

# Trolley Cases and Autonomy Violation

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## I. Introduction

The trolley problem is the problem concerning reconciling our *prima facie* inconsistent intuitions about two kinds of cases, both known as “trolley cases”, with the following basic forms:

1. *The Trolley Case* – A runaway trolley is about to kill five workers unless a bystander flips a switch to divert the trolley onto a different track where only one worker is working.<sup>1</sup>

2. *The Fat Man Case* – A runaway trolley is about to kill five workers unless a bystander derails the trolley by pushing a fat man off of a bridge onto the track.<sup>2</sup>

In the trolley case, our commonsense moral intuition is supposed to be that they bystander should flip the switch, diverting the trolley, killing one person and saving the other five. In the fat man case, though, we’re supposed to have the opposite intuition, that killing one person to save five people would be morally abhorrent. How do we explain these competing moral intuitions?

Perhaps the simplest solution is to conclude that one of these intuitions is wrong. Don Marquis once told me something that has, against all odds, stuck – that we cannot trust our moral intuitions in strange cases. Of the two, the fat man case strikes me as quite strange indeed, if only because it’s hard to imagine a sufficiently fat man perched so precariously on a bridge that a bystander could successfully push him off and derail a trolley. As such, we

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<sup>1</sup> This case was originally proposed by Philippa Foot (Foot, 1967/1978). For the sake of this paper, suppose these workers have thick, protective ear-wear that prevents the bystander from getting their attention.

<sup>2</sup> This version of the case was proposed by Judith Jarvis Thomson (Thomson, 1985).

might be inclined to conclude that our intuitions in this case are less reliable than in the original trolley case, which strikes me as quite plausible. Consider now a third case:

3. *The Transplant Case* – Trapped in a mountain hospital by a storm, a doctor has five patients who will die unless they each get an organ transplant. A healthy (and medically compatible) bike messenger, a former patient, enters the hospital to get out of the storm. The doctor realizes that if she kills the messenger, she can save the lives of the five people in need of organ transplant.

As in the fat man case, we're supposed to have the overwhelming intuition that killing one to save five would be gravely morally wrong. Furthermore, this case strikes me as comparably familiar to the trolley case, and in each of these cases we have strong moral intuitions that appear to contradict each other.

In the next two sections of this article, I argue that two popular approaches to resolve the problem fail. Judith Jarvis Thomson originally attempted to explain our conflicting intuitions in these cases in terms of rights violations, contending that although acting to turn the trolley in the trolley case violated the rights of the single worker, the bystander was justified in doing so.<sup>3</sup> Dissatisfied, recently Thomson has argued that our intuitions in the trolley case are wrong; that it is morally wrong to divert the trolley.<sup>4</sup> In section II, I argue this approach by Thomson is unsatisfactory, and fails to show that turning the trolley is wrong. Section III concerns the doctrine of double effect (DDE). According to DDE, it may be morally acceptable to bring about some unintentional bad consequences (in the trolley case, the death of the single worker) if doing so is not intentional, not a means to a desired end, and the desired end is sufficiently good as to override the wrongness of the bad effect. I show that the DDE rests upon there being a morally relevant distinction between acting and refraining when all else is equal, and this distinction is false. I argue James Rachels has succeeded in showing that, all else being equal, acting and refraining are morally equivalent.

In the final section of this article, I offer an alternative explanation and justification for our intuitions in trolley cases. I contend that in cases like the fat man and transplant case, the agent would be wrong to kill the fat man or messenger without consent because doing so would constitute a grievous

<sup>3</sup> Thomson, 1976, 1985. For a good analysis of Thomson's positions here, see Gorr, 1990.

