Ben and I Affirm, Resolved: On balance, the current Authorization for Use of Military Force gives too much power to the president.

### Our Sole Point of Contention is Infinite War

The Authorization for Use of Military Force is a special resolution passed by Congress after the 9/11 attacks that allows the president to use military force against those responsible for the attacks without Congressional approval. Unfortunately, the power granted by the AUMF have expanded over the years.​ Elizabeth Beavers of US News reports​, “By passing the AUMF, Congress essentially gave the president the ability to wage war anywhere, against anyone, at any time. As a result, acts of war have spread outside Afghanistan to places such as Pakistan, Somalia and Yemen.”

These powers have allowed the president to abuse his power in two ways

#### Subpoint A: Game of Drones

The Authorization for the use of military force has helped authorize our drone program.​ The Washington Post in 2013 ​explains, “the AUMF has been expanded to authorize drone strikes against whatever the administration calls al-Qaeda.” The CL Institute​ confirms that of the 7,500 drone strikes that have been carried out since 9/11, not a single one has been authorized by Congress.

The unauthorized use of drones carries two seismic consequences

First, civilian casualties.

Peter Bergen of Stanford University​ corroborates, major terrorists only represent 2 percent of those killed by drone attacks. More than 90% of the time, those killed are civilians. Doug Bandow of the CATO Institute concludes in 2011,​ that drones have killed 700 civilians and just 14 terrorist leaders, a 50-1 ratio. The campaign to get a single particular terrorist, usually kills between 207-320 innocent civilians along the way.

Second, breeding instability.

Researchers at the​ Watson Institute at Brown University in 2015​ report that over 1.4 million people in Pakistan alone have been displaced in the conflict fueled by drone warfare. Amanda Ekey of NYU​ explains: “1% increase in the size of the refugee population, terrorist acts will increase by 18.6%”

#### Subpoint B: War Dogs

Ryan of Defense Post writes, ​“The AUMF has been used to justify every deployment of U.S. military force by all presidents since 9/11 without the need for further Congressional approval.” This increasingly includes the deployment of private military contractors, [or PMCs,], as Bruneau writes that AUMF pushes the U.S. to hire PMCs.

Since the passage of AUMF, Presidents have been eager to increase the use of PMCs in order to act on their own accord. ​The Congressional Budget Office ​reports that an astounding one in five dollars spent on the Iraq War went to private contractors [surpassing all previous wars by a large margin]

According to ​Del Prado of the Global Policy Forum,​ the US government heavily relies on PMCs because they are cost efficient and don’t risk US soldiers. Unfortunately, unlike US soldiers, PMCs are not bound by any regulations and are immune to international laws.

Even worse, the AUMF law has removed accountability for PMCs. US law mandates that PMCs are only liable to US law when the conflict is declared by Congress. Problematically ​Connaley of Kent Law concludes that the law [did] not permit [the prosecution in military court of contractors within Iraq [who committed abuses] because the conflict in Iraq [was] not a declared war.”

Del Prado ​estimates that PMCs have committed thousands of war crimes over the year, but few contractors have ever been prosecuted.

With drone strikes and PMCs taken together,​ Keating of Slate​ explains that the mandate of the 2001 AUMF has created a forever war

The effects are contextualized by the ​Watson Institute at Brown University​ who quantify that post-9/11 warfare has cost $5.6 trillion and has displaced over 10 million refugees. Even worse​, Dr. Nafeez Ahmed​ writes in that it has led to as many as 6 to 8 million preventable deaths.

Fortunately, affirming and restricting the President's power to initiate conflict puts the United States on the path towards peace.

McKelvey of Vanderbilt University posits ​“[more congressional oversight over military action] would promote the use of all peaceful measures before lethal force is pursued.”

Diplomacy is empirically a more successful option, as the results of a 55 year study by ​Regan of Binghamton University​ explain that “Diplomacy reduces the expected duration [of a conflict by] forty-three months or 76%”

Thus, we Affirm.

