

Chapter 8

Negotiation II: The Power of Expectation

Introduction

To recap, the aim of Chapters 7 and 8 is to provide a theoretical foundation on which to base a retheorising approach with which we can begin to assess the relational implications of expansion of the Irish Music Rights Organisation. Because no work to date has successfully engaged with the relational implications of copyright and performing rights, it is important that we take a new approach. It is being argued here that the notion of 'negotiation' provides us with a less partial perspective from which to undertake a radical and, importantly, *peopled* analysis of the expansion of the Irish Music Rights Organisation.

In Chapter 7 we discussed the first two elements of negotiation: the ever-presence of uncertainty, and the emergence of certainty. The discussion of these elements drew extensively on popular expositions of research in neuropsychology. We are able, then, to suggest that our constant and dynamic experience of both uncertainty and certainty can be evidenced by physiological correlates. In Chapter 8 we now look at the last two elements that constitute our experience of negotiation: social interaction, and expectation.

In doing this, we move from a focus on the neural to a focus on the social, from talk of neurons and synapses to discussions of power and expectation. Nevertheless, it should be remembered throughout the discussion that the neuropsychological correlates are crucial aspects of the understanding of negotiation presented here. It is understood, indeed, that there is no radical divide between the neural and the social. This is particularly apparent in the later discussion of expectation, and is a basic assumption throughout the discussion of negotiation.

Social Interaction

Social interaction is here understood as the constant and dynamic relational environment of negotiation. By drawing on the field of social interactionism, meanings are further shown to be emergent, adaptive, and suffused with uncertainty. It is now suggested that social interaction constitutes a “cauldron of power”. It is acknowledged that such a statement is somewhat counter-intuitive, given the general neglect of power within the field of social interactionism. Nevertheless, it is argued here that power is perhaps the most significant aspect of any analysis of social interaction. The concept of power, however, is problematic. It is important to distinguish what is meant by power in this discussion of negotiation from what we might identify as “behavioural” conceptions of power, such as that promoted by the work of Max Weber or John Kenneth Galbraith. This type of thinking can easily lead to unhelpful binary polarisations of omnipotence and powerlessness. In contrast, a more nuanced understanding of power is proposed. Recourse is first taken to the work of Michel Foucault, through which we can understand power as ubiquitous and pervasive, constant and dynamic, exercised, not possessed. Having already understood social interaction as a cauldron of influence, and drawing on the discussion of negotiation thus far, we are in a position to redefine power as *the ability to increase or decrease the awareness of uncertainty or the emergence of certainty in either one’s own life or that of another.*

Social Interaction and Social Interactionism

Social interaction is the third of the four elements of negotiation. It is, of course, important to clarify what is meant here by “social interaction”. Goffman’s definition of social interaction, for example, is unusually narrow, understood as “that which uniquely transpires in social situations, that is, environments in which two or more individuals are physically in one another’s response presence” (1997:235). For Goffman, then, there are times when social interaction does not occur. Here, however, social interaction alludes broadly to the constant and dynamic environment of interrelationship that we experience in the course of our lives, in the course of negotiation. In saying that social

interaction is constant, our position is sympathetic with the approach of Jonathan Turner (1988) whose theoretical stance builds on social interaction as an “invariant property of the universe” (13). In saying it is dynamic, we can reiterate that “The simplest notion of social interaction when applied to man is that of reciprocal influencing among persons or social forces” (Becker 1964:657), that “Individual acts and social pressures mutually modify each other” (Burns 1979:13), or that “social interaction is the process whereby the overt movements, covert deliberations, and basic physiology of one individual influence those of another, and vice versa” (J. Turner 1988:14).

This allows us to draw on the field of social interactionism¹, or simply “interactionism”. Paul Rock refers to this field as “a deliberately unsystematic and often vague method of interpreting the ways in which people do things together” (1985:843). The unsystematic nature of the field leads to a proliferation of perspectives and the absence of a dominant orthodoxy (ibid.). J. R. Hall uses the term “the social interaction perspective” to refer to “the cluster of approaches that focus on meaning, action, symbols, and the interactive unfolding and historically contingent character of social life” (1990:17). In this cluster he includes interpretive sociology, symbolic interactionism, phenomenology, hermeneutics,

¹ I use the terms “social interaction” and “social interactionism” here while also acknowledging that the more prevalent terms are “symbolic interaction” and “symbolic interactionism”. The latter terms were retrospectively coined by Herbert Blumer in 1937 to refer to the research focus of sociologists and social psychologists working from the University of Chicago, in particular the work of William James, George Herbert Mead, Charles Horton Cooley, W. I. Thomas, Robert E. Park, Florian Znaniecki, Robert Redfield, Louis Wirth, James Baldwin, and Blumer himself (Blumer 1969). Symbolic interactionism identifies symbols as the basis of social life. Individuals and society, it is proposed, develop in and through people’s interaction, a process of reciprocal influencing mediated by symbols (see Becker and McCall, eds. 1990). By “symbol” is meant “a stimulus that has a learned meaning and value for people, and man’s response to a symbol is in terms of its meaning and value rather than in terms of its physical stimulation of his sense organs” (A. M. Rose 1962:5). Symbols, and the meanings and values to which they refer, are understood in symbolic interactionism to occur in associative clusters (10). Individuals develop a sense of themselves as they learn to use symbols, and also as they learn to see themselves the way they believe others see them. Individuals in this way become objects to themselves, and conscious of their condition of otherness. Although “symbolic interaction” and “symbolic interactionism” remain the more common terms (see Plummer, ed. 1991, 1991a), it has long been recognised that interactionist studies that actually focus on symbolic concerns are few and far between. The field, it could be argued, is misnamed. As Fred Davis, President of the Society for the Study of Symbolic Interaction was to remark in 1981: “What is noteworthy about (many good interactionist studies) is ... the (at best) utter casualness or (at worst) complete neglect with which we attend to the actual symbolic materials by which the meaning generation process is carried forward” (quoted in Plummer 1991a:xiv). This neglect of symbol is largely due, Davis argues, to a dominant and influential structuralism in the rise of semiotics, which approach is generally inconsistent with interactionist concerns for emergent, negotiated meaning. Symbolic interactionism, then, is here taken to be a subcategory of the broader field of social interactionism.

and ethnomethodology.² Although interactionism is a field of diverse approaches (see Plummer, ed. 1991, 1991a), following Rochberg-Halton (1982:455-456), we might say that interactionists are united by an emphasis on the situational context of meaning, a focus on the ways “meanings emerge, are negotiated, stabilized and transformed” (Plummer 1991a:ix). Burns summarises the central principles of interactionist approaches as follows:

Firstly, humans respond to the environment on the basis of the meanings that elements of the environment have for them as individuals. Secondly, such meanings are a product of social interaction, and thirdly these ... meanings are modified through individual interpretation within the ambit of this shared interaction (Burns 1979:12-13).

