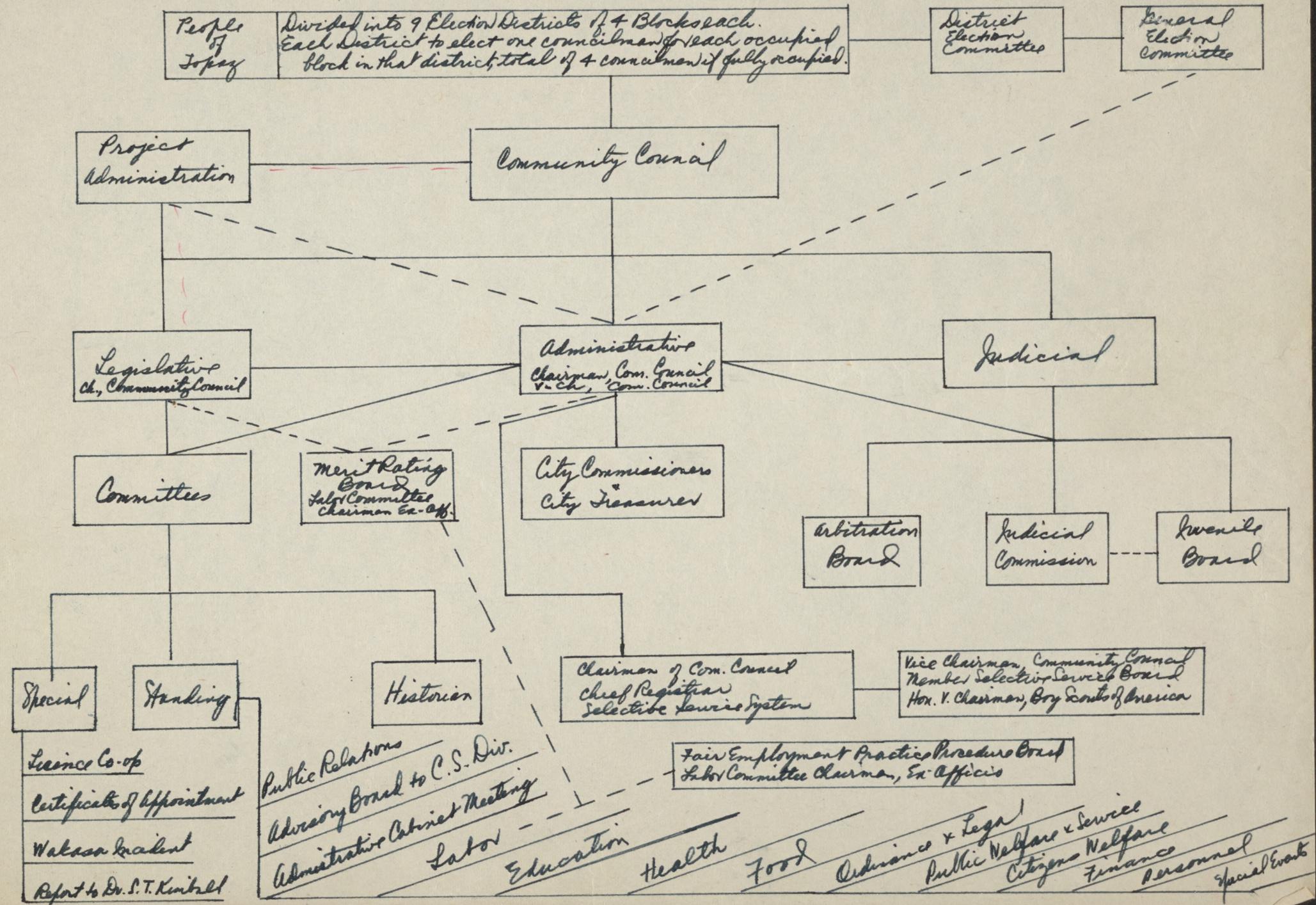


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c

Paul Taylor

Jopaz Community Government Organizational & Functional Chart



People of Jopaz
Divided into 9 Election Districts of 4 Blocks each.
Each District to elect one councilman for each occupied block in that district, total of 4 councilmen if fully occupied.

