Research Paper History

A Gaze to Wayuu's Culture, Base of His Normative System

Nicolás Polo Figueroa | Universidad Sergio Arboleda-Santa Marta

ABSTRACT

The wayuu ethnic group, of our native cultures that doesn't want disappear, is located in the Guajira Peninsula in northern Colombia. Four are the pillars of this culture: The legal system or common law; the putchipü'üi or "palabrero" as the guardian of this system; the ouuts üwamen, its spiritual pillar, and the wayuunaiki, its mother tongue. These pillars are the object of this communication. This article, a preliminary report on an investigation into the culture that gives rise to that legal system , tries to visualize some aspects of that culture in order to assist in its protection as mandated by the Constitution of Colombia.

KEYWORDS



Introduction

This article is a previous report of a researchon the values of the Wayuu ethnic, groups based on their normative system, carried out by "Joaquín Aron" group of Law School, Universidad Sergio Arboleda Santa Marta, in collaboration with the Board of Mayor "palabreros"Wayuu ethnicity, an ancient ethnic group located in the Guajira Peninsula in Colombia; one of the aboriginal groups in Colombia that have retained their native language, the wuayunaiki. This attachment to their language has allowed them to retain much of their own cultural symbolic system Indeed, the guardian of the regulatory system, the Pütchipü'üi "palabrero" speaks only in Wuyunaiki in solving conflict sessions between members of the clans.

This research aims to make visible those norms and behaviors of the Wayuu culture. These are been violated and undervalued by the ignorance of the authorities of the Nation: prosecutors, judges, mayors and magistrates, The essential observations of this preliminary report are the result of interviews with cultural managers and "palabreros", grouped on the "Board of the Wayuu Regulatory System "palabreros", located in Maicao, the main town of this region.. In fact, the co-author of this article is a member of the Central Board of "The Special Plan for Safeguarding the Wayuu Normative System Applied by the Palabrero".

So the purpose of this article is simply to make known the main aspects of the Wayuu culture that are or are not known or have been misrepresented by the Media focusing on the acts of revenge among members of clans and "alijunayuu" (who are of the Wayuu ethnic group). Without knowning these aspects of culture, should lack of supportthe customary their regulatory system of conciliation, compensation and reconcialiation.

The text shows the importance of elements of the wayuu culture such as: The palabrero, as a fundamental pillar of the Wayuu normative system, the value and the respect for the word, the dignity, the life and integrity of the person, the respect for authority and greater family and for the social status of members of the clan and the matrilineal and matriarchal system,and the mother tongue , the , wayuu maiki.

1. The palabrero, as fundamental pillar of the Wayuu normative system

When speaking about of the principles of the Wayuu normative system the first image that comes to mind is the palabrero´sfigure in the Way unaiki language. the Pütchipü'üi. This traditional figure of the Wayuu is the guardian and the enforcer of their system, and he aimes at regulating and mediating for the peaceful coexistence between members of different ethnic clans. As noted in his article (Martínez& Hernandez, 2005: 134)) "The putchipü'üi is the traditional figure that represents and symbolizes the entire conciliation and compensatory system of Wayuu justice".

So, for arrangements of problems and disagreements among members, an authentic Wayuu resorts to putvhipü'üi. It says "authentic" Wayuu, sincethe contact with alijunayuu has generated a class of peasant ethnicity which contradicts its own culture. Thus, for example, some class members intend to inherit the parent contrary to than its customary regulatory system. A point of standard the Wayuu normative system that many judges and prosecutors in the nation would ignore.

On what basis does the palabrero begin to act ? When a wayuu family has been attacked by other, it calls a putchipü'üi. The first questions asked by the palabrero are: What is your request? Is your request is based on a true fact? This last question is the base of their performance, since the putchipü'üi builds its image from the services provided to the genuine solution of conflicts. He, as guardian of the system, believes that the source of any compensation is the truth. The parties have to tell the truth; both the aggrieved party as the aggressor. Only when the truth has come to light, it can determine the characteristics of fact: if it was deliberate, accidental, intentional, severe, or of lesser value.

This is the only base to settle conflicts. For the putchipü'üi, the beginning of any solution to a conflict is the truth; based on this he determines the amount of the settlement, compensation or reparation to the arriving party. As can be seen clearing system is back up on truth. This is an act surrounded by some formality where everyone present at the meeting hold hands and, based on the respect for the word, the parties agree the way they will cover the compensation, support for the conflict resolution . Although the amount of compensation is not paid immediately, the word is the "check" that supports the agreement. Hence the great value of the word;

"The word is sacred law that the wind does not carry [...] has the keys of life and death" (Salcedo, 2013). This respect for the word is a custom that even miss the elderlypeople in the Caribbean region.

