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What Is It Good For? Towards A Millian Utility Model for Ethical Terrorism Coverage

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Journalism, the “first draft of history” (i.e. Barth, 1943, p. 667), often drafts a history of tragedy and violence – “the oldest kinds of stories” (Coté & Simpson, 2000, p. 3). Throughout history, war and storytelling are intractably linked: “Because of the far-reaching effects of war, we want to know as much about it as possible. For that ... we turn to media” (Copeland, 2005, p. xvii). However, because war “has no equivalent in a settled, civil society” (Walzer, 1977, p. 127), historians and journalists alike perennially struggle to find a framework suitable for investigating and reporting it. In much of the ongoing public discourse surrounding war – as well as its coverage –arguments on both issues often resonate with the philosophy of utilitarianism. More than 150 years after its publication, John Stuart Mill’s *Utilitarianism* continues to exert a perennial influence in philosophical musings on both war and journalism. Utilitarian arguments appear especially in discussions of just war theory (JWT), a consequentialist tradition that demands that wars must be justifiable in why they start, how they are fought, and how they end. Most recently, William H. Shaw (2011) synthesized disparate elements of debate into what he called a new utilitarian war principle (UWP) for considering recourse to war. Increasingly, war coverage focuses more on the experience of those fighting and less on why and how they fight. In 2004, *The New York Times* published an unprecedented apology for failing to do enough of the latter in its coverage leading up to the U.S. invasion of Iraq the previous year. Reviewing Mill’s *Utilitarianism*, and building on recent Millian scholarship, this paper reacts to this confessed failure by proposing a more utilitarian model for how journalists might more comprehensively cover the wars we wage – especially when terror is a tactic, and the media itself risks complicity in amplifying the effect of the action.

Keywords: Utilitarianism, John Stuart Mill, war, terrorism, journalism, media ethics

Journalism, the “first draft of history” (i.e. Barth, 1943, p. 667), often drafts a history of both individual tragedy and violence – “the oldest kinds of stories” (Coté & Simpson, 2000, p. 3) – as well as of groups engaged in armed conflict. Throughout history, violence and storytelling are intractably linked: “Few events that involve humankind affect people more than war,” observes one media scholar. “Because of the far-reaching effects of war, we want to know as much about it as possible. For that information, we turn to media” (Copeland, 2005, p. xvii).

Historically, “all wars have been fought by the latest technology available in any culture,” (McLuhan, 1964, p. 375); unsurprisingly, “the history of communications

technology is often pegged to a succession of wars" (Carruthers, 2011, p. 1). Indeed: humankind's "first written epic" chronicles the triumphs of Gilgamesh (Sasson, 1972). Nearly four millennia later, by the time of the 2003 U.S. invasion of Iraq, "some 500 reporters," armed with "digital cameras ... [and] portable satellite dishes" were expected to provide their audiences with an unprecedented, "unique availability of direct-from-the-front coverage" (Johnson, 2003, p. 9).

Regardless of continuing advances in media technology, because of perennial challenges of conflict coverage, ethical journalists still aspire to somehow "seek truth and report it" – as well as to honestly "acknowledge mistakes and correct them promptly and prominently" (Society of Professional Journalists, 2014). Ultimately, "language is the primary means of social formation and, therefore, human existence is impossible without an overriding commitment to truth" (Christians, 1997, p. 13); therefore, ethical journalism's "first obligation is to the truth" and its "essence is a discipline of verification" (Kovach & Rosenstiel, 2007, p. 12).

So, when the *New York Times* noted in its May 26, 2004 lead editorial that "[o]ver the last year this newspaper has shone the bright light of hindsight on decisions that led the United States into Iraq. ... It is past time we turned the same light on ourselves" (*Times*), many media outlets "pointed to the *New York Times* as a paragon of journalistic virtue" in "a chorus of appreciation for the ... the decision to admit to its readers that it let them down" (Greenslade, 2004, p. 5)— and many followed the *Times*' lead in admitting lapses in their pre-war coverage.

Regardless of hindsight's clarity, though, "correcting the record in the aftermath of war cannot reverse the history propelled by such narratives" (Carruthers, p. 5). Ethical journalists are encouraged to "consider the long-term implications of the extended reach and permanence of publication" and to "provide updated and more complete information as appropriate" (SPJ, 2014). After this particular lapse, wrote one critic, "newspapers should ... discover why the mistakes were made and what should be done to prevent their repetition" (Monbiot, 2004, p. 19).

"The mainstream press was not aggressive enough ... in asking the hard questions about the War on Terror," said Dean Baquet, *Times* executive editor, a decade later (Hülse & Stark, 2015). In retrospect, then, what were those "hard questions?" Further, how might ethical journalists resolve to ask them the next time war is proposed?

