

THE INTERNATIONAL JOURNAL OF BUSINESS & MANAGEMENT

Ethics of Defense Diplomacy in Constellation Post National

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Abstract:

The purpose of this paper is to analyze the relationship between countries in safeguarding the interests of multinational corporations as global capitalism. The state needs capitalist existence to increase revenues from natural resources, but strategy and management in accordance with the authority and rights of each country. The initial assumption that the superpower policymaker's way of keeping the hegemony visible between friend and enemy state is blurred. The Post national Constellation is within the scope of the study of international relations described by Jurgen Habermas, that globalization becomes an indicator of political decisions no longer a democratic country, but the media, human rights, and inter-state constellations are essential. In the perspective of a real democratic constellation between countries considered outside but determines the direction and existence of a country. With the Freeport Contract of Work system successfully exploiting the wealth in other countries independently, but when Indonesia passed the new regulation, the right that should be owned by Indonesia became open. However, Freeport's social and cultural efforts have forced Indonesia to consolidate and openness for Freeport's sustainability. The conclusion of this research is the Indonesian government strategy in opening the knot of natural control by consolidating various interests globally and maintaining the power of democracy can be a model of nationalization of multinational companies in the current era of globalization.

Keyword: Defence Diplomacy, post national constellation, colonialism, Corporate Multinational (CMN) and legality

1. Introduction

February 10, 2017 the Indonesian government announces the change in operating status of PT. Freeport Indonesia ((Multinational Corporate (MNC), Freeport)) from Contract of Work ((Kontrak Karya (KK)) status to Special Mining Business License ((Izin Usaha Pertambangan Khusus (IUPK)). The Freeport Party objected and will file it with the International arbitration body. The most crucial issue; Contract extension between PTFI and Indonesia, smelter development, divestment of shares and regime fiscal factors or state revenues. But since Barack Obama's arrival to Indonesia, it seems that the Indonesian government has special measures for Freeport. Beginning with a meeting of six ministers; Coordinating Minister for Economic Affairs Darmin Nasution, Minister of State-Owned Enterprises (SOEs) Rini Soemarno, ESDM Minister Ignatius Jonan, Minister of Home Affairs Tjahjo Kumolo, and Minister of Justice and Human Rights Yasonna Hamonangan Laoly, and led by Finance Meteor Sri Mulyani. Extension problems are possible; If Freeport's operational extension is done within 2 times 10 years, then from the end of the operation in 2021, Freeport may extend operations to 2041. The first extension is in 2021-2031 and the second phase of the year 2031-2041.

In the international political economy, there are essentially three schools of conflicting philosophy; liberalism, nationalism, and protectionism-marxism. With these three approaches society is understood and designed.¹ Jenny Edkins tries to detail the flow in politics by reading the thinking of 32 eminent philosophers with the classification of critical thinking; Marxist and Post-Marxism, Frankfurt School, Hermeneutics, Phenomenology, Postcolonialism, Feminism, Critical Theory, Post-structuralism, Pragmatism, Realism and Psychoanalysis.² In the interaction of global discourse efforts to protect nationalism in ways of protectionism will be difficult to develop. Totalitarian has been shown to erode the essence of humanity, and nothing survives like the Soviet Union and the Middle East emporium. China goods exceptions but after so long shut down finally China became a fertile place for investment capitalists.

Postcolonial countries like Indonesia that claim to be free from colonialism can be said to be totally free from foreigners, even to the use of self-financed money as what the IMF does. Whereas related to the utilization of Natural Resources (SDA) in accordance with the constitution that never changes in paragraph (3) Article 33 of the 1945 Constitution reads 'Earth, water and natural resources contained therein are controlled by the State and used for the greatest prosperity of the people.

