

The Hum Podcast

Episode 4: "It Started In 2001"

[Theme music fades in]

Adil: FBI agents went inside the plane with M16s, with weapon masks, and they went directly to the old lady with her son, saying, "Mr. and Mrs. Charkaoui, will you follow us?" And the poor lady was just watching them and saying, "What the hell?" And I told them I'm Charkaoui.

[Music increases in volume]

Speaker 1: You're listening to The Hum.

[Music fades out]

Adil: It started in 2001.

Gilad: On a flight.

Adil: Yeah. On a flight.

Gilad: So you're taking a flight, and you switched the seat with an older woman who needed to be in the aisle, is that correct?

Adil: Yes.

Gilad: And so the plane lands, and all of a sudden ...

Amar: Hey, let him tell the story, how about that?

Gilad: I think I'm doing a good job. This is interesting, because you're sort of watching this happen, not to you. It's supposed to be to you, but you're in the background watching. At any point, are you thinking, "Hm, maybe I could get out of here"?

Adil: No.

Amar: Just kinda sneak out the back, you know?

Gilad: Yeah, and just blame her.

Adil: I just told them I'm Charkaoui, and all the weapons were pointed to my face and they put me handcuffed, and they took me in a basement of the airport, of JFK.

Amar: That's the first time any of this ever happened to you. Before that, you'd had no run-ins with the law, in particular.

Adil: Not really. It wasn't like this certainly in the airport when I was traveling, but it was like normal after 9/11 for young Muslims, but the first time I was arrested and questioned, and asked very severe for a long time with the cops, it was the first time, and they were asking me about my ... since I was born.

Gilad: Can I ask what's the most ridiculous thing they asked you?

Adil: The name of all your friends since [foreign language].

Amar: Kindergarten?

Adil: Kindergarten.

Amar: They asked you for the name of all your friends.

Adil: All the names of your friends in primary, secondary ...

Amar: Yeah, I don't even know my own name right now.

Gilad: Yeah, I'm in so much shock.

Amar: Yeah, this is insane.

Gilad: So they arrest you, and then what? They let you go?

Adil: Yes.

Gilad: What, they're like, "Whoops"?

Adil: Yeah. Four, five hours after.

Gilad: And they were just like, "Whoops, we're sorry we put guns on you in front of a bunch of people."

Amar: Oh, I doubt that they said sorry, right?

Gilad: There was no Hallmark card.

Adil: The FBI guy was really polite and he even offered me a meal. I told him, "I need a meal." He ordered from a Chinese restaurant some pork.

Gilad: Was it halal? Of course. Was it halal? I was gonna ask.

[Theme music fades in]

Gilad: So Amar and I went on a road trip out here to Montreal, and we're sitting down with Adil Charkaoui, one of the many subjects of Amar's documentary *The Secret Trial 5*. Adil was in prison for two years, and put on house arrest for five more without ever being charged with a crime, here in Canada without even seeing the evidence against him, under something called a security certificate. Now, what's a security certificate? I'll let Amar's film explain it.

Speaker 2: Initially, certificates were supposed to start with CSIS. The Canadian Security Intelligence Service, which is engaged in all sorts of investigations around individuals that it thinks might jeopardize the security of Canada.

Speaker 3: It may begin to develop a file on somebody, and come to the conclusion that someone constitutes a threat.

Speaker 2: And then they bring that material before two government ministers, the Minister of Citizenship Immigration and the Minister of Public Safety.

Speaker 3: So CSIS shares the information with the two ministers, who then sign off if they decide it's warranted.

Speaker 4: Then the matter will be referred to a federal court judge, and the judge would review the secret evidence.

Speaker 3: And it's essentially up until you get to the Federal Court, the person concerned has no idea that this is going on. It takes place behind closed doors.

Speaker 5: A judge in the Federal Court evaluates the dossiers' intelligence. On the basis of that evaluation will deem the security certificate to be either reasonable or unreasonable.

Speaker 3: Not whether or not there were valid grounds for issuing it, not whether the decision of the two ministers was correct, but merely whether it was reasonable.

Speaker 5: That's very different from beyond a reasonable doubt, which is used in a criminal proceeding.

