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# The Boulder Problem

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## ABSTRACT

The authors both accept the non-consequentialist principle that prohibits an agent from killing one to save five. The authors argue about whether that principle similarly prohibits an agent from letting herself kill one in order to save five: Byrne insists it does; Sridharan insists it doesn't. The authors do not resolve much, but they consider a variety of cases along the way. In the end, the authors suspect that their disagreement stems from a deeper disagreement about whether the relevant moral facts are grounded in metaphysical facts or just further moral facts.

## 1 | Introduction

The authors agree upon and accept the core non-consequentialist principle that prohibits pushing a fat man off a bridge and into the path of a trolley in order to save the lives of five others (**Footbridge**[1]). The authors thus accept (something along the lines of):

{*} other things equal, A must not kill one person in order to save five others.[2]

They also accept the difficulty of reconciling that principle with the apparent permissibility of a bystander diverting a runaway trolley away from five people and onto one person (and thereby apparently saving the five by killing the one). And that is why they merely accept "something along the lines of" {*}.

However, setting aside that difficulty, the authors disagree about the following case:

**Boulder**: At T1, Annie accidentally knocks into a boulder, sending it down a hill. Unfortunately, the boulder is heading toward a single person, whom it will crush to death unless stopped. Even more unfortunately, a tremor has knocked a second boulder down a different hill toward five other people, all of whom will be crushed unless it is stopped. At T2, Annie is able to stop the first boulder from crushing the first person or (exclusive) she is able to stop the second boulder from crushing the five.[3]

Thomas Byrne (henceforth 'TJBB') says that Annie must stop the first boulder. He thinks this because he thinks that the case falls under the scope of {*}. He thus understands {*} as importantly *untensed*:

{*untensed} other things equal, A must not kill one nor let herself have killed one, in order to save five.

If Annie stops the second boulder, she will thereby have let herself kill the first person (by letting the boulder that she had knocked into kill that one person) and she will have let herself do that in order to save the five. Thus {*untensed} returns that Annie must stop the first boulder.

On the other hand, Vishnu Sridharan (henceforth 'VS') says that {*} is silent about the case. While there may be additional considerations that are relevant to what Annie must (or may) do in **Boulder**, it will not be the case that {*} is relevant to her moral deliberations. VS thus understands the principle as importantly *tensed*:

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{*tensed} other things equal, A must not here and now kill one in order to save five others.

Since there is nothing that Annie can do *at T2* which would kill the one, and since {*tensed} only prohibits killing here and now to save five others, VS says that **Boulder** doesn't fall under the scope of {*tensed}.

In what follows, the authors strive to resolve that disagreement. They do not succeed.

## 2 | VS Begins

While the crux of this debate has not been explored by others, at least not to our knowledge, a nearby debate may be seen as settling the relevant question.[4] In this nearby debate, cases such as the following are discussed:

**Poison**: Marcel wants to kill Nellie. To this end, at T1, Marcel puts poison in Nellie's teacup. At T2, Marcel can either save Nellie from the poison or save five other people from an unrelated threat.

Most people, I concede, have the intuition that Marcel must save Nellie at T2. The debate between myself and TJBB is whether {*untensed} is the best explanation of this verdict. TJBB says (paraphrasing) "yes, Marcel must save Nellie because, other things equal, one must not let oneself have killed in order to save five." I say no. More specifically, insofar as we have the intuition that Marcel must save Nellie, I say that this is only true because we imagine that Marcel has done something wrong at T1 and that, in virtue of having done wrong at T1, she must nullify the impact of this past bad action.

As will become plain, TJBB's preference for {*untensed}, and his corresponding analysis of **Poison**, is rooted in how he takes the relevant moral facts to be grounded in metaphysical facts. More specifically, TJBB believes that, just as one has strong moral reason not to kill in the here and now, one has strong moral reason to not allow oneself to have killed. My preference for {*tensed} lies in how I take the relevant moral facts to instead be grounded in further moral facts. In particular, I believe that the strong reason not to kill in the here and now is grounded in moral facts about due care, respect, and dignity. However, in cases in which we simply allow ourselves to kill, none of these moral facts may be present. Otherwise put, while TJBB thinks that allowing oneself to have killed inherits some (if not most) of the badness of killing, because of standing in the same sort of metaphysical relation to the person that is killed, I do not think that allowing oneself to have killed inherits the badness of a killing, because the moral facts might not fully track the metaphysical ones.[5]

While some authors have discussed their strong intuition in **Poison**, it's not entirely clear whether they favor my account or TJBB's. On the one hand, they speak in terms of agents having a special obligation to "undo" past harm they will have caused, which is closer to TJBB's view. For instance, Hanna (2015a, 682) writes that "[i]t is more objectionable for an agent now to refrain from assisting someone he otherwise will have killed than it is for an agent now to refrain from assisting someone who faces a lethal threat that the agent did not create."[6] If, as Hanna states, an agent has a special obligation to anyone that he otherwise will have killed, then this is naturally captured by TJBB.

While Hanna does at times speak as if we have a special obligation to those that we will have harmed, he fleshes out his account in terms of those we will have *wrongfully* harmed. For instance, Hanna (2015a, 690) writes that, for non-consequentialists, "it is very counter-intuitive to hold both (a) that Agent is morally forbidden from initiating [an action] and (b) that, if he does initiate [an action], he is permitted to easily let it continue when he could easily stop it." Hanna (2015a, 690) then puts forward the following parallel case:

> Suppose that Agent has negligently spilled some chemicals on the floor. If Agent just stands back and "does nothing," the spilled chemicals will slowly run toward each other; in a few minutes, they will combine to initiate the reaction that will kill the one and produce the life-saving drug for the five.

