

TRAVELLING WHILE ARAB:  
A PODCAST AND STUDY OF THE EFFECTS OF SOCIAL MEDIA ON FREE MOVEMENT

by

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## **Abstract**

### **TRAVELLING WHILE ARAB: A PODCAST AND STUDY OF THE EFFECTS OF SOCIAL MEDIA ON FREE MOVEMENT**

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Master of Digital Media

Digital Media, 2020

In August 2019, 17-year-old Harvard Freshman and Palestinian Refugee Ismail Ajjawwi was deported back to Lebanon upon arrival at Boston's Logan Airport by immigration officers for “political points of views that opposed the US” expressed by his friends on his Social Media. His free movement may have been deliberately sabotaged under the guise of contesting political agendas by association through the justification of requiring people to relinquish their personal social media in the interest of security. This paper and accompanying Podcast positively infers that Social Media can be arbitrarily used against Arabs to hinder or restrict free movement due to racial profiling, further discussing what constitutes credible political threat, the virtual degrees of separation between an individual and a ‘non-desirable’, and which countries are moving to protect the digital privacy rights of individuals and citizens. These issues will be addressed using a mix of virtual interviews worldwide with people who have experienced it, studying previous scholastic journals and articles, obtaining statements from immigration professionals and advisors, and creating a platform in the form of a Podcast for individuals to share their own stories and opinions.

#### **Key words:**

Immigration | Digital Privacy | Freedom of Movement | Racial Profiling | Podcast | Storytelling | Policy | Culture | Department of Homeland Security | Politics

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## **Dedication**

For my father and brother.

## Table of Contents

Author's Declaration.....	ii
Abstract.....	iii
Acknowledgments.....	iv
Dedication.....	v
Table of Contents.....	vi
Introduction.....	1
Literature Review.....	3
Episodes.....	6
Methodology.....	11
Analysis.....	15
Conclusion.....	18
Appendix A.....	20
Appendix B.....	24
Appendix C .....	28
References.....	33

## Introduction

*It was August 2016 when I arrived back to the United States from a long stay home in Jordan. The 16 hour flight takes a toll, and waiting at immigration fills me with anxiety. As I rightfully cross into the line for US Citizens, I should feel like I've arrived at my second home, but upon placing my passport in the automated customs and immigration machine, a paper spits back out my face, now marked with an 'x'. Questioning. For the 3rd time in a row, I would be taken to a separate neon lit room, with formica desks and wooden officers and questioned. Why was I here? What's my birthday? What's my mother's maiden name? Why was I in Jordan? Why has it been so long since I've returned? This, I expected, but for the first time, in August 2016, I was asked to provide something new: my social media handles. And why not, I thought? I was, after all, travelling while Arab (Gargour, 2020).*

The above statement echoes what you will hear upon listening to the first episode of the creative project entitled 'Travelling While Arab'; a three-part podcast that explores the question of immigration security's use of social media to hinder or restrict the free movement of Arabs in Northern America, as well as a tool of repression and data-gathering in the Middle East. Using Jessica Abel's book 'Out on the Wire' (Abel, 2015) as a jumping off point, the podcast assumes a narrative-driven storytelling form that requires proficient research skills, interviewing sensibilities, production know-how, and the ability to ask thought-provoking questions and collect information in an accessible and digestible manner. My unique position as an Arab-American who has lived predominantly in Jordan with regular excursions to the United States and education in Britain gives a slight advantage in being able to see both sides of the cultural coin, and allows for self-reflection and an honest portrayal and appreciation of both traditions. Moreover, I myself have been detained no less than four times over the past 10 years upon entry in the United States, adding credibility and empathy while conducting personal interviews.

Throughout the project, my main goal has been to elicit and capture emotional responses to personal experiences by Arabs who have felt discriminated against during their travels, as well as provide credible legal and scholastic sources to help determine whether indeed there had been profiling by immigration authorities, or whether they had been within their rights to restrict or refuse entry. The interviews escalate in severity from dual nationality US citizens being held upon arrival to the United States from Arab countries, to lawful non-US citizens being turned away with valid visas, to social media being used as a tool to threaten and restrict freedom of expression within the Arab world by pain of abduction and/or death.

This paper, alongside the accompanying podcast, intends to illustrate the potential blanket profiling methods many Arabs may face upon travel due to media stereotyping, cultural insensitivity to non-traditional use of social media, xenophobia and Islamophobia.

The paper also references legal milestones both in Northern American and the Middle East that lay out the evolution of surveillance pre and post September 11 which altered the powers of immigration officials to act outside of normal constitutional capabilities such as The Patriot Act in the United States and Bill C-36, the Anti Terrorism Act in Canada, and further blurred the arena of Digital privacy and data collection methods used by both private corporations and governments alike.

I chose Podcasting as the preferred medium of storytelling due to its accessibility, and ability to tell a moving story with basic production knowledge and a humble budget. According to research conducted by Edison Research and Triton digital, it was estimated that 32% of the U.S. population are currently invested in monthly podcast listening, and 62 million listeners weekly (Edison, 2019). As of July 2020, it's estimated that there are more than 850,000 active podcasts, which has already grown exponentially within the few months of lockdown as a result of the world-wide Covid-19 outbreak (Whitner, 2020).

## Literature Review

In her article “‘All Arabs are Liars’: Arab and Muslim Stereotypes in Canadian Human Rights’ (Bahdi, 2019), Guthrie award winner and human rights expert Reem Bahdi references multiple legal cases that confirm racial bias towards Arabs in the Canadian legal system. Specifically, she states three predominant stereotypical stigmas attached to Arabs: that they have a propensity for violence; that even after obtaining citizenship they are still considered foreigners; and that Arabs and Muslims are dishonest. The stereotypes are further exacerbated by the negative depiction of Arabs and Muslims in western media, effectively highlighted by Jack Shaheen’s book, “Reel Bad Arabs” (Shaheen, 2001). She believes that “Arabs and Muslims increasingly face discrimination in national security surveillance practices at border sites” (Bahdi, 2019, p. 94).

In her paper, she selects nine human rights adjudications spread across the provinces of Ontario, Quebec, and British Columbia between 2002 and 2017 searching the terms “Arab” or “Muslim” by citation count, including one case considered by the Supreme Court of Canada, *Quebec vs. Bombardier Inc* (2015), with the intention of highlighting the destructive power of discrimination. Reem states that “rather than inviting judgement on the basis of perceived characteristics to be based on proven facts, stereotypes invite judgement on the basis of perceived characteristics and popular myths” (Bahdi, 2019, p. 100). This particular statement will be validated and examined in the case of Yahya Abu Rumman, an interviewee on the Travelling While Arab Podcast we will learn more about shortly, and is also essential in clarifying the roles of Customs and Border Patrol Officers who are distinctly told not to judge a person by their ethnicity save for in the case of a valid terrorist threat (Napolitano, 2013).

She also believes that while not eradicated in Canada, racial stereotypes and discrimination have in some way at least been acknowledged in other minorities, referencing the stereotype that Jews are untrustworthy in *Abrams v North Shore News and Collins* (1999) or that Chinese men are criminals in *R v Koh* (1998).

All three of these statements are confirmed within my own interviews, where for example, the arbitrary decision by a United States Customs and Border Protection officer to deny entry to the graduate student Yahya resulted in a loss of opportunity in Canada by association, or where an Arab US citizen is made to feel less than welcome upon arrival to America.

A question occurs, though, when we begin challenging the powers afforded to Customs and Border Protection Officers to search through our potentially private social media profiles in order to ascertain our eligibility to enter the United States. In a handbook published by the Electronic Frontier Foundation entitled ‘Digital Privacy at the U.S. Border’, Cope et al. (2017) state that in 2016, there was a five-fold increase in the number of electronic media searches at the

border, and argue that since “our devices carry records of private conversations, family photos, medical documents, banking information, information about what websites we visit, and much more” (p. 5), that these checks may have breached the right to privacy. This is especially true when the traveller has access to personal information of others that they are professionally and morally obligated to protect, such as lawyers, doctors, or journalists.

