# Counterplan

**Picking least bad practical option key**

**Finnis, ‘80**

John Finnis, deontologist, teaches jurisprudence and constitutional Law. He has been Professor of Law & Legal Philosophy since 1989,1980, Natural Law and Natural Rights, pg. 111-2

**The sixth requirement** has obvious connections with the fifth, but introduces a new range of problems for practical reason, problems which go to the heart of ‘morality’. For this **is** the requirement **that one bring about good in the world** (in one’s own life and the lives of others) **by actions that are efficient** for their (reasonable) purpose (s). **One must not waste** one’s **opportunities by using inefficient methods**. One’s **actions should be judged by their effectiveness**, by their fitness for their purpose, by their utility, **their consequences… There is a wide range of contexts in which it is possible and only reasonable to calculate, measure, compare, weigh, and assess the consequences of alternative decisions**. Where a choice must be made it is reasonable to prefer human good to the good of animals. Where a choice must be made it is reasonable to prefer basic human goods (such as life) to merely instru­mental goods (such as property). **Where damage is inevitable, it is reasonable to prefer** stunning to wounding, wounding to maiming, maiming to death: i.e. **lesser rather than greater damage** to one-and-the-same basic good in one-and-the-same instantiation. **Where one way of participating in a human good includes** both **all the good** aspects and **effects of its alternative, and more, it is reasonable to prefer that way: a remedy that both relieves pain and heals is to be preferred to the one that merely relieves pain**. Where a person or a society has created a personal or social hierarchy of practical norms and orienta­tions, through reasonable choice of commitments, **one can** in many cases **reasonably measure the benefits and disadvantages of alternatives**. (Consider a man who ha decided to become a scholar, or a society that has decided to go to war.) Where one ~is considering objects or activities in which there is reasonably a market, the market provides a common de­nominator (currency) and enables a comparison to be made of prices, costs, and profits. Where there are alternative techniques or facilities for achieving definite, objectives, cost— benefit analysis will make possible a certain range of reasonable comparisons between techniques or facilities. Over a wide range of preferences and wants, it is reasonable for an individual or society to seek o maximize the satisfaction of those preferences or wants.

# Anthro

### 2nc overview:

#### our argument is that we should be willing to risk the fate of human extinction because the affirmative’s defense of survival requires a spieciest paradigm of political involvement which infinitely reproduces genocidal violence on incommunicable populations deemed not to fit their notions of the good life worth preserving. that’s the 1nc kochi and ordan evidence.

#### all aff impact and permutation CALCULUS THAT DOESN’T HAVE AN EXTERNAL ETHICAL DEFENSE OF ITS PREFERENCE FOR HUMAN SURVIVAL - which CONDEMNS ALL OTHER FORMS OF LIFE TO DOMINATION AND EXPLOITATION - can be disregarded because it presumes the human-centered evaluation of extinction and survival. prefer our impact calculus because it enables a positive, ethical shift in thinking relations towards being.

### 2NC extinction k - IMPACT EXTENSION

#### BY CREATING A CONCEPTUAL LIMIT ON THE NOTION OF HUMANITY, WHOLE POPULATIONS ARE RENDERED EXTERMINABLE. THE FIGURE OF THE NON-HUMAN BECOMES NECESSARY AS A NEGATIVE MIRROR OF THE CELEBRATED SIGNIFIER OF HUMANITY – ENLIGHTENMENT PRINCIPLES OF RATIONALITY AND POLITICAL INTELLIGIBILITY BECOME THE naturalized CRITERIA FOR ETHICAL relevance IN OUR POLITICS. THAT MEANS WE SYSTEMICALLY EXCLUDE THE UNDECIDED FORM OF NON-HUMAN EXPERIENCE FROM OUR POLITICS. THIS CONDEMNS THE NON-HUMAN OTHER TO ENDLESS GENOCIDES. THAT’S OUR 1NC KOCHI AND ORDAN 2K8 IMPACT EVIDENCE.

