he award-winning documentary *The President versus David Hicks* portrays the mid-2004 situation of David Hicks, the Australian citizen detained at Guantanamo Bay, Cuba. At the time of filming Hicks had been detained for two years without charge. Essentially the documentary is divided into two parts: the first retraces David's path to detention at Guantanamo while the latter follows Terry Hicks, David's father, in his quest for answers regarding how his son came to be involved with the Taliban.

In *The President versus David Hicks* we learn of David Hicks' upbringing and see, if only in a small way, how it has influenced his development into the person he is today. Letters written by David to his family from locations such as Kosovo, Pakistan and Afghanistan reveal much about the way he views the world and his role within it.

The legal perspective is also presented in simple terms. Why the detention? Does the US have jurisdiction over Guantanamo? What awaits the detainees there? The Hicks family's wishes are also made unequivocally clear: David should be charged and tried fairly, just like the American captured in Afghanistan, John Walker Lindh.

Terry Hicks' journey through Pakistan and Afghanistan also proves to be a fruitful task. While traversing dangerous territory, he learns much about what his son has gone through, even meeting a former Guantanamo Bay detainee who loosely knew his son.

*The President versus David Hicks* is superbly directed and very well produced. It portrays the more sensitive and less political side of the Hicks' story with insight not often seen in the popular media. This documentary should be considered compulsory viewing for those who wish to gain a different perspective on the David Hicks controversy.

David Hicks update

David Hicks has been charged with conspiracy, attempted murder and aiding the enemy. While fellow Australian Mamdouh Habib and several others have been released from Guantanamo Bay, David remains a detainee while the judicial system slowly crunches on in a bid to determine the nature of his long-awaited trial.

Currently David's trial before the controversial military commission is scheduled for March this year, but it could be delayed until as late as 2006. The Australian Government has also secured the presence of an independent legal observer at the trial. This will be Jumanan Musa, a Washington DC-based human rights attorney with Amnesty International.

Accusations of torture and injustice still abound; however, Attorney-General's Department secretary Robert Kenny has reported to a Senate Estimates Committee that David has been given the means and opportunity to study for his High School Certificate through an open access college.

In early February David Hicks abandoned Stephen Kenny's pro bono legal services. This has been described by Mr Kenny as a change in strategy on the part of the US-based legal team headed by Major Michael Mori. Mr Kenny has vowed to continue campaigning for David's release.

For updates on David's progress, visit www.fairgofordavid.org.

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Quick Quiz answers

3. James Wolfenson (outgoing) and Paul Woldowitz (incoming).
6. From January 2005 the limit was increased from $40,000 to $100,000.
7. A legal term for doing the best possible under the circumstances. For example, evidence taken by an associate to a judge when a witness or party to the proceeding is unable to attend court due to serious illness. Often used in cases where plaintiff has asbestosis, where evidence is taken by the dying person's hospital bed.
8. John Mortimer QC.
10. Kenyan born winner of the 2004 Nobel Peace Prize. She is internationally recognized for her persistent struggle for democracy, human rights and environmental conservation.
11. Article 2(4).
12. *Ius gentium* – is generally translated as “the law of nations” and prescribed how citizens who lived in the empire should be treated.
13. Bloemfontein. Pretoria is the administrative capital and Cape Town is the legislative capital of South Africa.
15. „... business“.