

Legal Protection of Talunombo Written Batik Wonosobo in Perspective Anthropology Law

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Abstract

Legal protection for the creation of Talunombo Wonosobo batik motives is to preserve the traditional written batik owned by Talunombo batik craftsmen in the study of Legal Anthropology approaches, both comparative and empirical approaches. The comparative approach references to the rules made to protect the creation of the Talunombo Sapuran Wonosobo batik motif based on the Copyright Law Numb. 19 Years 2022. empirical approach looks at the reality that occurs in the community of Talunombo batik craftsmen who love the products they made to preserve the nation's cultural heritage. The suggestion used should be that the Wonosobo Regional Government can synergize to be able to provide legal protection to the existence of written batik craftsmen by protecting the talunombo handwritten batik products in the rapid economic development so that they do not become heredity and can be preserved as batik icons that can prosper the Talunombo handwritten batik craftsmen Sapuran Wonosobo.

Keywords

batik motif creation; legal protection; legal anthropology approach



I. Introduction

Mastery, formation culture and protection law to Batik Write Talunombo Wonosobo must conducted by sustainable and keep going continuously and synergize, so that could foster legal awareness that batik artisans want the and consumers which buy batik. Organization must have a goal to be achieved by the organizational members (Niati et al., 2021). The success of leadership is partly determined by the ability of leaders to develop their organizational culture. (Arif, 2019).

In the context of legal protection against the creation of Batik motifs, Write Talunombo Wonosobo, the local government needs attention Wonosobo by making various efforts to preserve batik motifs with characteristic typical certain in every area could preserved and get comprehensive legal protection for Batik products Write Talunombo Wonosobo.

Beside give protection law, law also play a role in providing legal certainty for actions violation of motive written batik products on the market through sanctions which assertive, good penalty civil nor criminal, so that with we can examine the anthropological approach from the empirical and approach comparative.

Approach Empirical in anthropology law, that researcher see state in community/craftsmen batik write with based on observations and observation in life batik community in Talunombo village, Sapuran district, Wonosobo. From side Approach Comparative, researcher decipher the research that for protect product Batik Write Talunombo Wonosobo so craftsman batik need get protection Right Copyright for Talunombo Wonosobo Batik Motifs in accordance with the provisions Constitution Copyright No. 19 of 2002.

Besides that, law also give protection to violation which conducted person other which no entitled and no responsible through penalty which assertive and clear good civil nor criminal.

Though thereby law give protection through registration as well as role active all circle good Public, apparatus enforcer law and businessmen, so that a climate will be created effort conducive environment by appreciating someone's work in the style and style of motifs made by Batik craftsmen on batik products that are generated para craftsman specifically product Batik Write Talunombo, Wonosobo

So that craftsman/entrepreneur batik write which want get protection right copyright must prove that motive the written batik is the production motif of Talunombo Written Batik, where para craftsman/entrepreneur batik Write could increase knowledge and legal awareness in developing production batik write with awareness law in protect results his work through batik art write like which have been researchers described above.

Researchers hope, batik craftsmen/entrepreneurs strive to encourage, create, utilize available resources better and develop opportunities for discovery or the creation of a new Talunombo hand-drawn batik and developing business and its legal protection in order to obtain guarantees in the produce it, giving a distinguishing mark or brand, trade and marketing as well as Step purchase and fulfillment needs consumer seen from aspect quality, also give guarantee and assurance of protection rights of the creators of imitation or piracy on the Talunombo batik motif Wonosobo

Thus, the researchers also describe that Motive or batik design pattern writing is closely related to cultural wealth and natural reflecting socio-cultural Village Talunombo.

The policy of the Wonosobo Regional Government to protect the law on the creation of batik motifs that have not been registered, providing a place for more affordable and easier registration in the registration process right create and brand as well as be equipped facility good for the sake of importance registration and strict legal action from the district government Wonosobo, if a violation occurs Copyright and brand.

For that, as one of the efforts to create protection Copyright law on all types of cultural heritage assets in particular Batik Write Talunombo in Regency Wonosobo so will the best good and harmonious relationship between the craftsmen and the local government local batik will be realized by craftsmen with culture local which recognized his existence by area other even international.

