Follow a Rule/Follow a Rhythm: Sharing Practice in a Gitano Quarter in Jerez, Andalucia

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FOLLOW A RULE/FOLLOW A RHYTHM: SHARING PRACTICE IN A GITANO QUARTER IN JEREZ, ANDALUCIA

Susan G. Drummond* & Jean-Marc Sellen**

INTRODUCTION

This Article arises from independent ethnographic field research we conducted over the course of six months in 1996 with the Gitanos (Spanish Gypsies) of the Andalucian city of Jerez de la Frontera. Although our research interests were divergent—Jean-Marc was engaged in an ethnomusicological analysis of cante jondo performance, Susan in legal ethnographic research of the informal system of Gitano family law—our simultaneous concentration on the same moments, events, and relationships and our shared interest in similar theoretical approaches provided an opportunity to examine the rapport between the disciplines of music and law. This Article is a preliminary reflection on transdisciplinary analogies. We single out a specific event for reflection—a pedimiento (engagement party) between two young Gitanos and between two prominent Jerezano Gitano families. From this point of entry, we attempt to tease out shortcomings in rule-based analyses familiar to both music and law.

In music, a formal analysis of a specific flamenco rhythm could provide us with an intellectual schema of the rhythmic rule that is followed by both flamenco performers and their audience as they follow along and participate. In law, a rule-based analysis of Gitano family law could generate a synoptic set of pre-identified signifiers, which set a threshold over which the couple must pass in order to be legally married. In focusing on one single event, we want to highlight some of the limitations of these formal analyses and point to their inadequacies in accounting for the communal dimension of performance and

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law. We suggest an alternative to conventional analysis that takes into account rhythm and law as shared dialogical practices rather than as templates of generative rules imbedded in individual agents. We begin with the event.

I. THE PEDIMIENTO

The pedimiento took place towards the end of our field work period. The orange blossoms had passed with Semana Santa (Holy Week), and now, during the day, we shut ourselves up in the darkened apartment and slept or read, going out at night when the hostile midsummer sun was under the horizon. We would walk into clouds of jasmine in the night air of Jerez when we went out. This night, we were headed towards Calle Nueva, a street so Gitano that a non-Gitano friend once told us that he never ventured up as the stares made him feel too self-consciously payo (non-Gitano).

We had been invited to attend the pedimiento by a Gitano, Juan, who was operating a bar in his retirement. He, like many Jerezanos, had worked as a day laborer in the fields surrounding Jerez and had lived in Santiago, one of the two Gitano quarters of Jerez. Now that he had a small pension income and the technically illicit earnings from the bar, he had moved into el Polygono, one of the modern subdivisions of Jerez. The pedimiento was being held in his father’s old dwelling. Like many Gitanos in the subdivisions, he regarded his high-rise as a step up in prestige, but spoke wistfully of the casas de vecinos (the houses of neighbors) clustered snugly along the Arab walls of the old city, the cubbyhole rooms around promiscuous patios where water and social life had their source.

Taken aback by the invitation to an engagement where we were not acquainted with any of the principal parties, we declined the invitation, but Juan assured us that it was typical of Gitano weddings—that no one who came would be turned away. He also confirmed the platitude about Jerez that the Gitanos and payo populations were so notoriously integrated in that particular city that the Gitanos would be undiscriminating about the stream of guests who came to witness the asking of the novia’s hand. This would be our experience.

It was 2:30 in the morning when we turned the corner at Santiago Church, which housed el Prendi, the representation of Christ that the local Gitanos appropriated as their own. During Semana Santa, they surged throughout the night in front of his
paso chanting in rhythm, “bonito, bonito, guapo, guapo, guapo” (beautiful one, beautiful, gorgeous, gorgeous, gorgeous). The close streets and cobbled roads amplified the rising voices as we approached. Noah, our child, was alert in his stroller, turning his head to look at the passing clusters of girls in slip dresses, their bodies leaning into each other, arms entwined, heads turned outwards to look at a passing group of straight-backed boys or heads tossed back in giggles or drawn together in whispers. A pubescent girl ran after a wobbly toddler.