<sup>4</sup> Thomson, 2008.

autonomy violation, while in the original trolley case there is no such autonomy violation. To violate another's autonomy is to make decisions for that person without her express, tacit, or hypothetical consent when she is, or will be, in the position to make those decisions for herself. In the trolley case, the morally relevant distinction can only be made by the bystander, and although his decision may effect others, he does not violate anyone's autonomy by either turning or refraining from turning the switch. In contrast, in the fat man case, the fat man can decide for himself whether he will jump onto the track, and the messenger is capable of consenting to donate his organs if prompted. Furthermore, because there is at least a *prima facie* strong moral obligation to preserve one's own life, neither the bystander nor the doctor in these last two cases is justified in judging the fat man or messenger to be moral monsters who have lost the right make their own decisions, and thus neither is justified in violating their autonomy. I contend that autonomy violation in such cases is a significant moral harm such that we might be morally obligated to let five people die rather than to violate an innocent person's autonomy.

## **II. On Thomson**

In “Turning the Trolley,” Judith Jarvis Thomson has recently argued that our moral intuitions about the trolley case are wrong, and that it would be morally wrong for the bystander to turn the trolley towards the single worker, even if doing so saved five lives. To demonstrate this, Thomson constructs a trilemma variation of the trolley case; here is a version of this case:

*1<sup>T</sup>. The Trolley<sup>T</sup> Case* – An old-timey villain ties a bystander to track 1 and gives him a remote control track switcher, then releases a runaway trolley onto track 3 towards five workers. The bystander can redirect the trolley to either track 1 or 2, where track 2 has only a single worker.<sup>5</sup>

Thomson contends that it is morally acceptable for the bystander to either turn the trolley towards himself, or refrain from doing so. However, if he refrains from doing so, she says, it would be indecent of him to turn the trolley towards someone else; how could the bystander force the worker to make a sacrifice he was unwilling to make? Thus, for Thomson, because it is acceptable to refrain from turning the trolley towards track 1, and unacceptable

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<sup>5</sup> This is my variation of Thomson's case; for the original see Thomson, 2008. See Shaver, 2011, for another robust criticism of this article.

to turn it to 2, by process of elimination it must be acceptable to let the trolley stay on track 3 and kill five people.

Next, Thomson argues that in the traditional trolley case the bystander has only two of the options that were available to him in the trilemma; one that was not morally acceptable – turning the trolley to kill one worker – and one that was morally acceptable – letting the trolley kill five people. Thus, even if the bystander would have been willing to sacrifice himself in the trilemma, she argues, he is morally obligated to choose to let the five people die, because of the two remaining options, only this is morally acceptable. Before we move on, there is a substantial problem with Thomson's argument; it rests upon the assumption the options in the trolley<sup>T</sup> case are morally equivalent to the "remaining" options in the original trolley case.<sup>6</sup> This is not at all clear that they are morally identical, or even sufficiently analogous to reach Thomson's conclusion; however purposes of this paper let us assume that they are.

Thomson's account, I think, is problematic for three reasons. First, this suggests there is a substantially morally relevant difference between killing and letting die, such that it is wrong to kill the single worker, but acceptable to let five people die! The problem is that on Thomson's view she believes it is morally acceptable for the bystander to kill himself, so killing is, at least in some situations, morally acceptable. On Thomson's view, the bystander is allowed to do so because he is not violating his own rights, but to turn the trolley towards the single worker would violate that person's rights. Surely, though, allowing five workers to be killed when the bystander could easily prevent it would be to violate their rights as well! Suppose that in the trolley<sup>T</sup> trilemma, track 2 was empty; surely in such a case it makes sense to say that to not turn the trolley to track 2 would be to violate the rights of the five workers. To the extent the options in the trolley case are comparable to those in the trolley<sup>T</sup> case, we are committed to the conclusion that refraining from turning the trolley in either of the trolley or trolley<sup>T</sup> cases constitutes a rights violation of those workers. Again, perhaps we can appeal to a distinction between killing and letting die to show why it would be wrong to kill one, but

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<sup>6</sup> In a recent article, Tim Willenken compares similar cases to construct instances of deontic cycling, purportedly showing that our intuitions are governed by inconsistent rules. Stephen C. Makin successfully rebuts Willenken's position by demonstrating that although the options in such cases can be described in a similar manner, they are distinct and non-comparable, demonstrating that Willenken's apparent instances of deontic cycling are nothing of the kind. See Willenken, 2012 and Makin, 2012. In Shaver, 2011, he makes a similar criticism of Thomson's analysis of the two trolley cases.

let five die, but it shall become clear in the next section that this is not viable option.

