

## 9/11: Act of War, or Monstrous Crime?

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**Abstract:** *The events of 9/11 were quickly pronounced to be an attack on America, thus an act of war, thereby authorizing the “war on terror” and diverting attention away from features that could have led to more complex and ambiguous understandings of what occurred. Morally discerning apprehension of these events requires engagement in comprehensively critical moral discourse that does not presumptively characterize them as acts of war, or even simply as terrorist attacks, but interrogates them as phenomena demanding exhaustive empirical and forensic investigation. Profoundly altered perspectives on 9/11 and its significance for American public life and world affairs may result.*

In her book *Just War Against Terror*, Jean Bethke Elshtain titles her first chapter “What Happened on September 11?” She opens the chapter with a statement about the importance of facts:

There is no substitute for the facts. If we get our descriptions of events wrong, our analyses and our ethics will be wrong too. The words we use and our evaluations of events are imbedded with important moral principles. Even though ethicists and moral philosophers engage in heated debate about this and related matters, most of us intuitively understand what is at stake. When Pope John Paul II described the attacks of September 11, 2001, as an “unspeakable horror,” we nodded our heads: Yes, that seemed right.<sup>1</sup>

So far, so good.

You will have noted that I have subtitled my presentation “Act of War, or Monstrous Crime?” Is there not, however, another possibility, namely terrorist attack? Yes, though it seems to me that a terrorist attack can be regarded as either an act of war or a monstrous crime. For example, the mass killings that took place last July in Norway fit the definition of a terrorist attack, yet they were not regarded as an act of war but as a monstrous crime. On the other hand, the events of 9/11 were not only judged to be a terrorist attack but were also declared to be an act of war. In short, defining an event as a terrorist attack does not settle the matter of whether it is better regarded as an act of war or a monstrous crime.

One could also argue that terrorist attacks ought not to be regarded as subcategories of either war or crime, but as actions of a peculiarly different sort, requiring a unique conceptual apparatus for analysis and ethical reflection. I think such an argument has merit. It would be useful to attempt a definition of terrorism, about which there is considerable disagreement in the literature.<sup>2</sup> It would be illuminating to consider whether acts of terrorism can ever be morally justified, as does British philosopher Ted Honderich in his book, *After the Terror*.<sup>3</sup> And it would be instructive to explore what might be the most reasonable, effective, and ethically appropriate responses to terrorism. However, for the purposes of this paper, such an inquiry must be set aside.

I want to begin here by emphasizing that, in fact, the events of 9/11 have been widely and officially viewed as an act of war. Indeed, they quickly came to be so regarded by our

government and the general public.<sup>4</sup> Before the day was out television news banners were reading, “America Under Attack.” Late edition and next day newspapers carried the same message. It did not take long to realize that the 9/11 attacks were going to go down in history as an assault on America, which is to say not only an attack on some buildings, not only an attack on our country, but an attack on all that we stand for, and thus an act of war. The implications were of profound importance. As an act of war, the 9/11 attacks provided the political if not moral justification for two long and costly wars of invasion and occupation that we have not seen the end of yet. As an act of war, the attacks also served as pretext for a variety of unprecedented measures, from the passage of the Patriot Act to unwarranted wiretapping and surveillance to an expanded and intensified program of mass detentions, secret and extraordinary renditions, and systematic torture, some of it made to order by officials at the highest levels of our government.

I would like to think it might have been politically possible to define the events of 9/11 as a monstrous crime rather than an act of war, and to shape the U.S. government’s response accordingly, perhaps along the lines of what happened after the bombing of the Alfred P. Murrah Federal Building in Oklahoma City in 1995. It is quite clear, however, that in the Bush-Cheney administration, there was no possibility for this to happen. The CIA was already poised for military action in Afghanistan.<sup>5</sup> The foreign policy of the new administration was largely determined by members of the neo-conservative Project for the New American Century, including Cheney, Rumsfeld, and numerous other strategically placed insiders who had long been biding their time to ramp up what was quickly dubbed the “war on terrorism.” The opportunity to expand the U.S. military presence in pursuit of regime change in the Middle East was welcomed.<sup>6</sup>

Although the U.S. government’s response to 9/11 was virtually inevitable, the ethically appropriate response was not a foregone conclusion. At the time of the attacks I was a graduate student working on my Ph.D. in religious ethics and an Associate Instructor for a class on “Religion, Ethics, and Public Life.” I remember a seminar attended by religious ethics faculty and students in which the appropriate U.S. response to 9/11 was the topic for discussion, and I remember making what case I could that the 9/11 events merited a full-scale, global, criminal investigation and response, but not military reprisals. I took particular exception to the fairly nuanced position argued by Michael Walzer in an essay he had written for the *New York Times* in which he claimed that “war” was an appropriate metaphor to signify what the U.S. response should be.<sup>7</sup> Even though Walzer argued clearly in favor of diplomacy, an ideological anti-terrorism campaign, and intensive police work across national borders, and against indiscriminate military action, he did not rule out narrowly targeted military response. I wanted nothing to do with the war metaphor, for it struck me as too susceptible to deployment as warrant for unjustified military action. It seemed to me then, as now, that at least in the religious ethics community one might hope to find a decidedly different perspective and interpretation of the 9/11 events from that being promulgated by our government and the media at the time.

Some three years later I began to see the events of 9/11 in a rather different light. It became clear to me that I was quite wrong about the sort of criminal investigation that was needed. My purpose in this paper is not simply to explain why that is the case, but to explore some

possibilities for thinking about events like 9/11 that might prove more satisfactory in promoting moral discourse and moral discernment. Ethicists typically conduct their work within certain accepted parameters and conventions of thought. Label a set of events an act of war, and of course we have our repertoire of just war theories and just war thinking to shape the conversation. Label a set of events a monstrous crime, and it seems we have less to talk about. Crimes are almost by definition forms of wrong-doing. The main questions have to do with the means by which investigation, apprehension, and conviction are conducted, and what sorts of sanctions, penalties, or punishments are applied to the guilty parties. There is a growing body of ethically-informed thought with respect to criminal justice that merits greater attention, so perhaps one day questions of criminal wrong-doing will be as interesting to ethicists as questions of war, but I do not think we are there yet.

