

# Correspondence received by the Concord Select Board Week Ending –March 23, 2026

1. Jane Hosie-Bounar and Khaled Bounard
2. Tanya Gailus

Please Note: The Select Board Correspondence policy has been updated as of January 27, 2025. The letters posted here reflect the views and opinions of the author as recorded in the body of their email. Neither the Select Board nor Town staff have verified or reviewed the contents. The Select Board and the Town do not necessarily agree, condone, support or advocate the ideas expressed in these letters and have not verified any factual statements made in the letters.

Dear Members of the Select Board,

We're writing to express our support for revisiting the recently adopted IHRA definition of antisemitism.

The Town of Concord has an opportunity to further strengthen its commitment to all residents and be a model for others by ensuring its policies address all forms of bigotry, prejudice, and discrimination. The [Universal Declaration of Human Rights](#) (UDHR) offers a broader and more inclusive framework in this regard. Specifically, the 1948 document emphasizes the protection of individual human rights within diverse, multiracial and multiethnic coexistence in democratic societies in ways that the IHRA definition does not fully encompass.

Article 18 upholds the right to "freedom of thought, conscience and religion," while Article 19 protects the right to "freedom of opinion and expression." Article 26, which addresses public education, further emphasizes principles essential to a healthy, diverse democracy. In particular, it notes that education should "be directed to the full development of the human personality and to strengthening respect for human rights and fundamental freedoms."

The last two Articles of the Declaration are particularly relevant to the situation in Concord. Article 29 addresses the complex intersection where the exercise of one individual's rights and freedoms may come into tension with those of another. The UDHR states that any limitations on individual rights and freedoms should exist "solely for the purpose of securing due recognition and respect for the rights and freedoms of others." In adopting the IHRA definition in Concord, the Select Board proclamation may be constraining the expression of certain groups in ways that extend beyond "securing due recognition and respect for the rights and freedoms of others" and as giving particular legal recognition to certain perspectives within Concord.

Respectfully,

Jane Hosie-Bounar and Khaled Bounar

68 Highland St, Concord, MA

Re: 3/23/2026 Agenda Item 15: Draft addendum to January 27 minutes:

As you discussed on March 12th, and as you indicate in your current meeting packet, you are intending to supplement your January 27 minutes with some of the documents that were circulated ahead of that meeting. Said documents were part of the Public Records request relevant to recent OML complaints regarding the preparation of your Proclamation against anti-semitism.

Chair Howell's intentions were conciliatory. However:

It is likely more OML compliant to add the documents to the minutes of your March 10 and March 12 discussion, since none of these documents were actually discussed during the open public meeting on January 27th. The AG's office has found that minutes need to reflect what was actually said and covered at public meetings, and not include additional information. (See determination OML 2020-105.)

Plus: Not all Select Board members were aware of some of the included correspondence in the 3/23 packet, such as notes from Mr. Boehm to Chair Howell and back or from Mr. Howell to Ms. Lafleur; so those can't really be counted as documents seen by all before the meeting.

Plus: Even the documents in the 3/23 packet do not include notes from one member to two others discouraging public discourse, the reasons being to avoid politics in one case and that there are more urgent matters in the other case. (The messages were referenced in the OML complaints and your response.)

These notes may well have affected the discussion, and some members were probably not aware of them at all.

Therefore: Including the documents in question in your January 27th minutes \*as if\* they are complete and \*as if\* the whole Select Board saw them can misrepresent the outcome decision of the meeting as the assumed result of complete information and deliberation.

It effectively seeks to retrospectively justify your vote on the existing version of the Proclamation.

I hope you do not use this as a reason to decline an actual full discussion of the Proclamation on April 13th.

The proposed addendum also does not account for the different dynamics when the public is present during discussions (implicit in the Open Meeting Law). Nor does it take into consideration that had the public been privy to these documents (that contain Select Board member opinions and involve a quorum) \*at the same time\* as distribution to the

Select Board (which the OML requires), there may have been more and different public input before or at your meeting.

Re: Your upcoming discussion of the Proclamation on April 13th:

Per the above statements, please do have a FULL re-discussion and re-consideration of the details of the Proclamation.

The Select Board needs to consider the IHRA and Nexus documents on their own merits in an open public meeting.

I like Mr. Howell's version that combines the two, and would have written in support of it, had it been posted at the time. Others might have, too.

Note that the Proclamation itself is not about legal matters, therefore it does not matter that the IHRA definition does not legally prohibit free speech. Our Constitution protects free speech, and along with that a lot of even openly bigoted speech as a perhaps unfortunate corollary. Thus, the IHRA or our Proclamation itself do not make a difference in this regard even if they tried.

Our Proclamation, rather, is about our community and what is acceptable as a social contract. It is about whom we judge for saying what, as we seek to protect Jewish neighbors and groups from hate speech and expressions based on their identity. (It goes without saying that actions are also included, which presumably are already punishable by law.)

Just as it is anti-semitic to assume that all Jewish people think alike, it is unfair to attribute the unacceptable behavior of a few individuals to an entire group of people, all from various backgrounds, asking you to consider the Nexus document along with the IHRA definition of anti-semitism. Lives of Israelis and Palestinians all matter, and everyone should feel comfortable and safe discussing world affairs.

Respectfully,

Tanya B. Gailus

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