The street around the casa de vecino was crowded with several circles of people. These were not drink-clutching, chattering relatives, but circles of clapping Gitanos around clearings big enough for someone in the circle, overcome with the syncopation of the palmas (rhythmical hand clapping) of the crowd and the cante (singing) of a spontaneous and ever-changing singer, to throw his or her body into the center and dance while the circle jaléod (uttered) while keeping with the bulería rhythm: “¡Ole! ¡Ole! ¡Asa! ¡Agghhh! ¡Asa! ¡Asa!” After each song, the clapping would immediately start up again, a singer would resume singing, and someone else would throw him or herself into the circle. Those on the outside of the circle strained to stand on their tiptoes or fell away to another circle.

Dazed, we slowly pushed Noah’s stroller through the circles towards the front entrance. We recognized a group of young Gitanas as they squeezed out of the door, grinning. They kissed us in greeting and told us that the novia was dancing in the second patio, but we would never be able to get in to watch. It was too crowded. They reentwined their arms and pulled each other down the street, their heads tossed back in farewell.

We pushed into the first patio, which was incessantly pulsating with the compás (rhythm) of bulería, a light Flamenco genre. Against the wall, people held back a space for us so that the stroller could pass. We could see paper lanterns advertising Tío Pepe sherry strung next to bare light bulbs over the second patio raising the dark ceiling of the night. As the space next to the wall parted for Noah’s stroller, we moved forward.

At the center of the second patio was a circle of Gitanas of all ages; those at the inner edge were seated. They were dressed in the polkadot colors and frills of Flamenco dresses. The crowd milled and crushed around the seated and standing Gitanas, straining and clapping. There were kids sitting on the overhanging roofs of the one-story patio. Several people in-
vited us to move the stroller against the furthest wall so that Noah's feet would not be bumped by the stream of people passing. We parked the stroller and held him up on our shoulders, until our knees ached, so he could see what was happening at the centre of the night. We heard the chant, "pasa novia! pasa novia!" rising again and again from the crowd. "Pasa novia! pasa novia!" Noah started to repeat.

At the clearing of the polkadotted edges of the circle, the novia was dancing. She was a slender beauty with an intelligent face and elegant nose. Her dark hair was pulled back—an intricate knot clasped with a glittering hair beret. The crowd did not (did not!) stop clapping out a bulería compás, and, song after song, the novia would be invited into the centre to dance with old women, young children, old men, young men, etc. A dark and dissolute looking Gitana danced with her, a fat woman danced so gracefully that the crowd swelled around her chanting, "guapa! olé! guapa, guapa, olé!" An exquisite child with delicate bones danced with the smiling novia. The men solicited the novia to dance by entering the circle and approaching her to put a long ribbon around her neck on which was hung a dulce (a large block of golden rock candy). People threw small candies at the dancers like confetti. Between dances the novia would sit on an older woman's knees, but only for the instant before the next bulería started up and she was pulled into the circle again. She did not lose a beat of grace as the intense and physically grueling celebration centred on her person.

A young bare-chested man with a polkadot scarf tied around his neck passed through the crowd with metal buckets of whisky, and people dipped into them with pans, drank, and passed the pan from mouth to mouth. Another man was given a clearing while he passed a huge tray of fried fish over people's heads as they reached up to take some.

At various points the novia was lifted on the shoulders of a group of dancers, her novio on the shoulders of others, and the incessant train-rolling rhythm of the clapping swelled so synchronous and the singing so insistent that she and he, carried aloft, wept in their elation.

Even though the patio was open-roofed, the atmosphere was so dense that it got stuffy with cigarette smoke and body heat. Occasionally the crowd would open up briefly around us, and the fresh night air would pour in. After Noah passed out in his stroller at 4:30 in the morning, someone opened up the
sparse one room apartment just behind us so that we could arrange him more comfortably away from the crowd. The room had no more than a bed, a dresser, a table, and an armchair. In the bed, another small baby squirmed.