In any case, the singular failure of most moral philosophers, Christian ethicists, and concerned citizens who cared about adequately understanding, evaluating, and responding to the events of 9/11 was the failure to ask in a sufficiently probing manner the question that Elshtain asks in the opening chapter of her book: “What happened on September 11?” Elshtain’s work is highly instructive for the purposes of this paper because, having asked the right question, she provides only the most cursory answer. She simply proceeds on the basis of what appears to be an implicit and uncritical acceptance of the official narrative. To be sure, she does not hesitate to tell us how we ought to think about the events of that day. She wastes no time laying the groundwork for her argument that war was a just response to the 9/11 terror attacks. But she marshals little evidence that might tell us what really occurred on that fateful day. The vaunted facts, which she says are so crucial to getting our ethics right, are hardly even considered, let alone examined.

It is instructive to contrast Elshtain’s approach briefly with that of H. Richard Niebuhr, especially as we find it in *The Responsible Self*.<sup>8</sup> For Niebuhr, the first question to ask with regard to any circumstances under consideration is, “What is going on?”<sup>9</sup> Niebuhr poses this question from a decidedly theological standpoint, but it is a serious question about the world of events, clearly intended to avoid precisely the sort of rush to judgment and prescription that one finds in Elshtain’s work. As Richard Miller has written, Niebuhr’s “method requires him to identify and organize a host of morally relevant features of a situation before developing an appropriate response. . . . Niebuhr’s action theory yields an ethical method that allows for a large measure of flexibility and openness; it demands attention to the peculiarities of the situation and necessarily postpones ethical judgment to a second stage of deliberation.”<sup>10</sup>

Thus, for Niebuhr, the descriptive and interpretive task must precede the prescriptive, as presumably Elshtain would agree. However, in contrast to Elshtain’s approach, for Niebuhr the descriptive and interpretive task functions, first of all, to qualify the prescriptive, not simply to give it warrant. He understood that it is only too easy to gloss over features of the situation that may be counter-indicative to our predispositions.

To be sure, Niebuhr did not understand the descriptive/interpretive task to be an exclusively empirical undertaking. He did not just want to get at the facts, as Elshtain speaks of them. He

also wanted to get at human conceit.<sup>11</sup> In theological context, his method is – as Miller points out – a form of self- and social-criticism. He recognized that human beings practice a form of protective, self-defensive ethics that leads all too readily to unwarranted self-justification. In his war ethics, Niebuhr underscored the need for repentance, thereby mitigating “the prospect of exceptionalism in moral discourse about war.”<sup>12</sup> As I see it, Niebuhr authorizes a distinctively theological hermeneutic of suspicion. In response to 9/11, Niebuhr’s approach would have called for a much more careful attention to the events of that day, as well as their possible larger social and historical context, than anything that found its way into the evening news or even into scholarly print at the time. His approach would have also called into question the vainglorious self-righteousness that saturated political discourse regarding “those who hate us” and our presumptively superior way of life, and who must be hunted down and destroyed.

The question, What is going on?, may be understood primarily as a question of how to interpret and assess the significance of an event. This involves looking backward, as well as projecting forward, to place the event in social and historical context and to discern its meaning in that context. That was where Niebuhr placed the emphasis. When it came to the ethics of war, for example, Niebuhr wanted to examine the course of history and the ways in which past relations among nations and contending powers might shed light and judgment on current events. The question of justice with respect to engagement in war could hardly be decided merely by application of a set of just war principles to some immediate circumstance. One had also to attend to the particularities of political and international relations that would help us understand how we got where we are, and how we might be implicated in some current expression of violence or war.<sup>13</sup>

I want to affirm Niebuhr’s approach, but also suggest that it does not go far enough with respect to the scope of inquiry and analysis necessary to provide an adequate response to the question, What is going on? There may be other satisfactory ways to remedy this, but for purposes of this paper I wish to expand on a conceptual formulation that should be familiar to many Christian ethicists. James Gustafson, one of Niebuhr’s students, first introduced me to the notion of moral discourse. And it seems to me that this notion of moral discourse can be very useful in conceptualizing the more intensive and comprehensive sort of investigation, examination, and evaluation of information that is relevant to understanding an event, series of events, or more general phenomenon regarding which we seek to make ethically discerning response and take ethically responsible action.

As first employed by Gustafson, in his book *The Church as Moral Decision-Maker*, his notion of moral discourse is rather general. In a chapter where he proposes to regard the church as a community of moral discourse, he says, “By a community of moral discourse I mean *a gathering of people with the explicit intention to survey and critically discuss their personal and social responsibilities in the light of moral convictions about which there is some consensus and to which there is some loyalty.*”<sup>14</sup> Two things I would note about this definition. On the positive side, it is focused on discourse and critical discussion. The aim is not simply to make pronouncements, or come to conclusions, but to engage with others who share a common moral

tradition in discourse about morally significant matters. On the negative side, the definition does not explicitly say anything about the need for inquiry, research, study, or analysis in order to gain information and knowledge about issues or circumstances with respect to which personal and social responsibilities may arise. In short, and quite apart from the question of what should communities of moral discourse be discoursing about, how are the members of such communities going to inform themselves about the matters toward which they recognize themselves to have some personal or social responsibility? Or must they rely only upon the knowledge that is already resident among themselves?

A considerably more adequate account of moral discourse can be found in Gustafson's more recent book, *Intersections: Science, Technology, and Ethics*.<sup>15</sup> There he distinguishes and elaborates on four types of moral discourse that he associates in particular with the literature about medicine, but which he proposes are appropriate to morally relevant consideration of issues in other fields as well:

In literature about medicine, as well as literature about economics, politics, and other activities, four types of discourse are distinguishable. I shall call these ethical, prophetic, narrative, and policy discourse. The argument of this chapter is that if too exclusive attention is given to any one of these types, significant issues of concern to morally sensitive persons and communities are left unattended. My contention is that none of these types is sufficient in itself. . . .

