

# THE ROLE OF THE SENTANI CUSTOMARY COUNCIL IN POLICY COMMUNICATION AND AGENDA SETTING IN HANDLING CUSTOMARY LAND CONFLICTS IN JAYAPURA REGENCY

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## Abstract :

*This study examines the role of the Sentani Customary Council (DAS) in influencing the public policy agenda in Jayapura Regency through the perspective of policy communication. Indigenous peoples have a strategic position as guardians of traditional values as well as political actors guaranteed by the constitution, the Papua Special Autonomy Law, and Permendagri No. 52 of 2014. Based on Dunn's (2017) public policy theory, the policy process is interactive, involving communication, interests, and power. This research is also based on agenda setting theory (McCombs & Shaw, 1972; Cobb & Elder, 1971) as well as the Multiple Streams model (Kingdon, 2003), which describes how public issues enter the government's agenda through communication and political support. This study uses a descriptive qualitative approach, with data collection through interviews, observations, and documentation studies, which are then analyzed using the analysis model of Miles and Huberman (2014). The results show that watersheds play an important role in framing the issue of land encroachment as a symbol of customary rights through horizontal communication in the community, vertically with the government, and through mass media and social media. This strategy makes cultural issues the government's attention, showing the dynamics of policy networks (Rhodes, 1997) between customary institutions, bureaucracies, NGOs, and civil society. The research concludes that culture-based communication is effective in transforming local issues into politically recognized public policies. Going forward, there is a need for formal recognition of the role of Indigenous Councils, communication capacity building, and collaboration with the media and academics to strengthen local values-based policy governance and indigenous peoples' participation.*

**Keywords:** Sentani Customary Council, policy communication, agenda setting, customary rights, Papua.

## INTRODUCTION

The phenomenon of land encroachment in the Sentani customary area, Jayapura Regency, is a form of social and political expression of indigenous peoples against injustice in resource management and recognition of customary



rights. Land grabbing is often a mechanism for indigenous peoples' political communication to draw the attention of the government and the public to violations of indigenous rights. According to Yoman (2019) research, the act of blocking is a symbol of resistance to development policies that are considered to ignore local values and communal property rights. This phenomenon reflects the communication gap between indigenous peoples and local governments in the public decision-making process.

The Sentani Customary Council (DAS) as a representative institution of indigenous peoples has an important role in mediating conflicts and voicing the interests of indigenous peoples. Watersheds not only function to maintain cultural values, but also play a role as local political actors who are able to influence public policy. In the context of land reclamation, the watershed seeks to negotiate community rights through political communication mechanisms and public policies. A study by Kambuaya (2020) shows that Papuan customary institutions are often a bridge between the community and the government in agrarian issues and regional development policies.

However, a debate has arisen regarding the position of customary institutions in the public policy structure. Some academics argue that customary institutions have not been fully recognized as formal actors in the policy process (Rumbiak, 2018), while others consider that their role has become stronger after the enactment of Law Number 21 of 2001 concerning Papuan Special Autonomy (Papua Special Autonomy Law) which provides space for the recognition of indigenous peoples' rights. This provision is reaffirmed in Article 18B paragraph (2) of the 1945 Constitution which states that the state recognizes and respects the unity of customary law communities and their rights as long as they are alive and in accordance with the development of society.

In terms of regional regulations, the recognition of indigenous peoples is regulated in Perdasus Papua Number 23 of 2008 concerning Customary Rights and Papua Provincial Regulation Number 5 of 2022 concerning the Recognition and Protection of Indigenous Peoples. However, its implementation is still limited. According to Ririhena (2022), many regional policies have not involved customary institutions in the policy formulation and implementation stages, so issues such as customary land disputes often lead to blockade actions as a form of political pressure on the government.

Theoretically, this research is within the framework of *agenda setting theory* first introduced by McCombs and Shaw (1972), which explains that the media has the power to determine which issues are considered important by the public. In the local context of Papua, the Sentani Customary Council serves as a traditional "social media" that shapes indigenous public opinion and encourages certain issues—such as land grabbing—to be included in the government's agenda. McCombs (2004, 2014) then developed the concept of *second-level agenda setting* or *framing*, where issues are not only raised, but also framed with certain meanings to influence public perception and political decisions.