District Election Committee

General Election Committee

Project Administration

Community Council

Legislative Ch., Community Council

Administrative Chairman, Com. Council
V-Ch., Com. Council

Judicial

Committees

Merit Rating Board
Labor Committee Chairman Ex-off.

City Commissioners
City Treasurers

Arbitration Board

Judicial Commission

Juvenile Board

Special

Standing

Historian

Chairman of Com. Council
Chief Registrar
Selective Service System

Vice Chairman, Community Council
Member Selective Service Board
Hon. V. Chairman, Boy Scouts of America

- Science Co-op
- Certificates of Appointment
- Wakasa Graduate
- Report to Dr. S.T. Kimball

- Public Relations
- Advisory Board to C.S. Dir.
- Administrative Cabinet Meeting
- Labor
- Education
- Health
- Food

Fair Employment Practices Procedure Board
Labor Committee Chairman, Ex-officio

- Adm. & Legal
- Public Welfare & Service
- Citizens Welfare
- Finance
- Personnel
- Special Events

Dear Paul:

Due to lack of space I could not make
a neater chart, but this will indicate more or
less the organization & functions of the
Community Council.

UB

H 17708

WAR RELOCATION AUTHORITY

COMMUNITY GOVERNMENT HANDBOOK

A Summation of the Functions, Organization, and Relationships of the Council and Administration.

*Revised with
added Japanese
tax. if husband
specific*

Complementing Manual Section 30.6

November 20, 1943

Topaz Community Council

Topaz, Utah

WAR RELOCATION AUTHORITY

WASHINGTON

November 20, 1943

FOREWORD

A Community Government Manual was issued October 1, 1942, which emphasized the role of the temporary councils and the preparation of a plan for permanent government, and included some remarks on the organization and function of the permanent Council. The present handbook presents in summary and generalized form some of the insights gained and techniques used during the past year. These are stated in terms of the functions, organization, and relationships of the Council and the administration.

Community Government is a significant segment of the War Relocation Authority program. It can make and has made many contributions, and should be called upon in the future to assume important additional responsibilities. Through common understanding of policies and procedures, residents and the administration can work hand in hand for efficient center operation and in the paramount task of integrating one of our racial minorities into American life.

/s/ D. S. Myer

Director

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HANDBOOK OF COMMUNITY GOVERNMENT

"...When a government orders, it but gives its subjects an artificial interest to obey; when it enlightens, it gives them an interior motive, the influence of which they cannot evade. The best method of instruction is the simple publication of facts, but sometimes it is advisable to aid the public in forming a judgment upon those facts." - Jeremy Bentham "The Theory of Legislation."

I. INTRODUCTION

The two major objectives of the War Relocation Authority are to facilitate the resettlement of evacuees into the main current of American life and to provide during that resettlement process the basic necessities and services within the relocation centers.

Most of the problems within a relocation center are similar to those which any new community faces in its initial adjustments. These are problems of health, education, law and order, employment, food, housing, recreation, production, and maintenance. The more unique problems include relocation, the temporary and emergency nature of many activities, the disruptive effects of evacuation, the identification of the evacuees with an enemy group, and the general setting of hostility engendered by war.

The solution of these problems is the joint responsibility of the War Relocation Authority and the evacuees and no satisfactory answer can be found to many difficulties except through cooperative efforts. Such cooperation is most effective when each cooperator understands the differing roles and responsibilities and when confidence and mutual respect are maintained. Community Government has as one of its objectives the provision of machinery by which administration and the evacuees can work out these problems in an organized and systematic manner.

Community government is not self-government of and by the evacuees alone. It is not self-government because, in addition to the legal limitations, the need for cooperative effort on the part of administration and evacuees eliminates the desirability of completely independent action on the part of either. But within the cooperative relationship there exists a real opportunity for the development of sound administration and effective democratic action. This development to date has been sometimes erratic and sometimes slow, but a measurable degree of progress has been made at all centers and at some the record is outstanding.