We experience structures of meaning in and through our experience of social interaction. Meanings, after all, cannot be divorced from the historically specific forms of social intercourse (E. McCarthy 1996:1). Social interactionism affirms an understanding of negotiated and structured meaning as emergent, adaptive, and adapting. Social interactionism holds that: “structure ... is a culturally infused aspect of social reality that, if it is to have causal salience, either directly shapes the emergent practices of social actors ... or is “made present” by those actors” (J. R. Hall 1990:31). This echoes the formulation of Marx and Engels that thinking and the experience of consciousness are a social product, developing out of the actual social conditions that individuals share: “The mode of production of material life determines the social, political and intellectual life process in general. It is not the consciousness of men that determines their being, but, on the contrary, their social being that determines their consciousness” (Marx 1983:159-160).³ As E. Doyle McCarthy writes:

The realities we live within and act toward are part of a social and productive process involving a socialized consciousness at every phase of its development. The types of knowledge we use, the images and ideas they invoke, the forms of classification are intrinsic conditions of all social action (1996:21).

² Denzin (1989), for example, explicitly acknowledges a debt to this “cluster of approaches” in his development of what he terms “interpretive interactionism”. From this perspective Denzin explores the relationship between personal troubles and the public policies and institutions that have been created to address those problems, advocating that “the perspectives and experiences of those persons who are served by applied programs must be grasped, interpreted, and understood if solid, effective, applied programs are to be created” (12).

³ This is often referred to as the principle of social determination, and is held to one of the fundamental principles of the sociology of knowledge (see K. Mannheim 1936; Berger and Luckmann 1966; Douglas 1986; E. McCarthy 1996).

Structures of meaning constitute and are constituted in and through social interaction. They are never fixed, but continually checked against experience and revised. Human thought and consciousness develops in the actual, changing social conditions of a constant and, crucially, dynamic reality.

The Assumptions of Social Interactionism

One of the central assumptions behind the principles of social interactionism is that of “process”. Stemming from the philosophical school of pragmatism⁴, the idea of process is encapsulated by William James’ phrase, “the stream of your experience” (1995:21). All aspects of human behaviour, consciousness, thought, activity, interaction, and society are characterised as being dynamic and continuously in flux, that is, “in process” (A. M. Rose 1962; P. M. Hall 1972:36). A second assumption of social interactionism is “emergence”. Scholars adopting the approaches of social interactionism assert that meaning is emergent, in and through the process of social interaction. Attempts, then, are made to focus on the individually constructed⁵ and socially negotiated meanings. This forces analysis “into the realm of the lifeworld, where neither structure, social forces, symbols, nor ideas have lives of their own, but must come into play as proximate realities” (J. R. Hall 1990:17). People are understood to participate in a constantly-shifting, adaptive experience of meaning in interaction. Taken together, then, process

⁴ Initiated by Charles Sanders Peirce and William James, and developed more explicitly through the “instrumentalism” of John Dewey, pragmatism was an attempt to counter what were seen as the overly atomistic and reductionist stances of the dominant philosophies of the day in the late nineteenth and early parts of the twentieth century within Europe and America. First and foremost, pragmatism is a method for solving or evaluating intellectual problems, and also a theory about the kinds of knowledge we are capable of acquiring. A fundamental tenet of pragmatism is that the effect of an idea is more important than its origin: “[I]f you follow the pragmatic method, you cannot look on any such word as closing your quest. You must bring out of each word its practical cash-value, set it at work within the stream of your experience. It appears less as a solution, then, than as a program for more work, and more particularly as an indication of the ways in which existing realities may be *changed*. ... Theories thus become instruments, not answers to enigmas, in which we can rest” (James 1995:21; see also Reed 1996).

⁵ Social interactionist approaches tend to affirm constructivist perspectives. As we saw earlier, such constructivism admits the importance of human agency and the partial, situated, local, and unique character of experience: “so that the common social origin and constitution of individual selves and their structures does not preclude wide individual differences and variations among them, or contradict the peculiar and more or less distinctive individuality which each of them in fact possesses” (G. H. Mead 1962:201).

and emergence are fully consistent with our previous discussion of the isomorphism of awareness of uncertainty and emergence of certainty.

Another basic but often implicit assumption in social interactionism is the ever-presence of uncertainty, already noted as a key element in our understanding of negotiation. As we noted earlier, uncertainty is an integral part of social interaction for Erving Goffman. Goffman proposes that social interaction is undertaken in a condition of “special doubt” or “puzzlement”: “some expectation is present that the world ought not to be opaque in this regard. And insofar as the individual is moved to engage in action of some kind – a very usual possibility – the ambiguity will be translated into felt uncertainty and hesitancy” (1974:302). Likewise, David Smail has drawn attention to the ever-presence of uncertainty in social interaction: “since we ourselves are, through our conduct, determiners of our world and our fate, and since we cannot know ourselves and each other as fully analysable and therefore completely understandable objects, we are in reality doomed to operate without certainty” (1997:171). When interactionists speak of ‘process’ they refer to the uncertainties of social interaction, in particular its contingency, whereupon new conditions arise as social interaction proceeds, new conditions which must be negotiated. This has profound implications: “Nothing *has* to happen. Nothing is fully determined. At every step of every unfolding event, something else *might* happen” (McCall and Becker 1990:6). Acknowledging the role of contingency and uncertainty in social interaction is not to insist that people behave randomly. This is not a condition of fundamental uncertainty. It is, rather, a middle-ground, a corrective to positions that proclaim the necessities of determinism (Blumer 1969). Knowledge and meaning are, then, provisional, “liable to reformulation with the answering of just one more question. All knowledge is a novel and often unanticipated synthesis of what has gone before” (Rock 1985:844).