A theoretical debate arises between traditional *agenda-setting* approaches and more participatory policy models. Kingdon (2003) adds that public issues

will enter the policy agenda when three streams – issues, policy, and politics – meet in a "*policy window*." In this case, the Sentani Customary Council can be seen as an actor that combines the three streams through communication and social pressure, so that the issue of land encroachment can be taken into account by local governments as a priority policy agenda.

This research has an important contribution in strengthening the understanding of how customary institutions play an influential non-governmental actor in the public policy process, especially in the context of Papuan special autonomy. Empirically, this study fills the gap in studies that are still minimal discussing the mechanism of policy communication between local governments and customary institutions in the context of land conflicts. In addition, the results of this study are expected to enrich the study of the adaptation of Western policy communication theories in the context of Indonesian indigenous peoples who have a distinctive system of values, symbols, and communication mechanisms.

Preliminary findings suggest that the Sentani Customary Council's success in influencing policy agendas is highly dependent on its communication capacity – both with local media, political figures, and civil society organizations. Communication based on cultural values is the main factor that determines the effectiveness of indigenous advocacy on public issues.

The next research gap lies in the need for further exploration of the dynamics of power relations between customary institutions, local governments, and investors in the context of natural resource conflicts. Further research can also examine the communication strategies of the Customary Council in the digital era, where social media is beginning to replace the role of traditional media in shaping public opinion.

## **RESEARCH METHODS**

The research entitled "*The Role of the Sentani Customary Council in Influencing the Public Policy Agenda: A Policy Communication Perspective*" uses a descriptive qualitative approach. The goal is to deeply understand how the Sentani Customary Council (DAS) communicates and plays a role in the process of forming a public policy agenda in Jayapura Regency. The research was carried out in the Sentani customary area with the main informants the chairman and members of the Customary Council, indigenous community leaders, local government officials, and members of the DPRD.

Data were obtained through in-depth interviews, participatory observations, and document studies. The analysis was carried out with the model of Miles & Huberman (2014) including reduction, presentation, and drawing conclusions. The validity of the data was tested through triangulation of sources and methods. This research is expected to produce a comprehensive understanding of the communication strategies of the Customary Council in influencing the public policy agenda and strengthening collaboration between the customary and local governments.

## **RESULTS AND DISCUSSION**

The existence of the Sentani Customary Council has a strategic function in accommodating the interests and needs of the Sentani indigenous people, especially in fighting for the rights of indigenous peoples related to the ownership and management of customary lands. This institution acts as a mediator between indigenous peoples and local governments in resolving various issues related to customary land rights, including the settlement of customary land cases that have not received payment or fair settlement from the government.

In addition, the Sentani Customary Council also plays an important role in providing education and clarification to indigenous peoples regarding the legal status of customary lands that have been traded. In this context, the Customary Council helps to explain that land that has been relinquished or sold by a previous family, for example by an ancestor, parent, or deceased relative, cannot be reclaimed, because juridically the transaction already has permanent legal force. This is evidenced through the document of the release of customary land rights and land ownership certificates issued by the authorized agencies, thus showing the validity of the sale and purchase process in accordance with the applicable legal provisions.

### **Strengthening Communicative Capacity and Indigenous Advocacy as an Agenda Setting Mechanism**

The first step that needs to be taken by the Sentani Customary Council is to strengthen the communicative and advocacy capacity of customary institutions in raising customary land issues to the public and political realms. In *the agenda setting* theory introduced by McCombs and Shaw (1972), issues that are often discussed and receive public attention have the potential to enter the government's policy agenda. Therefore, the Customary Council must be a *communicative actor* who actively frames indigenous issues into policy narratives that are relevant to the interests of regional development.

#### **a. Indigenous Communication as a Discursive Mechanism**

Referring to the Communicative Theory put forward by Jürgen Habermas (1984) and developed in the context of policy by Fischer (2003) and Forester (1999), effective public policy is born from an inclusive communication process based on dialogical rationality. In the Sentani context, the Customary Council can play the role of a cultural mediator and a bridge of dialogue between indigenous peoples and local governments. Through customary forums, village deliberations, and meetings with the government, the Customary Council can fight for customary land issues not only to be considered as local issues, but also as issues of public resource governance.