One of the assumptions on which the putchipü'üi acts is his conception of conflict situations. For him, the conflict is daily bread in the daily life of the Wayuu; is not a singular event; It is part of human reality.

2. Value of the word

In the Wayuu culture the value of the word is rooted in everyday life. As stated in the epigraph, taken from the Plan to the Wayuu safeguard normative system applied by the putchipü'ui, the word is "like free texture and magical thinking of Guajira ". So, every act of life of ethnic groups members is founded on the respect for the word. For example, if someone agrees to pay a debt to another person in a particular day, it is sacred obligation to comply with this promise. If the person were to no deliver it, hewould need to expressit to another person, with a priority of two or three days, that he can do it. Likewise, if somebody agrees to a date, and he does not fulfill the agreement , the person who didn´t keep his word is considered irresponsible, unworthy. Then, if something bad could happened due to the no fulfillment of the promise, the only responsible is the person who failed to keep the word. In this sense, the fulfillment of the word is founded on the concept that life is fragile; we can lose at any time.

Moreover, when the Wayuu " gives his voice", he is not only commiting himself but to the whole family, since the respect of wayuu´s word is born out of the respect for the mother's family. So being a "man ofhis word" is one of main characteristic of being a Wayuu. . Otherwise, a man without word is an individual who is unreliable.

If the Wayuu must respect his word everyday, it becomes sacred when, at the request of putichipü'üi, the conflicting parties "given their word" to be faithful to the agreement. So it is very significant that the receiver of the word, to whom the word is send, to be the most dignified and fair person of the aggressor clan. His dignity to receive the word is supported by the moral authority that comes from its actions, recognized by the members of other clans. However, that respect for the word does not originate from the giver but from the whole family. Each and every clan members who gave the word are committed to keep it, even with his life. Thus, one of the rhetorical strategies of palabrero is to highlight how worthy people keep their word and how the disrespect to the word has brought serious consequences, including loss of lives. His knowledge of worthy people of the ethnic group allows him to identify and display them as a worthy Wayúu paradigm. This respect for one's word is part ofthe ethnicity normative system.

Moreover, only the palabrero "sends the word" to other wayuu. Thus Epinayu (sf), an old wayuu, called ignorant to the mayor of Riohacha (a Guajira´s city) when he announced that he would send word to the President and to the Minister of Education. An alijunayuu can not send word to another alijunayuu, it is a no wayuu can´t send his word, because this competence to send the word is assigned exclusively to putchipuui as guardian of the legal system, unwritten but enrolled in the soul of the true members of the ethnic group.

3. Dignity and integrity of the person

There are two concepts that popular speech has collected and expressed imaginatively: upright and crooked. A worthy person is a straight person. "Being worthy is the respect of the word, recognizing the fault and paying (compensation). It is the image of an authentic l wayúu "(Gutiérrez, 2011).

Being upright is the product of a process in which the spirit overcomes human instincts. Someone can always become straight. To show how this evolution is possible, the palabrero samples and exem plifiesit with his baton; a rod of an enviable righteousness. But the staff was not always so. It was extracted from a liana completely crooked. It becomes straight by the manipulation of the palabrero. The analogy is simple. Any body can become upright and bean example of honesty and flexibility; it is another quality of a worthy person. A worthy person, as Ana Delia Fernandez (2013) tells us, is able to yield to the other arguments ; beginning and ending any possibilities for the settlement of the conflicts; a virtue that the palabreros exalt a lot , as the guarantee of the success of his tenure as mediator. About this respect (Martínez& Hernandez, 2005: 128), quoted by Pico (2010) states:

Cfr. Fernandez (2013). It is necessary to note the concordance with the fundamental purposes of philosophical hermeneutics (Gadamer, 1992) and the principles of otherness.

Instead, a «crooked» person is an individual who does not keep his word, is belligerent, vindictive and foolish. He is a person who works bad.. When the palabrero calls the aggressor's family members, he is well aware who is the bellicose member of that family. In this regard, especially in conflict resolution session she uses rhetorical questions like: Do you know what this family won with the war? Do you think that you're the bravest man when there are braver than you ?. What do you winby thinking about this or that if you lose your lifeor yours life? ¡ Look at what happened in such and such prior conflicts¡ . Similarly, he employs rhetorical strategies based on the analogy with animals like the ant and the goat. This last example shows how to sensibly measure its forces and respects the opponent; It does not get to pick a quarrel outside his corral. What is an upright person?

