

REVIEW OF *DISCOMFORT AND MORAL IMPEDIMENT* (JULIO CABRERA)¹

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Julio Cabrera opens *Discomfort and Moral Impediment* by announcing his intention to cohere into a single philosophical system two regions of investigation that are often sequestered from one another in ethical treatises: a structural analysis of the human situation within the world, and the investigation into “the very possibility of morality and of a morality of procreation in particular,” these investigations informing, respectively, Cabrera’s bifurcation of the book (viii). The first part presents a structural and ontological framework, out of which Cabrera can derive, and ground, the practical and moral conclusions that he defends in the second. Cabrera believes that this move places his articulation of antinatalism on surer footing than those of other antinatalist authors—in particular, David Benatar—and as being more capable of responding to objections from both pro-natalist and “affirmative-ethical” theorists. Cabrera’s overarching project throughout the book is to dislodge procreation from what he claims to be “its usual position as a mere ‘natural act,’ or as an obviously ethical act, or even as the most ethical of all acts” (*ibid*).

Methodologically, Cabrera freely utilizes various aspects of the “Continental” and “analytical” traditions of Western philosophy. From just a cursory glance at the book: in the first part’s structural analysis of the human situation, Cabrera draws on Heidegger, Schopenhauer, Sartre, and Nietzsche, placing them into dialogue with the Hispanophone

¹ Julio Cabrera, *Discomfort and Moral Impediment: The Human Situation, Radical Bioethics, and Procreation*, (Newcastle upon Tyne: Cambridge Scholars Publishing, 2019), 280pp., £61.99(hbk), ISBN 9781527518035.

philosophers, José Ortega y Gasset, Enrique Dussel, and Fernando Savater. Throughout his work, Cabrera manages to tactfully appropriate these existential arguments within an unmistakably “analytic” organizational structure, making use of “informal logic” (as Cabrera, himself, remarks) in deducing his ontological and normative conclusions. These conclusions are, in turn, in contradiction to those of Benatar, Kant, Singer, Dworkin, Tooley, and Nagel (to name just a few).

Thematically, Part I begins with a brief outline of what Cabrera contends to be the most basic principle of traditional ethics, the “minimal ethical articulation (MEA).” The MEA is operative as the most basic, yet ultimately non-binding, aspect of the traditional ethics and acts as a “minimal demand” to consider, in the planning of our own life projects, the interests, feelings, and life projects of others, only insofar as these others, too, consider the interests, feelings, and projects of others (2-3). This demand of the MEA, Cabrera argues, has priority over respecting the autonomy of others, helping, and refraining from harming others because we may encounter another whose interests, feelings, and projects are such that we should not respect their autonomy and should actively impeded the fulfillment of their projects (4-5). Cabrera then turns to more ontological considerations of human being, in chapters 2 and 3, to articulate his concept of “negative ethics,” the question of discomfort, and the status of “value” in human life.

The concept of “negative ethics,” in contradistinction to what he calls the “affirmative ethics” of traditional moral philosophy, is integral to Cabrera’s book, and this distinction is concomitantly developed alongside his structural arguments regarding the human situation in the first part, and presented as an alternative ethical framework in his arguments against procreation in the second. Cabrera’s articulation of “negative ethics” in chapter 2 serves as a prolegomenon to his antinatalist theses throughout Part II, and contends that it cannot be taken as *self-evidently true* that there is inherent value to human life—its truthfulness can only be established through a “slow and careful process of argumentation” (10). If it is not self-evidentially true, and has not been defended through rigorous argumentation, Cabrera argues that he is licensed to advance the opposite thesis: “[...] human life carries something like an initial structural *disadvantage* [...] that human life *initially* presents a valueless character or a ‘lack of value,’ not in the agnostic sense of not being ‘good or bad’ but in the sense of carrying from the outset an *adverse value*” (10-11). The remainder of the second chapter presents a series of easily refutable, foil arguments in support of the adverse value of human.²

The inconclusiveness of these approaches necessitates Cabrera’s ontological framing arguments in chapters 3-5. At the beginning of the third chapter, Cabrera presents

