

Mu xa k'u stak' spasiik, mu xa stak' xbak'ik.

"They can no longer do anything; they can no longer act up."

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I have suggested that gossip is implicitly *about* rules; that it involves the interpretation of behavior through rules. I have located in the mouths of gossips seemingly absolute rulelike propositions linking certain actions to certain consequences, extracting morals from events. Rules are slippery things—in anthropological, philosophical, and legal discourse as well as in our everyday lives. Much of the history of social anthropology revolves around a debate over the nature of cultural rules (particularly marriage rules), over criteria for saying that a rule "governs" behavior or that behavior "conforms to" or "invokes" a rule, over the possibility of coming to understand a society partly through coming to appreciate the rationale of its rules of conduct and classification. Similarly, many of the central problems of moral and legal philosophy rest on the notion of rules and their intimate connection with human institutions. A related issue lies at the very heart of the philosophy of social science: namely, How are explanations of human action to relate to social institutions and the rules with which they are interwoven? (A common, perhaps misguided, way of formulating this issue asks the following question: Will the natural science notions of regularity and cause elucidate human action [including rule-following], or is a distinct conceptual framework appropriate?)

Ethnography, at least in recent years, has involved the search for cultural rules: rules which characterize appropriate behavior in particular societies. In our anthropological lives we confront (and are accustomed to speak

of) a multiplicity of such rules: so-called statistical rules, normative rules, moral rules, jural rules, rules of procedure, rules of thumb, practical rules (maxims), rules of etiquette (which, as human ethnographers in the field, we must live by as well as describe), and so on. The beginning fieldworker, trying to understand what is going on around him, observes certain regularities (which leap to even the uninitiated eye): people do things in similar fashion, have similar routines, treat each other in patterned ways, and are generally predictable. As he begins to understand more of what he sees and hears, the fieldworker becomes aware that people have definite opinions about other peoples' behavior and the state of the world in general: they condemn or condone, justify or disapprove, cite custom, and point out innovation. A subtle terminological shift occurs: the ethnographer begins to talk of rules underlying patterned behavior, and of rules embodied by native opinion and value—in short, of the rules of a culture.

We notice right away a fundamental ambiguity in the word "rule" that should alert us to its dangers. The hypothetical ethnographer has found rules here to apply to distinct phenomena: regularities and norms or standards.¹ The two notions here are related to Rawls's (1955) "summary view of rules" and "practice conception of rules." I shall consider various senses of the word "rule" shortly.

The ethnographic preoccupation with rules is especially appropriate if, as some have argued, the notion of a rule is central to the idea of human action and institutions.² Peter Winch argues that "all specifically human behavior" is *meaningful* behavior and, paraphrasing Wittgenstein,³ suggests that "the notion of a principle (or maxim) of conduct and the notion of meaningful action are *interwoven*" (1958, p. 63). Indeed, it is possible to argue that the very notion of a regularity in behavior itself derives from the application of a rule (about what is to count as the same sort of behavior in one case and another). And the application of a rule, in this case as in others, is itself a practice, a particular human institution, which can be learned and taught.

It is not possible that there should have been only one occasion on which someone obeyed a rule. It is not possible that there should have been only one occasion on which a report was made, an order given or understood; and so on. —To obey a rule, to make a report, to give an order, to play a game of chess, are customs [uses, institutions]. [Wittgenstein 1953, sec. 199]

The gossip's preoccupation with rules is still easier to comprehend, on this account. The gossip will be concerned first with saying ("describing") *what* some particular protagonist did—a procedure which in various ways itself calls upon rules, as I argued in chapter 4.⁴ (To take a

special example that anticipates a later point, an observer could not describe an action by saying "He put his opponent in check with his knight" except with reference to the rules of chess.) But the gossip commonly goes on to comment on the behavior he has described. He may offer a particular sort of explanation for it, by speculating about the *reasons* or *motivations* of the protagonist that might have produced his action. He may interpret the behavior as intending to accomplish this or that goal. He may justify, or more often condemn, what has been done. And all of these activities, in various senses to be described, involve appeals to rules: to render action *intelligible* and to decide how to evaluate it.

Consider first several types of rules that have been distinguished by philosophers and other theorists.⁵ John Rawls (1955) distinguishes two conceptions of rules as part of an attempted defense of utilitarianism. The first is what Rawls calls the "summary view."

It regards rules in the following way: one supposes that each person decides what he shall do in particular cases by applying the utilitarian principle; one supposes further that different people will decide the same particular case in the same way and that there will be a recurrence of cases similar to those previously decided. Thus it will happen that in cases of certain kinds the same decision will be made either by the same person at different times or by different persons at the same time. If a case occurs frequently enough one supposes that a rule is formulated to cover that sort of case. I have called this conception the summary view because rules are pictured as summaries of past decisions arrived at by the *direct* application of the utilitarian principle to particular cases. Rules are regarded as reports that cases of a certain sort have been found on *other* grounds to be properly decided in a certain way (although, of course, they do not *say* this). [P. 321 in Care and Landesman 1968; page references to Rawls's article are to this reprinting]

It is questionable (as Rawls himself notes)⁶ whether such reports or summaries could be rules at all: to treat a rule as a mere summary is certainly a confusion. And yet we may recognize in this conception the common ethnographic attempt to formulate rules on the basis of summarizing people's like behavior in like cases. Traditional formulations of "residence rules" (fraught with the well-known difficulties) have this form: "Sons live with their fathers after marriage," with the usual hedge "in most cases." Similarly, there are clearly rules ("rules of thumb") which natives employ and ethnographers observe based on the principle: if it worked in the past it will work now. Hence, Zinacantecos decide how many kernels of corn to plant in each mound for a particular piece of land on the basis of past experience.

Rawls's second notion of rules is called the "practice conception."

