

A DEFENSE OF THE CAUTIONARY APPROACH TO SUPEREROGATION

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HOW CAN MORAL THEORY make room for the existence of acts that are beyond the call of duty? Philosophers have provided various accounts of how to solve the problem of supererogation. We have recently offered an account that draws on the work of the eleventh-century Persian philosopher Abū Ali Miskawayh, arguing that we can make sense of supererogatory actions by appealing to a form of moral caution.¹ In a recent response to that article, Alireza Kazemi argues that this cautionary account cannot explain the existence of supererogatory acts.² This article defends the cautionary account against Kazemi's criticisms. First, we outline our cautionary account and Kazemi's criticisms. Next, we provide a defense of the cautionary account against these criticisms.

1. THE CAUTIONARY ACCOUNT OF SUPEREROGATION

The problem of supererogation is how to make room for acts of supererogation within moral theory. As J. O. Urmson argues, there seem to be some saintly or heroic acts that clearly go beyond what we are morally required to do.³ For instance, a passerby (not a trained firefighter) who risks their life by running into a burning building to save the life of someone trapped inside does something that is morally praiseworthy but goes beyond what can reasonably be demanded (494). Acts of supererogation like these are both morally optional, meaning they are neither forbidden nor required, and morally better than the minimum that morality demands of the agent at that time (495).

Such actions raise a problem. Given that these acts are better from the moral point of view than the alternative actions available, why are they not morally required? If these are the most morally valued actions, then why are we not

1 Eslami and Archer, "The Cautionary Account of Supererogation" (hereafter cited parenthetically).

2 Kazemi, "Caution and Supererogation."

3 Urmson, "Saints and Heroes."

required to perform them? It seems natural to think that what we are morally required to do should be in some way connected to what it is morally good to do or what actions are best supported by moral reasons. The most obvious way in which these might be connected is if we were morally required to perform the morally best act available in any given situation. This provides a direct relationship between moral requirements and moral reasons.⁴ However, this account leaves no room for acts of supererogation as these acts are best supported by moral reasons but are not morally required.

The cautionary account that we propose posits a different kind of connection between moral reasons and moral duty. The first part of this solution is what we call the *indeterminacy of the just*, according to which there are many situations in which the moral reasons leave open a range of options as to the morally right actions to perform (503). For example, in a certain situation, one may have a duty to help those in need. But how much help does one need to give? We argue that in many cases there is no determinate answer to this. While there may be upper and lower limits on how much help one should give without failing to satisfy either one's duties to other people or one's duties to oneself, there is often no one amount of help that is the only permissible form of help available. This means, then, that there is often a range of morally optional actions. Each of these actions is one way of acting rightly but is not strictly required, as it is perfectly fine to choose one of the other permissible options.

This explains optionality but does not yet tell us why some of these actions may count as morally better than others. To explain this feature of supererogation, we appeal to Miskawayh's claim that there is a natural human tendency to prioritize one's own interests over the interests of other people (504).⁵ Faced with a situation in which people have a duty to help others in some way, people are naturally inclined to prioritize their own interests over those of the people who need their help. When faced with a situation in which they have a duty to help others, those influenced by this tendency may nevertheless act within the range of permissible available actions. They are, though, likely to perform an action on the lower end of the helpfulness scale that fulfills the duty to help others in a way that prioritizes their own interests more than other ways of fulfilling this duty. Such people are consistently at the lower end of this scale, meaning that they are vulnerable to falling below the permissible level of helpfulness and failing to fulfill their duty.

On the other hand, those who take a cautious approach to morality in such situations aim to make sure that they are not led astray by the tendency to

4 Raz, "Permissions and Supererogation," 164.

5 Miskawayh, *The Refinement of Character*, 115.

prioritize one's own interests and so err on the side of giving more weight to the interests of others than is strictly required. Someone who acts in this way performs a supererogatory act as these actions are permissible and display "a more developed and robust virtue than other permissible actions, as those who counteract the natural tendency to prioritize self-interest will perform permissible actions than those who do not" (504). What is needed here is to *display* such features rather than, say, consciously deliberate in such terms. Otherwise, the account may be a target of the over-intellectualization objection.⁶ In other words, while there is a range of permissible actions one can perform in many situations, taking a cautious approach to morality by erring on the side of prioritizing the interests of others makes it more likely that one consistently acts morally. These actions are morally better, then, than the permissible actions that prioritize one's self-interest. This means that these actions are supererogatory as they are both morally optional and morally better than the minimum that morality demands.

2. KAZEMI'S CRITIQUE

Kazemi argues that ultimately, caution cannot account for supererogation.⁷ The first point that Kazemi makes is that deontic statuses like morally required, morally permissible, and morally forbidden can all be applied to acts of caution. Cautious acts can be supererogatory, but they can also have any of these other deontic statuses. Therefore, we cannot conclude from the fact that an act is cautious that it is supererogatory, as it is only a subset of cautious acts that are supererogatory. With this point we fully agree: it is only some cautious acts that are supererogatory.