As we continued to watch throughout the early morning, we saw something odd and astonishing. At three different points, a group of old Gitanas got up and swayed around the dancing body of the novia. Then, hidden from view by the concealing press of vigilant old women, while the novia’s face became anxious and watchful at the centre, the old women ripped off the novia’s dress and, without exposing her, pulled another equally sweet and provocative one over her head. The old dress was then ripped to shreds and passed around. People tied pieces of it around their necks and wrists. The novia was immediately dancing again.

The men who danced with the young woman became overcome at times, and they too ripped their shirts off of their backs. If the shirt did not tear easily, an old Gitana would get up and, with her teeth, tear the material. This too was passed around, ripped to shreds and tied around necks, with fragments strung on necklaces. At one point, people poured whisky over whoever was dancing in the centre with the novia.

A stork passed low overhead as the sun rose and dimmed the patio’s string of bulbs by its greater light. The ceiling of night rose and the stars faded as the limpid blue of the Andalucian sky expanded out to infinity and the whitewashed walls of the patio became dazzling in our sleeplessness. Though we left at 9:00 in the morning, the crowd was still thick around the entrance of the casa de vecino, and we were later told that the best singing took place between 10:00 in the morning and 5:00 in the evening after we had gone.

II. Musicological Analysis

From the time of our arrival, after midnight, until 9:00 in the morning when we left, exhausted, a single flamenco rhythm was performed over and over again, that of bulerfa, with hardly a moment’s loss of continuity in the beat between lyrical cycles. On the same nightlong bulerfa rhythm, people sung traditional flamenco songs, but also popular songs, and even rap-type singing. Almost everyone in the patio kept the beat with their palmas (hand clapping) and interjected jaleos. Let us first concentrate on the rhythm of this event.
A conventional and formal musicological analysis would try to lay bare a schema to account for the synchronous hand clapping (that is, its cohesion). We could summarize one of the standard schemas that have been proposed for bulería, a twelve-beat measure with emphasis on the third, sixth, eight, tenth, and twelfth beats, that could be rendered as follows (with italics representing accentuated beats): tin-tin-tan tin-tin-tan tin-tan tin-tan tin-tan. This is easily transcribed into standard musical notation.

This schema is very similar to the one largely in use in academias de baile (schools of flamenco dancing) in Jerez and in the rest of the world. In the academia the pupils learn the steps for bulería upon hearing repeatedly the following counting aloud: un-y-dos-tres quatro-cinco-seis siete-ocho-nueve-diez un-dos (ad infinitum); that is (with the sound “ka” for offbeats): ti-ka-tin-tan ti-ka-ti-ka-tan ti-ka-ti-ka-ti-ka-tan tin-tan.

This is already a sophisticated version of the simple and general schema presented above, for it introduces some offbeats. And it should be further noted that the students of such schools are not part of the flamenco community of which we are speaking here, who are always proud to point out that they did not have to learn from such stereotyped and rigid teaching. It is also the same schema that is put forward by one of the leading musicological analysts of flamenco, Philippe Donnier.¹

This schema could be understood as the model of rhythmic behavior, or as the general rhythmic structure of the musical object under analysis. But in an attempt to formulate what is occurring when one spontaneously follows a rhythm, formal musicological analysis tries to uncover the model, or the rhythmic template, that is causally operating in the agent, whether or not he or she is conscious of it or can formulate it. This is apparent in Donnier’s statement, “les nombreuses variantes du compás de Bulería . . . sont construites, consciemment ou inconsciemment, sur quelques schémas structuraux” (“the many variations of the bulería compás . . . are constructed, consciously or unconsciously, on a few structural schemas”). This leads him to postulate “l’existence d’un schéma mental, modèle de référence de toutes les versions réelles” (“the existence of a mental schema, model of reference for all the real versions”).²

