



## Legal Insights on Symbolism in Traditional Architecture: Protecting Batam's "Kampung Tua"

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### Abstract

In today's rapidly modernizing world, traditional architecture often faces threats from swift development and urbanization. Protecting traditional architecture is not merely about preserving physical structures; it is about understanding and maintaining the cultural values embedded within them. By employing an empirical juridical method that combines juridical, conceptual, and ethnographic approaches, this research seeks to explore the philosophical, historical, and cultural values inherent in the traditional Malay architecture of Kampung Tua in Batam City. Additionally, it aims to analyze the relevance and applicability of intellectual property concepts within the context of local communal identity. The findings reveal that while traditional Malay architecture has been recognized as part of communal intellectual property, its legal protection remains inadequate. Proper inventory, documentation, and official recognition are necessary to strengthen legal protection, with collaboration between the government, indigenous communities, and academics being crucial to keeping this cultural heritage alive.



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### A. INTRODUCTION

The Malay ethnic group is one of the largest ethnic groups on the island of Sumatra, with a presence in nearly every province, including North Sumatra, Riau, and the Riau Islands. Asnah Rumiawati and Yuri Hermawan Prasetyo mention that although traditional Malay houses in these three provinces share many similarities, they also exhibit differences that are adapted to the local environment. However, in general, these traditional Malay houses still reflect distinct philosophical and architectural values (Kementrian PUPR, 2021). Batam, located in the Riau Islands Province, has several "Kampung Tua" (Old Villages) that are considered to offer a rich cultural landscape, where traditional architecture is an integral part of the local identity and cultural heritage. Traditional architecture represents the building techniques of a community's cultural traditions, in accordance with the values and beliefs held by a particular cultural group (Kementrian PUPR, 2021).

Traditional architecture is generally characterized by the traditional houses scattered across Indonesia, which are rich in meaning (Pamungkas & Ikaputra, 2020). Understanding the symbolic meaning behind traditional architecture can provide deep insights into the cultural values that local communities seek to preserve and maintain. Article 40 of Law Number 28 of 2014 on Copyright (Copyright Law) states that architecture is one of the types of creations protected by law. Architecture refers to the art of building design, the art of creating miniatures, and the art of making building models. This protection is granted to recognize the intellectual property rights of architects or designers who have created these designs, thus preventing others from duplicating or using the designs without permission (Kusuma et al., 2024). This article provides crucial legal protection for architects and designers in safeguarding their works from copyright infringement and ensures recognition of their intellectual contributions in the field of architecture.

In recent times, traditional architecture often faces threats from rapid modernization and development. Protecting traditional architecture is not merely about preserving physical structures, but also about understanding and maintaining the cultural values they embody (B, Erlina et al., 2024). The designs and motifs of traditional architecture hold potential as sources of inspiration for modern architects. Without strong legal protection for intellectual property rights, traditional architecture can easily be stolen or misused without fair compensation to the originating communities (Sofia et al., 2024).

Previous research has provided various relevant and valuable findings in the context of traditional cultural protection and the symbolic meaning in architecture. Simarmata & Sudarwanto (2021) presented an analysis of the legal protection of traditional culture through the Copyright Law, highlighting the importance of regulation in safeguarding cultural heritage from unauthorized use. Another study discussed the identification of symbolic meanings in traditional constructions with existing aesthetic elements (Muhammad et al., 2023). Meanwhile, Naghi & Sukihana (2021) reviewed the legal protection against architectural works infringement, emphasizing the need for law enforcement to respect the rights of creators. Lastly, research that examined the protection of communal intellectual property in traditional cultural expressions in Bali underscored the importance of understanding and respecting cultural heritage collectively (Pratama et al., 2022). The current study draws inspiration from these previous works, emphasizing the legal perspective in providing community protection for the symbolic meaning in traditional architecture, offering a meaningful contribution to enriching the understanding of cultural heritage and relevant legal frameworks in the contemporary era. The uniqueness of this research lies in its use of a legal perspective to study the symbolic meanings of traditional

architecture as creations of ancestors, which combine local culture or customs, ultimately resulting in these structures (Sari, 2021).