Speaker 6: The goal of the security certificate is to deport someone.

Speaker 7: That would be subject to a few caveats, however. Canada is not supposed to be deporting people to face a substantial risk of torture in any event.

Speaker 8: It's completely illegal under international and domestic law to carry out that process.

Speaker 7: And secondly.

Speaker 3: The fundamentals of the case, indeed the most central part of the case against the person may be kept secret, and not disclosed to the person concerned or their lawyer.

Speaker 9: So it'd be a secret hearing before a judge, and the only other people in the room would be government lawyers and a public hearing, but the problem with public hearing of course is ...

Speaker 7: Neither he nor his counsel know precisely what he is alleged to have done.

Speaker 3: In other words, you get locked up based on evidence that you never see, and that's very difficult to challenge. So that's, I mean, in a nutshell, *[theme music hard cuts]* that's what the procedure is.

Gilad: I watched the movie, and we spoke a little bit in the café, right? And you've got some really, really interesting stories. I think I wanna start with, you spent some time in prison, right? And you were never charged with a crime. Maybe tell me what's the craziest story you have, while you were in prison?

Adil: Many craziest stories, but I would tell that the first time I was put in jail, just a guy who followed me, trying to talk to me, just followed me to the cells, and they was ready for perhaps a fight. It was my first time, and the guys was following me after seeing my face in TV, and it was ...

Gilad: He's seen you on TV, as what, like you're a terrorist?

Adil: Yes, with Osama bin Laden shooting and riding a horse, and they were talking about me, saying that in Canada, we just arrested bin Laden's man.

Amar: So there is no picture of you, but there is a picture of bin Laden.

Adil: Yes.

Amar: And your name was with him.

Adil: And my name.

Gilad: Bin Laden is on a horse?

Adil: Yes. A black horse.

Gilad: A black horse. Never good.

Adil: And the guard was screaming, "Adil Charkaoui!" So it was like they searching for me.

Gilad: Right.

Adil: When they scream my name, everybody in the wing was looking to me. So the guy followed me, and I turned to him, asking him what he wants, and he told me, "I want an autograph."

Gilad: Right, right.

Adil: So this is like the first thing that happens to me inside this wing, and I told the guy, "Why do you want autograph? I'm nobody."

Gilad: You're a celebrity for all the wrong reasons.

Adil: They told me, "No. Just put something. 9/11, signed bin Laden." And the guy was really ...

Gilad: This is crazy.

Amar: And I'm gonna keep reminding people as we do this that all these stories, they have to keep in mind, that you were never charged, because I think that that's something that is surreal to people and people keep forgetting, but your experience in prison was very different than the other four men who were held on security certificates, because they weren't in Quebec. You were held in general population, is that correct? With other criminals. You weren't segregated. Can you talk about the difference in your prison experience than the experience of, say, other people in English Canada, and what was your status in prison like?

Gilad: Aside from the autographs.

Adil: It was not easy, but I didn't face any problem. I was forced to be like integrated in this system with lots of respects of those people, because we're not talking about criminals. It was in prevention. So presumed criminals, even inside is a microcosm, is this small society. There is a code of honor, and there certainly values inside it. So when you're still living inside the jail, you can discover a lot

about human being, other people, even they're accused of the worst things in life. These human beings have feeling. Sometimes you see them laughing, crying, just trying to rebuild their lives. At sometimes, I was asking like, my lawyers just to be alone, to can focus to my life, not to be disturbed, because I was like praying a lot. It was my life, because if you deport somebody after 9/11 to his own country, especially Arabic countries, you will be certainly facing torture, and in my case, the Canadian government got diplomatic insurance that I will be not killed, but I will be kept in prison for life.

Amar: I'm guessing that wasn't very reassuring.

Gilad: It's like, oh, that's a great alternative.

Amar: Oh, they won't kill me. Okay, great.

Gilad: But I get to sit in prison forever.

Adil: For doing nothing.

Gilad: For doing nothing, right.

Amar: So can we ask you about, you know, most people who go to prison in Canada who are convicted, and even those who are wrongly convicted, there is an idea of when you're gonna get out of prison, right?

Gilad: Keyword is convicted.

Amar: Yes.

Gilad: And charged.