In this sort of case, Hanna claims that "commonsense intuition" is that Agent must clean up the chemicals before they combine. This argument, framed in terms of past morally forbidden or negligent actions, does not necessarily favor TJBB's view. Instead, it seems more in line with my own view, which is that the relevant question is not whether we will have harmed someone else, but instead whether we have violated a duty we owed to that person. This latter, morally grounded approach also seems to be pursued by Unruh in a more recent paper. Unruh (2021, 382) writes that "the obligation to assist one's past victims is just a more specific instance of the special obligation to mitigate, prevent, or offset the harms associated with one's wrongful behavior."[7] "We ought to be more concerned with our own wrongful behavior," Unruh (2021, 382) continues, "because our own behavior gives rise to special obligations toward those we have wronged." Unruh (2021, 383) concludes that this obligation toward those we have wronged applies to those we "will have wronged," stating that, just as "we have special obligations toward those whom we have wronged in the past, we should also accept that we have special obligations toward those whom we will foreseeably wrong in the future."

Before getting to our debate on this matter, there's one more aspect of Unruh's paper that is worth examining, as it may provide additional support for TJBB's view. Even if we reject Unruh's claim that what matters in cases like **Poison** is the wrongfulness of our past actions, we might still accept what she has to say about the importance of our moral agency. Citing Wolf (2001) and Woollard (2015), Unruh (2021, 381) lays out the following case for why our own agency matters:

> Without a sense of responsibility for our own agency, it would be hard to see how we could think of ourselves as individual agents, who deliberate, decide, act and interact with agents who are clearly separate from ourselves…Not stopping a harmful sequence that you have initiated yourself is therefore harder to justify than



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> not stopping a harmful sequence that you have not initiated.

Note that, in this passage, Unruh speaks of harmful sequences that agents initiate, not simply ones that agents wrongfully initiate. While Unruh herself proceeds to cash out the importance of agency in terms of wrongdoing, it's certainly possible to unpack our intuition in **Poison** in terms of harmful causal sequences that the agent initiates, whether wrongfully or not. In fact, one might frame the debate that follows as one with respect to whether a causal connection, alone, is sufficient to ground our strong intuition in **Poison**, or whether some sort of bad behavior is also necessary.

Since intuitions have almost uniformly favored preventing oneself from having killed in **Boulder**, it's worth saying a brief word about why we might favor saving more people from death instead.[8] In short, both TJBB and I–as well as Hanna and Unruh and others who have written on the issue–agree that there is something morally special about our present-moment agency. As Woollard (2015, 276) puts it:

> As human beings, we exercise our agency at present. We typically have immediate access to current deliberations, and immediate control over current choices, given the available options. Our control over our present behavior is typically greater than our control over our past or future behavior. This is why our present choices carry special moral weight.

The moral importance of present-moment agency is not in dispute here, as both TJBB and I agree that one ought not kill *here and now* to prevent five people from having been killed by one's past action. While I'm not committed to the view that all that matters morally is one's present-moment agency, the crux of my view is that one's present moment-agency is morally important in a manner that cannot be reduced to causation. Applied to **Boulder**, this entails that the causal connection between Annie and the death of the one might have little bearing, here and now, on what she ought to do.

## 3 | TJBB Writes…

Elsewhere and for different purposes, I introduced a case much like the following:

**Driving**: At T1, Anika is driving her car toward the crosswalk, where one worker is trapped in cement. The car's brakes are worn such that the brake pedal must be pressed continuously if the car is to stop before it runs down the one. Next to the road, five other workers are drowning in a pond, with only seconds left until they perish. At T2 Anika can either stop the car by pressing the pedal until the car stops or (exclusive) she can jump out of the car and save the five drowning workers (alas, the car cannot be diverted). (Byrne 2025, 768)

I took it as a datum that Anika must press the brake pedal long enough to stop her car from running down the trapped worker, and therefore she mustn't save the five.

I take **Driving** and **Boulder** to be alike in the following respect: just as in **Boulder** there is nothing that Annie can do at T2 by which she would kill the one, nor in **Driving** is there anything that Anika can do at T2 by which she would kill the one. (That is, if Anika kills the one, it would be by what she did at T1, namely, setting her car on a collision course with him.)

And with that in mind, I want to move directly from the fact that Anika must stop her car in **Driving** to the conclusion that Annie must stop her boulder in **Boulder**. And, if that's right, then {*tensed} is the wrong interpretation of {*}.

## 4 | VS Responds…

I take **Driving** and **Boulder** to be dissimilar in the following respect: in **Driving**, Anika is performing a continuous action (namely, driving) that starts at T1 and continues at T2. More simply put, Anika is still driving at T2, while in **Boulder**, Annie performs a discrete and complete action at T1, namely, knocking a boulder. I take this dissimilarity to be relevant because our obligations with respect to the continuous actions that we are currently performing may differ from our obligations with respect to the discrete actions that we have completed in the past. Consider:

**Babysitting**: Carlos is babysitting Jimmie. Carlos has explicit instructions to give Jimmie medication that Jimmie requires to manage his illnesses, and Carlos does so. As it turns out, the medication that Carlos provides Jimmie has gone bad–due to manufacturer negligence–and Jimmie has an immediate adverse reaction. Carlos can either take Jimmie to the hospital or (exclusive) take five other kids who are having an adverse reaction to their medication to the hospital.

**Babysat**: Three days after Carlos finishes babysitting Jimmie, when Jimmie's parents are back in charge of their care, Jimmie has an adverse reaction to the medication that Carlos was instructed to give him. Carlos can either take Jimmie to the hospital or (exclusive) take five other kids who are having an adverse reaction to their medication to the hospital.

