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Indigenous Leadership and Local Policy Implementation

Evidence From the Recognition of Indigenous Peoples Regulation in Teluk Bintuni, Indonesia

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Abstract: The recognition of indigenous communities in Indonesia has increasingly been strengthened through regional regulations. Regional Regulation No. 1 of 2019 recognizes the Sebyar indigenous community and positioning tribal chiefs as key actors in the implementation of customary governance. This study aims to analyze the role of the Sebyar Tribal Chief in the implementation of Teluk Bintuni Regional Regulation No. 1 of 2019 concerning the Recognition and Protection of Indigenous Communities and to examine the forms of customary governance that emerged after the regulation, including the supporting and inhibiting factors influencing its implementation. This study employed a descriptive qualitative with a case study design conducted in Tomu Kampong. Data were collected between October and November 2024 through in-depth interview, observation, and documentation studies. The sample consisted of 11 informants, including the Sebyar tribal chief, local government officials, community leaders, and members of the indigenous community. The findings indicate that the Sebyar tribal chief plays a strategic role as a formulator of customary policies, negotiator of customary rights, conflict mediator, and initiator of basic infrastructure development. Following the regional regulation, customary governance underwent a transformation with formal recognition of customary law, enabling the tribal chief to function not only as a customary leader but also as a social mediator, helping restore social harmony through customary rituals and symbols of peace. The regulation's implementation is supported by customary legitimacy, community support, and cross-actor synergy, but is hampered by limited infrastructure, shifting values among the younger generation, weak administrative capacity, and low corporate commitment to local culture. In conclusion, the success of regional regulations is determined not only by formal regulations, but also by the social legitimacy of tribal chiefs and the socio-cultural conditions of the community. Tribal chiefs are key actors in bridging formal regulations with customary practices who functioned as political-cultural instruments that strengthen customary rights and the sustainability of indigenous communities in Teluk Bintuni.

Keywords: Customary Governance; Customary Leadership; Indigenous Leadership; Policy Implementation; Regulation.

1. Introduction

The existence of indigenous legal communities in cannot be separated from the nation's history. Indigenous communities have had social systems, leadership, and normative rules that regulate their daily life. The Indonesian Constitution, through Article 18B paragraph (2) of the 1945 Constitution, affirms the State's recognition of the unity of indigenous legal communities and their traditional rights as long as they are still alive and in accordance with societal developments (MD, 2011). This indicates that the State recognizes the legal plurality that exists within society and opens up space for indigenous communities to maintain their identity and sovereignty.

In Papua, the position of indigenous communities is more complex than in other regions. Indigenous Papuans live within a highly layered social structure, ranging from extended families (fam) to clans and tribes, with the tribal chief holding the highest authority. The tribal chief is not just a symbolic leader; they are also the primary decision-maker regarding the management of land, forests, seas, and other resources. Additionally, tribal chiefs often act as intermediaries, translating formal government policies into culturally relevant practices while representing community interests to higher levels of administration. Without the tribal chief's involvement, formal policy implementation often lacks social legitimacy, ultimately leading to resistance on the ground (Fernanda, 2025). Despite constitutional recognition of indigenous communities, implementing policies related to indigenous rights often faces significant challenges at the local level, particularly in regions with strong customary authority structures, such as Papua. The gap between formal regulations and customary governance raises critical questions about the role of indigenous leadership in shaping policy implementation.

This is due to local governments' limited capacity to identify indigenous communities, map customary territories, and align community interests with development priorities. In addition, the difference in paradigm between the government (which often focuses on economic growth) and indigenous communities (which often prioritizes socio-cultural sustainability) frequently creates tensions. As a result, governance in indigenous communities is often characterized by the interaction between formal state institutions and local customary systems, which may lead to hybrid governance arrangements where both authorities coexist and interact.

International studies have highlighted the important role of indigenous leadership in governance systems. Traditional leaders often act as intermediaries between indigenous communities and state institutions, facilitating policy implementation and ensuring cultural legitimacy (Close, 2016; Khairil et al., 2025). Similarly, studies in Latin America indicate that the involvement of indigenous authorities strengthens policy acceptance and community participation in development programs (Magaloni et al., 2019). These findings suggest that indigenous leadership plays a crucial role in bridging formal governance structures with customary institutions.

One of the important regulations in West Papua is Teluk Bintuni Regional Regulation Number 1 of 2019 concerning the Recognition and Protection of Indigenous Communities. This regulation was created in response to the urgent need to confer legal legitimacy on indigenous communities. Through this regulation, the Teluk Bintuni regional government seeks to ensure that indigenous communities have a clear legal position in managing resources and preserving culture. The substance of the regulation includes recognition of customary institutions, protection of customary rights, and guarantees of indigenous community

participation in the development process. Thus, this regulation is expected to provide a legal umbrella for indigenous communities to prevent marginalization by large-scale development projects or other external interests (Fernanda, 2025).