Amar: And again, I'm gonna keep saying it. Adil was never charged.

Gilad: Right.

Amar: But they have a sense, even those who have admitted guilt have a sense of when they're gonna get out of jail. What is it like to be in jail without knowing when you're gonna be let out, because your situation essentially led to you being indefinitely detained, along with the other men of course, who were held on security certificates, but you have no idea when you're gonna get out. What does that make you ... what's that like in prison?

Gilad: Also, but hang on, like, on top of that, you also don't know what you did.

Adil: Excellent. Rage. Sometimes I was really angry, and you're still, like, asking yourself how can people make such an injustice? I can just give you an example. One guy was arrested with the AK-47 Kalashnikov, with drugs, fake credit cards, he was a pimp. He had many girls working for him, and he paid \$1500, a bill, and he went free, and the guy was, like, seen to everybody that he's a proud member gang, saying it, with weapon, with ... so he paid \$1500 [foreign language]. And my lawyer offered the bill, and the judge, for the first and second time, told her, "Even if Mr. Charkaoui paid one million, I cannot let him go free. It's a jail. We are not talking about a bank robbing. We are talking about Al-Qaeda. Al-Qaeda terrorism. This is really serious." So being innocent and being submitted to this injustice, I was feeling a lot of rage, watching people getting outside from jail, because we were in prevention, so every day people are, like, transferred to Pen, or they let them go free, and I was sitting in the same room, 212B, waiting for a little hope that one day perhaps I will get justice, and we fought, and we were very lucky at this time, because in Quebec, we didn't have the Islamophobia we are facing today. So I got a lot of support even inside jail.

Gilad: Let's imagine that that never happened to you 10 years ago, and it happens to you today. Do you feel like you would receive that same level of support?

Adil: Never. Today, it's ... I'm telling you, Quebec is changed 100%. Quebec of 2003, it's 250,000 people working on streets in winter to denounce Bush war against Iraq. This is Quebec, we loved, but Quebec today, millions of dollars were paid and created an Islamophobia atmosphere, really destroying all the climates of harmony and integration. One lady pregnant was attacked by two teenagers, or two young people, they draw her on the floor, beat her, and took her hijab.

Amar: This was a Muslim woman, obviously.

Adil: Yes, yes, and the police when they came, they told her husband it's not a hate crime, because even they took her hijab and they beat her, but didn't see any hatred word. So to give you an idea about even how the government is dealing with this atmosphere. I can tell you, 10 years after 9/11, the main concept is radicalization, and radicalization, we are not talking about criminal acts. In France, they are portrayed people are radicals. They have certain clothes. Women have a certain hijab with certain color. It's becoming really dangerous. When you not criminalize criminal acts, but way of thinking, way of wearing your clothes, your thoughts.

Amar: So what do you wanna say, Adil, like, you know, there's a lot of ... this has become a big part of the conversation in Canada right now, and as you've said, there's been multiple parties that have been politicizing this for their own political reasons, but what does that mean for people? What does that mean for the people who are living this day to day? You know, what are some of the

experiences you've heard about from ... you're a leader in the Muslim community here in Montreal, and you work with young people. What is it like for young people who constantly hear this word, who constantly have to grow up in this culture that is, you know, seemingly working very hard against them?

Adil: I will tell you that the new generations are perhaps different from the old generations. The new generation, they feel them a part of this society, and when they are seeing in the media, in the newspapers, in streets, people screaming to them, people portraying them like radicals, those parts of the society, they're feeling rejection, rejection from the society, and it can push those people to live in ghetto.

Amar: Are you worried that Quebec is heading in that direction?

Adil: Yeah. This is what really ... I'm not saying it's scaring me, but disturbing me, because they are trying to push those Muslims to feel that they are Muslim living in Canada, not Canadians, Muslims. And even if we have many in the collective Quebec, there's Islamophobia, we have many kind of people who are not really practicing religion, but the skin of the color, the way they are looking, the fact that they have Muslim or Arab names, they're automatically pushed in a box, and this is a kind of stigmatization we are living here in Quebec, and if you even talk like this, they will say, "Oh, look, those people are ... this is victimization, and they are asking about a lot of rights, and they're trying to force the majority." So you cannot even defend yourself, and if you say that we are facing racism and Islamophobia, they will tell you, "Look, they are using this concept to get more power in this society. They are not thankful to their new societies." I think Muslims are facing today what the Afro-Americans faced in 50s and 60s, what Jews faced in 30s in Europe and Germany. I'm not saying that we have the same level of violence, but this is really disturbing.

