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REMEMBRANCE, BUT NO PEACE...

Five years after September 11, heartache, anger and lawsuits swirl around Ground Zero. Andrew Vine, who covered the attacks on New York, reports on their legacy.

AS THE relatives steel themselves to file down the long ramp into the 16-acre pit where the Twin Towers once stood, for the tear-stained recital of the names of the dead, a sombre air of continuing tragedy hangs over Ground Zero.

Eight days before Monday's anniversary of the September 11 2001 attacks on the United States, a milestone on the road that began with the crashing of the hijacked airliners into the World Trade Center was passed. September 3 saw four more US soldiers die in Iraq, bringing the country's total military deaths there to 2,974 – one more than the official 9/11 toll of 2,973.

The grim symmetry of the human cost of the worst terrorist attack in history and the continuing casualties of the War on Terror that it spawned will only reinforce the anguish of relatives whose grief is still raw, and deepen the angst of an America which knows action must be taken against the Islamist threat declared so savagely on 9/11, but remains uncertain if what is being done is the right way.

This week, a poll of US voters found that George W Bush's approval rating had sunk further, to just 38 per cent, while the number of those who disapproved had risen, to 56 per cent. In the week coalition forces invaded Afghanistan, a little over a month after 9/11, in search of the Al Qaida high command, Bush's approval rating was 88 per cent, and only seven per cent of voters expressed doubts.

Amid the doubt, grief, and now lawsuits over the aftermath, the horror of what happened still has the power to jolt. The images of the airliners hurtling into the quarter-mile-high towers remain profoundly shocking, and their consequences are continually resurfacing.

In the past weeks, cleaning of the Deutsche Bank building at the edge of Ground Zero has yielded up 760 body parts. They will be added to the 9,797 others – ranging from fragments of bone to more substantial remains – held by the New York Coroner's Office.

None of them can be identified, and they are stored against the day when advancing scientific techniques can match them to names. These fragments are reminders of lives not just taken, but obliterated by the explosions and collapse of the towers that sent three billion tons of debris hurtling down through a shopping mall, subway station and into New York's emergency supply of 200,000 gallons of fuel oil, stored deep below ground, which ignited and kept fires burning under the site for months.

That intense heat aggravated the already nightmarish task of sifting and identifying what remained of the victims. New York's handling of the remains has not helped.

In the weeks after the attacks, some 414,000 tons of debris were ploughed into the horribly inappropriately-named Fresh Kills landfill site on Staten Island, which had been closed down after decades as New York's vast rubbish dump.

It was reopened to help the clear-up, but bereaved relatives say that the rubbish was never properly screened for the remains of their loved ones. As evidence, they point to the huge flocks of seabirds that swept into Fresh Kills at daybreak for months afterwards and picked over the 9/11 debris for carrion.

This gruesome image is one of the mainsprings of a huge lawsuit brought against New York by the campaign group World Trade Center Families for Proper Burial, which is demanding that the debris is sifted for human remains.

One of the campaigners is Diane Horning, 59, from Scotch Plains, New Jersey. No trace of her son, Matthew, 26, who was on the 95th floor of the North Tower when American Airlines Flight 11 hit it at 8.46am, has ever been found.

Mrs Horning and her husband, Kurt, 61, visit Fresh Kills once a month.

They cannot go more frequently because the stench is so appalling it makes them ill for days afterwards.

"It's been five years and we haven't been able to bury our dead," she says. "It's not a matter of not knowing where they are – we do.

"It's a matter of justice regarding both the dignity of the dead and the solace of the living that we be given a proper burial site, one that has never been a garbage dump. It's very upsetting. It's not a place of solace or peace. It's barren and there are chunks of blistered steel which you know are remains from the tower.

"Now we have to sit here on the fifth anniversary and wonder what was carried away by rats, what was taken away by carrion birds.

"It's like there's something missing. I can't take that step until this is taken care of, when Matthew and the people who died trying to save him are buried with some dignity."

Families have done the best they can to bury their dead with dignity. Funerals have been delayed for years in the hope that some trace of a loved one can be found, before caskets have been interred containing nothing other than favourite clothes, or even a few hairs plucked from a comb left at home.

The family of the last of the 343 firefighters who died at Ground Zero to be buried, Michael Ragusa, were luckier than most. No trace was found of him, but then they were contacted by a bone-marrow clinic. The 29-year-old had donated a phial of blood for matching a few weeks before he simply vanished. It was a precious physical fragment that they could lay to rest.

