



# The weaving of Baduy Lebak protected by the Geographical Indications (GI) of the Indonesian Banten Province: Could it be?

Inge Dwisvimiari

*Intellectual Property, Private Department, University of Sultan Ageng Tirtayasa, Banten 42163, Indonesia*

## Article Info

### Article history:

Received 5 May 2023

Revised 18 October 2023

Accepted 31 October 2023

Available online 15 September 2023

### Keywords:

Baduy weaving,  
geographical indication,  
the province of Banten

## Abstract

Baduy weaving is a distinctive cloth of the Baduy indigenous peoples of Banten upper province. Because Baduy weaving evolved from weaving, which is not society's primary activity, there is no management model in place to protect the qualities and characteristics of Baduy weaving, which are heavily influenced by the geographical features of the potential geographical indications or GI. This research has two goals: first, to develop a method for managing Baduy's creative industrial weaving based on geographical indications in the province of Banten; and second, to work on strategy and program so that Baduy weaving can become a superior competitive product in the province of Banten. This empirical study focuses on the operation of the law in society. Data sources include both primary and secondary data. The qualitative analysis was used in the method analysis. According to the research, Baduy's weaving management with a GI based in Baduy society is by developing a geographical indication approach based on the year 2016 statute on trademark and geographical indication. However, because management is still done on its own based on local creativity and the efforts of local governments in strategy and program, Baduy use of a GI based product in the province of Banten is generally in the 2021 comprehensive plan for the government's work.

© 2023 Kasetsart University.

## Introduction

Geographical Indication is a name or sign that refers to a specific characteristic of geographical location or origin, such as a town, region, or country. If successful, geographical indication would definitely be a major competitive advantage in creating the country's identity, and enhancing the country's pride, and reputation in

today's highly aggressive world market (Seetisarn & Chiaravutthi, 2011). For GI to be sustainable, economic viability is a key element, but a balance among the three pillars of sustainable development, social, economic, and environmental sustainability is needed (Petruang & Napasintuwong, 2022). The possibilities for Baduy weaving as a geographical indication in the Indonesian province of Lebak are the focus of this study.

Several studies in Indonesia have been conducted on a variety of products that can be granted geographical indication protection and then linked to roles that can benefit the regional economy. Sugiri (2020) highlights

E-mail address: [inge@untirta.ac.id](mailto:inge@untirta.ac.id).

<https://doi.org/10.34044/j.kjss.2023.44.3.09>  
2452–3151/© 2023 Kasetsart University.

utilization GI for traditional handicrafts in Indonesia. He stated that traditional handicraft producers could use GI systems to gain exclusivity in the use of GI for their traditional handicraft products and to protect and preserve their production as a means to gain economic benefits while preserving their cultural identity and tradition. Meanwhile, with regard to economic benefits, guarantees as well as legal protection for GI products in Indonesia is not the obligation of the craftsmen or farmer associations but the obligations of the local government and related ministries. It is necessary to expand the obligations and authorities of the Regional Government to not only carry out periodic monitoring and evaluation related to these technical matters but also to make real efforts to provide economic benefit from the GI certification that has been registered (Asri et al., 2022). Other similar studies have been related to how GI can make communities more prosperous with improved products, but very few studies have focused on the potential of geographical indications born from indigenous communities that still follow their own customary laws. However, due to the existence of strict customary principles, it is difficult for authorities to develop a protection management development model for the community's own products; thus, this research will fill this void.

Recent years have seen a sharp increase in GI registration in ASEAN countries, and particularly in Thailand, with other member states taking Thailand's example as inspiration. Thailand has a *sui generis* Geographical Indications Protection Act, adopted in 2003, which entered into force in 2004. Since then, the country has registered 171 Thai GI from all of its 77 provinces, reaching its goal to have at least one GI per province. Among those, 19 GI are registered for rice, 82 for fruits and vegetables, 15 for silks and cotton, and 2 for wines and spirits. According to DIP, some 100 more GI are in the registration pipeline. Thailand has also registered 18 GI coming from 9 countries. Some Thai GI are registered in Europe, China, Japan, Vietnam, Cambodia, Indonesia, Malaysia, and India. Thai GI generate around Thai Baht 40,000 million (US Dollars 1, 2 billion) a year for communities around the country. Thailand registers GI for agricultural and industrial products, as well as handicrafts, and offers support to producers with the registration, control system, marketing, and promotion. Once the GI is registered, producers who agree to follow the producers' manual and control plan for GI members, will be able to use the Thai logo label. Although the GI protection is not limited in time, the use of the GI logo has to be renewed every two years. Qualified GI traders can also use the GI logo. In Thailand, contrary to other

countries, like in the European Union, producers do not need to set up an association through which the GI will be registered. Instead, producers usually group themselves into informal associations, or community associations, which register for the same product. Over 9,000 GI producers use the Thai GI logo (World Intellectual Property Organization [WIPO], n.d.)