Kazemi then argues that it follows from this that "caution cannot account for the nature of the supererogatory."⁸ The first reason Kazemi gives for this is that the order of explanation is the wrong way around:

It is not the case that an action is supererogatory because it involves exercising caution in fulfilling our duties in cases where our self-interest gets into conflict with the interests of others. Rather, such instances of caution are supererogatory because they are optional but still admirable.⁹

6 For further discussion of the importance of avoiding an overly intellectualized account of supererogation, see Archer, "Supererogation and Intentions of the Agent," 457–58.

7 Kazemi, "Caution and Supererogation."

8 Kazemi, "Caution and Supererogation," 1231.

9 Kazemi, "Caution and Supererogation," 1231.

In other words, the only reason that this action is cautious in relation to doing the good is because it is a supererogatory act. Were it not supererogatory, then there would be nothing morally cautious about it. According to Kazemi, then, we have the order of explanation wrong. The act has first to be understood as supererogatory; only then can we understand why it is a morally cautious action. We call this point the *wrong order of explanation*.

Building on the wrong order of explanation, Kazemi says that the cautionary approach faces a dilemma trying to explain why some acts of caution are supererogatory and others are not. One response would be that some cautious acts are supererogatory because they involve “a further act of caution.” This, though, would presumably also be a supererogatory act, as otherwise it could not explain the supererogatory status of the original act. This creates an infinite regress. We can never reach a final answer to the question of why an act of caution is supererogatory, as answering that it is supererogatory does not yet tell us why it is supererogatory. We can always ask: What makes this additional act of caution supererogatory? And so on for the next act of caution that we would need to appeal to in order to explain the supererogatory status of that act of caution. On the other horn of the dilemma, if we explain why some act of caution is supererogatory without appealing to a further act of caution, then we are committed to saying that not all acts of supererogation are acts of caution. This would mean that the cautionary account cannot account for all acts of supererogation. We call this objection the *explanatory dilemma*.

Finally, Kazemi argues that there are some straightforward cases of supererogation that involve no moral caution.¹⁰ Someone may perform a supererogatory act confident in their belief that their act is not morally required. If this is the case, then there are some acts of supererogation involving none of the moral caution that we propose, so this cannot be a complete account of supererogation. We call this objection *supererogation without caution*.

3. DEFENDING THE CAUTIONARY ACCOUNT

Let us now defend the cautionary account against Kazemi's objections. To respond to the wrong order of explanation, it is worth reminding ourselves of what solutions to the paradox of supererogation seek to do. In general, these accounts accept a fairly uncontroversial definition of supererogation, such as Kazemi's claim that supererogatory acts are “optional but still admirable” and seek to explain how it is possible for there to be acts that fit this definition. The explanation that we give is that these acts involve a certain kind of cautious

10 Kazemi, “Caution and Supererogation,” 1232.

approach to doing the right thing such that they counter natural human tendencies towards a particular vice by erring on the side of caution in relation to which a range of permissible actions are performed.

At this point, Kazemi's objection is that we must first know that these acts are supererogatory before we can know whether they take a cautious approach to the good. But that is not the case given the explanation that we give. For an act to be supererogatory on this account, the following conditions must be met:

1. A range of permissible acts is available.
2. There is a natural human tendency toward a particular kind of wrong action that is relevant to this situation.
3. Some of the permissible options are more distant from this kind of wrong action than the others.

Suppose someone walks past a burning building and hears a stranger call for help from inside. The passerby faces a range of permissible actions. They could call the fire brigade and hope it arrives in time to help. Or they could choose to risk their own life and try to save the stranger themselves. In this case, we might suppose that attempting on their own to save the stranger is going to better promote the stranger's interests but is likely to be worse for the passerby's interests. Given the natural human tendency to give too much weight to our own interests in comparison to other people's interests, opting to save the stranger by themselves is the act that is further away from a natural human tendency towards a particular kind of wrong action in this scenario. The cautionary account, then, says that this is the reason why the act is supererogatory.

This explanation does not require that we already know that the act was supererogatory before determining whether the act was cautious in the relevant sense or not. All we need to know is whether the three features identified above hold. We can reject the wrong order of explanation, then, as it is not the case that acts need to first be identified as supererogatory before determining whether they are cautious in the relevant sense or not. For example, overly risky actions to reach comparatively small goods are not identified as cautious in the relevant sense since such actions are not in the range of permissible actions open to the agent. What limits the relevant sense of caution is not prior judgment of supererogation but the prior condition of permissibility. This is not a problem for the order of explanation but a part of the problem of supererogation to be accounted for.