II. Research Method

In this study, researchers need data so that the results The validity of this research is not in doubt. To get data complete and accurate data (valid and reliable), required method method certain.

2.1 Method Approach

Method approach which used in study this is a method of empirical juridical approach, namely the law is conceptualized as symptom normative in regulation legislation which relate with Protection Law Batik Write Talunombo Wonosobo in Anthropological Empirical Approach Law.

2.2. Population Study

Population is whole object or units which will researched. Sampling is a process in selecting parts representative of a population. The population of this study is a Wonosobo

Handicraft Batik Craftsman, Talunombo Village, Sub -District Sapuran, Wonosobo Regency.

2.3. Source Data

- a. Ingredient Law Primary that is regulation about Right Create Number 19 Year 2002
- b. Ingredient Law Secondary that is writings, magazine, book which related with problems and field data
- c. Data Field that is data which obtained with Interview direct with parties which related with object study.

2.4. Method Collection Data

- The legal materials obtained are inventoried and identified, namely study materials are arranged systematically, classified according to laws and regulations relating to written batik, according to author and for material law which other.
- Field data by interview / interview using a list open and closed questions, the implementation of which is by interviewer agar Interview can walk fluent.

2.5. Processing and Analysis Data

Data which enter will analyzed with use analysis qualitative in accordance with the legal research provisions normative

III. Result and Discussion

3.1 Definition Batik

According to Yudoseputro , batik means picture which written on cloth by using the night as a medium as well as a batik cloth cover. According to Widodo say that art batik is results culture nation Indonesia which tall value, because that already proper upgraded and developed.

According to Prof.Dr. RM Sutjipto Wirjosuparta Indonesian batik in review from culture is that before entry culture India Indonesia have known technique of making batik cloth.

According to Prof. Dr. Alfred Steinmann 3 Batik in terms of batik design and Loax-resisttetechnique is kind of cloth batik Paint candle which famous for the name Batik Palekat which does not have a tumpal, tree hayat, caruda and isen-isen cece and sawut and their batik designs on generally geometric patterns, unlike batik in Indonesia, which is more many variations.

According to Roufear , a Dutch scholar, that Batik Indonesia comes from from South India, his opinion is based on wax-resist painting , no notice design and time development incident on each place/area cover India or Sri Lanka .

According to JLA Brandes (Dutch archaeologist) states that tradition batik is original from area like Toraja, Flores, Halmahera and Papuans.

According to Ivan Tirta, batik is technique 4 decorate cloth or textiles using wax in the dyeing process, where all the processes by hand. Another definition of Batik is art range color which cover process evening (candle), dyeing (coloring) and sag (heating), to produce a different motif fine which everything that requires accuracy which tall.

3.2 Definition Handmade batik

Written batik is a cloth decorated with batik textures and patterns use hands. The making of hand-drawn batik takes approx 2-3 months.

Batik Tulis is a handwriting technique using canting and night., Written batik can called traditional batik. Written batik is a writing system and uses natural dyes which derived from plants and animals.

On Batik Write, every picture and the motive no same exactly (asymmetrical)---some parts are too small and some are too big. Check and isen-isen in each picture also no same magnitude. Batik write have special characteristics that can be recognized as processed products hand.

3.3 Batik is results batik

Batik is person which batik or person which her job make batik fabric. Batik is the place batik, company batik, or can also process, method and batik making.

Researcher decipher his opinion in stage study among them researchers can conclude that :

- a. Batik is a human creation that is the hallmark of a country area where motive batik have score art tall and score philosophy based on background behind social, culture, economy, and geography something area and recognized by others.
- b. Batik is the development of batik motifs related to culture local which have peculiarity good by whole technique coloring fabric, technology.

3.4 Definition Batik Write in traditional

Maintain method making batik by traditional as one way to maintain cultural heritage, so as to preserve batik Indonesia on generally, Talunombo hand-drawn batik on specifically.

In Thing this, tradition batik has lowered from generation to generation, with various meaning symbolic in form technique, pattern and long manufacturing process, special use in various Customs and batik become identities that have a symbol /meaning from life culture nation.