The four types have in common a concern for various human values; each is prompted, in my judgment, by an uneasiness, a sense that something is awry. And each perceives a different location for what is perceived to be inadequate if not wrong, and thus uses language or forms of discourse appropriate to that location. Each uses the data, information, sources of insight, and concepts that are judged to be appropriate to the location or arena in which some wrong is intuited or perceived.<sup>16</sup>

Given more time, it would be helpful to elaborate on each of the four types of moral discourse that Gustafson identifies. Here I wish simply to distill some conclusions that I hope are at least intuitively reasonable and persuasive in order to advance the argument of my paper. The first of these is that a consideration of any matter in public life that is limited only to ethical discourse, let us say, or policy discourse, and does not encompass other forms of moral discourse, is simply not adequate.<sup>17</sup>

A second conclusion is that an adequate moral discourse would appear to require contributions from a wide range of participants, with diverse sorts of expertise and experience, whose social locations and first languages make it necessary that there be interpreters capable of cross-cultural and interdisciplinary translation. If we are going to have what I would call a critically comprehensive moral discourse about the events of 9/11, the public conversation must not be dominated by just those who make strategic political arguments, or just those who are good at shaping tragic narratives, or just the just-war theorists and their detractors, or just those who pronounce on the geo-political ramifications of terrorism and the national security state. We need all these forms of discourse, and more.

My third conclusion is that even Gustafson's fairly rich conception of moral discourse, or what he says might also be called morally relevant discourse,<sup>18</sup> is still not comprehensive enough. With respect in particular to the events of 9/11, the problem is that the dominant voices engaged in morally relevant discourse have all failed, and they have all failed quite profoundly. Why is that? I am convinced it is because they have short-changed, and short-circuited, the question of what really happened on that fateful day.

I would maintain that a critically comprehensive moral discourse must include rigorous scientific and empirical inquiry. In medical ethics this is obvious. It needs to become obvious with respect to phenomena in other fields as well. Unless we presume to be able to know the truth about what really happened on 9/11 without empirical investigation, then we must admit that the scientific search for the truth about what happened on that day is a moral responsibility of the first order. It is particularly telling that, as reported by Lee Hamilton, co-chair of the 9/11 Commission, no scientific evidence or testimony was ever presented to the Commission regarding the physical events of that day.<sup>19</sup> We have a moral obligation to pursue the empirical truth, or the facts, about 9/11 because, as Elshain says, "If we get our descriptions of events wrong, our analyses and our ethics will be wrong too."

At this point let me expand on why it matters whether we characterize the events of 9/11 as an act of war, or as a monstrous crime. If an act of war, then the presumption is that we know something about the perpetrators and their motives such that our response need not await further investigation. We know that this is the work of an enemy, and we presume that enemy to be an other, some alien entity or power or organization or social reality against whom we can direct our opposition.<sup>20</sup> We do not have to go to trial. We do not have to present further evidence. We do not have to convict beyond a reasonable doubt. We can pursue, apprehend, and detain without further warrant, without habeas corpus, without due process. When an act of war is committed, many questions are quickly set aside. Indeed, they may not even be raised. Long-standing rules and practices may be abandoned. We may even create a new category of non-person, the unlawful enemy combatant, who is neither prisoner-of-war deserving the protections of international conventions, nor criminal suspect, deserving the protections of the constitution and our civil justice system.

But if we regard the events of 9/11 as a crime, then a forensic investigation is mandated. We may have suspects, but without trials and convictions we cannot be certain of the perpetrators. If we have a crime, then we have a crime scene that needs to be culled for clues. We must look for evidence. We must try to determine, as nearly as possible, just what happened, and when it happened, and how it happened. And then we must ask ourselves, who could have done it? Who had the means? Who had the motive? Who had the opportunity? We may not be able to answer these questions, or the answers may be long in coming, but we must not presume to know the guilty parties until we have completed a thorough investigation.

It may be argued, of course, that if the events of 9/11 were an act of war, then to preoccupy ourselves with these sorts of questions relevant to a criminal investigation is a luxury we cannot

afford. On the other hand, if the events of 9/11 were not an act of war, but a monstrous crime, then we have falsely engaged in two costly wars that have inflicted casualties in the millions and who knows how much more future suffering for generations to come. Even in a purely utilitarian calculus, it is hard to imagine that more harm could have resulted from mistakenly treating the 9/11 attacks as monstrous crimes than has resulted from treating them as an act of war.<sup>21</sup>

So what really did happen on 9/11?<sup>22</sup> Almost everyone would agree that on that Tuesday morning, two large aircraft flew into Buildings 1 and 2, the Twin Towers, of the World Trade Center in New York City. Most people would also agree that another plane flew into the Pentagon later that morning, and that still later a hijacked aircraft crashed in rural Pennsylvania, but there is some credible dispute about what actually happened to these other two planes. It is indisputable that subsequent to the plane impacts to the Twin Towers, each tower came crashing down to the ground, and that many lives were lost. It is also indisputable, though not so widely known, that at about 5:25 p.m. on 9/11 Building 7 of the World Trade Center, a 47-story skyscraper, also came down in a matter of seconds. Building 7 was not hit by a plane. It had sustained only minor damage from falling debris, and there had been some relatively minor fires in the building that were largely abated by the time of its collapse. [SHOW VIDEO] It is also not widely known that the collapse of Building 7 was reported on BBC and CNN even before it happened, but it is not hard to find videos on YouTube to document this fact.<sup>23</sup>

Even the most cursory attention to the physical evidence of what happened at the World Trade Center reveals these facts: 1) Three steel-framed skyscrapers underwent global collapse; 2) Each of the buildings fell to the ground at near free-fall speed; 3) The damage due to airplane impact for each of the Twin Towers was asymmetric yet, in each case, the collapse was symmetrical, with the building falling basically into its own footprint; 4) The video evidence clearly indicates explosive forces at work as the Twin Towers came down; 5) There was no comparable structural damage to Building 7, which came straight down in the manner of a classic implosion by controlled demolition.<sup>24</sup> It is also known that the Twin Towers were constructed to withstand commercial airplane impact, and that the global collapse of such steel-framed structures is unprecedented. [SHOW VIDEO]

