

LISTED

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Abstract

Listed is a 12-minute documentary film that shares the story of Faizal Karim, a Canadian man falsely flagged on the Canadian No Fly List, a terrorist watch list under the Passenger Protect Program. Through Faizal's personal account of racial profiling and detainment due to being falsely flagged, the film explores the systemic issues underlying the No Fly List and its impact on marginalized communities. By examining the potential and historical consequences of relying on a flawed listing regime like the No Fly List to identify potential threats to national security, the film highlights the dangerous erosion of rights Canadians face at the expense of their civil liberties and freedoms. *Listed* explores the underlying discriminatory factors that contribute to racial profiling and exclusion within the system that enforces the No Fly List, and the role that Western media plays in perpetuating these ideologies.

The intention with this film is to provide a platform to share Faizal's story that will educate the public, and to provide Faizal and those who share this experience an inherent space to process the distressing experience of being listed. Through an anti-colonial lens, the film challenges the idea of a homogenous Canadian identity, and prompts a re-examination of these issues.

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“give me a moment...
i am adjusting the roses in my tongue.”

– Nayyirah Waheed

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Introduction

“As a word and concept, ‘terrorism’ has acquired an extraordinary status in American [and global] public discourse. It has displaced Communism as public enemy number one...It has spawned uses of language, rhetoric and argument that are frightening in their capacity for mobilizing opinion, gaining legitimacy and provoking various sorts of murderous action...In short, the elevation of terrorism to the status of a national security threat has deflected careful scrutiny of the government’s domestic and foreign policies.”

- Edward Said (2001)

“I think it’s my name. In fact, I’m quite certain it’s my name,” says Faizal Karim, who is falsely flagged as a terrorist on a watch list that disproportionately targets Canadians with Muslim and Arabic names. Along with his four-year-old son Amin, who has been falsely flagged since birth, Faizal has been listed since 2010 under the Passenger Protect Program, commonly referred to as the No Fly List. With no transparency on how they were placed there and limited to no pathways for removal, Faizal and his son are among over 100,000 Canadians who could be wrongfully flagged on the No Fly List, according to the International Civil Liberties Monitoring Group (Jarvis, 2018). Despite being innocent, the Canadian government considers every person on the list “an immediate threat to civil aviation”, as highlighted by the Office of the Privacy Commission of Canada (2007). Regardless of innocence, citizenship status, and the fact that torture is illegal under Canadian law (Government of Canada, 1985), no human being should be subjected to a list that could ultimately lead to their detainment and torture. *Listed* is a 13-minute short documentary film about Faizal’s personal account with racial profiling and detainment due to being falsely flagged – an experience that is all too common for racialized individuals who have been and continue to be impacted by the list.

Under Bill C-59, which is an anti-terrorist national security legislation, the Canadian government enacted the Passenger Protect Program in response to the attacks of 9/11. The Program was modeled after similar initiatives in the US that were introduced under the PATRIOT Act in 2001. The US government describes the PATRIOT Act as a necessary measure, “to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, as well as to protect innocent Americans from the deadly plans of terrorists dedicated to destroying America and our way of life” (Public Law 107-56).

While surveillance regimes have attempted to justify the War on Terror under the guise of fighting for the freedoms of the West, the methods used to pursue this hypersecuritized state are undermining the very civil liberties and privacies that are purported to be protected under the Charter of Rights (Bell 2011). Hence, in the name of security, freedoms are sacrificed, leading to a dangerous erosion of rights that disproportionately harms marginalized communities, particularly those affected by discriminatory government policies.

Through the lens of Faizal’s story in *Listed*, this thesis challenges the systemic issues underlying the No Fly List, and its effects on marginalized communities, guided by the following research questions:

1. What are the potential consequences of relying on listing regimes like the No Fly List to identify potential threats to national security, particularly in terms of civil liberties and discrimination?

2. What underlying factors contribute to racial profiling within the system that creates and enforces the No Fly List, and what role do Western media play in perpetuating these ideologies?
3. How has the No Fly List affected the lives of individuals who have been placed on it, particularly when it comes to issues of detainment and torture?

Grassroots Beginnings

For more than a decade, I have engaged in anti-oppression advocacy work with various grassroots movements and organizations, including the National Council of Canadian Muslims, No One Is Illegal, and the Prisoners' Justice Film Festival. Throughout my extensive involvement with these groups, I remain committed to centering issues and narratives of disenfranchised and misrepresented communities, including those to which I belong and those whose stories I feature in my films. By working collaboratively with community from an anti-colonial lens to challenge and address the systemic inequities that perpetuate marginalization and exclusion, I amplify the voices of those who are often overlooked, contributing to the ongoing struggle for justice and equity via storytelling and film.



Image 1: Photo of the Quebec Mosque Shooting Rally, London, ON 2017

As I navigated my filmmaking career and grassroots activism, identity, im/mobility, and displacement became pillars in my exploration and documentation of the racialized experience under the lens of colonialism in the Western world, particularly in Canada.

Creative Background

The short documentary, *The Constant Refugee* (2016), explores the persecution and displacement of an Armenian-Iraqi refugee in Canada, as he and his young family grapple with the challenges and the alienation that come with establishing a new life in Canada, navigating unfamiliar cultural norms and language barriers while coming to terms with their own traumatic escape from war and subsequent search for refuge in Canada. My own mother endured this process when she fled the war in Lebanon as a child. I was awarded Achievement in Documentary at the enRoute Air Canada Film Festival for this film. Despite the film's critical acclaim and invitations to prestigious film festivals such as the Berlinale, I was denied the opportunity for celebration and participation by my white co-collaborator. This experience marked a traumatizing period in my filmmaking career and changed the course of my trajectory. I had to process this potentially familiar pattern of exploitation and appropriation that has been historically exercised by colonizers on racialized communities.