Second, I think the best way to understand ethics is as an attempt to offer a non-arbitrary answer to the question “What should I do?” While attempts to answer this question in certain cases might lead to the conclusion an agent has multiple possible morally acceptable options, presumably these options are comparable. If our intuition is that it is acceptable to sacrifice the single worker in the trolley case are correct, in the trolley<sup>T</sup> case presumably, if we agree with Thomson that the bystander’s sacrificing himself was optional, presumably we’d conclude he could sacrifice either himself or the single worker. These two options are comparable and *prima facie* morally equivalent – either would be a sacrifice of one life to save five. In contrast, the options Thomson concludes are morally acceptable in the trolley<sup>T</sup> case are *prima facie* not comparable at all; one is to sacrifice one life to save five, and the other is the exact opposite – to refuse to sacrifice one life to save five. The difference is night and day; they are nothing close to morally equivalent.

A third problem with Thomson’s analysis is that just because one is justified in not sacrificing one’s self doesn’t mean that it is unacceptable to sacrifice others. Although perhaps hypocritical, many normative ethical theories allow moral agents to treat themselves different from others. For example, there is a strong, commonsense moral intuition that it is morally acceptable to kill even innocent people in self-defense. (Think horrible misunderstanding, escaped mental patient, rabid child, werewolf, etc. – take your pick.) If self-sacrifice was supererogatory (perhaps for the same reasons it is acceptable to kill innocents in self-defense), this doesn’t preclude the sacrifice of others from being the next best thing. If self-sacrifice is obligatory, one’s immorally refusing to sacrifice one’s self, coupled with the hypocrisy of being willing to sacrifice someone else wouldn’t necessary make turning the trolley to track 2 morally worse than letting it hit the five people – we would have already concluded the bystander in the trolley<sup>T</sup> case is morally blameworthy; the question is which is more blameworthy – hypocrisy and killing an innocent person or letting five people die. If killing and letting die are even remotely morally comparable, the additional hypocrisy of the bystander’s failure doesn’t seem like enough to tip the scale. The only other option is that for Thomson self-sacrifice and letting five people die are both morally acceptable for some other reason than hypocrisy.

### III. The Doctrine of Double Effect

Many of our actions have foreseeable bad effects that it would be morally wrong to intentionally try to bring about, yet intuitively many are morally acceptable. The doctrine of double effect is an attempt to explain our intuitions in such cases, and to differentiate between those actions which can be done despite their bad consequences from those that can't. The thrust of the principle is that it is always wrong to intentionally cause some bad effect; however it may be acceptable to cause a bad effect if it meets the following criteria:

- i. the bad effect is not intentional.
- ii. the bad effect is not a means to cause what the agent intends to bring about.
- iii. what the agent intends to bring about is sufficiently good to excuse the bad effect.

DDE offers a *prima facie* plausible explanation of the difference between the trolley case and the fat man and transplant cases. In the trolley case although turning the switch has a bad foreseeable effect (the death of one worker), it also has a substantially good effect (saving the lives of five workers), thus satisfying condition iii. As long as the bystander does not intend to cause the death of the single worker, turning the switch satisfies condition i. Furthermore, although turning the switch leads to the death of the single worker, the death of the single worker itself does not bring about the good effect, meeting condition ii. This is to say that if the single worker somehow realizes there is a trolley coming and saves himself, it has no bearing on whether the five workers are saved.

Note that DDE does not excuse any unintentional bad effect, as demonstrated here:

*1<sup>DDE</sup>. The Trolley<sup>DDE</sup> Case* – A runaway trolley is about to run over a nice pair of slippers unless a bystander flips a switch to divert the trolley onto a different track where a single worker is working.