The handbook makes clear that non-legal status visitors under tourist visas, for example, have to recourse in the case of being turned back upon arrival to the U.S. if they do not satisfy the officer in charge. This absolute power is discussed with civil rights activist and immigration Lawyer Christina Abraham in Episode one of the podcast. They do, however, clarify that U.S. citizens cannot be denied entry, whilst permanent residents may face questions about their continued status if they chose not to relinquish personal information.

The document also informs us that the right to privacy is a right that is protected by the First Amendment (freedom of speech, association, press, and religion), the Fourth Amendment (freedom from unreasonable searches), Fifth Amendment (freedom from self-incrimination), and Fourteenth Amendment (freedom from discrimination). We discuss each of these areas throughout the rest of the paper, both from a U.S. constitutional standpoint, but also as a guiding moral compass to tackle questions within the Middle East.

Seeing that social media has gradually grown to consume so much of our time and essentially acts as a digital transfer of our beliefs, habits, and mannerisms, it's no wonder that unhindered access to our information would be desired by immigration officials and large corporations alike. Nicolas Suzor explains in his 2018 paper entitled ‘Digital Constitutionalism: Using the Role of Law to Evaluate the Legitimacy of Governance by Platforms’ the need to secure safeguards to be installed between users and data-gatherers to protect user interests and ensure digital privacy rights, and that they have a legal and social responsibility to protect those rights. Suzor studies 14 contractual terms of service, and argues that a potential answer to safeguarding the privacy of user-data lay in mirroring the required principles found in rule of law, namely “meaningful consent, equality and predictability, and due process” (Suzor, 2018, p.5).

According to Suzor, Meaningful consent would require social media platforms to dismiss overly broad discretion to terminate access eliminating absolute power by providing adequately definitive service terms that serve a common good, removing the barrier of the ‘take it or leave it’ attitude of many platforms today. Equality and predictability infers that service terms need to be stable enough and equally applicable to guide user behaviour, encouraging more plainly written contractual agreements that would be accessible to the average user without being bombarded with legal jargon. Finally, and perhaps most importantly, users must believe that they are entitled to a timely and fair method to resolve disputes, so long as they have adhered

to the predictable nature of the terms of services. This requires valid transparent and understandable criteria in which the decision was made, and an avenue to appeal the decision.

At the time of writing this, Twitter has yet to rectify a decision made to suspend an account I created under the handle @TravellingArab with the intention of using it as the official social media handle for the podcast 'Travelling While Arab'. They have not provided any reason for the suspension, and I have reached out twice according to their recommended avenues of recourse to correct the wrongful suspension to no avail. It has been precisely 37 days since my initial request to reinstate the handle, with no explanation towards the decision, and no response.

My own experiences as a social media savvy Arab-American who has been asked to provide his personal handles in the past will serve as a platform to adequately test the above theories along with interviews with digital privacy advocates, immigration specialists, and interviewee testimonies.

## Episodes

Episode one, entitled 'Turned Away', consists of an interview with 20 year old Jordanian graduate Yahya Abu Ramman, who was denied entry into the United States even though he had a valid 5 year visa (Arraf, 2017). Yahya shares with us his story of being detained and sent back to Jordan after being refused entry, and we discuss the legal ramifications and legalities of the search procedures he underwent with his attorney at the time, Christina Abraham, as well as clarifying the powers afforded to the Customs and Border Protection Officers (See Appendix A for Episode One Working Script).

This story was reminiscent with that of Ismael Ajjawi, a Palestinian refugee based in Syria awarded a scholarship at Harvard University who was turned back upon arrival to the United States in 2019 which garnered national interest (Simko-Bednarski, 2019). I managed to track Yahya down using Facebook, and secured an interview asking him about his experiences, his grievances, and the way in which that occasion changed his view on US immigration policies. I also attained an interview with his pro-bono lawyer who represented his case at the time, Christina Abraham, to further expand upon the legalities of this ordeal.

In this episode, we discuss potentially that one of the main potential points of confusion by the CBP officer may have been due to the fact that although Yahya presented him with a Jordanian passport, his place of birth is recorded Syria, one of the countries banned entry under Executive Order 13769, titled Protecting the Nation from Foreign Terrorist Entry into the United States, or as it's more commonly known, the Muslim ban. The order effectively banned granting non-diplomatic visas to 7 predominantly muslim countries under the guise of terrorism prevention, Syria included. Due to cultural differences, the officer seems unable to process the fact that Arabs are entitled to citizenship according to their father's nationality, and not place of birth, thus his Jordanian father would have allowed him to automatically inherit the Jordanian nationality regardless of place of birth.

We point out in the issue that the CBP officers' powers exceed those of regular policing agencies due to the fact that they operate outside the social and legal confines of authority figures within the US border. Therefore, they have absolute power to search personal belongings including electronic documents and make decisions that do not have to be justified nor weighted. Simply put, Yahya claimed no legal status, therefor was afforded no recourse to arguably discriminatory presumptions, for example, the suggestion that Arabs in general have a history of marrying American citizens with intention of inheriting the citizenship even though CBP pledges to handle each case on individual merits, not on discriminatory group assumptions (2013).

Using David Bier's policy analysis of what data collection methods are now being utilized by the Department of Homeland security (Bier, 2018), we discover the stark contrast in data col-

lection and regulation pre and post September 11th. Before the harrowing events that shook the United States on September 11th and changed worldwide travel as we know it, applying for a visa to the US was a fairly painless experience. The main concern of visa screening was to determine if an individual was going to overstay their welcome, not terrorist vetting. If your name wasn't one of a handful of names that popped up on the State's terrorism database TIPOFF, chances are you wouldn't be inconvenienced. The Predecessor to the Department of Homeland Security, The Immigration and Naturalization Services (INS), were limited to an average of 45 seconds of interview to determine the eligibility of an interviewee. These agencies just assumed that counterterrorism was the domain of the FBI, or CIA. Furthermore, the collection of biometric data was only mandated upon people denied entry at the border, unlike the vigorous data collection routines practiced today. Since most everything was on paper, they couldn't even access a person's photograph at a moments' notice. After 9/11, however, The immediate aftermath of the chaos ensured the total reformation of data collection and vetting standards. Visa applications now demanded in-person interviews. The creation of the National Counterterrorism Center ensured cross department information sharing, and funnelled information into a new standard named the Terrorist Screening Database. On the morning of September 11th, for example, TIPOFF contained 60,000 names. As of 2016, the TSDB now contained one million. There now exists the implementation of the Consular Lookout and Support System (CLASS), an online database that includes more than 35 million people to whom have been denied visas, criminal records, and other disparaging information, social media included. In 2010, the Department of Homeland Security agreed to collectively share the biometric data of any visa applicants within the US, Canada, Australia, New Zealand, and the United Kingdom, nefariously known as the Five Eye Nations (Cope, R. et al, 2018).

Episode 2, entitled 'Detained', recollects the story of Mohammad Nasr, a Jordanian and Naturalized American citizen who has on two occasions been detained and questioned by Customs and Border Protection officers, pre 9/11 and more recently after the introduction of Executive Order 13769, and evolves into a discussion of data gathering and management with Professor Katina Michael of Arizona State University (See Appendix B for Working Episode Two Script).