Based on the above description, this research aims to explore the philosophical, historical, and cultural values embedded in the traditional Malay architecture of Kampung Tua in Batam City, as well as to analyze the relevance and applicability of intellectual property concepts within the context of local communalism. Batam City, a rapidly developing urban center in the Riau Archipelago, has a long history and cultural heritage that can be found in Kampung Tua, which serves as the hub of local community life. This underscores the significant urgency of conducting research in Kampung Tua, Batam City. The research is expected to provide useful guidance for policymakers, local communities, and other stakeholders in efforts to preserve and protect this valuable cultural heritage for future generations. The objectives of this research are: (1) To gain an in-depth understanding of the symbolic meanings embedded in the traditional architecture of Kampung Tua, Batam City; (2) To explore the perspectives and attitudes of the local community towards the importance of preserving traditional architecture as cultural heritage; and (3) To evaluate and recommend legal protection policies for traditional architecture as a cultural asset of Kampung Tua, Batam City.

## B. RESEARCH METHOD

This research is part of legal studies, and therefore, the research methodology employed is the empirical juridical method. The empirical juridical method is a research approach that combines both juridical and empirical approaches (Tan, 2021). In the context of legal research, this method uses a juridical approach to analyze relevant legal regulations and principles, while also adopting an empirical approach to collect empirical data from the field or through empirical observation. The approach used in this research includes the legislative approach, which focuses on analyzing existing regulations and laws to understand the legal framework governing a particular phenomenon or issue (Tan, 2021). Additionally, a conceptual approach is employed, which utilizes abstract concepts, theories, and general principles to understand and analyze the phenomenon being studied (Suteki & Taufani, 2018). Finally, the ethnographic approach is applied, which involves the researcher directly in understanding and explaining specific phenomena within a particular community (Yusanto, 2020). The ethnographic approach was conducted by involving a research team that engaged directly with the community in Kampung Tua, Batam City. The research data consists of two types: primary and secondary research data. Primary research data was obtained directly through the collection of information from original sources or through direct observation in several Kampung Tua in Batam City, Riau Islands Province (Kepri). Meanwhile, secondary research data was obtained indirectly, in the form

of legal materials or legislative regulations. The data analysis technique used in this research is the descriptive-qualitative analysis technique, which allows the researcher to conduct an in-depth legal interpretation of the data obtained (Suteki & Taufani, 2018). This research will explore the meaning and context behind the data, enabling a deeper understanding to be uncovered.

### C. RESULTS AND DISCUSSIONS

#### The Symbolic Meaning in Traditional Architecture Found in the Old Village of Batam City

According to Effendi (2009), traditional Malay buildings are complete structures that can function as family residences, places for deliberation, the practice of customs, continuation of lineage, and as shelters for those in need. Traditional Malay architecture comprises five elements: the roof (*bubung*), walls, doors, windows (*tingkap*), and ornaments (Aurelia et al., 2019). Several buildings in Kampung Tua Bakau Serip feature pyramid-shaped roofs, which are characteristic of Malay architecture. The pyramid roof is a distinctive feature of traditional Malay architecture and carries deep symbolic meaning. The tall, pyramid-shaped roof symbolizes harmony with the surrounding natural environment. Its *aerodynamic* form helps to effectively channel wind and rainwater, reflecting the balance between humans and the natural world (Ramadissa et al., 2017). In Malay culture, the pyramid roof (*Atap Limas*) is also often associated with spiritual and religious values. Its upward-reaching form is seen as a symbol of the connection between humans and the Almighty, reminding the inhabitants of the home of the importance of spiritual values in daily life. The pyramid roof is often adorned with beautiful traditional ornaments and carvings, reflecting the craftsmanship and artistic heritage of Malay culture. This also symbolizes beauty and elegance in life, as well as appreciation for art and culture (Ramadhan, R A., 2020).