Research by Cornell and Kalt (2000) in the context of *Indigenous Governance* in North America shows that indigenous institutions that have good political communication skills can change their position from "policy spectators" to "policy makers." For example, *the Navajo Nation Council* succeeded in making the protection of sacred lands a state policy through a

combination of cultural diplomacy and legal advocacy. A similar approach can be applied by the Sentani Customary Council by strengthening its cultural and social arguments through data, testimonies, and historical documentation of customary land ownership.

b. Framing Issues and Priming Strategies

According to McCombs (2004, 2014), *second-level agenda setting* or *framing* determines how issues are displayed and interpreted by the public. The Sentani Customary Council needs to frame the issue of customary land not just as a dispute over ownership, but as part of social justice, preservation of cultural identity, and civilized governance. Thus, the narrative constructed can attract public sympathy and broader political support.

In addition, *the concept of priming* (Iyengar & Kinder, 1987) suggests that the intensity of news or public statements can change the standard of assessment of the government. The Sentani Indigenous Council can use local media, community radio, and public forums to highlight the social impact of the disregard of customary rights, so that the public judges local governments based on the extent to which they are responsive to customary land justice.

c. Network-Based Advocacy and Alliances

According to Rhodes and Marsh (1992) in *Policy Network Theory*, public policy is formed through interaction between actors in the policy network. The Sentani Customary Council needs to build a multilevel advocacy network that includes NGOs, academics, the media, church leaders, and the DPRD. This collaboration will strengthen the position of the Customary Council as a *policy influencer* in the local government system.

Smith's (2019) research in New Zealand shows how *Iwi Councils* have successfully influenced national water *rights policy* by combining customary legitimacy and scientific evidence. The Sentani Customary Council can emulate this model through the establishment of *the Customary Land Communication Forum* which systematically collects data, holds hearings, and monitors local government policy responses.

### **Institutionalization of the Customary Land Issue into the Regional Policy Agenda**

The second step is to institutionalize the issue of customary land so that it does not stop as a public discourse, but is included in the *institutional agenda* of local governments. According to Cobb and Elder (1972), *the systemic agenda* includes issues that are known to the public, while *the institutional agenda* is an issue that is actually considered by policymakers. The move from the public realm to the institutional realm requires political legitimacy, legal support, and strong social evidence.

a. Preparation of Customary Policy Documents (Customary Policy Brief)

Concrete steps that can be taken are to prepare an academic manuscript or customary policy brief that contains legal, social, and economic analysis of customary land rights. This document is a formal instrument to submit policy proposals to local governments and the DPRD. Based on Kingdon's theory (1984, 2011), the moment of open policy occurs when three currents –

*problem stream, policy stream, and politics stream*—meet. The Sentani Customary Council must take advantage of political momentum, such as the drafting of the RTRW, the revision of the Land Regulation, or regional strategic programs, to incorporate proposals for the protection of customary rights into official policies.

Turner's (2016) research on *Indigenous Policy Streams* in Canada shows that indigenous communities that have their own policy documents are able to be more effective in utilizing the "policy window" when the government opens up space for participation. The same can be applied by the Sentani Customary Council through the preparation of documents based on customary evidence and positive Indonesian law (1945 Constitution Article 18B paragraph 2, Law No. 6 of 2014 concerning Villages, and Law No. 11 of 2010 concerning Cultural Heritage).

b. Legal Legitimacy and Formal Mechanisms

Based on Easton's (1965) theory of the political system, *input* from the public will only have an effect if it enters through recognized institutional channels. Therefore, the Sentani Customary Council needs to strengthen its legal standing as a partner institution of the local government. This can be done through the issuance of Regional Regulations (Perda) on the Recognition and Protection of the Sentani Indigenous Peoples. With this legal basis, the Customary Council will have a formal position in policy forums such as *Musrenbang* or *Public Consultation Forums*.

