



Strengthening and Utilizing Original Tanimbar Woven Fabric as a Form of Preservation of Traditional Cultural Expression

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Article Info	Abstract	
<p>Keywords: Strengthening and Utilizing; Tanimbar Woven Fabric; Traditional Cultural Expression.</p>	<p>Introduction: The strengthening, utilization and preservation of EBT as an object of intellectual property rights produced by indigenous peoples or traditional communities is an interesting issue to study, one of which is the Tanimbar Weaving Fabric which is a form of intellectual work of the Tanimbar community.</p> <p>Purposes of the Research: The purpose of this study is to find out what the philosophical meaning and value of Tanimbar woven fabrics are as a form of traditional cultural expression and how the forms of strengthening and utilization of Tanimbar woven fabrics are as traditional cultural expressions.</p> <p>Methods of the Research: The research method used is normative legal research, using a statutory approach and a conceptual approach by examining various legal rules which are then linked to the reality that occurs in society. The legal materials used in this study are primary legal materials in the form of Copyright Law, while secondary legal materials in the form of books, legal journals related to the issues studied. The technique of collecting legal materials is done through a literature study that has relevance to this research. The legal materials collected were analyzed using qualitative analysis techniques to answer the problems in this research.</p> <p>Results of the Research: The original Tanimbar woven fabric has philosophical meaning and value for the Tanimbar community through the woven fabric motif. Each of these Tanimbar woven motifs has deep philosophical meanings and values regarding the life of the people and the environment of the Tanimbar people. Strengthening and Utilization of Tanimbar's original woven fabrics spun from cotton threads is increasingly being eroded by technological developments. The Tanimbar people no longer weave using cotton but have replaced it with shop yarn. In fact, the cultural heritage of Tanimbar woven fabrics inherited from their ancestors is the spinning of cotton threads, the results of which are very unique, have high economic value and are sought after by tourists and collectors of traditional fabrics. The government of the Tanimbar Islands Regency has not been able to provide protection, strengthening and utilization of the original Tanimbar woven fabrics.</p>	

1. INTRODUCTION

Indonesia has 33 provinces with different ethnic and cultural expressions and traditional cultures. The richness of traditional cultural expressions and traditional cultural heritage is actually very valuable as the identity of a nation and the economic development of a nation, especially Indonesia. Expressions of traditional culture and traditional cultural heritage that exist in Indonesia grow from the various activities and creativity of indigenous

peoples who occupy the territory of Indonesia with distinctive features. Traditional cultural expressions and traditional cultural heritage have now been widely used by developed countries without permission from a development country such as Indonesia.¹

Society in Indonesian is known as a society full of culture and rich in diversity.² Each region in Indonesian has its own cultural characteristics which we can find in various folklores, songs, sculptures, carvings, traditional dances, and so on which it is not known who the creator is. This cultural diversity is communal which is a legacy of the ancestors as the cultural identity of the Indonesian nation.³ The diversity of tribes, languages, customs and beliefs that exist in Indonesian, makes Indonesia a country rich in traditional culture. Indonesian has 1,128 ethnic groups spread throughout Indonesian with more than 300 regional language dialects, more than 3000 (three thousand) indigenous Indonesian dances, and there are various other arts such as traditional songs, traditional musical instruments, traditional arts, and also traditional fabrics.⁴

Culture or culture comes from the Sanskrit language, namely *buddhaya*, which is the plural form of *buddhi* which means mind and human reason. Culture is a way of life that develops and is owned by a person or group of people and is passed down from generation to generation. Meanwhile, the word identity comes from English, identity which has a literal sense, characteristic, sign or identity attached to a person, group or thing so that it distinguishes it from others. Identity is also the whole or totality that shows the characteristics or special circumstances of a person or the identity of the biological, psychological and sociological factors that underlie individual behavior. So, the notion of cultural identity is a character inherent in a culture so that it can be distinguished from one culture to another.⁵

The diversity of cultures possessed by the Indonesian people makes Indonesian more widely known in the world because of its uniqueness and cultural diversity. This, of course, should receive more attention from the government, both central and local governments, in order to promote this culture to the world.⁶ However, until now, there are still many weaknesses in terms of legal protection for the culture itself, one of which is also related to the original traditional fabrics of the Indonesian people as part of intellectual property rights.

