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January 6, 2026

To the Somerville City Council:

My name is Margery Williams. I have lived in Somerville for about thirty-five years. I own a home at [REDACTED] Ward 7.

On November 11, 2025, City Council approved a resolution to “work toward passing” legislation implementing Question 3, which the voters approved in 2025. As you know, Q3 “instructed” (but did not require) the City to cease all “investments and contracts” with businesses for “as long as” those businesses “engage in business that sustains Israel’s apartheid, genocide, and illegal occupation of Palestine.” The word “and” denotes that, in order to cease the “investments and contracts,” the City must find that the business “sustains” *all three* conditions.

As you know, Q3 and its like are products of the boycott, divest, and sanction movement (“BDS”). BDS has been in existence for twenty-five years, during which it has pursued Q3-type legislation regardless of Israel’s actions or inaction during that time. Thus Q3 was essentially unrelated to the Gaza war,

except insofar as BDS realized that the war furnished an excellent opportunity to revive the question in Somerville.

I have reviewed the thorough and informative opinion of City Counsel on the legal infirmities of Q3. The opinion did not address the extreme ambiguity of Q3's language. It is vitally important that the City consider this ambiguity, which makes it difficult or impossible to apply Q3 in practice.

Q3 states as a *fait accompli* that "Israel" engages in "apartheid, genocide, and illegal occupation of Palestine." However, these are very far from established facts. To the contrary, almost every word is a subject of intense international debate. Q3 therefore initially requires the City to take a position on these controversies, because if "apartheid, genocide, and illegal occupation of Palestine" do not exist, Q3 has no effect.

Among the questions the Council must resolve are:

1. What does Q3 mean by "apartheid"? Does it exist in the State of Israel, where Jews and Arabs work, live, shop, attend universities, and use public transportation and other facilities together? If Q3's use of "apartheid" refers to someplace other than Israel – the West Bank, for example -- does Q3 apply?
2. Is the State of Israel engaged in "genocide"? Which definition of "genocide" shall the City apply, and for what period of time? Does Q3 mean to say that the State of Israel engages in continuous "genocide" at every moment of its existence? If so, is that a fact?

3. What does Q3 mean by “Israel”? Must the “apartheid,” “genocide,” or “illegal occupation” be an official act or policy of the State of Israel, or does Q3 mean any action by individual Israelis, such as settlers in the West Bank?

4. What constitutes the referenced “Palestine”? What are its borders? The West Bank? The Golan Heights? The West Bank plus the State of Israel, that is, “from the [Jordan] river to the [Mediterranean] sea”? Who is its government?

The City and its residents may well question whether these international controversies are within the Council’s expertise and jurisdiction. But even matters that are arguably local will be difficult for the City to address under the language of Q3, such as:

1. What does it mean for a business to “sustain” the alleged practices? If a business supplies a food product to Israeli customers, is it thereby “sustaining” “apartheid” or “genocide”? If it supplies printer ink? Laptops for schoolchildren? Toothpaste? Movies?

2. How long is “as long as”? Must the City of Somerville continuously monitor its “investments and contracts” *ad infinitum*? How and when, if ever, will the City decide that “apartheid,” “genocide,” and “illegal occupation” are not factors in “Israel”?

3. By whom will all these decisions be made? By City Council? Must the City hire personnel, or retain consultants, with expertise in the conflict in the Middle East, to review the

City's "contracts and investments" in light of the Middle East conflict? Is this a wise use of the City's resources?

I do not think these ambiguities have received sufficient attention from the City, the voters, or, for that matter, BDS. I questioned many of those who were gathering signatures for Q3 and none had any idea what the language was intended to mean, though a few offered their personal interpretations.

Given these ambiguities, the City runs the risk of wandering into "arbitrary and capricious" territory in crafting the implementing legislation. After all, one Councilperson's "genocide" is another's "self-defense." Surely the Council would not countenance legislating on the basis of subjective personal beliefs.

To me as a Somerville resident, it was shocking that the voters approved Q3 by such a wide margin. Unfortunately, the world is full of countries that oppress and persecute their own or other countries' populations, including, at this time, the United States. Some countries persecute their Muslim minority, such as China (Uighurs), India (Muslim descendants of the Mughals), and Turkey (Kurds). Many countries, such as Pakistan and Saudi Arabia, privilege one religion over others. Yet Somerville voters have not focused their attention on any of those countries, only on one. This could justifiably make Somerville Jews uneasy about living here. Moreover, by approving this resolution, the City has made it clear, as a matter of public policy, that only one group is unwelcome in Somerville: Jews who support Israel.

I greatly appreciate the Council's attention to these serious issues. Thank you for considering my views.

Margery E. Williams

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