Figure 1. Limas Roof (*Atap Limas*)



Source: Documentation of Research Results

The construction of walls, as one of the elements of traditional Malay architecture, is divided into three techniques: sirih stacking, kaset walls, and

overlay walls (Aurelia et al., 2019). Based on observations conducted in Kampung Tua Bakau Serip, all surviving traditional buildings employ the kaset wall technique, which involves the vertical arrangement of the walls. The kaset wall construction technique in traditional architecture, particularly within the context of Malay culture, holds deep symbolic meaning. This technique is not merely about physical construction but also reflects the values, identity, and life philosophy of the community that uses it. According to interviews with Mr. Deular, the orderly arrangement of kaset walls symbolizes orderliness in life, signifying balance and harmony in social and natural relationships. The kaset walls, made of strong wood, provide physical protection and security for the inhabitants. The robust structure of the walls represents protection from external elements and safety for the family (Faisal & Firzal, 2020). These walls are often adorned with motifs that have specific symbolic meanings, such as those of Malay flora and fauna, which reflect cultural identity. Every element and detail within the kaset walls carries significant meaning and purpose, making it an integral part of cultural heritage and history (Kurniasih et al., 2023).

Figure 2. Kaset Walls



Source: Documentation of Research Results

In Traditional Malay Architecture, there are two types of doors: the front door (Ambang) and the back door (Telo). Typically, the doors are intentionally made low, requiring individuals entering or exiting to bow, symbolizing the respect for local customs and traditions. The windows in traditional Malay houses are divided into three components: the upper, middle, and lower sections. The middle and lower components can be operated and closed separately, while the upper component is always carved open to allow ventilation (Aurelia et al., 2019).

During the field observations conducted by the research team, it was found that traditional buildings have now been mixed with modern elements, particularly in residential houses. Based on interviews with a local resident who also serves as the Head of the Neighborhood Association (Ms. Kamisa), it was explained that original Malay houses have long been replaced with modern homes. Despite the modernization of Kampung Tua Bakau Serip, the local community remains enthusiastic about preserving their culture through the dance studio,

which is still well-maintained. The dance studio stage is one of the traditional Malay architectural structures that still embodies the local wisdom of the Malay culture. Additionally, other examples of traditional Malay architecture can be found in the Saung Pintar and Posyandu Hang Tuah buildings, completed in 2023. These buildings are modern in concept with a Malay touch. However, in the Saung Pintar and Posyandu Hang Tuah buildings, there are no doors and windows that align with traditional Malay architecture.

**Figure 3.** Saung Pintar and Posyandu Hang Tuah



Source: Documentation of Research Results

The next element is ornamentation, which consists of four types: flora, fauna, nature, and religious beliefs (Aurelia et al., 2019). Efendi (2007) states that the motifs found in the Riau region are generally derived from flora, such as Kaluk Pakis, Bunga Hitan, Bunga Kundur, Tampuk Manggis, and Pucuk Rebung; from fauna, such as Itik Pulang Petang, Semut Beriring, and Siku Keluang; and from natural elements, such as the Crescent Moon, Stars, and Awan Larat, among others. The Kaluk Pakis group includes leaves and roots (Faisal & Firzal, 2020). Floral carvings often symbolize fertility, growth, spirituality, and life. The carved flowers, leaves, and other plants reflect the fertile and abundant nature, which is an integral part of the agrarian life of the Malay people. This is supported by interviews with Mrs. Kamisa and Mrs. Lastri, local residents who stated that the people of Kampung Tua Bakau Serip have sustained their daily needs through farming on their ancestral lands over generations. The presence of these floral motifs can be seen in the Saung Pintar and Posyandu Hang Tuah buildings, where Kaluk Pakis and Singap or Bidai Tiga motifs are visible. These carvings convey the idea that human life and nature are inseparable, or in other words, they are unified with nature (Kartika, 2023). The use of floral motifs is also found on the Tugu Kampung Tua Melayu, featuring Kaluk Pakis and Bunga Melur motifs.

Figure 4. Tugu Kampung Tua



Source: Documentation of Research Results

Figure 5. Motif Ornamen di Saung Pintar and Posyandu Hang Tuah



Source: Documentation of Research Results

The traditional ornament known as *Selembayung* is positioned crosswise at both ends of the ridge of the building. *Selembayung*, also referred to as *Selo Buyung* and *Tanduk Buang*, is an adornment that remains on the traditional buildings of the Malay Riau people to this day. In relation to the Malay identity of the Riau community, particularly in terms of architecture, *Selembayung* holds several meanings: (1) As the Crown of the Building, it signifies that *Selembayung* enhances the elegance and radiance of the building; (2) As the Harmony of the Building, symbolizing the harmony within the structure; (3) As the Roof Peg, representing a life of self-awareness; (4) As the Stairway of the Gods, symbolizing the descent of gods, spirits, and sacred entities, providing safety to humans; (5) As the Symbol of a Noble House, indicating that the building is the residence of nobility, a hall, or a place of respect; (6) As the Fortune of the House, symbolizing that the building brings good fortune to its owner; (7) As a Symbol of Strength and Authority; and (8) As a Symbol of Love and Affection (Salam, 2017).