With no more knowledge than this, a reasonably intelligent person, and certainly someone with a working knowledge of high school physics, should be able to conclude that the destruction of Buildings 1, 2, and 7 of the World Trade Center was not due merely to plane impacts and fires. Yet very few people came to that conclusion at the time, nor did I come to that conclusion until some three years later. One reason is that most people never heard or saw anything about the collapse of Building 7. I do not recall that I did either. But the most compelling explanation for this failure to recognize what we were seeing with our very own eyes is that we were traumatized by the horrific events of 9/11, and cognitively impaired. And before we had time to process the information that we were witnessing for ourselves, we were provided with a narrative and explanation of the events that effectively circumvented critical thought.<sup>25</sup>

The claim that I have just made – namely, that plane impacts and fires cannot account for the

destruction of Buildings 1, 2, and 7 – may seem unwarranted by the sparse evidence I have just recounted. But then, how much evidence, and of what sort, would it take to make this claim convincing? For most people, the difficulty of accepting the claim does not derive from a paucity of evidence but from that fact that it entails a further conclusion: The official story of 9/11 cannot possibly be true – although parts of it may be true – if only because the collapse of the three buildings at the World Trade Center requires further explanation. There are, to be sure, many other strange events, anomalies, and inconsistencies in reports surrounding the events of 9/11 that also continue to beg for explanation.<sup>26</sup>

One might suppose that a claim such as I have just made would at least spark curiosity and further inquiry, but it often has the opposite effect. Not only is the message rejected out of hand, but all kinds of reasons are concocted to justify this rejection, and the messenger is caricatured and vilified for trading in preposterous charges and inflammatory madness.<sup>27</sup> Fortunately, or unfortunately, depending on one's disposition, that does not change the facts.

Some of the facts are these: 1) There is a great deal of scientifically based, empirical evidence and argument to substantiate my claim regarding the collapse of the three WTC buildings. There is strong evidence for multiple explosions both before and during the collapses of the three buildings. The evidence is visual, physical, and testimonial. There is scientific argument based on known values for the temperatures at which jet fuel burns, temperatures insufficient to compromise the supporting steel structures of the Twin Towers. There is extensive visual and testimonial evidence regarding the persistence of molten metal in the debris of the three buildings weeks after their collapse that cannot be the result of fire. There is visual evidence of multi-ton sections of the Twin Towers being thrust laterally outward for hundreds of feet, where they lodged in surrounding buildings. [SHOW VIDEO] There is reporting in peer-reviewed journals of extensive scientific analysis of, and experimentation with, multiple samples of dust from Ground Zero obtained through non-government sources and with documented chain of custody. These samples reveal unusual chemical profiles that are signatures for the presence of exothermic thermite and explosive nano-thermite, agents that would hardly be accessible to al Qaeda. These agents were probably state-of-the-art in 2001 for cutting through steel and blowing things up.<sup>28</sup>

2) The creation of the 9/11 Commission, which was never charged with a forensic investigation of the crimes of 9/11 but rather was directed to investigate “the facts and circumstances relating to the terrorist attacks,”<sup>29</sup> was strongly resisted by the President and the Vice President, and only accomplished through the intensive lobbying efforts of family members of some of the victims, in particular four widows who came to be known as the Jersey girls.<sup>30</sup> The Commission was poorly funded and, in the words of its co-chairs, Thomas Kean and Lee Hamilton, “set up to fail.”<sup>31</sup> The Commission's report fails even to mention the existence of Building 7 of the World Trade Center.

Moreover, fully one-fourth of the footnotes referenced in the report, and in particular those that purportedly document the narratives of chapters 5 and 7 describing the activities of al Qaeda, derive from intelligence presumably obtained through interrogation, including torture, of al Qaeda detainees.<sup>32</sup> The videotapes of these interrogations were destroyed by the CIA. The information

supposedly obtained from them cannot be considered reliable.<sup>33</sup>

3) To date there has been no scientifically credible explanation for the collapse of the three WTC buildings that does not raise questions about involvement by parties other than al Qaeda. The National Institute of Standards and Technology, an agency within the Department of Commerce, was charged with providing an account of the collapse of the buildings. Their 10,000 page report on the Twin Towers concludes with the assertion that they have provided an explanation for the “collapse initiation” of each of the Twin Towers.<sup>34</sup> In layperson’s terms, they purport to be able to explain why the portion of each tower above the point of plane impact ultimately fell down upon the portion of each tower below the point of impact. They do not succeed even in what they claim, as there is no good reason to believe that the fires ever got hot enough for long enough to weaken the supporting steel infrastructure that remained after plane impact in order for any collapse to occur. They have no real explanation for the collapses of the lower portions of the towers.<sup>35</sup>

The NIST report on Building 7, which did not come out till late 2008, is no more convincing. Effectively, it claims that office fires caused the dislocation of a key girder, which subsequently led to the buckling of one interior column (out of 87) and that this led to the collapse of the rest of the building like a house of cards. It is bad science, believable only by people without confidence in their own judgment about such matters and those who do not wish to believe the alternative, namely, that the global, symmetric collapse at near free-fall speed of a large steel-frame skyscraper can only be explained as the result of a controlled demolition.<sup>36</sup>

The crux of the argument I am making is that, if the facts really matter for ethical thinking and moral discourse, then the most indisputable facts must be privileged in our assessment of what really happened. And, the most indisputable facts are those for which there is the best empirical, scientific, and first-hand testimonial evidence.<sup>37</sup> Moreover, it is past time for citizens of the United States to recognize that U.S. government officials, agencies, and politicians are hardly the most reliable source of information about real world events. As American historian Chalmers Johnson observed, “I would have to say today that it would be an extremely naive person who would take any statement of the federal government at face value, who would not attempt to verify it through their own personal sources, sources they trust, and find other ways to confirm what the government is saying.”<sup>38</sup>