Although Mohammad's first story about being a 16 year old minor detained after the Oklahoma bombings strengthens the presumption there are stereotypical stigmas that have followed Arabs even before the events of 9/11 as referred to by Reem Bahdi in her article "All Arabs are Liars" (Bahdi, 2019), it's his second time that he was detained and required to disclose his social media handles that leads our conversation to the very philosophical and subjective issue of what constitutes 'privacy'. While in the United Kingdom, for example, the Calcutt Committee on privacy states that privacy is "The right of the individual to be protected against

intrusion into his personal life or affairs, or those of his family by direct physical means, or by publication” (Answers, 2018), the United States has continuously evolved the definition of privacy ever since the publication of Samuel Warren and Louis Brandeis’ ground-breaking article ‘The Right to Privacy’ in 1890 (Brandies & Warren, 1890). While also broadly protected under a constitutional penumbra, more specifically under the First, Fourth, Fifth, Ninth, and Fourteenth Amendments to the US Constitution, the definition of privacy as of today is still elusive and requires clarification (Jones, 2017), especially where legal mechanisms can be used to skirt vague interpretations of privacy under the guise of anti-terrorist measures. According to the Electronic Frontier Foundation, the now Automated Biometric Identification System (IDENT) database contains information on 220 unique individuals and processes 350,000 fingerprint transactions every day. They estimate that Between IDENT and other Department of Homeland Security managed databases, the agency stores over 10 billion biographic records, adding 10-15 million more each week. Today, we’re learning more about a mysterious Homeland Advanced Recognition Technology or (HART) biodata collection method soon to be implemented, which will collect and store individual indicators like birthmarks, DNA, voice and face recognition, tattoo and scars, and even more worrying, assumptions about social circles and relationships, potentially partnering with 3rd party private companies suspected to be social media giants, proving that the United States Department of Homeland Security has one of the most robust and rich data collection and storage methods in the world (Lynch, 2018).

Pursuant to the potential personal privacy breaches individuals may face regarding immigration and policing, our conversation then shifts to the possible erosion of checks and balances necessary to safeguard the privacy of consumer data within corporations with the introduction to the EARN IT Act currently circulating congress, which would allow state legislature to sue a website owner for content posted by a subscriber in the interest of preventing crimes against children (Mullin, 2020), and Katina Micheal cautions that the removal of end-to-end encryption for any reason would result in reduced digital privacy by allowing access by lawful policing forces and black-hat hackers alike (Gargour, 2020). Not to infer that one should feel totally secure knowing that their personal information is being stored by corporations, the episode then mentions numerous corporate security breaches which resulted in high-profile scandals, most notable being that of the Cambridge Analytica debacle, which was discovered to have been inserting nefarious terms and regulations in a facebook app which allowed them access to 87 million facebook users’ likes and dislikes, compositing an eerily accurate prediction algorithm easily usable for political gain (Confessore, 2018), and Google’s machine learning project Nightingale, which attained the records of 2,600 clinics and hospitals spanning 21 states, gaining access to millions of sensitive and private patient records without patient or doctor consent (Fussell, 2019).

We end the episode with a reminder that travellers are still unaware as to what CBP officers may be searching for, and what could be considered grounds for refusal of entry, and this poignant quote by Katina Michal “We can’t create context that separates people, and makes people fear each other. That is the worst thing that could happen to humanity right this moment” (Gargour, 2020).

Episode 3, entitled ‘Repression’, aims to clarify that while certain legislative checks and balances are threatening free speech in the modern North American political landscapes according to discussion with professor Reem Bahdi, the Middle East remains a tumultuous arena of secretive data surveillance and collection methods enforced by governments and militias alike, sometimes one and the same, as in the case of our guest Hayder Hamzoz’s testimony concerning Iraq and social media (See Appendix C for Episode Three Working Script).

Hayder, the creator of the Iraqi Network for Social Media and a social media campaign strategist currently residing in the United States speaks candidly about the growth of Electronic Armies created to combat anti-government rhetoric, effectively weaponizing social media in Iraq, and stifling free speech. Since the ongoing October Revolutions reignited mass protests in 2019, a United Nations report places the reactionary death toll by unnamed militias at almost 500 people, with 8,000 wounded, and 25 unaccounted for (UNAMI, 2020). It is here we find that Hayder’s power in numbers on Twitter and Facebook becomes a boon, a weapon of mass information used to swiftly assemble protests, rectify false or misleading media, and ensure accountability to those who would have easily hid from responsibility before the birth of social media. His outspoken nature, however, results in numerous death threats, and an attack on his father upon returning from an incognito trip to Iraq to report from the front lines, and amplifies the need for social media corporations to double their efforts to reduce providing platforms for potential violence.

According to Damian Redcliffe and Hadil Abuhmaid’s report ‘Social Media in the Middle East: 2019 in Review’(2020), some action has been taken by Social media giants in an attempt to stem the flow of misinformation and creation of extremist groups. In 2019, for example, Agence France Presse expanded its fact checking partnership with Facebook to debunk false stories shared in Arabic across the world. Facebook also removed 259 accounts, 102 pages, 5 groups, and 17 Instagram accounts practicing ‘coordinated inauthentic behaviour subsequently linked to 13.7 million users. During the second half of 2018, Twitter removed 166 thousand accounts for violations related to promotion of terrorism, 91% being flagged by internal technological tools. Yet even with these efforts, many extremist terrorist groups manage to slip by, and the situation is further aggravated when the country in question itself is creating the framework for the stifling of free flow and democratization of information.

Hayder now informs us of the proposed Iraqi Cyber Crimes Law initially proposed in 2013, which he states is a retroactive law which aims to stifle government opponents and free speech (Gargour, 2020). His claim is supported by Amnesty International, who have stated that enacting the law would “seriously hinder freedom of press and freedom of assembly, while failing to protect the privacy of users and anonymity of sources” (Amnesty International, 2019).

I’m familiar with this type of blanket law, because I had seen first-hand the incarceration of a fellow radio host who was held for a short period of time in Jordan after posting an off-colour picture of Jesus Christ, and was said to be inciting religious division under Article 150 and Article 15 of the Jordanian Cyber Crime Law (Roya News, 2018), however, due to the close ties and potential of burning bridges with potential future employers, I chose not to reference this incident in the Podcast. This decision is further fleshed out in the analysis segment of this paper. I instead opt to clarify the lack of clear and objective wording in the current amendments to Cybercrime Law No. 27 of 2015, which includes a worryingly broad definition of ‘hate speech’ as ‘writing to provoke sectarian or racial sedition’, and would prosecute people who engage in ‘fake news’ or ‘rumours’ although the bill does not contain a definition as to what that entails. A member of the International Covenant on Civil and Political Rights, Jordan’s current proposed Cybercrime law failed to meet the standards governing Freedom of expression when it was initially proposed in 2010, and has yet to fulfil them today (MENA, 2019).

At this point in the episode, we are introduced to University of Windsor Professor Reem Bahdi, who received the 2017 Guthrie Award for exceptional access to justice champions who shares her concern the North America also struggles in adequately defining ‘hate speech’ but also references the dangerously opaque terms and regulations enacted by social media giants. We draw on the example of outspoken Palestinian supermodel Bella Hadid’s experience as her father’s Passport photo stating his birth country as ‘Palestine’ was removed from Instagram for going against their community standards (VanHoose, 2020). Although not outright illegal, Reem also states that she believes that there is indeed a chilling effect on the freedom of speech of Arabs living abroad and those who share Pro-Palestinian rhetoric showcased through employment discrimination as clarified in her published articles ‘Narrating Dignity: Islamophobia, Racial Profiling, and National Security Before the Supreme Court of Canada’ (Bahdi, 2018), and “‘All Arabs Are Liars’: Arab and Muslim Stereotypes in Canadian Human Rights Law’ (Bahdi, 2019).

