



## **Dedication**

This study is wholeheartedly dedicated to my beloved parents, who have been my source of inspiration and gave me strength when I thought of giving up, who continually provide their moral, spiritual, emotional and financial support.

It is also dedicated to my beloved family who are alive and who passed away (R.I.P), my friends, colleagues and classmates who share their words of advice and encouragement to finish this work.

And lastly, I dedicated this study to my dear supervisor Dr. GUELLIL Assia for her guidance, support, and patience with me. May Allah bless you, you are one of the rare people who have never been changed, pure as usual.

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In the hope that this work may in some way contribute to Dr. GUELLIL Assia's tireless dedication and remarkable commitment to nurturing and supporting her supervisee. I am deeply indebted to her invaluable guidance, insightful feedback, and encouragement throughout this research journey, without which this work would have never been possible.

My sincere thanks and appreciations to Dr. HOCINE Aïcha and Dr. CHRAÏFIA Djehad for their valuable advice and efforts in guiding the students through drafting the general framework of how the academic research will be structured.

I would like to thank all those who supported me during my academic path, each with his name.

At last, I express my appreciation to the honourable board of examiners who accepted to read and evaluate this study.

## The Abstract

The post-9/11 era is characterized by fear, prejudice, and the U.S. war against terror, which led the American government to overstep the boundaries of human rights and legal ethics. This study focuses on the Islamophobic reactions to the 9/11 attacks, the Western policy against terror, and how it affected the lives of innocent people who were detained without charges in Guantanamo Bay, in disregard of international law. The research adopts a qualitative thematic analysis approach in examining *The Mauritanian* as a case study. The film is based on the diary of Mohamedou Ould Slahi, documenting his experience in Guantanamo Bay and his legal journey with Nancy Hollander in defending him.

## Table of Contents

<b>Dedication</b> .....	I
<b>Acknowledgments</b> .....	II
<b>Abstract</b> .....	III
<b>Table of Contents</b> .....	IV
<b>List of Abbreviations</b> .....	V
<b>General Introduction</b> .....	2
<b>Chapter One: Fear and Prejudice Impacts on Legal Ethics and Human Rights</b>	
Introduction.....	7
1. Post- 9/11 Fear and Prejudice.....	8
1.1. Overview of Global Fear and its Roots in the 9/11 Attacks.....	8
1.2. The Rise of Islamophobia and Its Impact on Policy-Making.....	10
1.3. Stereotyping and its Consequences in Legal and Political Systems.....	11
2. Human Rights Violations in the War on Terror.....	14
2.1. Definitions and Principles of Human Rights Under International Law.....	14
2.2. Case Studies of Violations (e.g., Guantanamo Bay).....	16
2.3. The Role of Governments and Institutions in Perpetuating Abuses.....	18
3. Legal Ethics in the Context of Security Policies.....	21
3.1. Ethical Principles of Law and Their Challenges During Crises.....	21
3.2. Balancing Security Needs with Ethical Responsibilities in Legal Systems.....	22
Conclusion.....	24

## **Chapter Two: The Mauritanian as a Case Study**

Introduction.....	26
1. Post- 9/11 Fear and Prejudice in the Film.....	27
1.1. Analysis of Scenes Depicting Stereotyping and Islamophobia.....	27
1.2. Representation of Mohamedou Ould Slahi's as a Victim of Fear-Driven Systems.....	29
2. Post- 9/11 Fear, Prejudice and Human Rights Violations in The Mauritanian.....	31
2.1. Analysis of Scenes Depicting Fear-driven Policies and Islamophobia.....	31
2.2. Exploration of Mohamedou Ould Slahi's Character as a Victim of Stereotyping.....	32
2.3. Depiction and Examination of Torture, Detention without Trial, and Lack of Due Process.....	35
3. Legal Ethics and Human Rights in the Film.....	37
3.1. Nancy Hollander's Role and Ethical Dilemmas in Defending Slahi.....	38
3.2. The Depiction of the Legal System's Failures and Strengths in Pursuing Justice.....	39
3.3. Critique of the Balance Between National Security and Individual Rights.....	40
Conclusion.....	42
<b>General Conclusion.....</b>	<b>44</b>
<b>Works Cited.....</b>	<b>46</b>
<b>Appendices</b>	
<b>Appendix One.....</b>	<b>53</b>
<b>Résumé.....</b>	<b>54</b>
<b>المخلص.....</b>	<b>55</b>

## **List of Abbreviations**

US : United States

MSW: Master of Social Work program

UN: United Nations

UNFPA: The United Nations Population Fund (It was originally called: The United Nations Fund for Population Activities, but changed in 1987 while keeping the same abbreviation)

MFR: Memorandum For Record

CIA: Central Intelligence Agency

## **General Introduction**

The September 11 attacks dramatically changed global views on security and human rights. In the years that followed, fear and prejudice became deeply ingrained in the Western world, particularly in the United States, shaping laws, policies, and perceptions of justice. This shift often prioritized security over ethical considerations, impacting the legal system's rule and efficacy in protecting the fundamental rights of individuals.

The title of this dissertation is "The Impact of Post-9/11 Fear and Prejudice on Legal Ethics and Human Rights: A Thematic Analysis of *The Mauritanian* 2021". The title reflects the focus on exploring how the post-9/11 terrorist attacks period shaped narratives surrounding justice and legal ethics, particularly through cinematic representation.

Kevin Macdonald's *The Mauritanian* is about a Guantanamo Bay detainee's battle to gain his freedom. Mohamedou Ould Slahi, who was arrested in November 2001, two months after the terrorist attacks, was held captive for fourteen years without formal charges. Despite the rendition and torture techniques, Slahi was able to deliver his voice to the legal authorities and public opinion after the attorney Nancy Hollander took over his case and defended him.

Post-9/11 discourse has been moderately addressed across various domains, particularly in studies on security policies and human rights. *The State of Human Rights in the United States after the 9/11 Attacks* (Belaid, Khirani, 2024) aims to investigate the state of human rights in America after 9/11, examining the impact of post-9/11 counterterrorism policies and practices on human rights in the US.

Assistant Professor Mehmood Hussain (2022) , in his study "War on Terror and the United States Human Rights Violations in Afghanistan and Pakistan: An International Law

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Perspective," shows how the 9/11 attacks triggered a paradigm shift in the United States' security policy, prioritizing homeland security and the fight against terrorism in the new American strategy. And how the US invasion of Afghanistan ravaged the fragile state.

Researcher Razaq Permana explored the rise of Islamophobia and its manifestations in media and popular culture, with a focus on Hollywood's role in perpetuating stereotypes about Muslims as threats. Through his study "The Meaning of Islamophobia in *The Mauritanian*" Permana studies the meaning of Islamophobia in the film and how it is displayed, based on the meaning of denotation, connotation, myth, and Islamic views on Islamophobia. (Permana 2024)

Despite substantial attention being given to the wider political and legal impacts of post-9/11 policies, there is limited analysis specifically addressing the intersection of legal ethics and human rights abuses, as depicted in cinema, especially in films like *The Mauritanian* (2021). By examining the themes of legal ethics and human rights in *The Mauritanian*, this dissertation aims to:

1. Thematically inspect how post-9/11 fear and prejudice influenced legal ethics and human rights violations.
2. Analyze the representation of these themes in *The Mauritanian*, connecting the film to real-world implications.
3. Explore the role of media in forming public discourse on justice and security.