Intellectual property rights are various kinds of rights granted by law in order to provide protection for the work of creation through intellectual property both in the field of economic investment and creative endeavors.⁷

¹ Ayu Citra Setyaningtyas and Endang Sri Kawuryan, "Menjaga Ekspresi Budaya Tradisional Di Indonesia," *Jurnal Ilmu Hukum Tambun Bungai* 1, no. 2 (2016): 122–32.

² Marhaeni Ria Siombo, "Kearifan Lokal Dalam Proses Pembuatan Tenun Ikat Timor (Studi Pada Kelompok Penenun Di Atambua-Ntt)," *Bina Hukum Lingkungan* 4, no. 1 (2019): 97–112.

³ Agustina Balik, "Implementasi Penerapan Pasal 38 Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta Sebagai Upaya Perlindungan Hukum Karya Seni Batik," *Sasi* 21, no. 1 (2015): 57–64.

⁴ Bayangsari Wedhitami, "Upaya Perlindungan Ekspresi Budaya Tradisional Dengan Pembentukan Peraturan Daerah," *Law Reform* 9, no. 2 (2014): 32–48.

⁵ Ensiklopedia Dunia Berbahasa Indonesia, "Perpustakaan Digital Dunia," n.d.

⁶ I Kadek Sukadana Putra and Gusti Ayu Putu Nia Priyantini, "PERLINDUNGAN HAK CIPTA TERHADAP EKSPRESI BUDAYA TRADISIONAL GEGURITAN BALI DI INDONESIA," *Jurnal Media Komunikasi Pendidikan Pancasila Dan Kewarganegaraan* 3, no. 2 (2021): 108–19.

⁷ Tomi Suryo Utomo, *Hak Kekayaan Intelektual Di Era Global : Sebuah Kajian Kontemporer* (Yogyakarta: Graha Ilmu, 2010).

As previously mentioned, one of the cultural treasures that is the pride of the Indonesian people is the diversity of traditional fabrics, especially woven fabrics. Woven fabrics originating from each region in Indonesian have different motif designs that characterize the weaving-producing regions. The Tanimbar Islands Regency is one of the areas that produce woven fabrics that have beautiful motif designs and become the pride of the Tanimbar people. Tanimbar woven fabric is a form of fabric that has certain motifs which, the motifs on the Tanimbar woven fabric have been used and continue to be developed. This Tanimbar woven fabric is part of the local wisdom of the Tanimbar people which is passed down from generation to generation.⁸

From the cultural aspect, Tanimbar woven fabrics are a high-level art of the Tanimbar people. Tanimbar woven fabric is not just a woven fabric that is processed and made with various patterns and motifs. But more than that, the motifs on Tanimbar woven fabrics have a very close philosophy with the culture of the Tanimbar people.

Wealth based on traditional culture has a very high economic value. Various kinds of traditional cultural expressions originating from the creativity of traditional communities have the potential to become a source of Indonesia's economic development.⁹ Efforts to protect traditional cultural expressions will certainly encourage economic improvement and can improve people's welfare.¹⁰ The Tanimbar woven fabric is a cultural identity of the Tanimbar people since hundreds of years ago. The work through the Tanimbar woven fabric is the traditional culture of the Tanimbar people. Traditional culture is an intellectual work that needs to be preserved. The results of the traditional culture of the Tanimbar people through Tanimbar woven fabrics are the identity and identity of the Tanimbar people which can be used economically for the progress and welfare of the people in the Tanimbar Islands Regency.

