

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.

Events and Announcements

On September 8, Jeffrey Sachs conducted a day-long international workshop at Columbia University to discuss the annual World Happiness Report issued by the Sustainable Development Solutions Network and the Earth Institute at Columbia University, at which Amitai Etzioni presented a paper on what it takes to live "[The Good Life](#)." Chapter 5 of the Happiness Report—"[Restoring Virtue Ethics in the Quest for Happiness](#)"—is of particular note to communitarians as it holds that "a renewed focus on the role of ethics, and in particular of virtuous behavior, in happiness could lead us to new and effective strategies for raising individual, national, and global well-being." The report confirms that happiness is not necessarily predicated on achieving the standard of consumption lauded in the "developed world," nor does having more necessarily mean happiness will result. As Amartya Sen has rightly [pointed out](#), "The grumbling rich man may well be less happy than the well-contented peasant," even though the rich man enjoys more material goods than does the peasant.

On September 12, Amitai Etzioni will be presenting his paper, "[The Kennedy Experiment Revisited](#)," at a panel discussion at the United Nations in commemoration of President John F. Kennedy's final address to the U.N. General Assembly on September 20, 1963.

[The Society for the Advancement of Socio-Economics](#) (SASE) will hold its 26th annual conference in Chicago on July 10-12, 2014. The Communitarian Network Section is inviting proposals for paper presentations. The theme of the conference is, "The Institutional Foundations of Capitalism," and its description can be found [here](#). Please submit papers to icps@gwu.edu.

Communitarian Updates

The communitarian community lost one of its giants with the [passing of Robert Bellah](#); he was a great scholar and colleague, and one of the drafters and original endorsers of the [communitarian platform](#).

Original endorser of our platform, Prof. John C. Coffee, of Columbia University, [resigned](#) from a task force charged with improving financial regulatory policy including the Dodd-Frank Wall Street Reform and Consumer Protection Act, citing ethical concerns. "The Task Force has been bipartisan in terms of political parties [...] but it was not bipartisan in terms of the critical division in Washington: The financial services party and the reform party. [...] I just felt that whether they were Democrat or Republican, the people I was dealing with were professionally engaged in serving the financial services industry."

Ashley McKinless, a "graduate" of the Institute for Communitarian Policy Studies, has accepted a position as Assistant Editor for Digital Media at *America Magazine*. Congratulations to Ashley; she will be very much missed. (The Communitarian Network is consequently searching for a

new research and editorial assistant; the posting can be viewed at [Idealist](#). We encourage you to spread the word to any outstanding former students searching for employment.)

Comments and discussion are still encouraged at [Your Move Forum!](#) An additional article to prompt dialogue has also been posted.

From My Diary

Russia has long been suspicious of U.S. motives in Syria—even before the U.S. began considering intervention. According to President Putin, “the United States want[s] only to meddle in places where it [has] no business, fomenting revolutions to install governments friendly to Washington.” According to [The New York Times](#). On the merit of not coupling humanitarian interventions with forced regime change, see our article in *Global Policy* “[The Case for Decoupled Armed Interventions](#).”

Bill Clinton stated on the fiftieth anniversary of the March on Washington that a “great democracy does not make it harder to vote than to buy an assault weapon.” ThinkProgress created an [interesting infographic](#) to illustrate this point.

Plans have emerged to implement [joint Israeli-Palestinian patrols](#) to monitor reckless driving and other criminal activity, pending approval by leaders. Last month, we released an [article](#) that suggested that “Israelis and Palestinians might carry out joint security patrols of disputed areas” as one means of constructively enhancing cooperation between the two sides.

In 2003, in an appendix to [Creating a Trusted Information Network for Homeland Security](#), I held that: “Aside from internal supervision, as well as oversight from Congress, the courts, and the DHS’s Privacy Officer and Civil Rights and Liberties Officer, there should be a *Citizen’s Accountability Board*, comprised of illustrious citizens who are not currently employed by the government or expect to be any time soon, say deans of law schools, possibly limited to those with security clearance. The board would release summary statements to the public. It would be best if this board would review whether the more reliable means of identification are being properly issued by government agencies, what the error rates in the system are, and how much time it takes to fix the errors.” Such an approach to accountability was taken with the establishment in 2004 (and the reconstitution in 2008) of the Privacy and Civil Liberties Accountability Board, an independent agency considered part of the executive branch consisting mostly of law professors and former government employees with relevant experience in law or counterterrorism.

You must read “[Taken](#)” from the August 12 edition of *The New Yorker*. I am extremely reluctant to use the word “must” because there is something presumptuous about telling another person what they “must” do instead of suggesting that they consider or might benefit from it or... However, this article is so revealing about the America in which we live that it is one’s civic duty to call on others to learn about civil forfeitures and ask how we can stop such gross abuses of our fellow citizens.

Short Pieces

On the face of it, the Pentagon's Air-Sea Battle plan makes eminently good sense; it is a clear response to a clear challenge. China has been developing a whole slew of weapons (especially anti-ship missiles) over the past two decades that are of great concern to the U.S. military. These weapons, known in Pentagon-speak as anti-access/area-denial (A2AD) capabilities, could undermine the international right to free passage in China's surrounding waters or, in the case of a conflict over Taiwan or contested islands in the South and East China Seas, prevent the U.S. from making good on defense commitments to its friends in the region. In response, the Pentagon developed Air-Sea Battle (ASB), the employment of which entails, according to position papers developed to promote it, a blistering assault on China's mainland. (Read more at [The Diplomat](#).)