Figure 6. Selembayung



Source: Documentation of Research Results

The final ornament found on the roof structures of the Saung Pintar and Posyandu buildings is the “Hanging Bee” motif. This motif is typically located beneath the fascia boards and is often referred to as “ombak-ombak” (Ramadissa et al., 2017). There are several types of the Hanging Bee motif, such as kembang jantan, tampuk manggis, kuntum setaman, and kelopak empat. The image above depicts the kembang jantan type. The connotative meaning of the Hanging Bee decorative motif suggests that no matter where children travel, they will eventually return to their families, whether to their immediate family or within the broader community. Additionally, there is another interpretation that suggests that when there is a problem to be resolved, it will bring the community back together to discuss and find a solution through communal deliberation (Ariyati Rahayu, Hasnah Faizah, Elmustian, 2023).

Besides flora and fauna motifs, natural and religious motifs are also found on the gateway of Kampung Tua Bakau Serip. The natural ornament used is a star carving, which is considered a symbol of divinity and spirituality.

Figure 7. Gapura Kampung Tua Bakau Serip



Source: PDIP Kreatif

The interview with Ibu Santi revealed that carvings and motifs in traditional Malay architecture hold deep symbolic meanings, reflecting the cultural values, beliefs, and life philosophies of the Malay community. Each motif, whether it be flora, fauna, geometric shapes, or astral symbols, serves not merely as aesthetic decoration but also conveys spiritual and social messages. For instance, the *kaluk pakis* motif symbolizes growth and regeneration, while star motifs are often associated with divine guidance and protection (Ariyati Rahayu, Hasnah Faizah, Elmustian, 2023; Faisal & Firzal, 2020; Salam, 2017). The beauty and order of these carving patterns also reflect the principles of harmony and balance highly valued by the Malay society. Furthermore, the use of these motifs underscores a rich cultural identity and heritage, strengthening a sense of pride and solidarity within the community. Thus, the carvings and motifs in traditional Malay architecture not only enhance the aesthetic appeal of buildings but also serve as crucial mediums



for conveying the values and beliefs passed down from generation to generation (Bire et al., 2024).

### **The Local Community's Perception of the Importance of Preserving Traditional Architecture as Part of Cultural Identity**

The community of Kampung Tua Desa Bakau Serip is deeply aware of the importance of preserving traditional architecture as a vital part of their cultural identity. The traditional Malay stilt houses are not merely places of residence, but also representations of the history, values, and heritage of their ancestors, which have been safeguarded for centuries. Unfortunately, many of these stilt houses, once emblematic of their village, have been demolished and replaced by modern buildings, altering the village's landscape and diminishing the rich cultural heritage that once flourished. Nevertheless, a few structures that retain their traditional Malay characteristics still stand, offering a glimmer of hope for the continued preservation of this cultural heritage.

The local government has also played a role in preserving Malay culture, as evidenced by the construction of Malay-inspired Saung Pintar and Posyandu facilities in 2023. These developments not only provide essential services to the community but also demonstrate the government's commitment to preserving local cultural heritage. The initiative has been well-received by the local residents, who hope that similar efforts will continue to sustain and revive their cultural identity. However, the community feels that these efforts are still insufficient to restore the former glory of their traditional architecture.

Research findings indicate that the majority of Kampung Tua Desa Bakau Serip's residents are long-established locals, with the land they inhabit passed down through generations. Many of them are from lower-middle economic backgrounds, relying on subsistence farming to make a living. However, the presence of tourists who are interested in the local culture and history provides much-needed additional income. Visitors are often drawn to the remaining traditional buildings and cultural activities in the village. Therefore, the residents view the preservation of traditional architecture as important not only culturally but also economically.