2 In brief, the five non-structural arguments are the following: [1] that people suffer on a daily basis, both in mundane (e.g., a heartburn) and severe (e.g., torture) ways; [2] that many in the history of philosophy have portrayed the human life and the world as something degenerate that, through moral struggle, we can restore or overcome; [3] that humans, through metaphysics and religion, have often imagined an idyllic world to make suffering their current one bearable; [4] that a human life is not irreplaceable and that we can, in time, ‘forget’ about a deceased loved one; [5] that humans, generally, need the value and recognition of others in order to have a sense of self-worth, rather than produce it endogenously, demonstrates only an extrinsic value to life, and not an intrinsic one (11-21).

human being as having a non-exhaustive trifold structure—[a] human life, from birth has a “decaying” structure that can end at any point; [b] human life’s decaying-being is characterized by three kinds of “frictions”—physical pain, discouragement (i.e., the possibility of “lacking the will” to continue to be), and “exposure to the aggressions of other humans”; [c] the ability to *react against* the two aforementioned structural aspects by “positive value creation” (23). Cabrera calls this trifold structure of human being the “Terminality of Being” (24).

In support of his concept of the “Terminality of Being,” Cabrera formulates what he terms the “Ser/Estar Distinction”: both are Spanish infinitives for the verb, ‘to be,’ the former, however, denoting a more ‘essential,’ structural, permanent sense of ‘to be,’ pertaining to “*the being of life*,” whereas the former denotes the more particularized, impermanent, and circumstantially contingent ways of being *within* the ‘overarching’ structure of life (27-28). At this point, one would not be remiss to immediately call to mind Heidegger’s Ontological Difference, which Cabrera does reference, but subsequently attempts to differentiate from his *ser/estar* by citing the incongruity between the Spanish and German words for being (*ibid*). Cabrera’s insistence that the *ser/estar* distinction is not Heidegger’s Ontological Difference is, however, specious. In his discussion of the role of death, Cabrera formulates the dual concepts of “death-estar” and “death-ser” that serve functions to Heidegger’s ontical and ontological death (30).³ Further, in chapter 4, Cabrera conceptualizes the “intra-structural” (i.e., *estar*) “reactive” creation of positive values (35), which he later describes as a type of “flight” from the Terminality of Being (140), mirrors Heidegger’s analysis of the existential mode of Dasein’s being-in-the-world as “falling prey” or as “entanglement” [*Verfallen*] in §38 of *Being and Time*.⁴ The *ser/estar* distinction is, for Cabrera, a necessary condition for the structural discomfort argument, and for much of the remainder of the book. It allows him to maintain that, on the structural level of the being of human life (*ser*), there can be an “*adverse value*” to life, i.e., no positive value whatsoever, and yet, on the individuated level of *estar*, a human being can actively create positive values—a phenomenon that Cabrera describes as “living a double life” (30). Every activity and thing that does, or *can*, appear as valuable to a human being is only on account of this reactive activity of positive value creation on the *estar*-level of life.

Turning to consider ethics within this structural framework, Cabrera defines, in chapter 5, “moral impediment” as “the structural impossibility of acting in the world without harming or manipulating *someone* at some given moment (not, of course, *everyone* at every moment)” (52). He offers three classification types of moral impediment, but, most importantly, all forms of moral impediment are structured according to a

3 Cabrera describes death-estar as “the kind of death that happens to us on a certain date from which we ‘cease to exist,’” and death-ser as “more directly tied to birth,” and as “a kind of ‘structural death,’ the gradual death that encompasses our ‘lives,’ the structural decaying due to frictions (pain, discouragement, moral impediment), and finally DE [death-estar]” (30). Compare this with the Heidegger’s analysis of ontological death in relation to Dasein’s care, angst, being-toward-death, and finite transcendence and the parallelism becomes apparent.