Social Interactionism and the Cauldron of Power

It was stated earlier that negotiation has been chosen as a terrestrial fulcrum with which to understand the production and generation of meaning, power, knowledge, and

expectation, so that we might then assess the relational implications, the power effects, of the expansion of the Irish Music Rights Organisation. Turning to social interaction as a key element of negotiation might, then, seem somewhat counter-intuitive. The field of social interactionism has often been criticised for providing a limited view of social power that tends to be non-economic and ahistorical (Meltzer, Petras, and Reynolds 1975/1991:97/37). Like structuralists, social interactionists have even been criticised for neglecting the issue of power relations altogether. As Peter Hall states it bluntly: "The concept power ... is noticeably absent in the writings of the interactionists" 1972:46). What is suggested now is that, rather than social interaction and social interactionism offering no insights into the dynamics of power relations, by incorporating our earlier discussion of uncertainty and certainty into our discussion of social interaction we can see social interaction as the very cauldron of power. Power is, then, perhaps the most significant aspect of social interaction, and a crucial element in our understanding of negotiation. A lot depends, of course, on what we mean by "power". Three perspectives will, then, be presented:

- Behavioural power
- Foucault and power
- Social interaction and power

Behavioural Power

In a brief survey of definitions and usages, James T. Duke acknowledges the problematic character of the concept of power, and summarises the range of approaches as follows:

First, power has sometimes been treated as a *potential* for social action, at other times as an indicator only of *actual* behavior. Second, power has sometimes been distinguished from force, coercion, persuasion, and influence, and sometimes has been used as inclusive of all of these. Third, power has sometimes been viewed as asymmetrical – as involving a single direction of influence (leader to follower); at other times it has been treated as symmetrical or involving reciprocal influences between two parties, as for example between a leader and his follower. Fourth, power has sometimes been associated with the illegitimate use of force, at other times only with legitimate uses by established leaders. Fifth, power has sometimes been viewed as a zero-sum possession, in which the holding of power by one precludes possession by another; at other times, it has been treated as a sharable commodity such that possession by one does not forestall possession by another. Relatedly (sixth), power has sometimes been treated as a possession or commodity, other times as an available resource. Seventh, power has sometimes been viewed as

a generalized capacity available in all situations; by others, it has been treated as situationally-specific (1976:41-41).

It seems clear from this summary that “the concept of power suffers from a plethora of definitions” (Lipman-Blumen 1994:109). It is perhaps useful, then, to focus particularly on the concept of power as it is used by Weber, who has probably articulated the most influential perspective on power (Duke 1976:41). Weber defines power (*Macht*) in slightly different ways, and translations of Weber’s work have also varied in interpretation. Nevertheless, there is a certain consistency of approach. In The Theory of Social and Economic Organization, we find that:

“Power” (*Macht*) is the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests (1947:152).

In Basic Concepts in Sociology we find a slightly different translation:

By power is meant that opportunity existing within a social relationship which permits one to carry out one’s own will even against resistance and regardless of the basis on which this opportunity rests (1962:117).

Elsewhere, Weber provides a more concise definition, stating that power is “the possibility of imposing one’s will upon the behaviour of other persons” (cited in Rheinstein, ed. 1954:323). Economist John Kenneth Galbraith follows Weber in defining power as “the ability of an individual or a group to impose its purposes on others” (1973:108), or “the possibility of imposing one’s will upon the behavior of other persons” (1983:2). We might refer to these, then, as the “behavioural” conception of power, and simplistically characterise it as “power *over*”. Galbraith notes that this conception of power invites three questions: “[W]ho possesses the power (something that it not always evident); to what ends is it used; and what are the instruments that are employed in winning the consent or obedience of others?” (1973:108). Power, then, would be something that is possessed by the strong and influential in their actions against the weak and impressionable. The centralization of authority that occurs under a regime of successfully legitimated monologic utterances, such as has shown to be the case in the expansion of the Irish Music Rights Organisation, reinforces this behavioural conception of power. The more power that the Irish Music Rights Organisation possesses, the less others possess. In this configuration, as feminist theorists have

often noted (see Radtke and Stam, eds. 1994), the weak are both the objects of power and those who do not possess it, hence they cannot change the way that things are, or, indeed, the way that things must be. Hence, we may be led toward binary polarisations of authority and subordination, persuader and persuaded, rulers and ruled, oppressor and oppressed, dominator and dominated. Conceiving of power as “the ability of an individual or a group to impose its purposes on others” concedes the quality of necessity to the circle of certainty constructed by authoritative discourse, thus reinforcing “the dual myth of powerlessness and omnipotence” (Lipman-Blumen 1994:113).

Foucault and Power

Michel Foucault provides the most radical alternative to this dominant behavioural conception of power. He draws attention to a greater complexity of differentiation in social processes than the behavioural model allows for, thereby moving the main focus from the “behaviour” of power to the “effects” of power (Foucault 1980, 1990, 1991). Foucault’s understanding of power provides a foundation for our understanding of power in social interaction, power in negotiation, and a foundation for our understanding of the relational implications of the expansion of the Irish Music Rights Organisation. As Foucault sees it, power is neither positive nor negative, as such; neither is it possessed, but rather deployed and exercised in and through the production of meanings of which our reality is constituted. Insofar as those meanings can never be fixed, then, power relations are not and cannot ever be inevitable, unchanging, or unalterable (Faith 1994:55). Power is not seen to radiate in a single direction from a specific source, and is not solely a matter of force or coercion, but permeates every aspect of social life, exercised from an infinite multiplicity of positions.⁶ People, then, are not so much victims of power, as vehicles:

Power must be analysed as something which circulates, or rather as something which only functions in the form of a chain. It is never localised here or there, never in anybody’s hands, never

⁶ For example, use of Foucauldian conceptions of power within feminist theory has drawn attention to the complexities that implicate women as participants in their own oppression and subjugation, and also often as participants in the subjugation of other women, and men (Holub 1997:8).

appropriated as a commodity or piece of wealth. Power is employed and exercised through a net-like organisation. And not only do individuals circulate through its threads; they are always in the position of simultaneously undergoing and exercising this power. They are not only its inert or consenting target; they are always also the elements of its articulation. In other words, individuals are the vehicles of power, not its points of application (Foucault 1980:98).