In an interview with the neighborhood head (Ibu Kamisa), who has served for decades in Desa Wisata Bakau Serip, it was revealed that the local community has a strong desire to preserve Malay culture. They understand that their cultural identity is a valuable asset that can attract more tourists and boost their income. However, the lack of financial resources is a major obstacle to realizing this goal. The costs of repairing and maintaining traditional buildings are substantial, while their income from farming and tourism is insufficient to cover these needs. Consequently, they feel that external assistance is essential for preserving their cultural heritage.

One suggestion from the residents is the provision of government funds for the restoration of the traditional dance stage and other cultural facilities. The dance stage is a crucial venue where various cultural and artistic activities take place, serving as the center of social and cultural life in the village. Restoring and maintaining these facilities would enable the community to continue preserving and showcasing Malay culture to younger generations and visitors. Additionally, financial support from the government could be used to repair the remaining traditional architecture, ensuring its authenticity and beauty are preserved.

The awareness and desire of the residents of Kampung Tua Desa Bakau Serip to preserve traditional architecture and Malay culture are very high. They see it as an essential part of their identity and as an asset that can enhance economic well-being through tourism. However, to achieve this goal, they urgently need support and assistance from the government and other stakeholders who are concerned with cultural preservation. With good collaboration, their hopes of maintaining and reviving the Malay cultural heritage can be realized, bringing benefits to the local community and safeguarding cultural richness for future generations.

### **The Role of Law in Regulating and Protecting Traditional Architecture as Cultural Heritage in Kampung Tua, Kota Batam**

Wealth is one of the aspects protected by the state. The state safeguards the wealth of its citizens as part of Human Rights. Wealth is classified into three categories by the state: tangible assets or personal property, real estate, and intellectual property (Disemadi et al., 2023). Intellectual property rights refer to intangible assets, which are the result of human thought and creativity, producing works in the fields of literature, art, and science and technology, that can hold economic value (Balqis, 2021). Individuals who create a work have full rights to own and control that work. This protection is a form of appreciation and respect for the creators of such works. The protection of intellectual property is based on the view that any work produced by humans, as a result of intellectual thought, is entitled to ownership rights over that work (Disemadi & Kang, 2021).

As a state governed by law, Indonesia places the legal system as the primary foundation in regulating all aspects of social, national, and state life. This concept is clearly outlined in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), which asserts that Indonesia is a state based on law. This statement emphasizes that every action, policy, and regulation in Indonesia must be grounded in applicable laws. Thus, all elements of national life, including cultural aspects and intellectual property, are governed under a fair and just legal framework.

Legal protection of intellectual property aims to safeguard the rights of individuals over assets that hold economic and moral value. Intellectual property

rights are the result of intellectual abilities manifested in the form of creations or inventions. These creations or inventions become proprietary rights derived from intellectual ingenuity. These rights are utilized by individuals as creators to enhance their well-being and quality of life. In principle, any work that provides benefits to human life and meets the provisions regulated by law is entitled to protection (Yusanto, 2020).

Copyright, as regulated by Law No. 28 of 2014, encompasses two aspects: works or creations that are protected and those that are not. Protected works include various fields of science and technology, literature, and the arts, such as: (1) written works, (2) books, (3) pamphlets, (4) educational tools, (5) speeches, lectures, addresses, (6) music and songs, (7) drama, musical drama, dance, choreography, pantomime, and the like, (8) fine arts and applied arts, architecture, and batik art, (9) maps, (10) photographic and cinematographic works, (11) compilations of works and cultural expressions, (12) translations, adaptations, modifications, transformations of others' works, and (13) videos and computer programs. Meanwhile, works not protected by copyright under the law include ideas, concepts that have been realized into a work, works that do not yet have a concrete form, as well as products, tools, or objects created for functional purposes (Ayunda & Maneshakerti, 2021).

The laws regulating intellectual property rights in Indonesia are outlined in various statutes, including Law No. 29 of 2000 on the Protection of Plant Varieties, Law No. 30 of 2000 on Trade Secrets, Law No. 31 of 2000 on Industrial Designs, Law No. 32 of 2000 on Integrated Circuit Layouts, Law No. 14 of 2001 on Patents, Law No. 15 of 2001 on Trademarks, and Law No. 19 of 2002 on Copyrights, as well as the more recent Law No. 28 of 2014 on Copyrights (Ayunda & Maneshakerti, 2021). One of the key aspects firmly regulated within the Indonesian legal system is the protection of copyright. Copyright is a crucial part of intellectual property rights, providing legal protection for works created by individuals or groups, encompassing the fields of art, literature, and science. In this context, architecture is also included as a creative work protected by law. The protection of copyright for architectural works is stipulated in Article 40 of Law No. 28 of 2014 on Copyright (Copyright Law), which states that architecture is one of the specific types of creative works protected by law. This provision reflects the state's recognition of the importance of safeguarding works that possess both artistic value and significant function in national development.