## Methodology

LinkedIn and Facebook were the primary resources used to reach out to candidates to be interviewed, and once agreed, a mixture of Google Meet and the subscription service Squadcast was used to capture audio. While google only allowed one main audio recording from both parties downloadable as an MP4 files, Squadcast separated audio capture in two separate streams, host and guest, allowing easier editing and no overlapping conversation, also providing the choice to download audio data as MP3 or larger WAV files best suited for a podcast. Interviews were then sent to subscription web based transcript service Otter.ai, which was then used to transcribe all audio conversations into text for easier navigation when editing the episodes. Once the structure of the scripts were complete, editing and narration was completed using the reputable podcast production program Hindenburg Pro, and a Blue Yeti condenser microphone ensured a professionally captured narration. The sound and music library of subscription service Sounstripe.com was used to provide licensed music suited to the style of the podcast episodes, and once completed, episodes were exported as WAV for highest quality uploads. The episodes would now be uploaded to a paid podcast server called Simplecast to host the episodes, ensuring the ownership of the Really Simple Syndication (RSS) feed allowing the freedom to move hosting servers at will, and scheduled for release from the 22nd of august.

The manner in which this project aims to answer whether or not the Arab society is subject to more scrutiny due to their social media presence is heavily based on academic research, legal understanding, and collecting first hand experiences by those who have been profiled in the past, alongside a watchful eye on current events and news, and there were many trials and errors which in hindsight allows a more nuanced reflection of the completed project.

During my preparation, I conducted interviews that ranged between 30 minutes and 90 minutes in length depending on the intensity and flow of natural conversation with ten individuals, collecting a total of approximately nine hours worth of audio. These individuals are: Fouad Gritli, Amjad Al Dajani, Tamer Tabbaa, Yahya Abu Rumman, Hayder Hamzoz, Mohammad Nasr, Reem Bahdi, Katina Michael, and Christina Abraham. Interviews were collected using Google Meet and Squadcast. All participants were informed upon commencement of recording.

Initially, blindly reaching out to professionals in the arena of privacy and civil rights seems a daunting task, and although I had sent requests to speak candidly to approximately 13 organizations and specialists, only 4 resulted in securing successful interviews. I used LinkedIn Premium to contact individuals, as well as website contact forms and email addresses. Initially I was discouraged after failing to secure interviews from two major players in the realm of civil rights and discrimination; The American-Arab Anti Discrimination Committee and the Canadian

Arab Institute, however persistence landed talks with other professionals such as Professor Katina Michael of the School of the future of innovation in society at Arizona State University.

For the personal stories, I focused on eliciting an emotional response to their detention experiences, helping paint a picture of the personal reflections of being wrongfully singled out and forced to answer questions. After asking each to tell their story, other questions revolved around rousing personal and youthful responses, such as 'how did that make you feel', and 'why do you think you were singled out', allowing them the opportunity to express their belief that they were indeed intentionally profiled due to their ethnicities and potentially due to their social media activity.

For the professionals in their industries, however, I had to prepare my questions carefully beforehand to show appreciation for their time in acknowledging the expertise they had to offer, for example, with Yahya's lawyer, I ensured a basic understanding of the Patriot Act and the Customs and Border Protection agency in order to ask more specific questions as to the rights of non-citizens upon denial of entry into the United States. With Guthrie Award winner and human rights champion professor Reem Bahdi, I ensured a comprehension of her previous works to establish a tight connection at the beginning of the call, particularly her works "All Arabs are Liars", and 'Narrating Dignity: Islamophobia, Racial Profiling, and National Security Before the Supreme Court of Canada' (2018).

Upon completion of the interviews, I mentioned previously the use of Otter.ai as a voice notation service in order to read through transcripts until deciding that I was potentially missing out of small nuances that may invoke an emotional connection to the speakers unless I listened to each and every minute of the interviews, and so, I scrubbed through 9 hours of audio to handpick the most appropriate, informative, and emotionally relatable audio to be used in each episode. The result of such an extensive search meant that I had to pick and choose between 'good' and 'great' story moments, effectively neglecting to use 3 interviews in total, and choosing a maximum of 5 minutes worth of audio each to be interjected throughout the episodes for all other speakers. The reason I had chosen to omit the interviews of certain individuals are twofold: firstly, a repetition of similar themes which would have to be condensed to the point to potentially distracting from the stories of 2 clear and followable audi storytellers, and secondly, to ensure the people interviewed maintained a cohesive train of thought, were charismatic and relevant enough to trigger the interest of a listener, and be concise enough to be able to hold their concentration for a prolonged period of time.

With the audio cuts complete, it was time to begin piecing together the episodes and content. Using Hindenburg as my audio editing interface and program of choice, I was able to separate each sound clip and place it into a clipboard according to value; story, emotion, or learning. Upon listening to all voice notations and referring back to research notes, I decided

that the podcast would be best served as three 15 to 20 minute episodes separated into: non-citizen denial of entry and evolution of data-collection post September 11th, citizen detention and the consequences of private and governmental data collection, and data collection being used as a chilling effect to free speech and the repercussion of social media use by minorities within the Arab regions. I also believed that in order to label the point that I was indeed an appropriate candidate to bring forth this conversation, each episode would begin with a personal story describing similar experiences to those of the participants in some recognizable way. This serves to establish both credibility and trust with the listener, as well as a form of vulnerability as these experiences are less than desirable.

Once I had chosen the format of the episodes and lay the groundwork for the flow of information in an accessible way, it was time to ensure musical cues to nudge the listener towards the emotional response suited to each part of the story. As a musician, initially I considered writing my own music, but surrendered to the fact that I would not be able to ensure the recording know-how necessary to sufficiently elevate the podcast quality. I then opted to use the online stock music catalogue [www.soundstripe.com](http://www.soundstripe.com). Through this service, downloads would require a monthly subscription which would allow access to multiple musical options, although downloads would require subsequent licensing information for each and every time of use. So, for example, the recurrent use of one specific track as an introduction to each episode would require separate licensing agreements for episode one, two, and three separately, with a self-monitoring tag system to best describe the method of use, ie, Youtube advertisement, podcast, corporate promotional Video, etc.

With the music chosen and the mood adequately inferred, I decided to place some careful consideration into correctly naming the episodes so that they follow a cohesive theme, but also ensure that they are not cut short visually upon display on mobile screens, and due to the fact that half of all podcast episodes are shorter than 36 characters (Misener, 2019), I opted for the names which established an emotional response; Episode 1: Turned Away, Episode 2: Detained, and Episode 3: Repressed.

In order to determine the highest reach and therefore encourage feedback to help continue an ongoing conversation, a great deal of care was placed in choosing the podcast domain which would serve as a home for the episodes and series. Due to its ability to easily transfer the RSS feed, I decided to go with [simplecast.com](http://simplecast.com) as suggested by Second Reader and Podcast aficionado, Dan Misener, head of audience development at Pacific Audio, and Broadcaster in Residence at Ryerson University, adding further credibility to the series by connecting it to the custom domain, '[TravellingWhileArab.net](http://TravellingWhileArab.net)'.

For the Travelling While Arab logo and artwork, I recruited the expertise of graphic designer Rami Afifi based in Dubai to add an element of credibility. We used simple strong block

colouring inspired by narrative journalist podcasts such as NPR coupled with suggestive fonts to portray the mood of the podcast. Each episode would have two contrasting images split down the middle meant to represent the stereotype versus romanticized impressions of Arab society.

As the intention of the project is to be published and available for general consumption, the three episodes would serve as the beginning of a potentially much larger continued podcast and conversation, thus began the gruelling process of establishing a live Really Simple Syndication feed, or RSS feed translatable to major Podcast domains. Seeing as the majority of the potential audience would hail from the Middle East or North American, it was important to secure compatible platforms to fit the high traffic access accordingly, such as Google Podcast for the Middle East and Apple Podcast for North America respectively according to Edison Research (Edison, 2019) whilst also ensuring a more broad reach by using other mediums like Deezer, iHeartRadio, Spotify, and Stitcher.

## Analysis

As I dug deeper into researching the current state of digital privacy rights in regard to Arabs and the use of it as a tool to restrict free movement, it became clear that there are a few shared sentiments between the scholars and individuals interviewed.