In **Babysitting**, TJBB and I agree that Carlos is obligated to take Jimmie to the hospital. I would explain this in terms of Jimmie still being under Carlos' care, where Carlos is performing the continuous action of babysitting. In **Babysat**, it's much less clear that Carlos still has an obligation to take Jimmie to the hospital, at least if he's discharged the obligations that were explicitly agreed upon with Jimmie's parents beforehand. (If Carlos babysits dozens of kids each week, it's implausible to think that he has some obligation to see to each kids' well-being after doing everything that was required of him during his shifts). I would explain this judgment by pointing out that Jimmie, like



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the other kids Carlos has babysat, is no longer under Carlos' care. Given this moral fact, I would argue that Carlos need not act in a way that prevents his past action–the administration of the spoiled medicine–from killing Jimmie. The fact that Carlos has discharged his duties to Jimmie in **Babysat** is what distinguishes him from Anika in **Driving**. After all, Anika clearly has an obligation to not kill someone while driving her car, and she is still driving her car at T2. Applied to **Boulder**, this would mean that, as long as Annie was not derelict in her duties at T1, she would not have a particular obligation to the one at T2.

As stated above, I favor the following tensed version of {*}:

{*tensed} other things equal, A must not here and now kill one in order to save five others.

If an action that I continue to perform here and now (or at T2 in the relevant examples) has the potential of killing someone, then I should ensure that this action does not kill anyone. This, to me, is what it means to not "here and now kill one."

## 5 | TJBB Retorts…

I'm skeptical that VS's distinction between "continuous-" and "discrete" actions can make the difference that VS says it makes.

For starters, isn't it merely an artifact of **Driving** that Anika is driving continuously from T0 (when she starts the car) through T1 (when she last adjusts the car's controls, leaving the car on its heading toward the trapped worker) and T2 (the last moment at which she can engage the brake and thereby stop the car from hitting the trapped worker)? When I introduced **Driving** I assumed—and I invited readers to assume—that Anika was driving continuously, but would it have made any difference if she had in fact fallen asleep at T1 and only woken up at T2? If whether she was driving continuously makes a difference, then it seems it would have made all the difference as to whether or not Anika ought to save the five: after all, it could hardly be insisted that she were driving continuously while she were sleeping! So, it seems to me, for all VS has said, whether Anika ought to save the five is going to be in part fixed by whether or not she slept from T1 through T2. Isn't that queer? (Imagine it is now T2 and Anika is deliberating on whether or not to save the five: must she first determine whether she was sleeping or merely daydreaming? Surely not.)

I have a second worry. Even if we accept that there was some action—namely driving—that Anika was performing from T0 to T2, why should that be the action that we should focus upon vis-a-vis Anika's (would be?) killing of the trapped worker?

Suppose that A is hunting from T0 to T2, and shoots B dead at T1. Now, hunting is a continuous action, but wouldn't it be strange to say that it was A's hunting that killed B, rather than the discrete action that was her shooting B at T1? (There is a difference between the cases. Even once Anika had last adjusted the car's controls, it was still possible for her to prevent herself from killing the trapped worker; not so for A's shooting B. But I don't see why that makes a difference. Suppose A were a doctor—the best doctor, the best trauma surgeon—such that she could, if she wanted, have operated on B at T2 and saved his life. That wouldn't change the fact that it was what A did at T1 (namely shooting at B) that killed B, rather than her continuous action from T0 through T2.)

Ultimately, I don't think the fact that Anika was continuously driving from T1 through T2 can explain why she ought to prevent herself from killing the trapped worker (and thereby differentiate **Driving** from **Boulder**).

As for VS's **Babysitting** versus **Babysat**…I'm not sure what to think. I agree that Carlos ought to save little Jimmie in **Babysitting**, and I agree that it is less clear what Carlos ought to do in **Babysat**, but it's also much less clear whether Carlos would kill little Jimmie in **Babysat** if he doesn't take Jimmie to the hospital. Would Carlos be speaking truly in Babysat if he said "I killed little Jimmie"? I'm uncertain. (Though this uncertainty neatly accords with my uncertainty about what Carlos ought to do in that case; indeed, the truth of {*untensed} would predict that the uncertainty of whether he kills would infect what he ought to do in that case.)

## 6 | VS Ducks and Hits Back…

It's certainly open to our fair readers to deny that Carlos kills Jimmie in **Babysat**; if they find this plausible, then it would help account for the strong intuition that Carlos' special responsibility to Jimmie ended with his shift. To me, if Carlos gives Jimmie poison while he's babysitting Jimmie, and that poison later kills Jimmie, there's no real question as to whether Carlos kills Jimmie. Since the spoiled medicine may be poison, I think the case is clear enough. After all, if Carlos gave Jimmie poison that killed him, Carlos could truly say "I killed little Jimmie." Of course, at least for me, whether Carlos did anything he ought not to have done in **Babysat** is an entirely distinct question. After all, Jimmie may have needed his medication in order to survive, and Carlos might have been in violation of his professional duties to fail to administer it.

That aside, I think we're getting at the heart of why, in **Driving**, I think Anika ought to (must) pump the brakes. First, while I accept that our use of language is a bit imprecise here, I question whether Anika falling asleep entails that she's not driving. For instance, if Anika fell asleep, swerved off the road and crashed into a tree, we could truly say that she "drove" into the tree. What we would not say is that Anika was driving, then she stopped driving, and then the car crashed into the tree. In the hunting case, I agree it would be more natural to say that A's shooting at T1 killed B rather than A's hunting. Still, we would also definitely say that A killed B while she was hunting. Similarly, whether Anika kills the worker while she is sleeping or she is awake, I think it's true to say that she killed the worker while she was driving.