The growth of stable and integrated communities has come in spite of major obstacles. The evacuees have had only limited civic experience in their recent history, and were in disagreement on many major issues among themselves, a disagreement rooted in the fact that the Japanese in America were neither socially nor economically homogeneous. The population is split into Christian and Buddhist and each of these are further sub-divided into many sects. Occupation ranges from the unskilled laborer to the highly trained professional man with a high proportion of agriculturists, small tradesmen and persons in service occupations. Loyalties are divided by the accident of birth and age.

There are some characteristics shared by all. The residents are of Japanese descent. They have had the common experience of evacuation. They are called "evacuees", and are resident in relocation centers, under the supervision of a non-Japanese administrative staff, guarded by soldiers. Basic facilities within the centers are at almost level uniformity. There is little variation in wages, housing, food, or other essential services.

It is against this economic and cultural diversity of the inhabitants and within the requirements of physical and administrative uniformity that any center program, including government, has had to develop. This handbook is intended as an aid to the further development of the community through responsible, representative government.

II. THE FUNCTIONS OF COMMUNITY GOVERNMENT

A. Legislative

The Community Council has been charged with the responsibility for enacting regulations and providing penalties for their violation on matters which affect the internal peace and order of the centers and the welfare of the residents subject to certain limitations prescribed in the Administrative Manual. (See Section 30.6). Such regulations, when adopted, constitute the law of the center and are the rules which the Judicial Commission enforces. The adequacy of law enforcement in the centers will to a large extent depend upon the adequacy of the regulations adopted by the Councils.

Some of the Councils have not yet enacted bodies of regulations covering the whole areas of center life which they are authorized to regulate. The Project Attorneys, members of Internal Security, and others can render valuable assistance in laying the groundwork for such enactments and in drafting them in proper form. It is important in all the centers that such regulations be enacted as soon as possible.

B. Judicial

The judicial function of Community Government in the centers is exercised through a Judicial Commission. Such a Commission is to be set up at each center in accordance with the provisions of the basic charters adopted at the centers. These charters are, of course, not uniform and there is no expectation that the detailed operation of the Commissions will be according to a uniform procedure. Under the charters, varying degrees of authority are granted to the Community Councils in determining powers and procedures of the Judicial Commission.

It is, of course, highly important that the Judicial Commissions secure and maintain the confidence of the residents in the high quality of justice administered by the Commissions. Many aspects of the work of Judicial Commissions have been discussed in a memorandum issued by the Director on June 18. Though this memorandum was intended primarily for the use and information of the Project Directors and members of the administrative staffs, there are some parts of it which are decidedly relevant to the work of the Judicial Commissions. Two pertinent paragraphs are quoted herewith:

"The importance of dignity and decorum and a fairly regular procedure of a judicial character, in proceedings before both the Project Director and the Judicial Commission, cannot be over-emphasized. There is no necessity for rigid adherence to the technical formalities observed in courts of law, nor to the rigorous rules of evidence and

pleading which are observed in courts. On the other hand, a complete lack of formality breeds contempt for the judicial process, and creates occasion for saying that "we are not in a real court, after all". The idea that nothing more than a "kangaroo court" is being held will not only have a bad effect on maintenance of law and order, but will also be contrary to the legal basis which underlies the whole system of evacuee community government. Furthermore, omission of reasonable formalities may give defendants a ground for saying that they are being subjected to star chamber proceedings, without adequate opportunity to present a defense to charges made against them. It is not believed that this complaint can be fairly made by any evacuee who has yet been tried and punished for a law and order offense in a center, but we wish to be certain that no such complaint can ever be made, and insistence upon such reasonable formalities is one way of assuring fair trials."

"In centers in which a permanent system of community government has been established with a Judicial Commission regularly set up so that under Administrative Instructions No. 34 and 85 most law and order cases will be heard by the Commission rather than by the Project Director, the problem arises as to formulation of a code of judicial procedure for the Commission. This code may permissibly be included in the charter for community government, or it may be left to the Judicial Commission to formulate its own rules of procedure in the same manner that rules of court are promulgated by judges presiding over many courts. In either event it would be not only appropriate but desirable for the project attorney to lend his aid to whatever agency is given the task of formulating the code of procedure. In general, the rules of procedure to be drafted should not be too detailed. Probably a set of rules substantially similar to those appearing in Section III of Administrative Instruction No. 85, governing proceedings before the Project Director, might also be appropriate to proceedings before a Judicial Commission."