Once it has been established beyond a reasonable doubt what actually happened on 9/11, physically speaking, empirically speaking, scientifically speaking, then and only then are we ready to take on the question of how it could have happened, by what means, by whom, and for what purpose. Once you have established that you have a crime scene, then a careful forensic investigation is in order. Unfortunately, no such investigation ever took place with respect to the events of 9/11. Four planes purportedly crashed, but the National Transportation and Safety Board did not attempt a reconstruction of any of the aircraft from the parts remaining, although that is how they investigate every other plane crash. Several buildings were reduced to dust and rubble, but NIST did not examine the dust from Ground Zero, and most of the steel at the WTC

was loaded up and hauled away to China for recycling before it could be examined for clues about what brought the buildings down. At the Pentagon security officials kept journalists and photographers at bay, and those persons who have provided public accounts of what they saw inside and around the damaged section of the building tell stories that seem impossible to reconcile. The eyewitness and earwitness reports of many first-responders in New York City were tape-recorded shortly after 9/11, but it took a freedom-of-information-act request to finally gain public access to these recordings, this well after the 9/11 Commission had finished its report.<sup>39</sup>

It is in some ways remarkable how much is known about what actually happened on 9/11 despite the lack of a thorough and scientifically valid forensic investigation, despite NIST, despite the Pentagon, despite the 9/11 Commission, and despite the Bush-Cheney administration. We know enough to say, definitively, that the events of 9/11 were not solely, if at all, the work of al Qaeda. We do not know enough, however, to say definitively who was ultimately responsible. Perhaps a new, independent investigation would yield that knowledge, perhaps not. I am not optimistic. Much of the evidence that would be needed to establish indisputable culpability has probably vanished, intentionally or unintentionally destroyed.<sup>40</sup>

However, I believe there is an exceedingly important lesson for every person of conscience, and every person of moral sensitivity, and every person who has the slightest affection for the truth, in the discovery that the American people, and much of the world with us, were deliberately led to believe a fundamentally false narrative of what happened on 9/11. If it could happen once, it could happen again. Indeed, we have been misled before with respect to other crucial events and turning points in our nation's history, and we tend to forget. So we need to be repeatedly inoculated against its happening again.

Moreover, we need a much more adequate way of thinking about the critical events and issues that arise in our public life. My proposal for conceptualizing what is needed is a comprehensively critical moral discourse, a discourse that includes not only ethical, prophetic, narrative, and policy discourse, as advocated by Gustafson, but also something we might call scientific discourse, or empirical discourse. Such discourse is not value-free, nor is it a-moral, in the sense of merely fact-seeking. It is truth-seeking, and truth-seeking is a morally proper, indeed morally obligatory, task.

At bottom, my contention is that with respect to any matter of public importance, whether it be therapeutic medicine, global climate change, fiscal economic policy, or the massive destruction of important buildings, rigorous, thorough, empirical, and publicly accessible scientific investigation is a key element of moral discourse. Granted, there is an element of interpretation in empirical or scientific truth-seeking. The facts are never bare facts. Nonetheless, we need scientific truth-seeking because it is so much more difficult to be in hegemonic possession of the empirical facts, such as they are, than it is to be in hegemonic possession of our traditions of interpretation, our normative and prescriptive repertoires, our favored story lines, our ideologies of exceptionalism. Moral discourse that slights or ignores the empirical quest to answer the question, What is going

on?, will lead us astray. Moral discourse that is theologically critical, collaborative, interdisciplinary, and multi-faceted, and that gives due weight to empirical and publicly accessible evidence, offers the most promise for understanding important phenomena and discerning those responses that might prove faithful to the realities in question and thus ethically fitting.

**Note** added to original presentation: Perhaps the most easily accessed and best single source for scientifically based, carefully presented, testimony and argument in refutation of the official narrative of 9/11 can be found on the web pages of Architects and Engineers for 9/11 Truth [[www.ae911truth.org](http://www.ae911truth.org)]. See especially their video, “9/11: Explosive Evidence – Experts Speak Out.” See also the numerous other websites of affiliated 9/11 truth groups, e.g., Scientists for 9/11 Truth [[www.scientistsfor911truth.org](http://www.scientistsfor911truth.org)], and Religious Leaders for 9/11 Truth [<http://rl911truth.org>], where one can also find the link to the list of members, a number of whom will surely be familiar.

## End Notes

1. *Just War Against Terror: The Burden of American Power in a Violent World* (New York: Basic Books, 2003), 9.
2. Richard M. Buck, “Beyond Retribution: Reasonable Responses to Terrorism,” *Social Philosophy Today: War and Terrorism*, Vol. 20, 2004, 69.
3. (Edinburgh: Edinburgh University Press, 2002).
4. Defense Secretary Donald Rumsfeld claimed that, while on the phone with President Bush at 1:02 p.m. on 9/11, he said to the President, “This is not a criminal action. This is war.” The report on this conversation continues, “Rumsfeld’s instant declaration of war, previously unreported, took America from the Clinton administration’s view that terrorism was a criminal matter to the Bush administration’s view that terrorism was a global enemy to be destroyed. ‘That was really a breakthrough strategically and intellectually,’ recalls Douglas Feith, undersecretary of defense for policy. ‘Viewing the 9/11 attacks as a war that required a war strategy was a very big thought, and a lot flowed from that.’” (Rowan Scarborough, “‘This is war,’ Rumsfeld told Bush,” *Washington Times*, February 23, 2004, 1). It’s taken a long time for dissenting voices to gain much of an audience. A fairly recent example is that of Andrew Bacevich and Greg Metzger, who wrote this past summer, “The whole notion of war as a response to jihadism ought to be junked – and the sooner the better. . . . It’s time to begin a transition away from war and toward redefining the terrorist threat as primarily a matter for intelligence and policing.” (“After bin Laden: ending the war on terrorism,” *The Christian Century*, June 28, 2011, 10).
5. The PBS Frontline program, “Top Secret America,” aired September 6, 2011, is particularly instructive on this score. See <http://www.pbs.org/wgbh/pages/frontline/topsecretamerica/>
6. See PNAC’s 2000 report, *Rebuilding America’s Defenses*, accessible at [www.newamericancentury.org/RebuildingAmericasDefenses.pdf](http://www.newamericancentury.org/RebuildingAmericasDefenses.pdf); also David Ray Griffin, *The New Pearl Harbor Revisited* (Northampton, Massachusetts: Interlink, 2008), 200ff.
7. “First, Define the Battlefield,” *New York Times*, September 21, 2001, A27.
8. *The Responsible Self: An Essay in Christian Moral Philosophy* (New York: HarperCollins, 1963).
9. *Ibid.*, 63.
10. *Interpretations of Conflict: Ethics, Pacifism, and the Just War Tradition* (Chicago: University of Chicago Press, 1991), 129-30.
11. David Hume, in *A Treatise on Human Nature*, rightly observed, “When our own nation is at war with any other, we detest them under the character of cruel, perfidious, unjust and violent.