If a similar product from Thailand can be compared, the weaving, like the area, can be proposed as a geographical indication. All cloth was woven from local cotton and silk, using natural dyes from plants. Thai -Krang woven clothing products have been continuously transmitted from generation to generation in the family unit and produced in modern society by community enterprises. The indigenous woven Thai-Krang products in central Thailand have been inherited from ancestors to new generations since Luang Phrabang. They are unique and more dominant than other groups. The indigenous woven products of Thai-Krang consist of six types, including mantles, loincloth, Mudmee, Teen Jok and Khit fabric. The indigenous weaving of Thai-Krang is a combination of science and art. Thai-Krang woven products of Central Thailand (clothing, decoration, and merchandise), which are cultural capital and can be used to generate community income for the creative economy. The findings of the research found that the creation of products for the creative economy should be based on five procedures: (1) process development; (2) balancing development of preservation and marketing; (3) creative development for the creative economy; (4) product development based on demand and supply; and (5) creative product processing and self-marketing (Dulayasutcharit et al., 2018). As a result of the above-mentioned researches, Baduy indigenous people, who are born as indigenous people and continue to practice their ancestral customs, can learn about the successes of other community's indigenous products and then can protect them with proper legal protection.

According to data from the Directorate General of Intellectual Property's annual report book, until 2021 there have been approximately 1041 applications for communal intellectual property with a proportion of 64.3 percent being Traditional Cultural Expressions, 24.6 percent Traditional Knowledge, 7.5 percent Geographical Indications, and 3.6 percent Genetic Resources. The implementation of application data validation has been carried out since 2019, and in 2021 604 applications have been validated. (Intelektual, 2021). Indonesia had not established a separate law for geographical indications. Rahmah (2015) stated that Indonesia regulates GI protection under trademark law where the contents cannot cover broader and sufficient elements of protection. The Law of the Republic of Indonesia

Number 20 of 2016 respecting Marks and Geographical Indications regulates the use of the most recent geographical indication in Indonesia. In addition to the law, the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 12 of 2019 concerning Geographical Indications also governs geographical indications (Tiaraputri et al., 2022).

Baduy weaving is one example of a product with potential geographic indication. The existence of weaving that has many ornamental varieties is seen in the Outer Baduy community. According to Latif et al. (2023), this arises due to the existence of a set of rules that contribute to the characteristics of Baduy weaving and the development of weaving triggered by social interaction between the Baduy tribe and the outside community. Although there are many differences between Outer Baduy & Inner Baduy, the weaving tradition is more or less the same and the weaving tradition lasts for generations from weaving techniques, weaving materials, woven products, and their use cannot be separated from local cultural knowledge. Maftukha et al. (2017) cited that the necessity to be able to weave is found in Pikukuh or the view of life of the Baduy tribe which reads: “birds live by their wings/fish live by their gills/humans live by their wits/thinking, working (acting) and speaking/if you cannot speak/you must be able to weave (skill).” The point is to develop each other’s abilities and strengths, because every human being has different abilities and skills. The meaning of weaving, which is a characteristic of respecting and obeying the rules and regulations of the ancestors, symbolizes the characteristics of the clothes worn by the Baduy community which symbolizes its culture and its own community and a variety of cultures that distinguish it from other cultures.

Based on these facts, Baduy weaving has monetary value. The value of this economy is also linked to a feature of the local indigenous peoples of Baduy that other indigenous peoples in Indonesia do not have. A distinguishing feature of Baduy’s weaving distinguishes it as a superior product in the Lebak district, potentially opening the door to access geographical indications protection. Weaving experience in other areas expanded with a geographical indication of an article origin. Because of geographic factors such as natural, human, or a combination of these two, the product has specific characteristics and qualities.

The protection against Baduy weaving is essential against the background. The communal potential in the county of Lebak is not registered in registration procedures by other countries to affect Baduy weaving. The way it works is that the weaving must be recognized, nurtured, and developed because the products produced

would have a high degree of fresh value, both national and international. Such protection would be done by first preparing for management to build protection for its geographic indications. Now, the one village one product issue, expected as a national policy, is expected to increase the region’s quality, making Baduy weaving more secure.

Based on the above background description, the problem might be formulated as follows: How does Baduy weaving interact with a GI based in Baduy society? and What efforts can regional governments implement in strategy and program so that Baduy weaving can be used as a GI-based product in the Province of Banten?

---

## Literature Review

According to Escudero in Jain (2009), the TRIPS Agreement, with more than 130 signatories, is the first international treaty which protects GI through substantive provisions and provides an enforcement mechanism through the WTO. However, a clear distinction is made between the level of protection provided to wines and spirits and that provided to other products. It is all too easy to misuse GI except for wines and spirits. Although a number of countries have developed effective legislation to protect for all products, national regulations that apply only in one country are not sufficient in a global economy. Convinced of the economic benefit and great trade potential inherent in GI, many countries worldwide are actively working within WTO to have the existing protection granted by the Agreement to GI for wines and spirits extended to cover GI for all products.

The definition of a geographical indication is given in part II, section 3, article 22.1 of the TRIPS Agreement: “Geographical indications are, for the purposes of this Agreement, indications which identify a good as originating in the territory of a Member [of WTO], or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.” According to this definition, a GI is an indication or sign borne by any product identified by the geographical indication as originating in a territory, region, or locality, where: (1) there is a specific quality, reputation or another characteristic inherent in these products; (2) this quality, reputation or other characteristic is essentially attributable to the geographical origin of the products. This could, for example, include local geographical factors (such as climate and soil) or human factors present at the place of origin of the products (such as certain manufacturing techniques or a traditional production method).

