

Cornell student Momodou Taal files new emergency request to block political detention and deportation

Our reporter
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On Thursday, lawyers for Cornell University Ph.D. students Momodou Taal and Sriram Parasurama together with Professor Mukoma Wa Ng'g' filed an amended complaint as well as a new motion for a Temporary Restraining Order (TRO) in their case challenging the Trump administration's executive orders aimed at silencing dissent among students.

These new filings, which invoke Taal's right to habeas corpus, are a renewed effort to halt his detention and potential removal from the United States.

The filing from Taal's attorneys, a team led by Eric Lee and the American-Arab Anti-Discrimination Committee, came the same day as a decision by US District Judge Elizabeth C. Coombe to reject a previous TRO filing. Yesterday's filings invoke for the first time Taal's right to habeas corpus on the grounds that federal agents are actively attempting to seize Taal for deportation.

Lee issued a statement Friday, explaining:

Yesterday, the U.S. District Court for the Northern District of New York denied our initial motion for a Temporary Restraining Order in Momodou Taal v. Donald Trump. Before the ruling was issued, we had filed an amended complaint and a petition for a writ of habeas corpus to prevent Mr. Taal's detention. The District Court has asked for further briefing on this request. In the meantime, the legality of Mr. Taal's possible detention has not yet been decided by the Court.

The new TRO motion lays bare the government's efforts to criminalize pro-Palestinian speech and carry out retaliatory arrests under the pretext of two executive orders signed by President Trump. One of them, Executive Order 14188, explicitly targets what it calls "anti-Semitic activity" and has been used to conflate criticism of the Israeli state with unlawful harassment.

Taal, a UK and Gambian citizen pursuing a doctorate in Africana Studies, is accused of creating a "hostile environment" by participating in peaceful campus protests. He has not been charged with any crime. As the government openly admits, Taal's visa was revoked and deportation proceedings initiated solely on the basis of his political expression.

According to the filing, "Mr. Taal seeks an order preventing DHS from summarily detaining him based on protected speech supporting Palestinian rights and criticizing the US government and government of Israel."

Far from denying that speech is the basis of the enforcement action, federal officials have embraced it. US Immigration Customs and Enforcement (ICE) Homeland Security Investigations Unit Chief Stanley wrote in a sworn statement: "Mr. Taal's involvement in certain protests at Cornell University align with the Executive Order's focus on deporting individuals who perpetrate 'unlawful anti-Semitic harassment.'"

The protest in question was a nonviolent demonstration in which Taal stood in a hotel hallway for roughly five minutes. No charges were ever brought against him. Cornell issued only brief suspensions and imposed no punishment that would in any way affect Taal's immigration status.

The new TRO motion makes clear that the

government's enforcement actions are part of a coordinated political purge. "Defendants-Respondents have made plain their imminent plans to detain Mr. Taal," the filing states. "They began surveilling his house in an attempt to arrest and detain him." On March 21, ICE contacted Taal's lawyers requesting that he voluntarily surrender for arrest.

The filing invokes habeas corpus, the centuries-old legal protection against arbitrary detention, arguing that Taal can be treated as already effectively "in custody" due to constant surveillance and threats of arrest and imminent deportation. "Defendants-Respondents' policy is to remove individuals from the territoriality of the United States, meaning it is possible Mr. Taal could be removed beyond the jurisdiction of any Article III Court, including to El Salvador or Guantanamo Bay, Cuba," the motion warns.

Citing Second Circuit precedent (*Ragbir v. Homan*), the filing argues that a writ of habeas corpus is appropriate even when physical detention has not yet occurred. "If the Second Circuit held that Article III Courts had jurisdiction to hear the plaintiff's habeas petition in *Ragbir*, this Court should determine it has jurisdiction over Mr. Taal's petition here."

In sharp and uncompromising terms, the motion denounces the government's actions as retaliatory and unconstitutional. "In contrast to a typical First Amendment retaliation case... here Defendants-Respondents openly aim to deprive Mr. Taal of his liberty because of his exercise of First Amendment rights." It argues that the enforcement is not only a reprisal for political activity, but also constitutes "textbook viewpoint discrimination," targeting only those who oppose the ethnic cleansing of the Palestinian people.

The filing places special emphasis on the broader public implications of the case. "Granting a temporary restraining order and injunctive relief would enable Mr. Taal to defend against his deportation... without having to weigh whether to submit to removal or endure the dangerous conditions associated with ICE detention." It warns that detention would inflict "grievous harm," chill dissent and set a precedent for sweeping political repression.

Taal is one of several students now known to be targeted under the executive orders. The motion notes that others have been disappeared into ICE detention

sites in Louisiana and Texas, cut off from legal counsel and media access. These include students from Georgetown University, Columbia University and New York University.

The political persecution of Momodou Taal is part of a nationwide campaign of repression aimed at silencing opposition to the Israeli genocide in Gaza and criminalizing dissent.

On Tuesday evening, Rumeysa Ozturk, a 30-year-old Fulbright scholar and Ph.D. student at Tufts University, was kidnapped off the street in Somerville, Massachusetts by six masked immigration agents, who shoved her into an unmarked SUV without identifying themselves or providing any legal justification. The following night, thousands of students, faculty, and community members marched through Somerville in a powerful show of opposition, demanding her immediate release and denouncing the campaign of political terror.

On Thursday afternoon, the *World Socialist Web Site* hosted an emergency online meeting featuring Momodou Taal and his attorney, Eric Lee, who explained the legal and political significance of the case. They were joined by David North, chairman of the International Editorial Board of the *World Socialist Web Site*, and Joseph Kishore, national secretary of the Socialist Equality Party (US), who warned that the persecution of pro-Palestinian students is part of the drive to establish a presidential dictatorship.



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