While I framed it in terms of "continuous" versus "discrete" actions, what may truly be at play is the duty of care that Anika owes others while performing certain actions. While Anika is driving a car, she has a variety of duties toward those around



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her. If she fell asleep at the wheel, and then woke up later, she would still have those duties. I would say something similar about someone who became engrossed in a text conversation and took their hands off of the wheel: maybe they are so disengaged from the act of driving to be counted as such, but they surely still have the duties of a driver. While someone is hunting, they similarly have duties of care to other people (and animals!) in the woods.

Ultimately, speaking in terms of "duties of care" may be a better articulation of my verdict in **Babysat**. Surely there is a fact pattern according to which Carlos is not remiss in his duties toward Jimmie while babysitting but ends up doing something that, after Carlos finishes his babysitting, kills Jimmie. Insofar as we can imagine such a case, then I think Carlos can save five kids instead of one in **Babysat** but not **Babysitting**.

## 7 | TJBB Has a Penultimate Swing…

I begin by noting two small points of disagreement, before pressing on. Firstly, I agree that in a case in which A straightforwardly gives B poison and B straightforwardly later dies of that poisoning, then A kills B. My quiet suggestion is that **Babysat** is not such a straightforward case: there are parents, expectations, doctors, etc. involved and it's possible that that changes things. In any case, I am not deaf to VS's skepticism here. Secondly, it's not at all clear to me that we could truly say that "Anika drove into a tree," when she was asleep at the wheel. I don't see us resolving either of these disagreements here, so having noted them, I press on.

I started with **Driving** because I took it to be of the same structure as **Boulder** (though VS has questioned that) and thus I thought I could easily move from claims about the former to claims about the latter—and then settle on {*untensed} as the explanation of those claims.

However, one can make a different argument via a version of **Footbridge**. The version I have in mind proceeds as follows: at T1, Angie pushes the fat man off the footbridge in order to save the five, but—lo!—the fat man survives the fall and Angie now, at T2, has the option of dragging him to safety before the trolley arrives or (exclusive) leaving him there, knowing that his mass will stop the trolley from killing the five. (**Footbridge-redemption**.)

I take it as a datum that Angie must drag the fat man off the tracks. (How queer it would be if Angie must not push the fat man off the bridge yet, having done so, it's not the case that she must drag him to safety.) Since there are structural differences between **Footbridge-redemption** and **Boulder**—not least how only in the former does the agent "use" the one to save the five—I cannot argue in the same way I did above (viz. via the premise that the two cases share the same structure). Rather, I argue as follows. There is nothing Angie can do at T2 by which she would kill the fat man, and so if {*} is to explain why Angie must, at T2, drag the fat man off the tracks it can only be understood as {*untensed}; {*untensed} applied to **Boulder** returns that Annie must stop the first boulder; and thus Annie must stop the first boulder in **Boulder**.

## 8 | VS, Seemingly on the Brink of Victory…

To briefly acknowledge TJBB's two initial points: (1) I accept that it's possible that parents, expectations, and doctors might change whether we'd say that Carlos poisoned Jimmie, but I doubt it changes whether we'd say that Carlos, however inadvertently, gave Jimmie poison. If Carlos can truly say that he gave Jimmie poison, it's a short step (for me at least) for him to truly say that he killed Jimmie. (2) Even if I grant that, while Anika was asleep, she was not driving, the initial case dealt with her obligations after awakening behind the wheel. At that point, she would be driving the car and have all concomitant obligations to pedestrians and other drivers.

**Footbridge-redemption** is a tricky case, and a good one to discuss! The first thing I'd say is that the case incorporates intentionality in a way that **Boulder** studiously avoids. In **Boulder**, Annie accidentally knocks into a boulder that now threatens one person's life; in **Footbridge-redemption**, we are told that Angie pushed the fat man "in order to" save the five, which entails that she acted with a purpose or goal, namely, to save five people's lives. With this in mind, we can agree with TJBB's verdict in **Footbridge-redemption** without endorsing anything like {*untensed} to explain why Angie must pull the fat man from the tracks. Instead, we can simply explain Angie's obligation to save in **Footbridge-redemption** by citing moral facts, perhaps in the manner that Hanna and Unruh envision. In particular, we might explain Angie's obligation by telling a story about how she shouldn't have intentionally pushed the fat man and now must save him as an act of restorative justice.

Perhaps the more relevant case, then, is the one in which Angie accidentally knocks into the fat man at T1, and at T2 has the choice between saving him or five others (**Footbridge-redemption'**). While this wouldn't be a case in which Angie pushed the fat man *in order to* save five others, it's similar to **Boulder** except that, instead of accidentally knocking into a boulder that will kill, the boulder is removed. With regard to **Footbridge-redemption'**, my response is rather short and straightforward: as long as it is not the case that Angie was negligent or reckless at T1, it is not {*} that explains why Angie must, at T2, drag the fat man off the tracks. This again leaves open the possibility that there are ways of spelling out **Footbridge-redemption'** according to which Angie has some sort of rectificatory duty toward someone she has wronged. Once we put that possibility aside, I would explain the shared judgment that Angie ought to save the fat man without reference to T1, namely, by arguing that Angie's obligation to save the fat man at T2 is not impacted by the fact that, if left to die, his body would prevent the deaths of five other people. Otherwise put, if Angie simply came across the fat man on the tracks, she would be obligated to save him regardless of how much good might result from leaving him to be smashed by the trolley.[9]