Tanimbar woven fabric is a form of intellectual work from traditional culture which can be categorized as an Expression of Traditional Culture or an expression of folklore (hereinafter referred to as EBT). In simple terms, intellectual property rights are rights that arise through thought that produces a product that is beneficial to humans.¹¹ Meanwhile, EBT or what is known as folklore are all forms of expressive cultural expressions, namely especially artistic expressions where the creator is anonymous and transmitted orally.

Indonesia's struggle as a developing country in terms of legal regulation and protection continues to be carried out to formulate appropriate legal provisions for the NRE. One of them is by making the Draft Law on Traditional Knowledge and Traditional Cultural Expressions, which until now has not been successfully enacted as a law. Meanwhile, the existing regulations, namely Law Number 28 of 2014 concerning Copyright (hereinafter abbreviated as Copyright Law) have not been fully enforced optimally, because there are no implementing regulations to date.

⁸ Eklefina Pattinama, "Perempuan Tenun Di Maluku Merawat Alam Dengan Semangat Spiritualitas Ekofeminis," *Jurnal Ilmiah Wahana Pendidikan* 5, no. 4 (2019): 126–37.

⁹ Ayu Citra Santyaningtyas, Rasyikah Md Khalid, and Fadzlun Johan Nur, "Perlindungan Ekspresi Budaya Tradisional Di Indonesia: Suatu Penilaian Undang-Undang," *Jurnal Undang-Undang Dan Masyarakat* 24 (2019): 25.

¹⁰ Wedhitami, "Upaya Perlindungan Ekspresi Budaya Tradisional Dengan Pembentukan Peraturan Daerah."

¹¹ Haris Munandar and Sally Sitanggang, "Mengenal HAKI, Hak Cipta, Paten, Merek Dan Seluk-Beluknya," *Erlangga. Jakarta*, 2008.

In the legal system of Intellectual Property Rights (HaKI) in Indonesia, the regulation on EBT is regulated in the Copyright Law. In this Law, the regulation regarding traditional culture is contained in Chapter V concerning Traditional Cultural Expressions and Protected Works, particularly in Article 38 which contains:

- 1) Copyrights for Traditional Cultural Expressions are held by the state;
- 2) the state is obliged to make an inventory, maintain, and maintain Traditional Cultural Expressions as referred to in paragraph (1);
- 3) The use of Traditional Cultural Expressions as referred to in paragraph (1) must pay attention to the values that live in the community that bears it;
- 4) Further provisions regarding copyrights held by the state on Traditional Cultural Expressions; as referred to in paragraph (1) shall be regulated by a government regulation.

Today, the strengthening, utilization and preservation of EBT as an object of intellectual property rights produced by indigenous peoples or traditional communities is an interesting issue to be studied. This includes strengthening, utilizing and preserving Tanimbar woven fabrics as a cultural heritage of the Tanimbar people.

Tanimbar woven fabrics have become an inseparable part of the life of the Tanimbar people. As part of the life of the Tanimbar people, woven fabrics are one of the valuable items and must be present in traditional ceremonies and official ceremonies such as births, marriages, deaths and even other big day ceremonies.

In ancient times, the manufacture of tanimbar woven fabric was used from the basic material of cotton derived from trees which was spun into yarn as the raw material for making woven fabrics. This woven cloth is commonly used by Tanimbar nobles. In its development, the process of making original Tanimbar woven fabrics from natural fibers using yarn spun from cotton and using natural dyes is increasingly rare in the Tanimbar community. This is because the spinning of yarn from cotton fibers and the natural dyeing of a combination of fruits, leaves and even plant roots take a long time to years when compared to the process of making woven fabrics from shop yarns and dyeing from modern dyes. However, when compared to woven fabrics spun from shop threads, the economic value of authentic Tanimbar woven fabrics spun from cotton and natural dyes has a much higher selling value and is always sought after by tourists and collectors of traditional fabrics.

