

## Introduction

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The first plane could have been an accident. It was the second plane, flying into the south tower of the World Trade Center in New York City that led many to think that the world had changed on September 11, 2001. United Airlines flight 175 had sixty-five people on board, including five hijackers, when it exploded in flames as it crashed. Many died instantly. In the World Trade Center, people were trapped on the floors above the impact zone, unable to escape through damaged stairwells. Some scrambled toward the roof, hoping for rescue from above, only to find the way blocked. Some returned to their desks. They called home. They said good-bye before the floors collapsed beneath them as first the south tower and then the north tower fell, turning thousands, in a moment, into dust.<sup>1</sup>

While New Yorkers looked in horror at the smoke arising from lower Manhattan, news broke of a third plane crashing into the Pentagon. The geographic scope of this developing nightmare expanded with news that a fourth plane had been hijacked that same morning. The hijacking of United flight 93 was the final act of terrorism in the series of events that were soon referred to simply by their common date: September 11. The full impact of these events on security, politics, culture, economics, and international relations was just beginning to unfold. Perhaps it was passengers on flight 93 who were the first to act on the basis of an understanding that the events of that morning had changed their world. From in-flight telephone calls to loved ones, they learned that other hijacked planes had been used as missiles, with devastating consequences. With hijackers in control of the aircraft, passengers stormed the cockpit.

Rather than reaching its target, the plane crashed in a Pennsylvania field, killing all on board, but no one on the ground.<sup>2</sup>

Across the United States, across the world, many turned quickly to an effort to make sense of a series of events that seemed incomprehensible. Among the sea of American flags, among the memorial displays around the world, amid the developing international crisis, many felt that the United States, and perhaps the world, had entered a new age of terror. “Nothing Will Ever Be the Same” read a full-page headline in a September 11 special edition of the *Philadelphia City Paper*. The idea that September 11 had “changed everything” was ubiquitous, the date a dividing line between a “before” and an “after.” So pervasive was this idea that in the new “terror slang” that quickly emerged among U.S. teenagers, the new put-down was “That’s *so* September 10.”<sup>3</sup>

But how transformative was September 11? Would it become an iconic historical event, marking a transition in the history of the United States and of the world? Or was it instead best understood as an aspect of pre-existing historical trajectories? Did it change law, politics, religion, and culture, or did it instead simply provide a new site for political and cultural conflicts that were already in play?

Moments of crisis in the history of the United States and the world have been a traditional focus of scholarly study. Some social scientists and historians argue that moments of crisis can be moments of social change. Economic dislocations, natural disasters, and war are the context for changes in politics and culture, as the crisis creates an environment that seems to require new responses that before may not have been imaginable.<sup>4</sup> For social change scholars, the question is whether September 11 is this sort of moment. Has it shifted popular conceptions of the good in a way that will affect politics, ideas about justice, or perhaps our toleration of conditions of inequality?

For historians, moments of historical change give the story of the past a narrative structure. They provide the breaks that enable periodization into one age or another, into what came before and what came after. Some historical moments emerge as cultural symbols, as icons for a broader set of ideas, values, and politics. Hiroshima is one such moment. The atomic bomb dropped on that Japanese city is remembered not only for its role in the military history of World War II, or for its destruction. The event ushered in a “nuclear age.” Nuclear weapons and fear of nuclear holocaust eventually would have entered popular consciousness without Hiroshima, but, as the first major nuclear event, Hiroshima became the iconic moment, the point in time between a “before” and an “after.” The contested construction of that moment—as a heroic Allied victory

over a treacherous foe, or as a horrific humanitarian disaster wreaked on civilians—had consequences for the way the new “nuclear age” would be understood.<sup>5</sup>

The idea of change affects the way an event enters historical memory. It also constructs present-day politics. If circumstances are new, then arguably the policies needed to address them should be new as well. According to President George W. Bush, the terrorist attacks were the beginning of “a new kind of war.” This new war is thought to require new tactics. The idea of newness was invoked by prior American presidents. World War I and World War II were thought to be new forms of warfare as well, and the new circumstances of “total war” were seen to justify a softening of constitutional restraints on the executive.<sup>6</sup> Has a new age of terror dawned that makes constitutional restraints and the restraints of international law, crafted by earlier generations, anachronistic? Does a new approach to warfare require unfettered executive power? Does it justify the unilateralism of the United States as a global police power? These are defining questions for American politics and international politics.

This volume takes up the question of whether the assumption that September 11 “changed everything” holds up under closer scrutiny. The essays—by leading scholars and by newer voices in history, literature, Islamic studies, and law—approach the issue from different disciplinary perspectives. Out of this cross-disciplinary exchange comes a complex sense of the evocative power of iconic moments in history, yet also the enduring nature of political power, in the United States, within Islam, and around the world.

