

# Protection of the Talang Mamak Customary Law Community in the Creative Economy Sector in Facing Opportunities and Challenges from the ASEAN Economic Community

Maylia Darwita<sup>1\*</sup>,

<sup>1</sup>Law Study Program, Universitas Islam Riau, Indonesia

\*Corresponding Email: mayliadarwita@gmail.com

Received: 21 April 2025; Revised: 27 May 2025; Accepted: 8 August 2025

---

## ABSTRACT

The ASEAN Economic Community (AEC) presents significant opportunities and challenges for Indonesia in the areas of trade, investment, and employment. One sector significantly impacted is the creative economy, which is closely linked to cultural preservation and the empowerment of indigenous communities. This study highlights the Talang Mamak indigenous community in Indragiri Hulu Regency, Riau, which has the potential for a tradition-based creative economy, such as Kenduri Talang Mamak, Gawai Gedang, and various traditional arts. These cultural activities serve as creative economic assets as well as intangible cultural heritage that need legal protection to remain competitive in the era of regional economic integration.

The main problem of this research covers the legal regulations related to the protection of indigenous legal communities in developing the creative economy amidst the dynamics of the ASEAN Economic Community (AEC), as well as the effectiveness of legislation regarding the creative economy in providing real protection for the Talang Mamak indigenous legal community. The research uses a juridical-sociological approach with observation methods and the distribution of questionnaires to 30 respondents from the Talang Mamak community. Analysis is conducted by examining the relationship between empirical data and the theory of legal validity, the theory of justice, and the principles of human rights.

The research results show that despite the existence of legal instruments such as Law Number 24 of 2019 concerning the Creative Economy and its implementing regulations, the implementation of protection for indigenous peoples remains partial. For the Talang Mamak creative economy to develop optimally, strengthening specific regulations and cross-sector collaboration is necessary. Therefore, appropriate legal arrangements can be a strategic instrument in increasing the competitiveness of the indigenous peoples' creative economy amidst the opportunities and challenges of the ASEAN Economic Community (AEC).

**Keywords:** Customary Law Communities, Legal Protection, Talang Mamak.

## 1. Introduction

The ASEAN Economic Community (AEC) has the following main characteristics: a single market and production base, a highly competitive economic region, equitable economic development, and a region fully integrated with the global economy. In other words, ASEAN countries are expected to actively and fully participate in economic growth through a free market, resulting in efficiency and balance.

The ASEAN Economic Community is expected to accelerate economic growth, thereby reducing poverty and unemployment. Consequently, as an ASEAN

member state, Indonesia must fulfill this commitment by opening up the flow of trade, investment, and resources, both human and natural, globally. Indonesia will undoubtedly face competition with other ASEAN member states and other nations.<sup>1</sup>

Indonesia has also benefited from the ASEAN Economic Community by reducing trade barriers, increasing exports, and creating a climate conducive to foreign direct investment (FDI), which can stimulate technological development and human resource development, job creation, and easier access to global markets. Furthermore, the ASEAN Economic Community has also expanded employment opportunities for the Indonesian workforce.<sup>2</sup> Indonesia, which is one of the ASEAN member countries, is ranked fourth in terms of population in the world and has the potential to become a tough competitor in facing the MEA.<sup>3</sup>

The implementation of the ASEAN Economic Community blueprint in Indonesia is outlined in Presidential Instruction of the Republic of Indonesia Number 11 of 2011 concerning the Implementation of the ASEAN Economic Community Blueprint Commitment in 2011. This Presidential Instruction was established to support the commitment of the ASEAN Economic Community blueprint and to support the improvement of the investment and trade climate and increase national competitiveness. Indonesia also established the ASEAN Economic Community Council under the Coordinating Ministry for Economic Affairs of the Republic of Indonesia.<sup>4</sup>

In addition to Presidential Instruction No. 11 of 2011 concerning the Implementation of the ASEAN Economic Community Blueprint Commitment, to address Indonesia's participation in the ASEAN Economic Community, the Government also issued Presidential Decree No. 37 of 2014 concerning the Preparatory Committee for the Implementation of the ASEAN Economic Community. This committee is tasked with coordinating preparations for the implementation of the ASEAN Economic Community with all stakeholders.

The government also issued Presidential Instruction No. 6 of 2014 concerning Increasing National Competitiveness in Facing the ASEAN Economic Community. Several efforts are underway to increase national competitiveness and prepare for the implementation of the AEC in Indonesia, including agricultural development through direct investment in the agricultural sector and increasing the number of competitive, competent, and productive workers.