"War as an activity has no equivalent in a settled, civil society," declares Walzer (1977, p. 127): so historians and journalists alike perennially struggle to find a framework suitable for investigating and reporting it. Shifting paradigms of statehood and conflict, new communication technologies, and a radically different news media landscape increasingly exacerbate the eternal challenges of conflict correspondence; yet ethical, comprehensive conflict journalism remains vital for a democracy such as ours, with its civilian-command military and free press.

Most importantly, as both the nation's leaders and its scribes learned, the traditional tools of defense (and coverage) do not necessarily apply when asymmetrical conflict such as terror is the chosen tactic. Towards that end, this paper proposes a utilitarian approach to terror coverage.

What is Good? Utilitarian Ethics in War and Peace

In much of the ongoing public discourse surrounding violent action and appropriate societal response — and the mediated communication surrounding both discourse and action —

arguments on both issues often resonate with the consequentialist-oriented ethical philosophy of utilitarianism. In military science, “[w]hile this tension between means and ends infects much of our moral life, nowhere is this dilemma has more starkly drawn and so difficult to resolve than in wartime” (Whitman, 1993, p. 261). For instance, though consequentialist arguments for war abound, one military scholar recently argued that one should “disqualify at the outset utilitarianism” because its potential for “misapplication ... would lend itself to abuse” (Snow, 2009, p. 560).

Meanwhile, the same tension informs much discussion of journalism: “Utilitarianism ... has been a prominent perspective in media ethics textbooks” – especially its “focus on the weighing of goods and harms to maximize benefit” (Craig, 2009, p. 204). Indeed, “[u]tilitarianism is prevalent in the media professions” to such an extent that “a predilection toward utility ensconces the status quo” (Christians). Of course it does, argued Mill: the “principle of utility ... has had a large share in forming the moral doctrines even of those who most scornfully reject its authority” (Mill, p. 4). And still, today, just as in Mill’s time, “[i]ronically, all this criticism comes while we continue to use greatest good or common good analysis for most of our societal, ethical issues” under debate (Gustavson, 2013, p. 327).

More than 150 years after its publication, John Stuart Mill’s classic tome *Utilitarianism*, as well as many of his other writings, continue to exert a perennial influence in philosophical musings on ethics. “Mill was one of the most outstanding British intellectuals of the nineteenth century,” notes one scholar (Ahn, 2011, p. 81); today, nearly two centuries later, “[u]tilitarian ethics is enormously influential in North American society,” (Christians, 2007, p. 113).

Mill’s arguments— such as “[a]ll action is for the sake of some end” (p. 2), “actions are right in proportion as they tend to promote happiness” (p. 8), “security [is] the most vital of all interests” (67), “any conduct which threatens the security of the society ... is threatening to his own” (63), and “justice ... grounded on utility [is] the chief part ... of all morality” (p. 73)— continue to be invoked in ethical discussions of war, journalism, and any number of issues.

As great an influence as Mill continues to exert, his work perennially attracts detractors: On the centennial of Mill’s essay defending the theory, one philosopher wrote that the “day could not be too far off in which we hear of it no more” (Williams, 1963, p. 150); a few years later, it was declared “destroyed, and no part of it left standing” (Plamenatz, 1966, p. 145). “For many today – and many then – utilitarianism is a discredited moral doctrine” (Cave, 2006, p. 35); it is “false as a philosophical theory of ethics ... a fallacy, most egregiously committed by J. S. Mill but perpetuated ever since” (Taylor, 1995, p. 531); more recently, *Utilitarianism* appeared in a collection of “books that screwed up the world” (Wiker, 2008). Today, the tradition enjoys “current unpopularity in analytical political philosophy ... Although hugely influential, this solution is now usually considered inadequate” (Goldstone, 2010, p. 79).

However, the 2006 bicentennial of his birth and the 2013 sesquicentennial of his *Utilitarianism* witnessed a renewed scholarly interest in Mill’s contributions. “I believe that the imperfect notion ordinarily formed of its meaning is the chief obstacle which impedes its reception,” wrote Mill in prefacing his defense of this tradition (p. 6). More than 150 years later, scholars continue to debate both its meaning and reception for both martial and media ends. The debate over ethical terrorism coverage invites reconsideration of Millian concepts of security.

What Is It Good For? Utilitarianism and War

"Two motives lead men to War: instinctive hostility and hostile intention" observes Karl von Clausewitz in his canonical *On War* (Clausewitz, 1874, p. I-I-3), and, unfortunately, war "feeds and fires the population's martial enthusiasm ... if unchecked by political goals" (Hamblet, 2005, p.39). Therefore, "one of the things most of us want, even in war, is to act or seem to act morally" (Walzer, 1977, p. 497). And so the public asks, as in the popular Vietnam-era protest song, "War: What is it good for?" (Whitfield & Strong, 1969). By several ethical measures, "[t]here was too much killing in the twentieth century" (Walzer, 2009, p. 42). So what possible good(s) could ever justify this killing? Yet it is precisely because "[w]ar is the hardest place" that we must justify our actions there: because, if "comprehensive and consistent moral judgments are possible there, they are possible everywhere" (Walzer, 1977, p. 221).

