Molu Pair
Fines on Indigenous Tradition Kisar Island

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Abstract: In universal culture of Meher can be grouped into six sub-system of culture, namely the inauguration of the king, marriage, death, brotherly relationship (kaka ali), collaboration (Roson) and manners (honoli). As well as the cultures that exist and are in Kisar Island in clumps Meher, there is a rule or fine custom (Molu Pair). Fined custom (Molu Pair) is the imposition of traditional sanctions as a means to reduce violations of norms of general, such as: (1) killing, (2) adultery, (3) eloped, (4) pregnant out of wedlock, (5) breach of caste marriage, (6) contempt, (7) rape, (8) theft. Sanctions for violations in the form of fines Indigenous (Molu Pair). This research method is a method of qualitative research focused on aspects of Indigenous Fines (Molu Pair) on the island of Kisar. Data collection techniques including observation, interview techniques, documentation techniques. Data analysis techniques through three grooves simultaneously: data reduction, data presentation, drawing conclusions or verification. Indigenous peoples in Kisar Island is divided into two clusters, namely Meher clumps consisting of seven villages and several hamlets namely Wonreli, the Old Town, Abusur, Purpura, Lebelau, Leklor, Nomaha and Ma'aro clumps consisting of village OirataOirata west and east, The division is based on the language and cultural differences between these two clusters. Although staying in one location on the island of Kisar, but clumps Meher and Ma'aro/Oirata vary from one another, both customs and language.

Keywords: traditions, customs fines

1. Preliminary

Kisar Island is one of the island group of Southwest Maluku district. It is located right on the North Country East Timor with a distance of approximately 7 miles. Kisar island communities in eight countries spread over customary, as the parent who oversees 23 Indigenous Affairs as a subordinate community. Culturally formation of indigenous peoples and indigenous lands in Kisar Island begins with a massive migration of the population as a result of the sinking of the island were destroyed and Luang (Liono). Furthermore, there is also a massive migration from East Timor as a result of tribal wars and power struggles in the kingdom Wehali/Timor and the last entry of Europeans in the 15th century, formed a new community/new society known as The Mystizen Auf Kisar community or communities from the marriage of the people of Europe with people of Kisar. As a community or a society with the community since ancestors Kisar occupy the island of Kisar, initially living of the people were nomadic and over time they accept each other then their sedentary life form lands customary until now (Petruz, Paerara JZ 2002).

In connection with it, the culture/culture is mutually agreed upon by the community with the promise and oath of indigenous sacred through supper together (Nekervawilayra’armapul). This rite performed in BaileoKarantonno based on the Hindu belief embraced by the Kisar ancestors long before the arrival of the Catholic and Protestant Christians. System of rites carried out under the influence of Hinduism is customize specific contextual and exclusive.

Indigenous peoples in Kisar Island divided into two clusters namely Meher clump of seven State each Wonreli, the Old Town, Abusur, Leklor, Lebelau, Purpura, and Nomaha and Ma'aro clumps consisting of State OirataOirata West and East. This division by language and cultural differences between the two clusters on the island of Kisar. In universal culture of Meher can be grouped into six subsystems culture that is the inauguration of the king, marriage, death, brotherly relationship (kaka ali), collaboration (Roson) and manners (honoli). Fined Custom (Molu Pair) is the imposition of traditional sanctions as a means to reduce violations of norms of general, such as: (1) killing, (2) adultery, (3) eloped, (4) pregnant out of wedlock, (5) breach of caste marriage, (6) contempt, (7) rape, (8) theft. Sanctions for violations in the form of fines Indigenous (Molu Pair).

Any violation of one form of common norms is a violation of customary law and shall be liable to a fine of customs as a symbol of compliance with customary law which binds every member of society as indigenous stakeholders. This study aims to explore and describe the forms of sanctions as a requirement as Indigenous Fine objects (Molu Pair) form of violation of general norms prevailing in society Kisar and has been designated as the Customary Law. The focus of this study include (1) murder (Hiri III-kolorara) (2) adultery (piki where hala-luninanahala), (3) elopement (opohurui-manualowan, opo breastfeed Outcome karakara), (4) pregnant out of wedlock (huhumekem-apunpo'il), (5) breach of caste marriage (ran halakanakarnwaku-au denuhn), (6) insult (weleitwelwai), (7) rape (limannaruPernepahari), (8) theft (ramnau).