According to Subroto (1991 : 41), tradition batik on Public Java Ancient has been mentioned in the book Sumanasantaka which is written: ewer noralega ng apanday anulis para painting asept mwanng sewing .

So, in his research, researcher conclude that batik is tradition in Public Talunombo in conserve inheritance his ancestors, where batik Write Talunombo is inheritance the original culture of the Talunombo people and written batik into 5 people's clothes in village Talunombo .

With say other, researcher say that process contiguity local culture with long-standing traditions gives birth to culture in cultural diversity in each region in Indonesia in general, and in village Talunombo on specifically where every area or village Talunombo has the ability to preserve, develop creativity in very original patterns and motifs from the local community and with creativity expected batik write Talunombo the more could show its identity as one of Indonesia's cultural heritages which has characteristics, characters, colors, patterns and motifs special batik custom/tradition the Talunombo community.

In Thing this, batik write working for 6 clothes, and in progress the more various variety the variations and working as decoration, wall hangings, curtains, tablecloths, sandals, bags and clothes written batik and it is also hoped that Talunombo hand-drawn batik will be able to give development to effort batik write Talunombo Wonosobo in a better direction and certainly not against policy Wonosobo Regional Government.

So, the researcher describes that the development of written batik is like: which has been mentioned above, then batik writing 7 has the following characteristics: following :

- a. Experience attempted by down hereditary
- b. Location effort spread almost whole ward
- c. Age entrepreneur/craftsman batik generally 30 years old
- d. Education generally graduated high school
- e. Scale effort no varied
- f. Technology still with pattern traditional
- g. Type power work which used most woman
- h. Intensity production relatively stable.

For that, researcher decipher that batik write in tradition is an ancestral heritage that has a noble and rich nature about culture in the patterns and motifs of written batik, and written batik is a reflection of the cultural existence of written batik that has existed for a long time and before the state of Indonesia was established, and the culture of the traditional community did not recognize Copyright that is not recognizing individual ownership of a work create which owned Public traditional but ownership together.

In Public traditional, something creation create which has announced to the public direct Becomes owned by together (public domain). Who just can copy and imitate creation the and the creator no take issue. deed like that no harm the interests of the creator but bring benefits to the its creator. By because Thing the so researcher interested for researching and study more in again batik write Talunombo Wonosobo in cultural perspective as the researcher will describe below : Definition Batik Write in Culture Batik Write Talunombo is wrong one riches culture nation owned by the village of Talunombo , Sapuran District, Wonosobo.

Based on the legal culture of written batik craftsmen, want to develop the economy and knowledge traditional (traditional-knowledge) as the basis for creating the basic motifs of batik write talunombo (folkfore).

Characteristics culture craftsman Batik Write Talunombio is Thing most important in culture 8 yang cover language, religion, tradition and habit Public local which have eye livelihood as craftsman written batik in the village Talunombo Wonosobo.

The name of Talunombo Wonosobo Batik is expected to be easy to be remembered by the community as an inseparable unit with culture local community law.

Culture is system about conceptions which inherited in form symbolic, with method this man could communicate, conserve and develop knowledge and her attitude to life which related with culture.

So the researcher said that the symbolic meaning of written batik motifs Talunombo Wonosobo have content payload wisdom local with culture palace Java, which could our know that batik Java is relic Kingdom Majapahit . Thereby case, so symbols bind people in various forms, movements, clothes, objects, flags, religious icons and so on based on researcher observations in legal anthropological perspective .Therefore, culture is often regarded as a blue-print that has become a compass in the journey of human life as a guide Act in demand.

In Thing this, researcher also say the more strong culture, 9 the stronger the effect or influence on the environment and human behavior and adhere to values law which apply in society.

Researchers in their research describe that written batik in culture is marker identity culture law batik write Talunombo Wonosobo in order to protect the existence of batik philosophical / non-formal contained in it and used for life Public village Talunombo , where batik write Talunombo Wonosobo is conceptualized as having a relationship with

Friedman's theoretical analysis which refers to on culture law craftsman/entrepreneur batik in village Talunombo Wonosobo.