#### THIS SOVEREIGN DECISION ON THE EXCEPTION, OF THE LIMIT BETWEEN LIFE AND DEATH IS EXEMPLIFIED BY:

#### A. TERRY SCHIVAO: SOVEREIGN CAPACITY TO DECIDE ON THE LIMITS OF DEATH AND LIFE UNMASK THE HIDDEN FOUNDATION OF SOVEREIGN EXCEPTIONALISM WHICH RESIDES IN ITS ABILITY TO DELINEATE FORMS OF LIFE AS WORTH LIVING OR WORTH LETTING DIE. THE QUESTION IS NOT ONE RESULTS BUT THAT THE MERE CAPACITY TO DECIDE THE EXCEPTION PROVES THAT SOVEREIGNTY ATTEMPTS TO INSCRIBE ITSELF BEYOND THE LIMITS OF ITS OWN LAW AS ONE WHO MAY DECIDE THE EXCEPTION AND THUS THE BOUNDRIES OF ACCEPTABLE LIFE AND DEATH.

#### B. WORLD WAR II: IN THE NAME OF “SURVIVAL”, VARIOUS SOVEREIGN TECHNIQUES GOVERN THE JAPANESE-AMERICANS AND HERD THEM INTO CAMPS IN THE NAME OF THE SURVIVAL OF “OUR BOYS”. THIS RACIAL EXCLUSION OF THE ANIMALIZED OTHER (PORTRAYED IN THE MEDIA, IN IRONIC PARALLEL TO NAZISM, AS A RAT OR VERMIN) HAS ITS DOUBLE IN THE CONCENTRATION CAMPS, ZONES OF EXCEPTION JUSTIFIED BY A BIOLOGICALLY RACIALIZED DISTINCTIONS BETWEEN FORMS OF LIFE. IT ALSO ILLUSTRATES WHY WE WERE ABLE TO BOMB TWO CIVILIAN POPULATIONS IN THE NAME OF THE “GOOD” AMERICAN LIFESTYLE.

#### C. WAR ON TERROR: DEHUMANIZING LANGUAGE PERVADES POPULAR CULTURE TO CONSTRUCT THE AMORPHOUS THREAT OF TERRORISM, OF THEIR INHUMANE VIOLENCE AND THEIR ‘UNCIVILIZED” STRATEGIES FOR receiving POLITICAL ATTENTION. EVEN OUR IMAGE OF “TERRORIST” NETWORKS AS NOMADS DRIFTING THROUGH THE REGION IN PACKS, WAITING TO ATTACK, SMACKS OF AN EXCLUSION OF THIS FIGURE FROM POLITICAL OR ETHICAL CONCERNS.

#### 1. NO VALUE TO LIFE: our 1nc hudson and kochi and ordan evidence indicates that so long as the notion of survival at work in our politics is that which celebrates the cultural-cognitive aspect of the signifier of the human, the condemnation of all other forms of life to an eternal treblika and codes them in nullity and valuelessness.

#### and, all notions of the survival of a good life require the subordination of entire other forms of existence INTO A VALUELESS PARADIGM OF LIFE.

HUDSON 2k4  
[Laura, The Political Animal: Species-Being and Bare Life, mediations journal, http://www.mediationsjournal.org/files/Mediations23\_2\_04.pdf]