But always esteem ourselves and allies equitable, moderate, and merciful. . . . It is evident the same method of thinking runs thro' common life." Cited by Chris Hedges, *War Is a Force that Gives Us Meaning* (New York: Public Affairs, 2002), 19.

12. *Ibid.*, 133, 141.

13. See especially Niebuhr's so-called war articles: "The Grace of Doing Nothing," *Christian Century* 49 (March 23, 1932), 378-80; "A Communication: The Only Way into the Kingdom of God," *Christian Century* 49 (April 6, 1932); 447; "War as the Judgment of God," *Christian Century* 59 (May 3, 1942), 630-33; "Is God in the War?" *Christian Century* 59 (August 5, 1942), 953-55; "War as Crucifixion," *Christian Century* 60 (April 28, 1943), 513-15.

14. (Philadelphia: United Church Press, 1970), 84.

15. (Cleveland: Pilgrim Press, 1996).

16. *Ibid.*, 15.

17. As a crude example, consider that any morally relevant discussion about the events of 9/11 will fail to do justice to those events if we talk about the ethics of what happened, and of what constitutes an appropriate response, without talking about issues of policy and practice, and likewise any attempt to engage in morally relevant discussion of those events that focuses exclusively on matters of policy or statecraft without regard for ethical considerations will also fail.

18. *Ibid.*, 16.

19. As communicated personally to me and three colleagues in private meeting that took place in Hamilton's office in the School of Public Affairs at Indiana University, Bloomington, IN, on May 23, 2008.

20. Indeed, before the day was out on 9/11, and despite later claims by government officials that the attacks could not have been anticipated and that they were caught off guard and by surprise, Osama bin Laden and al-Qaeda were being identified as the likely perpetrators [See Paul Thompson and the Center for Cooperative Research, *The Terror Timeline* (New York: HarperCollins, 2004), 465]. Within three days the names of all nineteen of the alleged hijackers were released to the media, though none of their names would appear on the four flight manifests later released to the public [see David Ray Griffin, *The New Pearl Harbor Revisited* (Northampton, Massachusetts: Interlink, 2008), 174-75] and there could not possibly have been any conclusive forensic evidence that they were even on the planes.

21. For a sobering look at contemporary warfare, including the "war against terror," in the age of American empire, I commend the essays in George Kassimeris, editor, *The Barbarization of Warfare* (New York: New York University Press, 2006). I have not read anything that implicitly calls into question more seriously the continuing adequacy of traditional just war thinking. In a

somewhat different vein, and with specific reference to the wars against Afghanistan and Iraq, Garry Wills has written, “Since democracy is impossible without accountability, and accountability is impossible if secrecy hides the acts to be held accountable, *making a just war may become impossible* for lack of a competent democratic authority to declare it. A president who can make a war of choice, not of necessity, at his pleasure, on the basis of privileged information, treating his critics as enemies of the state, is no longer a surreal fantasy” (“What Is a Just War?”, *New York Review of Books*, Vol. 51:18, November 18, 2004; *my emphasis*).

22. The most comprehensive and compelling presentation, analysis, and assessment of the evidence and research regarding the 9/11 events can be found in the ten books by David Ray Griffin, most notably *The New Pearl Harbor* (Northampton, Massachusetts: Interlink, 2004), *The 9/11 Commission Report: Omissions and Distortions* (Northampton, Massachusetts: Interlink, 2004), *Debunking 9/11 Debunking: An Answer to Popular Mechanics and Other Defenders of the Official Conspiracy Theory* (Northampton, Massachusetts: Interlink, 2007), *The New Pearl Harbor Revisited* (Northampton, Massachusetts: Interlink, 2008), *The Mysterious Collapse of World Trade Center 7* (Northampton, Massachusetts: Interlink, 2010), and *9/11 Ten Years Later: When State Crimes Against Democracy Succeed* (Northampton, Massachusetts: Interlink, 2011). Documentation for the factual claims made here, if not otherwise provided, can be found in Griffin’s thoroughly documented work.

23. For footage of CNN see [http://www.youtube.com/watch?v=N1LetB0z8\\_o](http://www.youtube.com/watch?v=N1LetB0z8_o) and for the BBC see <http://youtube.com/watch?v=C7SwOT29gbc>.

24. See especially the videos on the collapses of the three towers as narrated by David Chandler, easily accessible at <http://scientistsfor911truth.org/videos.html>

25. There is a vast and diverse body of experimental and empirical research that documents and helps to explain why human beings often come to conclusions and hold beliefs that defy logic and reason. In a *New York Times* column in September 2010, Joshua Knobe reported on one experiment showing that some three-fourths of those surveyed chose to believe what was logically impossible rather than what was emotionally abhorrent (“Experiments in Philosophy,” September 7, 2010). In a more wide-ranging essay, Laurie Manwell reports on various experiments in cognitive, social, and behavioral psychology that help explain why, under certain circumstances, human beings predictably fail to draw conclusions that are best supported by evidence, sense perception, and/or logic (“In Denial of Democracy: Social Psychological Implications for Public Discourse on State Crimes Against Democracy Post-9/11,” *American Behavioral Scientist* 2010:53:6, pp. 848-884). The sheer number of cognitive biases listed on Wikipedia also provides a sobering reminder that empirical evidence often has little influence on what most people believe; see [http://en.wikipedia.org/wiki/List\\_of\\_cognitive\\_biases](http://en.wikipedia.org/wiki/List_of_cognitive_biases).

26. In a well-known paper on *Conspiracy Theories*, Cass Sunstein and Adrian Vermeule set their sights on skeptics who reject the official narrative about 9/11. They make sweeping generalizations about conspiracy theorists, whom they claim suffer from “a ‘crippled epistemology,’ in the form of a sharply limited number of (relevant) informational sources” (3).

