

Zachor Legal Institute Submits Amicus Brief to the Fifth Circuit Court of Appeals in Support of Texas' Anti-Discrimination (Anti-BDS) Law

Zachor's brief summarizes the history of the so-called "BDS" (Boycott, Divestment, and Sanctions against Israel) movement and details how BDS was formed by, and functions to support the agenda of, a coalition that includes groups designated by the United States government as foreign terror organizations. Zachor's brief further reminds the judges of the Fifth Circuit that discriminatory boycotts of Jews can be traced back thousands of years and BDS is simply the latest incarnation of that hate-filled ideology. H.B. 89 doesn't prevent speech critical of Israel, but it does allow the state of Texas to refuse to be a financial party to discriminatory acts and ideologies.

RED LEVEL, Ala. ([PRWEB](#)) September 12, 2019 -- Today, [Zachor Legal Institute](#) submitted its amicus brief to the Fifth Circuit Court of Appeals in support of the State of Texas' anti-discrimination (anti-BDS) law, H.B.89. In earlier proceedings, the district court in Texas defied controlling Supreme Court precedent to enjoin the enforcement of this important anti-discrimination law. Zachor urges the Fifth Circuit to vacate the lower court's order and allow Texas to continue to act against anti-Semitism.

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Zachor's brief explains that BDS, in addition to being a front for foreign terror organizations, is a movement that seeks to disenfranchise Jews of their right to self-determination in their historic homeland. Texas and other states with anti-discrimination laws have an obligation to withhold financial support for those who choose to engage in discriminatory acts.

The amicus brief also states that the challenge to the Texas law is being led by a number of anti-Semitic organizations, including one group that was named as an unindicted co-conspirator in a terror financing prosecution and a number of others which Zachor alleges have direct ties to foreign terror organizations and the plaintiffs in this case have admitted that they intend to bring anti-Semitism into their work for Texas if the lower court's order is upheld.

Zachor's brief informs the court that under globally accepted definitions promulgated by the [U.S. Departments of State and Education](#) and the [International Holocaust Remembrance Alliance](#), BDS is blatant anti-Semitism and thus a form of racial and national origin discrimination. Zachor argues in its brief that Texas' law is a valid exercise of state powers to keep the state from funding anti-Semitism.

Zachor's brief shows that the plaintiffs' arguments that purport to distinguish Act H.B. 89 from all other anti-discrimination laws hinge on the discredited claim that there is not a Jewish nation, an argument that is science and history denial. If the plaintiffs' arguments are accepted, Zachor concludes that all other state anti-



discrimination laws that protect susceptible, minority populations will necessarily have to be struck down as well.

Marc Greendorfer, President of Zachor, described the brief as an analysis that comprises “equal parts history and constitutional law.” Greendorfer further explained that “while anti-Semites wrongfully accuse Israel, the only Jewish state in the history of the world, of being an apartheid state, the truth is that BDS is an apartheid movement that seeks to strip Jews and other minority populations in the Middle East of the right to their own homeland. Indeed, if one looks at the founding charter of BDS, as well as the words and acts of its adherents, it’s clear that the goal of BDS is to ethnically cleanse the Middle East of Jews, a violation of international law and human rights norms. The aims of BDS are properly characterized as a colonial plan to disenfranchise Jews and other non-Muslim constituencies, including Christians, and the State of Texas has an obligation to prevent the spread such abhorrent discrimination in its institutions, especially in schools where vulnerable students are targeted by BDS hate.”

About Zachor Legal Institute: Zachor Legal Institute, a 501(c)(3) non-profit organization, uses the law to defend against anti-Semitism, with a focus on opposing BDS. To learn more, please visit www.zachorlegal.org.

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