¹ Eklundh, Emmy, (1989) Högsta prioritet Värdegrunder i EU: s handelspolitik, Lunds universitet STVK01 Statsvetenskapliga institutionen

² Edkins Jenny (edt.), Teori-teori Kritis Menantang Pandangan utama Studi Politik Internasional, (terj. Teguh Wahyu Utomo) 2010, Baca, Jogjakarta-Surabaya.

The progress of the nation cannot rely on any country, but by closing itself is a mistake. Progress and prosperity of a nation is closely related to the success of the country in managing the economy, surplus in the trade between them. It is important to build cooperation with other countries, and the cooperation builds a mutually beneficial culture with each other becoming the country's extra strength so as to build a national constellation. For in the past several years the western and eastern blocs have been constructing a nearly static constellation model, the Indonesian states that call non-blocks is difficult to say if a period does not exclude the block between the conflict.

Power is not only military and economic but the power of soft power. Terminology 'Soft power' was first invented by Joseph S. Nye, almost wanting to mention the equivalent of 'smart power. The relation between powers determines the direction of a gentle leader's decision, not roughly the original term Soft power. Guided by softpot root consists of the word 'soft' which can be simply interpreted as 'soft' and 'power', i.e. the ability to control others to be directed in accordance with the wishes and interests of the State itself, whereas the bias alone is against their rules or The wishes of others. ('An ability to do things and control others, to get others to do what they otherwise would not').³ Thus soft power bias is understood as an ability or capability of a state or non-state to influence the behaviour and decisions of other countries with gentle not with war or economic calculation 'Soft power is the ability to get what you want through the attraction rather than through coercion or Payments'.⁴ Efforts that are found a lot of cultural issues, politics, education and things that are influential. Josef Nye's general framework can be illustrated;⁵

	Behaviours	Primary Currencies	Government Policies
Military Power	coercion deterrence protection	threats force	coercive diplomacy war alliance
Economic Power	inducement coercion	payment sanctions	aid bribes sanction
Soft Power	attraction agenda setting	values, culture, policies, institutional	public diplomacy bilateral and multilateral diplomacy

Table 1: Josef Nye's Framework in Understanding the Behavior of Relations of Interests between Countries

Issues related to the issue of the impact of globalization, especially America as a super power state protect Freeport, but will be limited the problem of legal crisis as the implications (involvement) of America and the Allies in safeguarding the interests of Freeport. For that reason, this research problem can be formulated; How is the Government of Indonesia's strategy to restore the sovereign rights of natural resources management in accordance with Article 33 of the 1945 Constitution. Practically the strategy of the Ministry of ESDM and the Department of Foreign Affairs of Indonesia in maintaining the rule of law in Papua, especially the problem of 'natural wealth control' in the face of post national contemplation, and how manoeuvring by Freeport and related parties including the United States and its allies protect their interests so as to ruin the appropriate Crisis Management model in Indonesia's foreign coordination and diplomacy as a solution in facing post national constellations from the perspective of Defense Diplomacy Thus the main objectives of the study To find a model of legal formation as part of defence diplomacy. Since the subject matter is in the interests of various parties, it is important to understand the objectives, ways and efforts of the parties. For that purpose, this research can be formulated. Internally, this study evaluates the Indonesian Government's strategy to restore the sovereign rights of natural resources management in accordance with Article 33 of the 1945 Constitution. Practically the strategy of the Ministry of ESDM and the Department of Foreign Affairs of Indonesia in maintaining the rule of law in Papua, in particular the issue of 'control of natural resources' in Facing post national contemplation.

The significance of this research is the offer of methods in solving the problem of foreign relations in the era of post-national constellation. Understanding the Freeport legality crisis is not understood within the normal legal framework, so it is deemed relevant to Crisis Management. Steps and models can be understood in terms of crisis management. This is not enough, but must be understood in the framework of defending the Unitary State of the Republic of Indonesia, the nation's calibration, so that the model and the steps can be tested from the perspective of Defense Diplomacy.

