the everyday, the mundane and the prosaic, into something that lies beyond the ordinary and the familiar (and sometimes beyond what we know as meaning); what that something is we may not always know. A life seeks meaning in and for itself. We know life to be the bricks and mortar of existence—the accumulation of experiences—and we pray that it will be more than that. What we need are plots and trajectories. We try, with stories, to recollect the shards of memory into a sense of wholeness. When life feels most fleeting—am I simply going to fall apart, break up, float away?—we feel all the more need for a story, a story we can wear like old familiar clothes.

- Stories remind us of our freedom. But paradoxically, we are not, as Allan Hutchinson warns, “entirely free” to exercise that freedom.\(^5\) We are not free to say anything we want, use language in any way we might choose, or live the most hedonistic life we can imagine. We are not entirely free; we confront reality, a reality that seems to be separate and apart from who I am and who I might want to be. The world-in-progress does need me. The world is an on-going historical enterprise; we are bound by history. “We cannot,” says Hutchinson, “abandon history or dispossess

ourselves of its dramatic heirlooms.” “Even our dreams and the stories they instigate are tempered by history,” says Hutchinson. “Each successful effort at story becomes . . . either a decisive rival to or a reinforcement of the world in which we have previously led our lives.”

Our freedom, real and imagined, depend upon the acceptance or rejection of “habitual stories” (or “stock tales of the community” as Allan Hutchinson calls them). We can never fully, it seems, disentangle ourselves from these stock tales.

We are not entirely free when it comes to stories because many of us fear freedom. As Hutchinson puts it, we exhaust our lives “in playing out the stories of others” with scripts that are not of our own making.

Some stories empower and free us, while others hold us prisoner of conventions that deform our imagination. We try, sometimes almost successfully, to trade in our stories for roles, to sell our stories to the highest bidder. Some of us become captives of stories we do not want to live. Stories abound of how the life we pursue turns on us and becomes pathological.

Some stories take us along well-worn paths that others have trod. We are told, sometimes subtly and sometimes not so subtly, to follow the marked paths. Then we’re plagued by the comfortable lives we so assiduously make for ourselves. The roles we assume seem depleted and empty. We are plagued with all that we have given up along the way. Our personal stories and the

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6 Booth, supra note 1, at 345.

7 See e. g., Albert Camus, The Fall (New York, 1956). The Fall is a story of a man, a lawyer, and a world, a story told by Jean-Baptiste Clamence in monologues with an unnamed patron of an Amsterdam bar. The story—confession—unfolds as Clamence talks about his efforts to discover the truth about his own character. The Fall is a work of memory, a story of memory that moves from the “surface”—of Clamence imagined virtue—to the shadow protected by his self-deception. The Fall is the story of a lawyer who lived his persona.
pathologies they rationalize and lament tell us something about the world in which we live.

- A life story, can, but often does not, embrace a single theme or persistent unity; a life is often a tapestry of interwoven themes and motifs. The stories we live are often not straight-forward plots; the beginnings and endings of the stories we live are often fog enshrouded. Our stories are as complex, puzzling, contrary, and banal as our lives. Our lives, the telling and writing of them, and the silencing of them, reflect the breadth and depth of our stories.

- Every story we tell, every story we read has traces of an earlier story, traces sometimes obvious, sometimes faint and subtle. As I hear one story and then another, I begin listen for common themes, familiar motifs, plot-lines of stores that I know. Then, I learn that I know less about the world I thought I did. I find that well-worn paths have led me astray, that what I call my success is a mixed blessing. It’s all too easy to delude myself into believing I’m one kind of person when it turns out I am quite another.

Stories have a way of proliferating; one story deserves another. Stories stand in the field, clumped like cows, facing the same direction; they are sometimes so entangled that they are more like a dozen snakes in a basket. Our stories get so entangled they remind us of the backlash of line on a fishing reel.

One story ends and another begins. One story attracts another subtle differences; a story can attract its opposite. Even when stories appear with common themes, they derail themselves, veer off course. Stories have, at their core, a wild untamed quality.