C. Advisory

One of the most difficult but important functions of the Community Council is its advisory role. It is important because the Council is in a strategic position to reflect evacuee attitudes and to organize and direct opinions of the evacuees. It is difficult because administration for one reason or another may find it impossible to carry evacuee recommendations into effect. The Council, if it finds its advice and recommendations being ignored or not followed, can easily develop a non-cooperative and negative attitude. For that reason, it is important that sympathetic attention be given to the recommendations of the Council, and full explanations be given where the action proposed is not feasible and credit be given where Council advice is followed.

The administration has the obligation of keeping the Council informed on current problems and developments. If the administration does not bring the Council into its confidence, it is inevitable that the Council will not be up to date on problems and programs, and is likely to waste its time on insoluble or already settled matters with the possible result of having the administration and Council out of step with each other. The Council has an equal obligation to keep the administration informed of community problems from the evacuee point-of-view.

D. Communication

The Community Council occupies a strategic position in the dissemination of information from the administration to the residents and in advising the administration of the wishes and desires of the residents. An adequate communication system facilitates understanding and mutual cooperation between administration and the evacuees.

It is obvious that as an organization becomes more complex, and more people are involved, the difficulties of communication increase. The only solution to such difficulties is the creation of an administrative structure with well defined channels for the free flow of facts, ideas, etc., from one individual to another.

The individual or psychological aspect of communication presents an equally difficult problem. Our experience has been that too often the facts have been interpreted against a background of experience which is not shared equally by appointed personnel and evacuees. The inevitable result is misunderstanding and frequently unexpected explosions of one kind or another. One striking example of misunderstanding of intent and purpose was seen in the announcement of the combat team. It was the intention to dramatize the loyalty of the nisei through a special Army unit, but this was interpreted by many as "segregation."

In developing a system of communication and in transmitting information and ideas, there are several cautions. We must never assume that people know the facts, that there is common understanding, or that a plan of action has been agreed upon. In other words, there is need for continuous transmission of current information. Success in transmitting information or ideas should be determined by checks to discover the effectiveness of the communication system.

There are three basic principles that should be observed in insuring an adequate communication system. The first is that the communication should conform to the lines of authority. For example, the Project Director or his representatives should be the principal ones to have contacts with the Community Council; similarly, there should be insistence that, through the Council or its affiliated bodies, information is transmitted to the administration.

The second principle is that communication should be systematic. Specific care should be taken that the same channels are used in each comparable situation and that the same individuals or groups participate in this relationship. Communication should also be regular and frequent. Formal contacts between the Council and the administration should take place weekly.

The third principle is that information transmitted should be meaningful. Each communication should be phrased in understandable language and should be of concern to those who are reached.

The organization of communication channels will include use of the Council to relay through its members information to the blocks. In turn, the blocks, through their representatives or through the action of block councils, can pass on information to the council and thence to the administration. The use of official announcements on bulletin boards and through the newspapers can be utilized as effectively by the Council as by the administration, but face to face relations are a more desirable means of dissemination of many kinds of information for both Council and administration.

E. Planning

The contribution of the Community Council in planning programs for center administration is an important one and has been generally under-estimated. The development of a systematic program for meeting problems is not only the responsibility of the administration, but also of the residents. The Council, consisting of officially elected representatives of the residents, can assume a major role in planning for resettlement, maintenance of law and order, employment, production, and for other services and activities of importance within a relocation center.

The administrative staff can assist the Council in its planning function by pointing out from time to time the major problems of administration and requesting advice as to procedures which should be developed. The Council in turn can inform the residents of these problems and request their participation in finding solutions to these problems. The device of establishing special commissions to examine specific problems is a desirable procedure.

F. Ceremonial

In any normal community the city council acts as the formal representative of the community. The mayor or councilmen are present at dedicatory and commemorative exercises which are held in the community. Proclamations are issued for holidays and events of community or national interest. There are a number of similar occasions in relocation centers where the council can lend its prestige by making formal appearances or announcements.