The idea that the world was transformed on September 11 was pervasive in popular culture, but can this idea be sustained? According to diplomatic historian Marilyn Young, one aspect of global politics that did not change was the basic orientation of American foreign policy. She sees parallels in the Korean War where, as in post-September 11, “the enemy . . . was a vast, amoebic ‘ism’ that could take up residence in any number of surprising places.” During the Cold War, “the United States did not fight Koreans . . . but Communists,” just as in the military campaign after September 11, the United States fought not Afghans but terrorists. Rather than transformation, Young sees long-term continuity in American foreign policy before and after September 11. September 11 became a site for reinforcement of a preexisting U.S. unilateralism. Different administrations, she argues, “have attempted to order the world so as to sustain the dominant power of the United States,” supporting absolute sovereignty for the United States and limited sovereignty for others. In this regard, “September 11 did not change the world,” she argues, “but it

has enabled the Bush administration to pursue, with less opposition and greater violence, policies that might otherwise have appeared too aggressive.”

U.S. social and cultural historian Elaine Tyler May turns to domestic culture and politics. She examines the way that the past serves as a frame of reference, drawn on to make sense of a new crisis. In this sense, the presence of change itself called forth an embrace of the familiar. New experiences were understood by grounding them in memories of the past. In the aftermath of September 11, leaders invoked Pearl Harbor as their reference point. Yet it is the Cold War, May argues, not World War II, that is the reference point most fitting here. The September 11 terrorists “seemed to personify the characteristics of the Communist threat: foreigners who infiltrated the nation, studied our technology, and used our own power against us.” Like the Cold War focus on civil defense, the new Department of Homeland Security creates domestic security systems, such as airport screenings, that are “performances of security,” offering “the illusion of safety against an unpredictable enemy.” Cultural reactions to September 11 have included a new focus on the home, marriage, and relationships, and also the marketing of American patriotism, from flags to patriotic trading cards. Yet there was no call to sacrifice, as there had been during other moments of crisis such as World War II. Americans instead were told after September 11 that buying consumer goods and participating in leisure activities would help safeguard the American way of life.

Amy Kaplan, a literature and American studies scholar, takes up the language of September 11, exploring the meaning of particular words and spaces: ground zero, homeland, and Guantánamo Base. Did these words signify continuity or change? The first use of “ground zero” was in the aftermath of the use of nuclear weapons during World War II, and one definition of the term, evoking widespread devastation, is the site of a nuclear explosion. Another use of the term is the idea of starting from the very beginning, the point of origin. This thinking, Kaplan argues, “might be called a narrative of historical exceptionalism, almost an antinarrative that claims that the event was so unique and unprecedented as to transcend time and defy comparison or historical analysis.” In contrast, the idea of homeland evokes connections to the past.

Kaplan’s examination of the particular language of September 11 sets the subject in a global context. In the face of the great sense of insecurity in the aftermath of September 11, did the idea of a homeland contribute to “the cultural work of securing national borders?” To speak of the United States as a homeland, Kaplan suggests, implicitly evokes the

foreign and a boundary between domestic and foreign. The international dimension appears again in Kaplan's third space: Guantánamo Base. She sees Guantánamo as a lawless site, neither quite foreign nor domestic, and the repository of a repressed imperial history.

A central interpretive question after September 11 has been the way Islam is understood. Many have viewed September 11 as impacting the relationship between Islam and the West. For some, September 11 was the apex of what Samuel Huntington has called the "clash of civilizations." Even though President Bush suggested that "Islam is a religion of peace," Muslims and those who appeared to Americans to be Muslims were harassed in American cities, with several deaths attributed to anti-Muslim hate violence.<sup>7</sup> Two contributors to this collection raise, however, a different set of interpretive questions. Their essays go beyond the dichotomy between Islam and the West and ask instead what the debate has been *within* Islamic communities. Has September 11 had an impact on Islamic self-identity? And is the East/West construction even an accurate way to depict Muslims who live in nations around the world?

Islamic law scholar Khaled Abou El Fadl argues that culture and religion matter, but his interest is not in a "clash of civilizations" between Islam and the West; instead, he is concerned with the effect of September 11 on the understanding of Islam within Islam. The idea of a "clash of civilizations" is present not only among Western scholars like Huntington but also among Muslim fundamentalists. In the dichotomy between Islam and the West, critics of fundamentalism are seen within the Islamic community as Western apologists. Yet Abou El Fadl argues that this dichotomous thinking is due to the fact that Islamic thought has been affected by "the shadow of colonialism and postcolonialism." The Islamic experience "has struggled to come to terms with modernity, with its own marginality and loss of autonomy, and with the concentration of power in the hands of the non-Muslim 'other.'"