Because culture Public law custom very value creativity and creation art batik write in Public Talunombo Wonosobo. So here , it has no cultural roots in society traditional because Public traditional have nature collective or togetherness.

According to Lonner and Malpass , 10 cultures include different meanings complex and unreasonable as well as simple notions like culture is which made inner man environment.

In this case, batik is a traditional and deep heritage the research study of the researcher says that human/community craftsmen Talunombo hand-drawn batik uses a way that other cultures don't from one's own culture as a way of judging other cultures to the culture of Talunombo Wonosobo batik craftsmen . Researchers too said that elements of culture that are normal, moral in learn score culture without looking at race, ethnicity and religion could give confidence to the culture of the batik craftsman community wrote Talunombo Wonosobo, because batik is one of the cultural icons original Indonesia and confirmed by UNESCO “Batik as inheritance Indonesian original world culture” since October 2 , 2009. Inside batik there is various aspect life good historical, philosophical, tour and culture original village Talunombo Wonosobo which realized in sheet cloth patterned with various meaning philosophical will score and history in accordance with pattern and the motive, as well as design cultivation which tends to be smooth namely the existence of written batik which in this case will researcher described in this study.

Connection Batik Write with Culture (Analysis Theory Friedman)

According to Sprangers , quoted by Suryabrata , look at that Culture is a system of values, because culture does not other is gathering score which arranged according to structure certain. Culture as system or structure values by 11 Sprangers classified with two big group that is :

1. The field of values relating to humans as individuals, which cover score knowledge (theory), score economy, score art and score religion.
2. Field of values related to love and love of power, which includes social values and political values.

According to Kluckhohn , quoted by Koentjaraningrat, said that The cultural value system in all cultures in the world is actually related with five problem tree in life man (orientation score culture). The five basic problems in life are related to value orientation culture between others as follows:

1. Itself Life good/bad
2. Itself creation for life, position , honor and add creation
3. Perception Man about good time time past/time front
4. View man about Natural good guard sustainability natural or dominate natural
5. Itself Connection Among Man with Fellow good depend with fellow and effort on one's own strength

With a long history of Batik, it is very appropriate that batik has a philosophical meaning in it according to the style and motive batik which attached on cloth batik write Talunombo Wonosobo customized with elements which attached from culture law Public Talunombo Wonosobo, so that in study, researcher refers to on analysis friedman theory which using Legal Culture.

Formed something culture, including culture law, actually through something process and eat time which enough long. According to Koentjaraningrat , something culture formed through the process Among other :

1. Internalisation

Is the process of instilling cultural values in a person's personality all the feelings, desires, passions, and emotions needed throughout life.

2. Socialization

Is process study values culture to patterns action in interaction with the people who occupy various kinds of role social which possible there is in life daily.

3. Enculturation/ Institutionalization (Cultivation)

It is the process of a person learning and adapting the nature of the mind as well as her attitude with customs, system norm, and regulation- regulation (law) which live in their culture.

Definition culture law according to Friedman is interest- interest (interest) individual and group when face to face with institution law or powers social (social forces) which reflected in the attitudes and values that exist in society, in this case culture law linked with culture local/craftsman batik write Talunombo Wonosobo.

According to Friedman , legal culture refers to the parts of culture on generally which in the form of habit, opinion, ways behave and think which support or avoid law, so that legal culture is an important variable in the legal system because can determine it works legal system.

According to researcher, batik related close with culture law Talunombo village community , where 12 socio-cultural conditions are the background behind Talunombo batik production , Wonosobo.

In Thing the, if linked with anthropology law, researcher decipher that description change social which reflected in batik motifs need to be studied to add to the understanding of these motifs so that it can raise the value of talunombo batik and as a proof process creative and creation something creation art batik which get confession world.

So, the researcher in his research concluded that Theory Analysis Friedman in Connection Batik Write Talunombo with Culture Is as follows :

1. Talunombo Wonosobo hand-drawn batik is a 13 overall technique, technology as well as development motive and culture village craftsman batik.
2. talunombo hand- written batik craftsmen have a thick culture adequate law in the cultural processes that have been, are and will be Keep going occur naturally required development in produce batik write.
3. Cultural identity of batik craftsmen in making and batik production write which have characteristics : ethos, soul, culture
4. Confession international to existence batik write Talunombo Wonosobo as creativity man not only inheritance tradition.