2. Literature

The study of 'defense diplomacy' in the academic world in the west emerged after the cold war, when it wanted to distinguish it by the term 'military diplomacy'. If in military diplomacy it focuses on the perpetrators only the military and military means as well, while there are state missions with certain intentions will actually be more effective by involving non-military or in a soft manner even done by the military. This view arises when military diplomacy missions do not always contribute to improving strategic confidence and improving relations between and between countries, so that military diplomacy is seen as failing to achieve a strategic mission for the state. For that Gregory Winger proposed more specific arguments for defense diplomacy, with the starting point on the question of how countries pursue their interests in international affairs and then turn to the idea of defense diplomacy. This approach according to Winger not only solves the conceptual problem of defense diplomacy, but also formally bridges the gap between the use of non-violent military force for imaging, maintaining good relations with the community and international relations. The proposed new

³ J.S. Nye, Jr., 'Soft Power', dalam Foreign Policy, Twentieth Anniversary, No. 80, Autumn 1990, p. 154

⁴ J.S. Nye, Soft Power and Higher Education, Harvard University, 2008, p. 11

⁵ J.S. Nye, Jr., ibid. p.31

definition of intellectually coherent not only accurately captures defense diplomacy as it is currently practiced, but also describes the underlying mechanisms that underpin it.⁶

Yuk-fai Fong and Jin Li's research entitled 'Relational contracts, limited liability, and employment dynamic' illustrates the relational contract model. In this contract model that the agent is protected by the limitation of limited liability. The agent's efforts are to manage the information and affect the output significantly. Fong characterizes the optimal relational contract and compares the dynamics of the relationship with it under an optimal long-term contract. Under the optimal relational contract, the relationship tends not to persist, and the relationships remain less efficient. In addition, the relationship always converges to a stable state under an optimal long-term contract, but can rotate between different phases based on an optimal relational contract.

Although this research does not speak Freeport but can help to understand that Freeport is in the context of being an agent, therefore the Fong explanation between the optimal contract and the optimal long-term contract is important. Where the inability of the principal to engage in relationships tends to make unsustainable and alter the long-term outcomes of extant relationships. While the total reciprocal surplus between Freeport and Indonesia can make a lasting relationship under an optimal long-term contract, it always meets the best first in the long run, it can fluctuate under the optimal relational contract.⁷

David Held's research in Democracy and the global order, explains Habermas's view that since cosmopolitan countries will overcome the decline of the nation-state. In this case it is up to civil society to mobilize internationally to establish conditions for global social integration, the basis of 'cosmopolitan democracy through Post national Constellation The future of democracy' is one of three Jürgen Habermas texts published in a book entitled Constellation Post Nation, Jürgen Habermas questioned the future of the nation state, especially those of democracy in the face of globalization. However, to better understand how the post-national constellation, globalization better influence the democratic legitimacy of the UN at Habermas, our thinking will be structured around three major parties. In the first section, we will briefly present the design of 'Habermas' of the nation-state, and in the second part we will explain how globalization affects the security of the law, the efficiency of the nation state and resulting in a democratic deficit, and finally in the third part we will present solutions Different from that suggested by Jürgen Habermas to the new situation of democratic processes that developed outside the nation-state.⁸

Military management in the eastern world is softer and populist from the beginning, understanding the people as a force, guerrilla doctrine as a basic military doctrine. The Sun Tzu book entitled '*Art of War*' and Book General A.H. Nasution '*Guerrilla Principles*' became the world's reference to date. According to See Seng Tan military strategy by winning battles without battle is the highest science of war taught Sun Tzu. Currently, military diplomacy consists of various activities carried out bilaterally and multilaterally. Military diplomacy is used to promote friendly inter-state relations, build transparency and trust with even rival nations, professionalize and develop democracy within the responsible armed forces, and reward and strengthen the ongoing democratic transition.⁹

For that reason, practically for Indonesia, defence diplomacy is intended to maintain good relations with non-violent communities, not new tasks. TNI was born different from many countries, born from the people and developed with the people. In practice, the TNI is formed from the beginning with two lines, namely the command line and the territorial line. For command lines it may be intended with pure militans, with the doctrine of 'kill or kill' so that they look harder. Another with territorial troops, or their Territorial Pembina (Binter) from scratch prepared to nurture the community and serve to do the raising. One of the 8 (Eight) Obligations in the TNI doctrine is 'to be an example and to pioneer efforts to overcome the difficulties surrounding people'. With the doctrine of the TNI is seen as sticking and at the same time become a leader in the community.