Agamben’s analysis of the Nazi program of euthanasia draws out the interpenetration of bare life and political life. The program of euthanasia morphed into a program of genocide, in part, because the lives of Jews were determined to be lives devoid of political value and, as such, not worth living. The Nazi program of euthanasia against the mentally infirm, Agamben notes, was carried out in spite of its unpopularity and in spite of the burden it imposed on the Nazi war effort. Its importance lay not in the practical considerations of preventing the incurably ill from reproducing but in cementing the sovereign power of the Nazis and the Führer to determine the value of life, and in confirming the drive of modern sovereignty to make life immediately political, without the addition of other values. Those placed in concentration camps were no longer citizens, no longer protected by the laws of the nation. Their deaths were not murders because their lives had already been determined to have no value. Thus, Agamben argues, it was not as a punishment that Jews were to be sent to the camps, nor, within Nazi biopolitics, was their treatment there considered torture: “The truth — which is difficult for the victims to face, but which we must have the courage not cover with sacrificial veils — is that the Jews were exterminated not in a mad and giant holocaust but exactly as Hitler had announced, ‘as lice,’ which is to say, as bare life.”[18] The political separation of human beings from non-human nature thus constructs a code that can all too easily be deployed against other human beings. Nazi politics was not directed against Jews as citizens or even as an ethnic group, but was a politics in which Jews (and others) were no longer considered human. The difficulty confronting modern politics is the inability to distinguish clearly between the biological and the political realms. People are increasingly seen less as citizens invested with political rights than as bodies in need of administration. Not only are they denied the promise of the “good life,” they cannot even expect a “good death.” The confusion between life in general and political life for human beings creates a correlating confusion for animals. The political does not include the animal: political life is proper to humans alone. But as political life becomes increasingly indistinguishable from the (animal) life of the body, so are animal lives, once excluded from direct consideration in the political realm, increasingly subjected to political force. Animal cruelty laws, the Endangered Species Act, the Humane Methods of Slaughter Act, the banning of force-feeding: all of these bring the lives of animals under the rule of law as more than mere property at the same time that laws increasingly apply themselves to the administration of human bare life.One of the grand ironies of Nazism is that while initiating genocide, it passed some of the strictest legislation for animal welfare ever seen.[19] The fate of animals is also the fate of the animal bodies of human beings. Thus the increase in animal legislation may be less a cause for celebration of our increased enlightenment than an omen of things to come: the inclusion of animals in the political realm marks the extent to which human beings have themselves been reduced to bare life. Agamben suggests that the traditional mechanisms of nation and law that regulated the space of exclusion become increasingly indistinguishable from the concentration camp, “the sign of the system’s inability to function without being transformed into a lethal machine.”[20] Spaces of exclusion overwhelm the normal order, and “whether or not atrocities are committed depends not on law but on the civility and ethical sense” of those who temporarily act in the role of the sovereign. In describing our duties toward animals, Ferry suggests that treating them well is a matter of politeness and civility rather than a categorical imperative.[21] That his argument now seems to apply to human beings who are easily stripped of their “human rights” in rapidly multiplying spaces of detention demonstrates that the collapse of the distinction between human and inhuman nature is not the result of the political pressure from outside, as Ferry suggests is the case with deep ecology, but the unfolding of the logic of sovereignty itself. If we consider the questions raised by deep ecology and animal rights, we must recognize that human life more and more resembles the lives of animals in factory farms. The political realm now focuses on bodies, fingerprints, statistics, or packages of DNA. We become more and more like cattle, tagged and marked and sent out to a freedom that is always already an enclosure, already only a step away from the slaughterhouse or the camp. In trying to ensure a “good death” for animals, activists are simultaneously raising the issue of “good death” in general, and perhaps reacting to the state’s involvement in determining the value of human life.[22] Rather than blaming deep ecology or animal rights for muddying the political waters by conflating human and non-human forms of life, we should see them as arising out of the confusion between human and non-human that is central to politics itself: the life worth living depends on existence of the life without value.

#### 2. OUTWEIGHS THE AFF:

#### A. PROBABILITY: they have conceeded that the existence of human survival creates inevitable systemic suffering for excluded populations. that’s the 1nc kochi and ordan evidence explained above. even if they win 100% probability of their extinction claims, this fails the litmus test established in the overview and thus replicates the speciest violence it is epistemologically fails to assess. that’s above.

#### B. MAGNITUDE: our impact is the infinite submission of all other forms of life to suffering. this outweighs even the worst extinction level violence because it is a fundemental unethical orientation towards life which would deny the possibility of ever affirming its conditions in the world. there is no positive or life-affirming quality in a world where the continuation of life is contingent on the isolation and systemic exploitation unto death of all other possible forms of life.

#### C. TIMEFRAME: they might win some marginal timeframe argument but all of their impact calculus is a reason to vote neg because the faster the timeframe for willing extinctin, the greater the certainty of alt solvency. our probability and magnitude should be prefred for impact comparison because their timeframe comparison begins from a speciest PREFERENCE FOR THE HUMAN SUBJECT.