Counterintuitively, "despite the enormous impact that war and the threat of war have had on human well-being, [utilitarians] have had relatively little to say" about war; instead, "surveys of the ethics of war and peace typically lay out three basic positions: pacifism, realism and just war theory" (Shaw, 2011, pp. 380-381). Pacifism posits that "peaceful rather than violent ... relations should govern ... and that arbitration, surrender, or migration should be used to resolve disputes." This ethic can often be described from a "consequentialist position which asserts that no good ever comes from aggressive actions or war and it is thereby prohibited" (Moseley, n.d.; C.F Addams, 1899). Realism "in essence reduces to the political-ethical principle that might is right," so that, practical and political issues ... that is, interests of state or *Realpolitik* ... would take precedence in declaring and waging war" (Mosely, n.d.). Finally, just war theory, "a set of mutually agreed rules of combat" which considers "how wars should be fought and who they should involve and what kind of relations should apply in the aftermath ... is indeed as old as warfare itself" (Mosely, n.d.; cf. Walzer, 1977; Bell, 2009). The English utilitarians inherited elements of all three positions but took a consequentialist approach.

Utilitarian Forebears: "Mayhem and Misery"

The first utilitarians wasted no words in judging war as "almost always deleterious. Whatever good a given war might conceivably produce or whatever evils it may forestall, by definition it involves death and destruction, mayhem and misery." Both "Jeremy Bentham and James Mill were concerned with the causes of war and how best to avoid it" in almost every circumstance (Shaw, 2014, p. 303).

Jeremy Bentham: "Expense outweighs it." Unequivocally, no matter "the injury in question, the expense of war will always outweigh it" declared utilitarianism's first champion, Jeremy Bentham (Bentham, 1838–43, p. 544). "All war is in its essence ruinous." Instead, he suggested, armies and navies should be reduced in size to only that necessary for law enforcement. Further, remote colonies should be freed to pursue their ends. He proposed, in the case of an overwhelming attack from a more powerful nation, the injured nation might consider surrender to the invasion, rather than resistance that would only increase the damage in return for no greater good in the long run.

James Mill: "Cause of misery." The philosophy's next proponent, James Mill, insisted that war is "the cause of the stagnation and misery which appear so general in human affairs ... War! ... the pestilential wind which blasts the prosperity of nations ... the devouring wind which eats up the precious treasure of national economy, the foundation of national improvement, and national happiness" (Mill, 1808, p. 119). For Mill, utility required that

a nation "should have recourse to war only when some right has been violated, when that violation is a serious one, and when remedying it requires the extreme measure of war. Further, the only just ends of war are compensation for the injury received and security against any fresh injury" (Shaw, p. 305). Here we see the beginnings of a resonance between the early utilitarians' approach to war and traditional just war theory's insistence on just cause and just behavior during conflict.

John Stuart Mill: "Not the ugliest." However, though war indeed "is an ugly thing," agreed their heir, John Stuart Mill, just a year before publishing *Utilitarianism*, he also argued that it is "not the ugliest of things: the decayed and degraded state of moral and patriotic feeling which thinks nothing worth a war is worse ... As long as justice and injustice have not terminated their ever-renewing fight for ascendancy in the affairs of humanity, human beings must be willing, when the need is, to do battle for the one against the other" (Mill, 1862, p. 33). And, though it was Mill's most fundamental "belief that the use of reason can settle fundamental social conflicts," (Gray, 1988, p. 149), "it is clear that there are numerous examples of his support for the use of violence" by the state- and even by non-state actors such as protesters- but only when justified by utility (Williams, 1989, p. 102). For Mill, political violence may only be justified when employed for a just cause, and when the proposed action stands a reasonable chance of success (Shaw, p. 306).

After Mill: "When and how." In his review of utilitarianism and war, Shaw observes that "Jeremy Bentham and James Mill were concerned with the causes of war and how best to avoid it. However, neither they nor John Stuart Mill, who wrote about ... the violent conflicts of his day, addressed in sufficient detail two key ethical questions: (i) when, if ever, are we morally justified in waging war and (ii) if recourse to arms is warranted, how are we permitted to fight the wars we wage? Nor have contemporary utilitarians examined these questions with the care they deserve" (Shaw, p. 303).

After Mill, a few utilitarian thinkers addressed the issue of war, from Henry Sidgwick to, more recently, R. M. Hare and David Lyons. Others, such as G. E. Moore (1910-11), preferred to grapple with more fundamental issues. As did Mill, these writers wrestled with adjusting their elusive ideal of eliminating war outright to the harsh reality of instead attempting to mitigate its perennial damages.

Henry Sidgwick: "Immoral act." "Utopia would certainly include the suppression of war," lamented Henry Sidgwick (Sidgwick, 1874, p. 19); failing that, he wrote, a moral person had the duty "to use any moral and intellectual influence he may possess - facing unpopularity - to prevent the immoral act" of engaging in an unjust war (p. 520).