However, the implementation of these regulations has not always gone as expected. Numerous issues have arisen, including difficulties in identifying which indigenous groups are officially recognized, differing claims to customary territories, and limited coordination mechanisms between local governments and customary leadership structures. Tribal chiefs often face a dilemma between maintaining customary legitimacy and adapting to formal, bureaucratic policies. The lack of clarity in the technical implementation of these regulations has also led to differing interpretations among local officials and the community. This situation demonstrates the gap between the ideals of the policies enshrined in legal documents and the social realities encountered on the ground (Antoh & Sarwani, 2025; Fernanda, 2025).

To understand these dynamics, this study adopts an integrated theoretical framework that combines governance theory, indigenous governance, and public policy implementation theory. Indigenous governance refers to decision-making systems rooted in traditional institutions, cultural norms, and community-based authority that regulate community life (Cornell & Kalt, 2006). From a governance perspective, Rhodes (1996) conceptualizes governance as networks of interdependent actors, including local and customary institutions. Governance in indigenous contexts is characterized by deliberative and collective decision-making processes rooted in local institutions (Azwar et al., 2020). Furthermore, Van Meter and Van Horn (1975) emphasized that the success of policy implementation is influenced by six key variables: policy standards and objectives, resources, inter-organizational relationships, implementing agent characteristics, socio-economic and political conditions, and the disposition of policy implementers. From this perspective, the implementation of the Teluk Bintuni regional regulation can be seen as a process influenced not only by the substance of the regulation but also by complex interactions between the local government, tribal chiefs, and indigenous communities as policy recipients. This means that the success of implementation is not solely determined by written regulations, but also by the accompanying social and cultural conditions (Ariani & Prabawati, 2025; Haq et al., 2025; Limerick, 2009; Magaloni et al., 2019).

Several previous studies have examined policy implementation in various sectors. Ariani and Prabawati (2025), for example, demonstrated how digital innovation can strengthen the quality of public services, but also face challenges in terms of resource readiness. Piliang (2025) examined the implementation of policies to accelerate stunting reduction, finding that coordination between actors and local government commitment were key factors in determining the success or failure of implementation. In the case of agrarian conflict, Haq et al. (2025) emphasized that policy implementation is often hampered by clashing interests between the state and communities, which is also relevant in the context of indigenous peoples' policies in Papua. Policy implementation is highly dependent on the capacity of local actors and resource availability (Harnani et al., 2025). These findings demonstrate that policy implementation in Indonesia remains fraught with structural and cultural challenges. Moreover, Antoh and Sarwani (2025) highlight the similar challenges faced by customary forest management. Despite formal recognition, implementation on the ground is often disturbed by weak local government capacity and a lack of community participation. Fernanda (2025) also shows how the Moi indigenous community in Southwest Papua still faces vulnerabilities in the face of land

acquisition for office development. These research findings highlight the gap between formal regulations and actual protection for indigenous communities.

However, most of these studies have not specifically examined the role of tribal chiefs in regional policy implementation. Tribal chiefs hold a strategic position as mediators between customary norms and formal policies. Their role is not merely a cultural symbol, but rather a key factor in determining whether indigenous communities accept a policy. Therefore, research on the role of tribal chiefs in the implementation of the regional regulation recognizing indigenous communities in Teluk Bintuni remains highly academically urgent.

This demonstrates a research gap. Numerous studies have been conducted on public policy implementation, as has research on indigenous communities. However, studies that combine these two perspectives and focus on the role of indigenous leadership in regional policy are still rare. Previous research has focused on specific sectors such as health, the environment, or agrarian affairs, but has not delved deeply into the interaction between regulations recognizing indigenous communities and the authority of tribal chiefs in West Papua. This represents an important research gap to fill, as the success of policy implementation in Papua is inextricably linked to indigenous authority (Fernanda, 2025; Piliang, 2025).

Based on the gap above, this study addresses the following research questions:

- a. What is the role of tribal chiefs in implementing indigenous people's regulation?
- b. How does customary governance interact with formal governance?
- c. What factors influence the implementation of the regulation?

To address these research questions, this study focuses on three main objectives. First, to analyze the role and policies of tribal chiefs in the implementation of Teluk Bintuni Regional Regulation No. 1 of 2019 concerning the Recognition and Protection of Indigenous Communities. Second, to examine the forms of customary governance established within the formal legal framework and their interaction with the regional government system. Third, to identify supporting and inhibiting factors in the implementation of the regulation, both in terms of regulations, institutional capacity, and the socio-cultural aspects of indigenous communities. Therefore, this research is expected to provide both academic and practical contributions to strengthening customary community governance in West Papua.

2. Methods

This study uses a descriptive, qualitative approach with a case study methodology to understand the roles and policies of tribal chiefs in customary governance. According to Creswell (2014), a qualitative approach is chosen when researchers want to explore subjective meanings and understand phenomena within a specific social context. In this case, the implementation of Regional Regulation No. 1 of 2019 is viewed not only from a legal normative perspective but also from how tribal chiefs interpret and actualize it in the daily lives of the Sebyar indigenous community. The descriptive method allows researchers to fully describe empirical facts, social interactions, and customary dynamics without having to manipulate variables (Creswell, 2014).