² See Philippe Donnier, Flamenco: Structures Temporelles, in Cahiers de
Even if the analysis is meant to be a mere description, it would be tempting to see this schema or representation, as the generative principle of the rhythmic behavior performed by the musicians, experienced by the audience or observed by the researcher. This temptation is one that Pierre Bourdieu criticizes endlessly, as in Le Sens Pratique:

Cette construction [le modèle, la règle] qu’accepteraient sans doute les utilisateurs, et qui permet de rendre compte de la quasi-totalité des faits pertinents (ou produits par une observation ou une interrogation armée de ce modèle), ou, mieux, de les réengendrer (théoriquement) sans être obligé de rentrer dans un récit interminable, n’est pas en tant que telle le principe des pratiques des agents: formule génératrice qui permet de reproduire l’essentiel des pratiques traitées comme opus operatum, elle n’est pas le principe générateur des pratiques, le modus operandi. Si l’en était autrement, et si les pratiques avaient pour principe la formule génératrice que l’on doit construire pour en rendre raison, c’est-à-dire un ensemble d’axiomes à la fois indépendants et cohérents, les pratiques produites selon des règles d’engendrement parfaitement conscientes se trouveraient dépouillées de tout ce qui les définit en propre en tant que pratique, c’est-à-dire l’incertitude et le flou résultant du fait qu’elles ont pour principe non des règles conscientes et constantes mais des schèmes pratiques, opaques à eux-mêmes, sujets à varier selon la logique de la situation, le point de vue, presque toujours partiel, qu’elle impose, etc. Ainsi, les démarches de la logique pratique sont rarement tout à fait cohérentes et rarement tout à fait incohérentes.


This construct [the model, the rule], which users would no doubt accept, and which makes it possible to account for the quasi-totality of the relevant facts (or those produced by observation or questioning armed with this model), or, rather, to recreate them (theoretically) without being obliged to undertake an interminable narrative, is not as such the principle of the agents’ practices. The generative formula which enables one to reproduce the essential features of the practices treated as an opus operatum is not the generative principle of the practices, the modus operandi. If the opposite were the case, and if practices had as their principle the generative principle which has to be constructed in order to account for them, that is, a set of independent and coherent axioms, then the practices produced according to perfectly conscious generative rules would be stripped of everything that defines them distinctively as practices, that is, the uncertainty and ‘fuzziness’ resulting from the fact that they have as their principle not a set of conscious, constant rules, but practical schemes, opaque to their possessors, varying according to the logic of the situation, the almost invariably par-
Formal rhythmic description or analysis constantly runs the risk of assimilating the result of the analysis of a musical product whether written or played, with a causal principle followed by the musician in an attempt to capture "the rule by which he proceeds" or "the rule according to which he is playing." This issue is addressed by Wittgenstein in his *Philosophical Investigations*:

PI. § 81—For it will then also become clear what can lead us (and did lead me) to think that if anyone utters a sentence and means or understands it he is operating a calculus according to definite rules.

PI. § 82—What do I call 'the rule by which he proceeds'?—The hypothesis that satisfactorily describe his use of words, which we observe; or the rule which he looks up when he uses signs; or the one which he gives us in reply if we ask him what his rule is?]

In collective and synchronous activities, the error of confusing the model drawn from the observation of an action with the principle of the action is more extensive and problematic. In collective palmas, for example, the schema would be seen as the graphic expression of the same "mental rule" that each of the individual performers is supposedly following. These mental rules would exist as a sort of sign-post which tells one how to go on in following the rhythm. This is a superficially appealing epistemological view, if only because in an attempt to lay bare the ruling principle of the common behavior one cannot account for the way this principle is to be applied by the musician without the unearthing of further rules guiding him in following the first ones. This leads to a problem of infinite regress. Likewise, this account has to postulate that every musician will respond similarly and individually to the same principle in changing circumstances.

Let us return briefly to the Gitano fiesta. At various points, the novia was lifted onto the shoulders of a group of dancers, her novio on the shoulders of others. At this moment, the ambience became more intense. The distribution of food and whisky stopped and everyone was clapping, concentrating on the central scene through their own active participation. The
incessant train-rolling rhythm of the clapping swelled so syn-
chronously, and the singing and jaleos became so insistent that
she and he, carried aloft, wept.

