The President versus David Hicks, produced by Olsen Levy and directed by Curtis Levy and Bentley Dean, 2003. 81 minutes. Distributed by the Australian Film Finance Corporation. Contact: ffc@ffc.gov.au.

Reviewed by SCOTT L. SILLIMAN

This film seeks to put a face on a young man, David Hicks, who was designated by President Bush as an "unlawful enemy combatant" and who has been held by American authorities at Guantanamo Bay, Cuba, since January of 2002. His father, Terry, serves as the principal narrator as he retraces the path his son took to Kosovo, Pakistan, and then into Afghanistan, but the film also borrows generously from excerpts from letters David wrote home along the way.

We are introduced to David as a troubled child who had difficulty dealing with the divorce of his father and mother, who dabbled in drugs, and who, while still young, fathered two children during a 3-year relationship with a woman he never married. Most of this film, however, chronicles David's quest to find purpose in his life. He traveled to war-torn Kosovo in 1998 to protect Muslims by joining and fighting with the Kosovo Liberation Army. Then, after formally embracing Islam, he went first to Pakistan and then to Afghanistan, joining the Taliban army in February of 2000 with the goal of defending that Islamic state against its enemies. In December of 2001, he was captured by Northern Alliance soldiers and put in a rudimentary jail north of Kabul, only to be turned over to the American army shortly thereafter. The film ends with David languishing in Camp Delta at Guantanamo Bay with some 500 other detainees, being held without access to an attorney or any fixed date of release.

Although The President versus David Hicks may be looked upon by some as merely a documentary, it is clearly intended, as its title suggests, to make a political statement. Throughout the film, comments by Terry Hicks and others suggesting that his son was simply following his religious convictions as a Muslim, and in the process pursuing what he believed to be a worthy cause, are interspersed with televised images of President Bush condemning terrorists as agents of evil who are not worthy of our concern or protection under international law. It is David Hicks, the helpless Australian following his faith wherever it leads him, even into battle, against the might of the American president who claims the mantle of moral rightness in a war against those who would destroy us. The film begs the viewer to take the side of Hicks, the captive David in the control of Goliath.

Interestingly, Hicks has achieved far more on the legal and political fronts than he ever could in the battle for public sympathy. First, Hicks was one of 14 litigants who petitioned a federal court in the District of Columbia to review the legal justification for their detention in Cuba. These petitions for habeas corpus were denied both in the district court and in the court of appeals, but when the case reached the United States Supreme Court in the spring of 2004 that decision was overturned. Hicks and all those being held at Camp Delta at Guantanamo Bay may now have their claims heard in the federal courts of this land, notwithstanding what the president decreed in his military order authorizing our activities there. As this review is being written, that litigation is being pursued. Second, representatives of Australian Prime Minister Howard exacted assurances from the Bush administration that if Hicks were to be prosecuted by a military commission for any alleged crimes, he would not be charged with any offenses which could bring the death penalty, and that any period of confinement to which he might be sentenced would be served in Australia and not at Guantanamo Bay.

The President versus David Hicks portrays one man's odyssey as a very small part in the war against terrorism. His journey, and that war, are far from over.