I sought solace in community and put my efforts into advocacy work, including joining the Prisoners' Justice Film Festival in London, Ontario. The founder, Giselle Dias, became my dear friend and mentor. Giselle taught me about radical love in the struggle for justice, and she helped me reclaim my confidence and my voice as a storyteller and as a valued member of community. Collaboratively and non-hierarchically, we organized events that included screenings of stories of incarceration, surveillance, and the unfreedom to move. Among our collaborators were incarcerated people and additional people on the margins. Our movement was predicated on giving the people back their voices, to reclaim what was stolen or otherwise silenced by an oppressive system.

One particular event from the Prisoners' Justice Film Festival that we organized deeply resonated with me. It inspired me to further cultivate my passion for storytelling and advocacy work, and is a reference in my work on the No Fly List. This event was the screening of Amar Wala's *The Secret Trial 5* (Wala 2014). Despite relying mostly on word-of-mouth promotion due to our constant engagement with the community, it was heartwarming to witness the Hyland Cinema, a cherished landmark in London, fill to capacity. After the screening, we hosted a community conversation with Wala and his collaborators. The film sheds light on the stories of five Muslim Canadian men who were surveilled, detained, and imprisoned without charges or knowledge of their alleged crimes, exposing the human toll of the "War on Terror." It also exposes the Canadian government's use of security certificates to enable indefinite detention without charges. This film was especially significant in shaping my understanding of the systemic inequities inherent in listing regimes. As a filmmaker, it was a valuable reference point that informed my own work on the subject, particularly in relation to *Listed* which highlights the disproportionate impact of listing regimes on people with Muslim and Arabic names.

Otherhood Films

Building on both my lived experiences and the experience and education I gained from grassroots movements, I pursued higher education so that I could apply my knowledge academically and so that I could bring my stories and the stories of other marginalized people to a wider audience. Concurrently, my production company, Otherhood Films, was conceived with the goal of producing media works that accurately reflect our histories, our intersectional identities, and our legacies of resistance and resilience as Muslims, as people of colour, and as targeted communities. The name “Otherhood” represents a powerful reclamation of our unique identities and experiences, which have historically been excluded and erased in a society that upholds Western hegemony. The accompanying illustration to Otherhood Films is an ambiguous person with a bluish hue as their skin to convey an alien-like physiology – a curious “other”. However, their posture is relaxed as they return the viewer’s gaze, creating a sense of connection rather than distance.



Image 2: Otherhood Films Logo ®

In a period of collective grief and community organizing following the January 29, 2017 Quebec Mosque Shooting, I met my dear friend and fellow radical storyteller, Salma Hindy whose entire persona exudes joy, wit, and courage. She offers a refreshing counter-narrative to the stereotypical and harmful portrayals of Muslims that flood the mainstream media. My short documentary, *Salma* (2019), follows her story as a Hijabi Muslim Canadian as she explores different facets of her identity as a stand-up comic and a biomedical engineer – two very niche and male-dominated industries. The film highlights how first-generation Canadian Muslims are privileged (and burdened) with self-actualization. Salma challenges the stereotypes that often portray Muslim women as uneducated and oppressed by disrupting these tropes through her comedic bits on stage, as well as in the lab. Ultimately, the film is a celebration of Salma's resilience and determination in pursuing her dreams and carving out her own unique path, despite the misconceptions that try to exclude her.



Image 3: Still from *Salma*, 2019

No Fly List Kids

No Fly List Kids is a grassroots advocacy group made up of over 100 Canadian parents whose children are falsely flagged on the No Fly List, a terrorist watch list under the Passenger Protect Program that disproportionately targets Canadians with Muslim sounding names. With no transparency on how they were placed there and limited to no pathways for being removed, these families are among over 100,000 innocent Canadians who could be wrongfully flagged on the No Fly List, according to the International Civil Liberties Monitoring Group (Jarvis, 2018). The Canadian government considers anyone listed as “an immediate threat to civil aviation” (Office of the Privacy Commission of Canada, 2007).

I met Khadija Cajee, co-founder of the group through my community organizing and was instantly struck by her remarkable character and commitment to justice. As I learned about the challenges she faced, along with other parents in the No Fly List Kids group whose children are flagged, I approached Khadija with the potential to make a film documenting their experiences, not only in highlighting the advocacy work being done by the No Fly List Kids group, but also in bringing awareness of the dangers of this list to the broader Canadian public. Having Khadija’s support and trust, along with the No Fly List Kids group, was validating, and I felt encouraged to make the film the subject of my thesis.

Shortly afterwards, I was invited into the No Fly List Kids’ WhatsApp group to get acquainted with everyone and to begin my research into the issue, and I was given permission to interview six families across Canada, including Khadija’s. In early 2019, I accompanied the No Fly List Kids group on an intense three days of testifying in Ottawa before the Senate Hearing on

National Security and Defense and the Human Rights Tribunal of May 2019, where they urged the government to create a redress system to resolve airport profiling, delays, and heightened security towards individuals flagged on the No Fly List. To ensure the financial viability of this shoot, I took up Uber driving in Toronto which allowed me to gather enough funds to cover the expenses of the trip to Ottawa and to compensate my collaborators.