R. M. Hare: "Laws and usages of war." Along those lines, urged R. M. Hare, "military training should ... include instruction in the laws and usages of war ... backed up by legal enforcement where possible" (Hare, 1972, p. 176). In dealing with practical problems like war, Hare finds most anti-utilitarian arguments largely unconvincing (Hare, 1981, p. 139). In particular, he argues, contrary to some critical claims, utilitarianism suggests that there is never a good defense for torture (Hare, 1993).

David Lyons: "Contrary to law." Lyons is most particularly concerned about utilitarianism and how it supports the rule of law (Lyons, 1984), as well as how it might be used to argue for individual rights (Lyons, 1994). Noting the critics' concerns with a consequentialist approach to warfare, he charges that "[t]he blame" for the perennial proliferation of such arguments "falls partly on utilitarian theorists, who have neglected the clear challenge presented by our commonplace uses of the concept of justice," (1994, p. 12), because "a utilitarian theory of justice had hardly been explored in the philosophical literature." Unfortunately, because of these misconceptions of justice, history shows "that violence was conducted by our government, at least some of it contrary to U.S. law" (Lyons, 2012, p. 835).

Utility invoked by others. However, sparsely the utilitarian literature addresses justice in general, and war in particular, in the century-and-a-half after Mill, thinkers from outside the tradition continued to invoke its tenets in their expositions of other theories. In his landmark work on justice, John Rawls – the “most important ... political philosopher of the 20th century” and himself a decorated war veteran (Gordon, 2008, p. 24) – noted that “there is, indeed, a way of thinking of society which makes it easy to suppose that the most rational conception of justice is utilitarian” (Rawls, 1971). While Rawls and others attempted to replace or improve utilitarian positions, others found new applications of the tradition. For example, in response to Rawls, Richard Brandt argues that a “utilitarian view of [the moral rules of war] is essentially sound” (1972, p. 145), because of its focus on consequences.

Utility and Just War Theory. Utilitarian arguments appear especially in discussions of Just War Theory (JWT), a consequentialist tradition that demands that wars must be justifiable in why they start, how they are fought, and how they end. For example, in considering *Jus ad Bellum*, or cause for war, “[w]ar should be a path to peace,” argued Tom Brislin. “Just as important, the peace must be just” (1992, p. 211). Further, in discussing *Jus in Bello*, or conduct during war, Jeffrey P. Whitman argues that “soldiers and their leaders are best educated on the Laws of Land Warfare and will more readily comply with these laws when understood and justified by appeal to utilitarian considerations” (1993, pp. 262-263). Finally, insisting on *Jus post-Bellum*, or justice in war’s aftermath, war must result in the greater goods of “not just peace, but peace-with-rights, a condition of liberty and security,” declared Michael Walzer in his major treatise on Just War Theory. Absent these good ends, “citizens are morally right to fight (1977, p. 872).

Utility after 9/11. These concerns resonate with Mill’s utilitarian concept of justice: “the natural feeling of retaliation ... applicable to those injuries...which wound us through, or in common with, society at large” (p. 64) – and justice was the immediate national outcry on the morning of September 11, 2001, in the wake of the terrorist attacks on American soil. In reviewing the contemporary discussions of asymmetrical warfare, Walzer (2002, p. 932) insisted that the “triumph of just war theory is clear enough.” At the same time, however, Peter Singer (2002) offered utilitarian guidelines for military interventions in humanitarian crises. And while “Mill is generally very hesitant to recommend that military means be put to humanitarian ends ... some situations may present us with no choice” (Begby, 2003, p. 61).

Millian anniversaries. The renewed interest in Mill and utilitarianism on war soon became a renaissance of sorts, witnessing increased scholarly attention surrounding the 2006 bicentennial of Mill’s birth, and the 2013 sesquicentennial of his *Utilitarianism* essay. This “great defender of liberty” (Cave, 2006, p. 35) “deserves a rediscovery” (Wolfe, 2008, p. B6) – and one began with a reprint of the 1873 *Life and Works* (Project Gutenberg, 2005) and a 2006 “John Stuart Mill Bicentennial Conference” in London (Grollios, 2011), followed by new biographies (cf. Reeves, 2007) and new applications of his thought in arenas such as politics (cf. Urbinati, 2007), rationalism (cf. Varouxakis & Kelly, 2010), and utilitarianism (cf. Ahn, 2011). Within this rising tide of general interest, ethicists increasingly invoked Mill in considering new questions surrounding conflict. As Walzer and other just war scholars continued to apply Mill to JWT concepts such as proportionality (cf. Walzer, 2009), Jeffrey P. Whitman instead proposed “a utilitarian conceptualization of just war theory” to address terrorism (2006, p. 25), and Laia Balcells applied utility to violence in civil wars (2011). Most recently, observing that JWT scholars “either ignore or express hostility to the utilitarian or consequentialist tradition,” William H. Shaw (2011, pp. 381-382) synthesized disparate elements of debate into what he called a new “Utilitarian War Principle” (UWP) for considering any proposed recourse to war.