GI protection in Indonesia itself sets up GI in all products arranged in the 2016 statute number 20 on trademark and geographical indications. In chapter 1 number 6, what is called the geographical indication is: a sign indicating the area of the origin of the article, which because of the geographic environment includes natural factors, human factors, or a combination of these two factors, giving particular characteristics and qualities to the product. A sign used as a geographic indication of the sign could be a place, area, or region, word, picture, letter, or combination of the elements. Chapter 53 of verses; and (3) highlights the terms of products that GI preserves. It has been described in detail that the petitioner who proposes a GI request to the minister represents a society in the geographic region that proposes an item or a product of: (1) Natural resources; (2) Handicraft; or (3) Results of the industry. The government has issued a regulation of the minister of law and human rights of the republic of Indonesia.

GI are significant for a number of reasons. First, they are important because they identify a product's source, and indicate a product's quality by informing consumers that "the goods come from an area with a given quality, reputation or other. Third, they represent business interests because they only endorse the characteristic that is attributable to their geographic origin, goods originating from that particular area. GI are now officially recognized as being granted intellectual property rights and thus qualify for protection and judicial relief in case of infringement or unfair competition, being protected because without protection consumers may be confused. In sum, it is important for GI to know the origin or quality of their product. Similarly, in the absence of GI protection, business operators might use GI dishonestly, thereby taking unfair advantage of legitimate producers and potentially tarnishing their reputations and causing financial loss (Monten, 2006).

Pacciani in Bramley et al. (2022) investigated the framework of geographical indications in developing countries from an economic standpoint. The economic rationale for protecting geographical indications stems primarily from the fact that the place of origin can be used as a quality signal, and that the resources of the region can be captured as quality attributes in the origin-labeled product. To reduce information asymmetries, the informative meaning of the geographical name is emphasized in the first instance. When the place of origin is used as an attribute, the region's resources are used to increase the value of the product. These resources may include aspects such as production techniques, varieties, and species, as well as regional resources such as landscape, environment, and culture.

---

## Methodology

The type of legal research is empirical or non-doctrinal, namely, research in the form of empirical studies to find theories regarding the process of occurrence and the working process of law in society. This last research typology is often referred to as socio-legal research (Ali, 2016). The legal approach focuses on behavior that develops in society, or the operation of law in society. Thus, the law is conceptualized as actual behavior, which includes actions and consequences in social life relationships. It is done directly by looking at the reality that exists in practice in the field, the work of law in society can be studied from the level of legal effectiveness.

Sources of data in this study can be distinguished between data obtained directly from the community, called primary data, and those obtained from library materials, called secondary data. The method used is qualitative analysis. It is a method that can be used to explore and understand the meaning that comes from social or humanitarian problems by analyzing, describing, and summarizing various conditions, situations from various data collected in the form of the results of interviews or observations about the problems that arise, as well as investigating what happens in the field. Thus, the conclusion in this study would be to answer from the formulation of the problem regarding Baduy's creative industrial development based on local wisdom in conforming the opportunity to become a geographical indication of the Province of Banten.

---

## Result and Discussion

### *Baduy Weaving Interact with an GI based in Baduy Society*

To understand the significance of Baduy's weaving management with a GI based in Baduy society, the discussion is divided into two parts:

#### *1. Normative provisions concerning Baduy weaving GI*

According to research, the Baduy or Baduy communities in the Lebak Banten district are indigenous people. The indigenous people live in the urban areas that Indonesia has established. Halmahera et al. (2019) stated that Baduy is an ethnic group that coexists with nature in the Kendeng mountains, Kanekes village, Leuwidamar district, Lebak district, Banten. Kanekes village is about 17 kilometers (17 kilometers) from the white Leuwidamar government center. Baduy's geographical tribes are located at 6027' 27"–6030' 0" latitude and 10803' 9"–10604' 55"

longitude. Their population is approximately 26,000 people. In particular, what distinguishes the Baduy tribe of Banten province from other Sundanese tribes is the way of dressing and the implementation of traditions as part of the legal culture which still firmly adheres to its legal culture originating from the roots of their ancestral traditions which are still well maintained (Mustomi, 2017). Baduy is divided into two parts, namely Inner Baduy, which is the strictest in following the customs; their characteristic is their natural white and dark blue clothes and wearing a white headband. Outer Baduy is those who live scattered around the Inner Baduy area. The Outer Baduy community is characterised by black clothes and black headbands. This division is not to destroy each other, on the contrary, it complements each other and shows the outside world how beautiful the difference in unity is. (Amaliyah, 2018). Cibeos, Cikertawana, and Cikeusik are the three villages that make up Baduy (3C). Inner Baduy is also known as the Tangtu, while Outer Baduy is known as the Panamping. Inner Baduy is the traditional administrative center of the Baduy people. In addition, it serves as a cultural center and a Baduy sanctuary. Baduy people can be seen wearing a white cloth made of Baduy (Dahlan, 2019), known as a “jamang kurung,” while Baduy people outside wear a black “jamang kampret” with a blue batik headband.

The enactment of Law Number 6 of 2014 concerning Villages is a breath of fresh air for the recognition of indigenous peoples, and in addition to villages, in Law Number 6 of 2014, the existence of Traditional Villages is also recognized. In addition, Minister of Home Affairs Regulation Number 52 of 2014 on the Recognition and Protection of Customary Law Communities, can be used as a reference for the local leader to give recognition and protection of the tribal law community. The Lebak district has its own 2015 Number 8 ordinance on confession, protection and empowerment of people at indigenous law per minister, and regional rule 32 in 2001 on protecting the rights of the Baduy society (Muhlisin, Bahrul Ulumi, & Humaeni, 2017), and another arrangement in the regional

ordinance of Lebak district number 32 in 2001 on protection of the right to review Baduy society. At the lower levels of government as well, the village of Kanekes already has its village regulation about saba of the traditional Tatar Kanekes (Baduy) culture and protection of indigenous community of Tatar Kanekes (Baduy), however, none of the ordinances yet contain an arrangement for the management of Baduy.