Defense Diplomacy becomes the current trend of military activity. Indonesia since the Soesilo era Bambang Yudhoyono has had a training coaching area at the 'Indonesia Peace and Security Center' in Sentul, West Java. Multilateral cooperation activities at the United Nations appear to be more dominant in addition to bilateral activities. The most prominent activities in the area are peacekeeping, peace enforcement, promotion of good-government, state defence education (Defense University), natural disasters, terrorist handling and so on. Defense diplomacy involves not just soldiers and government, but non-state intellectual actors are involved. At the University of Defense, the minds of the students are many from civil society and activists, as well as their teaching staff so that civil and military mingle and process openly and collectively. In this case lies the difference between military diplomacy and military domination only, while defence diplomacy involves society at large.

According to Andrew Cottey and Anthony Forster the activities of Defense Diplomacy include; Bilateral and multilateral contacts between the senior military and civil defence officials, Promotion of defence abroad, Bilateral defence cooperation agreement, Training of foreign military and civilian personnel, Facilitating experts to exercise democratic control over armed forces, military defence and technical management, Contacts and exchanges between military personnel and units, and ship visits, Placement of military or civilian personnel within the defence ministry of

⁶ Gregory Winger, 'The velvet gauntlet: a theory of defence diplomacy', Institute for Human Services [website], available at accessed 1 April 2017.

⁷ Yuk-fai Fong dan Jin Li (20017) dengan judul 'Relational contracts, limited liability, and employment dynamic Journal of Economic Theory 169 p. 270-293

⁸ David Held, Democracy and the global order, Stanford University Press et Cambridge, Polity Press, 1995, p. 267-287

⁹Tan, See Seng, (2016) Op. Cit, hal 596

partner countries or armed forces, Distribution of training teams, Provision of military equipment and other material assistance, and Bilateral or multilateral military training for training purposes only.¹⁰

Much can be done in military cooperation in the context of defence diplomacy. The next question what is the war of diplomacy in the face of the current war? Seeing the phenomenon of war in the Middle East and the activities of North Korea the world is currently in anarchy state, where countries are responsible for protecting and promoting their own interests. The challenges in the self-help world are largely as follows: After identifying the results that best suit the interests of their respective countries. Although countries may have similar or similar interests, the unique characteristics of each country, such as the Hans Morgenthau notices, result in different agendas that often conflict with one another. In international relations, the ability to get others to do what we want is called power and legislation is the process by which a state has the power to shape the behaviour of others in a way that benefits its interests. However, by stating that power is the ability to produce the results we want in the affairs of the world by getting others to do something that they otherwise do not raise questions about how work forces or forms are needed. Joseph Nye has developed the concept of strength and identified the variants and modes in which they are applied in his book; *Bound to Lead: The Changing Nature of American Power*. (1991), *Soft Power: The Means to Success in World Politics*. 2004, and 'Think Again: Soft Power,' *Foreign Policy* (2006). Nye identifies three types of particular powers: a) Military Forces, b) Economic Strengths, and c) Soft Power. Each of these three forms of power represents a unique mechanism that allows one state to shape the actions of another.