A person of integrity is a straight person; he always works according to the ethnicity rules; he is straight in word and works; he fulfills the commitments, he is faithful to the rules of ethnicity, he is sensible; he doesn't use masks or slander because he has an ethical obligation to tell the truth. Such people are classified as belonging to the class of anaa, anaaaainjala. They represent the good (Pocaterra, 2006)

4. Life's conception.

The principle of the Wayuu regulations is that «life is sacred» and fragile; it must be preserved at all costs; so there must be compensation for an attack to another clan's member unless somebody wishes for a war between clans. According to the palabrero the material things due in compensation, are nothing compared to the loss of life that could occur if a settlement isn't reach.. As everything is a system,the respect of is based on the consideration of the life´s sacredness..

Moreover, the regulatory system of conciliation originates from the idea that it is necessary to counteract the vengeful spirit of the wayuu, because the Western conception of the warlike spirit of this ethnicity it is not true. This misconception does not take into account the prevalence of respect for the word according to which if somebody paiys as agreed, there is no problem. Here, it is the moment to connect the sacredness of life with the integrity of the person.

The life sacredness doesn't only refers to humans. All beings of nature, in themeasure that they conform a whole with the man, are sacred. Even the slaughter of animals, for example the goatsl augther, (from a magical conception), is performed under protective tree the settlement, the trupillo,it is for the collective good of the clan.

5. The authorities, the women and outs uu woman.

In the Wayuu normative system there are no elected officials; in addition, the women cannot to be a civil authority. However, the woman is the figure associated with the territory; therefore, there is not heritage in the same sense that in our culture because goods belong to women; onlyt her children can inherit her property.

However, in well-defined cases, women may become spiritual

authority, ouuts üü woman. She occupies an important position in society; she is responsible for transmitting the spiritual power of her culture. (Fernández, 2013), "spiritual visionary", "she must be source of spiritual consultations and, therefore, she is the regulatory body (Ojeda, 2013: 44). In this regard,Pocaterra (2006, p.3), a linguist from the ethnic group transcripted the words of Mother Earth, mma, in the Wayuu cosmogony, that they are highly revealing: "Hear my words, my children [...] you must keep secrets that only will achieve and know who looking for, especially in the world of dreams, and from and are endowed with a lot of knowledge ". In that world, the outs üü woman is the guardian. By trying to eliminate this institution of outs üü woman has been the focus of all strategies of the various Judeo-Christian religions. The members of the Central Board of palabrero think their disappearance would lead to changes in the Wayuu worldview; a worldview where the woman is the bond that unites the members of the ethnic group with spirits from beyond. It is therefore no accident that there are only boarding school (occidental) for young women of the ethnic group.

As stated above, the authority is not imposed by popular vote but it is born from within the clan. Between the clan the greatest authority is the oldest brother of the mother. He has the duties to lead by the example and to guide the other clan members to be respectful to their elders, to respect the word, to be worthy people, not to be twisted. This system, in which authority is intra-organic, not external, is threatened by the political and legal system of the country that imposes commissioners and mayors to the people where live alijunas and clansmen. It is a shock that can be solved with adherence to the Constitution of 1991 which states (Article 246), full support for the free development of indigenous cultures.

6. Family and social status of members of the clan.
Speaking in the Wayuu authority it is stated that the maternal uncle is the person who is head of the family. He has nephews who are commissioned by their mother; he should guide and direct tem . This, the uncles, the maternal aunts, the mother and the children make up this family. The father, as a member of another clan,doesn't properly belong to the family. The family is an organic whole in which each and every one of the members are responsible for the acts of the household. So, when the palabrero faces one of the warring clan members, he remins him that he is not a lost member of his household; "His powers of persuasion (the palabrero) consists in showing that failing badly can hurt all the family" (Polo, 2014).

7. Matrilineal and matriarchal.
On more than one occasion it has been repeated in this report that the Wayuu authority system is not matriarchal as it has been erroneously claimed by anthropologists and descriptors of the Wayuu culture, based on the fact that the mother is associated with territory and she is the member that brings together the family. In countless times when the mother is missing, family disintegrates. For this reason, a mother in her dead bed begs his big brother that not allow the disintegration of the members of his clan. But, if it is not a matriarchal system, what is it? It is a matrilineal system; that is, the lineage comes from the mother.

Then, the lineage of the members of a clan is inherited from the mother. So being a member of a clan is being attached to a group through the lineage of the mother. Ojeda, Wayuu cultural manager (Polo, 2014) basing himself on a linguistic analysis of the term "eirukuu" composed of morphemes [ei] mother and [rukuu] flesh, "flesh of the mother ", often found in names of members of the clans, has coined the concept of "concarnidad" conmeatinity opposed to consanguinity. The Wayuu can carry the blood of his father but no his meat. This one only comes to him by his mother. For this reason, only the sons who have the same meat of their mother can inherit her property; the other sons of the father because they are from another clan, can'ot inherit the property of the mother's clan. This concarnidad concept is the base for understanding the mandates relating to inheritance; without it this cultural value would bemeaningless.