Baduy’s weaving management is based on the 2016 trademark and geographical indications statute. Geographic indications are defined in Chapter 1 Figure 6 of the law as “a sign indicating the area of origin of an article, which gives particular characteristics and qualities to the product due to geographical environmental factors including natural factors, human factors, or a combination of these two factors.” To be classified as GI, Baduy’s weaving product must answer six concise questions that can verify in principle whether a product can be classified as GI (Damary & Riyaldi, 2018), as shown in the chart (Table 1).

Determining opportunities for GI product is based on the answers of the six questions. If all questions contain yes answers, then the possibility of protection against the GI of weaving the Baduy exists and can be done. As to the first question regarding name labels, Baduy’s weaving name begins with realizing the concept of what a Baduy woman is doing. Baduy’s weaving art in the entire village of Kanekes has become one with elements such as the environment, the supply of raw materials, the opportunities for marketing, creativity, and the basic ethnic cultural environment that it can continue to preserve to this day. The continued existence of Baduy weaving is due to the teaching tradition of weaving by any skilled Baduy woman, or sister. Weaving in the Kanekes community was also believed to be an expression of obedience by Baduy women to the rules of customs they adopted. The result of this weaving produced the distinctive Baduy tribe’s weaving craft. Baduy weaving is simple in comparison with the weave from other areas. Yet the woven sculptures of the Baduy is a highly prized work of art (fabric), the weaving of Baduy is an aesthetic and natural expression. Baduy weaving also represents the attitudes of the Baduy people

**Table 1** The GI verification of Baduy weaving

No.	Questions	Answers
1.	Does your product have a name tag (or another mark) that is associated with the geographic area of the region of origin?	Yes
2.	Does your product have any special quality because it is influenced by the factors of nature and/or the human factors it is produced from?	Yes
3.	Does your product have a reputation because the quality and characteristics are particularly associated with the geographic conditions of the region of origin?	Yes
4.	Has your product been around for a long time (several years) or (not a new product)?	Yes
5.	Is your product produced by many manufacturers in the region of origin?	Yes
6.	Is your product on the list of approved products, not against law, ethics, and religion?	Yes

Source: processed data



who store thousands of taboos in their cosmology. In every ritual activity, family life and association with the realm of belief, a piece of woven fabric has almost always been a part of its role. Soemarsono and Virgoyanti (2016) stated that the diversity and uniqueness of Baduy woven fabrics is a reflection of their philosophy as well as the creation of symbolic forms embodied in their customs and lives.

Baduy weaving improves in quality as a result of two factors, both because of nature and because of man. As it is known that traditional Baduy weaving were always used in the making of tribal apparel, especially when it comes to the Inner Baduy, who still holds the rules of custom, clothes had to be made of cotton, and sewing machines could not be used in the manufacturing. Cloth was dominated by white for the Inner Baduy tribe. The color is defined by sacred concept, and rules that have not been influenced by outside culture. In Baduy weaving in relation to the wearer, if for the men, then the weaving used was made of telekung, iket, clothes jamang, belts and aros sarongs. Meanwhile, women use tiung, karembong, belt and samping hideung. There are three kinds of telekung models, namely: the concert models, usually for small children; the second model with the telekung model, is usually used for ordinary purposes or for important activities. The third model is the bloot model used for Puun, namely, the chief of the Inner Baduy tribe. On the other hand, the Outer Baduy wear everyday clothes that are not too strict with the custom, unlike the Inner Baduy, but even so, they also use black weaving as their daily clothes. Batik, which is commonly called tapak kebo, is everyday clothing used by the Outer Baduy. For the Outer Baduy community, weaving is only used on traditional events such as weddings.

According to the head of the government of Baduy, due to the scarcity of cotton trees, for practicality, they attempted to bring in synthetic thread from the Bandung Majalaya area, bought as a roll of string, that could weigh up to two kg or three kg. One roll of thread can make one to two dresses. The effort is made through the exterior of Baduy society. This practicality also makes it easier for communities with difficulty to obtain clothes made from cotton. Since weaving can be done only on the side of a weaving, it is not easy to make one strip. The researchers were told that to make clothes from cotton, one sack of cotton would produce two shirts. On the other hand, even if people can pick cotton from ten cotton trees, the contents of the cotton do not always produce one sack. Then, to make five metres of cloth, only two clothes were made in five days, whereas the Baduy people in Cibeo village itself consists of 160 (one hundred and sixty) family heads with a total population of approximately 600 (six hundred) people. Although customary law states that the number of

clothes saved in the home should not exceed 20 (twenty), the most common reason people do not weave is a lack of time. Weaving tools were still around, but they were rarely used. For the need for cotton taken from cotton trees for the present, it is only used as material for people who die. There were still 10 (ten) cotton trees in Cibeo village before the effort to bring in cloth from outer Baduy to inner Baduy. Efforts to bring in cloth from outside the region have been known for some 25 (twenty-five) years by keeping Baduy's original motive within.