Thing the on give conclusion for researcher, that existence batik write Talunombo Wonosobo using 14 principle continuity , convergence and concentricity (Trickon principle) are as following :

1. Continuity

This principle mean : to ensure continuity culture, need to be cultivated through various institutions. In this context, for ensure continuation (continuity) batik, good by physique nor meaning, it is necessary to cultivate a process of culture through various institutions, the main ones are: family, school , community and media.

2. Convergence

To get to a world/global culture, you need to open yourself up to influence culture other/foreign. Thereby also for to internationalize batik, it takes a willingness to open self to culture other.

3. Concentricity

How does the intercultural meeting not necessarily uproot? society from its cultural roots, but rather strengthens identity local and national. Principle this indicates that intercultural meetings are relevant and urgent to do, however don't to isolate from cultural roots alone.

For Therefore, the researcher describes in his research that culture The law of the community of batik craftsmen / written batik entrepreneurs has a pattern, motifs that are reflected in the patterns of the cultural roots of the local community which contained in Batik Tulis with various variations of patterns and motifs in accordance with culture culture local.

Thus, Batik as part of culture is not only used to practice painting and sunnging skills, but various ethics education and aesthetics in human life.

Researchers also say that culture is very dynamic and follow development owner and in understand culture, our must capable for conserve and develop culture, so that our could understand meaning, value, symbol, and have function certain which used on level endurance culture the people, for example culture law which there is in the community of hand-drawn batik craftsmen in the village of Talunombo, Wonosobo. Because then, it will be easier to recognize the written batik inside it there is various values and meaning philosophical which noble.

By because that, symbol is 15 results creation and subjective craftsman batik write in conserve batik write in culture society and affect all environments and involve behavior and rules in a cultural context as heritage culture which very precious creation para ancestors.

In Anthropology Law, researcher use approach empirical, where researcher could decipher that by reality which there is, Batik Write Talunombo Wonosobo capable actualize self as part from inheritance culture and effort Keep going continuously from generation to generations to preserve it in accordance with development thinking and technology Public craftsman Batik Write Talunombo Wonosobo. So that could maintain element and score culture nation in the dimension of cultural resilience in preserving batik culture. Culture batik which contained in in batik Write Talunombo Wonosobo which they produce in the local village based on observation and observation which conducted researcher in the research in village Talunombo, Subdistrict Sapuran, Regency Wonosobo. Thing the could outlined researcher, because batik is owned by para craftsman Talunombo which have flavor in share tradition, inheritance culture which is identity culture Batik Write Talunombo. In Thing the, identity culture is construction social in see side product Talunombo batik, so that it gets recognition on results product batik write Talunombo in outside Wonosobo specifically and in Whole.

3.5 Indonesia on generally

So researcher in decipher the research looking at batik as a traditional culture that has been going on for generations hereditary, then the Copyright on Batik is held by the State, regulated in Chapter 10 paragraph 2 Constitution No.19 Year 2002 about Right Create which reads: "The state holds the copyright to flocfore and its products" folk culture that is

common property, such as stories, saga, legends, chronicles, songs, crafts, choreography, dance, calligraphy, and creation other arts.

In this case, copyright law protection is needed in skeleton increase well-being si creator on batik write for produce creation create for protected and preserved through exhibitions level national nor international for introduce Batik Write As Inheritance Culture Indonesia which is part of the cultural tradition of batik in the village community Talunombo , Sapuran , Wonosobo.

For that, Researcher in the research decipher as following

- a. Legal protection for the creation of batik craftsmen written batik from violations of forgery and imitation of motifs batik which made by craftsman Talunombo hand-drawn batik Wonosobo.
- b. Talunombo hand- written batik craftsmen Wonosobo that arises automatically can be realized in the form of real, will but with cost which expensive (registered in Brand).
- c. Lack of understanding and awareness law will importance protection law to motive batik write Talunombo Wonosobo, because of educational background The low one, there is a communal culture and low economic level from batik craftsmen and the community surroundings that do not support the actual existence of written batik very helpful and can realize an increase in the welfare of life its people.