In its development, the Tanimbar woven fabric has now become a superior product in the tourism sector of the Tanimbar Islands Regency and is widely used both in Indonesia and abroad, and has even been used as a souvenir. Moreover, Tanimbar woven fabric has entered the international fashion trend and has been featured in international tourism exhibitions by a number of foreign designers.¹²

2. METHOD

The research method used is normative legal research, using a statutory approach and a conceptual approach by examining various legal rules which are then linked to the reality that occurs in society.¹³ The legal materials used in this study are primary legal materials in the form of Copyright Law, while secondary legal materials in the form of books, legal

¹² <http://www.maluku.post.com/tenun.ikat.tanimbar.termasuk.pameran>

¹³ Johnny Ibrahim, "Teori Dan Metodologi Penelitian Hukum Normatif," *Malang: Bayumedia Publishing* 57 (2006).

journals related to the issues studied. The technique of collecting legal materials is done through a literature study that has relevance to this research. The legal materials collected were analyzed using qualitative analysis techniques to answer the problems in this research.

3. RESULTS AND DISCUSSION

3.1 Original Tanimbar Woven Fabric

a. The Philosophical Meaning of Tanimbar Original Woven Fabrics

The original Tanimbar woven fabric which was inherited from the ancestors consists of approximately 47 motifs on the Tanimbar woven fabric which have different meanings and values from one motif to another. However, in its development, many tanimbar woven fabric motifs have been declared destroyed. Some of the motifs that remain today and are full of value and meaning in the life of the Tanimbar people are:

- 1) Sair Motive (Flag) which consists of Sair 1 (Flag One), Sair 2 (Flag Two) Motive, Sairdekut Motive (Twin Flags). The motive of sair 1 has a characteristic shape like a flag which symbolizes victory. This motive illustrates that: the Tanimbar people are always active and eager to pursue life and maintain their identity. Sair Motive 2 (Flag two). This motif is inspired by the shape of the flag which symbolizes victory, independence, success and glory. But on the other hand, the flag is also used as a sign for traditional events, such as a house closing event where the flag is raised on the roof of the house for everyone to see and know. Sairdekut motive (Twin Flags). It means that for data women have the spirit to build life by respecting ancestral customs/culture in defending the truth.



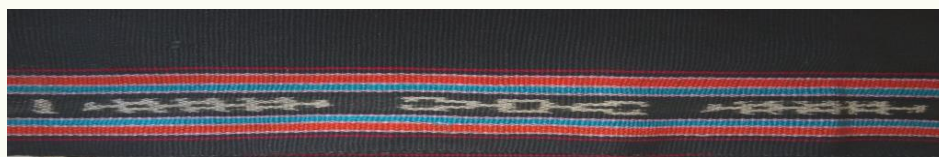
Picture 1. Tanimbar Woven Fabric with a Sair Pattern

- 2) Motive *tunis*, has a characteristic in the form of single arrows or twin arrows and implies that the Tanimbar people are always careful and alert to threats..



Picture 2. Tunis Patterned Tanimbar Woven Fabric

- 3) Motive *mantatur*, has a characteristic bone shape with the color of the potential of Tanimbar's marine resources which means the wide and beautiful diversity of Tanimbar's wealth.



Picture 3. Mantatur Patterned Tanimbar Woven Fabric

- 4) Motive *lelemuke*, has a characteristic in the form of an orchid with a philosophical meaning that orchids mean the beauty, majesty and tenacity of the Tanimbar people.



Picture 4. Tanimbar woven fabric with catfish pattern

- 5) Motive *wulan lihir* (crescent moon), it is said that this motif was inspired by a natural event where the moon is half-shaped (the crescent moon). Usually the people of Tanimbar use it as an opportunity to look for marine products.



Picture 5. Tanimbar Woven Fabric with a Wulan Lihir (crescent) pattern

- 6) Motive *eman matan lihir*, describe the responsibility of Tanimbar women in preparing household needs.