## 2. The components of the GI element in Baduy weaving

The management of Baduy weaving is based on a number of continuous, declining, and binding community practices in terms of quality and characteristics, especially those related to the geographical conditions of the area of origin. The condition in question is regarding the human factor in the Baduy community, which will give reputation, quality and certain characteristics to the weaving that will be produced. As already described, the Outer Baduy have a wide variety of ornaments, with black and dark blue being popular colours. Baduy batik, also known as tapak kebo, is the daily clothing worn by the outer Baduy tribe. As for the Inner Baduy community, the cloth used is plain white with no motifs. The cloth that has a motif is only used as a tool to carry babies. According to studies, Baduy weaving Baduy looms outside have 10 (ten) motives developed to 17 (seventeen) motives, three of which are Janggawari, Suat Songket, and Adu Mancung. Janggawari is the most difficult motive for weaving; a woven janggawari weaving costs Rp 1,500.00 by 1 metre wide. The Baduy weaving motif is comprised of 17 (seventeen) elements: (1) Poleng Kacang Herang; (2) Poleng Magrib; (3) Poleng Capit Hurang; (4) Poleng Gula Geseng; (5) Poleng Paul; (6) Poleng Mursadam; (7) Poleh Akar Kaung; (8) Poleng Hideung; (9) Suat Tongket; (10) Suat Samata Birit Manggu; (11) Suat Samata Kembang Saka; (12) Suat Samata Kembang Gedang; (13) Suat Samata Adu Mancung; (14) Suat Samata Kembang Gedang; (15). Aros Kembang Cikur atau Mata Kanera; (16) Aros Awi Gede; and (17) Aros Angeus.

Baduy's weaving peculiarities are the rather coarse materials, and tending to be dominant in color. The cotton spots of the traditional mill have produced a characteristic texture of Baduy weaving with the traditional spinning instrument of the gedogan/raraga. The weaving that was originally produced to fill the need of the article was simple with geometric motives. The geometric design variety of Baduy weaving is produced by women down and down so that no one can be sure of the origin of the spelling. However, in its broad array of Indonesian decorative design, a knowledge of art, of geometric design, is a picture of

knowledge of concepts of nature and the environment. The concept of ornamentation inspired by the natural world suggests that nature and the environment were long assumed to play a vital role in life. In many varieties of Baduy weaving, these elements are embodied in geometric lines such as hook, spiral, called pilin, straight lines, triangles, squares, rectangles, spheres, and more.

The results of interviews with the Outer Baduy community, regarding the supporting tools for weaving that are passed down from generation to generation or can be made by the Baduy community themselves, nothing is replaced from the loom except for a broken comb. The loom is made of teak and lute wood, and can last up to five years or more. No ceremony is needed to weave the loom. Rules are also not made by the chief for the development of weaving motifs. Anyone who has creativity can create a new motif for Baduy weaving, which is then followed by other craftsmen. Weaving for the Baduy community is just a side job in the fields. They choose Friday, Saturday, and Sunday to weave. The products produced from weaving include shawls, belts, small shawls, headbands, and dresses. Weaving 1 metre to 2 metre wide cloth takes one month, and smaller cloth takes a week. The biggest obstacle in weaving besides the difficulty of time is also because of the fragile yarn. As discussed, the Baduy community has abandoned the use of natural yarn from cotton because it is difficult to obtain. The Baduy community can produce more than a thousand pieces of weaving within a week.

Based on Baduy woven products, which are related to time as this IG training module book is organized, it is known that weaving has existed and been integrated with the Baduy community. There is weaving because it is a customary provision. The head of government in Baduy in an interview said that Baduy customs have existed since nature was created. Even though the Baduy indigenous people are said to be a closed society, it does not rule out the possibility of change. Change is bound to happen, sooner or later. The changes in question can be seen in the behavior of individual members of society or groups. Along with its development, Baduy weaving, which was still used in the 80s as a medium of trade, has now developed and has important economic value for the indigenous Baduy people. The development of Baduy weaving is for the Baduy people themselves.

Baduy weaving products based on research, are produced by many manufacturers in the Outer Baduy society. It is recorded that about 67 (sixty-seven) of the villages weave and 3 (three) do not weave. The price of weaving Baduy batik is based on the quality from Rp 70,000 to Rp 350,000 per clothing (Cahyana, 2020). Today, weaving developments, especially in the Outer Baduy are fairly rapid with the number of artisans reaching 500 (five hundred)

craftsmen trying commercially, with an average production of up to 3,000 (three thousand) pieces a month. While in the Inner Baduy itself, there are only about 10 (ten) to 20 (twenty) artisans, whose entire production consists of just making ends meet. As for the production, a single strip of Baduy weaving cloth measuring 75 (seventy-five) cm by two meters, and 50 (fifty) cm by two meters usually takes 15 (fifteen) days.

The requirements of Baduy's weaving in the list of approved products, are that they are not against law, ethics, and religion. Since traditional institutions' role in promoting increased activity is crucial, each decision to use tools and materials must be made through the approval of the indigenous society. The use of the weaving by society is therefore permissible. That initial use was for needs in society. Due to the particular changes in Baduy society, the fabric that was initially only for the needs of Baduy people, developed with the social changes of Baduy, especially those of the outside Baduy with the influx of tourists into their village, and the weaving was sold freely. The overlay of the whole material was done from planting, spinning, including the dye using natural dyes. With high demand in the early 1980's, artificial dyes were used to cut the duration of production, manufacture and pigmentation. The early 1990's saw the use of colorful coloring, using finished thread. Since then, Baduy's weaving has been of great interest to the wider population until now (Soemarsono & Virgoyanti, 2016).