Power for Foucault, then, is constant and dynamic, ubiquitous and pervasive, constitutive and enabling, always operating in conditions of unequal, shifting relations, operating at every site of social life: “Power is everywhere; not because it embraces everything, but because it comes from everywhere” (Foucault 1990:93).

Social Interaction and Power

We have already argued for an understanding of social interaction as the constant and dynamic environment of interrelationship and influence that we experience in the course of our lives. We have also drawn attention to the paradoxically constant and dynamic aspects of our experience of uncertainty and certainty. Following Foucault, and in contrast to behavioural conceptions of power, we are now in a position to confront the principle of power-as-law, “namely the fact that there is no escaping from power, that it is always-already present, constituting that very thing which one attempts to counter it with” (1980:82). We can now state that power is here understood as *the ability to increase or decrease the awareness of uncertainty or the emergence of certainty in either one’s own life or that of another*. This allows us to incorporate Foucault’s insights, understanding power as ubiquitous and pervasive, constant and dynamic, exercised, not possessed, understanding power as “an effect of the operation of social relationships” (Sheridan 1980:218). This conception of power gives us an idea of the particularism of effect of the interconnectedness of everything. With this understanding of power we are in a position to come to an understanding of the specificities of differentiated power relations, the specificities of the strategies, manoeuvres, tactics, techniques, and mechanisms of power that arise from “a network of relations, constantly in tension” (Foucault 1991:26). More importantly for our understanding of negotiation, though, this conception of power allows us to reclaim social interaction as the cauldron of power relations.

Expectation

We are moving towards an understanding of negotiation. The first three elements of negotiation are the ever-presence of uncertainty, the emergence of certainty, and social interaction. From our discussion of these elements a number of statements can be drawn:

- our experience of uncertainty is both constant and dynamic
- our experience of certainty is both constant and dynamic
- our experience of uncertainty and certainty is isomorphic
- our experience of uncertainty and certainty constitutes our experience of power
- humans respond to the environment on the basis of associative, cumulative, adaptive, and structured meanings that emerge for them as individuals
- these meanings are modified through individual negotiation within social interaction
- as our experience of meaning is reconfigured, so, too, is our experience of uncertainty, our experience of certainty, and our experience of power

In this section we turn to the fourth element in this theory of negotiation - expectation. It is suggested that expectation is the most significant element of negotiation, providing for the fundamental character of our experience, consciousness, and social interaction.

“Expectation” has received little attention as a condition of human experience. What little attention expectation has received has been largely limited to the investigation of expectation insofar as that expectation refers to anticipated future happenings. This can be understood simplistically as ‘expectation *that*’, or ‘expectation *of*’. Deborah Tannen, however, focuses on the constitution of expectation itself, understanding it to include both prior experience and new perceptions. Using the concept of “structures of expectation”, Tannen argues that expectations are associative, cumulative, adaptive, individually-negotiated, and structured. It will be suggested that we can, then, substitute the term “structures of expectation” for our earlier term “structures of meaning”. We go further, proposing that our experience of expectation and structures of expectation is actually the most basic experience of consciousness, the most crucial element in our understanding of negotiation. Expectation is understood here as the constant and dynamic nexus of our isomorphic experience of uncertainty and certainty, the constant and dynamic nexus of our experience of power and meaning.

Not only is our experience of expectation and structures of expectation constant and dynamic, it is also *directive*, that is, our experience of expectations and structures of expectation guides and shapes our negotiation in and through our experience of social interaction. To get a clearer sense of the influence of expectation and structures of expectation on our negotiation it is perhaps useful to conceive of expectation in terms of guiding forces. We can understand these forces analytically in terms of vectors. Following Foucault (esp. 1991), we can conceive of structures of expectation, then, as vectoral mechanisms, with relational implications for negotiation. We can also come to a clearer understanding of the implications of our working assemblies of structures of expectation by turning to the social psychological concepts of disposition and attitude. Disposition is understood to refer generally to a person's composite consistency of expectation, while attitude refers to a consistency of expectation as specifically evidenced in negotiation.

Expectation as Future Orientation

Earlier it was noted that understandings of both behavioural uncertainty and fundamental uncertainty can be summarised as referring to 'uncertainty *about*'. Understandings of expectation can similarly be summarised as being limited to an understanding of 'expectation *that*' or 'expectation *of*', rather than focusing on the character of expectation itself. The Shorter Oxford English Dictionary, for example, states as the first of its definitions that expectation is "the action or state of waiting, or of waiting for (something)" (Onions, ed. 1973:704). Understandings of expectation are heavily weighted towards an anticipated future. Barbara Misztal, for example, in a discussion of the role of trust in the social sciences, typically remarks: "In short, the content of expectations is a combination of different kinds of meaning and a variety of shared understanding, which actors develop within their specific relationships. All these expectations have, however, something in common; namely, they are all orientated towards future action" (1996:24). So it is that attempts to provide a precise psychological meaning for expectation are often treated within a context of 'preparedness' or 'readiness'. Thus, E. L. Hartley understands expectation as: "A

subjective state, deriving from an orientation within a time process, which may be described in non-behaviouristic approaches as the quality of experience which relates to the adjustment of the individual to anticipated future experiences” (Hartley 1964:250). Similarly, for P. L. Harriman, expectation refers to “a condition of readiness ... to make a certain type of response to a situation ... The term usually connotes the emotional condition of preparedness for a given type of response” (1952:129). This is also the emphasis in research relating to response-expectancies in behaviourist psychology (see Kirsch, ed. 1999).

In economics, too, understanding of expectation is limited to ‘expectation *that*’, being concerned primarily with outcomes, probability, and predictability. It is duly noted that ‘economic expectations’ are implicitly linked to issues of behavioural or fundamental uncertainty, that is, to the experience of uncertainty in decision-making processes. This is consistent with The Shorter Oxford English Dictionary’s seventh definition of expectation, first sourced in 1832, as “the degree of probability of the occurrence of any contingent event” (Onions, ed. 1973:704). As Hartley comments, within economic understandings of expectation there is “less concern with the precise psychological meaning of the term and greater stress on the function of expectations in social relations” (1964:251). Expectations within economics are, then, more or less synonymous with projected possible outcomes, the emphasis being more on the future outcome than on the character of expectation itself (Shackle 1972:389). In contrast, as noted in relation to uncertainty, within this discussion of negotiation what we require is more an understanding ‘of expectation’ than of ‘expectation *that*’ or ‘expectation *of*’.