2. Research Methods

This research method is a method of qualitative research focused on aspects of Fines Custom (Molu Pair) on the island of Kisar, with some traits that are relevant according to Moleoing namely (1) natural background, (2) people as a means (instrument), (4) an analysis of data inductively, (5) descriptive, (6) is more concerned with process than results.
(7) the limits specified by the focus. Data collection techniques including observation, interview techniques, documentation techniques. Data analysis techniques through three strands simultaneously by Miles and Huberman of data reduction, data presentation, drawing conclusions or verification. In establishing the invalidity of all (trustworthiness) data is then used techniques based on the examination of a number of criteria, namely the degree of credibility, transferability, dependability, and certainty.

3. Research Result

Fines Indigenous History (Molu Pair) on the island of Kisar

Indigenous peoples in Kisar Island is divided into two clusters, namely Meher clumps consisting of seven villages and several hamlets namely Wonreli, the Old Town, Abusur, Purpura, Lebelau, Leklor, Nomaha and Ma'aro clumps consisting of village OriartaOirata west and east. The division is based on the language and cultural differences between these two clusters. Although staying in one location on the island of Kisar, but clumps Meher and Ma'aro/Oirata vary from one another, both customs and language, not only that, but the coming history also different from one another.

In social life, the differences that exist is a treasure of inestimable wealth when viewed from the perspective of cultural diversity. The different cultural characteristics, resulting in differences in customary law that is operating in the realm of everyday life. This discussion will be devoted to the customs that exist in the Kisaras clumpMeher which has become a culture that cannot be separated apart in public life. The word culture comes from the Sanskrit word buddhayah, which is the plural form of buddhi which means the mind or intellect. Thus all budaya late means: "things that are concerned with the intellect". There are other scholars who explore the word culture as a development of a compound word cultivation, which means "power of the mind", a form of creativity, initiative and a sense of it. In terms of cultural anthropology difference was abolished. The word "culture" here is only used as a short course of "culture" with the same meaning (Koentjaraningrat 2005: 181).

In universal culture of Meher can be grouped into six sub-system of culture, namely the inauguration of the king, marriage, death, brotherly relationship (kaka ali), collaboration (Roson) and manners (honoli). As well as the cultures that exist and are in Kisar Island in clumps Meher, there is a rule or law Molu Pair (Fine Custom).

1. Murder (Heri III-kolorara)

Murder for the people on the island of Kisar is something that is not good and can cause a social rift between the two sides, either individually or in a large family between the perpetrator and the victim. But the murder has discretion based on the characteristics of what the basis of the person doing the killing, the murder may be murder or manslaughter.

Regulation Wonreli fines on public land, Abusur, Lebelau and hamlets Yawuru, up to now still underway with the rules set forth or imposed on a third country. In a murder case, details of fines usually performed during the second meeting of the family, where the perpetrator's family went to the victim's family to talk about the purpose of their arrival in relation to children, siblings or relatives of those who do so.

The negotiation process is customary fine, usually based on the principle of kinship families do, so sometimes fines required to the perpetrator does not necessarily incriminate one of the parties, because the process of killing has discretion act of the perpetrator to the victim. Customary fine details include (1) piece of land, (2) 1 mas months, (3) a sword, (4) 1 sheet of fabric ground and kebaya clothes, (5) banquet.

2. Adultery (piki whereelahalahala-luni)

Adultery for the people on the island of Kisar is something that is not good and can cause a social rift between the two sides, either individually or in a large family between the perpetrator and the victim. But adultery is usually viewed from the perspective of people who have been married to a married man or a married person with someone who is not married. If that happens, it will be considered which one is the victim so that the customary right penalty payment to the victim.

Regulatory fines on people in the country Wonreli, Abusur village, village and hamlet LebelauYawuru, up to now still underway with the rules set forth or enacted in the three villages. Customary fine objects include (1) 3 pieces mas months, (2) two pieces of the sword, (3) 1 sheet of ground fabric and a black kebaya clothes, (4) a meal.