As can be seen, the management of Baduy's weaving is still left to the community itself. There is an approach by building with the GI approach such as has been accommodated in act number 20 in 2016 on the trademark and geographical indications yet to be made. Yet these elements exist in society but are not properly systematized. One thing is certain: Baduy weaving represents the local culture and the property of the community. The presence of a design reflected in the design or motif of each Baduy weaving especially in the weaving of outward Baduy shows identity, uniqueness, philosophy and origin. The presence of this distinctiveness can be capital for society to be able to protect Baduy's weaving with the GI. Because the law already regulates it, obtaining a GI for Baduy weaving will strengthen the development of the Baduy community in particular, and Lebak Regency in general, and can also embrace and support products with local labels that are included in the protection of communal intellectual property. The reputation attached to the product can also improve market access, not only the domestic market but also the foreign market, thereby increasing the welfare of weavers. Regions can also benefit because one of the products can be used as a regional superior product, boosting regional competitiveness to a higher level. Communities can then use this capital for

motivation to start the GI registration activity, which can vary and include social, cultural, environmental and economic aspects among other things: preserving and promoting local goods and/or products according to local traditions; protect goods and/or products with a distinctive reputation of “counterfeit products” or inferior quality products; promote rural development and the protection of natural resources.

*Efforts That can be made are in the Form of Strategies and Local Government Programs so that Baduy Weaving can be used as a GI-based Product in Banten Province*

*1. Policy for local product development*

The regional government regulation number 23 year 2014 on regional governments determines that an arrangement of government under regional governance is directed to accelerate the development of public welfare through increased service, empowerment, and community participation, and increased competitiveness of regions by considering democracy, equality, justice, and inequality in the united republic of Indonesia. Article 17 verses (1) also states that the territory has the right to set up a local policy for conducting governmental affairs that are territorial authorities. The rise in the development of local resources could be a predominant product. It also suggests that regional governments should identify potential sectors, inventory potential resources that can become competitiveness and urban excellence, analyze optimization of potential leverage, optimize potential strategies and recommend and program optimizing potential, including in this study, Baduy weaving.

Based on the research results, Baduy weaving has regional potential and can be used as a regional superior product. Regarding regional superior products, such has been accommodated in the regulation of the Minister of Home Affairs of the Republic of Indonesia Number 9 of 2014 concerning guidelines for the development of regional superior products in article 1 number 1, that Regional Superior Products, are products, both in the form of goods and services, produced by cooperatives, small and medium scale businesses, that have the potential to be developed by utilizing all the resources owned by the region, both natural resources, human resources and local culture, as well as generating income for the community and the government, which is expected to become an economic strength for the region and the local community as a source of income. Potential products have competitiveness, marketability, and impetus towards and able to enter the global market. The statement that Baduy weaving is the superior product of this region is not without basis. This is due to several reasons, including that the existence of Baduy weaving is well known to the wider community and can generate the

wheels of the community’s economy; the diversity of Baduy weaving motifs that are different from other types of weaving in other regions in Indonesia also makes these products attractive to the world market. On the other hand, the Lebak Regency government continues to encourage the promotion of Baduy woven fabrics abroad through collaboration with ministry agencies, stakeholders and entrepreneurs.

The guideline states in the preamble to: section (1) that the regional economic potential needs to be optimally developed into superior regional products that are competitive and can improve people’s welfare in accordance with regional conditions and peculiarities. Furthermore; section (2) also states that to ensure the achievement of the target for developing regional superior products, it is necessary to support the capacity building of regional institutions that are independent and strong and include the development of regional superior products in regional planning documents. Concerning Baduy weaving, the development in question is in accordance with article 1 point (1), namely, by seeking what can be done by the government, local government and the community in developing superior regional products through planning, organizing, financing, monitoring, controlling, and evaluating activities. The existence of these things is a challenge for the local government, especially the Lebak district government. Thus, there is a need for local government strategies and programs so that Baduy weaving can be used as a GI-based product in Banten Province. After further development, according to the preamble of section (2), such should be supported by increasing the capacity of regional institutions that are independent and strong and include the development of regional superior products in regional planning documents.

*2. Regional government work plan*

Development strategies and policies are formulated according to development synchronization between local municipalities and Banten provincial government. The strategy formulas of statements explain how goals and objectives will be achieved and are further defined in a series of policy directions. The province of Banten has composed a 2020 government plan and focuses on increasing competitiveness through the development of access and quality of services. This Regional Government Work Plan is compiled and described in the theme and direction of development policies for Banten Province 2022, which can be seen in its 5th mission, namely, improving the quality of economic growth and equity, which can be used as support for the local government towards the vision of Banten Province, namely, an advanced, independent, competitive, prosperous and moral Banten Karimah.