Of the three, military power is the most established and involves the use of pressure to force governments to be subject to the will of other countries. Syria's willingness to surrender chemical weapons to prevent American air strikes is a good illustration of hard power because it is a threat of a military attack that forced Syrian President Bashar al-Assad to surrender chemical weapons. Economic strength is the ability to provide compliance incentives by offering some form of reward to a country for its support. For example, since the end of the Chinese revolution in 1949, the People's Republic of China and the Republic of China (Taiwan) have used economic aid in their competition to be recognized as a legitimate Chinese government. Pacific Nauru countries, for example, have repeatedly shifted between recognizing Beijing and Taipei by factions that offer a larger economic aid package (see, Dorling).

Among the three forms of Nye power, soft power is the vaguest and the most difficult to recognize. The soft power depends on the concept of co-option and the ability to convince a country and its leaders to do what the other country wants. Through elements such as the appeal of the state idea or its cultural strength, it is possible to shape the thinking of other governments in a way that produces a favourable outcome for a country.¹¹

Since Nye first proposed this concept of three-headed power, an unfortunate rule of thumb has developed the relationship of each version of power with a particular resource. Rather than focusing on the mechanisms of each form of power, the term has been used as a synonym for the aspects of the country most easily identified by individual practice. Hard rule has ceased to be an independent concept but has been identified with military use. For their part, economic power has been linked to financial resources and soft power to cultural influences or popular opinions.

Two of the most influential contemporary approaches to international relations are neorealism and neoliberalism. The debate between the two approaches has dominated many theories of international relations in the last decade. It is now commonplace for an article on some aspects of the international theory of relationships to begin by placing itself in terms of this debate. These two approaches and the debates among them have failed to contribute as much as they may have to the theory of international relations. This approach has serious internal weaknesses and limitations that neorealist and neoliberal debates often tend to be clear not to clarify. Having clarified our weaknesses and limitations, we will be able to see some important directions for future theoretical work.¹²

Neorealism is the development of a balance of power (or 'realist'), the theory of international relations first revealed by Kenneth Waltz in 1975 and 1979. Waltz also said that countries are usually and gradually socialized to accept the view that power must be balanced. You never know when the revisionist state appears on the international stage. Lack of proper socialization - the lack of recognition of the risks out there and the right way to deal with risks - can have disastrous consequences for national security. This is not to say that countries are automatically socialized to behave wisely; It does not mean that they automatically learn from themselves or the mistakes of others.

It is distinguished from older theories especially from the more explicit theoretical and exploratory aspects, which, in so much the economic style, in particular the comparative comparison of political consciousness with great power to dominate the market is oligopolistic in the nature of international relations. Neorealism is also called 'structural realism,' and some Neorealist writers sometimes refer to their theories simply as 'realists' to emphasize continuity between themselves and the older view. The main theoretical claim that in international politics sees war is a possibility at any time. The international system is seen as justification and always anarchic. While norms, laws and institutions, ideologies, and other factors are recognized as affecting the behaviour of individual governments, neorealists usually insist that they do not alter the central role that war plays in international politics.

¹⁰ Lihat dalam Weng, Woo Hon, *Soft Power of Defence Diplomacy: A New Approach in Engaging Myanmar*, Draft Paper for presentation at the International Symposium on Myanmar: 2010 Elections and Beyond sponsored by the University of Hong Kong, Yunnan University and the Konrad Adenauer Stiftung, Hong Kong, 23-25 June 2010. hal.14

¹¹Winger, Gregory, *The Velvet Gauntlet: A Theory of Defense Diplomacy*

<http://www.iwm.at/publications/5-junior-visiting-fellows-conferences/vol-xxxiii/the-velvet-gauntlet/>

¹² Powell. Robert, (Spring, 1994), *Anarchy in international relations theory: the neorealist-neoliberal debate*, by Robert O. Keohane; *Neorealism and Neoliberalism: The Contemporary Debate*. by David A. Baldwin Review by: Robert Powell International Organization, Vol. 48, No. 2 pp. 313-344 Published by: The MIT Press Stable URL: <http://www.jstor.org/stable/2706934>