In late 2019, I launched a crowd sourcing campaign on GoFundMe with a target of \$15,000. The overwhelming community support for this film was truly heartening, as the fundraiser quickly surpassed \$13,000. As a result, I was able to cover all overhead costs to support the rest of my shoot plans from late July to early November of that year where I was able to gather a significant portion of the footage for the film by traveling to Vancouver, Nanaimo, Ottawa, Markham, Mississauga, and London, where I documented the stories of the 6 families who were the focus of my film.

As the year came to an end, I reflected on the stories I gathered from each of the affected families. I began thinking about post-production and exploring opportunities for collaboration. Unfortunately, as the new year unfolded and the COVID-19 pandemic escalated, my plans—much like those of my peers and the global community—were impeded, compelling me to pause all post-production plans indefinitely.

COVID-19 and the New Normal

As people worldwide searched for ways to process and make sense of our new reality, some turned to activities such as bread baking, online fitness, and puzzles to find solace and connection in community. Similarly, I decided to pursue a Film Residency with the Toronto Palestine Film Festival, which I was welcomed into with three other brilliant filmmakers. Despite the challenges posed by limited access to collaborators and the need to conduct interviews remotely over Zoom at times, I successfully produced a short documentary called *Rumaan*. The film traces the history and the journey of a pomegranate tree that was grown in Canada from seeds that were transported from Haifa, Palestine, by my late grandfather after he was forced to flee the Nakba in 1948. My maternal uncle, Zaki, speaks about his decades-long attempts to preserve the tree and its seeds, continuing the Palestinian legacy of resistance and resilience. The film also includes my own journey of reconciling with my ancestral history of exile and displacement, adding a meta-layer to the documentary.



Image 4: Still from *Rumaan*

While the first year of the pandemic felt like a temporary halt with a potential end date, the two years that followed revealed a loss of direction and agency in my trajectory as a filmmaker due to the restrictions caused by COVID-19, which took a toll on the Film and TV industry. I found this especially difficult as completing my film was crucial not only to me, but also to the No Fly List Kids group. As an artist and a storyteller, most of the time the most meaningful work you can create is often centered around the things you deeply care about. To be unable to focus on those issues is to deny the constants in your life (Bayles and Orland 1985). When urgent matters like national security and detainment are at stake, this becomes particularly evident, as in the case of the No Fly List Kids. However, as is the case with documentary, trusting the process and relinquishing some control over it can often reveal more about the story that wants to emerge than the plans I set in place initially.

As I sifted through the extensive footage I had gathered for *No Fly List Kids*, I came to realize that the original proposal, working hypothesis, and treatment were now artifacts of the past (Rabiger 2009)—the film was bigger than a short. It dawned on me that this film holds tremendous potential as an independent feature-length documentary with the potential of being distributed by broadcasters like the CBC or the National Film Board of Canada. Additionally, the film had undergone a significant transformation while it was put on pause. This was the catalyst that led me to shift the focus of my thesis towards a more intimate and personal story that reflected the experience of Faizal Karim, a Canadian man falsely flagged on the No Fly List along with his young son, Amin. Faizal and his partner Sarah were one of the six families I had already filmed for the No Fly List Kids documentary in 2019, so the shift from *No Fly List Kids*

felt organic and it led to the creation of *Listed*, a short documentary film that reflects Faizal, Sarah, and Amin's journey of navigating being listed.

Listed

Listed puts the themes explored in my previous works in conversation with the politics of mistaken identity and national security in the current Islamophobic climate. Through Faizal's first-hand experiences of racial profiling and detainment, the film challenges the idea of a singular, homogeneous Canadian identity and prompts a reexamination of these issues. For communities targeted by surveillance and listing regimes, a film like this holds a particular resonance as it echoes our own experiences as perceived threats. However, for those who exist on the periphery of this reality, my film provides a different perspective that enables them to "temporarily leave their own existence to enter someone else's to experience their emotional and psychological reality" (Rabiger 2009, p. 263). *Listed* cultivates empathy and solidarity by inviting viewers to connect with the subject matter on a more informed and active level, thereby challenging any existing perceptions of a community that has been misrepresented by the mainstream media.

As I became more acquainted with Faizal and his family, I learned that he has been on the list since at least 2010, and has been subjected to racial profiling and detainment on multiple occasions. It was disheartening to learn about his adverse travel experiences, and it was shocking to learn that his 4 year-old son has also been placed on the No Fly List since birth. Being listed flags them as "Designated High Profile"—the identifier that appears on the screen at the airport check-in counter for anyone on the list. In the film, Faizal recounts one particularly distressing incident where three armed guards boarded the airplane that Faizal was on, addressed him by his full name, and publicly confiscated his passport as they escorted him off the aircraft because of a glitch in the system that cleared him to board his flight.

With a profoundly relatable expression of demoralization on his face, Faizal explains,

I shave before going on a plane. I clean up my act like crazy, I make sure that I look as proper as I can so there's no reason for anybody to look at me and be scared. Because there's no reason to suspect me. I travel all the time. I have no criminal record. I have a Nexus card, I've been cleared by the US even. And yet, every single time, it's "randomly checked."