The acceleration of national competitiveness and the implementation of the ASEAN Economic Community (AEC) create several opportunities and challenges.

---

<sup>1</sup> Nafi Alrasyid, 'Konsekuensi ASEAN Vision 2020 Terhadap Kesempatan Kerja Penyandang Disabilitas Di Indonesia', *Literasi Hukum*, 6(1) (2022), p. 26.

<sup>2</sup> 'Masyarakat-Ekonomi-Asean-Mea', p. character-building.

<sup>3</sup> Dwi Adiyanti, 'Efek Liberalisasi Di ASEAN Bagi Indonesia Sebagai Negara Dunia Ketiga', *Jurnal Ilmiah Hubungan Internasional*, Vol.12 No. (2016).

<sup>4</sup> 'Mea Indonesia', p. berita.

According to Admiral, several opportunities have emerged from the free market promoted by the AEC, including the influx of investment and capital participation to build and develop industries and businesses, particularly at the micro, small, and medium scale, broad marketing reach, and expanded job opportunities within the ASEAN free market<sup>5</sup> One of them is the creative economy, which is one of Indonesia's advantages in utilizing the opportunities of the ASEAN Economic Community when compared with other ASEAN countries.<sup>6</sup>

The creative economy is very closely related to customary law communities because the creative economy sector is a sector that relies on human creativity in providing added artistic or technological value to industrial products, cultural heritage, and other handicrafts so that ultimately the parties involved in the sector gain prosperity in economic transactions that are truly competitive.<sup>7</sup> The Talang Mamak customary law community is one of the business actors in the creative economy sector, as can be seen from the various cultural activities they regularly carry out, one of which is a cultural ritual that attracts national tourists, such as the Kenduri Talang Mamak which was held in August 2023.<sup>8</sup>

The Talang Mamak Kenduri agenda also features several Talang Mamak arts such as top games, sports competitions, and male cloth dance performances, zapin, silat and lukah gilo.<sup>9</sup> In addition to Kenduri Talang Mamak, there are other traditional rituals routinely performed by the Talang Mamak, such as the Gawai Gadang, a traditional wedding ceremony held by the Talang Mamak tribe with large and lively events. This Gawai Gedang tradition is another intangible cultural heritage designated by the Government through the Decree of the Minister of Education and Culture of the Republic of Indonesia Number 1044/P/2020 concerning Intangible Cultural Heritage of Indonesia in 2020.<sup>10</sup>

All cultural activities and traditional rituals can be categorized as a creative economy, and a foundation is needed to protect and empower the Talang Mamak customary law community to improve its creative economy amidst the challenges and opportunities of the ASEAN Economic Community. Indonesia already has regulations related to the creative economy, namely Law Number 24 of 2019 concerning the Creative Economy and Government Regulation Number 24 of 2022 concerning the Implementing Regulations of Law Number 24 of 2019 concerning the Creative Economy.

Therefore, this paper will analyze how existing legal regulations can protect and

---

<sup>5</sup> Admiral, 'Indonesia Menuju Pasar Bebas ASEAN Economic Community', *Jurnal Selat: Kemaritiman Dan Perbatasan* 2 (2), 2015, p. 240.

<sup>6</sup> Humprey Wangke, 'Peluang Indonesia Dalam Masyarakat Ekonomi ASEAN 2015', *Info Singkat Hubungan Internasional*, 6(10), p. 7.

<sup>7</sup> Lisbet Sihombing dan Andirini Pujayanti, *Prospek Dan Strategi Indonesia Menghadapi Implementasi Masyarakat Ekonomi ASEAN*, cetakan pe (Balai Pustaka, 2016).

<sup>8</sup> Kemdikbud, 'Kenduri-Budaya-Talang-Mamak-Di-Indragiri', p. bpnbkepri.

<sup>9</sup> Kemdikbud, 'Kenduri-Budaya-Talang-Mamak-Di-Indragiri'.

<sup>10</sup> Riaumagz, 'Tradisi-Gawai-Gedang-Indragiri-Hulu', 2021.

empower the Talang Mamak customary law community, thereby contributing to the growth of its creative economy amidst the challenges and opportunities presented by the ASEAN Economic Community. According to the theory of legal validity, a legal rule cannot be measured against moral or political principles. Therefore, if a rule is deemed inconsistent with moral, political, or economic principles, it does not justify abandoning that rule.<sup>11</sup>

According to Hans Kelsen, a legal rule is considered valid from the moment it is enacted following proper procedures, even if the public has not yet accepted or questioned the rule at the time it was drafted. Furthermore, Kelsen emphasized that if a legal rule, once enacted and still consistently rejected by the public, loses its validity and becomes invalid. In other words, the rule must be accepted by the public to be considered a valid legal rule.