Picture 6. Tanimbar woven fabric with eman matan lihir pattern

- 7) Motive *ulerati*, in the form of small caterpillars that resemble long lines. This motif contains the meaning of the Tanimbar people's love for the environment and appreciation for the metamorphosis of caterpillars as part of the salami process of life.



Picture 7. Tenacious Patterned Tanimbar Woven Fabric

Those are the motifs of the original Tanimbar woven fabrics that still exist and continue to be developed by the Tanimbar people as cultural heritage of their ancestors.

b. Making Original Tanimbar Woven Fabrics From Cotton Yarn

For the manufacture of the original Tanimbar woven cloth with a classic pattern, they make or weave it from cotton, namely at first the cotton is cleaned from the seeds by using

a tool called bow/huskwe, after that the clean cotton is put into a place called sulbeli or small basket, woven from cabbage leaves.

To spin cotton into yarn called sule, it is made of wood or bamboo with a diameter of approximately 4 mm, and a length of about 20-25 cm with a thin round wood attached at the bottom with a diameter of approximately 3 cm, also used tools in the form of chalk. or ash to smooth fingers. The spun yarn is then transferred to kokobalain to make it easier for the weaver to calculate the number of threads needed to complete a weave. After that the thread is wrapped around the gravel into small balls which are placed on the snyarwain/nyiru to be carried out later on the other moths when they want to tie the flowers.

Furthermore, the thread is attached to the ain moth with the aim of binding the motifs/flowers as well as a tool to determine the width of the fabric to be woven. The thread that has been attached to the ain moth is then divided into several groups, then each group is tied to certain parts to get the motif you want to depict, besides that, the binder also serves to protect the motif from unwanted colors during dyeing..

To make it easier for a weaver to tie the whole motif plan, they must first draw it. the image is used as the basis for a weaver to tie. In the past, the Tanimbar people used koli leaves as a bond in making decorative motifs/variations, special marks were made on the ends of the koli leaves, including bond 1, bond 2, bond 3, and so on.

After finding the raffia rope, the rope from the koli leaves was left behind by people. The raffia rope is considered better because it has several colors that can distinguish the design of the motif/decorative variety. The tied thread is then colored by dipping it into a pot that already contains the dye. For fabric dyes they take in their environment.

For the manufacture of black thread, the taru leaves are kneaded and put into water, after that the thread is inserted and soaked for about 2 hours, after that it is removed and hung and dried in the sun to dry. For yellow or red dye the process is the same, namely; for the yellow color, the bark of the benkudu tree is taken and broken into pieces and boiled until the water boils and the cooking water is yellow, the boiled water is removed and the thread is soaked for about 2 hours and then dried by hanging and drying in the sun to dry.

Likewise for red dye, the bark of the tongke tree is broken and boiled until the water boils and the cooking water is red, the boiled water is removed and the thread is soaked for approximately 2 hours. After the 2-hour soaking process is complete, the threads are removed and cleaned with water and dried by hanging and weighting the threads so that the threads remain span and straight and dried in the hot sun to dry. For coloring, some threads are dyed with dyes before tying the motifs and there are those that tie new motifs, the threads are dyed in dyes. After the yarn is dried in the sun, then the next process is the yarn is removed and arranged on a loom to be ready to be woven.

3.2 Strengthening and Utilization of Original Tanimbar Woven Fabrics as Expressions Traditional Culture

a. Original Tanimbar Woven Fabrics As Cultural Heritage

The Tanimbar Woven Fabric itself takes its name from its geographical location in the Tanimbar Islands Regency, which is located in the southeastern part of Maluku Province. Tenun Ikat Tanimbar has been known in the Tanimbar Islands Regency since hundreds of years ago as the Tais Pepete/Tais Lan/Bakan area. Tanimbar ikat weaving was already known when people began to switch from using bark and animal skins as body wraps.