Firstly, there are insufficiently transparent methods of data-regulation and search methods practiced by immigration officers, with a wide overlap of judicial and executive powers that do not allow for any recourse by those who have been refused entry. This is a practice further agitated by social media terms and regulations, that do not sufficiently protect the interests and privacy of users. In his article 'Digital Constitutionalism: Using the Rule of Law to Evaluate the Legitimacy of Governance by Platforms', Nicolas Suzor suggests that platforms should embody meaningful consent, equality and predictability, and due process or timely recompense for those who have been wronged by a platform's algorithm in order to be sufficiently robust to withstand the constantly evolving arena of digital privacy (Suzor, 2018).

The second notion is that it is unreasonable to expect relatively low-ranked immigration officers to be able to make objective and unbiased decisions of entry upon perusal through complete strangers' social media. Without context, especially in light of cultural differences and language barriers, social media may result in an already biased reaction due to stereotyping in modern media. For example, although not included in the Podcast for length reasons, Hayder informed me that his elderly head-scarf wearing mother has been denied a visa to visit him three times over. He believes this is partially due to the fact that she is required to disclose her social media handles, primarily adorned with Quranic verses and Surahs, a common practice of her demographic. This type of social media usage would simply not translate well to someone who has potentially never left their home state in America, and predominantly watches Fox News for their world news updates.

Furthermore, when initially reaching out to collect stories, I resorted to boosting a promoted and paid Instagram post aimed at a Middle Eastern demographic by only to find the of around 100 reactions, 90 of those reactions were from handles that had no original content and also contained cryptic names and monikers. This may be due to the fact that in areas such as Iraq where freedom of expression is under attack, social media savvy individuals resort to fake names in order to avoid self incrimination. This is especially true for the LGBTQI+ community who must resort to anonymity for their own safety. A CBP officer may not understand the need for a gay Arab to use deliberately convoluted handles (Xo\_Dreamer9229\_oX, for example), and post few pictures of themselves personally, due to the fear of losing anonymity and being outed in a prolifically homophobic society, thus arousing suspicion.

Third, scholars and activists agree that the aggressive and intrusive searches at the US Border are making the Arab community reluctant to travel to the USA. This is made plain in Episode one by Yahya Abu Rumman's statement "since 2017, I was so terrified to even apply to any embassy in the world because I was constantly imagining that I would be rejected, refused from all countries simply because the United States reject my visa" (Gargour, 2020, 14:42) and further evidenced by Christina Abraham's opinion that "this administrations objective is to completely shut down immigration" (Gargour, 2020, 14:15). In Episode 2, Interviewee Mohammad Nasr clearly shares this sentiment when he mentions that "that one incident really turned me off, I said 'do I really want to go back to the States again?'" (Gargour, 2020, 14:33), and finally, in Episode 3, Hayder Hamzoz informs us of his hatred of travelling to-and-from the United States as he expects to be detained at immigration for no discernible reason without fail for a minimum of two hours each time (Gargour, 2020, 13:03).

Finally, as someone who has been detained almost four times over the past 10 years, I can personally attest that I share this fear of crossing the borders into the United States and Canada, which brings us to another collective phenomena I believe is shared by Arabs: an underlying and cryptic guilt of identifying as Arab. This is already inferred to us by Yahya's fear of travelling and Mohammad's assumption that his name carries potentially nefarious undertones, but is most clearly labelled by Reem Bahdi in Episode 3:

*"Even though formally we have freedom of expression, the reality is very different. Speaking out for example about Palestine is considered a risk; it's considered an indicator of potential terrorist activity, so people think about the ways in which just expressing an opinion, and not even an objectionable opinion, just expressing an opinion about Palestinian rights, or about Canadian policy on Palestine, they are in fact taking a risk, and the only question is what's the magnitude of that risk? Is it a risk that's going to put them on some sort of flagged list by CECIS (Common Emergency Communication and Information System), is it going to be a risk where they're just not going to be considered for a position or a job if they have aspirations to become a policy advisor?"* (Gargour, 2020, 14:58).

Stereotyping, discrimination, and Islamophobia have regularly been staples of Reem's writing as seen in "All Arabs Are Liars": Arab and Muslim Stereotypes in Canadian Human Rights Law (Bahdi, 2019) and Narrating Dignity: Islamophobia, Racial Profiling, and National Security Before the Supreme Court of Canada (Bahdi, 2018), but her statement struck a personal chord with me, and reminded me that I have often refrained from referring to my own Palestinian roots in order to avoid conflict both personally and virtually. There has been made through media and strengthened through social media a subconscious guilt of association with a

nation that has for too long been losing its tangibility on the world political and geographical stage, to the point where even the posting of a document with the birth place registered as 'Palestine' was seen as against the community standards of a social media giant (VanHoose, 2020). If not for the Palestinian guilt, there is guilt associated with Saudi Arabian terrorist cells for causing the destruction of the the Twin Towers. If not for the Saudi Arabian guilt, there is guilt associated with Al Qaeda's Abu Musab al-Zarqawi being Jordanian. It's a constant feeling that by being Arab, one has already done something wrong, similar to being born into Original Sin in the Catholic faith, where new-born children must be baptized in order to resolve the inherited sins of Adam.

## Conclusion

After pouring over 8 hours of personal testimonies and stories, and scouring through a plethora of papers and articles indicating already rampant Arab stereotyping within the media, employment discrimination, immigration, and reduced free speech, we can safely conclude that social media does indeed play a role in the chilling effects on the free travel of Arabs both in North America and within Arab Nations.

Concerning the use of Social Media as a tool to vet Arab travellers, it is evident that the overreaching powers entrusted to immigration officers provides ample opportunity to either intentionally or unintentionally read into private conversations, posts, and interactions, firsthand or through 3rd parties as was in the case of Ismail Ajjawwi, to find numerous infractions that would justify refusal of entry. Although further training to allow more cultural sensitivity to the different ways in which demographics may vary in their use of social media may prove beneficial to reduce biased decision making, the question remains whether or not access to personal documents on a phone or laptop is considered necessary at all to determine the validity of a traveller.

Even more problematic is the broader legislative phrasing of requirements that justify said refusal, especially in the case of non-legal status visitors. For dual-citizens, the concern lies in the ever-changing nature of the definition of 'privacy' and the rate at which digital privacy is challenged due to the nature of becoming over-reliant on virtual data-bases and meta-data, particularly in the domain of social media and online services. Particularly evident is the essential pivoting of online services to accommodate a swift change in behaviour due to the outbreak of COVID-19 resulting in more essentials such as online banking, gig-economy employment, reliance on virtual communication platforms, all which require the submission of personal information and digital data.

That being the case, an ever-more stringent reliance on virtual platforms means that social media giants are now entrusted to be the gatekeepers to some of our more sensitive personal data, and must formulate comprehensive and accessible terms of regulations that are easily understandable, challengeable, and inclusive, all while walking the tight-rope of freedom of expression limitations. It also falls on them to actively speak out against overstepping legislative recommendations that would challenge end-to-end encryption, and put users at risk of losing anonymity and being able to speak openly amongst each other.

The conversations had during the course of preparing the Podcast 'Travelling While Arab' are only a small part of an umbrella of potential areas of discussion that affect Arabs living abroad. I hope to keep the conversation going in the form of encouraging discussion on online forums with the use of the story-telling medium to bring out thought processes and opinions

long-since muted in the fear of negative backlash or racist and discriminatory feedback. While this paper and podcast has been largely focused on the effects of technology on Arabs lives, there remains a great many topics to yet be discussed such as Islamophobia, cultural diaspora experienced by dual-nationality Arabs, multi-faith marriage within the Arab World, the trials of the Arab LGBTQI+ community, culture shock, and stereotyping within Western media.

There is still hope yet that the social media that is currently being used to separate and dissect us as consumers, number, and meta-data might be used instead to unite us, or at least evolve to allow the frank and open conversations for all parties to attain the strength to learn without judgement, to teach without pride, and to accept responsibility for previous shortcomings.