The spectres of Mr Horning, Mr Ragusa and the other named victims are not the only ones that lurk at Fresh Kills. New York remains haunted by the prospect that the real death toll of 9/11 is much higher than the official figure. One of the city's open secrets is that its economy depends on vast numbers of illegal migrant workers, and on that day hundreds were known to have been at work in the World Trade Center, mainly in jobs like cleaning, maintenance or labouring in kitchens.

There is no memorial to them, and no official acknowledgement that they died alongside the office workers from the legal, financial and property companies that occupied the towers. And because they did not officially exist, or have affluent families, there is no lobby group or high-powered lawyer to speak for them, even though their remains are certainly among the unidentified.

In contrast, the living victims of 9/11 have immense legal clout and voices which refuse to be stilled. The biggest lawsuit facing New York is being brought by 8,000 of those who tried to rescue people during the attack or toiled for months afterwards clearing the wreckage.

They say the toxic brew thrown into the air of Manhattan by the collapse of the Twin Towers has already been the cause of dozens of deaths from cancer or respiratory illnesses, and that New York faces a timebomb of sickness directly related to the attacks.

The first allegations that the city authorities covered up what they knew about the cocktail of asbestos, concrete dust and glass particles in the days after the attacks surfaced in 2002, and documents obtained under the US Freedom of Information laws since then have deepened concerns.

The incidence of asthma and bronchial illnesses has soared since 9/11, and doctors have warned that it may be 20 years or more before the full long-term effects of the polluted cloud that hung over Manhattan can be gauged.

An official body which tracked the health of 71,000 people around Ground Zero in the years after the attacks found that half have suffered health problems caused by burning of their airways by the air they breathed. Of those, up to 9,000 have serious health problems.

David Worby is the lawyer for those suing the city on the grounds that it did not provide enough protective masks or emphasise how vital it was to wear them. He says: "The prospects for the future are grim. It's quite possible that thousands more are going to be much more severely ill in the next five to 10 years."

Physical ailments are not the only health legacy that the city is struggling with. There has been an epidemic of psychological problems suffered by those who worked at Ground Zero, or witnessed the horrors of that day, not least the sight of the estimated 200 people who jumped to their death from the upper floors of the stricken towers.

Dr Stephen Levin, the director of Mount Sinai Hospital's Centre for Occupational and Environmental Medicine, says: "Some people with post-traumatic stress disorder may never fully recover and will find themselves years from now still having psychological reactions to trauma and reminders of what happened at Ground Zero."

Some of the individual cases are heartbreaking. One man is simply incapable of going above the 11th floor of any building in a city that is full of skyscrapers. That is because the 11th floor is the maximum height that a rescue cherrypicker can reach. One woman functions normally in her everyday life – except for her unshakeable conviction that on September 11 she was not in her office in the World Trade Center, but in a butcher's shop that exploded, showering her with gore.

A familiar trait in those who were in Lower Manhattan on 9/11 is a reluctance to return to where the Twin Towers stood. The nature of the area has changed. Businesses have shut down, residents have moved out, and rents in what was once a notoriously high-priced area have fallen.

The vast 70ft-deep pit where the towers stood has, though, become a place of pilgrimage. The "footprints" of the buildings, where the vast foundations were, remain visible as does the single trace of the above-ground complex – the "survivors staircase" used by hundreds lucky enough to be on the lower floors to get out of the towers before they imploded.

Yet even these traces are caught up in the swirl of anguish over how the victims of 9/11 should be commemorated. There has been a lengthy legal wrangle over the site, which, in money-obsessed New York is simply too valuable to be devoted entirely to remembrance.

And so, commerce will jostle for attention with the 1,776-ft high Freedom Tower – its height chosen to echo the date of America's declaration of independence – and two huge "reflecting pools" set in a glade of trees, when work is completed in 2009.

The relatives are uneasy with such a juxtaposition. Monica Iken, who lost her husband, Michael, and founded September's Mission to campaign for a memorial, says: "There's going to be a big transit hub there too and everyone will be moving through there. I want to reflect and have reverence and peace. It's so important for people like me who don't have any remains.

"Our loved ones' final resting place is there and we need a chance to honour them in peace."

But given America's ongoing War on Terror abroad, and the increasingly acrimonious lawsuits at home, the fifth anniversary of 9/11 appears certain to hold out the prospect of remembrance, but not peace.

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