On this view rules are pictured as defining a practice. . . . It is the mark of a practice that being taught how to engage in it involves being instructed in the rules which define it, and that appeal is made to those rules to correct the behavior of those engaged in it. Those engaged in a practice recognize the rules as defining it. The rules cannot be taken as simply describing how those engaged in the practice in fact behave: it is not simply that they act as if they were obeying the rules. Thus it is essential to the notion of a practice that the rules are publicly known and understood as definitive; and it is essential also that the rules of a practice can be taught and can be acted upon to yield a coherent practice. [P. 324]

There are difficulties with this account,⁷ but the "practice conception" of rules successfully draws our attention to certain more or less codified activities ("practices"), only within the context of which can certain actions be said to occur. Thus, my earlier example—when a person is said to have "put his opponent in check with his knight"—depends upon the practice of playing chess, in turn defined by the rules of chess. The rules define what it is for a knight to put the king in check (and, indeed, what knights and kings are); if I have moved improperly or the conditions are not met, I have not, say, "put him in check poorly," but have not done so at all. Ethnographers typically investigate practices, in Rawls's sense; and such investigation implies that the ethnographer will try to formulate the rules of the practice.

Related to this "practice conception of rules" is H. L. A. Hart's discussion of what he calls the "internal aspect" of rules (1961, p. 82).

Where rules exist, deviations from them are not merely grounds for a prediction that hostile reactions will follow or that a court will apply sanctions to those who break them, but are also a reason or justification for such a reaction and for applying the sanctions.

Rules that *define* the standard of behavior (of action within a practice) are literally definitive; behavior which deviates from the standard is *ruled out* of the practice. Not surprisingly, this point is clearest in the context of games. Zeno Vendler points out that while deviations from so-called laws of human behavior remain nonetheless instances of human behavior,

if . . . I play chess and suddenly start moving a pawn backward, then I am to be blamed for violating the rule and not the rule for failing to account for my move. For, after all, my move was not really a move; it is the rule that determines what counts as a move. [1967, p. 14]

Rules conceived as summaries of past regularities could not have this character.

B. J. Diggs (1964) elaborates Rawls's practice conception by distinguishing different sorts of "practices" which may be said to be defined by rules. Diggs proposes two characteristics of certain rules, upon which to base a classification:

(1) The rules prescribe action which is thought to contribute to the attainment of a goal. This is the "design" of such rules, at least in the sense that if the prescribed action does not effectively contribute to the attainment of the goal, for the most part, then the rule itself is subject to criticism. (2) The rules are "laid down" or "legislated" or "made the rule" by a party which has power or authority of some kind; one cannot learn "what the rules are" simply by determining what general procedures most effectively promote the goal. [1964, p. 33]

The first characteristic distinguishes what Diggs calls "instrumental rules," which have a goal, from, say, the rules of competitive games, which do not. (Games may have an "object," but the point of the game will itself be a product of the rules, logically dependent on them.⁸) The second characteristic is meant to distinguish, say, practical maxims from a more complex sort of job- or role-defining rules. Diggs characterizes these two types as follows:

The simplest of [the instrumental rules] is the "practical maxim" which one ordinarily follows at his own pleasure, such as "Be sure the surface to be painted is thoroughly dry" or "Do not plant tomatoes until after the last frost." [1964, p. 32]

Instrumental rules [of the job- or role-defining kind] unlike practical maxims, have a social dimension: It *makes sense* to ask whether a jobholder (or role-taker) is *obligated* to follow a particular rule, or whether this is one of his *duties*, and the penalty attaching to a breach of the rules does not consist simply in his not "getting the job done." [Ibid.]

And Diggs goes on to clarify the force of the second characteristic.

It is clear enough that an employer, for example, who "informs" his employee of the rules, is not simply "giving information." Moreover, this act or performance is very different from one's "adopting" a maxim or making a rule "a rule for himself." Note that in the case of a maxim the adoption of the rule is "incomplete" so long as one simply resolves to follow it. Rules of the present kind, however, are normally made for others to follow: To make their adoption complete, one must get at least some of these others "to agree," in some sense, to follow the rules. [1964, p. 34]

All three types of rules thus delimited—rules of games, practical maxims, and job- or role-defining rules—are associated with definite practices: games (and the playing of games), practical activity that is informal or uncodified in some sense, and various kinds of organized institutions,⁹ respectively. Yet the practices have very different characters, and appeals to rules will have different forces within the context of their respective practices.

The various sorts of rules that the theorists I have considered distinguish all fall broadly into the category of what H. L. A. Hart calls "primary rules"—rules of human conduct. He distinguishes "secondary rules" which in various ways govern the use and scope of primary rules.

Under rules of one type, which may well be considered the basic or primary type, human beings are required to do or abstain from certain actions, whether they wish to or not. Rules of the other type are in a sense parasitic upon or secondary to the first; for they provide that human beings may by doing or saying certain things introduce new rules of the primary type, extinguish or modify old ones, or in various ways determine their incidence or control their operation. Rules of the first type impose duties; rules of the second type confer powers, public or private. Rules of the first type concern actions involving physical movements or changes; rules of the second type provide for operations which lead not merely to physical movement or change, but to the creation or variation of duties or obligations. [1961, pp. 78–79]

Secondary rules are metarules, in precisely the way that, for example, an ordering of rules (in a grammar) is a metarule specifying the order in which rules are to apply.¹⁰ An ethnographer, as he sets out to learn the rules of conduct in a society where he works, will also learn the criteria by which rules are said to apply to particular cases, by which they may be sidestepped, ranked, neutralized, and so forth.

In these preliminary remarks I have intended to show that a disastrously confusing range of phenomena falls within the notion of rule. Diggs gives an admittedly partial list for moral rules:

moral rules can be (and thus tend to be) conceived as summaries, reports, practical maxims, rules designed to promote a goal, rules which define institutions, rules which protect institutions, and as particular forms of the fundamental principle of justice. [1964, p. 44]

Before the ethnographer out to discover "the rules of a culture," can find out what the rules are, he must delineate what phenomena he is seeking to describe: what counts as a rule; what counts as following a rule; what counts as (what are the circumstances of) invoking or applying a rule.