The intensity of the moment, and the overwhelming cohe-
sion of more than a hundred people clapping out a rhythm can-
ot adequately be captured by a formal musical description
without losing sense of the intelligibility of the rhythmic mo-
ment and cohesion. First of all, the idea of a generative schema
points to a rule that is individually followed, albeit by the indi-
viduals making up the group. On this view, called the
monological understanding of shared action, following Charles
Taylor, rhythmic cohesion derives from the coordination of
each individual action. This monological viewpoint, which sees
collective rhythm as an aggregation of coordinated individual
rhythms, fails to account for the fact that collective palmas are a
common action. As a common action, they are more like a
conversation, which cannot be captured as the sum of individual
contributions, one triggering another. A conversation runs
more like a continually responsive refining of conversational
strategies.

Secondly, a schematic representation is a frozen and disen-
gaged picture which cannot take into account the uncertainties
presented by the requirement of mutual, unpredictable interaction
happening in a real situation, in real time, with all of its in-
complete forseeability. It is the context as much as the rule that
dictates the appropriateness and quality of execution as well as
the intensity of rhythmic actions.

An alternative to the limitation of monological under-
standings of shared rhythm would be Taylor's dialogical ap-
proach. Individuals taken by the rhythm are not a collectivity
of disaggregated agents individually coordinating. They are co-
agents of the communal rhythm. Taylor gives the example of
two people sawing a log with a two-handed saw. In such cases
we are engaged in an activity that is common to us. There may
be moments while I am sawing where I might get distracted, for
example, and lose the rhythm, and our sawing will, momentar-
ily, no longer be clean and smooth.

In shared, rather than coordinated, activities like following
the course of the bulerfa rhythm, the agents submit to a shared
rhythm in order to participate in it. They do not simply read off of

7 See CHARLES TAYLOR, To Follow a Rule, in RULES AND CONVENTIONS (Hjort
their own internal sense of rhythm and hook it up to adjacent internalized senses of rhythm. The shared rhythm is something qualitatively different than the sum of individuals drawing upon their individually internalized schemas.

Perhaps more à propos to this particular event, Taylor also gives the example of a dancing couple. Here, the fluidity and grace of the dance requires the sharing of a common rhythm, and, indeed, if one party were to attend to merely their own sense of how the dance should go, this would operate as an impediment to the smoothness of the dance’s execution. An attuned responsiveness to the co-agency of both partners is what allows for grace. These are actions, sawing and dancing, which take place not in two discreet individuals by happenstance at the same time, but in the shared participation of two or more agents.

To be well executed, these activities rely on a conjunction of similarities in training with responsiveness to the contingent context. The context is never completely foreseeable nor reproducible nor is it inherent in the rules themselves. It is only in the actual following of the rhythm that uncertainties are resolved; and against the criteria set by well-mastered training, determinations can be made about how well it is resolved.

Obviously, the participants know how to perform the bulería rhythm. They have what has been sometimes called the “acquired disposition” of following that rhythm. In this case, it is only practical training which has brought about such a rhythmic disposition. An intellectual, and perhaps formal, understanding of this disposition in the form of a model of the performed rhythm loses much of what is actually taking place in the following of the rhythm, namely the “logics of practice.” More relevant for our purpose here, it also imposes upon the rhythm a rigid and disengaged picture that does not necessarily belong to it. In trying to make sense of the following of a rhythm by analogy with the following of a stated (formulated or formulable) rule, formal analysis can lead to constructing a model of the rhythm which only makes sense from its particular, nonpractical, point of view, losing sight of the performed rhythm, whose understanding is embodied by its performers.

