WHO DEFENDED THE COUNTRY?

ELAINE SCARRY

IN A NEW DEMOCRACY FORUM ON CITIZENSHIP, NATIONAL SECURITY, AND 9/11

WITH RICHARD FALK, ELLEN WILLIS, ADMIRAL EUGENE CARROLL, ANTONIA CHAYES, AND OTHERS

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EDITORS' PREFACE

JOSHUA COHEN AND JOEL ROGERS

The terrorism of September 11 demonstrated, most everyone agrees, that something is wrong with American security policy. But how best to understand the deficiencies and correct them? One proposed remedy is to root out the troubles by invading Iraq and adopting an aggressive policy of "preventive" war against other "threats." Another proposal (not inconsistent with the first) is to increase domestic security by putting citizens and noncitizens alike under a more watchful eye. Both strategies will lead to greater concentration of authority, more secrecy, and less democracy. And there is no guarantee that they will improve our security.

In her lead essay in this New Democracy Forum, Elaine Scarry offers a stark challenge to these conventional responses to September 11. She proposes an alternative security strategy–a more egalitarian, democratic, bottom-up approach to national defense, with greater reliance on the initiative of ordinary citizens. Scarry's proposal resonates with older ideas about the importance of an active people in ensuring national security–ideas that are commonly regarded as irrelevant in the world of modern warfare. But, focusing on the contrast between the crash of American

Flight 77 into the Pentagon and the crash of United Flight 93 in Pennsylvania, Scarry builds a forceful case for their continuing relevance. The former demonstrated the failure of conventional, top-down security arrangements, which were unable even to protect the Defense Department. The latter was a success of citizen defense. And not of citizens defending themselves: in Scarry's telling, the passengers on Flight 93 effectively mobilized through discussion and agreement to defend the country itself from attack, and their inspiring efforts produced the only successful defense on that terrible day.

Does the contrast between these two cases really suggest a more general lesson about national security strategy? And what might a more democratic approach to national security imply, outside the special case of protection against aerial attack? To feel the full force of Scarry's argument, and to join the debate on these essential questions, read on.

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WHO DEFENDED THE COUNTRY?

ELAINE SCARRY

For the past year, we have spoken unceasingly about the events of September 11, 2001. But one aspect of that day has not yet been the topic of open discussion: the difficulty we had as a country defending ourselves; as it happened, the only successful defense was carried out not by our professional defense apparatus but by the passengers on Flight 93, which crashed in Pennsylvania. The purpose of this essay is to examine that difficulty, and the one success, and ask if they suggest that something in our defense arrangements needs to be changed. Whatever the ultimate answer to that question, we at least need to ask it since defending the country is an obligation we all share.

Speed and Security

The difficulty of defense on September 11 turned in large part on the pace of events. We need to look carefully at the timelines and timetables on that day. But as we do, it is crucial to recall that the word "speed" did not surface for the first time on September 11. It has been at the center of discussions of national defense for the last fifty years. When we look to any of our literatures on the subject, we find in

the foreground statements about the speed of our weapons, of our weapons' delivery systems, and of the deliberations that will lead to their use.

Throughout this period, the heart of our defense has been a vast missile system, all parts of which are described as going into effect in "a matter of minutes": a presidential decision must be made in "a matter of minutes"; the presidential order must be transmitted in "a matter of minutes"; the speed of the missile launch must be carried out "in a matter of minutes"; and the missile must reach its target in "a matter of minutes."

The matter-of-minutes claim is sometimes formally folded into the names of our weapons (as in the Minuteman missile) and other times appears in related banner words such as "supersonic" and "hairtrigger."[1] Thousands of miles separating countries and continents can be contracted by "supersonic" missiles and planes that carry us there in "a matter of minutes"; and thousands of miles separating countries and continents can be contracted by focusing on the distance that has to be crossed not by the weapon itself but by the hand gesture that initiates the launch—the distance of a hair.

"Speed" has occupied the foreground not only of our *descriptive* statements about our national defense but also our *normative* statements. Our military arrangements for defending the country have often been criticized for moving increasingly outside the citizenry's control. The constitutional requirement for a congressional declaration of war

has not been used for any war since World War II: the Korean War, the Vietnam War, and the war in former Yugoslavia were all carried out at the direction of the president and without a congressional declaration, as were the invasions of Panama, Grenada, and Haiti.[2] Speed has repeatedly been invoked to counter ethical, legal, or constitutional objections to the way our weapons policies and arrangements have slipped further and further beyond democratic structures of self-governance.

This bypassing of the Constitution in the case of conventional wars and invasions has been licensed by the existence of nuclear weapons and by the country's formal doctrine of Presidential First Use, which permits the president, acting alone, to initiate nuclear war.[3] Since the president has genocidal injuring power at his personal disposal, obtaining Congress's permission for much lesser acts of injury (as in conventional wars) has often struck presidents as a needless bother.[4] The most frequent argument used to excuse the setting aside of the Constitution is that the pace of modern life simply does not allow time for obtaining the authorization of Congress, let alone the full citizenry. Our ancestors who designed the Constitution—so the argument goes—simply had no picture of the supersonic speed at which the country's defense would need to take place. So the congressional requirement is an anachronism. With planes and weapons traveling faster than the speed of sound, what sense does it make to have a lot of sentences we have no time to hear?