Alice, the intrepid participant-observer in *Through the Looking Glass*, faces precisely this dilemma:

"She's *my* prisoner, you know!" the Red Knight said at last.

"Yes, but then *I* came and rescued her!" the White Knight replied.

"Well, we must fight for her, then," said the Red Knight, as he took up his helmet (which hung from the saddle, and was something the shape of a horse's head) and put it on.

"You will observe the Rules of Battle, of course?" the White Knight remarked, putting on his helmet too.

"I always do," said the Red Knight, and they began banging away at each other with such fury that Alice got behind a tree to be out of the way of the blows.

"I wonder, now, what the Rules of Battle are," she said to herself, as she watched the fight, timidly peeping out from her hiding-place. "One Rule seems to be, that if one Knight hits the other, he knocks him off his horse; and, if he misses, he tumbles off himself—and another Rule seems to be that they hold their clubs with their arms, as if they were Punch and Judy—What a noise they make when they tumble! Just like a whole set of fire-irons falling into the fender! And how quiet the horses are! They let them get on and off them just as if they were tables!"

Another Rule of Battle, that Alice had not noticed, seemed to be that they always fell on their heads; and the battle ended with their both falling off in this way, side by side. When they got up again, they shook hands, and then the Red Knight mounted and galloped off.

"It was a glorious victory, wasn't it?" said the White Knight, as he came up panting. [Carroll 1960, pp. 294–96]

Alice tries to extract Rules of Battle (having been forewarned by her informants that such rules are to be observed) just as ethnographers (forewarned only by their theories of ethnographic description) try to extract Rules of Culture from the goings-on they observe.

Let me survey the sorts of rules they might find in Zinacantan.¹¹

1. Rules which summarize (and are supposed to underlie) actual observed behavior, at various levels of abstraction:

The more expensive the religious office the more prestige accrues to its holder.

A person will inherit part of an estate only if he contributes to the burial expense of the deceased.

The youngest son lives with his parents after marriage.

Successful courtship costs about 3,000 pesos.

2. Rules which amount to definitions:

Ritual dress consists of a black full-length wool tunic, head wrapped in a scarf . . .

The godfather at a wedding wears ritual dress.

To make a proper "bow" is to do this [demonstration]; to "release" a bow is to do this [demonstration].

When corn is cooked with lime it is *panin*, but when cooked without lime it is *hux*.

3. Noninstrumental rules of practices (rules of propriety, not relating directly to a goal):

The violin player is the most senior-ranking musician, regardless of age.

The most senior person is served [liquor] first and marches last in procession.

The curer carries his baston of office.

4. Instrumental rules of practices—job- or role-defining rules:

Martomo Sakramentu supervises the duties of all the other *martomo* cargoholders.

The violin player leads the songs.

The godfather at a wedding instructs the bride and groom in proper marriage behavior.

5. Practical maxims (relating to particular goals, and widely observed):

In hoeing, hold the hoe this way [demonstration].

Plant three or four kernels in each hole, on this land . . .

Hold your corn crop to sell in July for highest return.

Avoid getting mixed up with ladino legal institutions.

Turn a tortilla the second time when the edges just begin to shrivel up.¹²

The examples of these (often overlapping) types of rules all might be drawn from ethnographic accounts of Zinacantan. They include most of the types discussed by the philosophers whose work I have treated above; and they are the sorts of rules that an ethnographer might formulate—Alicelike—from observing what people do. Strikingly missing here, however, are the sorts of rules which, at least in gossip, seem most likely to be openly formulated and expressed by Zinacantecos. I may distinguish three further kinds which are often mouthed by Zinacanteco gossips.

6. Rules of strategy (relating to particular goals, or within certain practices, but not necessarily of wide currency):

A quick way to make money is to plant lots of beans in October.

To acquire a high-prestige cargo, one should first request a low-prestige cargo (which is easy to get) and later change to a higher post as openings occur.

7. Rules of interpretation, lending sense to the action; (these often take the form "If he does . . . , then it must mean that . . ."; or "He wouldn't do that unless . . .").

When two men shake hands they are showing [expressing] their equal rank.

People who build houses of brick [rather than adobe] are showing off their wealth.

People seek as godparents for their children men from whom they can borrow money.

8. Rules which embody openly stated norms and standards; moral rules:

Children should respect their parents.

The youngest son ought to remain with his parents to care for them and inherit their house.

A cargoholder must refrain from sexual activity during certain fiestas.

The magistrate should properly listen impartially to both sides of a dispute.

This categorization is not exhaustive,¹³ and the categories themselves are doubtless muddled and ill-defined. Why are such different sorts of propositions all *rules* at all? In what sense do such propositions enable us to describe action as underlain by rules? I suggest that the study of gossip affords a new perspective on the nature and use of rules in ordinary discourse.

Let me consider first what seem fairly straightforward rules: those governing the settlement of legal disputes. Individuals find themselves in conflict for a wide variety of reasons and in quite different situations.¹⁴ By the time they seek a legal solution to a conflict, disputants have phrased the dispute and the attendant facts in ways that call legal rules into play. Jane Collier makes this argument in a study of Zinacanteco law.

Cases do not emerge directly from social trouble spots. They begin as a series of events that are given descriptive labels by litigants and are finally taken to a legal procedure selected on the basis of personal desires. [1973, p. 252]

In phrasing disputes, disputants clearly make use of what I call "rules of interpretation," by which they can judge the consequences of labeling an action in a particular way. This is what Collier has in mind when she remarks that "Zinacanteco couples . . . employ a set of actions that convey easily understood messages" (p. 183). By failing to prepare his food on a particular occasion, a wife can show her husband that she is angry with him without taking a more drastic step (such as returning to her parents' home) which would precipitate a more difficult reconciliation or which might activate more formal legal procedures.