4 Martin Heidegger, *Being and Time*, trans. Joan Stambaugh, ed. Dennis Schmidt (Albany: SUNY Press, 2010), p. 169 [S.Z., 175]: “Idle talk, curiosity, and ambiguity characterize the way in which Dasein is its ‘there,’ the disclosedness of being-in-the-world, in an everyday way. As existential determines, these characteristics are not objectively present in Dasein; they constitute its being. In them and in the connectedness of their being, a basic kind of the being of everydayness reveals itself, which we call the *entanglement* [*Verfallen*] of Dasein.”

complex, enmeshed web of actions wherein “many [ethical] wrongdoings are reactions to previous moral impediments within a web” and therefore cannot be taken in isolation (56-57). The Moral Impediment Thesis, perhaps the most significant argument of Part I, articulates the structural analysis of the Terminality of Being and the *ser/estar* distinction within the project of negative ethics. In brief, any act of positive value creation, at the *estar* ‘level’ of human being, is never an isolated activity but one whose situation is always enmeshed within a larger complex of other human actions, thereby making it impossible to consider *all* of the feelings, interests, and projects of *every* other (61). Therefore, Cabrera concludes, the human situation is structured such that moral impediment is not accidental, but necessary with respect to all intra-structural actions (62).

In Part II, Cabrera works to extend and apply the ontological work of Part I to the realm of normative ethics regarding the morality (or lack thereof) of procreation, childhood education, sexuality, abortion, and suicide. Though each chapter is thought-provoking, I will only focus on the question of procreation (in chapters 9-12), which Cabrera describes as “the primary ethical question,” due to its centrality, both within this book and Cabrera’s wider corpus of work (118). In defense of even calling to question the morality of procreation, Cabrera frames the issue being “deeply motivated by a very strong and responsible concern for potential children, and for the risk that their emergence into being is the consequence of constraining and aggressive actions against defenseless human beings” (*ibid*). The act of procreation, Cabrera maintains, is for the sake of the parents, and not the child, in order to give the parents some ‘good’—i.e., the joy, pleasure, or happiness of parenthood—which he describes as a mere act of *the progenitor’s* positive value creation, and one this is morally irresponsible given the aforementioned structures of the Terminality of Being and the Moral Impediment Thesis (120).

In chapters 10-12, Cabrera develops what he calls the “PROC Thesis,” by recourse to two “minimal demands” of the MEA. Cabrera finds traditional ethical theory to contain the “do No Harm Demand” (NHD) and the “do Not Manipulate Demand” (NMD) (126).⁵ Cabrera’s PROC Thesis argues that, if the NHD and the NMD are indeed ethical demands, then procreation, as an intentional or unintentional act, is not ethically justifiable as it violates both the NHD and the NMD (121). He argues, first, that procreation is a manipulative activity, because procreation is an act of the progenitors’ creation of positive value, wherein the child is a means for that act’s satisfaction (129-130). Cabrera then argues that procreation is an inherently harmful act because: [1] the structure of life is terminal, and therefore birth is a structural “disadvantage;” [2] in flight from the terminal structure of their beings, humans inevitably cause harm to others in order to survive; and [3] there is no structural guarantor of successful reactive value creation, and, in fact, many humans fail in this endeavor (139-140).

5 Roughly, Cabrera explains the NHD and NMD as: Assuming the reciprocity of consideration under the MEA, we ought to pursue our projects, feelings, and interests only insofar as they do not harm any other, obstruct another’s own projects, or place any other in a situation of possible harm or constraint—when possible, we should actively try to rescue others from their situations of harm and constraint. Further, we should not manipulate any other in service of our own ends.

Cabrera considers a variety of objections to the PROC thesis, but directs most of his argumentative force against the position advocating an intrinsic value to life. Here, again, he invokes the *ser/estar* distinction, arguing that the majority of these “affirmative” arguments “forget” this very distinction, and consequently mistake *estar*-level value *in* human life to be demonstrative of structural, *ser*-level value *to* human life (143-151). Further, Cabrera argues that these same objectors erroneously conclude, from the impetus for survival driving the process of positive value creation, that there is a structural vitality to human being, rather than regarding it as “a mere question of animal impulse” (147). Thirdly, even for “sensitive progenitors”—i.e., those who are cognizant of human life’s terminality, yet decide to have a child, in hopes that their child succeeds in positively resisting terminality(149-150)—procreation remains “one of the most powerful mechanisms of intra-world value creation, and therefore of postponing and distancing the terminal structure of being” (155). This, Cabrera concludes, raises the fundamental question for ethics: Do we have the *right* to procreate for the sake of our own resistance to our own inevitable decay of being (156)?