Even though a legal rule is valid, it is not necessarily an effective rule. If analyzed from a legal norm, then the validity of a legal rule is classified as 'what should be' (das sollen), while 'effectiveness' is a norm that is something in reality or what is expected (das sein). Hans Kelsen requires a reciprocal relationship between the validity and effectiveness of a legal rule. A legal rule must be valid first, only then can it be determined whether the legal rule is effective, with the main requirement being that it must be applicable and acceptable to society. Hans Kelsen emphasized that if the rule is not acceptable to society, the rule is not only ineffective, but also invalid.<sup>12</sup>

Nazaruddin Lathif gave the example of Law Number 17 of 2012 concerning Cooperatives as a legal regulation that was valid and effective, but in its development the regulation was ineffective and then became invalid because it was annulled by the Constitutional Court through Decision Number 28/PUU-XI/2013 because it was deemed to be in conflict with the 1945 Constitution. In the judge's consideration, the philosophy in the Cooperative Law was not in accordance with the nature of cooperatives as a joint venture with the principle of family as stated in Article 33 paragraph 1 of the 1945 Constitution.

However, even valid legal regulations sometimes cannot be categorized as effective even if they are not annulled by the Constitutional Court. Nazaruddin Lathif gave the example of Law Number 22 of 2009 concerning traffic, which is frequently violated by the public and law enforcement officers, thus being deemed ineffective in society. However, it remains valid or exists. Therefore, the regulation can be effectively enforced at some point in the future by the public and law enforcement officers.

---

<sup>11</sup> Nazaruddin Lathif, 'Teori Hukum Sebagai Sarana/Alat Untuk Memperbaharui Atau Merekayasa Masyarakat', in *Pakuan Law Review* 3(2), p. 87.

<sup>12</sup> Nazaruddin Lathif, 'Op.Cit', p. 89.

## **2. Research Method**

This research is classified as observational research or empirical legal research with the object of research being community behavior due to interaction with the existing norm system. This research is classified as observational research or empirical legal research with the object of research being community behavior due to interaction with the existing norm system. This research will be conducted directly with research respondents using a data collection tool in the form of a questionnaire to target respondents (purposive sampling).

This writing is descriptive analysis in nature, meaning that the research is intended to provide a detailed and clear systematic description of the main research problem.

## **3. Result and Discussion**

### **3.1. Legal Protection for Indigenous Communities in the Creative Economy Sector Amidst the Opportunities and Challenges of the ASEAN Economic Community**

The dynamics of legal protection for the Talang Mamak indigenous community in the context of creative economy development in the ASEAN Economic Community era. Field findings obtained through questionnaires and observations were then analyzed using a juridical-sociological approach, thus providing an overview of the effectiveness of existing regulations, while also revealing the opportunities and challenges faced by indigenous communities in maintaining and developing cultural values as creative economy assets.

#### **1. Legal Protection Arrangements for Legislation on the Creative Economy for Indigenous Legal Communities**

Law Number 24 of 2019 concerning the Creative Economy (hereinafter referred to as the Creative Economy Law) is a legal regulation that aims to encourage all aspects of the Creative Economy in accordance with the development of culture, technology, creativity, innovation of Indonesian society, and changes in the global economic environment, as well as to improve the welfare of the Indonesian people and increase state revenue. The Creative Economy Law also aims to create a globally competitive Creative Economy ecosystem, create new job opportunities that support the artistic and cultural values of the Indonesian nation and local economic resources, optimize the potential of Creative Economy Actors, protect the creative results of Creative Economy Actors and mainstream the Creative Economy in the National Development Plan.

Article 5 of the Creative Economy Law stipulates that the Government and/or Regional Governments provide support to Creative Economy Actors through the development of the Creative Economy Ecosystem. Creative Economy Actors are defined as individuals or groups of Indonesian citizens or business

entities, whether legal entities or non-legal entities, that carry out Creative Economy activities. Article 7 of the Creative Economy Law mandates the Government and/or Regional Governments to develop the capacity of Creative Economy Actors. Subsequently, the Government issued Government Regulation Number 24 of 2022 concerning the Implementing Regulations of Law Number 24 of 2019 concerning the Creative Economy (hereinafter referred to as the Creative Economy PP). In general, this Government Regulation is intended to implement the provisions of the Creative Economy Law, especially to realize Creative Economy infrastructure and incentives for Creative Economy Actors.