Utilitarianism rediscovered. A rediscovery of Mill's *Utilitarianism* itself was also already underway, beginning with a series of essays edited by Lyons (1997), followed by a critical edition of the original (Crisp, 1998), well before it turned 150. Yet that anniversary sparked even more reflection, including a series of essays on its continuing relevance (Russell 2013), a defense of its principles (Brink, 2013), a celebration of its use in business ethics (Gustafson, 2013), and an overview of its contributions (Crisp, 2014).

More importantly, beyond the general reappraisal of its worth, several scholars applied Mill specifically to questions of violence along a spectrum of issues, from civil disobedience (Whitham, 2014) to one nation's intervention into the affairs of another (Doyle, 2015). Most innovative, however, was Shaw's further development of his original UWP ethic (2011), in light of emerging Millian scholarship, first in a book chapter on war ethics (2014), then more comprehensively in an entire book explicitly exploring utilitarianism and war (2016). In both, he "swims against the current of contemporary ... largely non-consequentialist" approaches to war ethics, to help "illuminate things they truly care about" (p. x).

Overall, "the fact that an ethical criterion is sometimes, or even often, difficult to apply does not show that it is incorrect" (2014, pp. 310-311). Instead, Shaw's application of his UWP may represent the most complete and compelling defense of a utilitarian war ethic to date. Yet it lacks Mill's key definition of security as the "most vital of all interests" (1863, p. 67).

Perennial Problems Arise from Battlefield Constraints

"Truth, it has been said, is the first casualty of war" goes the again-quoted proverb (Snowden, 1916, p. x; Knightley, 1975) – and the truth-teller is often the very next in line: Some 139 journalists died in covering the first six years of the second Iraq War (Iraq, 2008). Most fundamentally, the inherently chaotic, unpredictable, complex, and dangerous nature of warfare itself ensures a very real and daunting physical barrier to fact-finding and communication. The age-old "fog of war" (Hale, 1896) confounds soldier and reporter alike. After one WWI battle, for example, "reporters struggled to piece together what had occurred" (Carruthers, p. 60). War imposes "a logic all its own" (Hamblet, 2005, p. 39), and war "stories so often have many more sides than two" (Andersen, 2006, p. xiv). Nevertheless, "war journalists return repeatedly ... placing themselves at great personal risk" of injury or death (Feinstein, 2006, p. 46). "It should be self-evident that war is dangerous and that those who report on it run the risk of becoming casualties themselves" (Feinstein, Owen & Blair, 2002, p. 1570). Indeed: "For me, covering conflict and war is the essence of journalism," wrote Pulitzer Prize-winning war photographer Anja Niedringhaus, just two years before she was killed in Afghanistan doing just that (Beaujon, 2014, para. 1). Terror and other forms of an asymmetrical conflict only further exacerbate this inherent chaos while at the same time offering more opportunities for up-close coverage, danger, and injury.

Unfortunately, this same high-risk environment also presents a psychological attraction for both participant and observer that defies logic – and endangers the profession's tradition of the disinterested scribe. "Journalists should ... [a]void conflicts of interest, real or perceived" (Society, 2014, p. 1), and civilian reporters no longer bear arms themselves, as some did in earlier U.S. wars (Knight, 1993, p. 194). Still, by its very nature and internal "logic ... war composes a compulsion" for most that "seeks absolutization as it feeds and fires the population's martial enthusiasm" (Hamblet, 2005). War correspondents report becoming addicted to the adrenaline rush of combat (Feinstein), and their coverage risks joining in the public's "wanton celebration of state power" (Hamblet).

Amid this ever-challenging physical and psychological chaos, the state itself – both the media's primary information source and its main subject – often constricts its cooperation in wartime, as the U.S. government has done through evasion, intimidation, limitation of access, pooling or embedding reporters, or outright refusals to grant access or information (Anderson, 2006; Copeland, 2005; Hallock, 2012; Knightley, 2004). While an ethical press is to “recognize a special obligation to serve as watchdogs over public affairs and government” (Society, 2014, p. 1), the “military, especially during the war, goes into overdrive to protect information at all costs” (Melcher, 2007, p. 14). A U.S. official once defended “the inherent right of the government to lie to save itself when faced with nuclear disaster” (Sylvester, 1962, p. A-7); theoretically, “reporters could be kept from nosing about in ‘critical’ areas during ‘critical’ times” (Merrill, 1974, p. 91). And a Supreme Court justice recently noted that a state is always “more efficient if it can suppress speech” (Totenberg, 2016, para. 33).