Structures of Expectation

The work of sociolinguist Deborah Tannen is helpful in this regard. Tannen takes a nuanced approach to expectation, emphasising not only a future orientation but also past experience: “As soon as we measure a new perception against what we know of the world from prior experience, we are dealing with expectations” (Tannen 1993:15). Expectations, then, are something we deal with all the time. For Tannen, expectations

are associative, cumulative, adaptive, individually-negotiated, and structured. She draws these characteristics together in her use of the term “structures of expectation”⁷, drawn from the work of Robert N. Ross (1975), which refers to the conditions whereby “on the basis of one’s experience of the world ..., one organizes knowledge about the world and uses this knowledge to predict interpretations and relationships regarding new information, events, and experiences” (Tannen 1993:16). Tannen understands this as an overarching term that draws together a range of other terms such as “schema”, “script”, and “frame”, from interpretive and cognitive fields such as psychology, linguistics, anthropology, sociology, and artificial intelligence:

What unifies all these branches of research is the realization that people approach the world not as naïve, blank-slate receptacles who take in stimuli as they exist in some independent and objective way, but rather as experienced and sophisticated veterans of perception who have stored their prior experience as “an organized mass,”⁸ and who see events and objects in the world in relation to each other and in relation to their prior experience. This prior experience or organized knowledge then takes the form of expectations about the world, and in the vast majority of cases, the world, being a systematic place, confirms these expectations, saving the individual the trouble of figuring things out anew all the time (1993:20-21).

At this point it is proposed that we can usefully replace our earlier term “structures of meaning” with the term “structures of expectation”. Tannen herself recognises that theories referring to schemata, scripts, frames, or structures of expectation have not focused on the constituent elements of these structures, nor on how they may be socially determined (1979:144; 1993:21). Expectation as *expectation* is a little-studied aspect of human experience.⁹ We now confront this directly as we suggest that our experience of expectation and structures of expectation is the basic experience of consciousness.

⁷ We might also note, but eschew on account of base-level assumption incompatibility, the use of the term “expectation structures” in the work of systems theorist Niklas Luhmann (1995).

⁸ Tannen here builds upon the Frederick Bartlett’s work in the 1930s on memory processes. Bartlett proposed that the past is stored in memory “as an organized mass” rather than as a group of static elements, each with a specific and unchanging character (cited in Maclachlan and Reid 1994:65).

⁹ An exploration of indices of psychology textbooks in the library of the University of Limerick, for example, revealed no incidences of the term “expectation”.

Expectation as the Basic Condition of Consciousness

Following our earlier discussion of the awareness of uncertainty and the emergence of certainty, it is now proposed that the term “*expectation*” refers to the basic condition of consciousness.¹⁰ To explain, the constant and dynamic experience of expectation is understood to arise from the isomorphic nexus of the constant and dynamic experience of both uncertainty and certainty. By prioritising *expectation* rather than uncertainty and certainty we are drawn away from the temptation of binary opposition. Expectation is the constant and dynamic, generating and generative condition of the nexus of awareness and emergence, and is characterised by the experience of constant and dynamic power relations. Negotiation, then, offers a position of uncertainty-as-law, certainty-as-law, power-as-law, and expectation-as-law.

The Directive Character of Expectation

Our experience of expectation and structures of expectations, then, is constant and dynamic. Structures of expectation are experienced as are associative, cumulative, adaptive, and individually-negotiated. Crucially, however, structures of expectation are also *directive*. That is, the structures of expectation that we experience direct and guide us in and through social interaction, channelling our experience, and, to some degree at least, determining the course of our negotiation. As Deborah Tannen notes: “At the same time the expectations make it possible to perceive and interpret objects and events in the world, they shape those perceptions to the model of the world provided by them” (Tannen 1993:21). Structures of expectation, then, have *relational implications* for our experience of negotiation.

Stating this brings us back to considerations of power in negotiation. Earlier, social interaction was described as the constant and dynamic relational environment of negotiation. Subsequently, we built on the work of Michel Foucault to offer a redefinition

¹⁰ This is something that William James hints at in his comment that “the knowledge of some other part of the stream [of consciousness], past or future, near or remote, is always mixed in with our knowledge of the present thing” (1890).

of power in social interaction as *the ability to increase or decrease the awareness of uncertainty or the emergence of certainty in either one's own life or that of another*. If structures of expectation are understood to be directive, to have relational implications for the ways in which we negotiate our experience, then we might also say that structures of expectation are structures of power, or, at the very least, that structures of expectation are implicated in the effects of power. Ubiquitous, constant, and dynamic power can be conceived of as being constituted by ubiquitous, constant, and dynamic forces, as Foucault's analytics of power (see pp. 210-211) would suggest (e.g., 1990, 1991). Although Foucault nowhere specifies his use of the term "force" in this regard, it seems clear that this is a quasi-metaphorical usage in relation to the concept as it is used in the physical sciences, that is, an influence which produces or tends to produce motion or change of motion. Gestalt psychologist Kurt Lewin notes that in psychology the concept of force refers to "phenomena which have been called *drive*, *excitatory tendency*, or by any other name expressing "tendency to act in a certain direction." The term *force* intends to express this directed element, attributing to it, in addition, a magnitude (strength of force) and a point of application, without assuming any additional implications" (Lewin 1972:201). In this theory of negotiation, such forces of power are likewise directive. Positing forces allows us to consider the constitution of our isomorphic experience of uncertainty and certainty, our experience of awareness and emergence. Structures of expectation can also, then, be characterised as being constituted by forces, as expectation and structures of expectation arise in and through the nexus of awareness and emergence. These forces may also be understood not only as forces of negotiation, but forces of expectation.