8. wayuunaiki language.
If somebody wants to know how really the inhabitants of a region think, nothing can be more effective than learning their language. The Way uuethnic has retained part of their culture, despite the ravages to the surrounding environment, and thanks to which, they have been zealous to preserve their mother tongue: the wayuunaiki. One way of speaking that the earth bequeathed to them;"mma" (the earth mother) told them: "[...] from already endowed with many skills, a strong spirit and a specific way of speaking, only understood by you and me, because children always speak the words of their mother "(Pocaterra, 2006: 3)

The wayuunaiki is a linguistic system that serves not only as a means of communication in the ethnicity but also as the clearest expression of the culture of a people conducted by beliefs, tales, stories, myths, legends and knowledge of ethnicity.

Of the 600,000 people living in the Guajira territory only one third are monolingual; that is, their mother language is the wayuunaiki, in one of its two dialects: "arribero" (or the Alta Guajira), and the "abajero" (or the Baja Guajira); two dialect forms differentiated by certain phonetic, morphological, syntactic and lexical features but they do not impede communication between its speakers. The communication is eminently oral; however, the ALIV of Venezuela proposed a writing system consisting of 22 letters; similar work was conducted by the Summer Institute of Linguistics. It was adopted from the Spanish language system. It consists of 6 vowels, one more than Castilian; it is the / ü / in words like: / Anasü / 'Well', / aürütsü / 'skinny'; the consonants system has: the / sh / pronounced as in the English system /sh/, in words like: / shupe / 'Midge' / shiolojo / 'shadow'; the / w / consonant such as the Castilian / u / before another vowel as gueso (bone) in words like / waya / "we" / wopü / 'path'.

As a closure.
A brief retrospect of the treated subjects leads to the thought that these different facets and values of the legal system are closely linked; Indeed, they give the impression of watching the same like in a circle. This intimate relationship betweenthese different aspects confirms the idea that it is, indeed, a cultural and regulatory system where it is not possible to remove one element without seriously affecting the whole. Hence,the importance of preserving the individual aspects and facets if one does not want to distort the system.

Besides, following the above consideration it must be emphasized that the unfamiliarity with some of these aspects and values of the culture of the ethnic group by the departmental and municipal authorities, judges and public prosecutors can create unnecessary conflicts, and finally derail a culture that has an incredible lot to teach members of Western culture. His conception of the respect for truth, the word, the oldest, for the dignity and integrity of individuals are examples for those who call themselves civilized. Moreover, the unfamiliarity with this cultural context can ruin any fair judicial process.

REFERENCES

Autonomous palabreros Board (2013). Special Plan for the Safeguarding of Wayuu normative system applied by the putchipü'üi ..Maicao: Minculture, governance of the Guajira and Mayor of Maicao. | CONSTITUTION POLICY COLOMBIA (1991). Art. 246. | Epinayú, Ignacio. (2013)). The value of the word. blogspot.com/.../ignacio-epinayu-pushaina | Fernández, A. (2013). The "palabrero". The putchipü'üi as a restorer of peace, pastor of respect.Maicao: Verdessa | Fernandez, A. (2013) The "palabrero". The Wayuu woman ... In the sacred circle of life and twisted dream.Maicao: Verdessa | Gadamer, H. (1992). Truth and Method. Madrid: Chiron | Martinez, Simon & Hernandez, Angel (2005), Land and Wayuu law in society. Bogotá. | Ministry of Culture.(2010). Resolution No. 2733 of 2009. Bogotá: Official Journal. | Ojeda, Guillermo. (2013). Social and linguistic context of women Ouutsü.Maicao: Mincultura, gubernatorial and mayoral Guajira Maicao. | Pico, Fernando Andrés (2010), Memory, between indigenous jurisdiction and | wayuu the legal system. " MagazinesUniversitas students. No 7. Bogotá: Javeriana University. Pp.11.32. | Pocaterra, Jorge. (2006). Cultural and linguistic principles that guide the rules of customary law Wayuu.Magazine Frónesis v.13 # 1 Caracas. | Polo, Nicholas (2014). Interview with Guillermo Ojeda. Santa Marta: inveinusablogg. | Salcedo-Ramos, Alberto. (2004). Theword of Juan Sierra, palabrero wayúu. www.soho.com.co/especial/articulo/como-vive-un-wayuu/2781 |