### Cards

#### Beavers

[Elizabeth Beavers, 1-10-2014. "Bring the War on Terror to an End." US News &amp; World Report. https://www.usnews.com/opinion/blogs/world-report/2014/01/10/repeal-the-aumf-and-end-the-war-on-terror] //BH

It is impossible to discuss the issues of warrantless wiretapping, the war in Afghanistan, the detention facility at Guantanamo or targeted drone strikes without discussing the AUMF. These troubling practices are only possible because they are considered "incidents of war" that are covered by the sweep of the AUMF's authority. For the duration of the war, the AUMF provides the president full authority to continue or even enhance these practices. But how long will that be? By passing the AUMF, Congress essentially gave the president the ability to wage war anywhere, against anyone, at any time. As a result, acts of war have spread outside Afghanistan to places such as Pakistan, Somalia and Yemen. Individuals with tenuous ties not to al Qaida, but to vaguely-defined "associated forces" are the targets of drones and indefinite detention. The globe is the new battlefield, and all its citizens are potential targets. This is the year to change that. In 2014, troops will at last withdraw from Afghanistan. It may be difficult to remember now, but the Afghanistan war was where this all started. Before Guantanamo, before the NSA scandal, before Americans were targeted by drones, there was the war in Afghanistan. This is what was originally imagined as the response to September 11. President Obama himself declared that "this war, like all wars, must end. That's what history advises. That's what our democracy demands." He then voiced his support for ultimate repeal of the AUMF.

#### Washington Post

[Karen Deyoung, 5-16-2013. "Policy on drone strike authorization doesn’t need to change, Defense official says." Washington Post. <https://www.washingtonpost.com/world/national-security/policy-on-drone-strike-authorization-doesnt-need-to-change-defense-official-says/2013/05/16/84ce912e-be5e-11e2-97d4-a479289a31f9_story.html?utm_term=.213995c09603>]

The law authorized the president to use whatever military force he deemed necessary against those who “planned, authorized, committed or aided” the 2001 attacks or “harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.” Originally interpreted to apply to al-Qaeda and the Taliban in Afghanistan, in recent years, the AUMF has been expanded to authorize drone strikes against what the administration calls al-Qaeda “associates” as far afield as Yemen and Somalia. Sheehan and the Defense Department’s acting counsel, Robert S. Taylor, said there are no geographic boundaries on future use against groups deemed affiliates of the main al-Qaeda organization. The hearing concerned only targeted killing conducted by the military. The vast majority of drone strikes have been carried out by the CIA in Pakistan, where al-Qaeda leaders sought refuge after the U.S.-led coalition targeted them in Afghanistan.

#### CL Institute

#### Bergen

[Peter Bergen, 5-23-2013. " 9 myths about drones and Guantanamo." CNN. http://peterbergen.com/9-myths-about-drones-and-guantanamo/]

In fact, of the thousands who have been killed in CIA drone strikes in Pakistan, only 37 were leaders of al Qaeda or affiliated organizations, according to a tally by the New America Foundation. And even if we add to that list the leaders of the Taliban who have been killed in drone strikes, only 2% of the victims of the CIA strikes in Pakistan have been militant leaders. The drone program, which began more than a decade ago as a tool to kill leaders of terrorist groups, has evolved today into a counterinsurgency air force whose principal victims in Pakistan are lower-level members of the Taliban.

#### Bandow

[Doug Bandow, 7-1-2010. "Terrorism: Why They Want to Kill Us." HuffPost. https://www.huffingtonpost.com/doug-bandow/terrorism-why-they-want-t\_b\_631942.html]

There’s also the problem of blowback. David Kilcullen, who advised Gen. David Petraeus on terrorism, and Andrew McDonald Exum, of the Center for a New American Security, recently argued: “on balance, the costs outweigh these benefits.” By their count, ​drones have killed 700 civilians and just 14 terrorist leaders, a 50-to-1 ratio.​ Writing in the New Yorker Jane Mayer contended that ​the campaign to get one particular terrorist killed between 207 and 321 other people along the way.​ Even if the ratios are not so unbalanced, as claimed by U.S. officials, Kilcullen and Exum warned that “every one of these dead noncombatants represents an alienated family, a new desire for revenge, and more recruits for a military movement that has grown exponentially even as drone strikes have increased.”