## 9 | TJBB Replies…

I say that it is {*} which explains why Angie must save the fat man in **Footbridge-redemption'**, and thus I say that {*} must be understood as {*untensed}. VS says that it is a general principle



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to save which explains why Angie must save the fat man (and thus says that the case tells us nothing about {*}).[10] It seems to me that these explanations would return different verdicts about what Angie ought to do in **Footbridge-redemption'-double**, which opens just as its ancestor, but differs at T2: at T2 Angie can either drag the fat man (the one she knocked onto the tracks) off the tracks or (exclusive) she can drag a fat lady off another track (one who was knocked off by someone else and who currently blocks a second trolley from colliding with five more trapped workers). As I understand his explanation of why Angie must save the fat man in **Footbridge-redemption'**—namely, we have a general obligation to save those who find themselves in that sort of situation—I expect that VS would say that in **Footbridge-redemption'-double** Angie is free to save either the fat man or the fat lady. To my mind, it's a datum that she must in fact save the fat man. Why? Because she is the one who knocked him off the bridge—albeit unintentionally—and if she doesn't save him, she will have let herself kill him in order to save the five.

## 10 | VS Goes on the Offensive

One point on **Footbridge-redemption'-double**. If Angie saves the fat lady instead of the fat man, she will have let herself kill one (the fat man) in order to save one (the fat lady). If we are assuming that the five that would be saved by the fat man being on the tracks is not relevant to Angie's decision of who to save—a point that should be agreed upon—then she's not letting him die in order to save five. Other than that, I simply disagree with TJBB that a causal connection, without moral negligence or recklessness (or, of course, intentional harm), is sufficient to require Angie to save the fat man instead of the fat lady.

TJBB and I agree, as non-consequentialists of a certain sort, that agents should be particularly concerned with the harm that they cause others. At a minimum, we agree that agents shouldn't go around doing harm in order to minimize the total harm that obtains in the world. One way of framing our disagreement is that I have a much more limited view of the harms that an agent should be concerned with. Otherwise put, I think there are a range of harms that an agent might bring about (or at least be described as bringing about) that fall outside the scope of her moral concern.

One group of such harms would be ones that are not appropriately connected to an individual's moral agency. Consider a case in which Annie is walking along a canyon trail. At T1, Celeste intentionally trips Annie, and Annie falls into a nearby boulder (**Boulder-Trip**).[11] At T2, Annie then has the choice between saving one person from the boulder she came into contact with or (exclusive) saving five others that will be killed by another boulder. While, if Annie doesn't save the one, she will have killed the one, I don't think Annie has a particular responsibility to that person. Instead, I would argue, it's permissible (if not obligatory) for her to save the five, for the same reason that it would be permissible (if not obligatory) for her to save five over one in any other scenario.

To be clear, if Annie could easily save the one, she would be obligated to; Annie has an indisputable obligation to make easy rescues. The question that **Boulder-Trip** raises is whether we have a special obligation to others who are harmed as a result of our bodies being in space. Note that this isn't exactly a question of our obligation to others who are unintentionally harmed by our actions, since it is Celeste's action ("tripping") that causes Annie's body to contact the boulder. Instead, it is more fruitful to think of the case as one illustrating that, simply from being embodied in the world, our bodies may end up as part of causal chains that harm (and even kill) others. It is these cases—the ones in which there is the greatest distance between our moral agency and the harm that obtains—that put the most pressure on TJBB's view. Such cases also show the potential gap between TJBB's view and that of Hanna, Unruh and others, who seem to endorse the view that we ought to undo past harm in virtue of that past harm being the upshot of our moral agency.

## 11 | TJBB Comes Out of Nowhere…

Boulder-Trip is a good case. It is a counterexample to {*untensed} iff

i. Annie would kill the one if she doesn't stop the first boulder, and

ii. it's permissible for Annie to stop the second boulder rather than the first,

since she would thereby permissibly let herself kill one in order to save five. VS accepts (i) and (ii) and thus thinks the case is indeed a counterexample to {*untensed}. I find myself in two minds about both (i) and (ii).

Why should we accept (ii)? When I find myself inclined to accept it, it's because I want to say (on Annie's behalf) "why should I be particularly concerned with the first person, I didn't do anything to him—it was Celeste!" But that sits ill with the truth of (i): if Annie truly didn't do anything to the first person, then she could hardly have killed him. To kill someone is to do something to them! So when I want to accept (ii), I find it hard to accept (i).

So perhaps I should just reject (i). Wasn't it Celeste, not Annie, who will kill the one if the first boulder isn't stopped? After all, it was Celeste who started the chain of events that will lead to the one's death, while Annie was merely a tool in that chain. It would be lovely if that were correct—so neat! so tidy!—but it cannot be correct since bullets are also mere tools in chains started by others, but surely bullets do kill people: bullets kill people and the people who fire bullets kill too.

So it seems like we really must accept (i). But once we accept it, why shouldn't we deny (ii)? After all, what I just said (in Annie's voice)—"…I didn't do anything to him…"—is straightforwardly false, since she did do something to him: she killed him!

In earlier discussions with VS, I was worried about an implication of denying (ii). I was worried that its denial would make it too easy for villains to manipulate us. Suppose that I am running to save five people that Villain desperately wants dead. I was



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worried that if (ii) were false, then Villain could too easily make it impermissible for me to save the five, by, for example, knocking me into a boulder that tumbles toward one person. I now wonder whether that is as implausible as I earlier thought. Surely the Villain could make it impermissible for me to save the five by blocking my path to them with an innocent, whom I would have to trample to make it to the five in time.[12] What if instead of blocking my path with the innocent, the Villain instead threw the innocent under my running feet (**Villain-Throw**), such that I unwittingly trampled her and I now had a choice between rushing the innocent to hospital (her wounds being sufficiently grave that she'll otherwise die) or (exclusive) leaving her to die so that I can instead save the five. I would think that I am now required to save the innocent, rather than the five. The Villain's behavior was objectionable, but I don't think the moral theory that returns that I ought to save the injured innocent is similarly objectionable. (I don't suppose this will have much traction for VS, since I suppose that he would think that there is all the difference between the case in which the innocent blocks my path, and I would thus wittingly kill her were I to save the five, and the case in which she's thrown under my feet, and I would thus unwittingly kill her were I to save the five.)