While this is ostensibly true for some conspiracy theorists and some conspiracy theories, one must examine the substantive claims and evidence for any theory before making judgments regarding its epistemology. This they do not do with respect to the empirical claims of 9/11 skeptics. In my view, it would be hard to find a better example of prominent scholars exhibiting the signs of a crippled epistemology than Sunstein and Vermeule themselves. They provide a flagrant example of the lemon calling the melon sour. See their paper at <http://ssrn.com/abstract=1084585>

27. Elshtain, *ibid.*, 2-3. Moreover, as noted by Lt. Col. Karen Kwiatkowski (U.S. Air Force), who was on the scene at the Pentagon on 9/11: “I have been told by reporters that they will not report their own insights or contrary evaluations of the official 9/11 story, because to question the government story about 9/11 is to question the very foundations of our entire modern belief system regarding our government, our country, and our way of life. To be charged with questioning these foundations is far more serious than being labeled a disgruntled conspiracy nut or anti-government traitor, or even being sidelined or marginalized within an academic, government service, or literary career. To question the official 9/11 story is simply and fundamentally revolutionary. In this way, of course, questioning the official story is also simply and fundamentally American.” [David Ray Griffin and Peter Dale Scott, editors, *9/11 and American Empire: Intellectuals Speak Out, Vol. 1* (Northampton, Massachusetts: Interlink, 2006), 26.]

28. Niels H. Harrit, Jeffrey Farrer, Steven E. Jones, et. al., “Active Thermitic Material Discovered in Dust from the 9/11 World Trade Center Catastrophe,” *Open Chemical Physics Journal*, Vol. 2 (April 3, 2009), 7-31. See also Kevin R. Ryan, James R. Gourley, and Steven E. Jones, “Environmental anomalies at the World Trade Center: evidence for energetic materials,” *The Environmentalist* 29 (2008):1:56-63; also Kevin R. Ryan, “The explosive nature of nanothermite,” June 19, 2011, @ <http://digwithin.net/2011/06/19/the-explosive-nature-of-nanothermite/>

29. *The 9/11 Commission Report* (New York: W. W. Norton Company, 2004), xv.

30. *9/11: Press for Truth* (DVD), Ryko Distribution, 2006

31. *Without Precedent: The Inside Story of the 9/11 Commission* (Vintage, 2007), 14. Other grounds for questioning the Commission report include the following: 1) Philip Zelikow, the Executive Director of the Commission, had previously served in the first Bush administration and then on the transition team for the second President Bush. Not only a Bush insider, Zelikow also had close ties to then-National Security Advisor Condoleezza Rice, with whom he had co-authored a book during the Clinton administration [*Germany Unified and Europe Transformed: A Study in Statecraft* (Cambridge: Harvard University, 1995)]; 2) Most of the Commission’s work was structured and assigned at Zelikow’s direction [Philip Shenon, *The Commission: The Uncensored History of the 9/11 Investigation* (New York: Twelve Books, 2008)]; 3) Benjamin DeMott, writing for *Harper’s Magazine*, judged the Commission’s report to be a “whitewash” that defrauded the nation [“Whitewash as public service: How the 9/11 Commission Report defrauds the nation,” October 2004, 35-45]; 4) John J. Farmer, Senior Counsel and Team Leader to the

9/11 Commission, wrote in his book, *Ground Truth*, “what government and military officials had told Congress, the Commission, the media, and the public about who knew what when — was almost entirely, and inexplicably, untrue. At some level of the government, at some point in time, a decision was made not to tell the truth about the national response to the attacks on the morning of 9/11” [*The Ground Truth: The Untold Story of America Under Attack on 9/11* (New York: Riverhead Books, 2009)]; but see David Ray Griffin’s on-line review and critique of the book: [http://www.amazon.com/Ground-Truth-Untold-America-Attack/dp/B005K5JDM6/ref=sr\\_1\\_2?ie=UTF8&qid=1324759641&sr=8-2](http://www.amazon.com/Ground-Truth-Untold-America-Attack/dp/B005K5JDM6/ref=sr_1_2?ie=UTF8&qid=1324759641&sr=8-2) ].

32. *Ibid.*; see p. 146 and the notes on pp.451-567.

33. Lee Hamilton, who now resides in my town, in a personal conversation with three colleagues and me, acknowledged that the report contains both errors and omissions. He also declared that the Commission was lied to by the Pentagon. Nonetheless, in his public statements he largely defends the work of the Commission and never wavers from his conviction that the events of 9/11 were solely the work of al Qaeda under bin Laden’s direction (see n. 19 above). Regarding Hamilton’s public representations to general audiences of the Commission’s work, perhaps the following statement he made in a guest column in the Bloomington *Herald-Times* on September 4, 2011, in a piece titled, “How to properly listen to a politician,” is illuminating: “Most successful politicians are smart, articulate, and highly skilled at parsing their words. . . . [Y]ou can be sure they won’t tell you what you don’t want to hear.”

34. J. L. Gross and T. P. McAllister, *Structural Fire Response and Probable Collapse Sequence of the World Trade Center Towers. Federal Building and Fire Safety Investigation of the World Trade Center Disaster (NIST NCSTAR 1-6)*; see esp. section 10.9.4. A PDF of this document is accessible at <http://fire.nist.gov/bfrlpubs/build05/PDF/b05040.pdf>. In a summary of NIST’s findings, in a footnote, one finds the following admission: “The focus of the Investigation was on the sequence of events from the instant of aircraft impact to the initiation of collapse for each tower. For brevity in this report, this sequence is referred to as the “probable collapse sequence,” although it includes little analysis of the structural behavior of the tower after the conditions for collapse initiation were reached and collapse became inevitable” (sic!); accessible at [http://www.nist.gov/el/disasterstudies/wtc/wtc\\_about.cfm](http://www.nist.gov/el/disasterstudies/wtc/wtc_about.cfm).

