

Judge says Trump can deport Mahmoud Khalil over his political beliefs

written by Michael Arria
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Mahmoud Khalil. Photo: Writers Against the War on Gaza

The Trump administration's push to deport Palestine activist and former Columbia University student Mahmoud Khalil is based on an accusation of "antisemitism," according to a [source](#) who saw the government's filing.

Facing a court deadline to hand over evidence justifying Khalil's, the Department of Homeland Security submitted a two-page memo from Secretary of State Marco Rubio citing the Trump administration's authority to expel noncitizens that have the potential to damage the foreign policy interests of the United States.

A day after the memo was submitted, Louisiana Judge Jamee Comans [said](#) she had no authority to question Rubio's decision.

"I would like to quote what you said last time that there's nothing that's more important to this court than due process rights and fundamental fairness," Khalil told the judge. "Clearly what we witnessed today, neither of these principles were present today or in this whole process."

"This is exactly why the Trump administration has sent me to this court, 1,000 miles away from my family," he continued. "I just hope that the urgency that you deemed fit for me are afforded to the hundreds of others who have been here without hearing for months."

Rubio's memo

Rubio's memo, which was obtained by the Associated Press, concedes that Khalil's time in the United States has been "otherwise lawful," but that allowing him to stay in the country would hinder the U.S. government's "policy to combat anti-Semitism around the world and in the United States, in addition to efforts to protect Jewish students from harassment and violence in the United States."

"Condoning anti-Semitic conduct and disruptive protests in the United States would severely undermine that significant foreign policy objective," Rubio added.

A Department of Homeland Security spokesperson initially accused Khalil of being connected to Hamas, but the administration has never provided any proof of this

accusation. The political organization is not mentioned at all in the memo.

Court documents filed at the beginning of the trial suggest that the Trump administration might rely on a provision from the 1952 Immigration and Nationality Act (INA), which was used to target Holocaust survivors suspected of being Soviet agents.

“An alien whose presence or activities in the United States the Secretary of State has reasonable grounds to believe would have potentially serious adverse foreign policy consequences for the United States is deportable,” [reads](#) that provision.

Rubio also calls for the deportation of another permanent resident in the filing, but their name is redacted.

“This document shows that the Secretary of State’s determination that Mr. Khalil is deportable is based solely on his free speech activities as he has alleged in his habeas litigation,” said the Center for Constitutional Rights’s Samah Sissay, who is one of Khalil’s attorneys. “The government has not stated any legitimate foreign policy interest that is negatively impacted by Mr. Khalil but instead erroneously attributes prejudiced views to him for participating in the student encampment at Columbia University and speaking out against the United State’s support of Israel’s genocide in Gaza. The government has not met its burden and Mr. Khalil should be released.”

“The only argument that they have for deporting Mahmoud Khalil is that he engaged in ‘thoughtcrime’,” [tweeted](#) journalist Hannah Gais.

Mahmoud Khalil was [arrested](#) by ICE agents outside his home in New York on March 8, after the State Department revoked his student visa and green card. He has spent the past month in an immigration detention center in Louisiana.

A federal judge blocked Trump’s deportation order and the case has been

proceeding in a New Jersey court.

Khalil's arrest kicked off a wave of [repression](#) against students, many of them connected to the Gaza solidarity protests of last spring. Some self-deported to avoid arrest, while others face court proceedings. Last month Rubio estimated that he [revoked](#) at least 300 visas.

Additionally, the Trump administration has [blocked](#) billions of dollars in government funding to schools as part of its alleged campaign to combat antisemitism. The government has implied that universities can regain the congressionally approved funding by cracking down on Palestine activism across their campuses. Some schools, like Columbia and Harvard, have already begun to comply with Trump's recommendations.

Last week, Khalil dictated an op-ed that was published in the *Columbia Spectator*.

"The student movement will continue to carry the mantle of a free Palestine," he [wrote](#). "History will redeem us, while those who were content to wait on the sidelines will be forever remembered for their silence."

Judge Comans has given Khalil's attorneys until April 23 to request a stay of his deportation. If they don't meet that deadline, she will order him to be deported to his birthplace of Syria, or Algeria, where he is a citizen.

Source: [Mondoweiss](#)