This is a brief musicological discussion of the rhythm of the pedimiento and what it might mean to follow the bulería

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8 Flamenco people speak about tener compás (to have rhythm), and you either have it or not.
rhythm; what it means for a gathering to share a rhythm; and, at a particularly intense moment of the event, what it means for the gathering to act with overwhelming rhythmic cohesion—a spontaneous collaboration with the intensity of the moment when the novio and novia are lifted weeping onto shoulders. The analogy between the inadequacy of standard formal musical analysis in understanding non-Western musical forms has some overlaps with the inadequacy of the understanding of law as a set of rules and institutions to grasping non- or sub-state legal orders, in this case Gitano family law. This kind of study, in a field where the more familiar paradigms of legal analysis are inadequate to the task of understanding, might push us to see that a more robust practice-based approach might also be insightful for legal analysis of state family law systems. First, the pedimiento needs, briefly, to be put into social and historical context.

This particular pedimiento was not only spectacular, it was also a relatively uncommon occurrence. There had been no more than four or five pedimientos in Jerez over the previous five years. The more common form of union for Andalucian Gitanos was a fuga, or elopement, arranged uniquely between the future husband and wife, after which a similar type of celebration was held within days after the couple returned, de facto married. This practice is so common that it is more or less taken for granted, reacted to without shock or scandal, and young people expect that they may have to arrange for their conjugal future on their own. The other type of arrangement that we saw several Gitano and also poorer non-Gitano couples engage in is for one of the parties, male or female, to move into the other’s family home. A celebration of the union would be held, sometimes several years later and after several children, when the couple could afford an apartment of their own.

This particular pedimiento was followed by a Catholic wedding, which is historically unusual. There is considerable documentation that indicates that Gitanos—occasionally to the annoyance of church and state—formed unions independent of the church, and in fact have only started getting married voluntarily in the church approximately within the last forty years. The marginal increase in voluntary church weddings between Gitanos is correlated with class mobility, as Gitanos in Jerez are a notoriously integrated group among the Spanish citizenry. Church weddings for prosperous Gitanos, as for other aspiring
Jerezanos, are symbols of prestige.

Church control of official Spanish conjugality was complete until very recently. Pre-Bourbon Spain had regions with special rights and privileges, called fueros, where regional political bodies both complemented and contended with the central crown. Political unity across Spanish territory was obtained, despite this political diversity, through religious orthodoxy. As a result, the only recognized form of marriage in Spain was in accordance with Roman Catholic canon law until the 1950s, when Protestants and Jews were allowed civil marriages. Gitanos were never a recognized religious minority, and hence, prior to the constitutional changes of 1980, if they were not married in the Catholic Church, they were not considered to be married.

Gitanos formed a separate settled urban cultural group, generally with occupational distinctiveness. From the point of view of official law, they were distinctively lawless, part of an amorphous, legally illiterate urban sub-group.

As can be seen from the pedimiento, the more common fuga followed by a similar celebration, and the more pragmatic moving of one partner into the other’s family home until independent housing had been secured, Gitanos have their own diverse ways of forming a conjugal union. Couples would consider themselves, and would be considered by their community, to be conjugally bound. Thus, they enjoyed all of the open-ended security and predictability that marriage entails, with stable (though not absolutely fixed) constraints on appropriate behavior. Violation of expectations for appropriate behavior would be considered scandalous, thus warranting scorn, some form of shaming, or subtler forms of disdain or loss of regard. Gitanos cite instances of, on the one hand, outrageous violations of correct behavior and, on the other hand, instances of exemplary conjugal comportment. The spectacular pedimiento would likely be an instance of the beginning of such a model couple tale. Apart from these salient, foregrounded cases of shameful and exemplary conjugal comportment, there is a heavier mass of cases in the background of taken-for-granted, bumbling conjugality. All of this loosely specific Gitano conjugality has the same stable normativity as couples married according to canon law, and Gitano conjugality is as labile at the margins of shameful and exemplary behavior as those conjugal unions fixed by canon law backed by ecclesiastical jurisdiction.
How might Gitano conjugal normativity and legality then be described? Here, the unformulated nature of Gitano marriages generally, the divergences in practice, and in some instances the lack of a precise moment when the union is formed, makes it a more powerful focus of analysis for the diffuse elements of other bodies of family law.