This dissertation is contribution to the ongoing discussion about the impact of post-9/11 narratives on political and institutional standards. The main concern of the thesis is to investigate the following research questions:

1. How did post-9/11 fear and prejudice contribute to making policies that affected legal ethics and human rights?

2. In what ways does *The Mauritanian* depict these impacts?

3. How can cinematic representations influence public and academic discourse on security and justice?

To answer these questions, a qualitative thematic approach is applied to examine the impact of post-9/11 fear and prejudice on legal ethics and human rights. This dissertation suggests that *The Mauritanian* acts as a thematic lens through which the ethical dilemmas and human rights violations arising from counterterrorism policies embraced by the United States are exposed and examined. Through examining the film's main narrative and representation, this research aims to highlight the broader political and institutional challenges faced by the United States during the Post-9/11 Period in confronting the impact of fear and prejudice.

Several factors contributed to the selection of this topic as the focus of the present dissertation. One of the main reasons is the significance of Mohamedou Ould Slahi's experience, which reflects the broader implications of stereotypes associated with Islam and their impact on individuals. In addition, the study seeks to shed light on the functioning of the legal system and the principles of legal ethics in relation to the protection of human rights.

This dissertation is divided into two chapters. Chapter one is a theoretical framework entitled "Fear and Prejudice Impacts on Legal Ethics and Human Rights." This chapter provides an overview of the post-9/11 global climate, focusing on security policies,

legal ethics, and human rights. It will define key concepts and discuss the rise of Islamophobia and the war on terror stereotypes, and the securitization of justice.

Chapter Two is entitled "*The Mauritanian* as a Case Study." This chapter will thematically examine the film's portrayal of fear, prejudice, and their impact on legal ethics and human rights. It will analyze specific scenes, characters, and dialogues while contextualizing the film within the post-9/11 political and security environment.

**Chapter One: Fear and Prejudice Impacts on Legal Ethics and  
Human Rights**

**Introduction:**

This chapter presents a theoretical framework for understanding fear and prejudice following the September 11 attacks, examining their origins and consequences. It analyzes the emergence of Islamophobia, its influence on policy-making, and the effects of stereotyping within legal and political systems. The chapter also examines human rights violations during the war on terror, using Guantanamo Bay as a case study, and evaluates the roles of governments and institutions in these violations.

The chapter further discusses legal ethics within the context of security policies, addressing foundational legal principles and the challenges they face. It explores the balance between ethical responsibilities and security requirements in the legal system.

**1. Post- 9/11 Fear and Prejudice:**

Prejudice is a pervasive global issue that affects individuals across all racial and ethnic groups. The severity of racial varies by region. In the United States, the September 11th attacks notably changed public views of Muslims. A terrorist cluster asserting affiliation to Islam carried out the attacks on the World Trade Centre. These events led to increased discrimination against Muslims, displayed through stereotyping and violence. The resulting prejudice has led to both physical and psychological harm, essentially changing the lives of many Muslim individuals.

**1.1 Overview of Global Fear and Its Roots in the 9/11 Attacks:**

According to the MSW Program Director of the University of North Dakota, Carenlee Barkdull, in *Experiences of Muslims in Four Western Countries Post-9/11*, “Muslims suffer immense sadness at the human toll caused by terrorism but must also live with the fear of increased stigma and discrimination” (Barkdull 140). Comparable to prejudice, the fear that appeared after 9/11 did not last a temporary reaction. It evolved into a powerful social force that impacted both individual attitudes and institutional policies. Based in ignorance, emotional reactivity, and inconvenience with cultural differences, this fear had an important influence on the spread of global prejudice and the justification of actions that sometimes conflicted with established principles of legal ethics and human rights.

The terrorist attacks of September 11<sup>th</sup>, 2001 framed a notable moment in global history, grounding a deep and a last long sense of fear all over the world. This fear which became a common tradition in framing public perception, social and political behaviour.

not only the Americans who suffered from that sense of fear, but it made a global reaction featured by stereotyping, suspicion and the rise of prejudice against Muslims and Arabs in particular.

Fear and ignorance made a crucial relationship in realization the post-9/11 prejudice. As Thomas Guettler points out, ignorance often amplifies fear, which in turn fuels prejudice: "Ignorance, Fear, and Prejudice Walk Hand in Hand" (Guettler). People may believe in what publish on media and simplistic narrative about "the other" , in the lack of personal direct experience or accurate information, this lead automatically to the xenophobic foreigners attitudes and justify the restrictive legal and social policies.

Furthermore, the impact of fear extends beyond the societal level to a powerful psychological dimension. Studies such as this one, published on PubMed, demonstrate how anxiety, particularly social anxiety, can influence how individuals perceive and respond to threats (Baez S, Tangarife MA, Davila-Mejia G, Trujillo-Güiza M, Forero DA. *Front Psychiatry*. 19 May,2023). The strict security measures gain a widespread public support explains as a psychological response, even if they make a treat to civil liberties and human rights.

Fear and prejudice are not always explicit or consciously expressed. According to the American Psychiatry Association, discrimination can stem from ingrained stigma and societal narratives that shape people's perceptions of certain groups. After 9/11 attacks, stereotypical negative depictions of Muslims and Middle Eastern increased on media and political discourse, leading to normalization discriminatory practices. Finally, there is an emotional feature to how deeply fear and prejudice develop. Early life experiences and

sentimental insecurity can make individuals vulnerable to negative opinions during societal stress times. This explains why some people are attracted by exclusionary ideologies after 9/11, looking for protection and certainty in an uncertain world. (The American Psychiatry Association)

### **1.2. The Rise of Islamophobia and Its Impact on Policy-Making:**

The aftermath of September 11th attacks led to a steep rise in Islamophobia all over the western world, reshaping societal fears into political ideologies which framed public policies and legal systems. Although prejudice against Muslims is not that new, the post-9/11 context granted fertile ground for the rise of anti-Muslim sentiment, mostly reinforced through governmental policies and legal practices.

Media discourse and right-wing populism have been at the core to arousing suspicion and fear regarding Muslim communities. These forces have rooted a dominant image of Islam as a Western identity and security threat, leading to the normalization of discriminatory policies against Muslims. This negative depiction of Muslims as culturally mismatched and violent has been governmentally justified abuses against them. Examples include increased surveillance of Muslim communities, restrictive immigration laws directed toward Muslim-majority countries, legal prohibitions on religious vestments. These policies framed as protective measures, but they often fundamentally violate human rights such as religious freedom and equally protected under the law (Adoum and Vinodan 452- 462).

The politicization of Islamophobia aggravates the problem. politicians often take advantage of cultural and security worries to gather support by portraying Muslims as a cohesive threat to national unity. this rhetorical framing has led to discrimination measures, such as travel bans, anti-immigration laws, and rooted religious discrimination in public institutions.

This political climate has deep psychological impacts on Muslim communities. the perpetual exposure of youth to suspicion and exclusion promotes alienation, low self-esteem, and reduced civic participation. it also weakens the ideals of pluralism that democratic societies assert to uphold. Muslims are subjected to a unique form of legal discrimination that reinforces stereotypes and systemic imbalance through mechanisms of control and regulation, like enhanced policing, security measures, and policy-making impacted by public fear. Islamophobia is not limited only to cultural scope, but has surpassed to become a political power shaping political decisions and feeding off the damage brought about the events of September 11, making it a reference justification for the arbitrary and capricious decisions of the authorities.(Adoum and Vinodan 452- 462)

### **1.3. Stereotyping and Its Consequences in Legal and Political Systems:**

Stereotyping plays an important role in rooting inequalities inside political and legal systems. After September 11 attacks, the media and public discourse portrayed Muslims as aggressive, extremist, and untrustworthy in a very progressive way. These stereotypes against Muslims not only influenced public attitudes but also donated to such policies that inordinately target communities of Muslims, destabilizing justice and equality

principles. The continuation of these stereotypes throws Islamic identities under suspicion. As Adoum and Vinodan emphasized, political and media discourse often portray Muslims as a homogeneous group associated with extremism, ignoring their diversity and peaceful nature (456-457). This has dangerous implications in the legal domain, where individuals are controlled and treated according to collective identity, not individual manners.

