

Communitarian Observations

I often write about rather different matters, but in my mind they all deal with one core question: the guidance our shared values, especially the common good, provides to our public policies.

Announcements

This Sunday, November 17, public television stations in the United States and Voice of American will air a segment of the [White House Chronicle](#) on the subject of Mutually-Assured Restraint (MAR). Panelists featured will include Jeffrey A. Bader, John C. Whitehead Senior Fellow in International Diplomacy at the Brookings Institution, who served for the past four years at the White House on the subject of China policy; Robert Daly, Director of the Kissinger Institute on China and the United States at the Wilson Center; and myself. If you wish to see the episode but miss the Sunday airing, a copy of the video will be posted shortly on the [ICPS website](#). (For more information, see "[Who Authorized Preparations for War With China?](#)" and "[Accommodating China](#)" at the ICPS website.)

From My Diary

When I wrote "[Who Authorized Preparations for War With China?](#)" I was unaware of the following conversation that took place between two senior White House staffers and the chairman of the Joint Chiefs of Staff, Martin Dempsey. A staffer told Dempsey to tell the generals to shut up, "how do you think this [ASB] looks to the Chinese?" Dempsey is said to have nodded in agreement. Ever since then, the Pentagon began saying that it is not "useful" to talk about ASB. More importantly, the second staffer told Dempsey that the whole thing makes no sense because if you come to the Oval Office and ask the President to strike Xiang, "do you think the President will agree?" Dempsey responded that he would not want to ask the president. So why is ASB leading to billions of dollars of hardware purchases and restructured forces? Read a [recent editorial](#) in the *New York Times*; it calls for cutting the defense budget now that we are done in the Middle East. If the military is to keep its bucks, it needs a new enemy. It has plenty of help from the industry that makes the stuff; the industry argues that we need to be prepared to fight China. Unfortunately, such preparations often end up evoking counter moves, which lead to the war no one wanted. To see how this happens, see the great book by Margaret MacMillan, [The War That Ended Peace](#).

"If you want to walk fast, walk alone. If you want to walk far, walk together." (Proverb from Burkina Faso, courtesy of Oren Etzioni)

The many years God, my mother's genes (she lived a bit longer than 100 years), and clean living gave me some 5,000 published articles. However, I get my share of rejection slips. Most recently, the *New Yorker* refused to publish a correction I sent their way. In response to an article written by Ari Shavit entitled "[Lydda, 1948](#)," I wrote:

“Your statement, ‘In Israel’s first months, large Arab cities emptied as inhabitants were forced to flee’ is untrue (nor does the text of the article so claim or support). I was a Pal Mach fighter at the time, including in the area around Lydda. Many Arabs left because they assumed, for good reasons, that Israel would be finished within days, and marked which Jewish houses they would occupy on return. Others fled the crossfire. And still others—a few—were forced out. Moreover, like you and me, they had mixed motives: greed in the morning, fear in the evening, and both in between.”

Short Pieces

“The P5+1 (i.e., the five permanent members of the Security Council plus Germany) are about to respond to Iran’s hour-long presentation about how it plans to come clean about its nuclear program. The P5+1 should not respond by trying to justify the proposal Iran puts forward; rather, it should suggest that Iran follow the model just agreed to by Syria. Just as Syria was given only a few weeks to turn over a full list of its chemical armament sites and their contents, Iran should agree to provide in very short order a list of all the sites in which it is processing material for nuclear programs and other related activities, including details about how many centrifuges each site contains, lists of the locations of Iran’s stockpiles of enriched uranium, and details on the amount of uranium stored in each and so on. If Syria could put such a list together within days covering some 45 sites, some of them in rebel-held territories, while entangled in a civil war—then Iran providing a list of a much smaller number of sites during a peaceful period should be a cake walk.” (Read more of “A ‘Syrian’ Approach—to Iran” at the [ICPS website](#).)

“President Obama’s opening position in forthcoming budget negotiations includes a commitment to cut into the two major social-safety nets, Social Security and Medicare. Obama has already moved well beyond stating he is willing to sacrifice the inviolability of what those on the right pejoratively call ‘entitlements.’ The president’s budget calls for reducing Social Security benefits by rejiggering the way inflation is calculated, switching to a new measure called chained consumer price index, or chained CPI.” (Read more of “Why Is Obama Ready to Fold in Budget Talks?” at the [ICPS website](#).)

“Amnesty International has just issued a report that is highly critical of the use of drones by the United States. Its main concern is the great number of civilian casualties that these strikes cause—the so-called collateral damage. There is considerable disagreement among observers about the extent of these casualties. Amnesty International relies on local people, who, as the report discloses, are keen to call attention to them. Whatever the actual number, though, they deserve careful consideration.” (Read more of “In Defense of Drones” at the [ICPS website](#).)

“Riding an Amtrak train from Washington D.C. to New York City, Michael Hayden was giving interviews to reporters using his cell phone regarding national security related matters. In three different conversations, the former NSA head voiced numerous criticisms of the Obama administration, including the president’s use of a Blackberry, which he believed left the president vulnerable to foreign spying. These criticisms were

supposed to be anonymous, with Hayden requesting that he be identified as a former senior administration official. Others overheard the conversations and tweeted about them. On the same recent day, photos surfaced of Maryland's Attorney General and gubernatorial candidate, Douglas F. Gansler, apparently turning a blind eye to underage drinking during his son's senior beach party. Gansler found himself facing charges of hypocrisy given his official capacity of preventing law-breaking. Michael Chertoff, the former head of the Federal Homeland Security Department, used these examples to ask 'Where does this lead us? If a well-known person has an argument with a spouse or child at a restaurant, should it be broadcast? If a business personality expresses a political opinion at a private party, should that opinion (or a distortion of it) be passed on to the rest of the world?' He concluded by wondering if we "Are we creating an informant society, in which every overheard conversation, cellphone photograph or other record of personal behavior is transmitted not to police but to the world at large? Do we want to chill behavior and speech with the fear that an unpopular comment or embarrassing slip will call forth vituperative criticism and perhaps even adversely affect careers or reputations?" The answer to these questions, by and large, ought to be: What you see here is that the social media is restoring a measure of the informal communal pressures that long kept civil societies—civil." (Read more of "It Takes a Village to Prevent a Crime" at the ICPS website.)

Long Pieces

If you read only one of my articles this and next year, I hope it will be this one! "A privacy doctrine built for the cyber age must address a radical change in the type and scale of violations that the nation—and the world—face, namely, that the greatest threat to privacy come not at the point that personal information is collected, but rather from the secondary uses of such information. Often cited court cases, such as Katz, Berger, Smith, Karo, Knotts, Kyllo—and most recently Jones—concern whether or not the initial collection of information was legal. They do not address the fact that personal information that was legally obtained may nevertheless be used later to violate privacy. That the ways such information is stored, collated with other pieces of information, analyzed, and distributed or accessed—often entails very significant violations of privacy. While a considerable number of laws and court cases cover these secondary usages of information, they do not come together to make a coherent doctrine of privacy—and most assuredly not one that addresses the unique challenges of the cyber age." (Read more of an advance copy of "A Cyber Age Privacy Doctrine: A Liberal Communitarian Approach," to be published in *I/S: A Journal of Law and Policy for the Information Society*, at [SSRN](#).)

New Endorsements

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