According to both commonsense and DDE it would not be morally acceptable to press the button here. To do so would be to violate condition iii; as saving a nice pair of slippers is not sufficiently good to outweigh the worker's death.

The fat man and transplant cases differ from the trolley case because they are said to violate one or more of the conditions. Note that there are actually two relevant bad effects in each of these cases; the pushing of the fat man

(2a) and the harvesting of the messenger's organs (3a), and the foreseeable, but not intentioned, death of the death of the fat man (2b) and the death of the messenger (3b).<sup>7</sup> 2a and 3a violate condition ii; while 2b and 3b do not violate any of these conditions.

For the remainder of this section, I argue DDE is false. I will show that the principle rests upon there being a morally relevant distinction between acting and refraining; a distinction I believe James Rachels, among others, has successfully demonstrated the falsity of.<sup>8</sup> In "Active and Passive Euthanasia," Rachels presents two parallel cases, where one is killing, and one is letting die. In the first, Smith drowns his cousin to receive a large inheritance, while in the second, Jones, intending to drown his cousin to receive a large inheritance, arrives in time to see his cousin hit his head in the tub and sink below the water and then lets him die. (1975, 79) Rachels argues that intuitively Smith and Jones are morally equivalent, despite the fact that Smith acts to kill his cousin, while Jones refrains. Rachels contends that the apparent distinction between acting and refraining is easily explicable; in the majority of cases there are morally relevant differences between acting and refraining that lead us to conclude that the average case of killing is worse than the average case of letting die. In "Killing and Starving to Death", James Rachels presents and defends his equivalence thesis (ET from now on):

If there are the same reasons for or against A as for or against B, then the reasons in favour of A are neither stronger nor weaker than the reasons in favour of B; and so A and B are morally equivalent neither is preferable to the other. (1979, 165)

If ethics is not arbitrary, ET is analytically true. ET explains our intuitions in cases like Smith and Jones, because both Smith and Jones had the same reasons to kill (and not kill) their cousin, and acted or refrained on a subset of these reasons.

To illustrate that DDE relies upon existence of a distinction between acting and refraining, let us consider a version of DDE that is supposedly consistent with the falsity of such a distinction. I will call this theory DDE<sup>ET</sup>. To construct

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<sup>7</sup> In "Thomson and the Trolley Problem" Michael Gorr rightfully points it would be absurd to understand what is wrong with pushing the fat man in the fat man case without considering its likely consequences, see Gorr, 1990. The relevant detail here, though, is that those likely consequences are unintentional.

<sup>8</sup> Although a number of contemporary philosophers advocate this position; the two most noteworthy are probably James Rachels and Michael Tooley; see Rachels, 1975, 1979, 2001 and Tooley, 1972, 1980.

this principle, we must replace any instance of language regarding acting or refraining in DDE with a means to denote their moral equivalence. According to DDE<sup>ET</sup>, it is morally acceptable to act in such a manner that brings about a bad effect if and only if:

- i<sup>ET</sup>. the bad effect is not intentional.
- ii<sup>ET</sup>. the bad effect is not a means to cause/allow what the agent intends to bring-about/allow.
- iii<sup>ET</sup>. what the agent intends to bring-about/allow is sufficiently good to excuse the bad effect.

According to DDE<sup>ET</sup>, it is morally acceptable to turn the switch (act/refrain) in the trolley case because when the bystander acts/refrains, the bad effect is not intentional (satisfying i<sup>ET</sup>), the killing/letting-die of the one worker is not a means to saving/letting-live the five workers (satisfying ii<sup>ET</sup>), and the saving/letting-live of the five workers is a sufficiently good effect to excuse the bad effect of the one worker being killed/let-die.