- from *Listed* (2023)

Post-9/11 Surveillance and the Perpetual War on Terror

Surveillance expert David Lyon describes the implementation of a post-9/11 security regime by writing:

The September 11, 2001 attacks on New York and Washington prompted a series of immediate responses. One of the most prominent ongoing reactions is to enhance surveillance operations on a number of fronts...What 9/11 did was to produce socially negative consequences that hitherto were the stuff of repressive regimes and dystopian novels or movies. The suspension of normal conditions is justified with reference to the “war on terrorism.” (2003)

Surveillance and terrorism expert and scholar Arun Kundnani adds to Lyon’s point by describing the War on Terror as a perpetual, global conflict that lacks clear objectives and appears to have no end in sight. Kundnani explains that the authorization granted to the West has enabled extrajudicial killings without geographical limits. The enemy is not just a single individual or organization, but rather a vague set of ideas associated with radical Islam, which has continued to fuel the war even after the death of Osama bin Laden. Kundnani argues that the War on Terror has intensified since 2001, leading to the racialization and dehumanization of Muslims. He points out that laws like the PATRIOT Act which developed regimes like the No Fly List have resulted in the detention, deportation, and reputational damage of thousands of Muslim, South Asian, and Middle Eastern men (Kundnani 2014). Similarly in Canada, numerous Canadian men of Muslim, South Asian, and Middle Eastern backgrounds have experienced the repercussions of being placed on the No Fly List. Among them are Maher Arar and Abdullah AlMalki who were wrongfully detained and subjected to torture due to mistaken identity. Various other Canadians whose stories were not highlighted in the media suffered similar fates.

Social Impacts of the No Fly List

The reality is that Faizal is not alone in adopting a hypervigilant approach to traveling and existing as a racialized man in mainstream society. So many communities of colour, including my own relations, attempt to invisibilize themselves so that they are not noticed and targeted by state violence and/or hate crimes. Not only do systems of power strip us of our agency, but so many are pushed into a state of constant hypervigilance to the detriment of their health and wellbeing, and sometimes death. This is caused by the persistent activation of the sympathetic nervous system, which triggers the “fight” or “flight” response in the body, and releases an excess of stress hormones like adrenaline. Dr. Gabor Mate confirms this distressing reality in his book *The Myth of Normal: Trauma, Illness and Healing in a Toxic Culture*:

For targeted communities, being subordinated in their social milieu leads to heightened cardiovascular, nervous system, and hormonal responses to stress and higher risks of chronic medical conditions. The suppression of individual authenticity plays havoc with biology, breeding illness; even greater mayhem will ensue for bodies belonging to groups whose self-suppression has been systemically imposed, often with great violence (2022).

Additionally, Canada-US information sharing raises serious concerns for Canadians on the No Fly List (Bronskill, 2018), especially because of cases of mistaken identity like Omar Khadr’s and Maher Arar’s. Khadr, a Canadian, was a child when he was imprisoned and tortured in Guantanamo Bay in 2002 by the US government, which falsely accused him of having ties to Osama Bin Laden. Arar, a Canadian man falsely flagged on the No Fly List, was detained in 2002 at a US airport and sent to Syria where he was put in solitary confinement and tortured for over a year as a result of mistaken identity. “He [Arar] had a wife and a young child at home that he was split up from for a significant period of time just because he was falsely flagged. That’s the real fear for myself, for Amin, that something like that would happen,” shares Faizal in

Listed (2023). As a result of cases like these, hypervigilance among racialized communities has understandably increased.

Although the stories of Khadr and Arar garnered widespread media attention and ultimately led to their releases and financial settlements from the government, it is important to note that these settlements will not undo the harm nor heal the traumas inflicted upon them. Furthermore, the issue of wrongful listing and information-sharing with other nations of Canadians based on mistaken identities persists. One such example is the case of Hassan Diab, a Canadian who was extradited to France in 2014 on false accusations of involvement in a 1980 bombing outside a Paris synagogue (Cochrane 2020). Despite doubts about the validity of the evidence against him, Diab was held in a French prison for over three years before being released due to lack of evidence against him. His story highlights the ongoing consequences and injustices resulting from flawed national security measures, particularly in regard to information-sharing.

The Secret Trial Five (Wala 2014) exposes and confirms the Canadian government's national security practices that are opaque, inaccurate, and shrouded with secrecy, that pose a risk to freedom, especially for those from Muslim and racialized communities, and ultimately elevates the risk of detainment and torture. The government's use of national security as a pretext for such actions cloaks them in secrecy, making it difficult for the public to understand and scrutinize them. Consequently, many affected Canadians resort to using anecdotal evidence to support their cases and to appeal to the public. Abdullah Almalki's story is an example of how the government's pursuit of justice can be invasive and unethical when innocent citizens are

indicted in the name of the “War on Terror.” In an interview with the CBC, Almalki recounts his experience of being detained and tortured:

“In 2002, I was detained in Syria, unknown to me when I was detained, that Canadian officials – RCMP and CSIS had communicated with different agencies. RCMP had sent...false information, extremely damaging information to a number of countries, including Syria. So, I was detained on arrival. I was brutally tortured for 22 months...I was being interrogated on questions that we know now for a fact through two inquiries that it was the RCMP and CSIS providing information and a lot of it false information to the Syrians, very damaging information. And the Canadian ambassador to Syria, the one who was supposed to be working for my release, demanding that I would be released or charged, [who was supposedly looking] after my well-being, he was delivering the questions to my torturers.” (CBC, 2016)

These cases demonstrate the very real consequences of privacy breaches, information-sharing, and maintaining inaccurate data on terrorist watch lists, with decisions being made “not in a context of certainty, nor even of available knowledge, but of doubt, premonition, foreboding, mistrust, fear and anxiety” (Rozdeba, 2009), all of which puts falsely flagged racialized individuals at higher risk of detainment, and potentially torture.