In line with Baduy weaving belonging to the Baduy community which can become regional competitiveness and the potential for development and improvement of the competitiveness of Baduy weaving, in this regard, the regional government has also made a Regional Government Work Plan, which is regulated in Lebak Regent Regulation Number 37 of 2020 concerning the Lebak Regency Government Work Plan for the 2021 Fiscal Year. As can be seen in the Regional Government Work Plan, the Lebak Regency government made the theme for the Lebak Regency regional development in 2021. The development theme is: “Improvement of the business climate, investment in the tourism sector, and attractiveness of objects and tourism destination.” As stated in Regional Government Work Plan priority programs, sub-priorities, goals, targets and development programs. In general, the 4th priority relevant to the discussion of this research can be detailed in the [Table 2](#).

Based on the table above, it can be seen that, in preparing the priority programs and objectives of the Lebak district Regional Government Work Plan, the Lebak district local government made the concept of a knowledge-based economy. This economic base can be seen in the 4th priority program of the Lebak Regency Regional Government Work Plan, In general, it has stated an increase in economic added value in potential tourist destination objects. In accordance

with the sub-priorities, the local government develops tourism development and traditional heritage preservation plans to increase promotion. Until then, the goal has been to achieve equitable distribution of community welfare.

In line with the GI, which is the collective right of the region, and which is awarded to all “legitimate” holders of the GI’s reputation as set out in chapter 53 verses (3), the 2016 statutes on trademark and geographical indications could include those representing peoples in the geographic areas such as the Baduy community and the local government of the Lebak district. Since all such parties contribute to the value chain of the goods and/or products regarded as GI potential, in this case Baduy’s own weaving, if Baduy’s weaving can be regarded as a GI definition, then, enrolling Baduy’s weaving can have many benefits as is found in the guidance module of the geographical instruction, where the GI protection system benefits both manufacturers and consumers. Thus, the objectives of the Regional Government Work Plan made by the local government of Lebak Regency can be realized.

## Conclusion and Recommendation

Based on the results and discussion in the previous chapter, a conclusion can be made as follows:

**Table 2** 4th Priority Program

Priority	Sub priority	Aim	Target	Program	Program indicators
Improving the business climate, investment in the tourism sector, and the attractiveness of tourism objects and destinations					
Creating economic added value in potential tourism destination objects	1. Determination of the Bayah dome geopark to be a national geopark; 2. Development of ecotourism landscape tourism in Baduy, Citorek, Cibarani, and Guradog 3. Preservation of the diversity of regional traditional and cultural heritage; 4. Arrangement of tourism destination facilities; 5. Increasing tourism promotion through organizing various tourism events; 6. Strengthening tourism institutions; 7. Development of the Tourism Information Center (TIC).	Creating an even distribution of community welfare	Increasing quality economic growth	1. Cultural value development program; 2. Cultural property management program; 3. Cultural diversity management program 4. Tourism destination development program; 5. Program for increasing the supporting capacity of tourism institutions;	1. Percentage of preservation of regional culture; 2. Percentage of preserved cultural heritage; 3. Percentage of fulfillment of the needs of regional arts and cultural events; 4. The number of visits by foreign and domestic tourists; 5. The scope of improvement of tourist attraction infrastructure is in good condition and the number of tourist villages developed; 6. Percentage of institutions in 23 ODTW and Percentage of developing creative economy sectors.

Source: Regional Government Work Plan Lebak Regency (2021)

1. Management of Baduy weaving based on GI in the Baduy Lebak community is by building a Geographical Indication approach based on Law Number 20 of 2016 concerning Marks and Geographical Indications, but this has not been done yet because management is still carried out independently based on local community creativity.

2. Efforts that can be made by the Regional Government in the form of strategies and programs so that Baduy weaving can be used as a GI-based product in Banten Province, in general, are already included in the Lebak Regency Government Work Plan 2021.

The recommendations of this research are:

1. The GI approach can be carried out using a triple helix model involving universities, communities and local governments;

2. The Lebak Regency Government can make special normative arrangements for Baduy weaving in the form of regional regulations regarding regional superior products.

## Conflict of Interest

We as authors declare that there is no conflict of interest in the writing of this article, and we will be legally responsible for the writing of this article.