According to DDE<sup>ET</sup> it is morally wrong to act/refrain in the fat man case because pushing the fat man over the bridge constitutes a violation of condition ii<sup>ET</sup>. But to say that it is morally unacceptable for the bystander to push the fat man just is to say that that it is acceptable for him not to do so. Since acting and refraining are morally equivalent according to this principle, this means that the bad effect of refraining to push the fat man, killing/letting die the five workers, is not intentional (which satisfies i<sup>ET</sup>), and that the killing/letting-die of the five workers is not a means to saving/letting-live the fat man (which satisfies ii<sup>ET</sup>). The problem is that the saving/letting-live of the fat man is surely not a sufficiently good effect to excuse the killing/letting die of the five-workers! Thus, to refrain from pushing the fat man from the bridge would violate iii<sup>ET</sup>! Thus, according to DDE<sup>ET</sup> it would be unacceptable to refrain from pushing the fat man off the bridge! Shockingly, according to DDE<sup>ET</sup> it is wrong to push the fat man, and wrong to not push the fat man! Of course this is absurd, so either DDE is false, or killing and letting die are not morally equivalent when all else is equal.

A number of philosophers have argued that Rachels has failed to show that there is no morally relevant distinction between killing and letting die. Natalie Abrams has argued that in some cases, active euthanasia is actually better than passive euthanasia; the problem is that in the cases she cites, the preference of active euthanasia is preferable to passive euthanasia because it has better results (and thus there are more reasons to do it than the

alternative).<sup>9</sup> To show that there is a morally relevant distinction between acting and refraining would require two things – first, a pair of cases where one is intuitively worse than the other but that are identical in every relevant manner except that one is a case of acting and the other refraining; and second either an explanation for why this distinction doesn't hold in cases like Smith and Jones or an analysis of Smith and Jones that explains the additional relevant difference that compensates for the inequivalence of acting and refraining in the cases. In absence of such an argument, we must take Rachels' conclusion seriously; that there is no morally relevant difference between acting and refraining; killing and letting die.

#### **IV. Autonomy Violations**

It makes sense to say that the doctor in the transplant case wants to save as many lives as possible, yet intuitively he would not be justified to go around harvesting whatever organs he needs to save lives. Under what conditions could the doctor in that case save those five lives? If we take Thomson's intuitions in the trolley<sup>T</sup> trilemma seriously, if it were possible for the doctor to sacrifice his own life to save his patients, he would be morally entitled, but not obligated, to do so. Thomson's bystander can sacrifice his own life because that's his choice! Suppose the messenger in the transplant case was fairly perceptive and learned that by donating his organs, he could save five people, and requested to do so – even though it cost him his life. Shouldn't the messenger in the transplant case have the same opportunity to do so as the bystander in the trolley<sup>T</sup> case?

On the analysis thus far, our intuitions in the transplant case are that the doctor is not allowed to kill the messenger to save the five. Suppose the messenger were to volunteer his organs, and the doctor responds "I'm sorry, it would be morally unacceptable to take your organs because doing so would kill you, and I have a strong moral obligation not to kill you." I imagine the messenger, having just made a difficult decision to sacrifice his own life to save others, would be quite perturbed at hearing this! Suppose the doctor were to follow this up with "Also, I believe that killing and letting die are morally equivalent, so because I have a moral obligation not to kill you, I also have a moral obligation not to let you die, should you do something stupid and try to take your own life as a means of allowing me to harvest your organs to

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<sup>9</sup> Abrams, 1978.

save those five people's lives." If the messenger were to attempt to take his own life, the doctor would be put in the position of either letting one person die and saving five, or saving one and letting five die. Thus the doctor's claim that he has a strong moral obligation to save the life of the messenger over that of the other five seems a little bizarre. Now suppose that the messenger casually wandered to the other side of the room, lamenting his predicament, only to pull out a concealed weapon and take his own life before the doctor could prevent him from doing so. Now, with the messenger dead and having given his express consent to donate his organs, it strikes me that the doctor would have a strong moral obligation to harvest those organs and save his five patients.