## Appendix A

### Travelling While Arab Episode 1 (Turned Away) Working Script

**Narrator:** It was August 2016 when I arrived back to the United States from a long stay home in Jordan. The 16 hour flight takes a toll, and waiting at immigration fills me with anxiety. As I rightfully cross into the line for US Citizens, I *should* feel like I've arrived at my second home, but upon placing my passport in the automated customs and immigration machine, a paper spits my face back out, with an X marked over it. Questioning. For the 3rd time in a row, I would be taken to a separate neon lit room, with formica desks and wooden officers and questioned. Why was I here? What's my birthday? What's my mother's maiden name? Why was I in Jordan? Why has it been so long since I've returned? This, I expected, but for the first time, in August 2016, I was asked to provide something new: my social media handles. And why not, I thought? I was, after all, travelling while Arab.

In 2017, a bright young Jordanian by the name of Yahya Abu Rumman was gifted a round trip ticket to Chicago to celebrate his recent graduation. Armed only with a smile and a valid tourist visa, today we hear his unfortunate story of being singled out, wrongfully accused and detained, and sent back after a taxing ordeal that plagues him until today. We'll also discuss the legalities and blurred lines of thinly veiled profiling methods practiced unchecked by Customs Border Protection Officers with civil rights lawyer and immigration specialist, HIS lawyer, Christina Abraham.

**Yahya:** Yahya Intro

**Yahya:** Arrival & Passport Check

**Narrator:** The Ban that Yahya mentions is none other than **Executive Order 13769**, titled **Protecting the Nation from Foreign Terrorist Entry into the United States**, or as it's more commonly known, the **Muslim ban**. The order effectively banned granting non-diplomatic visas to 7 predominantly muslim countries under the guise of terrorism prevention, Syria included.

**Yaha:** They Took My Phone

**Narrator:** It was at that moment that Yahya's luck may have taken a turn for the worse. Access to his personal information, freely offered by Yahya, allowed an un-objective view into his personal life without context. Yahya's emails to and from aviation schools in Europe and Canada

found in his email pushed the CBP officer to probe further, resulting in questionable conduct and a lower standard of dignity professionally expected by a border officer.

**Yahya:** Are You here to get married

**Yahya:** Don't you Agree your life would be better here

**Yahya:** Put in a Cell

**Yahya:** Wasn't allowed to pray

**Yahya:** Sign or we will ban you

**Narrator:** It was at this point during Yahya's story that I felt compelled to speak to a professional to better understand the legalities of what had just happened. It seemed that a plethora of indignities befell Yahya within a short that should have surely allowed the opportunity for some sort of rebuttal. Christina Abraham, an immigration and civil rights lawyer caught wind of Yahya's detention through his family waiting on the other side, and jumped in to help.

**Christina:** CBP power with Yahya

**Narrator:** It seems that even without constitutional rights or any form of recourse, the twisting of Yahya's arm to sign a document before contact with a lawyer or his embassy seemed heavy-handed. The CBP pledges publicly to treat each traveller with dignity and respect, but the lack of sanitary praying conditions and stereotypical assumptions that Arabs generally have plans to overstay their visa or marry to inherit citizenship show otherwise. They also specifically pledge not to discriminate against race or ethnicities, but to judge each individual on their own merit save for cases of potential terrorist threat. It is doubtful that Yahya fulfilled that criteria in order to be singled out, but that's precisely the issue... What IS the criteria?

**Christina:** Deliberately Vague idea

**Narrator:** On May 30th 2019, it became a requirement that all visa applicants attach any and all social media handles within the past 5 years to their applications, and while you can still pick 'none' as an option, this will undoubtedly result in complications and delays down the line. Visitors from the so-called friendly "visa waiver" countries are requested to adhere, but are not mandated.

**Christina:** Immigration can ask for you Social Media

**Narrator:** The lack of transparency and muddled judging criteria results in arbitrary decisions and refusals, particularly when a person's social media is suddenly being scrutinized by socially and culturally inept individuals with no contextual background of the detainee's life and networks.

**Christina:** Can you imagine going through someone's social media?

**Christina:** CBP Power lawful citizens

**Narrator:** while the average person may not feel the urge to delve into the need for a clear legal definition of the word 'privacy' in order to protect it, some professionals with access to more sensitive information have begun practices that to some may seem paranoid, or overly cautious, when they may actually become a necessity. Setting up two factor authentication, travelling with a dumb phone and no laptop, even allowing a lawyer to set up a new password without your knowledge in order to be the sole person who has access to it, are all acceptable practices to reduce the chance of an invasion of digital privacy when crossing the border.

However, there is a chance that sooner or later, even these practices will not be enough to protect you from prying governmental agencies. Congress is currently entertaining the EARN IT bill, which would change privacy as we know it.

**Christina:** The EARN IT Bill

**Narrator:** While Yahya may have had an inkling that most of the information the CBP officer was asking for was available at the touch of a button, perhaps he couldn't quite grasp the vastness of meta-data and knowledge already stored.

**Yahya:** 'You Could have checked my Files'

**Narrator:** Yahya was right. They could have, and they probably did. Before the harrowing events that shook the United States on September 11th and changed worldwide travel as we know it, applying for a visa to the US was a fairly painless experience. The main concern of visa screening was to determine if an individual was going to overstay their welcome, not terrorist vetting. If your name wasn't one of a handful of names that popped up on the State's terrorism database TIPOFF, chances are you were good to go. The Predecessor to the Department of Homeland Security The Immigration and Naturalization Services (INS) were limited to an average of 45 seconds of interview to determine the eligibility of an interviewee. These agencies just

assumed that counterterrorism was the domain of the FBI, or CIA. Furthermore, the collection of biometric data was only mandated upon people denied entry at the border, unlike the vigorous data collection routines they practice today. Since most everything was on paper, they couldn't even access a person's photograph at a moments' notice. 9/11 changed everything. The immediate aftermath of the chaos ensured the total reformation of data collection and vetting standards. Visa applications now demanded in-person interviews. The Creation of the National Counterterrorism Center ensured cross department information sharing, and funnelled information into a new standard named the Terrorist Screening Database. On September 11th, TIPOFF contained 60,000 names. As of 2016, the TSDB now contained one million. There now exists the implementation of the Consular Lookout and Support System (CLASS), an online database that includes more than 35 million people to whom have been denied visas, criminal records, and other disparaging information, social media included. In 2010, the Department of Homeland Security agreed to collectively share the biometric data of any visa applicants within the US, Canada, Australia, New Zealand, and the United Kingdom, nefariously known as the Five Eye Nations.

The fact that Yahya had previously successfully filed for a US Visa meant that he had already jumped through the hoops to verify who he was... he was just turned back upon arrival.

**Christina:** The Post 9/11 Holes are large

**Narrator:** For Yahya, the long lasting effect of his ordeal shadows him wherever he travels. And while emotionally and psychologically trying, one can quietly bear the flippant profiling to a certain extent, until it starts to threaten their livelihood in unrelated areas. After his return to Jordan on a flight, he learnt that this arbitrary decision not to allow him to enter the United States would now dash his hopes of studying in Canada.

Yahya represents just one of 1000's of lawful individuals who are wrongfully turned away from the US borders each year, whose visas are rescinded although they had paid their dues unknowingly by voluntarily adding themselves to a system and database that was created to stack the odds against them, simply by applying, being on social media, being born and raised in a certain country, or their own citizenship.

## Appendix B

### Travelling While Arab Episode 2 (Detained) Structure Script

**Narrator:** Most Arabs do it. Call it dressing up, or dressing down, the majority of us have little tricks of the trade that slightly increase our chances of blending in when travelling, regardless of our names or destination of origin. Take my brother Hanna, for example. Before he travels to the United states, he ensures an immaculately shaved face. An earring which would otherwise branded him as an outsider in Jordan is comfortably and purposefully placed back in his ear. He pulls out his geekiest and favourite Star Wars t-shirt, complete with an R2-D2 backpack, sports an unassuming and sheepish grin, and waltzes through immigration. And except for one occasion directly after 9/11, Hanna has never otherwise been questioned, or detained. Even his name changes from the Arabic biblical name of Hanna, or Yohanna, to its english counterpart; John. It's just easier that way, especially when you're travelling while Arab.