The research was conducted in Tomu Kampong, Tomu District, Teluk Bintuni Regional, West Papua, from October to November 2024, with the main field observation and focus group discussion on 20 October 2024. The location was selected based on several considerations. First, the Sebyar community has been

legally recognized through Regional Regulation No. 1 of 2019. Second, the Sebyar community still maintains a strong customary legal system, including in dispute resolution and natural resource management. Third, the Tomu District has intense interactions with oil and gas companies, creating a dynamic context between customary, government, and corporate interests. This aligns with [Neuman's view \(2014\)](#) that the selection of a qualitative research location must consider the uniqueness of the context and its relevance to the research focus.

The subjects of this study consisted of 11 informants selected through purposive sampling, a non-probability sampling method in which researchers deliberately selected individuals with relevant knowledge and experience related to the study objectives. The selection of informants followed several criteria, such as hold a role or position related to customary governance or community leadership in the Sebyar indigenous community, have strong social ties with Kampong Tomu where customary governance practices are implemented, have knowledge or direct experience related to the implementation of Regional Regulation No.1 of 2019, and have participation in everyday customary practices and community activities. The subjects of this study represented various key actors in customary and local governance. They included the Sebyar Tribal Chief as the customary leader and the main actor in the implementation of local regulations; the Head of Tomu District and the Secretary of Tomu District as representatives of local government; a customary leader; a religious leader; and the head of a youth organization (Karang Taruna). This study also involved two community leaders and three members of the local community, who are directly affected by customary governance practice and represent the broader indigenous community. The distribution of informants included one Sebyar tribal chief, one district head, one district secretary, one customary leader, one religious leader, one youth leader, two community leaders, and three local community members. According to [Moleong \(2006\)](#), qualitative research subjects must be selected purposively, meaning they are selected based on their relevance to the issues being studied. Thus, these subjects are considered the most representative to provide a comprehensive picture of the implementation of local regulations in the Sebyar context.

Data collection techniques in this study included in-depth interviews, participant observation, and documentation studies. In-depth interviews were conducted to explore the subjective views of tribal chiefs and community leaders. Participatory observation was chosen because it enabled researchers to directly observe customary governance practices, such as deliberations and dispute resolution. Furthermore, documentation studies were used to analyze the text of Regional Regulation No. 1 of 2019, archives of customary deliberations, and official local government documents.

Data were analyzed using [Miles et al.'s interactive model \(2020\)](#), which includes three main stages: data reduction, data presentation, and conclusion drawing/verification. In the data reduction stage, researchers filtered information from interviews, observations, and documents, then grouped it based on themes such as the role of tribal chiefs, customary governance, and factors supporting and inhibiting the implementation of regional regulations. The data presentation stage was carried out in narrative form, tables, and direct quotations for easier understanding. The final stage, concluding, was carried out by verifying the pattern of findings and comparing the sources.

To maintain data validity, this study employed source triangulation techniques by comparing information from tribal chiefs, the community, and the local government.

Method triangulation was also conducted, combining interviews, observations, and documentation. This is crucial to avoid subjective bias that might arise from a single source. According to Patton (2014), triangulation is a key strategy in qualitative research to ensure the credibility and reliability of collected data. Reliability was maintained by systematically recording data, including recording interviews and observation notes, which were stored as research archives.

3. Results and Discussion

3.1. The Role of Tribal Chiefs in the Implementation of Indigenous Peoples Regulation

The implementation of Regional Regulation No. 1 of 2019 concerning the Recognition and Protection of Indigenous Peoples in Teluk Bintuni cannot be separated from the role of tribal chiefs as key actors within customary governance. Based on this study's findings, tribal chiefs play several strategic roles in ensuring that regulations are accepted and implemented within indigenous communities. These roles include acting as policy mediators, community representatives, resource negotiators, conflict resolvers, and agents of social reconciliation.

3.1.1. As a Policy Maker

The tribal chief plays an important role in both maintaining local wisdom and serving as a policy maker within their communities. He is responsible for preserving the customary values that are passed down from generation to generation, including organizing cultural activities such as traditional ceremonies and festivals. This role not only maintains community identity but also strengthens social boundaries within the communities.

“As a tribal chief, I have the responsibility to convey and respond to complaints and aspirations from the indigenous community. Every problem related to customary territory must first be reported to me.” (Interview with Sebyar Tribal Chief, Tomu District, 20 November 2024).

The statement above relates to Article 5 in Teluk Bintuni Regional Regulation No. 1 of 2019 regarding the role of the tribal chief in delivering and responding to community aspirations and complaints. It highlights the tribal chief's role as a mediator in decision-making and in addressing issues related to customary territories, including the rights of the indigenous community. The Sebyar tribal chief is responsible for ensuring that every issue arising within the community can be delivered to higher authorities, including the government and other external parties. This is supported by Mr. Syamsul Inay, who stated, “Yes, it is right, every problem should be reported to the chief” (Interview with Head of Tomu District, Tomu District, 20 November 2024).

This statement emphasizes that the chief is the chief advocate for his people's interests. He acts not only as a representative of community aspirations but also as a policy formulator who promotes the welfare of indigenous people across various aspects of life.