For this reason, researchers have hope that the younger generation can realizing his love for batik in various real activities for preserve it, start from use, develop, marketing, disseminating, creating, and existing batik write Talunombo Wonosobo in order to get received by Public.

Due to the development, modification of batik motifs and patterns Write Talunombo Wonosobo with good intentions to improve aesthetics expected, so that batik is made using materials that are desired according to the statement that 17 batik is wealth and cultural heritage that is very valuable and must be preserved for the sake of identity and success Indonesia.

IV. Conclusion

Legal protection for Talunombo handwritten batik Wonosobo Sapuran should guarded sustainability so that batik permanent as adhesive the culture of the people who love the local wisdom of the local community that must be cared for, preserved and protected as national identity Security cultural heritage.

References

- Afrizal Woyla Saputra Zaini. (2011). Reflections on Socio-Cultural Changes Batik motifs in Surakarta, <http://afrizal.student.umm.ac.id/2011/03/releksi-change-so-sial-kultur-in-batik-in-surakarta/>
- Alfred Steinmann. (2005). (professor Ethnology University Zurich, batik, A Survey of Batik design, Publisher Lewis Publisher limited, 1958 Affrillyana Ancient, et al , TRIPS WTO and Law IPR Indonesia, Rineka Create, Jakarta.
- Ari Wulandari. (2011). Batik as National Identity in Indonesian Batik Philosophical Meaning, Method of making and batik industry, Andi, Yogyakarta p.185
- Arif, S. (2019). Influence of Leadership, Organizational Culture, Work Motivation, and Job Satisfaction of Performance Principles of Senior High School in Medan City. Budapest International Research and Critics Institute-Journal (BIRCI-Journal). P. 239-254

- BI Survey Results Small Business Financing Patterns - Batik Craft Industry, Jakarta, June.
- Budi Agus Riswandi, M. Syamsudin. (2004). Right Riches Intellectual and Legal Culture, Rajagrafindo Persada, Jakarta, p.163
- Derta Rahmanto. (2010). Empowerment craftsman Batik Trusmi Cirebon In frame get Protection
- Gudykunst and Kim, Communication is Symbol, in Book title Communication Cross Culture, Salemba Humanics, Jakarta.
- <http://id.wikipedia.org/wiki/Batik>, Masterpieces of the Oral and Intangible Heritage of Humanity, UNESCO, Batik set as Inheritance Humanity Culture Oral and Intangible, 2 October, 2009.
- Iswahyudi, Batik in Perspective Seeking Recognition of Achievements and its preservation.
- Lonner and Malpass, in C. Wade and C. Tavris. (1994). "The Long War: Gender and Culture, in *Psychology and Culture*, WJ Lonner and RS Malpass, ed. (Boston: Allyn and Bacon).
- Niati, D. R., Siregar, Z. M. E., & Prayoga, Y. (2021). The Effect of Training on Work Performance and Career Development: The Role of Motivation as Intervening Variable. *Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences*, 4(2), 2385–2393. <https://doi.org/10.33258/birci.v4i2.1940>
- Quote's opinion Taliziduhu Ndraha. (2004). title Measure culture Scientists' Law on Copyright: Strong, Medium and Weak in book *Right Riches intellectual and Culture Law* by Budi Agus Riswandi, M. Syamsuddin, Raja Grafindo Homeland, Jakarta.
- RD Lewis. (2010). in book with title *Communication Cross Culture "Communication between Cultures*, Salemba Humanika, 7th Edition, Jakarta.
- Soekamto Soerjono. (1986). *Method Study Law*, Print II, Jakarta, p.88.
- Wulandari, Ari, Variety Decorate batik, in the book *Batik Archipelago, Meaning Philosophy, Cara Manufacturing and industry batik*, p.116
- Wulandari, Ari. (2011). *Batik Nusantara Philosophical Meaning, Way of Making and Batik Industry*, Andi, Yogyakarta.