Just as in Thomson's trilemma, the bystander is morally entitled to sacrifice his own life to save others, so too must the messenger be entitled to do so. But this scenario is deeply unsatisfying – not only for the doctor's apparent inconsistency insofar as he would be unwilling to let the messenger die yet willing to let his five patients die – but because some phantom moral obligations prevent the doctor from assisting the messenger in donating his organs, which would be, no doubt, less horrific for the messenger and improve the chances of successfully transplanting the organs and saving the patients.

In the trolley<sup>T</sup> case, Thomson sought to explain the wrongness of killing the single worker in terms of how inappropriate it would be for the bystander to choose the worker over himself, leading her to conclude that it was acceptable to sacrifice the five workers. Consider, though, the following two cases:

<sup>1</sup><sup>T2</sup>. *The Trolley*<sup>T2</sup> Case – An old-timey villain ties a bystander to track 1 and a passerby to track 2, and released a runaway trolley towards five workers on track 3. He gives both the bystander and the passerby a remote that would turn the trolley to either tracks 1 or 2.

<sup>1</sup><sup>T3</sup>. *The Trolley*<sup>T3</sup> Case – A cliché horror movie villain ties a bystander to track 1 and a passerby to track 2, and aims a runaway trolley towards five workers tied to track 3. The villain gives the bystander a remote that is capable of redirecting the trolley to tracks 1 or 2. The passerby witnesses this, and begs the bystander to switch the trolley to track 2, so that he can give his life to save the other five.

My intuition about trolley<sup>T2</sup> mirrors my intuition in the fat man case; that it would be unacceptable for the bystander to turn the trolley towards the passerby, and unacceptable for the passerby to turn the trolley towards the

bystander. However, much as in trolley<sup>T</sup>, I think it would be acceptable for either the bystander or passerby to turn the trolley toward himself. To turn the trolley towards the other person is make a decision that the other could have made, thus violating her autonomy.

In trolley<sup>T3</sup>, even if we agreed with Thomson that it would be morally disdainful for the bystander to be willing to sacrifice the passerby's life but not his own, it strikes me as even more egregious to sacrifice the five people in this scenario rather than to sacrifice the one. There are two key differences between Trolley<sup>T3</sup> and the fat man and transplant cases; first the bystander and doctor in the latter two cases are incapable of sacrificing themselves to save five lives while the bystander in Trolley<sup>T3</sup> is, and second, the passerby in Trolley<sup>T3</sup> expressly consents to turn the trolley towards him (which Thomson contends he is morally entitled to), while there is no consent in either the fat man or transplant cases on the part of the fat man or messenger.

I have a strong moral intuition that in Trolley<sup>T3</sup> the bystander has a moral obligation to turn the trolley towards the passerby if he is unwilling to turn it towards himself. To do so is to act in accordance with the wishes of the passerby, and to respect his autonomy. Similarly, I have a strong moral intuition that if the messenger were to volunteer his organs in the transplant case, the doctor would have a strong moral obligation to do as he requests. Furthermore, if the fat man were, say, too fat to jump off the bridge on his own and were to ask the bystander for help pushing him over the bridge, I believe the bystander would be obligated to help.

At this point, I think the difference between the trolley case and the fat man and transplant cases becomes clear; while it is *prima facie* wrong to push the fat man or harvest the organs of the messenger without their consent, it would be morally obligatory to do so with their consent. The relevant question, now, is whether it is acceptable for the bystander and doctor to ask them for their consent.

Regardless of any inelegance or impropriety we might attribute to the bystander or doctor if, say, they would be unwilling to sacrifice themselves in Trolley<sup>T</sup>, it would be *prima facie* immoral to deny either the fat man or messenger the opportunity to act to save the lives of others for this reason alone. Failing to inform the fat man or the messenger of their ability to save lives would be to deprive them of morally relevant information they need to adequately decide how best to live their lives. To intentionally keep this kind of information from these agents, I think, constitutes an autonomy violation far worse than any moral hypocrisy that might be involved.