Impact of Racialized Language in Anti-Terrorist Laws

Cases involving individuals with names like James Mason and Richard Reid (the famous 'Shoe Bomber') demonstrate that the Canadian No Fly List affects Canadians of all backgrounds.

However, as Canadian lawyer Faisal Bhabha has pointed out, while anti-terrorism laws may not directly target specific groups, the language used in political discourse to justify such laws often contains highly racialized language. This creates the potential for discrimination in how the laws are implemented. For example, in their 2020 study, Côté-Lussier and colleagues interviewed 95 Muslim community leaders and Muslim experts in Toronto, Vancouver, Ottawa, Montreal, and Calgary, and found that the War on Terror has led to the racialization of Muslim communities in Canada, the US, the UK, and beyond. This was analyzed from interviewees' thoughts, experiences, and concerns with Canada's counterterrorism policies. Consequently, this has contributed to a social climate of fear and suspicion, enabling security governance practices that target Muslims, which have been criticized for inscribing insecurities into society (Côté-Lussier et al, 2020). This is demonstrated in the 2017 Public Report on the Terrorist Threat to Canada published by Public Safety Canada where former Public Safety Minister Ralph Goodale writes:

The principal terrorist threat to Canada continues to be that posed by violent extremists who are inspired by violent Islamist ideology, and terrorist groups such as Daesh and al-Qaida, to carry out an attack in Canada. Some individuals in Canada who are attracted and adhere to such ideologies engage in terrorism-related activities, including participation in online extremist forums, circulation of extremist propaganda, terrorist financing, travelling to join terrorist groups abroad, and in some cases, planning and carrying out attacks in Canada.

Consequently, the sharing of these inflammatory ideologies extends beyond our legislators and has a trickle-down effect that emboldens public servants to display overt racism within their roles. Such is the case with Stephanie Carvin, a former national security analyst at Canada's

Department of National Defence. In 2013, she shared a now-deleted series of Tweets glorifying the “War on Terror” that reinforce Islamophobic sentiments. These Tweets depicted the killings of Muslims as terrorists on home-made cakes, including a portrayal of Anwar al-Awlaki who was a convicted terrorist killed by drone strike by the United States (Colley 2020). Additional cakes Carvin proudly displayed on lawfareblog.com were caricatures of Islamophobic fondant figures offensively titled “Zero Dark Thirtieth Birthday Cake”, in reference to the 2012 film *Zero Dark Thirty* by Kathryn Bigelow. Similarly, Carvin’s cake “Fondant Fighter” is a dehumanizing depiction of a woman in niqab seated next to a Daesh flag, with an angry look on her face (Colley 2020).



Image 5: Screenshot of Stephanie Carvin's now-deleted Islamophobic Tweet



Image 6: Carvin's "Zero Dark Thirtieth Birthday Cake"



Image 7: Carvin's "Fondant Fighter" cake

Carvin now holds a tenured position as a professor at Carleton University's Norman Paterson School of International Affairs. This raises concerns about her sentiments towards Muslims and the potential for her teaching methods to continue perpetuating a legacy of deep-seated disinformation and misrepresentation of Muslims. The problem with the normalization of prejudiced stances is further highlighted by the celebration of individuals like Carvin, who openly touts herself as the "Baker of Hard National Security Choices" (Colley 2020). Carvin holds a position that has a significant impact on the safety and portrayal of our communities, highlighting the reality of systemic violence that is deeply entrenched in institutionalized racism. This serves to heighten the already strong sense of distrust that targeted communities hold towards government bodies and law enforcement.

Carvin's overt racism, however, was not the only such incident within our government bodies in the years since the No Fly List was instated. In 2019, a racist email thread between 10 Transport Canada employees was brought to public attention. The email contained a link to a racist parodied version of Frank Sinatra's "Strangers in the Night" called "Strangers on my Flight" that highlights derogatory lyrics based on racial stereotypes about travelers wearing turbans (Burke 2019). The lyrics included in the email are as follows:

"Strangers on my flight, turbans they're packin', Wondering if they might, plan a hijacking ... What's that in their hands? Looks like box cutters ... Two smelly people, and they're not talking right, and in a moment I will grab a baseball bat, and that will be that ... And if they pick a fight and try to screw us, I'll punch out their lights just like Joe Louis ... Send those bastards to the moon." (Burke 2020)

Though unsurprising, the chilling responses from the Transport Canada employees in the email thread, such as, "THIS IS GREAT!!!!!!!!!!!!!! They should play this nonstop at all airports," (Burke 2020) were alarming. This raised serious concerns regarding the lack of transparency of the No Fly List and the employees responsible for upholding its flawed objective.

Western Imperialist Construction on Post-9/11 Muslim Representation

For too long, communities in struggle have been objectified through a voyeuristic lens, with our stories often told for us by outsiders. Anishnaabe artist and scholar Aylan Couchie writes that, “our voices and identities have been controlled and narrated by others, and Western values ranked over our Indigenous ways of being” (Couchie 2017). While Couchie is referring specifically to the representation of Indigenous peoples under settler colonialism, this observation resonates with the work of late cultural theorist and scholar Edward Said on Orientalism, where the West has historically viewed the East through a detached and exoticizing lens, perpetuating the othering of marginalized communities (Said 1978). Both observations speak to how our stories and experiences as communities in struggle are often filtered through a Western gaze, silencing and ignoring our voices. Hence, when members of marginalized communities represent themselves, they counter that orientalism.