#### Watson Institute

Watson Institute, Updated August 2016. “PAKISTANI CIVILIANS.” Brown University. http://watson.brown.edu/costsofwar/costs/human/civilians/pakistani

The United States has steadily increased its support of counter-insurgency campaigns by the government of Pakistan through direct military aid and training, and compensation for assistance to the US war in Afghanistan. The US has also used Pakistan as a major supply route for weapons, fuel, and material into Afghanistan, in addition to launching cross border attacks into Afghanistan from Pakistan’s territory. This increased US support has coincided with a dramatic escalation of the conflict between local Pakistani insurgents and their government. Most of the fighting is concentrated in the Northwest, near the border with Afghanistan, but the bloodshed not infrequently affects civilians throughout Pakistan. The US began its semi-covert campaign of drone strikes in 2004 to kill Al Qaeda and Taliban forces based in Northern Pakistan. The strikes are obscured by secrecy and are of questionable legality. There is also a debate about who and how many have been killed in the strikes. According to the highest estimates, these strikes have killed between 2,000 and 3,800 people as of early January 2015. Over 61,000 Pakistanis – combatants and non-combatants – have been killed since 2001. Of these, about 22,100 are civilians. Over 40,000 civilians have been wounded. There are about 1.4 million refugees or internally displaced Pakistanis.

#### Ekey

A. Ekey, no date. “The Effect of the Refugee Experience on Terrorist Activity.” New York University. <https://as.nyu.edu/content/dam/nyu-as/politics/documents/Amanda_Ekey.pdf>

Since then notorious terrorist organizations born out of the Arab-Israeli conflict have expanded our notions of terrorism time and time again. The conflict in the Middle East is also inextricably intertwined with refugee issues. The Palestinian refugee population is the largest in the world. The Palestinian case is also what inspired this paper, though it is my firm belief that it is the refugee experience that “pre-conditions” individuals to engage in terrorist acts, and therefore can be applied globally. In order to test the global relevance of Hypothesis 1, I have conducted a separate analysis of the data excluding the Middle East and Persian Gulf region (Table 3). Hypothesis 1 was not falsified when the Middle East data was excluded. Results excluding Middle Eastern data indicate that with a 1% increase in the size of the refugee population, terrorist acts will increase by 18.6% (significant at the .05 level). These results indicate that the significant relationship found between refugee populations and terrorist acts is not being driven by the severity of the conflict in the Middle East. “UN Assisted Refugees 1993” was again found to be positively related to terrorist acts, with a coefficient of .119 significant at the .10 level. As was mentioned in the analysis of Table 2, the results for “UN Assisted Refugees in 1993” are perplexing. Further investigation will be required to establish why populations that received more aid 12 years in the past are committing more terrorist acts today. While this relationship is weaker than others observed (it is only significant at the .10 level), it is worth reporting to prompt further study

#### Ryan 17

Maria Ryan, 11/6/17, ““You’ve got to tell us more”: The 9/11 blank check, 16 years on”, The Defense Post, <https://thedefensepost.com/2017/11/06/aumf-us-war-terrorism-endless/> //BB

This resolution was a blank check that placed no temporal or geographic limits on the U.S. response to 9/11. Sixteen years later it remains in place. Any group or individual that that the president claimed was linked to the al-Qaeda network – including groups that did not even exist at the time of 9/11 such as Al Shabaab in Somalia – could, and have, been targeted under the auspices of this resolution. With the sole exception of the 2003 invasion of Iraq, for which there was a separate Congressional vote, the AUMF has been used to justify every deployment of U.S. military force by all presidents since 9/11 without the need for further Congressional or public scrutiny. This is significant because the AUMF led not only to the invasion of Afghanistan, but also to a global counterterrorism campaign, still ongoing, that spans multiple countries, conducted by Special Operations Forces and via drone bombing.