In that case war will not happen because the balance goes on? It appears that the question is defended by Neo Realism. Contrary to what some people seem to believe, Neorealism is not a theory that goes around predicting wars here and there, and wars everywhere. Neorealists will say, war happens if they continue to disrupt the international system from time to time. The basic source of war and peace - the permissive cause of war and peace that are exactly two fundamental elements of the structure of the international system: anarchy and power distribution.¹³

If viewed comparison with European countries also does not change in the characteristics of the ancient royal government in the EU, and everything in between-influences the underlying logic. This theory is intended to concentrate on how the 'international structure' signifies especially the distribution of capabilities, especially among the leading forces-form forces. It also sometimes treats weapons technology (i.e., possessing nuclear weapons) as a 'systemic' property which is seen as quite important. This can be useful distinguished from the so-called 'classical' realist theory with some ideas that highlight: the complete and continuous anarchy claims; Government as pursuing (at least in some versions of theory) relative to the amount of profit; Natural selection of state or alleged governmental concerns (in other versions) for survival as the ultimate referee of wise policy choice. This is of no relevance to small countries; And international law and institutions as epiphenomena of the desire of great power (they influence the behaviour of the nation-state, but only because great power uses them to do this). However, the distinction between neorealism and realism, and even between neorealism and aspects of liberal and constructivist thought, is almost unclear. An attempt to teach us about the differences between, for example, the realism and will of neorealism. In this research would like to mention the theory of Post national Constellation is a continuation or branch of Neorealism.

Norma, on the other hand, allows a critical evaluative statement about the justifiability of the (existing or proposed) norm-that is, about the redeemability of a validity-claim. Could be justified norm is like the correct sentence; They are not facts and values. The Following scheme sums up our discussion.

Humanitarian sovereignty and intervention is a claim of the relationship between human rights and security as part of the growing support for humanitarian intervention, to which the International Commission on State Intervention and Sovereignty has been described as 'military intervention for the purpose of human protection' (The Responsibility to Protect, Report of The International Commission on Intervention and State Sovereignty. Ottawa: International Development Center, 2001.). Humanitarian intervention involves the use of military force to provide assistance to persons whose improper political, economic and social conditions may be considered an activity designed to promote human rights. However, no international human rights treaty authorizes the use of force to implement it. (Sam Makinda, 2005, 449) Requires Accountability and Civil Society, with the scheme below;¹⁴

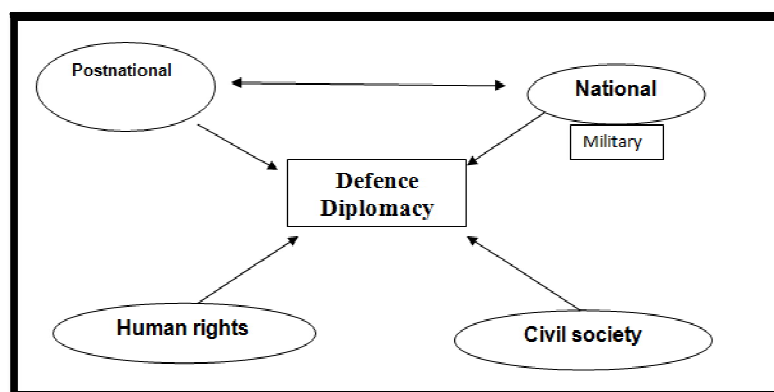


Figure 1: Ethics in Defense Diplomacy, the Balance of Values in Decisions

3. Methodology

Research with hermeneutical analysis approach, reviewing text and secret in the text. The focus of research as the subject is the government as the party making the regulation. The object of research is Freeport, the party who bear the consequences of the Government's decision. Freeport's rights and efforts in dealing with the Indonesian government's decision. Techniques of collecting data through internet and libraries to obtain documents. Interview, undertake deepening, confirmation and opening up the goals, intentions and approaches used in making the rules and. Survey with direct observation to clarify explanation about the emergence of the regulation and its implementation in the field.