Images such as the now world-famous National Geographic cover of Sharbat Gula or “Afghan Girl” have inadvertently othered marginalized communities.

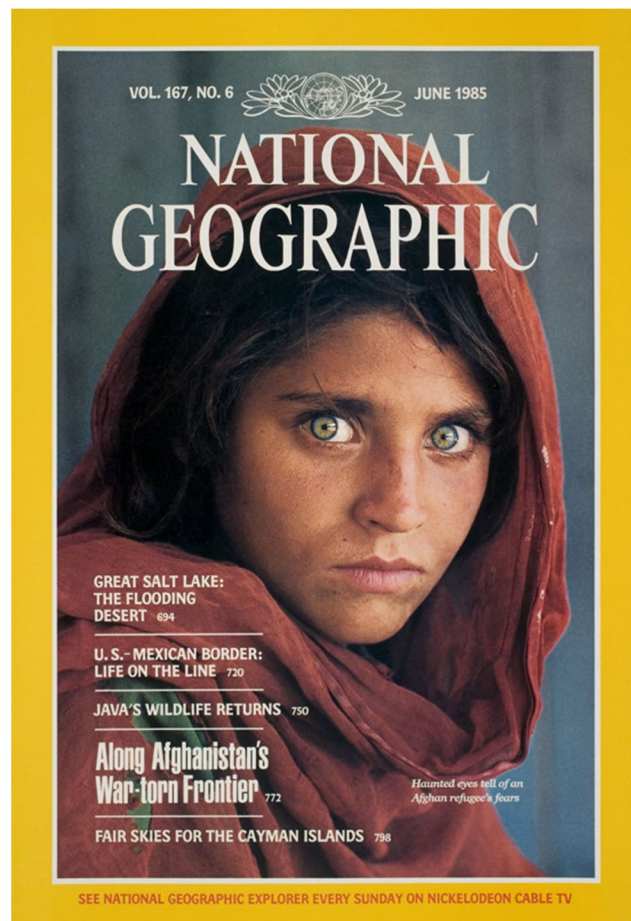


Image 8: June 1985 National Geographic cover photo of Sharbat Gula a.k.a "Afghan Girl".

In an interview with FORA.tv, Steve McCurry, the photojournalist who captured the iconic portrait of Sharbat Gula, claimed that he did not want to make her uncomfortable, yet he persisted in photographing her as he saw it as an opportunity not to be missed. He justified his persistence in photographing her by claiming that it would have been inappropriate for a man to photograph an adult Afghan woman, but photographing a young girl like Gula was “totally permissible.” This justification not only highlights the socio-cultural boundaries that McCurry ultimately crossed, but it also raises questions about consent given that Gula was not only a

minor, but also unable to understand the situation due to language barriers. McCurry also mentioned that Gula needed “coaxing” from her teacher in order to sit for the photograph, adding another ethical layer to the issues of consent. The West has historically toured the “Orient” out of a reservoir of infinite peculiarity, always ready for new examples of “bizarre jouissance”, or the enjoyment of witnessing the perceived exoticism of the East (Said 1978). McCurry claims that Gula’s now iconic photo was published on the front page of National Geographic magazine in order to motivate global aid regarding the displacement of so many Afghans as refugees as a result of the American invasion of Afghanistan. However, as Alok Vaid-Menon eloquently states, “the camera exposes, it does not defend” (2023). In McCurry’s case, however, the camera exploited.

When we document the experiences of marginalized people, we face a range of ethical and moral considerations. It is essential that we examine our own assumptions and intentions, and prioritize the safety and agency of the communities we seek to document. The storyteller must not let their personal ambitions supersede the responsibility to respect and uphold the dignity of the people being documented. As philosopher Linda Alcoff argues, the very structure of discourse creates a problem with speaking for others, and altering this structure is necessary to ensure that we do not inadvertently perpetuate harmful power dynamics (1991). We cannot simply look at the speaker, activist, or documentarian’s credentials or location, nor can we focus solely on the content that is produced. We must also examine where the story goes and what it does there. This is because discourse is an event which includes the speaker, the words, the audience, the location, the language, and other factors (Alcoff 1991). For example, when a well-meaning person from a privileged background speaks for a marginalized community, the very act of speaking may

reinforce oppressive hierarchies and disempower the community being spoken for. As Paulo Freire explains in *Pedagogy of the Oppressed*, “any situation in which some people prevent others from engaging in the process of inquiry is an act of violence...to alienate humans from their own decision making is to change them into objects” (1970). Therefore, the storyteller’s role should be to facilitate a participatory process that empowers the participants and acknowledges their agency in the telling of their own stories. By doing so, we can work towards a more just and equitable world, where marginalized communities are able to speak for themselves and shape their own narratives.

In her book, *Questions for Ada*, the poet Ijeoma Umebinyo writes that we, “are not alive to please the aesthetic of the colonized eye” (2015). However, historically, our voices as racialized people have been silenced and our experiences misrepresented, perpetuating harmful stereotypes and distorting our stories. These misrepresentations have been exploited for political gain through fearmongering and misinformation. This is evident in the ways Muslims and people from Middle East, North Africa, and South Asia (MENASA) have been portrayed in the media as, “bearded clerics, mad suicidal bombers, unrelenting mullahs, fanatical fundamentalists, kidnappers, and remorseless turbaned crowds who chant hatred of the [West]” (Said 1988). Such stereotypes perpetuate the myth of Western superiority and patriotism. Films like *Zero Dark Thirty* (Bigelow, 2012) and TV series like *24* (Surnow & Cochran, 2001) use these portrayals to justify torture under the guise of the War on Terror.