Mr. Bilal Inay added that, “...if there is a problem, the chief will take for an action. As in the case of LNG Tangguh, he struggled for local communities to obtain

compensation from the LNG company amounting to approximately 32.4 billion rupiah for six wells that have been explored. The tribal chief also ensures that infrastructure development meets the agreed standards, including the provision of facilities such as electricity and clean water...”

This is in accordance with Article 11 paragraph (4) in the Teluk Bintuni Regional Regulation concerning the authority of customary institutions. The tribal chief is also involved in infrastructure development aimed at improving the welfare of indigenous communities, as stipulated in Article 3, letter b. Furthermore, their participation in regency formation and the resolution of customary land issues aligns with Article 3 letters f and g, which emphasize the recognition and protection of indigenous peoples’ rights in both development processes and dispute resolution. Thus, the tribal chief holds a highly vital role as a policy formulator in maintaining a balance between the needs of indigenous communities and regional development. Effective governance in indigenous areas therefore, requires synergy between government institutions and indigenous communities, especially through the recognition of local wisdom (Ishak & Ernanda, 2021).

“... Despite several challenges in communication with the district government, he remains committed to ensuring that the community’s demands are heard and properly addressed by the government. His efforts are not limited to securing compensation and housing development, but also include advocating for improvements in other infrastructure, such as roads and schools, which are urgently needed by the community...” (Tomu District Secretary, Tomu District, 20 November 2024)

This is in line with Article 3 letter b, which emphasizes the welfare of indigenous communities; Article 11 paragraph (4), which grants authority to customary institutions to represent the community; Article 9 paragraph (1), which recognizes the rights of indigenous peoples; and Article 13 paragraph (2), which highlights the principle of social justice in the implementation of customary law. In this context, the tribal chief functions as a policy formulator who not only advocates for the rights of indigenous peoples but also ensures that policies and decisions made by the government and companies are aligned with the needs of indigenous communities while preserving their cultural heritage and natural resources.

The tribal chief functions as a mediator in decision-making processes involving both the community and the government. They serve as a channel of communication, conveying community aspirations to the authorities while also guiding policies that affect their community (Azwar et al., 2020). In addition, the tribal chief encourages citizens’ political participation by raising awareness of the importance of involvement in democratic processes. Through this role, the tribal chief not only maintains social harmony through customary practices but also contributes to the development of policies that are aligned with the needs of the local community.

3.1.2. As a Strategy Maker

Tribal chiefs play a crucial role in developing local wisdom and formulating community strategies. They are responsible for maintaining traditions and ensuring that cultural values remain alive amid globalization. Through cultural activities such

as festivals and customary ceremonies, tribal chiefs strengthen community identity while encouraging younger generations to understand and appreciate their cultural heritage. As stated by the Sebyar tribal chief, Mr. Haji Aci Kosepa:

“I am responsible for a vast customary territory, encompassing two large tribes: the Namban and the Kemeran. I lead a region encompassing various clans and possessing significant natural resource potential, such as land, mangrove forests, and the sea.” (Interview with Sebyar Tribal Chief, Teluk Bintuni Regional, 20 November 2024).

This statement reflects the provisions in Teluk Bintuni Regional Regulation No. 1 of 2019, particularly Articles 1, 6, 9, and 11, which recognize customary territories (*hak ulayat*), the legal status of indigenous communities, their rights to natural resources, and the role of customary institutions in managing and representing indigenous communities. A similar perspective was expressed by the Head of Tomu District, Mr. Syamsul Inay, “Papuan customs and culture are deeply rooted in social values and traditions. While there are many unwritten elements, such as plates given as symbols of peace or customary agreements, there are still rules that are socially and spiritually binding. This process demonstrates the importance of cultural understanding and acceptance in maintaining harmony within society.” (Interview with Head of Tomu District, Teluk Bintuni Regional, 20 November 2024).

This statement relates to Articles 1 (12) and (18) and Article 13 of the regulation, which recognize customary law and local wisdom as essential foundations for maintaining social harmony in indigenous communities. The use of the *resa-resa* plate illustrates how cultural symbols are preserved within customary practices. In this context, tribal chiefs, as stated in Article 11 of the regulation, play a strategic role in managing and preserving these traditions while ensuring their transmission to future generations.

This view is reinforced by a community member, Mr. Abd Rahman, “Items such as plates and vases not only have functional value but also symbolic value in various traditional ceremonies and traditions. Plates can be symbols of respect, peace, and cultural identity. Some plates can also emit specific sounds, which are often used in traditional ceremonies as part of the symbolism or respect.” (Interview with Indigenous Community, Tomu District, 20 November 2024).

These cultural symbols align with the recognition of customary law and local wisdom, as outlined in Articles 1(12) and 1 (18) of the regulation. In this regard, tribal chiefs play a strategic role in ensuring that such symbols continue to function as part of social identity and customary governance. The recognition of indigenous leadership, in turn, can strengthen legitimacy and increase public trust in governance processes.

Furthermore, tribal chiefs also serve as mediators between indigenous communities and the government. This role enables them to facilitate cooperation with relevant institutions, access resources, and participate in strategic decision-making related to social, political, and economic issues within the community. Therefore, tribal chiefs function not only as guardians of tradition but also as adaptive strategy makers who respond to the evolving needs of their communities.