The mathematical concept of *vectors* allows us to come to a more specific analytic understanding of the constitution of these forces. The concept of vector is often used to describe multi-dimensional quantities (quantities which require more than one number to describe them), and relates to anything that has both magnitude and direction, for example, velocity, acceleration, or virtually any type of force (frictional or gravitational, for example). It is contrasted with a scalar, which has only magnitude, for example,

mass, or speed.¹¹ It must be emphasised that we are using the term “vector” as an analytic aid. What the metaphor of vector allows us to do is to posit, first, a dynamic ‘unit’ (for want of a better word) of analysis as regards expectation and structures of expectation. Second, it allows us to posit ‘forces’ in expectation which are apparently distinct but which nonetheless reinforce and support each other in a composite manner, in often very subtle ways, influencing and directing individual negotiations as they go. This is consistent both with our understanding of power in social interaction, and with our position as regards emergent certainty, and reinforcement or sedimentation. Third, it tentatively holds out the possibility that these forces may be, in some fashion, analysed and maybe even approximately quantified for the purposes of comparison. The metaphor of vectors has initially been drawn, in this instance, from Hunt and Wickham’s (1994) articulation of an oblique reference within Michel Foucault’s *History of Sexuality*. Speaking of micro-powers, Foucault suggests that they: “... form a general line of force that traverses the local oppositions and links them together ... Major dominations are the hegemonic effects that are sustained by all these confrontations” (1990:94). Hunt and Wickham identify this ‘line of force’ as a ‘vector’.

Use of the vector metaphor is not without a significant precedent, however. Kurt Lewin makes use of vector analysis in his examination of psychological forces in what he called the environment of the “life space” (1972; Burns 1979). Lewin uses the concept of vector as a metaphor to speak of psychological forces while also offering the concept as the basis for a quasi-mathematical analysis of psychological experience. While usage of the term here is broadly sympathetic with Lewin’s usage, we differ in the specifics. For Lewin “the directional feature of the force vector is equivalent to the specification of the response involved, the length of the vector to the strength of the response tendency” (Campbell 1988:117). Here, the directive element of a force vector in negotiation refers to the degree to which uncertainty is experienced. The magnitudinal element of a vector is the degree of emergent certainty experienced. These elements are isomorphic, hence we need only focus on one of them. Given that our interest is in the directive character

¹¹ Scalar analysis would be appropriate for analytic models which rely on static, synchronic, or positivist methodologies.

of structures of expectation we are here drawing attention to what we term the “uncertainty index” of a structure of expectation. The higher the uncertainty index, the less directive or determining the vector will be in negotiation. The lower the uncertainty index, the more directive or determining the vector will be in negotiation.

It follows, then, that all structures of expectation are vectorally constituted and vectorally constituting. It might be more useful, then, to understand structures of expectation as ‘vectoral mechanisms’. Vectoral mechanisms guide and shape our negotiations, our expectations, or in plainer terms, guide and shape our lives. ‘Mechanism’ is here understood in much the same way as Foucault speaks of disciplining mechanisms:

Its strength is that it never intervenes, it is exercised spontaneously and without noise, it constitutes a mechanism whose effects follow from one another. Because, without any physical instrument other than architecture and geometry, it acts directly on individuals; it gives 'power of mind over mind'. ... it arranges things in such a way that the exercise of power is not added on from the outside, like a rigid, heavy constraint, to the functions it invests, but is so subtly present in them as to increase their efficiency by itself increasing its own points of contact (Foucault 1991:206).

Not only do vectoral mechanisms act on ‘practised’ (but not necessarily ‘docile’) bodies¹², but the experience of uncertainty and certainty implicated in the negotiation of vectoral mechanisms in and through social interaction also provides for the instruments and procedures in and through which expectations are constituted. Vectoral mechanisms, then, in many ways regulate the types of expectation, that are *possible* (and unlikely) within negotiation, although never fully divesting the individual of the power of positive transformation. Structures of expectation, after all, are never fixed. Structures of expectation, as directive vectoral mechanisms, can be understood, therefore, to have *relational implications* for the ways in which we experience uncertainty and meaning in our lives.

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Social Psychology

Drawing upon precedents set by the field of social psychology we find further instruction as to how meanings and expectations are organised in social environments, and how they guide the way we behave. Social psychology¹³ (to greatly simplify the focus of a diverse field) deals with social behaviour and the experience of people in social contexts. Experience is regarded by social psychologists as both cumulative and directive. For example, a “commonplace observation” among social psychologists is that “*behavior is modified as a result of experience, that somehow a person retains residues of experience of such a nature as to guide, bias, or otherwise influence later behavior*” (Campbell 1988:96). It is possible to identify two broad trends of research within the field, one deeply influenced by stimulus-response theories of behaviourism and cognitive science, and the other influenced by the subjectivist epistemologies of phenomenological schools such as hermeneutics, constructivism, and ethnomethodology. This divide mirrors the convergence of experimental psychology and psychoanalysis in the foundation of social psychology (Allport 1935; Rokeach 1968). Whether research in social psychology is grounded in behaviourism or phenomenology, however, the assumption that past experience provides “agendas for action” (Rokeach 1968:453) provides a foundation for the field. Central concepts in this regard are “attitude” and “disposition”, both of which will prove key in our understanding of negotiation, and in our assessment of the relational implications of the expansion of the Irish Music Rights Organisation.

Attitude

In social psychology we can find a substantial body of research dedicated to exploring the link between attitudes and behaviour.¹⁴ Indeed, certain scholars (e.g., Allport 1935; Thomas and Znaniecki 1918) have referred to attitude as social psychology’s central problem (Campbell 1988:94). Despite there being a lack of common definition for the

¹³ For a general introduction to social psychology see Argyle and Colman, eds. (1995).

¹⁴ For further discussion on the psychology of attitude see Ajzen (1988) or Eagly and Chaiken (1993).

term (see Campbell 1988), it remains indispensable to both social psychology and the psychology of personality (Rokeach 1968:449). Definitions of attitude, like definitions of expectation earlier, are heavily weighted towards an anticipated future, couched as 'readiness', or 'predisposition'. It might be suggested that in, social psychology, attitude is to some degree regarded as directive expectation. Allport, for example, defines attitude as "a mental and neural state of readiness, organized through experience, exerting a directive or dynamic influence upon the individual's response to all objects and situations with which it is related" (1935:810). For Rokeach attitude is "a relatively enduring organization of beliefs around an object or situation predisposing one to respond in some preferential manner" (1968:450). Campbell (writing in 1950) notes a contrast between the wide-range of explanatory definitions of "social attitude" and the broad similarity of evidentiary research procedures. In response to this paradox, he proposes that there is already an implicit operational definition of attitude, that is, "a social attitude is (or is evidenced by) consistency in response to social objects" (1988:95). There seems to be widespread agreement that attitude is to be defined in relation to a preferential or discriminatory response, however, as Rokeach notes, "the basis for the preferential response is not clear" (1968:453).