By analogy with the dialogic understanding of rhythm as shared activity, there is a way of understanding the stability, foreseeability, and regularity that makes up Gitano family law. This allows us to see the elements of constraint at work on individual couples and their separate parties. It is a way that avoids rule-based understandings that construe human beings as individual, disembodied agents, dissociated from a collectivity, and who act because they are following imbedded cultural rules that they represent to themselves before they go on. On the latter analysis, they bind themselves to expectations and relationships by reading off of internalized rules that an outside agent, such as an ethnographer, could formulate and systematize as a sort of synoptic map of social behavior. This is the same regularity which Wittgenstein grounds in the regular use of sign-posts.

Rather than the reading of sign-posts being a kind of inbred reflex which has no inherent coherence on its own—a de facto cold and dumb bedrock of convention which causes Gitanos to follow rules about appropriate marriage formation or appropriate conjugal behavior—the dialogic analogy of following a shared rhythm allows for more than a simple causal link. The training into regular usages, the limits of appropriate conjugal behavior, and a sense of acceptable and shameless transgressions of expectations are a training into an intelligible activity. The formation of character evidenced in hesitations and moments of grace which elicit jaleos does not merely provide causal links that explain social behavior but, rather, is the inchoate template for an interactive and developing sensibility. This does not have to be fully articulated or rule-bound in order to be intelligible—but it might be. The bulería rhythm is coherent and intelligible without being formulated and is understood and followed by the participants at the pedimiento, followed intelligently and gracefully or, in our neophyte case, awkwardly and hesitatingly. Analogously, the loosely ordered, but nonetheless stable, conjugal arrangements of Gitanos are made regular by a similar pattern of coherent, intelligible practice which is generally not formulated and stated as a set of rules.
Such a synoptic, formalized overview is helpful for an outsider or neophyte. But, it also has the disadvantage of giving, in its skeletal elegance, too much determinacy, too thin an account of the multifarious changing variables against which individual agents react and form their characters over the course of their lives, against which couples acquire a sense of the quality of their relationship, against which spectacular pedimientos stand out as superlatively Gitano and through which Gitanos acquire a feel for what it means to be Gitano.

The advantage of construing the background conjugal practices of Gitanos as coherent and intelligible activity—as a sensibility into which one is formed and in which formulated rules acquire their sense and direction—is that this allows for divergences of practice, such as the holding of a Catholic ceremony after a Gitano wedding to add prestige to an upwardly mobile Gitano family at a propitious moment in Jerezano history. It allows for displays of virtuosity without the overdetermination of rules. It allows for ways to account for lapses in appropriate behavior without setting out a rule which could immediately be given a counterexample of someone who finessed an indiscretion—even a scandalous indiscretion.

Rhythm—in this case the swelling shared rhythm of an entire crowd of people—is a good metaphor for the Gitano community’s loosely structured and unformulated, but nonetheless regular, conjugal arrangements. Both rhythm and conjugality are intelligible activities demanding the acquisition of sensibility for understanding how to go on, though non-formulated and never represented as rules to be followed. Both are embodied in gestures, grandiloquent like the pedimiento or quotidian like the deference shown to certain couples as they pass, or the discreet distaste manifested around awkward transgressors. Both allow for displays of excellence through the play with timing and tempo and an agent’s and the group’s responsiveness to both an inculcated sensibility and to the demands that the moment makes on that inchoate sensibility. In a cursory way, the analogy of rhythmic understanding offers a less formalized way of descriptively elaborating the sense inherent in the more or less stable practices of *cante jondo* and Gitano family law, and this offers a way to make statements about the probable experiences of the group’s members without reification.
The pedimiento was richly suggestive of ways to explore some overlaps between musicological and legal analysis. The analogy of rhythm, as opposed to rule, is similarly evocative. This excursus, thus, is merely a preliminary reconnaissance of the territory.