A similar statement was expressed by Pattinama¹⁴ which states, in addition to cloth used to cover the body, another function of woven cloth in Tanimbar is that it is used for traditional events such as when a person dies, the family of the deceased must bring a woven cloth, either from the parents themselves, siblings, family from the father's side or the family from the mother's side, brother-in-law. Likewise at the time of the wedding ceremony, as well as the inauguration ceremony of the village head and other traditional ceremonies. In general, woven fabrics for the Tanimbar people are considered quite valuable items. Moniharapon¹⁵ mentions the shape or final result of the Tanimbar ikat woven fabric, which is a sheet of fabric made in four sizes. Generally, the four sizes of woven fabrics that are usually made in Tanimbar consist of scarf size (6cm x 60 cm), scarf size (20cm x 100cm), skirt size (90cm x 150cm) and sarong size (180cm x 150cm).

In general, the spread of Tanimbar ikat weaving in the Tanimbar Islands originated from a trade route called the Silk Road. The Silk Road is a silk cloth trade expedition route carried out by the Chinese. The Chinese civilization with Silk Weaving during the Han Dynasty was very well known to foreign countries, besides that they established trade relations abroad and even with the kingdoms in the archipelago. This happened in 618-906, marked by the visit of travelers from China such as I Tsing in Sriwijaya, Admiral Cheng Ho and Ma Huan visited Majapahit. From the Majapahit kingdom, the spread of Ikat Weaving began to be studied by indigenous people in the archipelago. It is estimated that the spread of Silk Weaving and the knowledge of its manufacture in the Tanimbar Islands occurred around the third century.

Tanimbar woven fabric and its distribution in the Tanimbar Islands illustrates the ethnic nuances or community groups that developed in Tanimbar from time to time, through two distribution channels with different time periods. The first distribution was during the barter trade period in the archipelago, with a route from west to east of the archipelago, namely through Malacca, Sumatra, Java, Bali, Lombok, Timor and ending in the Maluku Islands (Babar, Tanimbar, Kei and Seram). The second route is from the west, but then to the north, namely through Sumatra, Java, Sulawesi (Makassar, Toraja, Palu, Manado), North Maluku (Ternate-Tidore, Halmahera) to Seram to the south of Maluku (Kei Islands, Tanimbar and Babar).

The knowledge of Tanimbar Ikat Weaving in the people of the Tanimbar Islands can now be proven by the existence of weaver groups scattered throughout the Tanimbar area. As an example, in the community in South Tanimbar District, there are groups of weaving craftsmen, including the Jikar Sembilan, Taisfian, Badar Melar and Ampera Weaving groups. This group of craftsmen is a combination of families / clans and some are carried out by certain clans who are more likely to do weaving activities based on their heirloom fabric motifs.

b. Strengthening and Utilization of Original Tanimbar Woven Fabrics as Expressions of Traditional Culture

As mentioned above, the original Tanimbar woven fabric is a cultural work of the people in the Tanimbar Islands Regency which has existed for a long time and is done using

¹⁴ W. Pattinama, *Kain Tenun Tradisional Tanimbar Di Kabupaten Maluku Tenggara Barat* (Jakarta: Kemendikbud, 2011).

¹⁵ Grelia Moniharapon, Andrian Dektisa Hagijanto, and Bernadette Dian Arini, "Perancangan Fashion Kain Tenun Ikat Kepulauan Tanimbar Dan Media Pendukungnya," *Jurnal DKV Adiwarna* 1, no. 12 (2018): 10.

traditional tools. This ancestral cultural heritage still exists and continues to be developed because it has a high philosophical and aesthetic value both as a symbol of social and cultural status as well as economic value.

The process of making the original Tanimbar weaving takes a long time starting from preparing the equipment, the process of getting cotton fiber, making the fiber into thread, the process of tying on the thread, natural coloring, until finally it is made into one beautiful woven fabric.