In its coverage of the government's investigation into national-security leaks, the media have forfeited any claim to professional objectivity. News reports are loaded with editorializing terms such as "[aggressive \[anti-leak\] policy](#)," "[sweeping subpoenas](#)," and "[fishing expedition](#)." And while editorials in the *New York Times*, *Washington Post*, *The Atlantic*, and *Slate* are full of sound and fury, condemning these and earlier investigations as "[outrageous](#)," "[threatening](#)," and "[Nixonian](#)," voices on the other side are much less frequently heard. (Read more from "[The Case for Keeping Whistleblowers Nervous](#)" at *The Atlantic*.)

"Elections, the favorite American tool for democratization, until they turn out badly as in the Gaza strip, are widely viewed as the way out of the current impasse in Egypt. But they are most likely to leave one of the major camps—and both are important—deeply alienated. What Egypt should focus on instead is the formulation of a new constitution, employing it as an opportunity to seek a basic understanding about the future of the regime to which both side can subscribe. This is unlikely to be simply a procedure like free elections. Rather, it could be a principle: separation of state and religion." (Read more from "[Secularism Can Save Egypt](#)" at *The National Interest*.)

Recent Major Publications

["A Liberal Communitarian Paradigm for Counterterrorism,"](#) *Stanford Journal of International Law* 49(2), 330-370. *This paper argues that the current normative and legal paradigms that shape the United States' response to security threats posed by acts of transnational terrorism are misapplied. In the international arena, we should downplay states' right to sovereignty in favor of a paradigm that requires nation state not only to protect select common goods including the responsibility to protect (R2P), but also to observe a new duty, namely, not to harbor or support terrorists. With regard to those alleged terrorists who are captured, the current paradigm that treats them as criminals should be replaced with one that treats them as a distinct class of defendants, entitled to their own rights and procedures—just as we deal differently with ex-cons, sex offenders, and many other classes of offenders. Finally, those terrorists faced in armed conflicts should be expected to abide by the rule of distinction and, if they violate it, they should bear part of the onus for the resulting collateral damage. The paradigms most often employed in conceptualizing and legitimating counterterrorism campaigns—the paradigms of war among nations and of law enforcement—are ill-suited to meet new realities. The considerable policy mistakes, misjudgments, and above all, morally flawed positions that are caused by the misapplication of these concepts, point to a need for a distinct normative and legal paradigm for dealing with transnational terrorism. This Article focuses on the normative assumptions of such a paradigm, which have clear legal parallels. Further, this Article seeks to develop this distinct paradigm by situating it in ongoing transnational moral dialogues on the just and effective ways*

to combat terrorism. This distinct paradigm would benefit if it were consolidated into a new Geneva Convention in the future.

[“A Liberal Communitarian Conception of Privacy,”](#) *The John Marshall Journal of Computer & Information Law* 29(3), 419-462. *In a large and complex society, anti-social behavior cannot be restrained by government intervention alone—without it becoming a police state. Informal social controls are necessary to keep deviance from societal norms and values at a socially acceptable level, and one of the levers of this social pressure is the observation of and reaction to the personal conduct of members of one’s community. This article argues that in several areas of contemporary American life decreasing privacy by strengthening informal social controls will lessen the need for state surveillance and regulation, which tends to act with a heavier hand and is more invasive than its informal counterpart.*

[“To Lie or Not to Lie—Where is the Question?”](#) *Society* 50(5). *“The professor wondered how he should respond to an issue raised by his students. The students, at the Harvard Business School, were debating a case in which a major customer called the CEO of a troubled airline and asked whether the airline would still be around in a few months. The CEO answered that he was not sure. Many students felt that he should have lied. His candor, they said, endangered the future of the airline. In a debate among the faculty that followed, some held that business schools should not be in the ‘ethics business’ in the first place. Students should learn their values at home, at places of worship, in the community—but schools should stay neutral. It is the same position held by many superintendents, principals, and teachers of public primary and secondary schools, which are attended by about 89% of America’s children. The same philosophy is held by many business professors. Other professors argued that there should be a separate course in ethics, in which issues such as the conditions under which lying is justified should be addressed. They envisioned a course which offered the students a smorgasbord of ethical approaches, including those of Bentham, Mill, Kant, and Rawls. The students could then decide which ethical theory is most to their taste and conclude whether lying was always wrong, or if only ‘black’ lies were to be avoided but ‘white’ ones were morally appropriate, or if one would have to conduct a cost-benefit analysis to determine under what conditions lying was ethical and when it was not. Indeed, in the months that followed the Enron scandal, several business schools, including those at Stanford and the University of Michigan, introduced such classes. Only two professors argued that lying was morally wrong in principle and that the faculty should do its best to convince the students of the unquestioned standing of this and other core moral values. (Before you read on, fair warning: I was one of the two.)”*

[“The Corporation as Community,”](#) in *Business Ethics*, 2nd Ed., ed. Michael Boylan, Oxford: John Wiley & Sons, 87-95. *Corporations—the term brings to mind the profit-making ones—are not constituted in ways that make communities. However, to the extent that they adopt the concept of stakeholders, they can move in a communitarian direction.*

New Endorsements

If you wish to endorse any or all of the ideas or platforms advanced by the Communitarian Network, please email icps@gwu.edu.

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For more about the communitarian project, please visit <http://icps.gwu.edu>. For more notes, please visit <http://blog.amitaietzioni.org>.