



The Mauritanian

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GUANTANAMO Bay in South East Cuba was leased to the United States as a coaling and naval station when Cuba became independent in 1902. A hundred years later, despite Cuban protests, the US still controls the area and in 2002 it established a detention centre there as part of the ‘war on terror’ in the wake of the 9/11 attacks.

Being classified as outside the territorial jurisdiction of the country, US governments have argued that the normal legal rules don’t apply. So suspects were detained indefinitely without trial and tortured in breach of basic human rights. The justification of these violations of the Due Process Clause of the Fifth and Fourteenth Amendments of the American Constitution is, of course, a nonsense. Obama promised that he would close the camp but he met with bipartisan opposition in Congress. However, the number detained there has fallen from about 245 to 40. In 2018 Trump signed an executive order to keep the camp open indefinitely, but the Biden administration has announced its intention to shut it down.

Mohamedou Ould Slahi was picked up in his home country of Mauritania, which borders Morocco and Algeria, shortly after 9/11 and eventually taken to Guantanamo where he spent 14 years without charge on suspicion that he was one of the key recruiters for the attacks.

In 1991 Slahi had become involved in the fight against communism in Afghanistan, going into battle with the mujahideen, on the same side as the United States, who financed billions of dollars of weapons and aid to ‘freedom fighters’ like Slahi. Al-Qaeda were one of the jihadist groups involved in this activity and Slahi trained in their camps. His cousin, although a spiritual adviser to Osama bin Laden, advised against the 9/11 attacks. When his



cousin left Al-Qaeda he twice arranged for Slahi to send money through to his family. This was used as ‘evidence’ that Slahi was funding Al-Qaeda activity, and US intelligence claimed to have heard him talking to his cousin on a phone owned by bin Laden. Hence his incarceration in Guantanamo.

Slahi wrote a lengthy memoir while in captivity, but it took six years for the government to declassify and heavily redact it. *Guantanamo Diary*, finally released in 2015, became an international best-seller, and now has been adapted into the film *The Mauritanian*, starring Tahar Rahim, the Algerian-French actor who played the prisoner in *A Prophet*, and Charles Sobhraj, the French serial killer, in the BBC miniseries *The Serpent*.

Slahi was subjected to ‘special interrogation techniques’, including being force fed during Ramadan, head-butted, groped, threatened with rape, waterboarded, starved of food, subjected to strobe lights and taken out to sea blindfolded in a mock execution. He was even threatened that, if he didn’t confess, his mother would be brought to Guantanamo and raped. Inevitably, he confessed: who wouldn’t?

In 2005 defence attorney Nancy Hollander (excellently played by Jodie Foster) and her associate Teri Duncan (Shailene Woodley), took up his case despite protestations of the people around them. Stuart Couch, the military prosecutor, was a friend of one of the pilots killed on 9/11 and was keen to secure the

death penalty for whoever was responsible. Played by Benedict Cumberbatch with a jarring southern twang, he resigns from the case when he finally becomes aware that the confession was elicited by torture. But, despite the fact that Slahi was cleared by the court in 2011 on the grounds of insufficient evidence, an appeal against the verdict by

the Obama administration meant that he wasn’t finally released until 2016.

This is a story that should arouse indignation and a desire for justice, but Kevin MacDonald, the Scottish director, has a different ambition, namely to show that Slahi is able to show grace under duress and forgive his captors. He himself appears at the end, back home in Mauritania, laughing and singing along to the Bob Dylan song *The Man in Me*.

This is all very well, but it rather lets America off the hook. Guantanamo was a ripping up of the American Constitution and a crime against humanity. There is no questioning here of the system that produced this barbarity. Instead we are presented with not one but two white American saviours: Hollander and Couch – except that they didn’t actually save him at all since Slahi remained imprisoned for 11 years after Hollander took up the case. That said, it was Hollander who persuaded Slahi to write his memoir and its publication was the main reason he was released.

This is not to say that *The Mauritanian* is a bad film. It is good when it centres on Slahi himself and there is no doubt that Tahar Rahim portrays the character superbly. It’s just that, if Guantanamo was a crime, where are the criminals? Unlike *The Dissident*, there is no equivalent of an MBS. All the leading characters are well meaning goodies. Yet Guantanamo existed and still exists. So, who is responsible? *The Mauritanian* offers no answers. □