Mohammad Nasr is an old family friend. Like me, he retains dual citizenship as a Jordanian, and as an American. Like me, he has had his fair share of experiences that seemed to have been orchestrated to test his loyalty as an American. Unlike me however, Mohammad is a naturalized American citizen, and the fact that he has worked harder than me to attain that privilege, one might argue that he deserves it not just equally, but even more so than a person born into it. This however shouldn't matter... but I cannot shake the feeling that in some way, his tests are weightier than mine .

In this Episode, Mohammad shares his story of being profiled and canvassed not once but twice, and we speak to Digital Privacy expert, professor Katina Michael of University of Arizona about both the implied and tangible consequences of Private and Government data collection.

**Mohammad:** Intro

**Mohammad:** The First Time...

**Narrator:** Although the Oklahoma Bombing occurred pre-911, Mohammad's story reiterates the pre-existing racial Stigma attached to Arabs as violent and extreme in nature. In the aftermath, many Muslim community centres in the United States were targeted and assumed responsible merely by religious association to the World Trade Center bombing that occurred two years earlier. We now know the Oklahoma bombing was actually the result of white American ex-army security guard Timothy McVeigh.

**Mohammad:** The Second Time

**Mohammad:** If you don't answer, you're going to be here a very long time

**Narrator:** In our previous episode, we discovered that Non-legal status arrivals may be deported without the need to justify refusal of entry, but as an American, there would have been no way for Customs and Border Protection officers to lawfully prevent Mohammad from entering the United States, nor from asking for a lawyer or refusing to answer to under his constitutional rights. They could, however, make things more difficult for him.

**Mohammad:** Story

**Mohammad:** It was weird them asking for my social media, intrusion of privacy

**Narrator:** Depending on your subjective point of view, Mohammad may or may not be correct. That answer depends on how you, an individual, interpret the concept of privacy, or more specifically, the reasonable person. But already, there are issues: What's the correct definitions of reasonable? I consider myself fairly reasonable, but my neighbour's a jerk. How does that work? Or, you wouldn't expect someone to burst through your bathroom door at home, but what about outside your home, in a restaurant or bar, for example? Are the expected standards of privacy lowered? How about the fact that the majority of people in committed romantic relationships are uncomfortable with giving their own partners the passwords to their phones or social media, and yet we're meant to shrug off handing our phones, with millions of transactions and records and histories, and personal reflections to a complete stranger.

In the United States, the very definition of Privacy has been fiercely debated since Supreme Court Justices Louis Brandies and Samuel Warren wrangled with the concept in their essay 'The Right to Privacy' in 1890, where they eerily foreshadowed that, quote, 'Instantaneous photographs and newspaper enterprise have invaded the sacred precincts of private and domestic life' basically indicating simply the right to be left alone.

They would be dumbfounded by the world we live in today.

Semantics of the definition of privacy aside, the CBP officer then asks Mohammad the question he had been skirting around since the beginning of the interrogation: Whether Mohammad was a practicing muslim.

**Mohammad:** Do you pray

**Narrator:** For a country which prides itself on the stability of its constitution, more specifically, the freedom to practice your religion or none under the first amendment, to infer that attendance of Omra or Hajj , a required pillar of Islam, justified further vetting due to a potential of terrorist threat constitutes grounds for discrimination. In 2019 alone, Saudi welcomed more than 2.5 million pilgrims for Hajj alone.

**Mohammad:** It could have been my name, but you should know that already

With enough acronyms that could cover the alphabet many times over, the United States Department of Homeland security already has one of the most robust and rich data storing and collection methods in the world. According to the Electronic Frontier Foundation, the IDENT fingerprint database contains information on 220-million unique individuals and processes 350,000 fingerprint transactions every day. They estimate that Between IDENT and other DHS-managed databases, the agency stores over 10-billion biographic records, adding 10-15 million more each week. Today, we're learning more about a mysterious Homeland Advanced Recognition Technology or (HART) biodata collection method soon to be implemented, which will collect and store individual indicators like birthmarks, DNA, voice and face recognition, tattoo and scars, and even more worrying, assumptions about social circles and relationships, potentially partnering with 3rd party private companies suspected to be social media giants.

**Narrator:** Katina Michael, a professor in the school for the future of innovation in society at Arizona State explains the severity of such aggressive and opaque vetting techniques.

**Katina:** We don't know...

**Narrator:** Although currently under no legal obligation to share user information with the government without a court warrant, giant corporate entities such as Apple, Facebook and Google are being placed under continuous pressure to fold. The EARN IT bill which is currently circulating in congress would essentially abolish end-to-end encryption through ensuring companies either follow a collection of 'best practices' guidelines set by politicians, or face heavy penalties and fines for failing to comply. And why wouldn't they want access to what we buy, who we follow, when we sleep, places we attend, religious and political affiliations, even subconscious movements within a virtual world.

**Katina:** Every click is registered

**Katina:** Governments don't like that

**Narrator:** Make no mistake, as entertaining and useful as Information and Communications Technology companies are, they are not your friends. Their bottom line is usually the deciding factor on just how morally ambiguous they can be before being called out, and the past has proven that. In 2018, Cambridge Analytica was discovered to have been inserting nefarious terms and regulations in a facebook app which allowed them access to 87 million facebook users' likes and dislikes, composing an eerily accurate prediction algorithm easily usable for political gain. In 2019, Google Cloud attained the records of 2,600 clinics and hospitals spanning 21 states, gaining access to millions of sensitive and private patient records without patient or doctor consent. The reasoning is still unclear. Currently, Chinese owned Application TikTok is being investigated for security breaches and misconduct, and has already been banned in India. What we are witnessing is the birth of a new legally immature area in which the technology is evolving faster than the laws can keep up with.

**Katina:** ...

**Narrator:** After an ordeal of being held for 4 hours, Mohammad was eventually handed his passport, and released. As was the case with the victims of so many other warrantless interrogations, he had not the slightest idea as to why he was pulled aside, nor what the CBP officers may have been searching for by asking for access to his social media, and therefore his personal life. Mohammad proceeded to his hotel room, completed the business tasks and meetings entrusted to him, and returned to Jordan when his job was done. The feeling of disappointment, however, lingers on until today.

**Mohammad:** When I returned to the Hotel

**Narrator:** Whether or not we can discern without a shadow of a doubt that Mohammad was pulled aside for his content in his social media is still debatable, but one thing is clear: A law abiding, legal US citizen was singled out for being guilty of his ethnicity, his religion, and his name.

## Appendix C

### Travelling While Arab Episode 3 (Repression) Structure Script

**Narrator:** In the Summer of May 2004, my family and I celebrated my brothers' graduation from McGill university. I remember the date because we went to see Shrek II in the cinema. I was 20 years old at the time. After the ceremony, my brother and I arranged to visit our extended family in Long Island, as we did almost every year, and opted for the 10 hour Adirondack train ride that extended from Montreal to New York. It was breathtaking. The Summer had been perfect, and I couldn't imagine anything putting a damper on such poignant memories. Until we reached the border, anyway.

Crossing into the United states, a Stern Customs and Immigration officer by the name of Gonzalez snatches our passports, and with a cursory glance, confiscates the documents and leaves us in our seats for 15 minutes with no update as to why.

Upon returning, he proceeds to ask our history, indicating to each brother that they remain silent while the other spoke; date of birth, program of study, place of birth, where we were going, why we were going, where we were, mothers name, grandmothers name... begrudgingly satisfied, he reluctantly returns our passports and half-heartedly wishes us pleasant stay.

We had just been publicly singled out and held up an entire train of passengers for more than 30 minutes, and until this very day, I do not know why.