## 2. Legal Protection for Indigenous Legal Communities in the Creative Economy Sector in Facing the ASEAN Economic Community

The creative economy sector is a sector that relies on human creativity in providing added artistic or technological value to industrial products, cultural heritage, and other products so that ultimately the parties involved in the sector gain prosperity in economic transactions that are truly competitive.<sup>13</sup> The creative economy is not only the exploitation of creative ideas for sale, but also an effort to bring out the character and excellence of the Indonesian nation in terms of thinking power and artistic power and bring it to the global stage.<sup>14</sup> Therefore, the creative economy has become one of Indonesia's leading sectors because its products are not owned by other countries, are difficult to imitate and have become an image of Indonesian culture and are able to encourage economic growth by increasing domestic products as well as export value.<sup>15</sup>

There are 16 sub-sectors of the creative economy, namely application and game development, architecture and interior design, visual communication design, product design, fashion, film, video animation, photography, crafts (handicrafts), culinary, music, publishing, advertising, performing arts, fine arts, television and radio and currently has developed into 17 sub-sectors based on information from the website of the Ministry of Creative Economy/Creative Economy Agency of the Republic of Indonesia.<sup>16</sup> The creative economy is not simply the exploitation of creative ideas for sale, but rather an effort to bring out the character and excellence of the Indonesian nation in its intellectual and artistic abilities and bring them to the global stage. Therefore, the creative economy is one of Indonesia's leading sectors because its products are unique to other countries, difficult to imitate, and serve as a symbol of Indonesian culture. It can also drive economic growth by increasing

---

<sup>13</sup> Lisbet Sihombing dan Andirini Pujayanti, *Prospek Dan Strategi Indonesia Menghadapi Implementasi Masyarakat Ekonomi ASEAN*, Cetakan Pe (Balai Pustaka, 2016).

<sup>14</sup> Lisbet Sihombing dan Andirini Pujayanti, 'No Title', *Op.Cit*, p. xi.

<sup>15</sup> 'Darmajaya.Ac.Id'.

<sup>16</sup> Lisbet Sihombing dan Andirini Pujayanti, *Prospek Dan Strategi Indonesia Menghadapi Implementasi Masyarakat Ekonomi ASEAN*.

domestic production and export value.<sup>17</sup>

The ASEAN Economic Community creates homework for Indonesia that must be completed so that it can compete with other ASEAN member countries to improve its superior products at the regional and global levels and empowering the creative economy can be one of the keys to Indonesia's success in facing the ASEAN Economic Community.<sup>18</sup> The ASEAN Economic Community has had a negative impact on Indonesia in the form of increased import volume and dependence on foreign goods, and a limited trade surplus.<sup>19</sup> Furthermore, Indonesia has lagged behind other ASEAN countries due to the ASEAN Economic Community. In the area of electronic commerce (e-trade), Thailand has declared itself an e-trade hub in ASEAN<sup>20</sup> Meanwhile, Indonesia has not yet taken official steps to become a trading hub in ASEAN. E-trade, as one of the sectors accelerated by the ASEAN Economic Community, could present an opportunity for the community by addressing business capital and market access constraints for micro and small businesses.

Furthermore, Indonesia still faces other challenges, such as the uneven distribution of competent workers and low product competitiveness. Indonesia has become a reliable producer in upstream sectors such as agriculture, maritime affairs, plantations, and mining, so Indonesia has sufficient raw materials, but these raw materials have not yet reached downstream. The ASEAN Economic Community not only presents challenges but also opportunities for Indonesia's Creative Economy in terms of improving connectivity and economic integration to face fierce global competition. The ASEAN Economic Community has had a positive impact on Indonesia in the form of broader market access, export volume growth, government policy support, and increased foreign investment flows, which are driving factors for the growth of the creative economy in Indonesia.

Indonesia's leading sectors in facing the ASEAN Economic Community are natural resources, information technology and the creative economy.<sup>21</sup> The ASEAN Economic Community opens up free trade opportunities for Indonesia to trade products from the creative economy because after the ASEAN Economic Community in 2015, the creative economy from the Micro, Small and Medium Enterprises (MSMEs) sector absorbed around 97% of the workforce and contributed 60.3% to Indonesia's GDP.<sup>22</sup> Government and Regional Government intervention in providing vocational education and training plays an important role in improving workforce skills and

---

<sup>17</sup> Darmajaya, 'Bersaing-Di-Mea-Indonesia-Harus-Prioritaskan-Produk-Dalam-Negeri-Dan-Tingkatkan-Ekspor'.