#### Bruneau 15

Thomas Bruneau, 2015, “Impediments to fighting the Islamic State: private contractors and US strategy”, Calhoun, <https://calhoun.nps.edu/bitstream/handle/10945/47654/FJSS_A_1065486_O.pdf?sequence=1> //BB

The United States has returned to Iraq, this time to combat the Islamic State (IS, also called ISIL, ISIS, and Daesh). After overcoming the initial shock of the speed with which the IS conquered land, cities, and people in Iraq, President Barack Obama issued a strategy to combat the IS. The strategy, however, faces severe problems in implementation not only due to the scope and complexity of the threat, but even more importantly because of the politics involved in the Authorization for the Use of Military Force (AUMF) and the inevitable reliance on private contractors for the implementation of any strategy. While there was a great deal of public attention to the use of private contractors in the previous conflict in Iraq (2003–2011), currently there is virtually none.

#### CBO

Congressional Budget Office, August 2008. “Contractors’ Support of US Operations in Iraq.” Congress of the United States. http://www.cbo.gov/sites/default/files/cbofiles/ftpdocs/96xx/doc9688/08-12-iraqcontractors.pdf

This paper, which covers the period from 2003 through 2007, provides an overview of the federal costs of employing contractors in Iraq and in nearby countries, the type of products and services they provide, the number of personnel working on those contracts, comparisons of past and present use of contractors during U.S. military operations, and the use of contractors to provide security. CBO also examined the command-and-control structure between the U.S. government and contract employees and the legal issues surrounding contractor personnel working in Iraq. The findings of CBO’s study include the following: B From 2003 through 2007, U.S. agencies awarded $85 billion in contracts for work to be principally performed in the Iraq theater, accounting for almost 20 percent of funding for operations in Iraq. (Dollar amounts in this paper are in 2008 dollars.) More than 70 percent of those awards were for contracts performed in Iraq itself. B The Department of Defense (DoD) awarded contracts totaling $76 billion, of which the Army (including the Joint Contracting Command—Iraq/Afghanistan) obligated 75 percent. The U.S. Agency for International Development and the Department of State obligated roughly $5 billion and $4 billion, respectively, over the same period.

#### Del Prado

[Jose L. Gomez Del Prado, 4-9-2016. "The Privatization of War: Mercenaries, Private Military and Security Companies (PMSC)." No Publication. https://www.globalresearch.ca/the-privatization-of-war-mercenaries-private-military-and-security-companies-pmsc/21826] //BH

PMSC often put the contracted private guards in situations of danger and vulnerability, such as the ‘private contractors’ of Blackwater, killed in Fallujah in 2004 allegedly due to the lack of the necessary safety means that Blackwater was supposed to provide in order to carry out the mission. It should not be forgotten that this incident changed dramatically the course of the war and the occupation by the United States in Iraq. It may be considered as the turning point in the occupation of Iraq. This led to an abortive US operation to recapture control of the city and a successful recapture operation in the city in November 2004, called Operation Phantom Fury, which resulted in the death of over 1,350 insurgent fighters. Approximately 95 America troops were killed, and 560 wounded. The U.S. military first denied that it has use white phosphorus as an anti-personnel weapon in Fallujah, but later retracted that denial, and admitted to using the incendiary in the city as an offensive weapon. Reports following the events of November 2004 have alleged war crimes, and a massacre by U.S. personnel, including indiscriminate violence against civilians and children.http://en.wikipedia.org/wiki/Fallujah – cite\_note-17 This point of view is presented in the 2005 documentary film, “Fallujah, the Hidden Massacre”. In 2010, the International Journal of Environmental Research and Public Health, a leading medical journal, published a study, which shows that the rates of cancer, infant mortality and leukemia exceed those reported in Hiroshima and Nagasaki[13]. The over 300 000 classified military documents made public by Wikileaks show that the “Use of Contractors Added to War’s Chaos in Iraq”, as has been widely reported by the international media recently. The United States has relied and continues to rely heavily on private military and security contractors in conducting its military operations. The United States used private security contractors to conduct narcotics intervention operations in Colombia in the 1990s and recently signed a supplemental agreement that authorizes it to deploy troops and contractors in seven Colombian military bases. During the conflict in the Balkans, the United States used a private security contractor to train Croat troops to conduct operations against Serbian troops. Nowadays, it is in the context of its operations in Iraq and Afghanistan in particular that the State is massively contracting out security functions to private firms. In 2009, the Department of Defense employed 218,000 private contractors (all types) while there were 195,000 uniformed personnel. According to the figures, about 8 per cent of these contractors are armed security contractors, i.e. about 20,000 armed guards. If one includes other theatres of operations, the figure rises to 242,657, with 54,387 United States citizens, 94,260 third country nationals and 94,010 host-country nationals.