35. Certainly the New York City firemen who had climbed their way to the upper floors of the towers before they collapsed were expecting to put out the remaining fires, not to be crushed by the buildings coming down. See Jim Dwyer and Kevin Flynn, *102 Minutes: The Untold Story of the Fight to Survive Inside the Twin Towers* (New York: Henry Holt and Company, 2005). Note, for example, the indexed accounts of Battalion Chief Orio J. Palmer. In any case, even if NIST were right about the initiation of collapse, an elementary acquaintance with the physical world argues decisively against the possibility of the less dense, less weighty upper stories of the Twin Towers crashing down and crushing to smithereens the more dense, more weighty, structurally intact lower stories.

In the NIST report by Gross and McAllister it is claimed that “NIST found no corroborating evidence for alternative hypotheses suggesting that the WTC towers were brought

down by controlled demolition using explosives planted prior to September 11, 2001" (op. cit., Finding 59, 338). NIST acknowledges, however, that it did not test for explosive compound residues in the structural steel of the towers ("NIST's Investigation of the Sept. 11 World Trade Center Disaster". NIST. August, 2006. Archived from the original on 2010-05-22.) Moreover, physicist Steven Jones, who has done extensive research on the dust from the three towers (WTC 1, 2, and 7), reports that NIST officials, when asked about their research into this matter, stated that they never examined the dust for evidence of explosives because they never entertained that hypothesis (Architects and Engineers for 9/11 Truth, *9/11: Explosive Evidence – Experts Speak Out* (DVD), 2011). Additionally, a former NIST employee who worked for the agency until 2006 has disclosed that by 2001 the agency had become extremely politicized: “[E]veryone in NIST leadership had been trained to pay close heed to political pressures. There was no chance that NIST people ‘investigating’ the 911 situation could have been acting in the true spirit of scientific independence, nor could they have operated at all without careful consideration of political impact. Everything that came from the hired guns was by then routinely filtered through the front office, and assessed for political implications before release” [referenced by David Ray Griffin in *9/11 Ten Years Later: When State Crimes Against Democracy Succeed* (Northampton, Massachusetts: Interlink, 2011), 202, 244].

36. Architects and Engineers for 9/11 Truth, *9/11: Explosive Evidence – Experts Speak Out* (DVD), 2011. According to the Wikipedia article, *7 World Trade Center* (which unfortunately more or less uncritically accepts the NIST report purporting to explain the collapse of Building 7), “7 World Trade Center housed SEC files relating to numerous Wall Street investigations, as well as other federal investigative files. All the files for approximately 3,000 to 4,000 SEC cases were destroyed. While some were backed up in other places, others were not, especially those classified as confidential.[49] Files relating Citigroup to the WorldCom scandal were lost.[50] The Equal Employment Opportunity Commission estimates over 10,000 cases will be affected.[51] The Secret Service had its largest field office, with more than 200 employees, in WTC 7 and lost investigative files. Says one agent: ‘All the evidence that we stored at 7 World Trade, in all our cases, went down with the building.’[52]”, [http://en.wikipedia.org/wiki/7\\_World\\_Trade\\_Center](http://en.wikipedia.org/wiki/7_World_Trade_Center). Other occupants included the New York City Mayor’s Office of Emergency Management, the Internal Revenue Service, the Federal Bureau of Investigation, the Department of Defense, and other federal agencies according to former FEMA employee, Kurt Sonnenfeld, who spent a month at Ground Zero immediately after 9/11 documenting the destruction on videotape, “9/11 FEMA videographer at Ground Zero goes public,” <http://www.voltairenet.org/article160636.html> In addition, Building 7, which was also known as the Solomon Building, was home to Solomon Smith Barney, Standard Chartered Bank, Federal Home Loan Bank of New York, First State Management Group, ITT Hartford Insurance Group, National Association of Insurance Commissioners (NAIC), Provident Financial Management, and American Express Bank (FEMA, *World Trade Center Building Performance Study*, Table 5.1: WTC 7 Tenants). It should be noted that, contrary to Sonnenfeld’s account, FEMA’s purportedly inclusive list of tenants does not include the FBI; [http://www.fema.gov/pdf/library/fema403\\_ch5.pdf](http://www.fema.gov/pdf/library/fema403_ch5.pdf).

37. As argued by political philosopher Morton Kaplan, “only the methods of empirical science provide a self-correcting set of publicly communicable rules for arriving at empirical conclusions

that are not dependent on any human purpose except that of discovering the truth, that is, of explaining or of finding the meaning of something.” As he further notes, “There are many impediments to reasonable perceptions of the political and social world. Information that is perceived is filtered through a lens that is at least partly colored by the values and needs of a person. The evidence is much more scanty, much less systematic, and much less precise than in the physical sciences.” [*On Historical and Political Knowing: An Inquiry into Some Problems of Universal Law and Human Freedom* (Chicago: University of Chicago Press, 1971), xiii-xiv, 108].

38. Sut Jhally and Jeremy Earp, editors, *Hijacking Catastrophe: 9/11, Fear, and the Selling of American Empire* (Gloucestershire, England: Arris Books, 2004), 136. Furthermore, if the hard evidence suggests that the events of 9/11 must have been a false flag attack, internally orchestrated, presumably in order to provide the necessary pretext for wars against Afghanistan, Iraq, and possibly other nations, as well as the “war on terror,” there is certainly precedent for planning such deceit in recent American history, as James Bamford has documented in his book, *Body of Secrets: Anatomy of the Ultra-Secret National Security Agency* (New York: Random House, 2002); see esp. pp. 300-301.

39. Susan Faludi, *Terror Dream: Fear and Fantasy in Post-9/11 America* (New York: Metropolitan Books, 2007), 67. The court-ordered release of these “Oral Histories,” collected from 10/2001 to 1/2002 from 503 FDNY firefighters and emergency medical technicians, took place in August 2005.

40. This is a rather sweeping judgment, but it seems reasonable in light of what we already know. If correct, then one must wonder whether the American people could ever reconcile themselves to a state of skepticism regarding the official narrative of 9/11, yet alone a state of ignorance and uncertainty regarding the principle perpetrators of that monstrous crime. We seem to prefer to convict and punish, in spite of questionable evidence and reasonable doubt, rather than let our crimes go unsolved. I do not expect ever to see the exoneration of bin Laden or al Qaeda so far as 9/11 is concerned..