In communities in the country Wonreli, village Abusur, village Lebelau and hamlets Yawuru, until today still follow the system of strata/group consisting of strata Marna (I), Strata Wuhur/Bur (II) and strata Stam/Akaa (III). The principle is, if the adultery committed by strata Wuhur/Bur into strata Wuhur/Bur, the terms of the fine as mentioned above, whereas if the perpetrator of strata Stam/Akaa to victims stratified Wuhur/Bur, then the fine is doubled to 2x (twice ). Different requirements to be imposed on perpetrators of adultery, both the perpetrators of strata Marna, Strata Wuhur/Bur and Strata Stam/Akaa with people from strata Marna, where a multiplication of very large that is equal to 30x (thirty times) the fines the above, as well as when the perpetrator is from strata Marna to victims stratified Wuhur/Bur and strata Stam/Akaa, then there 30x (thirty times), this is because the strata Marna is a strata that should keep the values custom law applicable in Kisar island. The same thing would apply to immigrants if they commit adultery.

3. Elopement (hurui-manuulawanopo, oposuisui Outcome kara-kara)

Elopement for the people on the island of Kisar is something that is not good and can cause a social rift between the two sides, either individually or in a large family between the perpetrator and the victim. Elopement is seen as part of the couple's disrespect towards parents even their extended families, marriage is usually based on the romance that is not sanctioned by parents even large family eloped couples doing it. In Kisar mainly on domestic Wonreli, Abusur village, village and hamlet LebelauYawuru, eloped this issue
usually frequent and continue to have consequences, namely indigenous customary fine that every time become a social rebuke for couples who have eloped it. Fines were imposed in the form of (1) 3 pieces mas (gold) months, (2) two pieces of the sword, (3) 1 sheet of ground fabric and a black kebaya cloths, (4) Banquets.

4. Pregnant Outside of Marriage (huhumekem-apunpo’il)

One good deed is not considered is pregnant out of wedlock, and for the people on the island of Kisar is something can cause cracks in the social relations between the two sides, either individually or in a large family between the perpetrator and the victim. Pregnant out of wedlock is seen as part of the couple disgrace and disrespect towards parents even their extended families, these issues are usually based on the romance that is not sanctioned by parents and even a large family and over the couple's desires. In Kisar mainly on domestic Wonreli, Abusur village, village and hamlet LebelauYawuru, problems usually occur pregnant outside marriage and still has consequences, namely indigenous customary fine each time into a form of social rebuke for couples who are found pregnant outside of marriage. The form of fines which are (1) 3 pieces mas (gold) months, (2) two pieces of the sword, (3) 1 sheet of fabric of indigenous and black kebaya cloths, (4) banquet.

5. Violation of Marriage Castes (hala run kanakarn Wuku-au deneuln)

One of the prohibited act and should not be done is the marriage between castes/strata/classes, and for the people on the island of Kisar is something can cause a social rift between the two sides, in a large family. Inter-caste marriage/strata is seen as a violation of customs rules and the couple disrespect towards parents even their extended families, these issues are usually based on the romance that is not sanctioned by parents and even a large family. In Kisar mainly on domestic Wonreli, Abusur village, village and hamlet LebelauYawuru, mating issues Atar caste/strata usually occur and continue to have consequences, namely indigenous customary fine each time into a form of social rebuke for couples who are caught doing so.

Regulatory fines and indigenous communities in the country Wonreli, village Abusur, village Lebelau and hamlets Yawuru, untill now still in progress in order to maintain social stability in society, and with the customary rules are not expected to arise the problems of conflict among fellow Kisar especially in the country Wonreli, Abusur village, and hamlet YawuruLebelau. In the case of marriages between castes/strata, details of fines usually performed during the second meeting of the family where the perpetrator's family/man came to the victim's family/women to talk about the purpose of their arrival in relation to children, siblings or relatives of those who do that, and the initiative to come to one of the family is a family of males, because basically a man is a human life that is socially responsible were so big. Require imposition of fines include (1) 30 pieces mas months, (2) 30 pieces sword, (3) 30 sheets of fabric soil and black kebaya cloths, (4) Banquets (all materials included 30).