The recognition and protection of architectural works under the Copyright Law highlight Indonesia's commitment to preserving the nation's cultural heritage and intellectual wealth. Architecture, as a form of cultural expression, not only holds artistic value but also reflects the identity and history of a nation. With legal protection, architects in Indonesia are assured of their rights over their creations, which in turn encourages innovation and creativity in the field of architecture. This

protection is also a crucial step in ensuring the sustainability and development of Indonesian culture, allowing the cultural heritage embodied in architectural works to be passed down to future generations (Geme et al., 2023).

Architectural works comprise two interconnected elements: art and technology. Art provides the aesthetic and creative expression in building design, allowing architects to create spaces that are beautiful, harmonious, and meaningful. Through art, architecture transcends its basic function as a place to live or work, becoming a medium for expressing culture, identity, and emotion, reflecting the personality and vision of the creator. Additionally, the cultural practices and daily lives of a group of individuals are often reflected in the decorative elements of buildings (Winatha et al., 2023). On the other hand, technology provides the foundation for turning these artistic ideas into reality. With technological advancements, architects can apply more sophisticated construction techniques, use stronger and more efficient materials, and integrate modern systems that enhance the comfort and sustainability of buildings. Technology enables the design of safe and durable structures, the efficient use of resources, and the creation of more environmentally friendly buildings.

Architectural works are one of the elements of intellectual property rights protected by law (Holili et al., 2023). When viewed from a creative work perspective, an architectural work encompasses the entire process from the inception of an idea, followed by the design, and culminating in the realization of a tangible structure that is consciously created (not based on instinct) to fulfill spatial needs for desired activities and to affirm one's identity. Architectural works include the full process from conception and design to the construction of a physical building, purposefully created to meet spatial needs and assert self-identity. According to legal provisions, a creation is any work in the fields of science, art, and literature produced from inspiration, thought, imagination, dexterity, skill, or expertise expressed in a tangible form. Whether traditional or modern, the process of creating architectural works has demonstrated that such creations are protected under national law.

Article 1, paragraph 1 of Law No. 28 of 2014 explains that Copyright is the exclusive right of a creator that arises automatically based on a declarative principle once a creation is expressed in a tangible form, without prejudice to limitations in accordance with regulatory provisions. The fundamental principle of copyright emerges concurrently with the creation of a work. This provision encompasses two main aspects: exclusive rights and rights that arise automatically. Copyright does not depend on registration, meaning that a creator holds copyright from the moment the work is created. This principle underpins copyright law, but it does not prevent the creator from registering their work for preventive protection (Ayunda & Maneshakerti, 2021; Balqis, 2021; Disemadi & Kang, 2021). The creator and ownership are central in copyright law, with the

creator being an individual or group who independently or collectively produces a unique and personal creation.

In the context of traditional architecture, which encompasses various aspects related to the protection and recognition of architectural designs and knowledge that are part of a community's cultural heritage, communal intellectual property is categorized into four types: Traditional Cultural Expressions, Potential Geographical Indications, Traditional Knowledge, and Genetic Resources (DJKI, 2024). Communal intellectual property, particularly traditional cultural expressions, refers to forms of cultural works that are collectively inherited within a community or society. Traditional cultural expressions include music, dance, rituals, visual arts, handicrafts, and other forms of expression that reflect a group's cultural identity. These properties are not owned by any individual but by the community as a whole, serving as a shared heritage that strengthens social bonds and cultural identity (Ari Rama et al., 2023). The protection of traditional cultural expressions aims to safeguard cultural heritage from unauthorized exploitation and to ensure that its benefits return to the community that owns it.