3.1.3. As a Communication Mediator

Tribal chiefs play a vital role in local wisdom as a means of communication within the community. They serve as a bridge between tradition and modernity, preserving cultural values while facilitating effective communication within the community. Tribal chiefs not only preserve customs but also organize cultural activities that strengthen social bonds among residents. Through traditional gatherings and events, tribal chiefs can convey important information, discuss local issues, and educate the community about the cultural values that must be upheld. In this way, tribal chiefs serve as liaisons, maintaining continuity between older and younger generations in their understanding and appreciation of their cultural heritage.

“Although the Tribal Chief has coordinated with various parties, including local governments and companies, there are challenges in communicating with the district government. Nevertheless, he continues his efforts to convey the community’s grievances and needs to higher authorities, including the Governor and Regent.” (Interview with Traditional Figure, Tomu District, 20 November 2024).

In this context, the Tribal Chief serves as a communication channel between the customary law community and external parties, including local governments and companies. This article underscores the importance of customary institutions in conveying the community’s aspirations to higher authorities, such as the Governor and Regent, in accordance with the functions of customary institutions as stipulated in Article 11, namely representing the customary law community in legal relations with external parties. Although the Tribal Chief faces communication challenges, he remains obligated to continue advocating for the rights and interests of the customary law community (Tugendhat et al., 2023).

However, Ismail Kaitam, as Chairman of Karang Taruna, stated, “... the tribal chief conveys warnings or instructions to the community regarding customary rules, such as in cases of marriage or the inheritance of customary land. In this regard, the tribal chief conveys ancestral teachings or norms that must be followed by community members.” (Interview with Chairman of the Youth Association, Tomu District, 20 November 2024)

The role of the Tribal Chief as a communicator who conveys customary and cultural values is directly linked to Article 11 Teluk Bintuni Regional Regulation No. 1 of 2019, which governs customary institutions and the role of the Tribal Chief as the implementer of the authority of the customary law community. The Tribal Chief serves as a messenger who conveys customary norms, including in matters of health, spirituality, and conflict resolution. This is also in line with Article 9(2), which recognizes the right of customary law communities to self-govern, including through the use of customary institutions to convey and enforce customary rules, such as in matters of marriage or the inheritance of customary land.

“...For example, the Tribal Chief communicates to the government and companies about the community’s needs for housing, access to clean water, and other infrastructure.” (Interview with Indigenous Community, Tomu District, 20 November 2024)

The role of tribal chiefs as mediators and communicators demonstrates the importance of social legitimacy in policy implementation. According to [Van Meter and Van Horn's theory \(1975\)](#), the disposition of implementers is a key factor in policy success. Tribal chiefs with customary legitimacy are able to bridge formal rules with customary practices and guide the community in accepting or rejecting policies. This finding is consistent with research by [Haq et al. \(2025\)](#), which shows that local actors with social legitimacy are more effective than formal officials without a social base.

3.1.4. As a Conflict Resolver

In many traditional societies, conflict resolution is often facilitated by customary leaders whose authority is socially recognized and trusted by the community ([Andayana et al., 2024](#)). The tribal chief plays a crucial role in resolving disputes within indigenous communities, serving as both a mediator and a peacemaker. They are responsible for maintaining harmony among community members and resolving conflicts that arise. This resolution process is typically conducted through traditional deliberations, where the tribal chief summons the parties involved to discuss and seek a joint solution.

“Coordination between tribal chiefs, religious leaders, and the government is crucial in addressing various emerging issues, whether related to customary land, traditional ceremonies, or other social matters...” (Interview with Sebyar Tribal Chief, Tomu District, 20 November 2024).

The statement by the Sebyar Tribal Chief regarding the importance of coordination among tribal chiefs, religious leaders, and the government in addressing various social issues, as well as the role of tribal chiefs in maintaining community harmony, closely aligns with Article 13 of Teluk Bintuni Regional Regulation No. 1 of 2019. The same point was also expressed by Ikhsan Kaitam, a Religious Leader, as follows:

“The speaker and the Tribal Chief also discussed conflicts occurring within indigenous communities, such as those related to customary land and customary sanctions. The Tribal Chief explained that if someone violates customary rules, they may be subject to sanctions, such as paying a dowry or participating in the tradition of marriage by entry.” (Interview with Religious Figure, Tomu District, 20 November 2024)

The religious leader's statement regarding the role of the Tribal Chief in addressing conflicts within indigenous communities, including the application of customary sanctions such as the payment of a dowry or the practice of marriage by entry, is closely linked to Teluk Bintuni Regional Regulation No. 1 of 2019, specifically Article 13, paragraphs (1) and (2), which recognize the existence of customary law and its implementation, which must adhere to the principles of social justice and customary norms. Furthermore, Article 11, paragraph (4b) also affirms that customary institutions led by the Tribal Chief have the authority to enforce customary law and administer customary justice, including in resolving internal community disputes. This demonstrates that the Tribal Chief plays a central role in maintaining

social order and resolving conflicts through customary mechanisms recognized by the aforementioned local regulation. They facilitate face-to-face mediation, prioritizing consensus and community participation to resolve land and interpersonal disputes (Adu et al., 2025; Oktavia & Defhany, 2024).