Rules may pattern disputes and their outcomes, according to this view, in the particular sense that

the legal language through which claims must be advanced and decisions justified constrains both the types of claims and the range of possible outcomes. [1973, p. 244]

Both this legal language and the rules themselves are used selectively, providing a conceptual framework in terms of which disputants can frame their arguments.

Legal concepts do not have a direct effect on behavior; they provide a way of talking about behavior. In ordinary experience, legal concepts appear to structure observable social regularities, because behavior falling on the fringes may be assimilated into the norm through classification, and because individuals consciously planning to act think in terms of the labels that can be applied to their behavior. [Ibid., p. 259]

Collier's argument suggests that legal rules, in fact, exist only as they are used: invoked, applied, cited, and so forth. Such rules constrain largely after the fact: when someone chooses to find fault with another person, he phrases his complaint in such a way that the other may be considered to have violated a rule.

Moreover, rules—as propositions framed in words—can be freely manipulated as people attach varying meanings to the active clauses. Zinacantecos are familiar, as are we, with the glib lawyer who can convince the magistrate that a rule applies and who then goes on to draw the desired conclusions. In the rest of this chapter I extend this line of argument to rules outside the realm of law. I remarked above that it is plausible to think of gossip as "about rules." More precisely, if we conceive of Zinacanteco culture as storable in terms of some complex set of propositions about behavior, then gossip is an activity through which actual behavior is verbally bent into a form amenable to the application of rules. As people gossip they fit their culture (propositions about the world) to the world itself.¹⁵ How then are we to understand the relationship between rules and action?

What is the nature of rule-bound activity? Here again it may be helpful to refer to Peter Winch's argument relating rules to the idea of "meaningful behavior." The argument has two parts. First Winch links the idea of "following a rule" to the possibility (in some circumstances) of "making a mistake" or *evaluating* behavior so characterized.

The notion of following a rule is logically inseparable from the notion of *making a mistake*. If it is possible to say of someone that he is following a rule that means that one can ask whether he is doing what he does correctly or not. Otherwise there is no foothold in his behavior in which the notion of a rule can take a grip; there is then no *sense* in describing his behavior that way, since everything he does is as good as anything else he might do, whereas the point of the concept of a rule is that it should enable us to *evaluate* what is being done. [1958, p. 32]

This account directs our attention to the typical case in which people appeal to rules: to decide whether certain behavior accords with the rules or defies them—to evaluate behavior in terms of rule-set standards.¹⁶ Rules display their peculiar *force* in this sort of evaluative discourse, when people consult them or apply them as part of justifying or condemning behavior. The language of rules includes a bundle of words like "obligation" and "duty" whose use is to draw particular behavior *under* a rule. (Words like "mistake," "crime," "sin," "misbehavior," and "faux pas" belong, too, in this language.)

H. L. A. Hart distinguishes two points of view regarding rules of special significance to the ethnographer and the gossip.

When a social group has certain rules of conduct this fact affords an opportunity for many closely related yet different kinds of assertion; for it is possible to be concerned with the rules, either merely as an observer who does not himself accept them, or as a member of the group which accepts and uses them as guides to conduct. We may call these respectively the "external" and the "internal points of view." . . . [W]e can if we choose occupy the position of an observer . . . content merely to record the regularities of observable behavior in which conformity with the rules partly consists and those further regularities, in the form of the hostile reaction, reproofs, or punishments, with which deviations from the rules are met. [1961, pp. 86–87]

This option, I suppose, is open to the ethnographer, but it is decidedly impossible for the gossip. The gossip—whether he espouses the rules of his society or desires to bring them down, in this case or in general—must comment on (interpret) behavior in terms of its compliance or noncompliance with rules in force. (He may also comment on the rules

themselves.) This is the nature of justification, criticism, or condemnation.

Moreover, this is also part of rendering behavior *intelligible*, as the second part of Winch's argument shows. Following Weber's discussion of the subjective sense (*Sinn*) of behavior, Winch associates the idea of "meaningful behavior" with the ideas of "motive" or "reason" for behavior (1958, pp. 45ff.). He goes on to suggest that even when someone can be said to have acted without a particular reason or motive, his action can still be said to have a *sense* by virtue of its place in a set of social institutions of which the actor is conscious.

Let us return to N's exercise of his vote: its possibility rests on two presuppositions. In the first place, N must live in a society which has certain specific political institutions. . . . Secondly, N must himself have a certain familiarity with those institutions. His act must be a participation in the political life of the country, which presupposes that he must be aware of the symbolic relation between what he is doing now and the government which comes into power after the election. [1958, p. 51]

When a gossip interprets what other people are doing and why, he speaks of their making choices, having reasons, intending or responding to this or that, being "guided by considerations"—all notions which, according to Winch, depend on the idea of a rule, or represent appeals to rules.¹⁷ "One can act 'from considerations' only where there are accepted standards of what is appropriate to appeal to" (1958, p. 82).

As we ask, then, when and why people appeal to rules we confront the centrality of rules to ethnographic description: appeals to rules are part of the language by which behavior is made intelligible and is justified, criticized, or condemned. Hence rules are basic parts of the gossip's tool kit.

Are some rules conscious and others unconscious? This is dangerous ground. Even when our action conforms to a rule (this is already a careless way to talk; I mean to say, when no violation is detected in what we do), we are not necessarily conscious of the rule (aware of it as we act). We do not appeal to rules of grammar as we talk; often, in fact, we cannot even formulate them. Rules for dividing fractions or computing square roots, on the other hand, seem to guide our pencils as we calculate, especially when we have only lately learned how. Consider some further cases. Rules of the road surface only in unusual circumstances—for example, when we appeal to them ruefully after the accident to determine who was at fault. Parliamentary rules may guide our action, but we need experts to keep track of them. Sometimes we

can't perform at all without a rule: rules of thumb (how to convert farenheit to centigrade) define the answer. And some rules (college conduct rules, most laws) are of more concern to the authorities who enforce them than to those affected. The extent to which we are bound by rules, or conscious of rules, as we act depends on the sort of thing we are doing.