The September 11 attacks affect how Islam is understood, for "meaning in Islam is acquired through the formation of communities of interpretation. In effect, Osama bin Laden, through his actions, has offered an interpretive community that is at odds with the main interpretive communities of classical Islam." According to Abou El Fadl, the only way to respond effectively to bin Laden "is to offer alternative communities of meaning that are more convincing to Muslims and that would act to challenge and negate the worldview of the bin Ladens of the world." Abou El Fadl sets contemporary fundamentalism within the context of the historical development of Islamic thought, arguing that classical Islam "does not bear a message of violence." Instead, he argues, Muslims should strive

for “a collective enterprise of goodness.” By embracing such an alternative vision, Muslims might move beyond bin Laden, “the quintessential example of a Muslim who was created, shaped, and motivated by postcolonialism.”

However, have arguments over the nature of Islam proceeded from false assumptions about the essence of Islam? Near Eastern studies scholar Sherman A. Jackson argues that in the aftermath of September 11, critics of Islamic fundamentalism have themselves essentialized Islam and have attempted to substitute one false universal for another. Setting his critique in the context of postcolonialism, Jackson argues that the truth sought by fundamentalists is not the truth of Muhammad, but rather, quoting Franz Fanon, a truth that “hurries on the break-up of the [post]-colonialist regime. In this . . . context there is no truthful behavior: and good is quite simply that which is evil for ‘them.’”<sup>8</sup> Yet in responding to fundamentalism, Western Muslims embrace and privilege another false universal, essentializing Islam in a different way. Jackson argues instead for a deconstruction of Islam, based on a recognition of the diversity among Muslims. While it has been appealing and politically expedient for Western Muslim reformers to argue that Muslim fundamentalism is wrong, for American Islam to be truly pluralistic, Jackson argues, “it will have to be bold and vigilant in its refusal to ignore or jettison” any of the histories of Islam.

Abou El Fadl and Jackson are concerned with identity and meaning within Islam, while Leti Volpp, a critical race theory and immigration law scholar, focuses on identity within the United States. The construction of citizenship has been tremendously important since September 11, as the government has justified new policies by arguing that they only apply to noncitizens who are outside the ambit of full constitutional protection. Volpp argues that “September 11 facilitated the consolidation of a new identity category” of those “who appear to be ‘Middle Eastern, Arab, or Muslim.’” She finds this construction a “redeployment of old Orientalist tropes.” Meanwhile post-September 11, the category of “loyal American,” encompassing an understanding of citizenship as inclusion and solidarity, was constructed in opposition to the foreign other. The solidarity of citizenship came at a cost to those who appeared to be Middle Eastern, Arab, or Muslim, who were “formally citizens of the United States” but were “thrust outside the protective ambit” of this new solidarity.

The consequences of the response to terrorism for the law are particularly stark in the area of citizenship, as described by Volpp, yet the con-

sequences for law within the United States and internationally are much broader. After September 11, courts began to face the question of whether a “new kind of war” justified a new legal regime. Constitutional theorists Christopher Eisgruber and Lawrence Sager raise the question of whether September 11 has led to an erosion of the usual border between the domestic sphere governed by law and the area traditionally thought of by American courts as the forbidden region outside the nation, “the domain of *realpolitik* rather than reason.” According to Eisgruber and Sager, in crafting antiterrorism measures, “the president and Congress have invoked their discretion over foreign affairs in order to escape restrictions that courts have imposed on domestic police activities.” They focus in particular on the use of military tribunals to prosecute terrorists. While Eisgruber and Sager do not argue that military tribunals under all circumstances should be unlawful, they argue for judicial involvement in a way that would “enable courts to negotiate the blurred boundary between domestic policy and foreign affairs, preventing the government’s traditional discretion with regard to the latter domain from destroying rights carefully cultivated in the former one.”

As an international crisis, has September 11 had an impact on international law? According to international law scholar Laurence Helfer, the post-September 11 notion of unlimited U.S. sovereignty has had consequences for the U.S. role in international law. U.S. unilateralism, he argues, is in tension with international efforts to develop effective mechanisms for responding to crimes that transcend borders, such as the International Criminal Court. In spite of this, Helfer argues that September 11 should not be thought of as a transformative moment in international law. The idea of transformation is appealing, he suggests, bringing “coherence to a world that existing paradigms no longer adequately explain.” He argues, however, that the response to September 11 should occur within the existing framework of international law. He analyzes responses to the terrorist attacks within three current paradigms: terrorism as crime, terrorism as armed conflict, and terrorism as atrocity. While he urges that international law should not change, he suggests that “what has changed since September 11 . . . is the readiness of the United States to pick and choose among these three categories and to claim for itself the right to respond to terrorism unilaterally.”