KOCHI & ORDAN 2K8

[tarik and noam, queen’s university and bar llan university, “an argument for the global suicide of humanity”, vol 7. no. 4., bourderlands e-journal]

The aim, however, would be to not just accept one side or the other, but to re-think the basis of moral action along the lines of a dialectical, utopian anti-humanism. Importantly, though, getting past inadequate conceptions of action, historical time and the futural promise of progress may be dependent upon radically re-comprehending the relationship between humanity and nature in such a way that the human is no longer viewed as the sole core of the subject, or the being of highest value. The human would thus need to no longer be thought of as a master that stands over the non-human. Rather, the human and the non-human need to be grasped together, with the former bearing dignity only so long as it understands itself as a part of the latter.

#### 3. NO extrinsic value to the aff: at root, the desirability of the affirmative comes from its resolution of potential mass suffering and death. our argument disproves the efficacy of the plan to achieve that goal because the entire project of human survival is built upon an endless domination and imposition of suffering on all other forms of life meaning that in the short-term, they prevent the suffering and death of a nuclear conflict in the name of preserving a species which practices endless domination and suffering on the world.

### HUMAN RIGHTS LINKS

#### THEIR HUMAN RIGHTS CLAIMS ARE JUST A KANTIAN MODIFICATION OF THE WESTPHALIAN MODEL OF LEGITIMATE WAR WHICH MASKS THE SPECIES WAR , IN ORDER TO ACHIEVE ITS IDEA OF THE GOOD LIFE

KOCHI 2K9

[tarik, lecturer in law and international security @ U of Sussex, Doctorate in Law from Griffith, “species war: law, violence, and animals”, ‘law, culture, and the humanities’, 353-359]

Modern international humanitarian law both inherits aspects of the Westphalian system and moves beyond it. While international humanitarian or human rights law still relies upon the sovereignty of nation-states and accepts to a limited degree the state’s right to go to war and its internal monopoly upon the legitimacy of violence, each of these forms of right are re-shaped and limited in accordance with a higher standard of legitimacy located around the ideals of international peace and the cosmopolitan concept of “humanity.” By attempting to place “human rights” as a category that stands above or at least challenges the traditional rights of the state, inter- national humanitarian law morally orders war and sets out a cosmopolitan and global conception of the good life. While the category of peace is held onto, survival is displaced by human rights as the central category for deriving the legitimacy of the international order and the legitimacy of war. Of course, the category of survival is not erased completely as the human-animal dis- tinction of species war continues to operate at a subterranean level.

One of the first thinkers to sketch out the theoretical justifications for such a re-ordering of inter-state relations and the legitimacy of global violence was Immanuel Kant.32 In proposing a universal moral theory which attempted to equally value all members of humanity, Kant rejected the way in which previous Western intellectual traditions had legitimated particular forms of violence and killing by valuing the lives of Europeans over non-Europeans. Further, Kant challenged the over-valuation of the “life” of the state against the lives of humans in general. In re-thinking the relation between war and law Kant enunciated a form of sovereignty located around the idea of humanity. On the basis of this higher and universal right of humanity Kant’s approach demanded that state action be guided by moral reasoning and moral duty and in this respect Kant asked that the juridical persona of states adopt a distinctly moral persona – states are conceptualized and expected to act as if they are moral persons.33

### IMPACT - HUMANISM BAD

#### the affirmative’s impact calc sets aside endless genocides in order to continue faith in reforming their brand of humanism. instead we must think along utopian anti-humanist calls for species-equality which requires a negation of their humanism.

KOCHI & ORDAN 2K8

[tarik and noam, queen’s university and bar llan university, “an argument for the global suicide of humanity”, vol 7. no. 4., bourderlands e-journal]

Putting aside the old, false assumptions of a teleological account of history, social-environmental revolution is dependent upon widespread political action which short-circuits and tears apart current legal, political and economic regimes. This action is itself dependent upon a widespread change in awareness, a revolutionary change in consciousness, across enough of the populace to spark radical social and political transformation. Thought of in this sense, however, such a response to environmental destruction is caught by many of the old problems which have troubled the tradition of revolutionary socialism. Namely, **how might a significant number of human individuals come to obtain such a radically enlightened perspective or awareness of human social reality (i.e. a dialectical, utopian anti-humanist ‘revolutionary consciousnesse’) so that they might bring about with minimal violence the overthrow of the practices and institutions of late capitalism and colonial-speciesism? Further, how might an individual attain such a radical perspective when their life, behaviours and attitudes (or their subjectivity itself) are so moulded and shaped by the individual’s immersion within and active self-realisation through, the networks, systems and habits constitutive of global capitalism?** (Hardt & Negri, 2001). While the demand for social-environmental revolution grows stronger, both theoretical and practical answers to these pressing questions remain unanswered.