Disposition

Like "attitude", understandings of "disposition" also arise from the assumption that past experience provides "agendas for action". There are two prevalent understandings of "disposition", one dominant in philosophical discourse (see Mumford 1998; Armstrong, Martin, Place, and Crane (ed.) 1996; Prior 1985), the other prevalent in social psychology (see D. T. Campbell 1988; Rokeach 1968; Brewster Smith 1968; Argyle and Colman, eds. 1995). From the perspective of philosophical thought, a disposition is generally (though not uncontroversially¹⁵) referred to as:

a property (such as *solubility*, *fragility*, *elasticity*) whose instantiation entails that the thing which has the property would change, or bring about some change, under certain conditions. For instance, to say that some object is soluble is to say that it would dissolve if put in water; to say that something

¹⁵ "It is hard to give an uncontroversial definition of the notion of a disposition, since its very definition is one of the matters under dispute" (Crane 1996:1).

is fragile is to say it would break if (for instance) dropped in suitable circumstances; to say that something is elastic is to say it would stretch when pulled. The fragility (solubility, elasticity) is a disposition; the breaking (dissolving, stretching) is the *manifestation* of the disposition (Crane 1996:1).

In his development of psychological attribution theory in the 1950s, Fritz Heider drew on this understanding of disposition. Heider's research focused particularly on the way we attribute traits, motives, and abilities to people following observation of their behaviour:

In an analogy with the world of physical causality, he noted that objects behave in ways they do because of the joint influence of their own qualities that *dispose* them to behave in certain ways (dispositional qualities) and environmental forces. ... Heider argued that people are also disposed to behave in particular ways when various kinds of forces are applied to them (Schneider 1995:41).

This, then, is the foundation of the psychological usage of the term "disposition". As with "attitude", there is a lack of common definitions for the term in psychology. Furthermore, definitions of the term are rare (Katz 2001). Buss and Craik (1983) define dispositions as "summaries of act frequencies" (1983:105), that is, frequently exhibited trends in behaviour. For Donald Campbell (1988:115), the generic term "acquired behavioral disposition" covers an expansive range of social science concepts, "from sentiment to expectancy to *Anschauung* to social habit" (95), all of which can be declared synonyms until such time as operational evidence distinguishing them can be brought forth.¹⁶ A formal definition of psychological disposition is offered by the Comprehensive Dictionary of Psychological and Psychoanalytical Terms: "a general term for any (hypothesized) organized and enduring part of the total psychological or psychophysiological organization in virtue of which a person is likely to respond to certain stable conditions with a certain kind of behavior" (English and English 1958:158).

¹⁶ He lists 86 terms: acquired drive, adaptation, adjustment, *Anschauung*, anticipation, apperceptive mass, association, attitude, behavioral environment, belief, bent, canalization, cathectic orientation, cathexis, cell assembly, cognitive map, cognitive structure, concept, conditioned reflex, conviction, definition of the situation, determining tendency, disposition, engram, evaluation, expectancy, expectation, experience, fixation, frame of reference, goal, hab, habit, hypothesis, idea, imprinting, integrative field, intention, interest, judgment, knowledge, learning, life space, meaning, memory, mental image, motive, need disposition, neurobiotaxis, notion, object, opinion, orientation, past history of reinforcement, perceptual sensitization, percept, perseveration, personality trait, predisposition (acquired), prejudgment, representation, response disposition, response latency, response probability, response threshold, role perception, schema, sentiment, set, stereotype, synaptic threshold change, tendency, tinsit, trace, valence, and value (Campbell 1988:99).

Having been transposed from philosophy to psychology, the term “disposition” now also finds a place in the influential sociological terminology of Pierre Bourdieu. For Bourdieu, the term is key in discussions of what he terms “habitus”, understood as “a system of dispositions” (1977:214 n.1). Bourdieu outlines the suitability of the term “disposition” as follows: “It expresses first the *result of an organizing action*, with a meaning close to that of words such as structure; it also designates a *way of being*, a *habitual state* (especially of the body) and, in particular, a *predisposition, tendency, propensity, or inclination*” (Bourdieu 1977: 214 n.1). Bourdieu’s elaboration of dispositions as both “transposable” and “durable” is little different from the psychological definition offered above which seeks “to account for sameness of behavior despite variation in the enviroing situation” (English and English 1958:158). Bourdieu’s understanding of the system of dispositions that constitutes habitus as “a past which survives in the present and tends to perpetuate itself into the future by making itself present in practices structured according to its principles” (1977:82), is echoed by Stephen Mumford’s general characterisation of dispositions¹⁷ as “explanations of past events and grounds for the prediction of future events” (1998:11). This characterisation covers philosophical, psychological, and sociological usages of the term, and refers us back to Deborah Tannen’s understanding of expectations. It is interesting, then, that Donald Campbell at one point remarks that the diagnosis of expectations in some sense constitutes an operational definition of disposition (1988:100). This leads us on towards what is specifically meant by the terms “disposition” and “attitude” in negotiation.

¹⁷ Mumford also interestingly notes the work of I. J. Thompson, who argues that the issue of disposition is also an important one in quantum physics: “[T]he notion of [a disposition] is likely to be fundamental to a realistic and non-paradoxical account of quantum physics. ... it is thus important to resist certain interpretations of physics and of the physical world that render dispositions impossible. ... In quantum field theory (a more complete form of quantum physics), even the *existence* of objects is a dispositional property that may or may not be manifested, as, for example, pairs of particles and anti-particles may or may not be formed” (I. J. Thompson 1988:76-77).

Disposition and Attitude in Negotiation

In this section we have examined the role and character of expectation as the fourth element of negotiation¹⁸. It was noted that general understandings take the term “expectation” to refer to a future orientation. Following Deborah Tannen, we can extend this understanding of expectation to encompass not only future orientation but also past experience. We can go even further, though. Within negotiation, the term “expectation” is understood to refer to the basic condition of consciousness. Expectation is here understood as the constant and dynamic nexus of our constant and dynamic experience of uncertainty and our constant and dynamic experience of certainty. Expectation, then, also encompasses our constant and dynamic experience of power relations in social interaction. Our experience of expectation, in and through structures of expectation, is understood to be associative, cumulative, adaptive, individually-negotiated, structured, and directive.