Tribal chiefs also rely on customary law as the basis for resolving disputes. They have the authority to adjudicate cases based on the norms prevailing in their communities (Sukriono et al., 2025). In many cases, communities prefer resolving their issues through the tribal chief rather than formal legal channels, as they believe resolutions issued by the tribal chief are fairer and more in line with their cultural values. Thus, the tribal chief serves not only as a decision-maker but also as a guardian of the community, ensuring safety and peace within their environment (Alpha & Tumelo, 2024).

3.2. Forms of Customary Governance Implemented by Tribal Chiefs in the Sebyar Community

Following the enactment of Teluk Bintuni Regional Regulation No. 1 of 2019, customary governance has transformed, as customary law, previously practiced informally, has now received formal recognition. Tribal chiefs mediate conflicts using customary mechanisms such as dowry sanctions, customary fines, or peace symbols to resolve land, family, and inter-tribal disputes. As conveyed by Ikhsan Kaitam, "... The tribal chief spoke about conflicts that occur within indigenous communities, such as those related to customary land and customary sanctions. The tribal chief explained that if someone violates customary rules, they can be subject to sanctions, such as paying a dowry or following the tradition of entering marriage." (Interview with Religious Figure, Tomu District, 20 November 2024)

The Religious Leader's statement is closely related to Article 13 paragraphs (1) and (2) of Teluk Bintuni Regional Regulation No. 1 of 2019, which recognizes customary law and its implementation with the principles of social justice and customary norms. Article 11 paragraph (4b) emphasizes that customary institutions led by the Tribal Chief have the authority to implement customary law and justice, including resolving internal disputes. The Tribal Chief has a central role in maintaining social order and resolving conflicts through legally recognized customary mechanisms (Majjama et al., 2025).

This is supported by Mr. Abd Rahman, who said, "In Papuan tradition, disputes between tribes or families can be resolved through customary agreements, often involving payment or the gift of a child as a symbol of restitution or peace. If the dispute results in loss of life, the offending family may be asked to compensate the head (soul), either with money or a child." (Interview with Indigenous Community, Tomu District, 20 November 2024)

The statement regarding dispute resolution through customary agreements includes the gift of children or payments as a form of peace. The tribal chief, as a customary leader, facilitates conflict resolution through recognized customary mechanisms passed down through generations. The tribal chief is the primary figure in maintaining social balance and ensuring that the dispute resolution process is conducted peacefully and in accordance with customary norms, as recognized by the regional regulations.

When linked to public policy theory, this demonstrates that policies are not merely administrative documents but also political-cultural instruments that reinforce existing social systems. These findings align with Antoh and Sarwani (2025)

research on customary forests in Papua, where formal recognition of indigenous communities strengthens customary legal authority in managing resources.

In addition to its legal function, post-regulation customary governance also has a socio-cultural dimension. Tribal chiefs act as social mediators in mitigating collective trauma caused by conflict or eviction by reviving customary rituals and symbols of peace. In such situations, tribal chiefs employ traditional approaches that prioritize dialogue and deliberation to resolve issues. By holding community meetings, tribal chiefs can help individuals express their feelings and seek shared solutions, thus creating an environment conducive to healing and reconciliation. As stated by Mr. Syamsul Inay, "Tribal chiefs can also play a role in providing a space for communities to understand and address social trauma, such as in cases of family disputes or identity changes. For example, if a child is replaced or given to another family, the chief helps explain the process socially and culturally, ensuring that the individuals involved can accept and adjust to the change without feeling alienated." (Interview with Head of Tomu District, Tomu District, 20 November 2024)

Mr. Ismail Kaitam added, "The tribal chief acts as a bridge between the community and the government or companies, listening to complaints and seeking solutions to the problems faced by the community. In this case, the mediator provided takes the form of restoring relationships or resolving problems through communication and negotiation." (Interview with Chairman of the Youth Association, Tomu District, 20 November 2024)

The above statement relates to Teluk Bintuni Regional Regulation No. 1 of 2019, Article 11, paragraph (4), letters b and c, which emphasizes the role of customary institutions in communication and dispute resolution. In this case, the Tribal Chief acts as a mediator and healer, resolving conflicts and restoring relations among the community, government, and companies. This process reflects a resolution based on local wisdom to maintain balance and harmony in the Teluk Bintuni customary community.

This was confirmed by Mrs. Aisah Kaitam, "As tribal chief, he pays attention to the rights of his people, such as distributing compensation from companies and efforts to improve their quality of life, such as housing, access to clean water, electricity, and other things. This can be seen as a form of social therapy, where the tribal chief strives to improve the quality of life of his people." (Interview with Indigenous Community, Tomu District, 20 November 2024).

From an implementation theory perspective, this relates to socio-economic and cultural conditions as variables that influence policy success. If communities do not experience social recovery, policy implementation will be hampered due to decreased public trust.

