

# Your Mind is a Storyteller

Law & Literature Series, Part 4

BY MARK KITRICK AND MARK LEWIS



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You have a storyteller living in your brain. Your storyteller takes up residence just above and behind your left eye, where according to neuroscientists he spins yarns of incredible literary coherence and sensitivity. Your storyteller crafts these convincing tales outside your conscious awareness, as he interprets the incoming flood of information to create an ordered and meaningful flow to your experience of daily life.

As this constant, disordered torrent of visual information enters your right eye, it travels to the home of your storyteller in your brain's front left hemisphere. There the information is recombined by your storyteller into the coherent and expressive tales you tell yourself. Your internal storyteller is so adept that it will literally concoct these tales by "reasoning backwards" from effects to their supposed causes. This fabrication of mind, also known as the "Sherlock Holmes Syndrome," is inescapable. Like the literary detective, we all perceive the present world around us, pull personal clues from the welter of ambiguity, and build our explanatory stories—no matter how improbable the chain of events as we reason backward from effect to cause.

This humbling account of our storytelling brains comes to us from the latest frontiers of neuroscience and cognitive psychology, as detailed in Jonathan Gottschall's book, "The Storytelling Animal: How Stories Make Us Human."<sup>i</sup>

As Gottschall and others explain, it pays to be so narratively nimble, at least in evolutionary terms. Our world is full of stories we must detect to survive well. Think of the plots and gossip we must manage each hour of our social lives, let alone the millions of pieces of sensory input our brain must handle daily. To order this ambiguous abundance, our brains naturally tell stories. Without stories our experience of life would be incoherent, meaningless.

But our storytelling minds are deeply flawed. They can even be dangerous, particularly in the legal domain where witnesses must recount vital facts in narrative testimony, where lawyers' arguments commonly take shape in narrative form, and where jurors tell their own stories to decide cases. Like any good storyteller, our minds hate directionless plots, unmotivated characters, and pure coincidence. Our storytelling mind craves the meaning of soap opera. So craving, in fact, that our storytelling mind will create meaningful patterns in the world even when no such patterns exist. We impose patterns on the world. In the words of Gottschall, "the storytelling mind is a factory that churns out true stories when it can, but will manufacture lies when it can't."<sup>ii</sup> We should take note of how often it can't.

Gottschall asks us to consider a thought experiment. Read the following three sentences, then ask yourself what they mean:

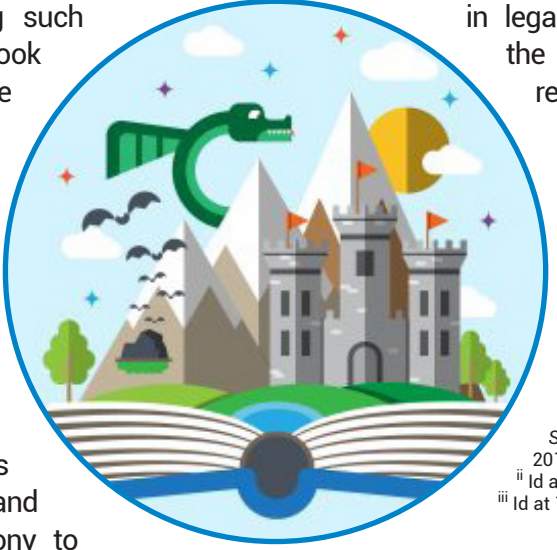
**Todd rushed to the store for flowers.  
Greg walked her dog.  
Sally stayed in bed all day.**

What did you just come up with? If you're like most of us, you tried to devise a story that connected these three sentences. In other words, you looked for the "hidden" story. Why did Sally stay in bed all day? Did it have something to do with Todd buying flowers for her? Is that also why Greg walked her dog? How do the three characters know each other – a love triangle, friends, family or complete strangers? You have no idea and neither do I. This is because the three sentences are completely random. They're made up. But we can't help asking and answering such questions as our storytelling minds look for the connections, the narrative, the meaning. Only there is no story here other than the one we concoct, just like Sherlock Holmes piecing together the strands of disparate clues into a tapestry of meaning and coherence.<sup>iii</sup>

This might seem innocuous until we again consider the implications in courtrooms and legal proceedings across the country, where judges and juries depend on witness testimony to decide the "facts" of cases and the fates of litigants. This is a multi-level problem. First, the witness' own internal storyteller creates the narrative she will tell in court. As we know, her story may very well suffer from the same confabulation that colors all our stories. When she tells her story, the lawyers will combine it with their own more comprehensive stories based on fault, motivation and cause-and-effect. Such stories are the stock and trade of legal professionals. They are "legal" stories. They come pre-packaged, like the plots of our favorite sitcoms and fairy tales, in containers of blame, responsibility and justice. These combined, patterned stories are then told and re-told among the jurors who must decide what

happened, who did what to whom, and why. In this mix and mushrooming of stories, one may emerge – the one that will decide guilt or innocence, fault or exoneration.

But even this story is only the beginning, as the public responds to the official legal story – the verdict – with their own re-tellings, often critical and revisionist in nature. The tale goes on, as it must. But the point remains the same for all those interested in the legitimacy of our legal system. We would do well to attend more closely in legal practice to our inner storyteller, the one that has taken up permanent residence in our minds. It makes us human, wonderfully creative and richly meaningful beings. But our storytelling mind serves one thing above all else – the story, not the truth, not the legal system and, in many cases, perhaps not even justice.



<sup>i</sup> Gottschall, Jonathan. *The Storytelling Animal: How Stories Make Us Human*: Houghton Mifflin Harcourt 2012.  
<sup>ii</sup> Id at 103.  
<sup>iii</sup> Id at 104.

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