Ultimately, I think I am content—if not overjoyed—accepting that (ii) is false and thus Annie's case is not a counterexample to {*untensed}.

## 12 | VS Ends the Debate With a Point That Fails to End the Debate…

I think we're reaching a great deal of clarity on our disagreement. We seem to be on the same page in thinking that, in **Boulder-Trip**, Celeste bears primary (if not exclusive) responsibility for the death of the one. We also agree that, if the one dies, Annie might be able to truly say "I killed the one." Where we part ways is the relevance of (i) the fact that Annie would kill the one if she doesn't stop the first boulder to (ii) the permissibility of her stopping the second boulder rather than the first.

To start, I'll simply note that if we simply have a responsibility to prevent our past wrong actions from causing harm, as Hanna and Unruh would have it, then Celeste, butnot Annie, has a special obligation toward the one. What **Boulder-Trip** also shows is that, even if an agent doesn't perform an action as such, it might end up being the case that she kills someone. This would be particularly clear if Celeste picked up Annie's body and threw it into the boulder. In such a case, while Annie still knocks into the boulder, it's fair to wonder if she's really "done" anything.

In addition, **Boulder-Trip** is worth discussing insofar as it shows that the underlying question is not about subjective vs. objective wrongness. One might think that my view is strongest when thinking about subjective wrongness, while TJBB's is strongest when thinking about objective wrongness. In **Babysat**, one might think that Carlos has no obligation to revisit and assist with Jimmie because, subjectively, he did nothing wrong. If one thought some notion of objective wrongness were relevant to the case, then one could conclude that Carlos ought to save Jimmie because he treated Jimmie in a manner that was, in light of all relevant information, morally wrong.

In **Boulder-Trip**, I don't think it is fair to describe Annie as acting in a manner that is objectively wrong. I agree with TJBB that we might describe Annie as killing the one, but it's equally clear that, in killing the one, Annie does not act in a manner that she should not have. Instead, it is the case that Celeste uses Annie's body for her own ends, and Annie is innocent—both subjectively and objectively—in the matter of the one's death.

This brings us to the case in which a Villain throws an innocent person under an agent's feet (**Villain-Throw**). TJBB is correct that my view is committed to treating such a case in the same manner as **Boulder**. To introduce some symmetry, let's say that, in a variant of **Villain-Throw**, the Villain has trampled on five people and then throws a sixth ("the one") at my feet. To me, **Villain-Throw** is then a case in which the Villain is responsible for six people being trampled. Of these six people, I can either save the five or save the one. Of course, I go for saving the five. The fact that the Villain used my body to trample the one is, in my view, irrelevant to my moral deliberations. In addition, in **Villain-Throw**, I don't think that I've performed an action that is morally wrong, either subjectively or objectively.

One more point is worth making about {*}. Consider:

**Golf**: Dalia is at the driving range. There are signs posted around the range warning of the serious dangers of walking around the greens, but people who enjoy risk often ignore them. Dalia smacks a golf ball and, after a clean strike, someone runs onto the course and into its path. She can either prevent her ball from hitting the person who put herself in the ball's path or (exclusive) prevent five other similarly reckless people from suffering similar injuries.

I think it's clear that, in **Golf**, Dalia is not obligated to tend to the person that will be smashed by her ball. Instead, I think it's clear that it is permissible (if not obligatory) for Dalia to save the five. **Golf** is unlike **Boulder** in that the assumption of risk is built into the description. That is, in **Golf** it is made explicit that all of the people at risk of being smashed by a golf ball assumed the risk of injury, while in **Boulder** this is not an explicit part of the case. At the same time, what is true about both cases is that the six people who might be saved are all equally deserving of it. In **Golf**, we might think that all six people are equally undeserving of being saved since they were warned about the risks of walking around the course. Still, I think TJBB would agree that we ought to save some of them if we can easily do so. Along similar lines, in **Boulder**, we might think that all six people are equally deserving of being saved from being crushed by a rock, by default. Since we save five out of six (equally) undeserving people, I'd say we ought to save five out of six (equally) deserving people as well. Or at least this symmetry would take an effort, and some contortion, to fight.

## 13 | TJBB Is Not Angry, Just Disappointed…

VS says that **Golf** is a counterexample to {*untensed}, because he thinks it obvious that Dalia need not prevent herself from killing the one, and may instead save the five. He thinks this then puts pressure on the "other things equal" clause in {*untensed} and, in turn, upon {*untensed} itself. I think that **Golf** straightforwardly



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accords with {*untensed}, and thus I think it only puts pressure on those that deny {*untensed}.

I think that because I see no difference between **Golf** and **Boulder** (or, for that matter, between **Golf** and **Footbridge-redemption** or between **Golf** and **Driving**). VS thinks there is a difference in virtue of how the individuals involved have culpably put themselves in danger. (We didn't earlier stipulate either way with regard to **Boulder**, and so forth, whether the potential victims were culpable, but our silence invited you to assume that they weren't.) But why should that make a difference when *all* the potential victims—the one and each of the five—are similarly culpable? (Of course, if just the first individual were culpable, that could make a difference, but then other things would plainly not be equal.)