4. Discussion

Politics does not help much in achieving the state's goals in social and economic policy. Diplomacy when interpreted in the classical look overlapped with foreign culture or policy. In fact, negotiations within the International sphere are crucial to solve the problem, the fundamental differences between foreign and domestic policies are increasingly blurred. (Habermas, p.71) The Legal Crisis in post national constellations is illustrated in problem solving;

¹³ <http://www.popularsocialscience.com/2013/11/06/neorealism-in-international-relations-kenneth-waltz/>

¹⁴ Modification from; Hoekmann, Bernard M. - Kosteci, Michel M. (2001): The Political Economy of the World Trading System - the WTO and beyond. Great Britain: Oxford University press., p.17

Security, the rule of law, the effectiveness of state administration, sovereignty over the territorial, collective identity, and democratic legitimacy of the nation-state. (Habermas, Post national Constellation).

Defense Diplomacy Model by deepening the strategy (goals, ways and efforts) of various parties (konstruktif). There is a Legal Contradiction in the Papua Special Autonomy Law; Article 6 (6) An international agreement made by the Government relating solely to the interests of the Papua Province shall be exercised upon the consideration of the Governor and in accordance with the laws and regulations. The legitimacy crisis is the result of the need for legitimacy arising from changes in the political system (even when the normative structure remains unchanged) and which cannot be satisfied by existing legitimacy. The regional crisis encourages, is the result of changes in the socio-cultural system itself. The deficit of rationality in public administration means that the state apparatus cannot, under certain circumstances, adequately direct the economic system. The legitimacy deficit means that it is not possible by the administration to maintain or build effective nonnative structures to the extent necessary.

During capitalist development, the political system shifts it not only into the economic system but also into the socio-cultural system. As organizational rationality spreads, cultural traditions are undermined and weakened. The residue of the tradition must pass from the administrative grip. Important traditions for admin legitimacy cannot be regenerated. Furthermore, the manipulation of the cultural administration of the problem has unwanted side effects that give rise to meanings and norms previously established by tradition and included within limits. The condition of the political system to be projected openly. In a way, the scope of the discursive will develops.

Relations between countries are determined by the leaders of the country concerned. When a head of state takes a decision, it may be contrary to his own domestic rules for that purpose we are confronted with the relationship between the state beyond the existence of the state itself or by Jurgen Habermas mentions through his book *The Post national Constellation*. This book can serve as a basis for understanding the phenomenon.

The main issue in *The Post national Constellation* is to respond to an uncertain situation, full of ambiguity whereas if the democratic process of legitimizing and securing the nation-state, there is no structure outside the state or market mechanism, but the collective process itself that will provide it. Bureaucratic initiatives and market dynamics may succeed in facing some of the harshest crises arising from the modernization process. But only the effective sovereignty of the people into transnational communications networks, in interconnected public spaces, in the cooperation of non-state organizations, in popular political movements with the global outlook - will be able to produce a broad and powerful enough mode of legitimacy to enable transnational, regime Regional, and global politics to implement binding decision politics and enforce binding social policies. Social solidarity, in other words, who likes or not only who is adaptable who can survive. In a certain perspective the nation-state, will have to take further 'abstractive steps.' Unlike both for state administration and for global markets, solidarity will have to emerge as a truly cosmopolitan phenomenon; A sense of global responsibility and a shared commitment to inclusion and participation should develop in an effective manner the citizens of the world, if democracy is to survive the collapse of the nation-state.