**Both liberal and social revolutionary models thus seem to run into the same problems that surround the notion of progress; each play out a modern discourse of sacrifice in which some forms of life and modes of living are set aside in favour of the promise of a future good. Caught between social hopes and political myths,** the challenge of responding to environmental destruction confronts, starkly, the core of a discourse of modernity characterised by reflection, responsibility and action. Given the increasing pressures upon the human habitat, this modern discourse will either deliver or it will fail. There is little room for an existence in between: either the Enlightenment fulfils its potentiality or it shows its hand as the bearer of impossibility. If the possibilities of the Enlightenment are to be fulfilled then this can only happen if the old idea of the progress of the human species, exemplified by Hawking’s cosmic colonisation, is fundamentally rethought and replaced by a new form of self-comprehension. This self-comprehension would need to negate and limit the old modern humanism by a radical anti-humanism.

### at: permutation

#### 1. PERM LINKS MORE: IT ATTEMPTS TO DIRECT CRITICISM TOWARDS POLITICS CONDUCTED IN THE NAME OF A LIFE WHICH EXCLUDES BARE LIFE IN FAVOR OF THE VOICE OF THE CITIZEN, THE POLITICALLY QUALIFIED. THIS EXCLUDES BARE LIFE AND ESTABLISHES A REALM BEYOND OF THE MARKERS OF THE “POLITICAL” IN WHICH TO CONDUCT GENOCIDAL VIOLENCE AGAINST EXCEPTIONAL BEINGS.

HUDSON 2K4

[Laura, The Political Animal: Species-Being and Bare Life, mediations journal, http://www.mediationsjournal.org/files/Mediations23\_2\_04.pdf]

The rise of environmentalism, deep ecology, and animal rights can be seen as effects of this inability of law, or the Law, to distance the “natural world” as a state outside itself. **Natural objects reappear within the political realm not as political actors but as markers of bare life.** **Sovereignty, in seeking to establish a political life separate from the state of nature, produces both political life as the life proper to the citizen (the “good life”) and bare life**, which occupies a space in between bios and zoē, evacuated of meaning. **The state of nature is not separate from political life but a state that exists alongside political life, as a necessary corollary of its existence. Political life is alienation from an imagined state of nature that we cannot access as human beings because it appears only in shadow form as bare life. The state of exception is that which defines which lives lack value, which lives can be killed without being either murdered or sacrificed.** Agamben’s examples of the inextricable link between political and bare life focus on the limit cases of humanity rather than the ideal, providing an analysis of precisely the cases that prove problematic in Ferry’s liberal humanism. The exception, as that which proves the rule, cannot be avoided. It is necessary to look to the figure of the refugee, the body of the “overcomatose” or the severely mentally impaired, and, under the Third Reich, the life of the Jew to see how the law fails in the task Ferry sets for it. **These cases demonstrate the zone of indistinction that Agamben elaborates as the zone of “life that does not deserve to live**.” The refugee demonstrates the necessity of a link between nation and subject; **refugees are no longer citizens and, as such, lack a claim to political rights: “In the system of the nation-state, the so-called sacred and inalienable rights of man show themselves to lack every protection and reality at the moment in which they can no longer take the form of rights belonging to citizens of a state**.”[15] **Confronted with the figure of the refugee, human rights are faced with their hidden ground in national origin, where, as Agamben notes, the key term is birth: men are born free, invoking the natural codes from which law was to separate us. This freedom is, in actuality, a function of citizenship and incorporation in the nation-state rather than a fact of being human: “citizenship names the new status of life as origin and ground of sovereignty and, therefore, literally identifies** … les membres du souverain, **‘the members of the sovereign.’”[16] This makes the link between that which is proper to the nation and that which is proper to the citizen the determinant of the zone of sacred life: those who do not fulfill the role of the citizen are no longer guaranteed protection or participation in political life, their so-called human rights void in the absence of national identity. The refugee or refugees as a group have a claim only to bare life, to being kept alive, but have no political voice with which to demand the rights of the citizen.** Agamben, while noting the same trend toward politicizing natural life that concerns Ferry, demonstrates that this politicization is already contained within the structure of politics itself. **This corresponds to the position of animals in human society: the exemplar of the limit case, they have always existed in the state of exception that founds the political. There is thus a connection between the plight of the refugee and that of the animal: neither participates directly in the political, though both are absolutely subject to political decisions in which they have no voice. The establishment of a realm outside the political, where lives have no value and thus may be killed, is marked by the difference between the human and the animal.**