The use of torture scenes in *Zero Dark Thirty* depict Muslim prisoners with thick accents and disheveled appearances being waterboarded, as well as one prisoner being stripped and forced to

wear a dog collar in an effort to humiliate him further (Bigelow 2012). Although these torture scenes caused a lot of controversy when the film was released, the focus of the controversy was not on the dehumanization of Muslim men being waterboarded and force-fed. Instead, former CIA official Jose Rodriguez attempted to downplay the ruthlessness of the CIA in an effort to preserve the CIA's reputation, by claiming that the torture scenes depart from reality in *Zero Dark Thirty* (Rodriguez 2013). However, according to the late journalist Michael Hastings, the CIA played a significant role in shaping *Zero Dark Thirty*'s narrative, as CIA officials corresponded with the filmmakers to negotiate favourable access to what they described as the "first and biggest" movie about the Bin Laden raid. (Hastings, 2013). Hastings also noted that the White House approved the film and urged it to receive more "visibility," calling it the most "high profile" project to date.

"The normalisation of torture in *Zero Dark Thirty* is a sign of the moral vacuum we are gradually approaching," stated Slavoj Zizek in an opinion piece for The Guardian about the film (2013). This is made clear in a subreddit about *Zero Dark Thirty*, where public opinion about any issue is offered anonymously. One reddit users posted, "I was curiously unaffected by the torture scenes" with another responding, "I was curiously unaffected by them too because they gave more human traits to the guy torturing people to avenge his country" ("*Zero Dark Thirty* and the Use of Torture", 2015). Despite the radicalization of the Western viewership against Muslims and racialized communities, the xenophobic film is platformed with praise for Kathryn Bigelow and her woman-led protagonist, celebrating it as "a feminist film epic and the real women of the CIA" (Bergen, 2012). The film not only dehumanizes and vilifies Muslims, but it also reinforces

Islamophobic attitudes and promotes a complete desensitization to the witnessing and experiencing of violence.



Image 9: Director Kathryn Bigelow on set of her film *Zero Dark Thirty*, 2012.

Traditionally, Western imperialism has relied heavily on media propaganda to legitimize the “The War on Terror”, not only in how disinformation is conveyed in films and TV series, but also through visual aesthetics that compliment xenophobic sentiments. This is noticeable in how racialized people and their character developments are portrayed in media with dark and moody lighting, dishevelled character aesthetics, darker skin, and unkempt beards and turbans, creating a deep separation from their humanity, thereby making them ungrievable in their storylines. These productions have served as staple mouthpieces in effectively shaping public opinion of Muslims and people from MENASA, garnering support for tougher national security and listing regimes. As writer Nadeine Asbali points out, “When Muslims, especially men, are routinely

dehumanized and associated with threats and perversions, then violence towards them becomes normalised” (2023).

As a result, the influence that propaganda has on the mainstream continues to place Muslims in the continuum of racialized threats. Consequently, increases in Islamophobic and xenophobic hate crimes continue to perforate the safety of our communities, with the rate of such hate crimes having risen by 253% from 2012 to 2015, according to Statistics Canada (Minsky, 2017).

Audio-Visual Storytelling: The Making of *Listed*

In all my works, I strive to give voice and dignity to the stories of my participants by showcasing their depth and history through an audio-visual aesthetic that challenges voyeuristic depictions of marginalized communities in mainstream media. The same intention informed my approach to filming and editing *Listed*, where the audio-visual treatment played a crucial role in capturing and presenting the essence of my participants' experiences.

Sound plays an important role in *Listed*. With the participant's dialogues taking centre stage, soft reflective piano instrumentals provide emotional context to Faizal and Sarah's stories. Drawing inspiration from Yann Tiersen's work on films like *Good Bye Lenin!* as well as his latest album *Kerber*, and Jon Brion's soundtrack for *Eternal Sunshine of the Spotless Mind*, the musical composition of *Listed* guides viewers in a steady rhythm as we travel from one scene to the next, with the score allowing moments of reflection as the story unfolds. Additionally, the film's soundscape features balanced sound effects of Amin's chatter, which serve as secondary and tertiary background noise to honour the innocence of his childhood and the family's story.

The visual style of the film draws inspiration from documentary films like Rachel Grady and Heidi Ewing's *One of Us*, which effectively conveys the poetic nature of the struggle for freedom without romanticizing these experiences, such as by using golden hour and dusk shots to mirror participants' strengths as well as their vulnerabilities. Grady and Ewing examine how environments shape the people who live in them, underscoring the interdependent relationship between individuals and their surroundings (Schager, 2017). Similarly, my film illustrates the experience of falsely flagged individuals as they navigate a social and political environment that

is often exclusionary and marginalizing. By documenting their experiences, my film aims to reflect the impact of systemic oppression on people's lives, and challenge viewers to reconsider their relationship with their environments.

Drawing inspiration from films like *The Secret Trial 5* (Wala 2014) and *Imminent Threat* (Ambros 2015), which expose the injustices faced by marginalized communities as a result of the War on Terror, I chose a different approach for *Listed*. While I appreciate the gritty aesthetic of these films, which can powerfully evoke the violence and isolation that participants face as targets of state violence, I chose to showcase the humanity and complexity of my participants in a way that resonated beyond immediate violence and oppression. By emphasizing their agency and resilience throughout their struggles, I chose to convey a more nuanced understanding of their experiences and the enduring effects on their lives and the lives of their loved ones.