In political systems, people-oriented discourse has fed on stereotypes, looking for gathering voters through fear. Right-wing movements all over the West have used stereotypes to depict Muslims contradictory with national values or a threat to Western civilization. These narratives have paved the way for discriminatory laws, like travelling prohibition, headscarf bans, and restrictions on religious freedoms. These laws abuse international human rights standards by positioning Muslim identity as 'the other', thus justifying the exclusionary practices under the excuse of national security. (Adoum and Vinodan 452-462)

As a result, the legal system is subjected to the consequences of stereotyping, losing its dedication of impartiality. For example, Muslim defendants may be seen in a negative way in courtrooms, especially in cases related to terrorism, despite of real evidence. This racial and religious profiling in immigration enforcement and policing reflect the legal systems' acceptance of societal prejudices, changing stereotypes into legal flaws.

Moreover, the social and psychological consequences of stereotypes expand to political engagement. The lack of trust in civic life and Muslims' emotions of hostility

reduce voter involvement, representation in politics, and obtainment to leadership positions. consequently, this strengthen the cycle of elimination.

In essence, stereotyping is not just a personal prejudice; it has institutional reshaping structural effects. The permeation of stereotypes about Muslims into legal and political systems weakens principles of equity, impartiality, and democracy. Breaking this malicious cycle requires coordinated efforts to challenge misinformation, adjustment discriminatory laws, and promote a comprehensive discourse that reflects the full diversity of Islamic identities. (Adoum and Vinodan 464)

**2. Human Rights Violations in the War on Terror:**

After the September 11 attacks, the United States resorted to what became known as the hybrid legal-military model in its handling of the "war on terror." This approach selectively combines the tools of criminal law, prioritizing security interests over human rights principles. Instead of considering defendants as criminals entitled to fair trials, or as prisoners of war protected under the Geneva Conventions, they were classified as "unlawful combatants," denied any internationally recognized legal status, and detained indefinitely without trial or clear charges, as is the case at Guantanamo Bay. This situation, as legal philosopher David Luban has described it, creates a loophole, or what he calls a "legal vacuum", in which safeguards are lacking and where various violations, such as torture and forced transfer to countries that practice torture, are justified, in flagrant violation of international conventions such as the Convention against Torture.

Most dangerously, the "war on terror" is not like conventional wars that end with surrender or a truce. Rather, it is an endless, borderless war against undefined enemy, making rights and freedoms permanently suspensive, not an emergency exception. In this context, not only the notion of war being reformed, but even the definition of law itself, transforming it into an instrument for regulation and control instead of a framework for the rights' protection. This transforming threatens to effectively abrade the very concept of human rights under international legal legitimacy.

**2.1. Definitions and Principles of Human Rights Under International Law:**

Human rights are universal, inalienable, indivisible, interdependent, and interrelated. Every individual is born with the same rights, regardless of their place of residence, gender,

race, religion, cultural background, or ethnicity. They are inalienable because they can never be taken away. They are indivisible and interdependent because all political, civil, social, cultural, and economic rights are equally important, and no one can be enjoyed in isolation. Everyone has the right to participate in decisions that affect their life. All these rights are underpinned by the rule of international law and reinforced by legitimate demands for accountability from duty-bearers in accordance with international standards.

The United Nations Population Fund (UNFPA) articulates the aforementioned human rights principles and defines them as universal and inalienable rights, as all people, everywhere, are entitled to them. Their universality is enshrined in Article 1 of the Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights." Being indivisible, civil, cultural, economic, political, and social rights are all inherent in human dignity. Consequently, all human rights are equal and cannot be classified in a hierarchical order. The denial of any right necessarily impedes the enjoyment of other rights. Therefore, the right of every individual to an adequate standard of living cannot be compromised at the expense of other rights, such as the right to health or the right to education.

Human rights are interconnected and interrelated, as each adds to human dignity through fulfilling developmental, physical, psychological, and spiritual needs. The achievement of one right often depends, either in whole or in part, on the realization of other rights. For example, the fulfillment of the right to health may, in specific circumstances, depend on the fulfillment of the right to development, education, or information.

According to the United Nations Population Fund, all individuals are equal as human beings. By virtue of the inherent dignity of every human being, no one should be discriminated against on the basis of race, color, ethnicity, sex, age, language, sexual orientation, religion, political or other opinion, national, social or geographic origin, disability, property, birth or other status. All people have the right to participate in decision-making processes that affect their lives and to access information about them. Rights-based approaches require the broad participation of all groups, including local communities, civil society, minorities, women, youth, and indigenous peoples.

Regarding accountability and the rule of law, states and other duty bearers have a responsibility to respect human rights and must comply with the legal standards and norms set forth in international human rights instruments. In the event of non-compliance, aggrieved rights holders have the right to bring legal proceedings before a competent court or other judicial body to obtain appropriate redress, in accordance with the rules and procedures established by law. Individuals, the media, civil society, and the international community all play important roles in holding governments accountable for their commitment to respecting human rights.(The United Nations Population Fund)

## **2.2. Case Studies of Violations (e.g., Guantanamo Bay)**

Guantanamo Bay has become a symbol of the United States' approach to the war on terror. The detention center is known worldwide for its gross human rights violations. These violations were not just isolated or rare cases, but were part of a systematic policy that lasted for years, especially during the administration of US President George W. Bush. Since the beginning of the "war on terror," the United States began detaining hundreds of

people at this prison without clear charges, for indefinite periods, and denying them the right to defense and access to lawyers. To justify this, the US administration resorted to classifying the detainees as "enemy combatants" rather than prisoners of war, to avoid applying the Geneva Conventions protecting the rights of prisoners.

The United Nations considered this a clear violation of international law. The UN Special Rapporteur on Torture attempted to visit the detention center and investigate the conditions, but the Bush administration refused giving him permission to interview detainees privately. Which forced him to rely on the testimonies of former detainees to prepare his report, which weakened his ability to convey a complete picture, despite his being one of the first official calls for the closure of the prison. The Special Rapporteur noted that the torture and cruel treatment practiced at Guantanamo need not lead to death or organ failure, but are sufficient to cause severe psychological or physical pain, as occurs through techniques such as waterboarding, sensory deprivation, prolonged solitary confinement, forced stress positions, or even the use of detainees' fears (such as fear of dogs) as leverage. All of these methods constitute torture according to the definition of the UN Convention against Torture, but the Bush administration downplayed their seriousness, describing them as "enhanced interrogation techniques."