- If stories are plentiful, and fertile—one calling for another—the economics of story speaks of plentitude, an ever expanding resource. How easily, and sadly, then that we discount their value, and hear the stories around us as if they were nothing more than the thin veneer of subjectivity and
personality. For those obsessed with objectivity, stories can be hard pill to swallow.

We don’t listen closely for stories because we assume stories take care of themselves. They don’t need attention, listening, puzzling over. Stories there may be, we may be in them, living them, telling them, but what difference do they make? If we don’t need to listen to stories to get along, then we don’t.

Our stories are so close to us, we are so much in them—like fish in water—that we lose consciousness of them. Whatever my story, it will take care of itself. On the other hand, paying the rent, studying, studying for an examination, getting a summer job, these matters have priority. We don’t have time to see the stories we tell; indeed, we often don’t see what story we are living, until we find that something or someone is interfering with our story. Or, we find to our dismay that we are living a story we don’t want to live, a story someone else has chosen for us, a story that doesn’t fit, that asks us to be a person we don’t want to be.8

Some of us don’t see our lives as stories and we can only speculate about the reasons for not doing so. If you don’t see your life as a story and cannot imagine talking about your life this way, then how do talk about your life?

Stories, if everyone has them, can readily access them, must be rescued from the mire of solipsism, narcissism, and subjectivity. (Ironically, we discount the subjectivity of stories and politically prize the master narrative founded in individualism. ) For those leery of the subjective,

8 Seymour Wishman, confronted by a women he humiliated when he cross-examined her in his defense of alleged rapist, gets a “chilling glimpse” at himself and realizes that he has become a person he did not want to be. Seymour Wishman, CONFESSIONS OF A CRIMINAL LAWYER 3-17 (New York: Penguin Books, 1982)(1981). On the use of Wishman’s confessions in the teaching of lawyer ethics, see, Symposium: Teaching a Lawyer’s Confessions, 21 Legal Stud. F. 139-300 (1997).
stories derived from persons are flawed, fatally, as a product of the narrow, limited worlds in which they are imagined. (Imagination is distrusted as rationality is accepted without question. ) Stories, the rationalist argues, cannot be an adequate reformatory response to a world in which we pulled apart by the subjective. If objectivity is the measure of human progress, and of progress within a discipline, then the turn to stories with all their plentitude (implying a new order of democratic storied-selves) may trouble you. Civilization, to the rationalist, is the steady march of objectivity/science in triumph over magic/religion/subjectivity. For those addicted to objectivity, stories are going to be a hard pill to swallow. Stories loom large, as the tail swallowing the head of the beast on which it is attached.

- Our stories encode our habits and they help us see the limits of these habits. By way of stories we locate ourselves in a familiar work and push (or find ourselves pulled) beyond the familiar. Stories both explain our habits and help us get beyond them.

- With stories we have a lens, a prism, a tool to see how our lives and our worlds have the texture they do, how fate and choice combine and re-combine into plots familiar and strange.

- We live in the crafted fictions of modern life. Our stories constitute the fictions that we live out, but even the most fictitious life story is charted from the reality of what we know and hope, what we cannot know and thus fear.

- The lives we live and the conflicts that threaten us are held together by a deep lying personal myth. All stories are fictions, just as they are a form of truth, and in being one and the other, they are mythic.

With the right stories (the rights “texts”) it might be possible to see what we are doing and not doing, who we are and who we are not. Stories make it possible to see what could not otherwise
have been seen. There are significant obstacles to seeing, in broader, deeper, more encompassing ways, who we are and who we cannot be. Stories address these obstacles with imagination.

- We use stories to remember; they are a form of intelligence. The most economical way to get at the great wealth of human meaning is telling and listening to stories, seeking out new stories, re-learn to tell the old stories.

- There are some things which we can be honest about only if we can tell a story; there are times when only a story will work.

- A story can be neither a final answer or the source of all truth. There is no way to guarantee that stories are the ultimate curative, a “snake-oil” that can live up to the promise of the showman who sells it. I assume there is no universal antidote to what ails us, no prescribed story or set of stories that will make us whole, complete, authentic, and real.