<sup>18</sup> Infopublik.id, 'No Title'.

<sup>19</sup> Dkk Alyo Adofianti Hermana, 'Dampak MEA Terhadap Pertumbuhan Ekonomi Indonesia Di Era Globalisasi', *Inisiatif: Jurnal Ekonomi, Akuntansi Dan Manajemen*, 4(1), 2025 (2025), p. 60.

<sup>20</sup> Lisbet Sihombing dan Andirini Pujayanti, 'No Title'.

<sup>21</sup> Wangke, 'Peluang Indonesia Dalam Masyarakat Ekonomi ASEAN 2015'.

<sup>22</sup> Alyo Adofianti Hermana, 'Dampak MEA Terhadap Pertumbuhan Ekonomi Indonesia Di Era Globalisasi'.

innovative products that will be produced to be competitive in the global market.<sup>23</sup>

### 3.2. Legislation for the Talang Mamak Customary Law Community in the Creative Economy Sector in Facing the Challenges and Opportunities of the ASEAN Economic Community

In fact, the Talang Mamak customary law community has not been legally recognized (*de jure*) by the Regional Government of Indragiri Hulu Regency in accordance with the Regulation of the Minister of Home Affairs Number 52 of 2014, but the existence of the Talang Mamak customary law community has long been recognized *de facto* by the Government at the central and regional levels through various means. For example, the Talang Mamak customary law community was accepted as one of the witnesses in the judicial review lawsuit against Law Number 41 of 1999 concerning Forestry at the Constitutional Court in case Number 35/PUU-X/2012. The Talang Mamak customary law community is also often involved in several government activities both at the central and regional levels or vice versa, the Regional Government is present in activities organized by the Talang Mamak customary law community.<sup>24</sup>

In addition, one of the traditions of the Talang Mamak customary law community, namely Gawai Gedang, was recognized as one of the Intangible Cultural Heritage in 2020 through the Decree of the Minister of Education and Culture Number 1044/P/2020 concerning the Intangible Cultural Heritage of Indonesia in 2020. Gawai Gedang is recognized as a community custom, rite and celebration.<sup>25</sup> The Gawai Gadang tradition of the Talang Mamak customary law community is influenced by their belief in *Langkah Lama*, which has many types of rituals with different methods and purposes. Gawai is a series of traditional wedding processions that invite and involve many people, thus requiring a lot of costs, and the event lasts three to seven days. Gawai carries the meaning of hope for the safety of the individual or family holding the event. It consists of several performance elements such as parades (*gawai gedang*), cockfights and *besilat* (traditional dances), as well as magical elements such as offerings, sacrifices, and mantras.

If we look at the Creative Economy sub-sector as determined by the Ministry of Creative Economy/Creative Economy Agency, Gawai Gedang can be categorized as a performing art because it displays parades, *besilat* and various other activities that begin with the erection of "poles for the arena", the tradition of cockfighting, to the peak of the wedding activity which is held with various traditions and traditional clothing of the Talang Mamak customary law community.<sup>26</sup> The annual Gawai Gedang traditional ritual attracts the attention of local residents and even international tourists, who come to witness the Talang Mamak customary law community's rituals

---

<sup>23</sup> Ekraf.go.id, 'No Title'.

<sup>24</sup> [disporapar.inhukab.go.id](http://disporapar.inhukab.go.id), 'Dibuka-Bupati-Yopi-Festival-Batang-Gansal-Resmi-Digelar', p. content.

<sup>25</sup> [referensi.data.kemdikbud.go.id](http://referensi.data.kemdikbud.go.id), 'Objek/AA001426', p. budayakita/wbtb.