Another debatable practices was the force-feeding of hunger-striking detainees, a practice denounced by the international medical organizations such as the World Medical Association, which it regarded a form of inhuman treatment. Despite the efforts of the US Supreme Court to deal with these abuses through several judgments allowing detainees the challenge the legality of their detention, Congress responded by enacting the Military

Commissions Act 2006, which stripped the courts of the right to hear detainee cases, conferred officials immunity from accountability, and redefined torture in a way that limited its scope. Although the subsequent Obama administration acknowledged past abuses, it failed to close the prison, held no officials accountable for these violations, and did not provide compensation to the victims. This demonstrates that Guantanamo remains a stain on America's human rights record and raises significant ethical and legal questions about the United States' commitment to the international conventions it is supposed to uphold globally. (Pearlman, 1123-1126)

### **2.3. The Role of Governments and Institutions in Perpetuating Abuses:**

US government institutions, particularly the executive branch and Congress, have played a prominent role in justifying and perpetuating the gross human rights violations at Guantanamo Bay. The US government has resorted to manipulative classifications to circumvent international conventions, considering detainees "enemy combatants" rather than prisoners of war. This excludes them from the protection of the Third<sup>1</sup> and Fourth Geneva Conventions<sup>2</sup>, and justifies their indefinite detention without charges or legal defense.

Although the United Nations recognizes the possibility of detention during armed conflicts to prevent individuals from returning to combat, it has strongly condemned US

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<sup>1</sup> Geneva Convention (III) relative to the Treatment of Prisoners of War. Entered into force on August 12, 1949

<sup>2</sup> Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. Entered into force on August 12, 1949

policy, considering indefinite detention without trial a flagrant violation of human rights. The US characterization of the war on terror as an armed conflict undermines the foundations of international and humanitarian law, prolonging and legalizing violations.

For its part, the US judiciary, represented by the Supreme Court, has resisted some of these policies and condemned them in several important cases, most notably *Rasul v. Bush*, where the court recognized the right of detainees to challenge the legality of their detention through the Habeas Corpus mechanism<sup>3</sup>. In another case, *Hamdi v. Rumsfeld*, it recognized the right of an American citizen detained at Guantanamo Bay to a fair trial, explicitly citing the importance of the Geneva Conventions. The court also ruled in *Hamdan v. Rumsfeld* that Common Article 3<sup>4</sup> of the Geneva Conventions applies to Guantanamo detainees, a judicial recognition of the need to respect international standards even in the fight against terrorism.

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<sup>3</sup> Latin, meaning "you have the body." A writ of habeas corpus generally is a judicial order forcing law enforcement authorities to produce a prisoner they are holding, and to justify the prisoner's continued confinement.

<sup>4</sup> ARTICLE 3: In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions: /1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment; (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples. /2. The wounded and sick shall be collected and cared for. An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict. The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention. The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

However, these positions did not last long. The Military Commissions Act of 2006, passed by Congress in direct response to the court's ruling in the previous case, withdrew the jurisdiction of federal courts and granted government officials immunity from prosecution under the War Crimes Act. It also gave the president the power to interpret the Geneva Conventions unilaterally and retroactively redefined torture to avoid punishment. Although the Obama administration acknowledged past human rights violations, it failed to close the detention center, hold those responsible accountable, or provide compensation to victims. This has perpetuated the violations and highlighted the negative role of government institutions in perpetuating these heinous practices.

### **3. Legal Ethics in the Context of Security Policies:**

In the aftermath of September 11, the United States underwent several radical transformations affecting its legal and moral structure. These transformations included giving the Bush administration the authority to formulate certain fundamental legal concepts to serve its interests, most notably the concept of "torture," as we noted earlier. The Office of Legal Counsel released what became known as the "Torture Memo", which legitimized cruel and degrading practices, such as waterboarding and prolonged sleep deprivation, under a legal and legitimate cover. This step was not only a legal deviation; it also permitted security institutions to legalize physical and psychological abuse under the excuse of preserving the national security, in complete ignorance of the ethical principles that the United States has long advocated.

The report of the UN Special Rapporteur, along with a study by Peter Margulies published in the Fordham International Law Journal, indicated that the security policies implemented explicitly violated international treaties and granted special immunity to individuals and institutions involved in torture and arbitrary detention. Affirming that the executive authority has exercised unprecedented influence in formulating security policies in the face of the silence of traditional oversight bodies such as Congress and the Supreme Court, this political and legal context has sparked controversy over the limits of legal legitimacy and reflects the extent to which the authority can manipulate legal texts to achieve goals that contradict the essence of justice.

#### **3.1. Ethical Principles of Law and Their Challenges During Crises:**

National security issues have always posed a major dilemma for the law and its

representatives, especially lawyers. On the one hand, absolute respect for the letter of the law is incompatible with national security strategy. Courts have long recognized that dogmatic authoritarianism regarding legal orders is incapable of accommodating the vagaries of foreign policy. On the other hand, legal representatives, including lawyers and other national security policymakers, must adhere to fundamental legal principles and maintain the integrity of legal institutions.

Among the major challenges facing lawyers in national security crises is that these calculations are tilted toward self-interest, without sufficient attention to established values and ethical principles. This imbalance is most acute, as in the case of Guantanamo, in policies involving detention without trial. US history has shown that mass incarceration systems undermine the values of the legal system. Numerous unfortunate incidents demonstrate that detention practices develop an institutional momentum that undermines accountability, fairness, and equality, perhaps the most notable of which was the internment of Japanese-Americans in World War II. (Margulies, 642-643)

### **3.2. Balancing Security Needs with Ethical Responsibilities in Legal Systems:**

Despite its vast resources, the Department of Defense is under significant public pressure to pursue strict security policies, including strict legal systems that allow for intrusions on individual liberties, and to apply the principles of high law to all. President Bush once said, "We will not hand terrorists legal papers. We must serve them with American justice—with behavior, procedures, and principles worthy of the world's greatest democracy." (Romero, ACLU, March 9, 2004)

A Pentagon official agreed to review the rules for defending terrorism suspects

before military commissions. Specifically, the principle of a defense lawyer's right to object in court if the government wants to eavesdrop on lawyers' strategy sessions with their clients. This sudden interest in judicial fairness by the Pentagon came after civilian defense lawyers and others objected to rules they considered to violate all their basic privileges and ethical principles as lawyers and their clients.

The Department of Defense had previously announced an international review of the conditions of detainees at Guantanamo Bay, who had never been brought before military commissions. This measure was taken in response to criticism from the American Civil Liberties Union and others, and in anticipation of Supreme Court review. However, these draft rules remain a cover for a process that is essentially illegal. (Romero, ACLU, March 9, 2004)

**Conclusion:**

The events of September 11th marked a radical turning point in the Western world's policies, which boasted of equality and justice. The rise of Islamophobia and fear of external threats became a common justification for the United States' human rights violations and breaches against legal ethics under the pretext of the "war on terror". This allowed policymakers to manipulate laws in order to serve their benefits and introduce strict security measures relying exclusively on national security and law enforcement.

## **Chapter Two: The Mauritanian as a Case Study**

**Introduction:**

In this chapter, the study aims to conduct a thematic analysis of the post-9/11 fear and prejudice through the film *the Mauritanian* (2021). It examines the scenes of Islamophobia and stereotyping and explores the main character as their victim. The study also focuses on the human rights violations in the film through scenes depicting torture, detention without trial, and lack of due process analysis.

The battle of legal ethics and vindication of human rights also takes its part in this chapter, discussing the defense attorney Nancy Hollander's role in defending Slahi, and presenting the legal system's failure and strength points in the case. Finally, criticizes the balance between national security and individual rights.