We can now understand “disposition” to refer generally to *a person’s consistency of expectation*. Dispositions are, then, assemblies of structures of expectation. As such, they are associative, cumulative, adaptive, individually-negotiated, structured, and directive. Dispositions have relational implications for the ways we live our lives. Those relational implications are evidenced by the disclosure of “attitude” in the particularities of social interaction, the particularities of power relations. “Attitude” here refers to *a consistency of expectation as specifically evidenced in negotiation*. Attitude is here understood as the manifestation of disposition.

¹⁸ The term “negotiation” is here preferred to Bourdieu’s term “habitus”, not least because, as Jenkins (1992) argues, there are twenty seven different usages of the term “habitus” in the work of Bourdieu, not to mention the various deployments of the term in the work of Aquinas, Hegel, Husserl, Weber, Durkheim, and Mauss. The general ambiguity of Bourdieu’s term is here considered unhelpful, and the specificity of the term “disposition” in this theory of negotiation leaves the use of the term “habitus” unnecessary. The theory of negotiation presented here seeks not to bridge subjective-objective and individual-social dichotomies, in the manner of Bourdieu’s theory of habitus, but to bypass them.

Dispositions and attitudes are also composite.¹⁹ An acknowledgment of the composite character of disposition and attitude allows us to proceed with particularist analysis without necessarily pursuing examination of particular experiences of particular structures of expectation. The metaphor of vectors allows us to better understand the directive and composite character of dispositions and attitude. An understanding of vectors of expectation also highlights that the so-called “content” or “subject-matter” of structures of expectation does not matter as much as a person’s composite orientation towards uncertainty in disposition and attitude, at least insofar as relational implications are concerned.²⁰ In the social sciences (as contrasted with the neurological sciences), dispositions and attitudes can be most clearly gauged in and through examination of orientations towards uncertainty. By focusing on composite dispositions, and by seeing the manifestation of disposition in the particularism of attitude, we can, in Chapter 9, move towards a general composite assessment of the relational implications of the expansion of the Irish Music Rights Organisation.

Summary

In Chapter 6 it was argued that the workings of law play a vital role in the production and generation of meaning and power in the social interactions of our everyday lives. By structuring our experience, it was offered, they guide and shape our lives. It was stated that law “only exists in the sense that it is embodied as a set of expectations or understandings about behaviour” (Cotterrell 1984:155). By accepting the meanings that structure the Irish Music Rights Organisation, we also allow those same meanings to

¹⁹ This point is argued by Campbell (1988) in his discussion of the different informational modes on which acquired behavioural dispositions are based. Brewster Smith (1968:460) notes, however, that solid evidence for the composite character of dispositions is lacking. I am unaware of more recent advances in relation to this specific issue in social psychology.

²⁰ This is borne out by Susan Greenfield’s analysis: “... an enriched environment, in neurological terms, would have little to do with whether one was on a beach in the Caribbean or trapped in a financially compromised position at home. As far as the brain is concerned, stimulation is provided by conversations, experiences, and encounters, irrespective of material wherewithal” (Greenfield 2000:63). It is also interesting to note here David Icke’s use of the term “opposames”. This term refers to discursive ‘opposites’ that are nonetheless implicated in similar relations of power: “While the belief they seek to indoctrinate may be slightly different, often very slightly, the overall theme is exactly the same – the imposition of one person’s belief on another” (2001:4). Once again, it is not so much the ‘content’ as the power relation we should look to. Icke’s reputation as a conspiracy theorist with a dislike of seven foot reptilian overlords does not diminish the usefulness of this term.

structure our expectations and our social relationships. By acknowledging the ways in which law can guide and shape our lives, it was suggested, we might also recognise IMRO's expansionary practices as *interpretive* practices, with relational implications for our negotiations of meaning and power in social interaction. At the time, however, no theoretical foundation was offered on which to base these claims.

Now, however, this theory of negotiation takes up Myra Jehlen's challenge and provides us with "a terrestrial fulcrum for a radical comparativism", a theoretical grounding for these claims. It offers an alternative base of assumptions upon which to base the project of retheorising. Negotiation, as it has been outlined here, provides the first steps of a theoretical perspective that seeks to come to terms with the complexities of the expansion of the Irish Music Rights Organisation. This expansion provides an example of a particular character of social and political relations, viewed from the perspective of humans-among-humans. We have shown that the four elements of negotiation are the ever-presence of uncertainty, the emergence of certainty, social interaction, and expectation. By focusing on the interrelationship of these elements we come closer to an appreciation of how it is that law, intellectual property, copyright, performing rights, and the monopolistic hegemony of the Irish Music Rights Organisation can guide and shape lives. Understanding negotiation in this way allows us to acknowledge that "everything is "in the last analysis" political" (Jameson 1981:20). This theory of negotiation prepares the way for the final chapter, in which we underscore the relational implications of IMRO's expansion, arguing that this expansion provides us with an excellent example of the process and practices of enclosure.

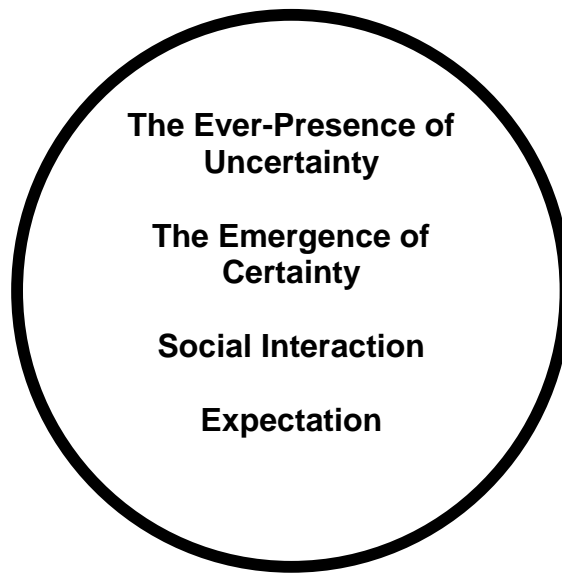


Figure 4. The Elements of Negotiation (II).