However, in its development, how to make the original Tanimbar woven fabric from cotton and dyeing using natural fibers is getting lost with technological developments. The people of Tanimbar have started to switch to using finished yarn from the shop to make woven fabrics with the reason that it takes a short time. Whereas the ancestral heritage of the Tanimbar people in making the original Tanimbar woven cloth is by using cotton and dyeing from natural fibers which do take a long time. Although it takes a long time, the Tanimbar woven fabric produced with natural materials has an exotic value and a much higher economic value than using finished yarn from the store.

Strengthening the local economy is one of the efforts to empower local communities with various potentials of local wisdom owned by the people of an area. In relation to strengthening the local economy based on Intellectual Property Rights, each region in Indonesia has its own potential which, if utilized optimally, will not only provide added value for local communities but will also help increase local government revenue. Strengthening the local economy is the duty and responsibility of the regional government as a regional policy maker and implementer of the mandate of regional autonomy.¹⁶

The manufacture of original Tanimbar woven fabrics from natural materials is what should be maintained and preserved by the Tanimbar people as a cultural heritage from their ancestors. Moreover, the resulting motifs contain different philosophical meanings for the life of the Tanimbar people.

From the perspective of intellectual property rights, legal instruments are strengthening and utilizing an intellectual work through traditional cultural expressions using the copyright regime. Copyright provides protection for copyrighted works in the fields of art, literature and science.¹⁷ The Copyright Law states that copyright on traditional cultural expressions is held by the state, so the state is obliged to take inventory, protect and maintain traditional cultural expressions. Further regulation regarding traditional cultural expressions is regulated by government regulations, but until now there has been no government regulation related to traditional cultural expressions. So that in terms of protection, strengthening and utilization of traditional cultural expressions, it is not optimal, including strengthening and utilizing the original Tanimbar woven fabrics as expressions of the traditional culture of the people of the Tanimbar Islands Regency.

The local government of the Tanimbar Islands Regency as the holder of the rights to traditional cultural expressions of woven fabrics must also play an active role in providing protection, strengthening and utilization. However, in reality, there is not a single regional regulation of the Tanimbar Islands Regency that has been issued to provide recognition,

¹⁶ Teng Berlianty and Yosia Hetharie, "Urgensi Pendaftaran Dan Perlindungan Hukum Terhadap Embal Sebagai Indikasi Geografis Maluku Tenggara," *Jurnal IUS Kajian Hukum Dan Keadilan* 8, no. 2 (2020): 244-55.

¹⁷ Muchtar A H Labetubun, "Penyelesaian Sengketa Hak Atas Logo (Suatu Kajian Overlapping Hak Cipta Dan Merek)," *ADHAPER: Jurnal Hukum Acara Perdata*, 2019, <https://doi.org/10.36913/jhaper.v5i1.93>.

protection, strengthening and utilization of Tanimbar woven fabrics as an expression of traditional culture. In addition to the establishment of regional regulations, the strengthening and utilization of Tanimbar woven fabrics by the West Southeast Maluku Regency government through the establishment of non-governmental organizations, assistance for weavers or the establishment of the original Tanimbar weaving studios has not been optimally carried out, so that in the end the Tanimbar people who want to engage in weaving activities less and less, even to weave using cotton spinning is getting less and less. Therefore, the strengthening and utilization of native Tanimbar woven fabrics as cultural heritage needs to be maximized through the assistance of weavers, weaving training for the younger generation in Tanimbar, the establishment of weaving workshops to the establishment of a regional regulation related to indigenous Tanimbar weaving.

4. CONCLUSION

The original Tanimbar woven fabric has philosophical meaning and value for the Tanimbar community through the woven fabric motif. Each of these Tanimbar woven motifs has deep philosophical meanings and values regarding the life of the people and the environment of the Tanimbar people. Strengthening and Utilization of Tanimbar's original woven fabrics spun from cotton threads is increasingly being eroded by technological developments. The Tanimbar people no longer weave using cotton but have replaced it with shop yarn. In fact, the cultural heritage of Tanimbar woven fabrics inherited from their ancestors is the spinning of cotton threads, the results of which are very unique, have high economic value and are sought after by tourists and collectors of traditional fabrics. The Tanimbar Islands Regency Government has not been able to provide protection, strengthening and utilization of the original Tanimbar woven fabrics