To be available to gossip a rule need not hover in the minds of actors who observe or break it; nor need it be explicitly formulable in most contexts. In gossip, ordinarily it is nonstandard behavior that activates rules; the oddness of a man's behavior stimulates gossip about what is odd in it.

Xun has only very old, ragged clothes. He has an old, torn leather bag, with its pocket torn off, that is almost completely black. He probably bought it back when he was courting his wife and hasn't bought another since.

Lol used to buy liquor near *k'onlum*, and while there would stay in the house of an old woman who was perhaps fifty-five years old. He screwed her several times and then married her. She has given him no children (and probably has sapped his potency) because she is too old. When they walk around together you might think to look at her that she is his mother.

Mikel, the youngest son of an elderly man, decided to move away from his paternal home and leave his older brother behind. He has accused his father of witchcraft, and one day, when they went on a long trip in the same truck, Mikel addressed not one word to his father.

These facts are noteworthy enough to gossip about because of the departures from expected, normal behavior implied by (1) not buying new clothes, (2) marrying someone who is mismatched in age (something Zinacantecos believe can cause a severe, ultimately fatal illness), and (3) not respecting (and, hence, not talking politely to) one's father. The rules in question here are automatic, unconscious, and usually unimportant. One pays minimal attention to dress until there is some striking omission or defect. Similarly, one ordinarily takes no note of married couples appropriately matched in age, or of the everyday cordiality between father and son. Gossip, when it detects something queer, tries to pinpoint the source of the queerness; the rules of a culture single out not normality but departures from normality.

I am talking about more than a conversational fact here; in an earlier chapter I suggested that conversations tend to dwell on unusual behavior and transgressions rather than on unmarked, unobtrusive normality. Here I suggest that bringing up a rule, appealing to a standard,

reminding oneself (or one's interlocutor) of a value is appropriate precisely to discussions of some exceptional (hence exceptionable) behavior. Gossip is a *typical* context for talk about rules. There is a parallel here with talk about "motives" and "intentions." We typically speculate about someone's motives or intentions when we are puzzled about why he did what he did; we may volunteer information about our intentions to forestall some suspicion about how our actions may go wrong ("My intentions are honorable").¹⁸

There is no contradiction in saying that someone who never before manifested any signs of a jealous disposition has, on a given occasion, acted from jealousy; indeed, it is precisely when someone *acts unexpectedly* that the need for a motive explanation is particularly apparent. [Winch 1958, p. 80]

It would be absurd for a gossip to retell the story of a son who behaved only with proper respect for his father, appealing to "rules" for such filial respect (except, perhaps, if he were commenting on the abnormality of such a relationship—say, in a world where such ways of treating one's parents were on the wane—or if, trying to exemplify the "rule" to an inquisitive ethnographer or other cultural novice, he cited the case as an object lesson).

Gossip deals as well with questions of *propriety*, over and above normality and convention. Zinacantecos would willingly state rules for proper courtship, proper ritual performance (indeed, there are specialists who supervise ritual), or for appropriate domestic division of labor. These same rules are promulgated (and often reformulated) in gossip about improper behavior, as well as in court cases.

Again, behavior within social institutions has striking analogies with playing games. Certain moves are legitimate (in accord with the rules); moreover, certain moves force certain other moves (allow one to expect conventional responses). Departures from normality may take the form of moves outside the rules (which cease to be moves at all—they do not belong in the game), or of unconventional (senseless, unbelievable, stupid, self-defeating, unfathomable) moves. When in ordinary life our expectations fail we are stopped short; we gossip about what has gone wrong.

There is a certain nonsense to the notion that there can be a gulf between rules and behavior (see Keesing 1971). The ethnoscientist's search for rules of behavior cannot end with a set of principles which tell us little or nothing about what behavior to anticipate. After giving a list of various principles that operate in Zinacanteco inheritance claims, for example, Jane Collier notes:

The fact is that these principles do not govern Zinacanteco inheritance, but only serve as justifications for a claim to property. The actual distribution of inheritance is determined by a compromise between competing claims advanced at the time the land is being divided. [1973, p. 179]

But "compromise" here amounts to throwing up one's hands. Since native actors only rarely surprise each other by their actions, there must be mechanisms by which one man can anticipate the behavior of another. Similarly, since legal settlements are rarely incomprehensible, native actors must understand the procedures through which settlement is made. Hence, it may be that the rules of inheritance conflict, and that rules serve primarily as justifications for claims. Or it may be that, for ordinary action, there are conflicting alternatives—Shall I wear shoes or sandals? Do I call him "Joe" or "Professor X"? Shall I have my ham and swiss on white or rye? Shall I shake his hand or punch him?—between which one chooses on the basis of the standard (i.e., rule-bound) implications and consequences of each alternative. Yet there is presumably more to the resolution of conflicts than compromise. Rules are clearly not on an equal footing with each other, and thus some compromises are easier to come by than others. Keesing's (1970) work on Kwaio sharing of bride-wealth shows that it is possible to untangle the competing claims of relatives and to anticipate eventual outcomes by paying precise attention to anomalous cases. The rights and obligations which ordinarily coincide in single individuals are split among several in the case of adoption or changing residence. The outcomes of cases in which several people have claims to goods ordinarily reserved for one person show in greater detail the rules which govern bride-wealth distribution. Individuals in conflict have the freedom to appeal as they like to rules; but it may often be that conflicts between rules once invoked are themselves resolved by rules—rather than by something as nebulous as compromise.