Gilad: Of course.

Adil: In Quebec, we had 14 mosques attacked in the last two years.

Amar: 14 mosques.

Adil: Yes, 14 mosques, two schools, many halal source, many women were attacked, beaten in the street, spitting on their faces. We have a very disturbing atmosphere, because before, the discrimination was on jobs. People were sending their CV, and when they see Mohammad, or any Abdullah, or Osama, or any Arab or Islamic first name, they were facing discrimination, not with some question of jobs, even the simple fact of taking a bus or a metro, and working on streets, you can have very bad insults, people can spit on the floor seeing you.

Amar: So I guess the question now is why do you do this work? I mean, no one would have blamed you if, after you won your case, after you got your citizenship, that you kind of spent your own life in a quiet way, and chose to kind of stay away from all of this, and not advocate on behalf of the Muslim community here.

Gilad: But even before that though, I wanna know, like in your past life, before you were put in prison, before any of this happened, were you even doing any of this kind of work before? Like, is this a sort of life you even wanted to have?

Adil: I didn't choose to be under the lights of cameras. Sure, I always have this feeling of working for justice. When I was young, I was looking to be a teacher, or a lawyer, or a journalist, and when my parents asked me why, I told them being a lawyer is defending the rights of people. Being journalist is trying to educate the majority, and being a teacher is for me as trying to build a new generation, and to educate the new generations. So I always felt these since [foreign language], the desire of justice, and my name, it's Adil. Adil in Arabic mean justice, to be just. So like my destiny, I think. I didn't choose it, but after facing injustice, and seeing that I was lucky because I was the first to be released, I won my case twice in the Supreme Court. I got my citizenship after 19 years, but when I compare myself with the four poor other guys in Ontario, Hassan Almrei, Mahjoub, Jaballah, Harkat, I'm feeling a lot of injustice for those people, and I feel that I have a duty, [foreign language], to do something to defend the rights of minorities, especially Muslims, because they are facing a lot of injustice those days, but even other minorities. For example, in the collective Quebec, there's Islamophobia. In last elections, we had many issues, and one of those issues was the missing Aboriginal woman. So this desire of looking for justice for us, it's a general, but we are focusing on Islamophobia because we feel in Western societies, it's become the new ghost.

Amar: Because that's the fight you face every day.

Gilad: It's also, yeah, lived experience for yourself. Like, I'm looking at this list, right? And I'm like trying to ... I wake up, my regular life is I brush my teeth, I go to work, I sometimes get a sandwich. I'm looking at some of the things that are happening in your life, and you've had, and I'm reading this from a list, an ax thrown through your window. There was another time when you came outside and there was a man standing out there with a sword. You had an envelope with white powder delivered to your house. You've had guns drawn on you, not to mention Molotov cocktails. How do you walk, like, do you feel safe? Do you feel like you can lead any semblance of a normal life?

Adil: Artisanal bomb thrown on my community center, but perhaps the worst, it's two guys with a Pitbull waiting for me, and with my three children in front of the college where I work, teaching, and I called the police, and the police took like 30

minutes to come, and I couldn't wait to them with my 5, 8, 10 years old children, my three children. So I left the place, and they called me saying that, if you're not waiting, we are not going to arrest the guy.

Gilad: So what are you supposed to do, just sit there with like a dog treat, and get the dog to relax, so you can wait for 30 minutes? It sounds crazy.

Adil: With a Pitbull, and the people were ...

Gilad: No problem, I'll wait.

Amar: Well, you know, you mentioned teaching earlier, and I wanted to get to ... the reason we wanted to talk to you is because, of course, you've been a part of my career to a certain extent. We've done a lot of work together, but your experience today is very different than the experience of most people that have been victorious within the justice system, right? Like, you're still going through a lot of stuff. Can you tell us a little bit about some of the new sort of more public accusations that you've been facing, and then some of the hardships that have come from that? And we should say, in particular, these are all things that are playing out in the media very, very regularly, and you're constantly having to defend yourself in the media.