**1. Fear and Prejudice in the Film:**

Kevin Macdonald on *The Mauritanian*: “We’re still living in the shadow of 9/11”

*The Mauritanian* depicts the post-9/11 American public's behavior, characterized by fear and prejudice. These behaviors are among the themes highlighted by the director in the film, where he says that fear was a key point in understanding some of the motivations or pretexts used by the Bush administration to justify its war on terror. We see anger overcomes the law and legal precedent. In this film, we see a great deal of emotion in this country surrounding the events of the film, which is similar to what happened in real life. Kevin Macdonald confirmed that Mohamedou said this in his speech at the end of the film, which is almost verbatim. He claims that it was about fear: “America was afraid, and when people and countries are afraid, they do things they regret and bend the law to suit their desire for revenge”.

The post-9/11 environment was one where not only fear but also a rapacious appetite for revenge pervaded the circles of power within the American government and its legal representatives. Fear drives them to justify their actions. The character of the prosecutor, Stuart Couch, says one thing: "Someone has to pay, not just anyone." That is the idea. Justice is getting the right person. Revenge is lashing out violently. Clearly, having justifications for the tactics employed by the US administration always pushes them to continue searching for a scapegoat (Macdonald).

**1.1. Analysis of Scene Depicting Stereotyping and Islamophobia:**

In an analysis of scenes from Kevin Macdonald's film "*The Mauritanian*," several

forms of stereotyping and Islamophobia were embodied, a phenomenon that became increasingly prevalent after the September 11 attacks.

Among the aforementioned scenes was the arrest of Mohamedou in 2001, two months after the bombings, solely because he was Arab, Muslim, and had undergone training at an Al Qaeda<sup>1</sup> camp in Afghanistan. His association with Islam embodied a scene of stereotypical discrimination, which the interrogators and guards pursued with him inside the detention center, using hostile language as if he was already guilty, considering him a terrorist and implicated in the attacks.

The torture scene, where the victim was provoked with phrases such as, "Your God (Allah) will not save you," and the sexual assault scene when he resisted, where the harassing female guard uttered, "Do you pray?" These were degrading words that clearly demonstrated the psychological torture targeting the Islamic faith and they expose a deliberate attempt to attack the prisoner's faith as a form of psychological control. Mohamedou's first conversation with his companion, "Marseille," when he asked, "Have you prayed?" He responded sarcastically and bitterly, saying, "No one prays here... Prayer is useless." This is a stereotypical way of undermining faith and glorifying the power of the Guantanamo detainee, referring to him as "here," and the invincible figure behind him. These scenes do not only describe suffering but symbolically show how the detention system sought to weaken identity and belief, turning faith itself into a battlefield of domination and resistance.

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<sup>1</sup>Al-Qaeda (Arabic: القاعدة, *al-Qā'ida*, meaning "the base") is a militant Islamist extremist organization founded in 1988 by Osama bin Laden, Abdullah Azzam, and other fighters who had participated in the Afghan war against the Soviet Union.

When lawyer Nancy Hollander first visited Mohamedou at the facility, she was treated with suspicion by the guards because she was defending a Muslim detainee. This indicates that Islamophobia extends even to those who deal with Muslim detainees. The journalist described her during the interview as, "If you defend him, you defend terrorism."

The scene where the guards instruct Nancy to wear the hijab before seeing her client reflects the stereotypical attitude toward Muslims and portrays the Islamic faith as a sign of extremism. The film also highlights the lack of concrete evidence against the victim. Most of the legal arguments presented by the US government were based on stereotypical assumptions: Muslim, foreign, intelligent, educated abroad and trained in Afghanistan = terrorist, thus confirming that Islamophobia has influenced the judicial system.

### **1.2. Representation of Mohamedou Ould Slahi as Victim of Fear-driven Systems:**

Hollywood has a poor record of representing Arabs and Muslims, especially in films about the events of September 11. Films about Guantanamo have focused heavily on a white perspective, often dehumanizing Arabs and Muslims.

Mohamedou Ould Slahi is a Mauritanian man who was kidnapped from his home and imprisoned without charge for fourteen years and two months in the notorious American prison at Guantanamo Bay. Therefore, it is not surprising that Arab Muslims would prepare themselves for the worst when watching a drama about Guantanamo Bay.

The film portrays Mohamedou as a victim of regimes driven by fear, fear of terrorism, as well as fear of external aggression or any threat to their stability. Slahi previously noted this when he said, "America was afraid, and when people and countries

are afraid, they do things they regret and circumvent the law to suit their desire for revenge."

Slahi's torture is clearly depicted in the film, as he is forced to confess to crimes he did not commit. This highlights the post-9/11 fear that led to the mistreatment of people of Middle Eastern and North African descent, particularly Muslims. The film clearly shows how authorities ignored evidence of Slahi's innocence and denied him a fair trial, all without bringing charges against him, asserting that he was discriminated against based on his race and religion. The brutality Slahi faced also highlights the fallacy of the justice system (Flint).

In the "War on Terror," as Worthington describes it in his article, "abductions, detentions, and torture were based solely on suspicion and hearsay, or on statements made by other detainees who had been tortured (which were, of course, inherently unreliable)." "At Guantanamo in particular, this evidence-free worldview continues to imprison the majority of men still held without charge or trial," because they pose a threat to the United States, from its perspective, in its war on terror.

**2. Post- 9/11 Fear, Prejudice, and Human Rights Violations in the Mauritanian:**

Kevin Macdonald's film, *The Mauritanian*, is a true account of a Guantanamo Bay detainee. It depicts the fear and prejudice that gripped the world after the World Trade Center bombings. The series of arrests of hundreds of suspects, according to the US government, including our hero, Mohamedou, merely depicted a small portion of the human rights violations inside Guantanamo Bay. It is not under American jurisdiction, and the conditions in which its prisoners are held are inhumane and deplorable, violating multiple sources of international law.

Scenes of detainees being forcibly led to the shore with their heads covered, insulted, stripped, and subjected to forced shaving, shackles, and chains are a blatant violation of prisoners' rights under international law and an affront to human dignity.

The failure to present clear and explicit charges and to provide the detainee with his legal rights and the right to legal counsel, all of which we have become accustomed to from so-called legal representatives in the United States. In *The Mauritanian*, in this vein, the detainee was subjected to interrogation after interrogation without the slightest protection or rights.

**2.1. Analysis of Scenes Depicting Fear-Driven Policies and Islamophobia:**

By analyzing the Islamophobic scenes in "*The Mauritanian*," it becomes clear that American society believes that being Muslim will always bring its own problems. The scenes of Islamophobia in Kevin Macdonald's drama "Guantanamo Bay," which are featured in several scenes, as discussed earlier, and the politics of fear that they foster, we find Nancy confronting the doubts expressed by many of her fellow lawyers. They argue

that Slahi is still Muslim and part of the group that attacked the World Trade Center in New York during the September 11 attacks. This sense is reinforced by the question posed to Nancy, which is as follows:

First Lawyer: "Do you want to represent the main recruiter of the September 11 attacks?"

Nancy: "The US government is holding over 700 people at Guantanamo, and we don't know who they are or what they are accused of. Since when did we start holding people without trial in this country?"

This scene formed the basis for the skeptical expressions of concern toward Nancy. According to them, Muslims do not deserve pity, let alone legal defense.