Finally, military strategists and media ethicists alike struggled to adapt pacifist, realist, just war, and even utilitarian responses to the new implications of autonomous weaponry, information warfare, electronic warfare, and cyberwarfare – or the “end of war as we know it” and the rise of a new “Military-Internet Complex” (Harris, 2014, p. xxii; Berger, 2018; Cohen, 2007; Coleman, 2016; Dipert, 2010; Eilstrup-Sangiovanni, 2018; Farwell&Arakelian, 2016; Floridi & Taddeo, 2014; Hauptman, 2013; Nakashima, 2019; O’Connell, 2012; Rid, 2011; Roff, 2015; Sainato, 2013; Schmitt, 2013; Singer, 2002, 2004; Smith, 2005; Stone, 2012; Zetter, 2014). In this grave new world, communication itself is weaponized, as are its practitioners.

New Problems Arise from Evolving Asymmetrical Battlefield

“We’re still stuck in this view that war is like the Super Bowl: We meet on the field, both sides have uniforms, we score points, someone wins, and when the game ends you go home. That’s not what war is like now. Now there are tons of civilians on the field, the enemy team doesn’t wear a uniform, and the game never ends. We need to know there’s no neat ending. The costs of this problem have been so catastrophic for the United States, in the form of thousands of military lives and billions of dollars spent. It’s time we fundamentally rethink our vision of what war is.” (Tierney, 2018, para. 51)

As if these obstacles weren’t enough, reporters face new challenges from ongoing rapid, widespread, and essential changes to the nature of conflict itself. Increasingly, asymmetrical warfare rejects traditional battles fought among official militaries representing competing for sovereign states (Duyvesteyn, 2007). “We fight amongst the people, not on the battlefield,” notes Smith (2005, p. 17), and the “sides are mostly non-state, comprising some form of multinational grouping against some non-state party or parties.”

Further, the “increasing use of terror ... represents the breakdown of a political code first worked out in the second half of the nineteenth century and roughly analogous to the laws of war worked out at the same time” (Walzer, 2006, p. 198). The confusion caused by addressing an asymmetrical tactic like terrorism with traditional state-actor warfare enhances the effectiveness of the terror while barely addressing its effects. “The material harm terrorists have done to us is only the means to the end of terrorizing,” concludes one study of mediated terror (Cui & Rothenbuhler, 2018, p. 160). “In other words, the terror is rooted more in the cultural meaning we bestow upon the terrorizing acts than in the killing and disruption itself.”

Additionally, “military leaders in Iraq and Afghanistan have [also] found themselves dealing with development, governance, agriculture, health and diplomacy”

(Bumiller, 2010, p. A28). "The requirements associated with winning such wars confound the American military ethic" (Pfaff, 2016, p. 61) – as well as the press attempting to cover them. In the new frame of nation-building, "the ends for which we fight are changing from the hard objectives that decide a political outcome to those of establishing conditions in which the outcome may be decided" (Smith, 2005, p. 17); therefore, "conflicts tend to be timeless, even unending." This shift in the essential nature of these conflicts also means that they become wars of attrition. "The English in 1066 had to stake everything on the battle at Hastings; so did Israel when in the Six-Day War it struck first at the surrounding Arab countries" (Braybrooke, 2004, p. 74). Not so the contestants in this new era: "We fight to preserve the force rather than risking all to gain the objective," notes Smith (2005, p. 17) – and "new uses are found for old weapons and organizations which are the products of industrial war."

Meanwhile, ongoing advances in military technology, and the unorthodox strategies and novel tactics empowered by them, broaden the scope of potential coverage. Digital surveillance, covert operations, detainees, drone strikes and cyberwarfare all represent confusing answers to the question "Where are the front lines?" (Dipert, 2010; Eilstrup-Sangiovanni, 2018; Rid, 2011; Schmitt, 2013; Stone, 2012).

Further, tightened government controls seek to limit media access, even as technology offers increasing investigative potential to both military public affairs officials and civilian journalists alike (cf. Aukofer & Lawrence, 1995; Smith, 1999; Carruthers, 2011). "You can't handle the truth!" retorts the fictitious Colonel Jessup in a popular movie (Sorkin, 1992) – a line often heard quoted among veteran U.S. Army Public Affairs Officers speaking off the record (personal communication, February 2010–September, 2011). Meanwhile, high-ranking officers openly admit to their need to control the conversation (Ricks, 2009), as once-inaccessible materials leak to the public via hackers (Zelinsky, 2017) as well as new-media-wired citizen-soldier-prison guards themselves (Andersen, 2006; Gourevitch & Morris, 2008).

Finally, the expanding range of media practitioners, empowered by this technology, now includes freelancers and representatives of all sides in a conflict (Christians, 2017; Rushing, 2013) – and, increasingly, women, who face particular challenges and threats. (cf. Craig, 2011; Storm & Williams, 2012).

Most recently, journalists of all backgrounds have increasingly become targets of violence themselves. Industry experts observe that "killings, imprisonments and abductions ... have reached historic highs" (Global safety, 2015, para. 3), as "extremists ... and reckless warring factions continue murdering journalists with impunity" (IFJ, 2016, para. 5).