Gilad: And it's interesting, because at first, it was sort of like the government coming after you, or CSIS, with all of these charges or accusations. It's no longer them. It's now the media, correct?

Adil: Yes. Now what's really disturbing is that, for example, Quebec government and even the RCMP are making declarations in the media, saying that we cannot accuse people without evidence, so ...

Amar: Sorry, sorry. Say that again.

Gilad: Even Muslims?

Amar: So they're publicly defending you, saying they can't, after they held you for two years and like five years under house arrest without evidence.

Adil: Not giving my names, because they were trying to stop opposition in Quebec, for example, in the press.

Amar: I hope someone in the RCMP understood the irony of that moment.

Gilad: Right.

Amar: When they had to publicly declare that we don't harass people without evidence. And you're all gonna ask, so I'm gonna repeat it again, yes, this happened in Canada. You're gonna send us emails, you're gonna tweet us. It happened in Canada. It did not happen south of the border. I still get this question. You know, two years after making the movie, it happened here.

Gilad: Right, right.

Adil: [Foreign language] What is done is done, 'cause even I got my citizenship, I was teaching, having a normal life with four children, and my wife, and my parents, living like any Canadians, but when, one day, seven youth left Canada for an unknown place, and in the media we're seeing that those young people left for Syria or Iraq. We don't know until now and I was teaching in a college, and it was this college, and I didn't really know those young. And some media started making links with me, and saying they were Charkaoui's students, and finally they discovered that one of them, he registered in one of my course, and he assisted two courses only, and he didn't finish the session, and they started making links in the public and the mass media, and I found myself under a huge campaign. And I couldn't really defend myself, because the attacks were from all ...

Gilad: One after the other.

Adil: Yeah. It didn't stop for one year, and some journalists and some opportunists, they have written books. [Foreign name], for example, *Jihad Dossier*, and all this book is full of shit about me.

Amar: Wait, what was that? *Jihad Dossier*? What the heck is that?

Adil: It's a ridiculous guy, believing that he's a journalist. So you have to read this book to know. It's really awful what this guy ... he's pretending Charkaoui is a very smart guy who could defend himself in court and the Supreme Court. He's not saying, "Charkaoui's innocent guy." He's saying, "Charkaoui is a smart guy."

Amar: Well, to be fair, you are really smart, and that could be scary to some people.

Adil: But this guy could really say, "Charkaoui was facing injustice." And security certificate, it's not a regular justice system, where they got full check and balance.

Amar: Don't worry, I'll plug the film later. I'll make sure people see it. This is all a way for me to promote my own work anyway.

Adil: And I encourage people to watch this movie. They will see perhaps another face, a dark face of Canadian system.

Amar: See, that's good, because in every episode, Gilad tells them not to watch it.

Gilad: It's an average movie. No, it's a great film. A great film.

Amar: You know, we don't have much time left, and we really, really appreciate you sitting down with us and giving us this opportunity. I kind of wanted to ask you something to kind of end on and to discuss. You know, there's a lot of people out there who, the moment they Google your name, they're gonna read a lot of scary things about you, and I have, even as recently as this trip, I have friends who, you know, ask me, you know, "What are you doing this weekend?" And I say, "I'm going to Montreal. I'm going to interview Adil Charkaoui." And they say, "Oh, well ..."

Gilad: Oh, I know that guy.

Amar: "I don't know about that guy. You know, why are all those kids going away that he's teaching?" And all this kind of stuff. There's all this scary stuff about you, and-

Gilad: Even on Wikipedia.

Amar: -part of it is that you are taking this burden on and putting yourself out there in the spotlight, and you know you're gonna get a lot of harassment and crap for it, but to all those people who don't know you as a human being at all, *[theme music fades in]* they only know what they see and what they read, and there's all this stem of Islamophobia out there already. You know, what do you say to those people who are nervous when they hear your name, or nervous about your motives?

Adil: Please don't read about me, but listen to me.

[Music increases in volume]

Amar: Wow, that was like the most profound thing ever. Wow.

[Music fades out]