<sup>26</sup> 'Tradisi-Gawai-Gedang-Talang-Mamak'.

for the marriage of their children and nephews. The 2024 Gawai, which consists of three parts: Gawai Kebatinan for the wedding reception, Gawai Cuci Lantai for the naming of the child, and Gawai Tambak for the cleaning of graves, was utilized by the General Elections Commission and the police to promote a message of peace ahead of the 2024 regional elections.<sup>27</sup>

Furthermore, creative economy products from the Talang Mamak customary law community, which fall into the craft subsector category, include non-timber forest product crafts, including straws made from the roots of the resam plant, which grows wild in the forest. There are at least 27 types of handicrafts made by women from the Talang Mamak customary law community, including gigi dio (dice), lengkanai renek (stem slings), bamboo shoot carvings, rattan and resam rings and bracelets, mats made from bigau and rumbia, and so on.<sup>28</sup>



Figure 1. Amay-amay (Talang Mamak women) are weaving handicrafts (source: resource person (gilung))



Figure 2. Amay-amay handicrafts in the form of mats made from bigau (source: gilung)

One craft that has survived to this day is the ambung (traditional bamboo basket). This handicraft is made from selected rattan collected from indigenous forests. Shaped like a medium to large basket, this ambung can be used to collect firewood, forest products such as sweet potatoes, durian, mangosteen, and vegetables.<sup>29</sup> Another handicraft is

---

<sup>27</sup> Detik.com, 'No Title'.

<sup>28</sup> Antaranews.com, 'No Title'.

<sup>29</sup> Talangmamak.aman.or.id, 'No Title'.

the tanjak, made from terap bark. Since ancient times, terap bark has been used by the Talang Mamak indigenous people for wall coverings and clothing. The tanjak features a keris motif, which has its own meaning.<sup>30</sup>



Other Creative Economy products and included in the culinary category are traditional foods from the Talang Mamak customary law community, including ba'asam curry, ba'bening curry, pahes fish, lamang cake, halue, langsung and others.<sup>31</sup> Apart from these foods, the Talang Mamak customary law community also produces coffee called Talang Mamak Coffee.<sup>32</sup> All Creative Economy products from the Talang Mamak customary law community are based on hereditary skills and have high cultural value and are difficult to replicate in other locations.<sup>33</sup> The creative economy products produced by the Talang Mamak customary law community, particularly handicrafts, face challenges: raw materials are limited and difficult to obtain. For example, bamboo and rattan are becoming increasingly difficult to find in customary forests due to the conversion of forests to oil palm plantations. Consequently, Talang Mamak customary law community handicrafts have not yet been marketed nationally and regionally, despite several exhibitions at provincial and national levels.<sup>34</sup>

### 1. Creative Economic Products of the Talang Mamak Customary Law Community

Indigenous communities are one of the producers of products and services containing cultural, aesthetic, and local wisdom values, or, according to the Creative Economy Law, referred to as Creative Economy Actors. Indigenous communities are social entities that share genealogical ties or ancestral origins passed down through generations and are communal, with a system of values, ideology, economics, politics, social, and culture. Products and services

---

<sup>30</sup> Tribunnews.com, 'No Title'.

<sup>31</sup> Syahril De Saputra dan Anastasia Wiwik, *Makanan Tradisional Talang Mamak Dan Melayu* (BKSNT, 2006).

<sup>32</sup> Sippn.menpan.go.id, 'No Title'.

<sup>33</sup> dan Lili Dasa Putri Lidya Nurson, Solfema, 'Ekonomi Kreatif Guna Meningkatkan Perekonomian Melalui Masyarakat Kampung Adat', *Atmosfer: Jurnal Pendidikan, Bahasa, Sastra, Seni, Budaya, Dan Sosial Humaniora*, 3(1): 216-, p. 218.

<sup>34</sup> Rri.co.id, 'No Title'.

containing cultural, aesthetic, and local wisdom values can become part of the Creative Economy, not only boosting the economy but also preserving the culture of these indigenous communities.

The Talang Mamak customary law community is also known as the Tuha Tribe because it is the first tribe to live and develop in the Indragiri Hulu Regency area and has a diverse culture that can produce products that can be categorized as Creative Economy products in the performing arts, crafts and culinary sub-sectors.

There are several challenges faced by the Talang Mamak customary law community in developing and utilizing the Creative Economy for cultural preservation and improving their economy, including the following:

- a) The sustainability of each production activity. For example, for the Gawai traditional ceremony, the Talang Mamak customary law community must incur significant costs compared to previous gawai activities because materials typically obtained from the forest are no longer readily available.
- b) The issue of product or activity sustainability concerns not only raw materials but also the Talang Mamak customary law community's diminishing knowledge of the culture associated with Creative Economy products.
- c) Marketing of products and activities is suboptimal.<sup>35</sup>
- d) The Talang Mamak customary law community is not yet well organized in carrying out business activities.

From the explanation above, it can be understood that the makers of this legislation want these responsibilities and roles to be carried out by the Government and/or Regional Governments. If non-governmental organizations want to be involved in these activities, the path that can be used is cooperation as stated in Article 38 of the Creative Economy PP. This article emphasizes that the Government and/or Regional Governments can collaborate with educational institutions, the business world, the industrial world, community networks and the media.