There is, unfortunately, the disturbing possibility that the natives' ability to anticipate the outcomes of disputes and the actions of individuals amounts to little more than the ability to give post factum rationalizations for eventual outcomes. The ethnoscience may be able to produce a model of residence that gives a perfect match with the residence patterns observed during a field stay. But there is nothing more remarkable in this than in the villagers' ability to justify or at least to come to understand another villager's decision about where to live—after he has built his house and moved in. The ethnographer and the gossip perform similar operations: they observe behavior and use rules to understand its implications or the motives behind it. In fact, the ethnoscience can *make up* rules to justify the behavior he sees. We need not

be satisfied with a "compromise" between rules or a "gulf" between rules and behavior; the gossip and the ethnographer have a stake in reconciling rules with behavior. The power of rules as determinants of action stems from the fact that each time we construe a particular sequence of behavior in accordance with rules, we strengthen the presumption that future behavior will also accord with the rules. Natives base their ability to anticipate on such presumptions.¹⁹

Note that the gossip has an advantage over the ethnographer in that he can reject certain behavior outright as deviant, antisocial, wicked, reprehensible, nonsensical, incomprehensible, ill-conceived, or generally out of line with (some) rules. The ethnographer has a harder time establishing some criterion for calling a particular residence choice "deviant," even when the natives are willing to agree among themselves that it is wrong, bad, unmanly, queer, or fishy. The ethnographer, building his model, is obliged to say, "The man must have had his reasons." The natives, gossiping, may counter, "They were bad ones." Gossip trades on rules and "should" statements, urging certain behavior by praising it, and throwing out other behavior by condemning it. The ethnographer makes do with only the brute facts of observed regularities.

Consider the moralizing and the conflicting values—stated often in categorical, rulelike propositions—that figure in the following gossip sequence about a rich man made poor by excessive lending.

"Kere, he has a lot of money, indeed!"

"I hear that he has just scattered it all over."

"But he isn't repaid; he himself has had to go into debt now."

"Putu, that's bad. . . ."

"The old man has lost his wealth now; I don't know why. Perhaps he can't get his money back now because he spread it so widely around."

"It's just as if he gave it away."

"He treated his money as if he could just pick it off a tree, as if he could manufacture it; that's why he distributed it among so many different men."

"But the poor old man is extremely good-hearted. When my son Chep made his house he told me, 'I'll give you the money.' He just offered it by himself."

"But he always lent so much; he didn't just lend a few hundred at a time. Instead he would lend ten thousand to just one single man."

"Well, he should have made some sort of deal. He didn't take care to lend only to those who would probably pay him back, to those who seemed to be good men. Instead if anyone at all went to ask him for money, 'Here, take it' he would say. He didn't wait to see from their faces if they were good men."

"Well, they say that at first he was always repaid the money he had lent. People would keep asking him for some amount—people are very crafty—and after a year they would return it. So, you see: the old man was elated since he got his money back. But then the next time—well, he never saw his money again. Old Xun Inas died, for example, and the whole deal was ended."

"Son of a bitch, he lost five thousand on that!"

"So the poor old man had thought to lend out of the goodness of his heart. But now he isn't given even a penny. It's awful. He wanders around asking for it, but no one gives it back. None at all. He says his children are getting angry."

"My sons are angry," he says. 'Kavron, the way you lend the money, it seems that you just like to drink beer.' they say. 'But I don't care about drinking beer,' he says."

"Well, his sons are the ones who do the work; the old man no longer works."

"Kere, I think that's terrible."

"Well, the old man has patience; he has compassion for others."

"Ah, he is forgiving. He has a good heart."

"He doesn't believe in stealing peoples' sheep by charging interest the way Lukax does."

"No, he doesn't drag out of people what he could by asking for interest on his loans."

Several clear, though obliquely stated, normative propositions are implicit in this conversation. Here are some of them:

1. A rich man, if he is good-hearted, will lend money.
2. A good-hearted, reasonable moneylender will not charge interest.
3. A man lending money should be sure that the recipient is likely to be able to pay him back.
4. A man should never lend a lot of money to just one person.
5. One should be careful of one's money, since it doesn't grow on trees but is the product of work.

Gossiping about this one unfortunate old man allows the participants to agree on these principles and to apply them to (derive them from?) a concrete situation. They can decide together what to think about the man himself, and—more pragmatically—they can assess the causes for his misfortune and guide their future actions accordingly.

The process is related to that described by Schutz:

Only in particular situations, and then only fragmentarily, can I experience the other's motives, goals, etc.—briefly, the subjective meanings they bestow upon their actions, in their uniqueness. I can,

however, experience them in their typicality. In order to do so, I construct typical patterns of the actors' motives and ends, even of their attitudes and personalities, of which their actual conduct is just an instance or example. These typified patterns of others' behavior become, in turn, motives for my own action, and this leads to the phenomenon of self-typification. [1962, p. 60]

Applying a rule, or extracting a rule from a gossip story, is much like "typification." And here it is not so much that the behavior was bound by the rules; gossips *find* the rules *in* the behavior (which may be to reconstruct the behavior around the rules—if only in their violation).

In most situations individuals have a wide range of alternatives. Individuals construe the circumstances and choose between alternatives on the basis of many different constraints (some of which may be what I have called above rules of strategy). Strategies are not random; nor are they morally neutral. Native actors are able to fathom the import of peoples' actions partly with the help of their knowledge of different rules of strategy. Consider the following synopsis, from various gossip sources:

About a month before the scheduled wedding, an engaged girl disappeared from her home and was missing for one night. The girl's family tried to keep her disappearance hidden, but the groom's family discovered that she had run away. After a day's searching the girl was found at her grandmother's house. All concerned assembled at the *agencia* to decide what had happened and what was to be done. The girl's family claimed that she had been beaten by her fiancé and one of her brothers and had run away, in fright, hiding with her grandmother. The groom's party suggested that perhaps one of the girl's kinsmen, who did not favor the match, had prompted her to run away and hide to avoid marriage. The groom himself hinted that he harbored suspicions that the girl might have run off with a lover. The options were to break off the courtship—with the girl's family repaying the considerable courtship expenses the boy had incurred—or to have the two get married immediately, with the church ceremony to follow at the scheduled time. The girl's mother eventually bowed to pressure from her kinsmen (who did not want to have to repay the bride-price) and allowed the girl and the boy to start living together, with the strong stipulation that the wedding ceremony and fiesta still take place.