These points also show why the explanatory dilemma is not a genuine problem for the cautionary account either. As Kazemi argues, to explain why some cautious acts are supererogatory and others not, we need to appeal to a further factor that is either another act of caution (regress problem) or not an act of

caution (not a cautionary account after all). The problem with this argument lies in the claim that we need to appeal to another *act* to explain why some cautious act is supererogatory. Basically, caution is considered not as a distinct act but simply as a description that applies to some acts but not to others.¹¹ Therefore, there is no reason to accept this claim. What is needed to explain why some acts are supererogatory and others not is to distinguish the distinctive features of these cautious acts that makes them supererogatory and that would not be present in other cautious acts. More boldly, the caution appealed to in this account is defined by the features mentioned. The problem arises only if caution is considered as an extra act to be deliberated about, which is not what we claim.

In case this is unclear, consider an analogous case. Suppose we want to explain why some fouls in soccer are worthy of a red card and others not. We can do so by pointing to the rule that says that serious foul play is worthy of a red card. Some fouls have this feature, and others lack it. But in identifying these acts of serious foul play, we do not need to first identify an act of fouling and then an additional act of serious foul play, as it is the same act in both cases. Among fouls, some have certain features (e.g., excessive force) that mark them out as a distinctive kind of foul and so allow us to say that they are not only fouls but also serious foul play. Similarly, when identifying the kind of caution that is relevant for supererogation, we do not need to appeal to an additional action; we need only to identify the features that mark this kind of caution out from other kinds of caution that are not supererogatory.

Happily, the cautionary account already identifies such features—namely, the three features listed above. Not all acts of caution have these features. For example, someone's act might reasonably be described as cautious in a general sense if they choose a low-risk form of financial investment rather than a high-risk form. This act is cautious as it minimizes the risk that the investor faces by making sure that the minimum that they are likely to receive is not too low, rather than aiming for the maximum return possible. However, it is not cautious in the sense that we claim is relevant for supererogation, as it does not contain the three features listed above. It is only a specific kind of caution, then, that makes acts supererogatory. Acts that have these features are supererogatory, and those that lack them are not. There is no explanatory dilemma, then, as we can explain—without appealing to another act of caution—why only some cautious acts are supererogatory. Instead, we can ask whether the three features listed above are present.

11 Thanks to the anonymous referees of this journal for suggesting further clarification of this point.

Finally, consider supererogation without caution. The example given to support this objection is an agent who knows that the act they are performing is supererogatory. We fully agree that such agents are possible and that these agents can still count as performing supererogatory acts. However, this is a problem for the cautionary account only if it is committed to the view that an agent has to be in a state of epistemic uncertainty about whether their act is supererogatory. But this is not part of the cautionary account. An act is cautious in the relevant way if it counteracts a natural human tendency towards a particular kind of moral wrong. This is what is specifically meant by *caution* in the cautionary account. For one, in order to manifest caution, one does not need to explicitly entertain propositions involving the concept of caution. Such a commitment leads to forms of over-intellectualization.

Similarly, there is no need for the agent themselves to be unsure of the deontic status of the action. Indeed, they need not even be themselves “vulnerable to this general human tendency” and may instead have a “developed and robust virtue” that means they are not led astray by the general tendency possessed by most people (505–6). The form of caution that we refer to, then, need not involve any moral uncertainty on the part of the agent. Rather, it is entirely compatible with a clear judgment that the action is an act of supererogation. We can indeed have supererogation without caution, as Kazemi argues, then—but this is entirely compatible with our claim that all acts of supererogation involve caution in the sense that we have in mind. More tentatively, another way to go about this worry is to insist that there is always some form of uncertainty at work and to explain away the intuition behind supererogation without caution. Since cautiously acting is *not* understood as explicitly deliberating in such terms, it is possible that agents who do not find themselves uncertain are indeed sensitive to such considerations. At least, this route as well is not blocked for the cautionary account.

4. CONCLUSION

We have defended the cautionary account of supererogation against the three objections that Kazemi raises against it—namely, the wrong order of explanation, the explanatory dilemma, and supererogation without caution. Accepting our arguments here does not mean that the cautionary account should also be accepted. It is entirely consistent with what we have argued to reject the cautionary account for reasons other than those outlined by Kazemi. As we acknowledge, the cautionary account is somewhat revisionary (511). We might think that acts of supererogation are those that exceed any duty we have in a particular situation. But according to the cautionary account, they are actually

supererogatory because “they form part of a larger set of actions that in general fulfill the imperfect duty to promote others’ happiness in ways that promote the happiness of others more than alternative ways of fulfilling this duty” (511). This may seem like too big a bullet to bite and may lead some to reject the cautionary account for this reason. This, though, is a separate concern from the ones we have considered in this article. We propose that future work evaluating the plausibility of the cautionary account should consider objections such as this one rather than the concerns Kazemi raises against the view.

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