REFERENCES

Journal Article

- Balik, Agustina. "Implementasi Penerapan Pasal 38 Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta Sebagai Upaya Perlindungan Hukum Karya Seni Batik." *Sasi* 21, no. 1 (2015): 57-64.
- Berlianty, Teng, and Yosia Hetharie. "Urgensi Pendaftaran Dan Perlindungan Hukum Terhadap Embal Sebagai Indikasi Geografis Maluku Tenggara." *Jurnal IUS Kajian Hukum Dan Keadilan* 8, no. 2 (2020): 244-55.
- Labetubun, Muchtar A H. "Penyelesaian Sengketa Hak Atas Logo (Suatu Kajian Overlapping Hak Cipta Dan Merek)." *ADHAPER: Jurnal Hukum Acara Perdata*, 2019. <https://doi.org/10.36913/jhaper.v5i1.93>.
- Moniharapon, Grelensia, Andrian Dektisa Hagijanto, and Bernadette Dian Arini. "Perancangan Fashion Kain Tenun Ikat Kepulauan Tanimbar Dan Media Pendukungnya." *Jurnal DKV Adiwarna* 1, no. 12 (2018): 10.
- Pattinama, Eklefina. "Perempuan Tenun Di Maluku Merawat Alam Dengan Semangat Spiritualitas Ekofeminis." *Jurnal Ilmiah Wahana Pendidikan* 5, no. 4 (2019): 126-37.
- Putra, I Kadek Sukadana, and Gusti Ayu Putu Nia Priyantini. "PERLINDUNGAN HAK CIPTA TERHADAP EKSPRESI BUDAYA TRADISIONAL GEGURITAN BALI DI INDONESIA." *Jurnal Media Komunikasi Pendidikan Pancasila Dan Kewarganegaraan* 3, no. 2 (2021): 108-19.

- Santyaningtyas, Ayu Citra, Rasyikah Md Khalid, and Fadzlun Johan Nur. "Perlindungan Ekspresi Budaya Tradisional Di Indonesia: Suatu Penilaian Undang-Undang." *Jurnal Undang-Undang Dan Masyarakat* 24 (2019): 25.
- Setyaningtyas, Ayu Citra, and Endang Sri Kawuryan. "Menjaga Ekspresi Budaya Tradisional Di Indonesia." *Jurnal Ilmu Hukum Tambun Bungai* 1, no. 2 (2016): 122-32.
- Siombo, Marhaeni Ria. "Kearifan Lokal Dalam Proses Pembuatan Tenun Ikat Timor (Studi Pada Kelompok Penenun Di Atambua-Ntt)." *Bina Hukum Lingkungan* 4, no. 1 (2019): 97-112.
- Wedhitami, Bayangsari. "Upaya Perlindungan Ekspresi Budaya Tradisional Dengan Pembentukan Peraturan Daerah." *Law Reform* 9, no. 2 (2014): 32-48.

Book

- Ibrahim, Johnny. "Teori Dan Metodologi Penelitian Hukum Normatif." *Malang: Bayumedia Publishing* 57 (2006).
- Indonesia, Ensiklopedia Dunia Berbahasa. "Perpustakaan Digital Dunia," n.d.
- Munandar, Haris, and Sally Sitanggang. "Mengenal HAKI, Hak Cipta, Paten, Merek Dan Seluk-Beluknya." *Erlangga. Jakarta*, 2008.
- Pattinama, W. *Kain Tenun Tradisional Tanimbar Di Kabupaten Maluku Tenggara Barat*. Jakarta: Kemendikbud, 2011.
- Utomo, Tomi Suryo. *Hak Kekayaan Intelektual Di Era Global : Sebuah Kajian Kontemporer*. Yogyakarta: Graha Ilmu, 2010.