3.3. Supporting and Inhibiting Factors in the Implementation of Teluk Bintuni Regional Regulation Number 1 of 2019

3.3.1. Supporting Factors in Implementing Teluk Bintuni Regional Regulation

The results of this study confirm that the implementation of Teluk Bintuni Regional Regulation No. 1 of 2019 is highly dependent on a combination of mutually reinforcing internal and external factors. Internal factors include customary legitimacy, full community support, and collective awareness to safeguard customary rights, which are the main foundations for the regulation's successful implementation. Meanwhile, external factors such as local government support, a

clear legal framework, and the involvement of non-governmental organizations (NGOs) are also crucial in strengthening its effective implementation.

In its implementation, the legitimation of strong leadership within the indigenous community becomes one of the main factors that support Teluk Bintuni Regional Regulation No. 1 of 2019. As Mr. Haji Aci Kosepa said, “My authority and ability to unite and lead my community support the success of my role as a bridge of communication with external parties...” (Interview with Sebyar Tribal Chief, Tomu District, 20 November 2024).

This statement is closely related to Teluk Bintuni Regional Regulation No. 1 of 2019, particularly Article 5(a) and (c) and Article 10(2)(b), which regulate the recognition of indigenous communities and the protection of their rights, including the right to development and access to basic infrastructure. These provisions emphasize the importance of ensuring adequate infrastructure to support the effective implementation of indigenous leadership roles in facilitating communication and coordination with external stakeholders.

Mr. Abd Rahman also claimed that, “The Chief of the Sebyar Tribe is deeply committed to the well-being of his community. His dedication to advocating for the rights of indigenous peoples—such as the right to land and natural resources—is a key factor underpinning his role in ensuring that the community’s basic needs are met...” (Interview with Indigenous Community, Tomu District, 20 November 2024).

This statement is linked to Article 3(b) and (c) Teluk Bintuni Regional Regulation No. 1 of 2019, which emphasize the importance of protecting the rights of indigenous communities as well as preserving values, norms, and local wisdom, and Article 10(2)(a) and (b), which regulate the role of indigenous communities in safeguarding and managing natural resources sustainably. Traditional structures that remain effective foster unity in decision-making and strengthen coordination within traditional forums and in communication with external parties. Collective support from traditional leaders and the community provides additional legitimacy for the tribal chief in carrying out his role. Thus, support from traditional figures and sustainability in customary structures can be a significant supporting factor.

Another internal factor is the Tribal Chief’s commitment to advocating for the community’s well-being, especially in defending their rights to land and natural resources. This commitment enhances the community’s trust in the tribal chief’s leadership and strengthens the tribal chief’s position as the representative of the indigenous community’s interests. Mr. Bilal Inay also stated,

“The traditional structure in Tomu District, Teluk Bintuni Regional, is still functioning well, where the tribal chief receives full support from traditional leaders and the community. This fosters unity in decision-making, making it more efficient and swift, and facilitates policy implementation and communication between the tribe and external parties...” (Interview with Traditional Figure, Tomu District, 20 November 2024).

In addition, the growing social awareness and educational levels of the indigenous community also support the role of the tribal chief. As Mr. Ismail Kaitam said, “In some ways, the rising levels of social awareness and education among the Sebyar indigenous community support the role of the tribal chief. They are more open to information and have a better understanding of the importance of customary

rights and collective interests...” (Interview with Chairman of the Youth Association, Tomu District, 20 November 2024).

This statement aligns with Article 9 Teluk Bintuni Regional Regulation No. 1 of 2019, which addresses the empowerment of indigenous communities in various aspects, including education and training. The community has become more open to information and better understands the importance of protecting customary rights and collective interests. This situation makes it easier for tribal leaders to mobilize community participation in various efforts to advocate for customary rights. This finding is in line with Piliang (2025), who emphasized the importance of cross-sector coordination in the success of policies, especially in regions with complex social and cultural dynamics such as Papua.

Externally, the implementation of the tribal chief’s role is also supported by local governments’ commitment to preserving indigenous communities and local cultures. Local governments support indigenous communities through community empowerment programs, infrastructure development, and social assistance to improve their well-being. This support strengthens the tribal chief’s position as a liaison between indigenous communities and the government in the regional development process.

Additionally, the role of non-governmental organizations (NGOs) active in the social sector and in protecting indigenous peoples’ rights is a crucial supporting factor. Collaboration between indigenous communities and NGOs strengthens communities’ capacity to advocate for their rights, particularly regarding customary land ownership and the management of natural resources.

On a broader level, growing international attention to the protection of indigenous peoples’ rights also provides moral and political support for their struggles. Various international programs related to environmental protection and social justice provide broader avenues for indigenous communities to advocate for their rights.

Within Van Meter and Van Horn’s framework (1975), these factors include resources and external environmental support that significantly contribute to the successful implementation of regional regulations. NGO support, for example, helps increase community capacity for legal advocacy, while the involvement of churches and religious leaders strengthens social acceptance of these regulations.

3.3.2. Inhibiting Factors in Implementing Teluk Bintuni Regional Regulation

The research also identified various inhibiting factors affecting the effective implementation of Teluk Bintuni Regional Regulation No. 1 of 2019, which are divided into internal and external barriers. The main internal challenge is limited infrastructure, such as poor road access and inadequate communication networks. This situation hinders effective coordination among the Sebyar Tribal Chief and related parties, including the government and other indigenous communities, thereby directly affecting the implementation of the regulation.