The parties to this dispute were concerned to interpret the actions of the girl in running away. What did she mean to be doing? Had she a lover? Did she want to call off the marriage? Both sides tried to cast the events in such a light that rules could be brought into play to govern

the outcome. Thus rules enter into the proceedings at both ends: they help shape peoples' impressions and interpretations of what the problem is, what the behavior entails; and they then specify an outcome, given agreement on the situation.

Rules of interpretation allow one to understand the implications of action. If a girl fails to greet her suitor, refuses to feed him when he visits, or—worst of all—runs away unaccountably, he understands her to be refusing his suit, by virtue of the "rule" that states that a girl should treat her suitor well. If a girl's parents suddenly refuse gifts proffered by their daughter's suitor, the boy receives a clear message about the status of his supposed marriage contract. Receiving the gifts of a suitor energizes the rules governing agreement to a marriage proposal; continuing to receive the gifts throughout the courtship binds the girl's family further.

In gossip rules are laid gridlike over the continuum of behavior, to allow participants to interpret the events they are discussing. During the events recounted above various stories circulated in gossip. One account had it that the girl had run off with another lover to elope, another claimed that the suitor had beaten the girl severely, and that she had run off as a result. A third version maintained that one of the girl's uncles, an enemy of the groom and his friends, had persuaded the girl to hide in his house to avoid the wedding. Each story represents an interpretation of the facts—that the girl was missing from home one night—in a form that suggests certain consequences.

Rules of interpretation are symbolic statements of relationships between categories of behavior. "Accepting a gift of liquor" is tantamount to "agreeing to a request." "Being absent from home" is equivalent to "running away." And so on. Rules of this sort allow people to formulate expectations on the basis of past behavior—expectations which have more force (even if less reliability) than those based on statistical regularities alone.

Rules allow actors to communicate through action. In Zinacantan, putting on ritual dress implies certain contexts and is inappropriate in everyday life. Shaking hands in greeting rather than bowing implies a certain sort of equality derived, in the purest cases, from age, but often reflecting an equality of ritual status instead.

Here is a limitation of the analogy of the game. Rules of chess define proper moves ("A knight moves like this . . ."); rules of strategy point to favorable lines of play ("When attacked in this way, a solid defense is as follows . . . ; these moves, on the other hand, are weak . . ."). Cultural grammars have analogous rules. But a game of chess leads to a single end; moves in the game may have meaning with respect to that end, that is, winning or losing. ("His gambit with the queen showed

his desperation." "When he threw his king across the room it meant he was resigning.") But ordinarily, to move a knight according to the rules is not to say anything in particular (mean anything in particular), whereas to shake a Zinacanteco's hand in greeting is to do more than simply abide by the rules; it is to imply something definite about status.²⁰

Here I return to the central point. Though rules may not be causal determinants of behavior (whatever that might mean), they figure in *explanations* of behavior. Part of the answer to the question "Why do people act as they do?" or, more commonly, "Why did he do that then?" will be an appeal to cultural rules ("That's how it's done . . ."; "He meant to . . . , and so he . . ."). While a native actor may not be able to predict, from his knowledge of his own culture, what another will do, or what people will say about it in gossip, he will nonetheless be an appreciative audience: he will recognize the appropriateness of another's remarks.

Gossip can lead to contradictory conclusions, from the same premises and with equally legitimate reasoning. Consider the contrast between the following two accounts of adultery, both offered by the same man on different occasions. When he told me the first version, my informant was having a fight with Maryan and his brothers, and was inclined to ridicule.

Version 1 Maryan has recently been dragged to jail in Jteklum over a long-standing fight with his ex-wife and her father. His ex-wife had, by a previous marriage, a daughter with whom Maryan began having sexual relations. The girl became pregnant, and Maryan's wife moved out in anger. Now the ex-wife and her father are demanding bride-payment for the girl, who is herself unsure whether to stay with Maryan. He has been jailed for not paying and for his foolish lack of sexual restraint. Why does he need two women in his bed?

Later my informant was asked to help get Maryan off. Returning from Zinacantan Center after the court case he offered the following account:

Version 2 Maryan got into trouble because of his stepdaughter. His wife left them alone together often, and he eventually got her pregnant. When questioned, the girl claimed that she had never felt a thing. She said she didn't know how she could possibly have gotten pregnant. (We know how, ha ha ha.) Maryan's wife ran home in anger to her father, leaving her daughter to

take care of Maryan. Maryan was willing to divorce his wife and offered to marry the girl, but his ex-father-in-law (the girl's grandfather) demanded 1,000 pesos in bride-price. That amount seemed high, considering that as the girl's stepfather Maryan had contributed most of the money toward raising the girl in the first place. At the *cabildo* I argued that no harm had been done; that the girl wouldn't die from having her stepfather's baby.

Clearly both versions of this story are possible; both, that is, can be framed in language appropriate to Zinacanteco gossip. Either account would be appreciated by an audience of Zinacanteco men. The behavioral rules which underlie such cases are compatible with the biases in either account, and dictate in favor of neither Maryan nor his ex-wife. A convincing moral argument can be made for either side.