#### - Perm is Severence: Severs the 1ac’s extinction claims in order to perform the alternative. That’s bad because it makes the aff a moving target and destroys neg ground on questions breached by the 1ac making it impossible to be negative. Voter for fairness and education.

#### - PERM LINKS MORE: HOLDING OUT FOR REFORM IS WORSE BECAUSE IT DISAVOWS THE UNETHICAL VIOLENCE IN THEIR POLITICAL PARADIGM. ONLY THE ALT. SOLVES.

KOCHI & ORDAN 2K8

[tarik and noam, queen’s university and bar llan university, “an argument for the global suicide of humanity”, vol 7. no. 4., bourderlands e-journal]

The banality of action hits against a central problem of social-political action within late modernity. In one sense, the ethical demand to respond to historical and present environmental destruction opens onto a difficulty within the relationship between moral intention and autonomy. While an individual might be autonomous in respect of moral conscience, their fundamental interconnection with and inter- dependence upon social, political and economic orders strips them of the power to make and act upon truly autonomous decisions. From this perspective it is not only the modern humanist figures such as Hawking who perpetuate present violence and present dreams of colonial speciesist violence in the future. It is also those who might reject this violence but whose lives and actions are caught up in a certain complicity for this violence. From a variety of political standpoints, it would seem that the issue of modern, autonomous action runs into difficulties of systematic and institutional complicity.

Certainly both individuals and groups are expected to give up a degree of autonomy in a modern liberal-democratic context. In this instance, giving up autonomy (in the sense of autonomy as sovereignty) is typically done in exchange for the hope or promise of at some point having some degree of control or influence (i.e. via the electoral system) over government policy. The price of this hope or promise, however, is continued complicity in government-sanctioned social, political and economic actions that temporarily (or in the worst case, eternally) lie beyond the individual’s choice and control. The answer to the questions of whether such complicity might ever be institutionally overcome, and the problems of human violence against non-human species and ongoing environmental destruction effectively dealt with, often depends upon whether one believes that the liberal hope or promise is, either valid and worthwhile, or false and a sham. [8]

#### - PERM IS IMPOSSIBLE: THE ETHICAL POLITICS OF SPECIES-BEING MUST CHALLENGE THE FIGURE OF THE HUMAN AS A CONCEPTUAL ABSTRACTION WHICH REQUIRES RENDERING UNINTELLIGBLE A SPECIES-LEVEL POLITICS LIKE THE 1AC. THAT’S OUR HUDSON 2K4 EVIDENCE.

#### NO RIGHT TO PERMUTATIONS: THE ALTERNATIVE IS AN INTRINSIC TEST OF THE DESIRABILITY OF THINKING THE IMPACT SCENARIO OF EXTINCTION THROUGH THE CONCEPT OF THE “HUMAN”. THE AFF HAS SUFFICIENT GROUND TO DEFEND THAT CONCEPT. QUESTIONS OF COMPETITING METHODS WITHIN POLITICS BLINDS US TO THE NORMALIZED EXCLUSION OF BARE LIFE. THAT’S OUR KOCHI AND ORDAN 1NC IMPACT EVIDENCE. THAT OUTWEIGHS THEIR CLAIM TO RECIPROCITY BECAUSE THEY HAVE A RIGHT TO ALL THE SAME IMPACT COMPARISON BUT OUR ARGUMENT PUTS INTO QUESTION THE FRAMEWORK FOR EVALUATING COMPETITION.