Mr. Haji Aci Kosepa said, “...limited access and communication often slow down the administrative process and implementation of customary governance based on regional regulations.” (Interview with Sebyar Tribal Chief, Tomu District, 20 November 2024).

Furthermore, the shift in values among the increasingly pragmatic younger generation has led to differing views from those of the older generation, who still adhere to traditional customs. Mr. Ismail Kaitam supports by stating, “Today’s younger generation is more focused on progress and practical solutions, making it

sometimes difficult to accept customary rules they consider outdated. This demonstrates a significant gap in perspective between us and our elders.” (Interview with Chairman of the Youth Association, Tomu District, 20 November 2024).

This creates unique challenges in maintaining social unity and the sustainability of regional regulations. Limited capacity in administration, negotiation, and public communication further exacerbates the difficulties faced by tribal chiefs in interacting with government bureaucracies and external entities such as corporations.

External factors also act as significant obstacles. Inconsistencies between regional regulations and central government policies create a misalignment in the protection of indigenous peoples’ rights, resulting in inconsistent customary governance practices. Furthermore, weak oversight by local governments contributes to low compliance with these regulations by relevant parties. Companies’ weak commitment to respecting local culture often triggers conflict and threatens indigenous peoples’ customary rights. Cultural communication difficulties arising from differences in values, language, and mindsets further hinder effective dialogue and negotiation.

Baharia Kosepa stated, “Companies often don’t understand the specifics of our customs, leading to conflicts that are difficult to resolve without good communication and strict supervision.” (Interview with Indigenous Community, Tomu District, 20 November 2024). This situation strengthens the theoretical foundation of [Van Meter and Van Horn \(1975\)](#), which highlights that weak internal resources and a lack of support and coordination across external actors are the main obstacles to public policy implementation. This also aligns with the findings of [Muhidin et al. \(2025\)](#), who argued that obstacles to policy implementation in Indonesia are caused more by limited infrastructure and weak coordination between institutions than by the proposed policy concept.

Therefore, strengthening the capacity of the Sebyar Tribal Chief through administrative training, negotiation, and public communication needs to be prioritized. Improvements in transportation infrastructure and information technology are also crucial to support coordination and oversight functions. Harmonizing regulations across levels of government, consistently enforcing oversight, and increasing corporate sensitivity and commitment to local wisdom must be strategic priorities so that Regional Regulation No. 1 of 2019 can be implemented effectively and sustainably, and provide real protection for indigenous communities in Teluk Bintuni.

4. Conclusion

This study confirms that the implementation of Teluk Bintuni Regional Regulation No. 1 of 2019 provides formal legitimacy to the existence of indigenous communities, particularly the Sebyar Tribe. However, its success is greatly influenced by the role of the tribal chief. The Sebyar Chief is not merely a symbol of tradition, but also a strategic actor who functions as:

- a. Customary policy formulator and negotiator in negotiations on customary rights, company compensation, and basic infrastructure development.
 - b. Mediators and communicators who bridge the community, government, and third parties, while maintaining social balance through conflict resolution based on customary mechanisms (fines, dowries, peace symbols).
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- c. Social therapists, namely those who strengthen cohesion and heal collective trauma through traditional rituals, cultural symbols, and deliberation as instruments of reconciliation.

This regulation strengthens customary governance by providing formal space for customary law, but its implementation faces supporting factors such as customary legitimacy, community support, synergy with the government and NGOs, and coordination between actors; and inhibiting factors such as limited infrastructure, shifting values among the younger generation, weak administrative capacity, regulatory inconsistencies with central policies, and low corporate commitment to local culture.

Within an integrated theoretical framework that combines governance theory, indigenous governance, and public policy implementation theory, the success of regional regulations is shaped not only by formal legal provisions but also by the interaction of institutional networks, social legitimacy, and socio-cultural conditions. Thus, the presence of tribal chiefs is a key actor in bridging formal regulations with customary practices, while ensuring that policies do not remain merely administrative documents but rather truly function as political-cultural instruments that protect customary rights and strengthen the sustainability of indigenous communities in Teluk Bintuni.

Based on these findings, several policy recommendations can be proposed. First, institutional recognition of tribal leadership should be strengthened within local governance structures to ensure that indigenous authority is formally integrated into policy implementation. Second, local governments need to develop mechanisms to integrate indigenous governance into regional policy frameworks, enabling customary institutions to actively participate in development planning. Third, clearer regulatory mechanisms are required to ensure corporate compliance with customary rights and local cultural values in resource management. Finally, capacity-building programs for customary administration should be developed to strengthen the administrative and negotiation skills of indigenous leaders in interacting with government institutions and private sector actors.

Despite its contributions, this study has several limitations. The research focuses on a single indigenous community, namely the Sebyar Tribe in Teluk Bintuni, which may limit the generalizability of the findings to other indigenous contexts in Indonesia. In addition, the study primarily relies on qualitative data from community leaders and local stakeholders, which may not fully capture broader policy dynamics at the national level.

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