## **2. Legal Analysis of the Protection and Empowerment of the Talang Mamak Customary Law Community in the Creative Economy Amidst the Opportunities and Challenges of the ASEAN Economic Community**

The implementation of the Creative Economy Law and the Creative Economy PP is currently considered to have not developed an Intellectual Property-Based Financing Scheme and developed an Intellectual Property-Based Creative Economy Product Marketing System as is the responsibility of the Government and/or Regional Government in accordance with Article 36 of the Creative Economy PP.

One indicator is the establishment of public service agencies at the national and regional levels, in accordance with Article 37 of the Creative Economy

---

<sup>35</sup> dan Rido Idham Herman, Rosmita, 'No Title', 6(1): 85-1, p. 98.

Government Regulation. Although the establishment of these public service agencies is not mandatory, their existence can support the Intellectual Property-Based Financing Scheme and/or the Intellectual Property-Based Creative Economy Product Marketing System.

In accordance with the mandate of Article 25 of the Creative Economy Law, the Government has a Creative Economy Master Plan integrated into the National Long-Term Development Plan (RPJPN). The Government has demonstrated its seriousness in this Creative Economy by issuing Presidential Regulation Number 142 of 2018 concerning the National Creative Economy Development Master Plan for 2018-2025. However, the Government must immediately issue regulations updating the Presidential Regulation because we are now entering 2025 and must adapt to the challenges that will be faced with the implementation of the ASEAN Economic Community in 2025.

#### 4. Conclusion

There are several laws and regulations that provide legal protection for Indigenous Peoples in facing challenges and utilizing opportunities from the ASEAN Economic Community, such as Law Number 24 of 2019 concerning the Creative Economy, Government Regulation Number 24 of 2022 concerning Implementing Regulations of Law Number 24 of 2019 concerning the Creative Economy and other derivative regulations such as Presidential Regulation Number 142 of 2018 concerning the Master Plan for the Development of the National Creative Economy for 2018-2025.

The laws and regulations in the Creative Economy sector are still ineffective in providing legal protection for Creative Economy products produced by the Talang Mamak Customary Law Community in the performing arts, culinary and handicraft sub-sectors, in facing the challenges and taking advantage of opportunities from the ASEAN Economic Community. The ineffectiveness of these laws and regulations is indicated by the lack of integration of the Creative Economy Development Master Plan in Indragiri Hulu Regency and the absence of a public service agency that supports the Intellectual Property-Based Financing Scheme and/or the Intellectual Property-Based Creative Economy Product Marketing System.

#### 5. References

- Adiyanti, Dwi, 'Efek Liberalisasi Di ASEAN Bagi Indonesia Sebagai Negara Dunia Ketiga', *Jurnal Ilmiah Hubungan Internasional*, Vol.12 No. (2016)
- Admiral, 'Indonesia Menuju Pasar Bebas ASEAN Economic Community', *Jurnal Selat: Kemaritiman Dan Perbatasan 2 (2)*, 2015, 240
- Alrasyid, Nafi, 'Konsekuensi ASEAN Vision 2020 Terhadap Kesempatan Kerja Penyandang Disabilitas Di Indonesia', *Literasi Hukum*, 6(1) (2022), 26
- Alyo Adofianti Hermana, 'Dkk', *Op.Cit*, 52-58