Using a Sony FS7 camera, my cinematographer brought my vision for *Listed* to life by capturing intimate moments that portrayed my participants as multidimensional individuals, rather than just “objects of pity with little to say for themselves” (Rabiger 2009, p.325). Through the film's aesthetic, music, and dialogue, my artistic direction serves to disrupt a history of voyeurism and exploitation in media by returning the power to those who have been silenced and misrepresented.

Community Engagement

As an intersectional diasporic woman, I belong to many ethnic, religious, artistic, and activist communities, including some that are most directly affected by the No Fly List. When I founded my production company, Otherhood Films, my goal was (and remains) to create media works that not only educate but also authentically reflect the histories, intersectional identities, and legacies of resistance and resilience within my communities.

In keeping with my commitment to community engagement and accessibility, deliberate consideration was given to the use of subtitles in *Listed*, as is customary in all of my film works. This was done with the intent of bridging the gap for multilingual communities, including my own, who have long been hindered by communication barriers in the arts. The provision of subtitles enables the viewers to watch the film at their own pace, allowing them to pause when necessary to ensure that the information being conveyed is fully understood, especially when it pertains to their own experiences. By employing this technique, *Listed* seeks to enlighten and empower its audience, ensuring they are well-informed about the No Fly List and can remain vigilant in similar situations, as is often the case in advocacy circles.

Given that my core audiences are made up of intersectional communities, it is likely that viewers will belong to multiple core audience groups, and they may encounter the film through multiple promotion and distribution avenues.

The first core audience of *Listed* includes Muslims, Arabs, South Asians, and Black communities who are often subjected to surveillance lists and racial profiling. These communities may access

the film through community screenings set up by distributors like Cinema Politica and the Prisoners' Justice Film Festival – both grassroots organizations I continue to partner with in advocacy work. They may also access the film through various platforms like Netflix and Vimeo.

The second core audience group includes academics, university campus activists, campus clubs like the Social Justice and Peace clubs, Political Science departments, Film and Media departments, and other students and instructors. These are communities that have a deep interest in human rights issues and believe in the power of media to amplify underrepresented causes. They will access the film through distributors like the Canadian Filmmakers Distribution Centre, which features works from historically underrepresented communities, as well as Vtape, an artist-run distributor platform for educators, scholars, and the public.

The third core audience encompasses documentary filmmakers and cinephiles, and supporters who contributed to the film's GoFundMe campaign. These groups enjoy attending film festivals and strongly support independent films, including human rights-based stories. The GoFundMe supporters have generously provided financial support for the film and are eagerly anticipating its outcome. These audiences will access the film through festivals like the JAYU Human Rights Film Festival, HotDocs, Berlinale, CPH:DOX, and the Toronto Palestine Film Festival and their co-presenters. Given my history of collaborating with several of these festivals in the past, I intend to utilize these relationships to maximize the film's distribution.

Conclusion

For advocacy movements, documentary is a mode of “reinterpreting history, bearing witness to our times, and prophesying the futures.” (Rabiger 2009, 24)

Documentary film has long been my preferred medium of storytelling. In addition to there being a profound and untethered element about capturing a person’s emotions on their face as they express them in real-time while sharing their stories, documentary film—if approached respectfully and ethically—attempts to amplify and preserve the participants’ voices and their stories in their truest states.

Given the aforementioned factors and out of respect for my participants, and drawing on my decades-long advocacy work and experience in documentary filmmaking, I recognized that documentary film would be the most effective medium to authentically convey Faizal and Sarah's story in *Listed*, with the potential to deeply resonate with audiences in the long-term. Although I have had personal experiences with family members placed on listing regimes with many cases of detainment due to surveillance and the historical suppression of our communities’ voices, Faizal’s dehumanizing experiences of racial profiling, detainment, and having his passport confiscated by armed guards still weighed heavily. However, it strengthened my mission to amplify his story to bring awareness to the dangerous consequences of maintaining a listing regime that disproportionately impacts racialized people, particularly with Muslim names.

In many aspects, *Listed* is a call to action. As Michael Rabiger explains, “A more demanding texture of word and image places the spectator in a more responsible relationship to the “evidence” presented by expecting active rather than passive participation. The contract is no

longer just to absorb and be instructed. Instead, the invitation is to interpret and weigh what you see and hear” (Rabiger 2009, p.228). In this manner, the film encourages viewers to question and process what they are seeing and hearing, inviting them to be a part of the collective effort in the struggle for justice.

Listed concludes with a shot of a neon sign suspended from a large wooden frame that displays the question “Should I Be Worried?” Vancouver-based artist Justin Langlois created this with the aim of sparking ongoing dialogue about social, economic, and environmental sustainability (2019). Inspired by Langlois’ rationale for creating the installation, I included it in my film to encourage ongoing dialogue about Canada’s opaque national security measures. As Bashir Mohamed expressed to the Standing Senate Committee on Human Rights on May 8, 2019, “To flag me, a Canadian citizen, and have my threat level checked by a security officer each and every time I fly does not only make me feel like a second-class citizen, but it also makes me one.” This speaks to the need for ongoing dialogue about the impact of national security measures on the rights and freedoms of Canadians.



Image 10: "Should I Be Worried?" by Justin Langlois, 2019.

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