What makes it wrong to push the fat man off the bridge in the fat man case is that it denies him the opportunity to choose for himself to either sacrifice his own life or not (either choice would be morally acceptable for him according to Thomson). This is all well and good, but I've argued there is no morally relevant distinction between acting and refraining, so just as it is wrong to violate someone's autonomy, so too it would be wrong to let someone else's autonomy be violated. It is at least *prima facie* tempting to say that letting the five people die on the track lets the trolley (or, at least, whoever aimed it) violate their autonomy. While it is plausible to describe the wrongness of their deaths in terms of all of their missed opportunities to exercise their autonomy – in some kind of bizarre variation of Don Marquis's infamous future of value view – this strikes me as a mistake.<sup>10</sup> Roughly, to violate someone's autonomy is to make decisions for that someone rather than to let them make her own decisions when she is in the position to decide for herself, or to replace another's judgment with your own when it is inappropriate to do so.<sup>11</sup> To push the fat man off the bridge is to take away his opportunity to decide to sacrifice his own life. Because acting and refraining are morally equivalent, if someone else was to push the fat man off and you can stop it, you have a moral obligation to do. While letting the trolley hit the five people would cause their death and deny them future opportunities to exercise their autonomy, letting the trolley hit the five people would neither be making any decisions for those people, or be letting anyone else make decisions for those people, and thus refusing to push the fat man does not constitute an autonomy violation of the five.

Suppose the bystander in the fat man case knew the fat man well and believed that he would be willing to sacrifice himself to save others; but also knew that there was not enough time to explain the situation in time for him to make the choice the bystander would have him make. It strikes me that in such a case, the bystander is morally justified in pushing the fat man off the bridge – to do so is to help him act as the bystander genuinely believes he would act if there was sufficient time for him to make such a choice.

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<sup>10</sup> Marquis, 1989.

<sup>11</sup> For example, suppose you and a friend are dining out. Your friend leaves to use the restroom, and the waiter comes to take the table's order. You are reasonably sure that your friend would, given the opportunity, order the most expensive thing on the menu, but in her place given her financial status, you could order something far less expensive. To order for her as she would order, I think, does not violate her autonomy, but to order for her as you think she should order does.

It is sometimes morally acceptable to violate someone's autonomy; for example we are often justified in restricting and even violating the autonomy of prisoners. This is acceptable, in theory, because they have acted immorally and thus proven themselves incapable of moral self-rule. Note, though, that if you give the fat man the opportunity to jump and he refuses, it is not acceptable to violate his autonomy on the basis that he has acted immorally; his refusal to sacrifice himself is a *prima facie* morally acceptable response, at least according to Thomson.

However, it is morally acceptable to violate the autonomy of innocent persons in some situations, when the outcome is sufficiently good. For example, a crossing guard might be morally justified in sticking their hand in front of you as you attempt to cross the street, as doing so might save your life. This is a relatively minor autonomy violation compared to pushing the fat man off of the bridge. It is outside the scope of this paper to rank autonomy violations, but it strikes me that this violation is substantially less of a harm to someone than pushing the fat man off of the bridge would be to the fat man. However there may be some variations of the fat man and transplant cases where violating someone's autonomy is morally permissible; perhaps it is wrong to violate the fat man's autonomy by pushing him to his doom to save five people, but it might be morally acceptable to do so to save millions of people. However, an alternate explanation for this intuition is to say that it would be unacceptable to refuse to sacrifice one's life if doing so would save a million people. If this is the case, then to not choose to sacrifice yourself is to be a moral monster; the kind of moral monster it is *prima facie* acceptable to violate the autonomy thereof.

I contend that the reason we think it would be morally unacceptable to push the fat man and harvest the organs of the messenger in the fat man and transplant cases is that to do so without their permission would be to violate their autonomy. However, I contend that if they give their permission, the bystander and doctor are morally obligated to respect their wishes and act accordingly. In the original trolley case when the bystander reroutes the trolley, he neither violates anyone's autonomy nor allows anyone's autonomy to be violated, and thus his action is morally acceptable.

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