In another scene inspired by the US military's view of detainees, Slahi is portrayed as a Muslim, and Muslims are extremely dangerous. When Nancy and Terry arrived at the camp to visit Slahi for the first time, they were advised to wear a hijab and that if the detainee assaulted them; they should push the table and move away immediately. In addition to the heavy guarding of the cell door and the limited visiting time. This is an act of Islamophobia and discrimination based on religion. Under the assumption that Muslims are dangerous, US soldiers take precautionary measures driven by their fear of all things Muslim. The American public's outrage over Nancy Slahi's defense and the publication of newspaper articles portraying her as a defender of terrorists included several statements critical of Muslims who commit crimes. Frank asked her, "People call you a terrorist advocate. How do you respond?"

Nancy: "When I defend a rapist, no one calls me a rapist. When I defend a murderer, no one searches my backyard for a dead body. But when someone is accused of being a terrorist, people like you tend to have a different opinion."

Nancy: "When I defend my client and seek a fair trial, I'm not just defending the accused; I'm defending all of us."

Policies driven by Islamophobia, built on prejudices created by an extremist group, and hate speech, such as that once issued by former US President George W. BUSH when he said, "Islam has a fascist faction, and that's terrorists," have generalized these judgments to include everything Islamic and labeled it a danger (Permana).

## 2.2. Exploration of the Character Slahi as a Victim of Stereotyping:

Since the September 11 attacks and the Iraq War, Hollywood has produced a steady stream of films about Guantanamo and the War on Terror, most of which have criticized poor US foreign policy from the perspective of good Americans, such as "*Rendition*,"<sup>2</sup> "*Camp X-Ray*,"<sup>3</sup> "*Lions of the Lambs*,"<sup>4</sup> and others. "*The Mauritanian*" differs in that it is based on Slahi's real experience, as told in his 2015 "Guantanamo dairy". This time, the portrayal is different: it is from the perspective of a sympathetic, Muslim person ,colored,

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<sup>2</sup> Film by Gavin Hood, 2007. Explores U.S. counterterrorism policies, focusing on the controversial practice of "extraordinary rendition, where suspected terrorists are secretly transferred to other countries for interrogation (often involving torture). The film raises questions about human rights, justice, and security vs. morality.

<sup>3</sup> Film by Peter Sattler, 2014. Follows a young U.S. soldier (played by Kristen Stewart) stationed at Guantánamo Bay, who forms an unexpected bond with a detainee. The film highlights issues of isolation, prejudice, human rights abuses, and the moral complexities of the War on Terror.

<sup>4</sup> Film by Robert Redford, 2007. A political drama that interweaves three storylines: U.S. senators pushing for new military strategies in Afghanistan, a professor challenging his student about political apathy, and soldiers on the battlefield. The film examines responsibility, media, government policy, and public disengagement in the post-9/11 era.

rather than a white, complaining American.

Slahi's character in the film is portrayed as a victim of the Western world's stereotype of Muslims. The portrayal of Mohamedou Ould Slahi as a suspected collaborator in the September 11 attacks and spending most of his time in a Guantanamo Bay detention camp cell with hundreds of suspects. His training by al-Qaeda in Afghanistan and his hosting of one of the hijackers in his home are all stereotypes that suggest his involvement or seemingly justify his detention and suspicion.

In an interview with *Film Inquiry*<sup>5</sup>, Scottish film director Kevin Macdonald described Slahi's character as one of the most unique he had ever met, and he knew he wanted to make a film about him. A film that would tell a deeply painful and difficult story, political yet told in a deeply personal way. It would not resemble the typical Hollywood<sup>6</sup> films about the War on Terror or CIA heroes who extract information through torture. Rather, it would be a film about a Muslim man, as the director wanted to present a personal experience for the audience from the perspective of someone who had been tortured, not the torturer. (Macdonald)

Slahi's character, represented by the Franco-Algerian actor Tahar Rahim, who previously rejected roles perpetuating stereotypes about Muslims, Africans, or Arabs, delivered a remarkable performance, making the audience discover the other side of the story: the inhumanity, abuse, and torture of a detainee simply because of his Muslim background.

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<sup>5</sup> *Film Inquiry* is a progressive, independent film magazine that aims to redefine film journalism. Interview done by film critic Luck Parker.

<sup>6</sup> "Hollywood" is a symbol of the American film and entertainment industry.

### **2.3. Depiction and Examination of Torture, Detention without Trial, and Lack of Due Process:**

One of the most striking features of *The Mauritanian* is its visceral portrayal of Mohamedou, through flashes and sound effects that blur the lines between reality and hallucinations. The director describes this as a "fever dream," when the victim's consciousness and subconscious become intertwined due to torture, recalling mental scenes from his past life in an attempt to escape and survive his miserable experience.

The torture scenes, including sleep deprivation, standing in stress positions for 20 hours, reduced cell temperature, no light, exposure to heavy metal music, forcing the victim to drink salted water, verbal and terrifying insults, and scenes of sexual humiliation by forced sexual intercourse, were a frightening experience for Mohamedou, who tried to endure it, as he essentially had nothing to confess. However, the final blow was when he was made to believe that an order had been issued to bring his mother to the camp, threatening to rape her by the prisoners. The conflict concludes with a scene of humiliation and prayer when Mohamedou decides to confess and signs the statements previously prepared by the interrogators.

The special torture program Slahi was subjected to was classified in a Memorandum for the Record (MFR), called "enhanced interrogation" techniques approved by Secretary of Defense Donald Rumsfeld. The most notorious of these was waterboarding, which was the first method the victim was subjected to.

In another scene, Nancy, the attorney in Slahi's case, explains to Colonel Stuart Couch, the prosecutor in Slahi's case, why the camp facility at Guantanamo Bay, Cuba,

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was deliberately located so far away, because it is an area outside of US jurisdiction. The US government has exploited the law and legal institutions to justify detention without trial of terrorism suspects and their interrogation under torture, because the US Constitution and international human rights law do not apply to foreigners outside US territory (Bhatt).

**3. Legal Ethics and Human Rights in the Film:**

*The Mauritanian* demonstrates the film's ability to expose the gross human rights violations at Guantanamo Bay, which had been gradually fading from public consciousness. As Proust points out, films "depict certain practices to provoke outrage and raise our collective awareness, rather than weaken it."

At the beginning of the film, Prosecutor Colonel Stuart Couch urges his team to work to win the death penalty for detainee Mohamedou Ould Slahi. As an honest lawyer with a Christian background, Couch investigates the cases he is given, even seeking to uncover the ambiguity by finding evidence that reveals the truth, leading him to resign from the case. In the scene, Couch appears agitated during a church service when the priest asks him, "Will you do your best to achieve justice on earth and treat every human being with inherent dignity?" This is Couch's moment of realization. There is an extreme close-up of his face as he whispers, "Amen." It's the Christian Republican character who stands up and says, "This is against my constitutional values. This is against my Christian values. This shouldn't happen".

This film is not the Hollywood stereotype of "everyone who serves in the military or belongs to the Bush administration is evil." This is a man of great integrity, and I think he's a true hero (Macdonald).

The least the detainees should have received was adequate detention conditions and a fair trial, as stipulated in international human rights agreements, as well as the prisoners. This, from the film's perspective, was lacking in the camp.

**3.1. Nancy Hollander's Role and Ethical Dilemma in Defending Slahi:**

After Slahi has spent four years in prison; the French lawyer meets with human rights attorney Nancy Hollander to offer her help in verifying Slahi's detention at Guantanamo Bay, where she has a security clearance from the National Security Agency. Hollander attempts to verify Slahi's whereabouts and then gets into an argument with her colleagues about representing him. They denounce her for defending a terrorist, but ultimately decide to describe him, saying, "Since when did we start locking people up without a trial in this country?"