Copyright law includes regulations addressing Communal Intellectual Property recognized in Indonesia, specifically Traditional Cultural Expressions. Regarding traditional cultural expressions, Article 38 of the Copyright Law states that one of the main characteristics of copyright over traditional cultural expressions is that such copyright is held by the state. The state holds copyright over these traditional cultural expressions because it acts as a "public institution" representing the community that created the traditional cultural expressions as a form of communal copyright (Kurniawan, 2023).

Based on the provisions in Article 38, paragraph 4 of the Copyright Law and Government Regulation No. 56 of 2022 on Communal Intellectual Property, it generally regulates various aspects of communal intellectual property, such as types of communal intellectual property, documentation and data integration of communal intellectual property, preservation and protection of communal intellectual property, the establishment of a national-scale Indonesian communal intellectual property information system, and utilization and funding for the documentation, maintenance, and protection of such intellectual property (Kurniawan, 2023).

Traditional Malay architecture is one of the forms of traditional cultural expression rich in symbolic meaning and philosophy, reflecting local wisdom and the cultural identity of the community (Agustianto et al., 2024). Every element in this architecture, from the structure of the building, design, to ornaments, carries deep symbolic meaning. For example, traditional stilt houses not only serve as an adaptation to the geographical environment but also symbolize the harmonious relationship between humans and nature, as well as a belief in cosmic balance. The high, pointed roof often reflects closeness to God, while carvings on the walls and

doors symbolize moral and religious values. Overall, traditional Malay architecture functions not only as a place of residence but also as a medium for communicating spiritual, customary, and social values passed down through generations by the Malay community.

As part of communal intellectual property, traditional Malay architecture, including the symbolic meanings it contains, deserves legal protection. Communal intellectual property encompasses knowledge, cultural expressions, and practices collectively inherited by a community. Legal protection of communal intellectual property aims to prevent unauthorized exploitation that could damage cultural integrity or undermine the rights of the community that owns and inherits these traditions. The symbolic meaning in traditional Malay architecture, as an integral part of the Malay community's culture, reflects a communal identity that must be preserved to prevent it from being lost or used without respect for its original cultural context.

Although the importance of protecting communal intellectual property has been recognized through Government Regulation No. 56 of 2022, specific protection for traditional Malay architecture and its symbolic meanings still requires concrete measures. The process of inventory, documentation, and official recognition of traditional Malay architecture as part of communal intellectual property must be thoroughly conducted by the government and relevant institutions. To date, traditional Malay architecture has not received adequate legal protection within the communal intellectual property system, making it essential to enhance collaborative efforts between the government, indigenous communities, and academics to ensure this architectural heritage is well protected and continues to be respected as part of the nation's cultural identity.

#### D. CONCLUSION

The traditional Malay architecture in Kampung Tua Bakau Serip reflects a rich and meaningful cultural heritage, both in the physical form of the buildings and the spiritual values they embody. Each architectural element, such as the limas roof, kaset walls, doors, windows, and ornaments, holds deep symbolic meaning and reflects the life philosophy of the Malay community, which is in harmony with nature and spirituality. Although many traditional buildings have been replaced by modern structures, some buildings, such as the sanggar tari stage and modern buildings with Malay touches, still retain traditional characteristics, symbolizing the local community's efforts to preserve their cultural heritage. The importance of preserving traditional architecture is not only related to cultural identity but also to the economic potential that can be generated through tourism. The community of Kampung Tua Bakau Serip is highly aware of the significance of preserving traditional architecture as part of their cultural identity, even as modernization transforms many aspects of life in the village. The government and

local community are striving to protect this cultural heritage through the construction of modern facilities with distinctive Malay characteristics and the continuation of cultural activities such as traditional dance. However, to fully preserve and revive the glory of traditional architecture, the residents are in dire need of financial support from the government and external parties to ensure this cultural heritage remains intact for future generations. Traditional Malay architecture and its symbolic meanings, as communal intellectual property, must be legally protected to prevent exploitation that could damage cultural integrity or community rights. Government Regulation No. 56 of 2022 has recognized the importance of protecting communal intellectual property, but concrete steps such as inventory and official recognition of Malay architecture are still needed. Therefore, collaboration between the government, indigenous communities, and academics is crucial to safeguarding and honoring this cultural heritage as part of the national identity.

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#### COMPETING INTEREST

We declare that there are no competing interests among the authors regarding this research article