When Indonesia will issue Law No. 4 of 2009 on Freeport Mining and Coal shares, the stock drops to the lowest point, as these investors understand the difficulties of the company, but when the law is passed and run normally the company shares go back up and down again when The Government shall issue Government Regulation Number 1 of 2017 The Fourth Amendment to Government Regulation Number 23 of 2010 concerning the Implementation of Mining and Coal Mining Business Activities, among others Contract of Work holders, is obliged to change into a Special Mining Business License (IUPK). Although the cause of falling stock prices is not just a matter of regulation but set.¹⁵ Pascanasionalisme refers to the criticism of the concept of the nation as the principle of organizing the center of modern political identity and government. According to pascasarationalism, the category of nations is sufficient to describe the basics of political identity or the state government no longer. In a post national context, it becomes necessary to move beyond the notion that a homogeneous national identity is a natural integrating factor of modern political society. Furthermore, pascanationalism questions the idea that the sovereignty of a nation-state is indispensable to the order of international affairs and the functioning of the domestic government of law.

Pascanasionalisme or non-nationalism is a process or trend where nation states and national identity lose their importance relative to the supranational and global entities. Although postcationalism is not entirely regarded as an antonym of nationalism, two related terms and assumptions are antithetical as pascasarationalism is an internationalist process. There are several factors that contribute to aspects of post nationalism, including economic, political, and cultural elements. To be understood if the Government of Indonesia is facing the interests of Freeport who want to as much as possible then America and its allies are understood. Britain protects rebels or leaders of the Free Papua Organization (OPM), Australia provides facilities for American military bases closest to Papua. Consequently, the Constitution of the 1945 Constitution, embodied in the Minerba Act and Government Regulation No. 1 of 2017, becomes disrupted in its application.

While politics and the military do not guarantee the success of the State capitalist in the expansion of resources, it is difficult to separate the success of each step separately. Even though Obama is no longer the President of the United States, his existence is not biased that he is the leader of the superpower. Magnetic-to-Indonesianism Obama is increasingly not placed as a respected person by the American people themselves. Suppose Obama is not a President, then Indonesia he is just as a sister Maya child of Lolo Sutoro son of Indonesia. To be able to illustrate the success and blessing used every step taken;

¹⁵ Habermas, Jurgen, (2001) *The Post national Constellation Political Essays*, The MIT PresCambridge, Massachusetts,hal. xiv

Level	Purpose	Approach
Economic	Security and Certainty	Military and Law
Formal	Respect	Diplomacy
Ethics	Satisfy	Cultural

Table 2: Ethics Are Independent of Military Intervention, Culture or Outside Forces

5. Conclusions

Capitalism with all its ability can do what it wants, only possible ethics can limit it. Through democracy and human rights, capitalists are able to break through the countries of protectionism. In the era of globalization, post national power becomes an alternative to a country's power outside and after democracy. The shift in strategy from hard power to soft power became the focus of defense diplomacy studies. The power of a state in support of capitalist interests is seen in bilateral and multilateral diplomacy activities. Freeport is synonymous with American corporations, but operates in many countries and shares are sold open so Freeport can be called a multinational company. The interests of the state of the perpetrator and the state of the country become one in an interest.

The Indonesian strategy begins by issuing the highest regulation, namely Law No. 4/2009 on Mineral and Coal Mining, and Government Regulation No. 1/2017 on the Fourth Amendment of Government Regulation No. 23/2010 on the Implementation of Mineral and Coal Mining Business Activities as a sign of the will of the people and the seriousness of the government. To anticipate the movement of people who do not agree the government approaches the community through economic, social and cultural approaches. On the other hand, the Indonesian government has also shown independence by approaching various countries openly.

Strategies undertaken by the government of Indonesia can be modeled in order to uphold sovereignty over the control of natural resources by multinational companies. Post national constellation approach through broad public opinion and democracy is a solution in strengthening legality or legal certainty for multinational corporations and the sovereignty of the state remains upright.

6. Suggestion

The State of the Research succeeds in proving the strategy of a finite capitalist problem in utilizing the state. Further research that will dating can be done otherwise; How the state exploits the capitalist in enhancing the power of the state. In this case Indonesia will be interesting if associated with the type of ruler because there is a possibility that the leaders have their own visions in understanding capitalism, so as to describe the Ethics of a country in exploiting capitalism.

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