Hollander and her colleague, Terry Duncan, embark on a journey filled with successes and failures in their attempt to prove their client's innocence in the September 11 attacks. Hollander faces difficult challenges in obtaining evidence, given the US government's secrecy and confidentiality about what happens inside the detention camp.

After numerous attempts, Hollander secures access to files within the Department of Defense, only to be shocked by Slahi's confession proving his involvement. Terry Duncan reacted strongly, denouncing her defense of a guilty person. Nancy, on the other hand, was extremely calm and rational. She asked her to leave and continued reading the confessions. Hollander was torn between Slahi's guilt and her legal ethics, which reflected her commitment to defending her client until the last moment. This is what she did after meeting with him, advising him to share all the details with her. These details, about the shocking inhumane violations, represented a major turning point in the case, as he was granted the right to testify at trial, since the confession was obtained under torture. Nancy advised Mohamedou to write about his harrowing experience and publish it, which led to

his release.

### **3.2. The Depiction of the Legal System Failures and Strengths in Pursuing Justice:**

The film raises questions about unethical practices in the legal system, serving as a clear reminder of the fragility of justice in wartime. Many scenes examine the legal and moral consequences of extraordinary rendition and indefinite detention, highlighting the fine line between protecting the homeland and violating individual rights under the silence of international law.

The failures of the legal system do not stop there; they extend to strict oversight and obstructions in the transfer of evidence, whether by classifying it as secret and redacting its content, or by deeming it protected so that it can be delivered to defense attorneys in fully redacted form. The exclusion of a detention camp facility on foreign soil outside US jurisdiction and the manipulation of terms such as torture, giving it a new term, "enhanced interrogation techniques," are among the policies employed by the Bush administration to evade legal accountability for its actions.

The scene, where the prosecutor in Slahi's case, Colonel Stuart Couch, meets defense attorney Nancy Hollander at the camp's gift cafe, highlights a positive aspect of the pursuit of justice when Nancy says, "I'm not defending him, I'm defending the rule of law." Couch, who initially held firm to his convictions regarding Slahi's involvement, sought to uncover the facts despite being handed the necessary documents. However, his representation of the law, even on the part of the prosecution, did not hinder his pursuit of justice, as evidenced by the scene in which he advises Nancy, after resigning from the prosecution, to take a look at Box 32 of evidence. The irony emerges as both lawyers,

initially on opposite sides, converge toward the truth and legal principles—showing how justice can persist despite systemic barriers.

The strength of the legal system in pursuing justice is highlighted by legal representation and the right to a fair trial. The film affirms that even those accused of heinous crimes deserve due process and a defense (Anonymous Student, University of Delhi).

### **3.3. Critique of the Balance Between National Security and Individual Rights:**

The film's narratives explore the role of complicity and moral responsibility within government institutions. The internal struggles of “white savior” characters and their awareness of the dilemma surrounding Slahi's case add depth to the film's exploration of human rights. It urges the audience to reflect on individual choices made within systems that undermine fundamental principles.

"*The Mauritanian*" is not just a legal drama; it is a poignant commentary on the global ramifications of abandoning human rights for security. The depiction of the enhanced interrogation scenes used by the US government challenged viewers to think and was a powerful call to action against the use of torture in the name of national security, even in the face of heightened security concerns.

In an interview with *The Guardian*<sup>7</sup>, director Kevin Macdonald said, "We don't live in a world of goodies and baddies, do we?" emphasizing that the antagonist or villain in the story is the legal system itself, not individuals. "*The Mauritanian*" critically depicts the tyranny of fear-driven national security policies over the rule of law, while simultaneously

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<sup>7</sup> Guardian Media Group is a global news organisation that delivers fearless, investigative journalism - giving a voice to the powerless and holding power to account. Article by Steve Rose, Fri. 26 Mar. 2021 06.00 GMT. Last modified on Fri. 9 Feb. 2024 12.55 GMT

demonstrating how justice can be restored through impartial representation of the law and advocacy for causes that uphold individual liberties.

This film depicts Guantanamo Bay as a lawless black hole where human rights are suspended in favor of alleged security. The civil rights scandal at the detention camp exposed the US government's abject failure to uphold constitutional protections for individuals while manipulating legal systems in the name of national security, highlighting a systematic betrayal of accountability.

**Conclusion:**

For about two hours, *The Mauritanian* presents a clear view of the difficult experiences inside Guantánamo Bay, a detention camp established after the September 11 attacks. The film shows important issues related to how the United States handled human rights and the rule of law during that period. This seems ironic because the United States is usually known for defending these values, yet it sometimes justified actions linked to Islamophobia in the name of national security and the war on terror.

## **General Conclusion**

The concept of post-9/11 era is the span that followed the September 11 terrorist attack on the World Trade Centre, which is characterized by radical transformation in global and national security policies to counter terrorism and to prevent any future attacks on the United States. This era also faced a significant reaction from various categories of the US, including political, social, institutional, governmental, and even military. This reaction was primarily characterized by fear and prejudice, which profoundly influenced legal ethics and extended to human rights. The aftermath of the attacks reshaped the global political landscape and established a new discourse of fear and surveillance. It marked the beginning of a period where national security became a dominant justification for restricting civil liberties.

Post-9/11 fear and prejudice contributed to making policies that influenced legal ethics and human rights by enacting laws and imposing strict policies, particularly against Muslims and Arabs. The biggest step made by the United States was its "war on terror", the war that brought about substantial losses and cost the US a huge tax either for itself or for the targeted countries by war. These policies created a culture of suspicion that legitimized discrimination and racial profiling in many sectors of society. Furthermore, the legal system itself became a tool to institutionalize fear rather than to protect justice.

One of the so-called war on terror consequences was the detainee camps, and the most well-known was the Guantanamo Bay Detention Camp in Cuba. It was the black hole in the United States' policy against terrorism, a camp that witnessed the most horrifying human rights violations against detainees. Guantanamo Bay detention was established purposely on a land that is not under the judicial authorities, to avoid accountability by law.

This strategic location choice reflected the U.S. government's intention to operate outside international legal constraints. It became a symbol of the erosion of moral and ethical standards in the pursuit of security.

The dramatic work by Kevin Macdonald, *The Mauritanian*, which was based on true memoirs for the Arab Muslim detainee called Mohamedou Ould Slahi, Guantanamo Diary, was a long-term awful experience written by Slahi between his cell's walls inside the detention camp. Fourteen years of detention without charges or fair trial, in addition to the enhanced interrogation techniques and the torture he had passed through, Slahi took a big challenge step in recalling his memories and wrote them down as his attorney advised him to deliver his voice to the public. His testimony serves as a crucial historical record that exposes the moral corruption within systems of justice under pressure. The film adaptation further amplifies his message, allowing audiences to witness the psychological and emotional impact of injustice.

The diary, which evolved into a cinematic drama, succeeded in depicting the impact of post-9/11 events on legal ethics and human rights, as well as how governmental institutions manipulate laws to serve their concerns under the pretext of national security. Even the torture scenes were limited in the film, but they showed all kinds of human rights violations that were banned by international law and the Geneva Convention. The director skillfully used visual storytelling to reflect both the emotional suffering and the institutional hypocrisy of the era. Through this artistic representation, the film transcends entertainment and becomes a medium of awareness and advocacy.