Here's one way it could make a difference. The individuals are each so culpable that they have in fact forfeited their rights to life and thus Dalia's decision at T2 need only consider how good or bad things will be were she to save the one (five dead!) or save the five (only one dead!). That would vindicate VS's feeling that Dalia may save the five at T2, but wouldn't it vindicate too much? Suppose that in **Culpable-Footbridge**, everyone is culpably in the vicinity: the fat man shouldn't be on the bridge and the five shouldn't be on the tracks. If the six culpable individuals have forfeited their rights to life in **Golf**, then why haven't the six in **Culpable-Footbridge** similarly forfeited their rights to life. And if they have, then it should be permissible for the bystander to push the fat man. But surely it isn't permissible for the bystander to push the fat man.

Perhaps there is another way of explaining why the individuals' culpability makes a difference in **Golf**, such that Dalia may save the five and thus the case is indeed a counterexample to {*untensed}. My question for VS is what is that explanation and why doesn't it similarly spread to **Culpable-Footbridge** and thus give us a counterexample to {*} itself.

## 14 | A Final Response From VS…

I welcome your question, TJBB. In **Babysat**, I claimed that, while Carlos will have killed Jimmie if he opts to save the five, his special obligation to Jimmie ended with his shift. After Carlos' special obligation to Jimmie expires, he is equally responsible to the six he can save, and I think he ought to save the five. We can apply this same logic to **Villain-Throw**, the case in which the Villain throws one innocent person under my feet after the Villain trampled five others. As I saw it, I'm left with six trampled people, and a Villain who is responsible for trampling them all (one using my body). Even though the Villain uses my body to implement one of the tramplings, I think I have an equal responsibilityto all six. If I'm equally responsible to all six, then I go for saving the five.

I bring up **Golf** because it is a case in which, as long as Dalia is following the rules of the course, she seems equally responsible to all six people. If Dalia hit a ball where she was not allowed, then she might bear a special responsibility to the one. If that is not the case, then we're left with Dalia acting as she is permitted to, and six people who intentionally put themselves in harm's way. In such a case, as well as in **Babysat** and **Villain-Throw**, the agent should strive to save as many people as possible. **Golf** is also similar to **Villain-Throw**, I would submit, in illustrating that the question at hand is ultimately not one about subjective vs. objective wrongness. While **Villain-Throw** is perhaps the strongest example of a case in which the protagonist does not act in a manner that is objectively wrong—since it is not clear that the protagonist performs an action—I would make the same point about **Golf**. In short, the person choosing to run into the path of Dalia's ball, after they were warned not to do so, does not seem to make Dalia's golf swing morally wrong, either subjectively or objectively.[13]

One last point that is worth discussing is the expansion of our relevant moral responsibilities if we adopt TJBB's view. In **Boulder-Trip** we saw that, according to TJBB's view, we need not only be concerned with our actions, per se, but also with how other people might make use of our bodies. In particular, since villains might make use of our bodies in ways that make sentences like "I killed the one" true, we need to be concerned with not only our activities but theirs. What **Golf** shows us is that, in addition to how others use our bodies, we need to worry about the causal consequences of our everyday actions into the indefinite future. Even for us non-golfers, this range of moral concern seems to be a significant (and unwieldy) addition for non-consequentialists.

No one wants to kill people. No one wants it to be the case that they have killed people. If we can easily prevent it from being the case that we will have killed others, then we ought to do that. At the same time, my view is that our exclusive moral focus ought to be on treating others with the respect and consideration they deserve. If (and only if) we succeed in doing so, then we will have completely discharged our applicable duties.

## 15 | A Conclusion…

The authors accept

{*} other things equal, A must not kill one person in order to save five others, yet they disagree about the following case.

**Boulder**: At T1, Annie accidentally knocks into a boulder, sending it down a hill. Unfortunately, the boulder is heading toward a single person, whom it will crush to death unless stopped. Even more unfortunately, a tremor has knocked a second boulder down a different hill toward five other people, all of whom will be crushed unless it is stopped. At T2, Annie is able to stop the first boulder from crushing the first person or (exclusive) she is able to stop the second boulder from crushing the five.

They disagree in that TJBB thinks Annie must stop the first boulder (and thereby understands {*} as importantly untensed), while VS thinks it's permissible for her to stop the second boulder (and thereby understands {*} as importantly tensed). We promised that we would strive and fail to resolve that disagreement, and we have lived up to that promise. We close by briefly



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discussing a wider disagreement—one already mentioned briefly above.

TJBB sees {*} as moral bedrock in that he sees any further distinctions upon which it rests to be metaphysical distinctions: in this case, distinctions between whether A kills B or not, etc. VS instead denies that {*} is moral bedrock and instead sees it as resting upon further moral distinctions. (Indeed, VS is open to its being moral facts all the way down.)

Recall **Villain-Throw**, in which the villain throws the innocent one into the path of the would-be rescuer of the five, such that she (the would-be rescuer) tramples the one. Our rescuer can now either save the one from the injuries she (the rescuer) inflicted or (exclusive) she can save the five. What should the rescuer do? TJBB says that what the rescuer ought to do (a moral fact) is fixed by whether the rescuer will have killed the one (a metaphysical fact). VS says that what the rescuer ought to do (a moral fact) is fixed by whether the rescuer acted wrongly (a further moral fact).

Is there anything of principle that speaks in favor of TJBB's way of seeing things over VS's way of seeing things, or vice versa? One thing would be to see which way of seeing things better accords with the moral facts (about what, e.g., our agents ought to do in **Boulder** and in **Villain-Throw**, etc.), however since TJBB and VS disagree about those moral facts—and have failed to resolve that disagreement—that cannot help them here.