- Stories point to beginning and ending, hope and fear, darkness and light. William James O’Brien, a theologian, has written of this darkness that surrounds us: “It is,” O’Brien says, “the

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9 One might imagine still other enterprises that would allow us to see ourselves more clearly. Each of the social science—e.g., psychology, sociology, and anthropology—might be imagined as a project that makes a form of self-education possible. While the social science disciplines do not traditionally define themselves as projects for self-education they have subversive elements which allow them to be so viewed. (It is the humanistic perspective in the social sciences that runs like an antinomian underground stream beneath the mainstream of each academic discipline.)

10 Consider the frustration of a witness (or anyone who is interested in telling the truth) when an attorney cross-examines the witness in a legal trial and demands that the witness limit himself or herself to a yes or no answer. The witness tries to tell a truncated story with each answer (or at least say enough so that the answers can be put together like the parts of a puzzle). The lawyer is looking for answer/facts from which the lawyer will tell a story. One might imagine the witness in a legal trial arguing that the truth of the matter in litigation could be known only if the story is honestly (and fully) told and how that cannot happen so long as s/he is limited to answered questions with yes and no answers.
darkness of our origins and the darkness of our destiny.” 11 To see ourselves in darkness honors the depth (and the despair) of human experience. O’Brien tells us that the “inner drama is begun when dark, turbulent feelings threaten to engulf a person. The conscious self, daylight self, ordinarily has no interest in exploring the dark; it is only when ego-consciousness feels itself about to be engulfed that it acts.” 12

It is hard to imagine a life without the eternal conflict we suffer as human beings. A life of suffering, of the will to endure to the end notwithstanding the suffering, is itself a story. The way and the course and the recover from suffering is itself a story. To resist, fight, rebel, to take up a life in exile is still another story.

- We seem, intuitively, to appreciate good stories, grow tired of stories devoid of imagination, and continue to find our way to the dramatic stories of our time—to stories of tragedy, loss, evil, good, chaos.

- Stories, old and new, familiar and strange, help us re-imagine the purported givenness|necessity|solidity of a “real world” that pulls us toward an already fully-shaped future. Stories help explain how things got to be how they are, how we vest energy vested in maintaining the status quo, and how resources might be put to different use to re-imagine the world.

- We have never, whatever your view of our sordid and gloried past, never been without stories. They persist. We don’t, and we cannot, simply walk away from stories, turn the cultural corner and live without them. You do not, as a lawyer, give up your stories. In becoming a lawyer,

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12 Id. at 41.
you do not give up your stories. You may, with too little meaning in your life, resort to therapy (which
doesn’t come cheap), or violence (upon yourself or others), or lapse into banality, but you will still
be telling and living a story. Lawyers are awash in stories. To succeed, to think of your life as a career,
to hold yourself out as a professional, to call yourself a lawyer, is a story I see all around me.

Stories persist and they endure. They survive whether we attest to them or not; they give our
lives meaning. In everyday life, and in law, we listen to and tell stories because we cannot—beyond
the realms of science fiction—imagine a self and a world without them. When stories are told, we
gather within the circle of elders and ancestors to hear tales of—warriors and enemies—journeys to
far places—the ways of the gods—the great mysteries. This need to narrate, to reflect on the plots in
the lives lived around us, to craft and to imagine stories, in fiction and in life, is the most obvious,
intuitive, entertaining, and edifying way we have found to know who we are.

13 The conversations in which these stories of everyday life are told can be as casual as the
greeting—“How are you?”—to a neighbor, to the obsessive ritual that Mr. Thompson performs
in Katherine Anne Porter’s novella, “Noon Wine,” as he draws himself and his wife, neighbor to
neighbor, trying to explain how he happened to kill the bounty-hunter who came to take away his
hired man. Mr. Thompson has been acquitted at his criminal trial, but he continues to try to find a
way to talk about what happened when he killed the bounty-hunter. Katherine Anne Porter,