- Alyo Adofianti Hermana, Dkk, 'Dampak MEA Terhadap Pertumbuhan Ekonomi Indonesia Di Era Globalisasi', *Inisiatif: Jurnal Ekonomi, Akuntansi Dan Manajemen*, 4(1), 2025 (2025), 60
- Aman.or.id, 'No Title' <<https://aman.or.id/story/the-fight-of-indigenous-peoples-of-talang-mamak-for-recognition-and-rights:-a-historical-account> >
- Antaranews.com, 'No Title' <<https://bengkulu.antaranews.com/berita/66661/suku-talang-mamak-kini-bisa-pasarkan-kerajinan-hasil-hutan>>
- 'Darmajaya.Ac.Id' <<https://www.darmajaya.ac.id/bersaing-di-mea-indonesia-harus-prioritaskan-produk-dalam-negeri-dan-tingkatkan-ekspor>>
- Darmajaya, 'Bersaing-Di-Mea-Indonesia-Harus-Prioritaskan-Produk-Dalam-Negeri-Dan-Tingkatkan-Ekspor' <<https://www.darmajaya.ac.id>>
- Detik.com, 'No Title' <<https://www.detik.com/sumut/budaya/d-7584624/gawai-kebatin-tradisi-suku-talang-mamak-yang-dihadiri-polres-inhu-dan-kpu>>
- disporapar.inhukab.go.id, 'Dibuka-Bupati-Yopi-Festival-Batang-Gansal-Resmi-Digelar', p. content <<https://disporapar.inhukab.go.id>>
- Ekraf.go.id, 'No Title' <<https://ekraf.go.id>>
- Herman, Rosmita, dan Rido Idham, 'No Title', 6(1): 85-1, 98
- Infopublik.id, 'No Title' <<https://infopublik.id/read/148963/pemberdayaan-ekonomi-kreatif-kunci-hadapi-mea>>
- Kemdikbud, 'Kenduri-Budaya-Talang-Mamak-Di-Indragiri', p. bpnbkepri <<https://kebudayaan.kemdikbud.go.id>>
- Lathif, Nazaruddin, 'Teori Hukum Sebagai Sarana/Alat Untuk Memperbaharui Atau Merekayasa Masyarakat', in *Pakuan Law Review* 3(2), p. 87
- Lidya Nurson, Solfema, dan Lili Dasa Putri, 'Ekonomi Kreatif Guna Meningkatkan Perekonomian Melalui Masyarakat Kampung Adat', *Atmosfer: Jurnal Pendidikan, Bahasa, Sastra, Seni, Budaya, Dan Sosial Humaniora*, 3(1): 216-, 218
- Lisbet Sihombing dan Andirini Pujayanti, 'No Title', *Op.Cit*, xi
- — —, *Prospek Dan Strategi Indonesia Menghadapi Implementasi Masyarakat Ekonomi ASEAN*, Cetakan Pe (Jakarta: Balai Pustaka, 2016)
- — —, *Prospek Dan Strategi Indonesia Menghadapi Implementasi Masyarakat Ekonomi ASEAN*, Cetakan Pe (Jakarta: Balai Pustaka, 2016)
- 'Masyarakat-Ekonomi-Asean-Mea', p. character-building <<https://binus.ac.id>> [accessed 17 April 2023]
- 'Mea Indonesia', p. berita <<https://meaindonesia.ekon.go.id/berita/>>
- Nazaruddin Lathif, 'Op.Cit', 89
- Pujayanti, Lisbet Sihombing dan Andirini, *Prospek Dan Strategi Indonesia Menghadapi*

- Implementasi Masyarakat Ekonomi ASEAN*, cetakan pe (Jakarta: Balai Pustaka, 2016)  
referensi.data.kemdikbud.go.id, 'Objek/AA001426', p. budayakita/wbtb  
<<https://referensi.data.kemdikbud.go.id>>
- Riaumagz, 'Tradisi-Gawai-Gedang-Indragiri-Hulu', 2021  
<<https://www.riaumagz.com>>
- Rri.co.id, 'No Title' <<https://www.rri.co.id/riau/daerah/300599/rumah-talang-mamak-meriahkan-harvesting-gernas-bbi-bbwi-di-riau>>
- Sippn.menpan.go.id, 'No Title' <<https://sippn.menpan.go.id/berita/123720/kanwil-kementerian-hukum-dan-ham-ri-riau/kanwil-kemenkumham-riau-dampingi-pemkab-inhu-daftarkan-indikasi-geografis-nanas-sukajadi-dan-kopi-talang-mamak>>
- Talangmamak.aman.or.id, 'No Title'  
<<https://talangmamak.aman.or.id/2020/06/26/mengenal-ambung-salah-satu-kerajinan-tangan-suku-talang-mamak/>>
- 'Tradisi-Gawai-Gedang-Talang-Mamak'
- Tribunnews.com, 'No Title'  
<<https://tribunpekanbarutravel.tribunnews.com/2023/07/03/tanjak-dari-kulit-kayu-kerajinan-tradisional-talang-mamak-yang-masih-eksis-hingga-kini?page=all>>
- Wangke, Humprey, 'Op.Cit', p. 8  
— — —, 'Peluang Indonesia Dalam Masyarakat Ekonomi ASEAN 2015', *Info Singkat Hubungan Internasional*, 6(10), 7
- Wiwik, Syahrial De Saputra dan Anastasia, *Makanan Tradisional Talang Mamak Dan Melayu* (Tanjung Pinang: BKSNT, 2006)