Among the many revelations that occurred on September 11 was a revelation about our capacity to act quickly. Speed—the realpolitik that has excused the setting aside of the law for fifty years—turns out not to have been very *real* at all. The description that follows looks at the timetables of American Airlines Flight 77—the plane that hit the Pentagon—and United Airlines Flight 93—the plane that crashed in Pennsylvania when passengers successfully disabled the hijackers' mission. Each of the two planes was a small piece of U.S. ground. Their juxtaposition indicates that a form of defense that is external to the ground that needs to be defended does not work as well as a form of defense that is internal to the ground that needs to be protected. This outcome precisely matches the arguments that were made at the time of the writing of the Constitution about why the military had to be "held within a civil frame": about why military actions, whether offensive or defensive, must be measured against the norms of civilian life, must be brought into contact with the people with whom one farms or performs shared labor, or the people with whom one raises children, or the people with whom one goes to church or a weekly play or movie. Preserving such a civil frame was needed to prevent the infantilization of the country's population by its own leaders, and because it was judged to be the only plausible way actually to defend the home ground.

When the plane that hit the Pentagon and the plane that crashed in Pennsylvania are looked at side by side, they reveal two different conceptions of national defense: one

model is authoritarian, centralized, top down; the other, operating in a civil frame, is distributed and egalitarian. Should anything be inferred from the fact that the first form of defense failed and the second succeeded? This outcome obligates us to review our military structures, and to consider the possibility that we need a democratic, not a top-down, form of defense. At the very least, the events of September 11 cast doubt on a key argument that, for the past fifty years, has been used to legitimize an increasingly centralized, authoritarian model of defense—namely the argument based on speed.

American Flight 77

American Airlines Flight 77 was originally scheduled to fly from Washington to Los Angeles. The plane approached the Pentagon at a speed of 500 miles per hour.[5] It entered the outermost of the building's five rings, ring E, then cut through ring D and continued on through ring C, and eventually stopped just short of ring B.[6] Two million square feet were damaged or destroyed.[7] Before September 11, the Pentagon was five corridors deep, five stories high, and in its overall shape, five-sided. Three of the Pentagon's five sides were affected (one had to be leveled and rebuilt; the other two were badly damaged by smoke and water).

One hundred and eighty-nine people died—64 on the plane, 125 working in the Pentagon. Many others were badly burned.[8] Thousands of people work in the Pentagon.[9] Two

factors prevented many more people from being killed or badly burned. First, the building is stacked horizontally, not vertically like the World Trade Center towers—it is built like layers of sedimentary rock that have been turned on their side and lie flush with the ground. Second, one of the sections hit was being renovated and was therefore relatively empty of people when the plane entered.

While we continue to lament the deaths and injuries, and while we continue to find solace in the fact that the number of deaths and injuries was not higher, one key fact needs to be held on to and stated in a clear sentence: on September 11, the Pentagon could not defend the Pentagon, let alone the rest of the country.

The U.S. military had precious little time to respond on September 11 (and this fact has been accurately acknowledged by almost everyone, both inside and outside the country, who has spoken about the day). But by the standards of speed that have been used to justify setting aside constitutional guarantees for the last fifty years, the U.S. military on September 11 had a luxurious amount of time to protect the Pentagon. They had more than minutes. The pilots of the F-15s and F-16s that flew on September 11 made no mistakes, displayed no inadequacies, and showed no lack of courage—but what they tried to do now appears to have been a structural impossibility.

One hour and twenty-one minutes go by between the moment FAA controllers learn that multiple planes have been taken and the moment the Pentagon is struck. Controllers

hear the hijackers on the first seized plane (American Flight 11) say "we have some planes" at 8:24 A.M., a sentence indicating that the plane from which the voice comes is not the sole plane presently imperiled. The information that "some planes" have been taken is available one hour and 21 minutes before the Pentagon is hit by the third seized plane at 9:45 A.M.[10]

Fifty-eight minutes go by between the attack on the first World Trade Tower (at 8:47 A.M.) and the crash into the Pentagon (9:45 A.M.). This means that for almost one hour before the Pentagon is hit, the military knows that the hijackers have multiple planes and that those hijackers have no intention to land those planes safely.

The crash of American Flight 77 into the Pentagon comes fifty-five minutes after that plane has now itself disappeared from radio contact (at 8:50 A.M.). So for *fifty-five minutes,* the military now knows three things:

1. the hijackers have multiple planes;
2. the hijackers—far from having any intention of land ing the planes safely—intend to injure as many people on the ground as possible;[11] and
3. Flight 77 has *a chance* of being one of those planes since it has just disappeared from radio.

When, six minutes later, the plane loses its transponder (so that its radar image as well as its radio contact is now lost), the chance that it is one of the seized planes rises.

By the most liberal reading, then, the country had *one hour and twenty-one minutes* to begin to respond. By the most conservative reading, the country had *fifty-five minutes* to begin to respond.[12] The phrase "begin to respond" does not mean that an F-15 or F-16 could now attack the plane that would hit the Pentagon. At the one hour and twenty-one-minute clock time, the plane that will eventually hit the Pentagon is only four minutes into its flight and has not yet been hijacked. It means instead that a warning threshold has just been crossed and a level of readiness might therefore begin: at one hour and twenty-one minutes, fighter pilots could be placed on standby on the ground with engines running; at fifty-five minutes, fighter planes could be following the third plane, as well as any other planes that are wildly off course with radio contact missing.

One hour and twenty-one minutes and *fifty-five minutes* are each a short time—a short, short time. But . . . by the timetables that we have for decades accepted as descriptive of our military weapons, by the timetables we have accepted as explanations for why we must abridge our structures of self-governance—by the intoxicating timetables of "rapid response," the proud specifications of eight minutes, twelve minutes, four minutes, one minute—by these timetables, the September 11 time periods of one hour and twenty-one minutes or of fifty-five minutes are very long periods indeed.