## References

- Ali, Z. (2016). *Metode penelitian hukum* [Legal research method]. Sinar Grafika.
- Amaliyah, E. I. (2018). Masyarakat Baduy dalam pergulatan tiga jaringan makna [Baduy community in the struggle of three networks of meaning]. *Sosiologi Reflektif*, 12(2), 317. <https://doi.org/10.14421/jsr.v12i2.1294>
- Asri, D. P., Sriyono, E., & Hapsari, M. A. (2022). Valuing local heritage: Issue and challenges of geographical indication protection for local artisans in Indonesia Kasongan village heritage. *The Journal of World Intellectual Property*, 25(1), 82. <https://doi.org/10.1111/jwip.12206>
- Astuti, A. D. (n.d.). *Tenun Baduy Leuwidamar Lebak Banten* [Baduy weaving Leuwidamar Lebak Banten]. <http://eprints.uny.ac.id/id/eprint/27569>
- Bramley, C., Estelle, B., & Johann, K. (2022). *The economics of geographical indications: towards a conceptual framework for geographical indication research in developing countries*. [https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_1012-chapter4.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_1012-chapter4.pdf)
- Cahyana, L. (2020). *Kain tenun Baduy Wisata lain di kampung adat* [Baduy woven cloth Another tour in a traditional village]. <https://travel.tempo.co/read/1233188/kain-tenun-baduy-wisata-lain-di-kampung-adat>
- Dahlan, M. A. (2019). Orang Baduy dalam lintasan politik Indonesia [Baduy people in Indonesian political trajectory]. *Jurnal Ilmiah Rinjani*, 7(1), 1–10. <https://doi.org/10.12345/jir.v7i1.83>
- Damary, P., & H. Riyaldi. (2018). *Modul Pelatihan Indikasi Geografis*. [Geographical indication training module]. Indonesian-Swiss Intellectual Property Project (ISIP). [https://www.ige.ch/fileadmin/user\\_upload/recht/entwicklungszusammenarbeit/Buku\\_indikasi\\_geografis\\_2\\_3.pdf](https://www.ige.ch/fileadmin/user_upload/recht/entwicklungszusammenarbeit/Buku_indikasi_geografis_2_3.pdf)
- Dulayasutcharit, Y., Keawset, P., & Chanthapo, A. (2018). The development of indigenous Woven Thai-Krang products in Central Thailand for the creative economy. *Dusit Thani College Journal*, 12(1), 150–164. <https://so01.tci-thaijo.org/index.php/journaldtc/article/view/118035/90570>
- Halmahera, M., Septiya Purnama, A., Hasyim, F., & Irwan Benardi, A. (2019). Local wisdom pikukuh sepuluh suku Baduy dalam konservasi lingkungan budaya desa Kanekes [Local wisdom of the pikukuh ten Baduy tribes in the conservation of the cultural environment of Kanekes village]. *Geo Image (Spatial-Ecological-Regional)*, 8(1), 80–88. <https://doi.org/10.15294/geoimage.v8i1.30996>
- Jain, S. (2009). Effects of the ekstension of geographical indications: A South Asian perspective. *Asia-Pacific Development Journal*, 16(2), 65–86. <https://www.unescap.org/sites/default/files/apdj-16-2-3-Jain.pdf>
- Latif, B. S., Gunawijaya, J., & Nurbaeti. (2023). Keberlangsungan Tradisi Menenun sebagai Ciri Khas Kebudayaan Materi Kaum Perempuan Baduy Luar Kampung Gajeboh [The sustainability of weaving tradition as a material culture characteristic of outer Baduy women in Gajeboh village]. *Jurnal Ilmu Budaya*, 44(1), 16–25. <http://dx.doi.org/10.47313/jidb.v44i1.2047>
- Muhlisin, Bahrul Ulumi, H. F., & Humaeni, A. (2017). Kebijakan pemerintah daerah dalam perlindungan masyarakat adat di Provinsi Banten: Studi kasus masyarakat adat Baduy dan Citorek. [Local government policy to the indigenous people protection in province of Banten: Case study on indigenous people of Baduy and Citorek]. *Jurnal Kebijakan Pembangunan Daerah*, 1(1), 27–44. <https://doi.org/10.37950/jkpd.v1i1.4>
- Mustomi, O. (2017). Perubahan tatanan budaya hukum pada masyarakat adat suku Baduy Provinsi Banten [Changes in legal cultural order in the indigenous people of the Baduy Tribe of Banten Province]. *Jurnal Penelitian Hukum de Jure*, 17(3), 309–328. <http://dx.doi.org/10.30641/dejure.2017.V17.309-328>
- Maftukha, N., Yustiono, & Adriati, I. (2017). Visualisasi tenun Baduy [Visualization of Baduy weaving]. *Journal of Visual Art and Design*, 9(2), 51–66. <https://webpac.lib.itb.ac.id/find/detail/109024>
- Monten, L. (2006). Geographical indications of origin: Should they be protected and why? An analysis of the issue from the U.S. and EU perspectives. *Santa Clara Technology Law Journal*, 22(2), 317–318. <http://digitalcommons.law.scu.edu/chtj/vol22/iss2/4>
- Petruang, N., & Napasintuwong, O. (2022). Economic sustainability of geographical indication indigenous rice: The case Of Khao Sangyod Muang Phatthalung, Thailand. *Asian Journal of Agriculture and Rural Development*, 12(2), 104–112. <https://doi.org/10.55493/5005.v12i2.4467>
- Property, D. G. (2021). *Annual report of directorate general of intellectual property 2021*. Directorate General of Intellectual Property. <https://www.dgip.go.id/unduh/laporan-tahunan>
- Rahmah, M. (2015). Protection of geographical indication under trademark system: To fit the square into the triangle? *Mimbar Hukum*, 27(3), 536–552. <http://dx.doi.org/10.22146/jmh.15876>
- Soemarsono & Virgoyanti. (2016). *Batik Lebak dan tenun Baduy karya cita masyarakat Lebak* [Lebak batik and Baduy weaving created by the ideals of the Lebak people]. Pemerintah Daerah Kabupaten Lebak 2016.
- Seetisarn, P & Chiaravutthi, Y. (2011). Thai consumers willingness to pay for food products with geographical indications. *International Business Research*, 4(3), 161–170. <https://doi.org/10.5539/ibr.v4n3p161>
- Sugiri, R. S. (2020). Utilization of geographical indication protection system for traditional handicrafts in Indonesia. *Indonesia Law Review*, 10(3), 252–276. <https://doi.org/10.15742/ilrev.v10n2.653>
- World Intellectual Property Organization [WIPO]. (n.d.). *Thailand leads the way to GI registration in ASEAN countries*. <https://www.wipo.int/ipadvantage/en/details.jsp?id=12717>