No matter how the U.S. chooses to act, "when it acts unilaterally, it must be able to defend this action as a contribution to the general welfare" (Patrick, 2003, p. 50). Yet the incomplete utilitarianism of some claims quickly became apparent in several areas of concern in this grave new world of terrorism, non-state actors, and asymmetrical warfare, where benefits might not justify costs, or actions failed to address actual security (Singer, 2004; Smith, 2005).

The very nature of the attacks created conceptual problems for those used to seeing conflict in traditional war terms: "Terrorism is as old as human history ... a modern urban society, with its enormously complicated and interdependent institutions of life support, is particularly vulnerable to terroristic disruptions: Terrorism against fragile means of transportation is a promising strategy," prophesied one analyst a quarter-century before (Berger, 1976, p. 29); apparently, 25 years later, many still struggled with understanding the concept.

“What Good Is Coverage?” Utilitarianism and the Press

Interestingly, a nearly opposite dynamic drives ethics discussions in media scholarship, where thinkers confront a current of utilitarianism: “The mainstream press ... codes of ethics and media textbooks are dominated by various strains of it” (Christians, 2007, p. 116).

In the United States, it would seem that the First Amendment to the Constitution seeks no justification for protecting “the freedom of speech, or of the press” – the good of these goods is such that they enjoy “an absolute or complete barrier to government censorship ... [yet]. Few have subscribed to this notion wholeheartedly” (Pember & Calvert, 2008, p. 43). Instead, the half-dozen legal theories surrounding these first freedoms all appear to justify themselves with appeals to consequence, if not to outright utility – just as Mill claimed in 1863. Especially the *marketplace of ideas* theory, which “dominates the Supreme Court’s discussion of freedom of speech” (Baker, 1989, p. 7), “can be traced back to ... Mill” (Pember & Calvert, p. 45).

All Ethical Models Invoke Consequence

“When we engage in a pursuit, a clear and precise conception of what we are pursuing would seem to be the first thing we need,” Mill claimed (p. 2) – and utility’s rival theories of ethical media practice all invoke some consequence they claim to pursue. Virtue ethics, with its “internal” focus (Quinn, 2007, p. 168), seeks to produce ethical practitioners who flourish under a free press: “By cultivating moral virtues, doing what is right ... can become a matter of course” (Klaidman & Beauchamp, 1987, p. 19). Deontological ethics, focused on the moral action itself (Patterson & Wilkins, 2013, p. 11), invokes “Kant’s notion of ‘duty’ to others [as] a core principle in the journalistic mission to ‘serve the public’” (Plaisance, 2007, p. 204). A justice ethic further focuses such service on “permissible uses, good stewardship, and justice” (Christians, 1989, p. 125), as all media practitioners “must be mindful of what constitutes a just use of the media system” (Plaisance, 2009, p. 100) and its freedoms. Even though not explicitly consequentialist, each of these traditions at least partly justifies itself as producing “good.”

The Pervasiveness Of Utilitarianism in Media Ethics

However, “Mill ... focused on the outcome” of actions instead (Patterson & Wilkins), and “regarded utility alone as the ultimate appeal on all ethical questions” (Christians, 2007, p. 115). “Despite its inadequacies ... utilitarianism is attractive and powerful ethics in democratic societies” – and, ultimately, “utilitarian rationalism has served as the prevailing paradigm in communications for more than a century” (Christians, pp. 115-119).

Mill’s father, James, can be seen as “the conceiver of the ‘watchdog’ function” of the press, which makes “known the conduct of ... government” (Merrill, 1974, p. 87). And, as later developed by Henry Sidgwick, utilitarianism’s “main idea is that society is rightly ordered ... when its major institutions are arranged to achieve the greatest net balance of satisfaction summed over all the individuals belonging to it” (Rawls, 1999, p. 19). So a utilitarian ethical press may guide its actions as one such institution, and judge those of others, in light of that balance. Today, the preamble to perhaps the best-known media code of ethics affirms “that public enlightenment is the forerunner of justice and the foundation of democracy. Ethical journalism strives to ensure the free exchange of information” (Society, 2014, para. 1) – a utilitarian undertaking Mill would surely recognize – while a survey of introductory reporting textbooks found that four of the five texts that referenced at least two philosophical traditions addressed utilitarianism (Peck, 2003, p. 350).

Mill and the Press Reconsidered

As with general philosophy and with military ethics, the 2001 terror attacks, Mill's 200th birthday, and *Utilitarianism's* 150th anniversary inspired media ethicists to reconsider his contributions in light of recent scholarship. Writing during Mill's bicentennial, Lee Anne Peck emphasized that "utility is not an excuse for unethical behavior ... Ultimately, using Mill's theory correctly means responsibly serving the public" (2006, pp. 211-212). Building on this, Deni Elliott blamed this "simplistic reasoning" on an inadequate understanding of Mill's element of justice. Instead, "Mill requires calculating what is truly good for the whole community" (2007, p. 100). Other scholars offered similar insights on the tradition.

