**Act- and Rule-Utilitarianism**

**Both approaches agree with Bentham and Mill that those acts are good which lead to the greatest happiness of the greatest number of people.**

**Act-Utilitarianism**

**This approach judges each individual action by how that action itself increases the greatest happiness of the greatest number of people. For example, if the Iranian leaders lie when they say that their nuclear program is for peaceful purposes, that lie is justifiable in their view because it leads to the greatest happiness of the Iranian people.**

**Summary Rule:**

**Most people will generally tell the truth because telling the truth almost always leads to the greatest happiness of the greatest number of people, but there are exceptions in diplomacy and international relations when leaders must lie to protest their people. There are examples where we might agree that moral rules are summary rules such as, “Tell the Truth,” and “Do Not Steal,” which we need to break when we are at war because spies need to be able to lie and to steal enemy secrets in order to win the war. Perhaps, if the Iranian leaders see their situation as one of war, they would feel justified in lying about their atomic power research.**

**Rule-Utilitarianism**

**This approach judges each action not by itself, but by the general effects of a rule applied to that action, asking whether following the specific rule increase the general happiness. For example, the rule against self-incrimination is best understood in rule-utilitarianism as a firm rule which ought never to be violated. Yes, sometimes guilty people get away with terrible crimes because we cannot force them to testify against themselves. However, if we could allow our police and prosecutors to force people to testify against themselves, police and prosecutors would easily descend into radical evil because they would force innocent people to testify against themselves.**

**Practice Rule:**

**This approach judges relevant actions by firm and absolute rules. As in baseball, the rule is “Three strikes and you are out.” It is not allowed to claim a summary rule here that millions of baseball fans will be unhappy if you enforce the three-strike rule on me. Rather in the long run, baseball is a better game, a fairer game and happier for all participants with firm and absolute rules.**

**Likewise, the game of life, that is, the game of our moral life, is better if there are some firm and absolute rules for all people even if in particular cases, for example, the guilty go unpunished because we would abhor any case in which innocent people would be forced to testify against themselves.**

**Judge these cases whether the rule should be judged by**

**a summary rule, generally followed but with some key exceptions**

**or by a practice rule, always followed and with no exceptions.**

1. **Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof**
2. **Congress shall make no law abridging the freedom of speech**
3. **Congress shall make no law abridging the freedom of the press**
4. **Congress shall make no law abridging the right of the people peaceably to assemble, and to petition the government for a redress of grievances**
5. **A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.**
6. **The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.**
7. **No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger;**
8. **nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb**
9. **nor shall any person be compelled in any criminal case to be a witness against himself,**
10. **nor shall any person be deprived of life, liberty, or property, without due process of law;**
11. **nor shall private property be taken for public use, without just compensation.**
12. **In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.**
13. **Excessive bail shall not be required, nor excessive fines imposed,**
14. **nor cruel and unusual punishments inflicted.**

1. **Thou shalt not torture.**
2. **Thou shalt not murder (kill innocent people) for the sake of enjoying such killing.**
3. **Thou shalt not kill.**
4. **Thou shalt not bear false witness against thy neighbor in a court of law.**
5. **Thou shalt keep thy promises, if the promise was freely and knowingly given, and all the conditions of the promise still remain the same as at the time of the original promise.**
6. **Thou shalt keep thy promises.**
7. **Thou shalt honor thy father and thy mother.**
8. **Thou shalt love thy children and thy grandchildren.**
9. **Assuming that thou art a citizen of the United States, thou shalt pay all thy federal, state, and local taxes in accord with law.**