Though Cabrera’s arguments in Part I, and what has been discussed of Part II may appear to be formally valid, the project as a whole appears to be contingent upon the success of, or the reader’s assent to, the structural argument for the Terminality of Being and the incommensurability of positive value on the ‘*estar*-status’ to its ‘*ser*-status.’ At least as how I understand it, it would seem that the possibility for positive value creation at the level of a particularized human being is not operative at the structural level, and is therefore created *ex nihilo* in all individuated human beings. In the development of his PROC Thesis, Cabrera states that he “agree[s] substantially” with the approach of “existential metaphysics,” in the tradition of Schopenhauer, Nietzsche, Sartre, and Heidegger, only insofar as they endorse the “idea that there are constant and regular structures of human life, and that it is not true that every human birth begins from nothing” (152). Yet, here, there seems to be an explicit structural irregularity, or, at least, incongruity between the *ser* and *estar* designations of human being: how could it be the case that every human being is “forced” to engage in the creation of positive values without having any structural condition for the possibility of valuation, at all.

On this question, Heidegger, whose ontological work features prominently all throughout Cabrera’s text, examines the fundamentally holistic being of human-being through its inseparable and non-distinct “multiplicity of constitutive structural factors,” which he calls “existentials.”⁶ Above, I indicated the similarity between Cabrera’s analysis of positive value creation and Heidegger’s existential of falling prey [*Verfallen*]. However, falling prey is the ontical modality of (i.e., *estar*-level), and presupposes, Dasein’s ontological structure of *Sein-bei*, translated as either “being together with” or “rendering things meaningfully present” in the world.⁷ In order to commit ourselves to the project of intra-structural (or innerworldly) positive value creation, there must first be, ontologically, the structural ability to encounter *any*-thing within the world

6 Heidegger, *Being and Time*, pp. 53-54 [pp.53-54].

7 The former translation appears in the Stambaugh translation of *Being and Time*, whereas Thomas Sheehan offers the latter. See Sheehan, *Making Sense of Heidegger: A Paradigm Shift*, (Lanham: Rowan and Littlefield Pub., 2014), p. 150.

as something that has been *made* meaningfully present to us, before we are able to appropriate these innerworldly beings into our projects. Cabrera, in discussing the *ser/estar* distinction, defined a third term, “estanes,” as the “beings that ‘are there’ (material things, ideas, films, animals, institutions or numbers),” that we use for the purposes of positive value creation (27).

Cabrera did not, however, locate the ontological possibility of our having these estanes as something meaningfully present and available to us, in the first place, nor, presupposing their meaningful presence, did he discuss *why* these estanes are even taken up within the process of positive value creation. On this account, then, it seems particularly odd that Cabrera dismisses human being’s “animal desire” to live as something wholly incidental in relation to the structural determination of human being, and therefore lacking in any intrinsic value (161). On further consideration, this “animal desire” appears to be the only possible way of reconciling the problematic spontaneous generation of human being’s entire familiarity with the notion of “value” and relevance at the *estar*-level. Yet this would cut against Cabrera’s thesis that life is structurally valueless by admitting of an apparent structural regularity of organic vitality. If admitted, this structural feature would ground the human capacity for positive value creation in an original, value-laden relation that one has toward the being of one’s own life, which, therefore, hardly appears to be intrinsically valueless. This, however, appears to challenge Cabrera’s original thesis—*viz.*, that no thorough argumentation has been offered in support of the intrinsic value of human life—insofar as, now, the being of human life is the *principle* of value, or in other words, human life is structurally *en-valuation*, on which all consequent acts of particular value creation are contingent. Thus, given the ontological structure of Cabrera’s negative ethics, the aforementioned questions likely problematize Cabrera’s normative ethical conclusions about procreation, without, of course, amounting to complete rejection thereof. ♦

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