What is more, this apparent open texture of rules is not an aberration. After observing receptionists "applying" relatively precise rules to a particular concrete situation, Don H. Zimmerman remarks:

It would seem that the notion of action-in-accord-with-a-rule is a matter not of compliance or non-compliance per se but of the various ways in which persons *satisfy* themselves and others concerning what is or is not "reasonable" compliance in particular situations. Reference to rules might then be seen as a common-sense method of accounting for or making available for talk the orderly features of everyday activities, thereby *making out* these activities as orderly in some fashion. [1970, p. 233]

To ignore the flexibility of the process by which behavior is fitted to and accounted for by rules, a process which we all employ continually and which is paramount in gossip,

invites the treatment of rules as idealizations, processing stable operational meanings invariant to the exigencies of actual situations of use, and distinct from the practical interests, perspective, and interpretive practices of the rule user. [Ibid., p. 223]

Gossip draws our attention to the characteristic use of rules in justification and explanation.

Does the "open texture" of rules lead inevitably to the conclusion that rules are vague, incomplete, indeterminate? There are two observations to be made. First, the notion of a vague or indeterminate rule confuses a false ideal precision with the actual use of a rule.

A rule stands there like a sign-post.—Does the sign-post leave no doubt open about the way I have to go? Does it shew which direction

I am to take when I have passed it; whether along the road or the footpath or cross-country? But where is it said which way I am to follow it; whether in the direction of its finger or (e.g.) in the opposite one?—And if there were, not a single sign-post, but a chain of adjacent ones or of chalk marks on the ground—is there only *one* way of interpreting them?—So I can say, the sign-post does after all leave no room for doubt, or rather: it sometimes leaves room for doubt and sometimes not. And now this is no longer a philosophical proposition, but an empirical one. [Wittgenstein 1963, sec. 85]

This is to say, as Wittgenstein does, that "The sign-post is in order—if, under normal circumstances, it fulfills its purpose" (sec. 87). Similarly, we do not demand of a rule ever more and more exactness;²¹ we ourselves apply the rule when necessary.

The second observation is that our knowing how to apply rules in ordinary circumstances is part of the whole activity (partly, of describing and evaluating action) to which the discourse of rules belongs.

"Then can whatever I do be brought into accord with the rule?"—Let me ask this: what has the expression of a rule—say a sign-post—got to do with my actions? What sort of connexion is there here?—Well, perhaps this one: I have been trained to react to this sign in a particular way, and now I do so react to it.

But that is only to give a causal connexion; to tell how it has come about that we now go by the sign-post, not what this going-by-the-sign really consists in. On the contrary; I have further indicated that a person goes by the sign-post only in so far as there exists a regular use of sign-posts, a custom. [Ibid., sec. 198]

The gossip and his interlocutors are in a clear sense negotiating the scope and import of the rules, the range of behavior that requires explanation; but they begin with (a background of) a common perspective. If we reach outside this activity, outside the normal realms of discourse, we may well be puzzled about rules and their role as determinants of behavior. But I take it to be an axiom of anthropology that the ordinary realm of discourse need not be discarded when we enter other human societies. We may have a good deal to learn, but some constraints we must take for granted:

Following a rule is analogous to obeying an order. We are trained to do so; we react to an order in a particular way. But what if one person reacts in one way and another in another to the order and the training? Which one is right?

Suppose you came as explorer into an unknown country with a language quite strange to you. In what circumstances would you say that the people there gave orders, understood them, obeyed them, rebelled against them, and so on?

The common behavior of mankind is the system of reference by means of which we interpret an unknown language. [Wittgenstein 1953, sec. 206]

I am trying to suggest that the notion of "action in accord with a rule" itself depends on the social institutions in which action is located. One learns how to "follow rules" (when to say a rule has been followed) and consequently how to talk about behavior and associated rules (as in gossip), as part of learning how to act, how to "live as a social being."²²

It should now be clear that gossip is a powerful instrument for manipulating cultural rules. Gossip is a primary metacultural tool, an activity through which people examine and discuss the rules they espouse. Through gossip people not only interpret the behavior of others, but also discover other people's interpretations; they can thus learn cultural rules at a distance. Through dialogue, gossip allows rules to change: it redefines the conditions of application for rules, thus keeping them up to date. Finally, gossip exploits the interpretive potential of rules to advance particular (personal, factional) ends. One talks, in gossip, as if the rule of culture were absolute, whereas cultural rules actually legitimize disparate and often contradictory modes of action. By catching someone's ear in a gossip session, one can introduce a particular assessment of the facts and cloak it with the garb of absolute morality and unflinching truth.

**Cultural Competence:
Gossip and a Theory of
Ethnography**

Ilaj no'ox lo'ilajkotik che'e.
"Our gossiping together has,
then, come to an end."

9

Studying gossip, in Zinacantan and elsewhere, reflects what I take to be the obvious fact that one can gossip only in a culture one is competent in. What precise parameters of competence operate here can be seen, in part, from my earlier discussion of the knowledge, general and particular, of rules and of facts, that gossips draw upon. The converse proposition—that competence in a culture presupposes at least the ability to *understand* gossip, if not to gossip—is more contentious but certainly arguable. But if these propositions hold, they have important consequences for the theory of ethnography, at least in the special but widely accepted sense of "ethnography" understood as the characterization of "cultural competence." In these concluding arguments I focus on some ramifications of the notion that an adequate account of cultural competence must encompass the native's ability to gossip.

First let me make plain what I do *not* mean to argue. It may be the case, as a matter of practical method, that attention to gossip in a community will elucidate or bring to early attention phenomena otherwise relatively obscure or inaccessible. (I have in mind matters of belief, native theories of personality and motivation, etc.) But it will doubtless be equally true that much will elude the ethnographer who has eyes and ears only for gossip. Other sorts of research which totally ignore gossip as a natural forum for native speculation may well be equally probing. Nor do I claim that we can know nothing useful about a society until we have learned to gossip in it—a