At the same time, however, some media ethicists have found fault with it instead. Indeed, the same "simple-mindedness" that makes the ethic deceptively easy to apply actually "consists in having too few thoughts ... to match the world as it is" (Williams, 1963, p. 149). "Utilitarian ethics has major weaknesses," charged Christians (p. 120). "We face the anomaly that the ethical system most entrenched in the media industry is not ideally suited for resolving its most persistent headaches." Among its shortcomings is that no one can truly reduce the good to one single value, nor can one accurately predict the outcome of a proposed action (Quinn, 2007, p. 175). This latter complaint especially places "utilitarianism ... among the most criticized of philosophical principles" (Patterson & Wilkins, p. 12). More recently, Nelson (2015) claims that strict utilitarianism cannot account for violations against individuals.

Nevertheless, for "philosophical ethics, utilitarianism continues to flourish" (Crisp, p. 231) – and "Mill is worth revisiting because ... his thought shed light on the way we produce and circulate ideas in the United States" (Wolfe, 2008, p. B6). "He was ... a journalist."

How can War Coverage be Good (or Better)? Some Initial Conclusions

For Shaw, "the central question of when, if ever, we are justified in waging war" has not yet been answered "with sufficient precision" or "the care it deserves" by the utilitarian tradition (2016, p. 40). His charge to war ethicists echoes the frustration of the editorial board of the *Times*, who confessed to their readers that they had also failed to do the same. However, if ethical journalists are to cover conflict more comprehensively, they might begin by addressing this "central question" from a utilitarian standpoint, judging all claims by their consequences. In reviewing the literature of utilitarian philosophy and its applications to war and journalism, a few key suggestions emerge as potential guideposts for the war correspondent in covering terrorism.

"What Good Is Terror?" Toward a Millian Terrorism Coverage Ethics

So, how should a free press cover a representative government in a civilian-command democracy – especially when, theoretically, so much power rests in the hands of the citizens?

Normative press theory describes how media should ideally operate (Baran & Davis, 2000; Christians et al., 2009; Glasser, 1986; Littlejohn, 1996; McQuail, 1994; Siebert, Peterson & Schramm, 1956; Vaca-Baqueiro, 2018; Vold, 1999). My normative prescription for war coverage draws on my constant-comparison reading of Mill's *Utilitarianism*, which arrived at five Millian Security Principles: First, a Millian security would protect against a vital, existential threat. Second, Millian security would preserve both immediate safety and future stability. Third, Millian security would promote mutual justice. Fourth, a Millian security would produce mutual community. Fifth, Millian security would practice considered utility.

"Congress shall make no law." First, the free press must remain free and robust in its coverage of all things military. If the primary utilitarian justification for a free press is in its role of informing and empowering the public in its democratic deliberations, then the journalist must not be hindered or censored in reporting anything related to this most important state question.

When confronting terrorism, the general rule still applies. However, conscientious journalists must weigh their right to report and publish with the knowledge that the terrorist relies on the media to amplify the act and its impact.

"That feeling of security." Second, peace is good. According to Mill, the ultimate good of society is that its members feel secure – otherwise, all other goods have nothing but passing value. This resonates with the Just War concept of peace as the desired default position. So the wartime journalist must both begin and end with peace as its ultimate goal. This means justice for all parties involved so that the underlying reasons for conflict will be resolved permanently.

"The lesser of two evils." Third, even when it may be shown that some conflict might bring about a greater good, the ethical conflict correspondent must never forget that even the smallest military action brings evil to soldiers and civilians alike. Shakespeare attributed "havoc" to "the dogs of war," and no euphemism such as "collateral damage" can cover the real horrors of war. For the utilitarian, "evil is justified if, and only if, it is necessary to the existence of some actual or possible greater good, or the prevention or elimination of some greater evil" (Peterson, 1982, p. 96). Yet the lesser, justified evil remains evil and must be soberly covered.

"But not the ugliest of things." Finally, the ethical journalist must always interrogate a proposed war in light of its alternatives and consequences. There may indeed be something worth a war, Mill suggests. But the burden of proof is always on those who propose to wage a war, to be sure that it is the only alternative and will bring about the desired goods of security and peace.

What is war good for? asks the song, with the reply: "Absolutely nothing!" Most of the time, the utilitarian tradition will agree. However, John Stuart Mill and his philosophical heirs allow that there might be some rare situations in which war could be worth something. By adopting his critical standpoint, a free press can serve its public well whenever war is suggested. This is especially crucial when the nature of the conflict at hand does not correspond to traditional warfare, and even more so when terror is the tactic: this requires the journalist to balance the public's right to know with the risks of aiding and abetting those who seek to spread terror.

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