#### Connaley

#### Del Prado (2)

[Jose L. Gomez Del Prado, 4-9-2016. "The Privatization of War: Mercenaries, Private Military and Security Companies (PMSC)." No Publication. https://www.globalresearch.ca/the-privatization-of-war-mercenaries-private-military-and-security-companies-pmsc/21826] //BH

Despite the fact of their involvement in grave human rights violations, not a single PMSC or employee of these companies has been sanctioned. In the course of litigation, several recurring legal arguments have been used in the defense of PMSCs and their personnel, including the Government contractor defense, the political question doctrine and derivative immunity arguments. PMSCs are using the Government contractor defense to argue that they were operating under the exclusive control of the Government of the United States when the alleged acts were committed and therefore cannot be held liable for their actions. It looks as if when the acts are committed by agents of the government they are considered human rights violations but when these same acts are perpetrated by PMSC it is “business as usual”. The human rights violation perpetrated by private military and security companies are indications of the threat posed to the foundations of democracy itself by the privatization of inherently public functions such as the monopoly of the legitimate use of force. In this connection I cannot help but to refer to the final speech of President Eisenhower.

#### Keating

[Joshua Keating, 5-25-2014. "Obama Said He Wanted to End the Forever War. So Why Isn’t It Over?." Slate Magazine. http://www.slate.com/articles/news\_and\_politics/politics/2014/12/the\_forever\_war\_when\_will\_we\_stop\_using\_a\_september\_2001\_authorization\_of.html] //BH

The 2001 AUMF specifically applied to the perpetrators of 9/11 (al-Qaida) and those that harbored them (the then-Taliban-controlled government of Afghanistan). Over time, though, the Bush and Obama administrations have interpreted it more broadly to apply to “associated forces” of al-Qaida—language that was not in the original authorization. It has also provided the legal basis for strikes on groups that didn’t exist at the time of 9/11, like the Yemen-based al-Qaida in the Arabian Peninsula, as well as entities like Somalia’s al-Shabaab that share the global terror network’s ideology but whose goals are primarily local. Osama Bin Laden is dead, the global network he created is a shell of its former self, and most of the planners of 9/11 have been killed or are languishing in Guantánamo. But whenever the CIA launches a drone attack against a Taliban target in Pakistan or U.S. special operations forces swoop in to nab an al-Qaida suspect in Libya, the mandate of the 2001 AUMF—a two-page resolution passed into law 13 years ago for a completely different purpose—lives on. To borrow the title of Dexter Filkins’ book on Afghanistan and Iraq, it has created a forever war, one limited by neither time nor geography. In his speech at the National Defense University, Obama acknowledged that the AUMF was looking a bit long in the tooth and that it probably shouldn’t continue to apply to every group that calls itself al-Qaida. “Unless we discipline our thinking and our actions, we may be drawn into more wars we don’t need to fight, or continue to grant presidents unbound powers more suited for traditional armed conflicts between nation states,” he said. “So I look forward to engaging Congress and the American people in efforts to refine, and ultimately repeal, the AUMF’s mandate.”