6. Insult (welewi-weldai)

Contempt for the people on the island of Kisar is an act that is not good and can cause a social rift between the two sides, either individually or in a large family between the perpetrator and the victim. However Insults seen from several aspects if issued hurling words consciously or unconsciously and in a state at the center of the official forum of indigenous or between both actors themselves.

Regulation customary fine in case of humiliation, then the state of society Wonreli, Abusur village, village and hamlet LebelauYawuru, still to this day is still ongoing with the rules set forth or imposed on the third of this environment. The imposition of fines on the type of offense, namely (1) 2 pieces mas months, (2) two pieces of the sword, (3) 1 sheet of fabric of indigenous and blackkebaya cloths, (4) banquet. If the abuses carried out by the group under Stam and bur to Marna then the fine imposed 30 times.

7. Rape (Limannaruperepahari)

One act that is not considered good and tarnish the good name of the family is a rape, for the people on the island of Kisar is something can cause cracks to the breakdown of social relations between the two sides, either individually or in a large family of the perpetrator and the family of the victim. Rape is considered as ill-treatment and unethical as well as the lack of respect of the perpetrator against the victim or his family and the families of the victims. In Kisar mainly on domestic Wonreli, Abusur village, village and hamlet LebelauYawuru, the issue of rape when it happens it will be followed by positive law but still have consequences, namely indigenous customary fine each time into a form of social rebuke for the perpetrators to be paid rape. The fines include (1) 3 pieces bulam mas, (2) two pieces of the sword, (3) 1 sheet of fabric of indigenous and blackkebaya cloths, (4) Banquets.

The opposite situation will occur in men strata Marna, strata Wuwar/Bur and strata Stam/Akaa when rape women who stratified Marna and in the end had to marry the woman or not marry, then still have to pay a fine that is equal to 30x (thirty times) and, consequently, the woman who was raped when a man married to a man who strata below it will fall following the degree of these men, and their children will follow the man's strata.

8. Theft (ramna'a)

One act that is not considered good and tarnish the family name is theft, and for the people on the island of Kisar is something can cause cracks in the social lives of everyday people, either individually or in a large family of the perpetrator and the family of the victim. Theft is considered as the treatment is not ethical and not honor belongs to someone else. In Kisar mainly on domestic Wonreli, Abusur village, village and hamlet LebelauYawuru, theft issue in case it will be followed by positive law but still have consequences, namely indigenous customary fine each time into a form of social rebuke for the perpetrators of these offenses theft. The fines in the form of (1) 2 pieces mas months, (2) a sword, (3) 1 sheet of fabric ground and black kebayan cloths, (4) meal.
4. Conclusions and Recommendations

4.1 Conclusion

Customary law is one of the wisdom of the ancestors on the island of Kisar and has become a socio-cultural fabric of society, and is a means to govern the community association governance life and Kisar. Customary law was born as a value system that regulates general norms prevailing in society that must be obeyed by every citizen.

Violation of the norms established in customary law has resulted or legal consequences that must be accounted for by any member of the public. Sanctions for violations set out in the customary law in Kisar Island known as the Indigenous Fine (Molu Pair).

Customary fine (Molu Pair) is a form of value of a breach of norms generally applicable customary law in Kisar Island, such as murder, theft, rape and so on, that are considered damaging values of community life.

The existence of social strata in the life of society, is a form of restriction value that enables the stability of social life in the midst of society. Customary rules corresponding strata and the form of fine custom, not a thing that should be feared, but the availability of the rules of customary fine or usually referred to by the community Kisar Molu Pair, solely for their social order in public life in order to maintain a harmonious relationship with each the other, be it between individuals, groups of individuals and even groups with the group.

4.2 Suggestions

Based on the description in the concluding section it is necessary suggestions have implications of applying the customary fine applicable customary law Kisar.

1) As a cultural product that contains good values in society customary fines are still needed to preserve the moral ethical values prevailing in society Kisar.

2) It is expected from the local government to be able to make regulations that protect each local wisdom including customary laws which have become the order of the local community and the function of regulating social relations-cultural local community.

3) Fines customary or Molu Pair, a cultural wisdom that you have to live in the midst of society in Kisar in clumps Meher as part of the stability and order in the social life of the community.

References