In the Summer of May 2004, for the first time in my life, I understood what it meant to be travelling while Arab.

In the previous episodes of Travelling While Arab, we explored what it's like to be profiled upon entry to the United States through the experiences of Arab tourists and dual Citizens alike, but what about those who are actively working on obtaining citizenship, rightfully jumping the hurdles of bureaucracy with the hopes of securing a better future in the embrace of the American Dream? And what is it exactly that these Arabs might be fleeing?

Today we'll be turning the tables and speaking with Iraqi social media campaign strategist Hayder Hazoz currently residing in the United States, reflecting on the consequences of embracing Freedom of Speech in Iraq, and his life in the US. We'll also converse with Guthrie Award winning Human Rights expert Professor Reem Bahdi about the threats to Freedom of Expression created by unbalanced legislations in North America.

**Hayder:** My name is Haydar

**Narrator:** In my first Cold Call over Zoom to Hayder Hamzoz, we became fast friends. Hayder is soft spoken, disarming and humorous. But He is anything but timid, and his history proves it. For the past 15 years, Hayder has been dedicated to bolstering support for Freedom of speech within Iraq, creating the Iraqi Network for Social Media, a coalition of bloggers & Citizen Journalists. With almost 100 thousand followers on twitter, he is a political source to be reckoned with, and it shows. Consistently pushing back against increasingly stifling draconian measures in his home, Haydar moved with his family to the United States in 2015.

**Hayder:** Why Did you Leave?

**Narrator:** In our previous episodes, we spoke about the potential possibility of being detained, searched, and severely inconvenienced by Customs and Border patrol officers upon arrival to the United States, but as he mentions, the stakes for Hayder are higher, much higher, each time he returns to Iraq. Eloquent, Outspoken and credible, Hayder has garnered a reputation for himself as a government dissident, and practices strict standards of precaution whenever he returns. In 2019, Hayder quietly returned to Iraq to cover the October Protests.

**Hayder:** How do you prepare to travel?

**Hayder:** They Attacked my father

**Narrator:** Hayder's heart-wrenching revelation to me about his father's attack serves to solidify the reality of his situation; that detention, abduction, and torture of numerous protesters has become increasingly regular since the ousting of Saddam Hussein and US occupation, allowing oligarchs and militias to claim total control, and shows no sign of stopping. Since the ongoing October Revolutions reignited mass protests in 2019, A United Nations report places the reactionary death toll by unnamed militias at almost 500 people, with 8,000 wounded, and 25 unaccounted for. It is here that Hayder's power in numbers on Twitter and Facebook becomes a boon, a weapon of mass information used to swiftly assemble protests, rectify false or misleading media, and ensure accountability to those who would have easily hid from responsibility before the birth of social media. But where there are humans in the throngs of thousands who speak out against atrocities, there are even more bots and paid militias who use Social Media as a tool to spread misinformation, provoke violence, and drown out real change.

**Hayder:** The Electronic Army

**Hader:** ISIS has groups

**Narrator:** Recently, some action has been taken by Social media giants in an attempt to stem the flow of misinformation and creation of extremist groups. In 2019, for example, the AFP (Agence France Presse) expanded its fact checking partnership with Facebook to debunk stories shared in Arabic across the world. They also removed 259 accounts, 102 pages, 5 groups, and 17 Instagram accounts practicing 'coordinated inauthentic behaviour subsequently linked to 13.7 million users. During the second half of 2018, Twitter removed 166 thousand accounts for violations related to promotion of terrorism, 91% being flagged by internal technological tools. Yet even with these efforts, many extremist terrorist groups manage to slip by, and the situation is further aggravated when the country in question itself is creating the framework for the stifling of free flow and democratization of information.

**Hayder:** The Cyber Crimes Law

**Narrator:** In a time where the majority of personal secrets, e-commerce data, Military intelligence, and state information is stored online, No one is questioning the need for an objective and protective cyber crimes law to protect the interests of personal and state security, however getting there requires a great deal of caution to avoid falling in the quagmire that is the silencing of freedom of expression and freedom of assembly. Although Freedom of speech is protected by article 38 of Iraq's 2005 constitution, The proposed Iraqi Cyber Crimes Law would operate as a retroactive law, essentially punishing the use of any computer device or information network to undermine "the independence of the country, its peace, or its economic political, military or security'. Nobody really knows what that means. And Iraq is not alone in its mishandling of such a dangerous, broad, and vague tool.

Jordan walks a tight line of potentially arming a cyber crimes law which includes a worryingly broad definition of 'hate speech' as 'writing to provoke sectarian or racial sedition', and would prosecute people who engage in 'fake news' or 'rumours' although the bill does not contain a definition as to what that entails. Party to the International Covenant on Civil and Political Rights, Jordan's current proposed Cybercrime law failed to meet the standards governing Freedom of expression when it was initially proposed in 2010, and has yet to fulfil them.

In today's world, the ability and freedom to express opinions on social platforms that reach millions of people walks a tightrope of either allowing the natural evolution of a culture through disagreement and discussion, or the extinguishing of conversation both through our own echo chambers and filter bubbles, and state regulations placed on us through mass data-collection

and subjective blanket laws that instil a fear of speaking openly. And although we can easily shake our heads at the missteps of certain Arab countries wrangling with basic conceptions of human rights, it would be hypocritical to think that North America has a handle on the situation.

Professor Reem Bahdi clarifies the turning point of mass data collection in Canada .

**Reem:...**

Part of these certain individuals and certain communities are the countries which have been at odds with the current US administration, namely, Arabs like Hayder. The first time he arrived in 2015 with his family, papers in order, he was held for 8 hours while his infant daughter and wife waited at the luggage carousel with no way to reach him. The only valid reason I could see to detain this sincere and gentle individual is to potentially have a coffee with him. Now, he informs me that he expects to wait at least 2 hours for processing every-time he returns to the United States. This, he believes, may very well be due to his Social Media activity, although we can't say for sure.

**Hader:** Is It because of my background?

**Reem:** Part of the issue

**Narrator:** Both Reem and Hayder agree that though not as blatant as some of the diminished rights being whittled away in some Arab Nations, North America itself has been slowly struggling to define what constitutes free speech vs hate speech. Facebook and Instagram already display a habit of seemingly arbitrary decision making to remove certain posts that defy their community standards, although there is no clear definition as to what those standards are. The recent removal of supermodel Bella Hadid's Instagram post displaying her father's factual Palestinian passport for going against community standards is one example that was wrongfully, and painfully implemented. Reem argues that Pro-Palestinian rhetoric, although not-outright illegal, is slowly being discouraged and strangled, causing a chilling effect to freedom of expression by negative association.

Additionally, the unfettered access that governments and employers have to our own opinions and as a result, has caused a chilling effect of what many moderate individuals seek to share online, especially when it comes to social media.

At the time of this episode's release, North America faces one of the most volatile and pivotal times in the defence of Freedom of Expression, Speech, and right to assemble in its history, tee-

tering on the edge of collapse. Social media platforms, currently at odds with the Trump administration, are fulfilling the public role of combating dangerous and potentially deadly false information related to Covid-19. Former KKK klansleaders, white supremacists, and other quote 'very good people' are offered platforms to speak and a place in government, while Pro-Palestinian restaurants are being defaced and attacked, and the Palestinian map is literally erased by Google. Like brownshirts at a Nazi rally, Trump's administration is tumbling down a dark path of oppression by sending non-identifiable federal forces to quell protesters who have legitimate cause to assemble, criticize, and voice their dissatisfaction. Make no mistake, we are not headed towards the potential deafening of our cries of injustice, we are already there.

And while the Arabs in this series represent only a small voice, when joined with the voices of other opponents of tyranny, a collective consciousness can be moulded to be heard through the noise, and to remind us of why we continue to oppose; the freedom to live equally, the freedom to live happily, the freedom.

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