What are the consequences of the U.S. unilateralism so often criticized by world leaders before and after September 11? What are the consequences of continued repression of what Amy Kaplan calls a “repressed imperial history”? In an age of international terrorism, perhaps secu-

riety derives from power; perhaps autonomy enables the U.S. to respond effectively to new threats. Yet democratic legitimacy is threatened, legal and political theorist Ruti G. Teitel argues, when responses to emergency occur outside of law.

Teitel's focus is on the relationship between law and politics, particularly the question of "how the sense of the transformative significance of these political events is constructed by the law." Teitel describes the debate over the proper response to September 11 as a debate over the competing juridical-political models of justice and war. Yet rather than employing the legal regime associated with justice (criminal law) or with war (international law), September 11 has been characterized as exceptional, justifying a departure from both. The legal model employed by the United States, she argues, is the model of the sovereign police, justifying U.S. intervention and enforcement, but excepting the nation from external limitations. The logic, she argues, "is that the United States constitutes the world sovereign," so it follows that the United States can never be the subject of police action. It is inconsistent with the U.S. position for the United States to be the object of enforcement. Teitel argues that democratic legitimacy requires that states of exception must be limited in duration and that there must be checks on executive authority so that responses to states of emergency are not outside law.

Teitel's examination of the impact of September 11 on democracy sharpens the question of the political consequences of the construction of September 11 as a moment of change. Since September 11, the idea of change has been deployed to justify departure from past practices, from a new secrecy in detention and deportation of noncitizens to the preemptive use of American military power. This use of the idea of change to justify new policies requires that we examine critically whether this justification rests on a firm foundation, whether the idea of transformation holds up under closer scrutiny, and whether any changes are of the sort that would justify these new government policies. It may well be that this generation lacks the distance to fully measure the question of how transformative an event September 11 has been. However, as we seem perched on the entryway to a new age of terror, there are immediate consequences of the idea of transformation. We do not have the luxury to wait for this moment to settle more firmly into historical memory. Understanding September 11 and its impact is a need, and a responsibility, of our own.



## Notes

1. Jim Dwyer, et al., "102 Minutes: Last Words at the Trade Center," *New York Times*, May 26, 2002, late edition, sec. 1, p. 1. First person accounts of the events on September 11 are available at the *September 11 Digital Archive*, <http://911digitalarchive.org>.
2. *September 11 Timeline*, <http://www.september11news.com/AttackImages.htm>; Jere Longman, *Among the Heroes: United Flight 93 and the Passengers and Crew Who Fought Back* (New York: HarperCollins, 2002).
3. Frank Lewis, ed., "Nothing Will Ever Be the Same," *Philadelphia City Paper*, September 11, 2001, extra edition, <http://www.september11news.com/USAPapers3.htm>; Julian Borger, "War in Afghanistan—Weapons Grade Slang Updates Putdowns," *Guardian* (London), March 20, 2002, 4.
4. On wartime and social change, see Philip A. Klinkner, with Rogers M. Smith, *The Unsteady March: The Rise and Decline of Racial Equality in America* (Chicago: University of Chicago Press, 1999); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000).
5. See Paul Boyer, *By the Bomb's Early Light: American Thought and Culture at the Dawn of the Atomic Age* (New York: Pantheon, 1985); Michael J. Hogan, ed., *Hiroshima in History and Memory* (Cambridge: Cambridge University Press, 1996); John Whittier Treat, *Writing Ground Zero: Japanese Literature and the Atomic Bomb* (Chicago: University of Chicago Press, 1995). See also "History and September 11—A Special Issue," *Journal of American History* 89, no. 2 (September 2002); "The Road to and from September 11th: A Roundtable," *Diplomatic History* 26, no. 4 (fall 2002).
6. See Edward Corwin, *Total War and the Constitution* (New York: Knopf, 1947).
7. Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster, 1996); President George W. Bush, "Remarks at the Islamic Center of Washington, September 17, 2001," *Weekly Compilation of Presidential Documents* 37, no. 38 (September 24, 2001): 1327–28; President George W. Bush, "Address before a Joint Session of Congress on the United States Response to the Terrorist Attacks of September 11, September 20, 2001," *Weekly Compilation of Presidential Documents* 37, no. 38 (September 24, 2001): 1347–51.
8. Quoting Franz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1963), 50.