Research by Buanes et al. (2015) in Norway found that when Sami indigenous peoples gained formal legal recognition through *the Sami Act (1987)*, they successfully negotiated land and resource rights in the territorial planning process. This example shows that the institutionalization of customary roles strengthens the effectiveness of advocacy and the sustainability of the policy agenda.

c. Multi-Stakeholder Coordination and Integration in Regional Policy

In the context of *policy network theory* (Rhodes & Marsh, 1992), the effectiveness of advocacy depends on coordination between indigenous actors, governments, and civil society. The Sentani Customary Council needs to facilitate the establishment of the Sentani Customary Land Multiactor Forum involving Bappeda, ATR/BPN, the Legal Office, religious leaders, and academics. The forum serves to equalize perceptions, manage ownership data, and develop integrated action plans for the protection of indigenous rights.

Research by Boelens et al. (2016) on *Water Justice Networks* in Latin America shows that indigenous communities have successfully integrated traditional rights into public policy through multi-stakeholder forums. With a similar mechanism, the Sentani Customary Council can expand its influence from the socio-cultural level to the level of regional policy systematically.

From the perspective of *agenda setting theory* (McCombs & Shaw, 1972; Cobb & Elder, 1972; Kingdon, 1984), the strategic steps of the Sentani

Customary Council can be categorized into two main domains: (1) strengthening the capacity of communicative and customary advocacy, and (2) institutionalizing the issue of customary land into the regional policy agenda. This approach reflects a shift from a top-down rational-bureaucratic paradigm to a bottom-up communicative-participatory paradigm, as described by Habermas (1984) and Fischer (2003).

Within the framework of indigenous governance (Cornell & Kalt, 2000; Smith, 2019), the Sentani Customary Council not only functions as a guardian of traditional values, but also as a cultural political actor that contributes to local democracy and social justice. Through public communication strategies, advocacy networks, and legal legitimacy, the Customary Council can ensure that the rights of indigenous peoples to customary lands are recognized, protected, and integrated into regional public policies.

## **CONCLUSION**

Based on the discussion, it can be concluded that the success of the Sentani Customary Council (DAS) in pushing the issue of customary land into the public policy agenda depends on two main pillars: strengthening communicative capacity and customary advocacy, as well as institutionalizing customary land issues into regional policies. Through the communicative approach as stated by Habermas (1984) and the theory of agenda setting by McCombs & Shaw (1972), the Customary Council needs to transform from a mere cultural actor to a policy actor who is able to articulate the interests of indigenous peoples into the language of development and social justice. Effective communication, proper framing of issues, and advocacy network support will broaden the resonance of customary land issues in the public and political spheres.

Furthermore, the institutionalization process requires formal steps such as the preparation of customary policy documents, the strengthening of legal bases through local regulations, and the establishment of multi-stakeholder forums to integrate customary values into public policies. With the synergy of public communication, legal legitimacy, and cross-actor collaboration, the Sentani Customary Council can ensure that the right to customary land is not only symbolically recognized, but also implemented substantively in the regional governance system.

### **Recommendations**

- a. Capacity Building on Indigenous Communication and Advocacy: The Sentani Indigenous Council needs to develop public communication, media relations, and policy advocacy training for indigenous leaders to be able to frame customary land issues in an inclusive and equitable development narrative.
- b. Establishment of Communication Forum and Customary Land Advocacy Network: This forum should involve academics, media, NGOs, and the DPRD as strategic partners to strengthen the political pressure and social legitimacy of the Customary Council.
- c. Preparation of Customary Policy Document (Policy Brief): This document needs to contain historical, social, and legal data on customary rights, as a

- scientific basis to encourage the formulation of Regional Regulations on the Recognition and Protection of Sentani Indigenous Peoples.
- d. Formal Integration in the Regional Policy Process: Local governments need to accommodate representatives of Customary Councils in development planning forums such as Musrenbang, so that the issue of customary land is included in the official government agenda.
  - e. Strengthening the Legitimacy of Indigenous Laws and Institutions: It is recommended that local governments establish regional regulations that provide a formal position for the Sentani Customary Council as a strategic partner of the government in resource management and protection of customary rights.

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