Slahi's case, as a cinematic representation, has influenced public and academic

discourse on security and justice. The scenes delivered to the public show how the representative of the law and its guardian can overstep it if he feels insecure and threatened under the pretext of terrorism. The film succeeded in expediting the case by gaining public sympathy and exposing the incapacity of restricted courts in enforcing the law. It also raised fundamental questions about accountability and the ethical responsibility of those in power. Consequently, the case became a moral reference in debates surrounding justice in times of crisis.

*The Mauritanian*, as many film that tackled the Guantanamo Bay detention cases, made a remarkable move in changing the public opinion and depicted the Muslim as humans not as terrorists like what the western stereotypes had about Islam and Muslims, even if the detainees committed terrorist crimes they deserve to be treated as human being, protected by law and have the right in fair trails. By humanizing Muslim characters, the film challenged the dominant post-9/11 narrative that associated Islam with violence. It therefore played a crucial role in reshaping intercultural understanding and promoting empathy among global audiences.

It is fair to declare that this dissertation suffers from an insufficiency of mastery of tools as well as methodological approach, limited data access due to the lack of sources, and a low level of experience among the researcher in academic studies. Despite that, it was a valuable experience in aiming to fully understand the topic and providing it with the thorough examination it deserves. This limitation, however, does not diminish the sincerity and depth of the analytical effort made throughout the research. It rather highlights the need for continuous academic growth and future methodological refinement.

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Finally, the topic of the dissertation explores “The Impact of Post-9/11 Fear and Prejudice on Legal Ethics and Human Rights: A Thematic Analysis of *The Mauritanian* (2021)”. It focuses on two themes that the film tackled during the post-9/11 era and their consequences. This topic remains an interesting one that needs further investigation. This rich era in events may form different fields of study for future research. Future studies could also draw comparative analyses between similar cases in different countries to understand how fear and prejudice shape global justice systems. Such exploration would deepen the academic discussion and enrich the understanding of post-9/11 implications.

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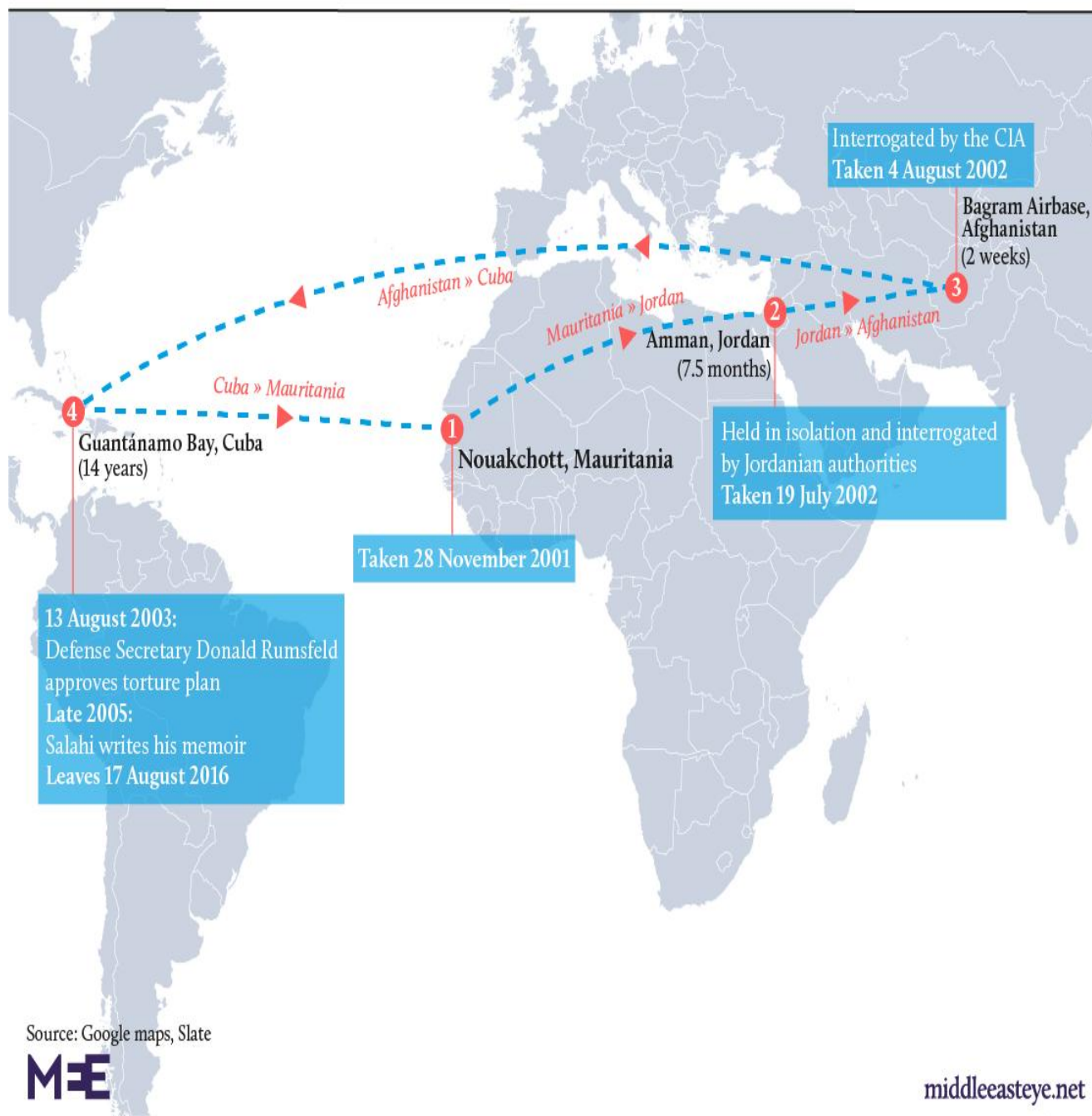
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## **Appendix**

# Salahi's global tour of interrogation and torture



**Résumé :**

L'ère post-11 septembre se caractérise par la peur, les préjugés et la guerre américaine contre le terrorisme, qui ont conduit le gouvernement américain à outrepasser les limites des droits de l'homme et de l'éthique juridique. Cette étude met en lumière les réactions islamophobes aux attentats du 11 septembre, la politique occidentale de lutte contre le terrorisme, ainsi que leurs répercussions sur la vie de personnes innocentes détenues sans inculpation à Guantánamo Bay, en violation du droit international. La recherche adopte une approche d'analyse thématique qualitative en examinant *Le Mauritanien* comme étude de cas. Le film est basé sur le journal de Mohamedou Ould Slahi, relatant son expérience à Guantánamo Bay et son parcours juridique avec Nancy Hollander dans sa défense.

## الملخص:

تتميز مرحلة ما بعد أحداث الحادي عشر من سبتمبر بالخوف والتحيز والحرب الأمريكية ضد الإرهاب، والتي دفعت الحكومة الأمريكية إلى تجاوز حدود حقوق الإنسان وأخلاقيات القانون. تركز هذه الدراسة على ردود الفعل المعادية للإسلام عقب الهجمات، والسياسات الغربية في مكافحة الإرهاب، وكيف أثرت على حياة الأبرياء الذين تم اعتقالهم دون توجيه تهمة في غوانتانامو، في تجاهل واضح للقانون الدولي. تعتمد الدراسة المنهج التحليلي النوعي القائم على التحليل الموضوعاتي في تناول فيلم *الموريتاني* كدراسة حالة. الفيلم مستند إلى مذكرات محمدو ولد صلاحى التي توثق تجربته في غوانتانامو ورحلته القانونية مع نانسي هولاندر في الدفاع عنه.