TJBB thinks the following speaks in favor of his way of seeing things: moral distinctions that at first appear esoteric are actually, it turns out, accounted for by the underlying metaphysical facts; the non-consequentialist moral judgements aren't actually esoteric, after all.[14] TJBB thinks this is a good thing: non-consequentialist morality isn't as ad hoc, as piecemeal, or as weird as the consequentialist bemoans.

VS thinks the following speaks in favor of his way of seeing things: whether it is wrong to kill someone in the here and now depends on moral facts, such as whether one is acting in self-defense, whether one is a combatant in a just war, and whether the other has consented to it. It is far simpler to apply the same sort of analysis to whether it is wrong to allow oneself to have killed. It is this unified, coherent approach that demonstrates that non-consequentialist morality isn't ad hoc, piecemeal, or weird.

Disheartened by earlier failure, the authors do not try to resolve this second disagreement here.


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### Endnotes

[1] We collect all the cases in the Appendix, for readers' reference.

[2] Foot (2002), Thomson (1976, 1985).

[3] This case is similar to the one discussed by Unruh (2021, 370), which she acknowledges as a variant on cases discussed in Woollard (2015) and Bennett (1993).

[4] For discussion of how our future, as opposed to our past, actions impact the justifiability of our current actions, see Sridharan (2025, Forthcoming(a)).

[5] For an excellent discussion of why metaphysical facts may not matter when it comes to killing, see Hawthorne and Dietz (2026).

[6] Hanna (2015(b), 86) frames this principle in a slightly distinct manner, but these differences are not of central importance here.

[7] Quoting Hanna (2015(a), 686).

[8] One possible exception being Seitya (2018, 104). It's also worth noting that, when cases like **Boulder** have been examined by others, the initiation of the harmful sequences is not explicitly accidental.

[9] Relevant here is Kamm's (1993) discussion of "irrelevant utilities."

[10] TJBB writes about our obligations to save in Byrne (2025).

[11] McMahan (2002) presents a similar case in which an individual accidentally pushes another into the water, a person who cannot swim and requires rescue. For discussion of these and related cases, see Lang (2008).

[12] See Thomson's Riding-Roughshod-over-a-Bystander (1991, 290).

[13] TJBB briefly interrupts: I would have thought the golf swing was objectively wrong. Surely if she knew it was going to kill someone, even one acting culpably, she ought not have swung? And if that is the measure of objective wrongness (See, e.g., Ross (1930, 32)), then she objectively ought not have swung.
VS briefly responds: The intersection of objective wrongness and assumed risk is trickier than that. Let's say that the only way for me to get to work is to drive, and I need to work to maintain a simple life. If my neighbor tells me that, the next time I drive to work, they'll jump in front of my car, I don't think this makes it objectively wrong for me to drive to work. Even if my driving to work would seriously injure my neighbor, and I know this, I would argue that doing so is not objectively wrong by pointing out that my neighbor assumed the risk of injury by jumping in front of my car. While we might disagree about the particulars of the case, the assumption of risk is at least relevant to our determination of objective wrongness. (For more on the vexed relationship between what we know and what we ought to do, see Sridharan (2020) and Sridharan (Forthcoming(b)).

[14] Byrne (2021, 2023, forthcoming) has pushed a similar idea regarding legal causation: what appears to be esoteric distinctions of legal causation are actually straightforward metaphysical ones.

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**Appendix of cases**

**Babysitting**: Carlos gives Jimmie medication and, while still under Carlos's care, Jimmie has an adverse reaction. Carlos can either take Jimmie or five others to the hospital.

**Babysat**: Carlos gives Jimmie medication and, while no longer under Carlos's care, Jimmie has an adverse reaction. Carlos can either take Jimmie or five others to the hospital.

**Boulder**: Annie accidentally knocks into a boulder, sending it down a hill. She can either save the one who would be killed by the boulder she knocked into or five others.

**Boulder-Trip**: Celeste intentionally trips Annie, knocking her into a nearby boulder. Annie can either save the one who would be killed by the boulder she was pushed into or five others.

**Driving**: Anika is driving her car toward a crosswalk in which one worker is trapped. Anika can either stop her car or save five other drowning workers.

**Footbridge**: An agent can either push a fat man into the path of a trolley to save five lives or let those five people die.

**Culpable-Footbridge**: An agent can either push a fat man into the path of a trolley to save five lives or let those five people die. All six people are blameworthy for being where they are.

**Footbridge-redemption**: Angie pushes a fat man into the path of a trolley to save five but the man survives. Angie can either drag the man to safety or let his body stop the trolley from killing five.

**Footbridge-redemption'**: Angie accidentally knocks a fat man into the path of a trolley, which is heading toward five people. Angie can either drag the fat man to safety or let his body stop the trolley from killing five.

**Footbridge-redemption'-double**: Angie accidentally knocks a fat man into the path of a trolley, which is heading toward five people. Angie can either drag the fat man to safety or drag a fat lady off of another track.

**Golf**: Dalia hits a golf ball at a range that has many explicit signs warning of the risks of walking around the greens. Someone who enjoys risk runs into the path of Dalia's ball. She can either save the person from being hit by her ball or save five others who also ran onto the greens for the thrill of it.

**Poison**: Marcel poisons Nellie. Marcel then has the choice to either save Nellie from Marcel's poison or save five others from an unrelated threat.

**Villain-Throw**: Villain throws an innocent under my feet, such that I unwittingly trample them. I now have a choice between taking the innocent to the hospital or taking five others.



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