By giving formal approval and encouragement to various types of community events, such as the Red Cross Drive, Boy Scout exercises, dedications, graduations, and similar events in which all or part of the community participates, the Council can facilitate and aid in the success of such activities. The successful drive to raise funds for scholarships by the Parent-Teachers Association at one center first received the endorsement of the Community Council.

The inauguration of each new council with appropriate ceremonies, speeches, etc., should be considered. An outside speaker such as some local attorney or official might be invited to deliver the main address.

III. THE ORGANIZATION OF THE COUNCIL

A. Council Committees

Most legislative groups have found the use of committees to be the most effective method for facilitating action. The function of the committee is to permit a small group of the legislative body to assemble the necessary facts pertinent to the problem, to organize these facts, and to present them to the legislative body for consideration and action. The procedure is time-saving and efficient, and eliminates the confusion which would result if each member of a group attempted to gather all the information.

It has been the practice of councils to establish a number of standing committees. These committees are always ready to meet specific problems of education, health, recreation, employment, relocation, law and order, public relations, transportation and supply, public welfare, community morale and similar civic matters. In addition, councils have also created temporary committees to deal with special problems which

have arisen from time to time. Most councils have an executive or administrative committee which considers over-all problems of the community. This group occupies a key position in relation to both the Council and the administration. Its functions should include coordination of the Council committees, boards and commissions, and close working relations with the Project Director. It is the group which should plan the strategy for presenting problems to the community and for enlisting community support for specific programs.

B. Boards and Commissions

While the primary function of Council committees is to keep the Council informed on the status of current problems and to advise intelligent action in regard to such situations, the boards and commissions composed of non-council members have a somewhat different function. These groups may be either advisory to the Council, to the administration, or to some other group. Some of these boards may operate semi-independently of the Council. In a normal city there are citizen-composed boards for the libraries, schools, health activities, planning and zoning, etc. Such non-council groups have not as yet been widely used. Administration might well encourage the council to create such boards for the library, schools, labor relations, employment, relocation, and other civic functions which permit semi-permanent and semi-independent bodies.

The persons appointed to membership on these boards should hold office independently of Council elections. Their term of office should probably be for a period of not less than six months, with reappointment the usual procedure. The advantage of a semi-permanent board is to ensure that community interest and participation in such affairs do not lapse with the election of a new Council. These groups will have a continuity over and beyond that of the Council committees.

With each new board, the Council should establish certain rules governing membership, frequency of meetings, and reports. The Council should insist that these boards provide regular reports to the Council of their meetings and their activities. The appointment of a Council member on each board has been followed at some centers.

C. Block Organization

The block group has become an important social and political unit at many centers. The block population often works together in cooperative social, economic, or political activities. The cohesion of the block is frequently manifested by a formal organization with a Council to discuss block problems and decide upon major and minor problems. Meetings are sometimes held weekly.

The block group offers an excellent opportunity for organized administration-evacuee contacts. Working through and with the community Council and the block representative therein, meetings can be utilized to bring to the residents current administration problems and new policies, and to promote better understanding and improve morale. Meetings arranged by the block representative for the Project Director would attract considerable interest and would provide an opportunity for him to become better acquainted with the older people and learn of their problems. Such meetings would also give him an opportunity to review the project program and to answer questions.

One of the weaknesses in government at some centers has been the failure of Council members to report regularly to their constituents. The result has been that the residents remain uninformed and Councilmen lose touch with current problems. One remedy would be for the Council to make it mandatory for each Councilman to meet at least twice monthly with his block group. The Executive Secretary should

prepare a summary of recent actions and current business for the use of each Councilman in such meetings.

D. Permanent Employees of the Council

The number of persons available for conducting the business of the Council on a full-time basis is limited. Provision has been made for an executive secretary, two clerk-stenographers, and a messenger. In addition, the chairman of the Council is paid for full time work in connection with Council affairs. Provision can be made for the employment on a part-time basis of an interpreter for use at Council meetings and translation of Council minutes and reports.

E. Bi-lingualism

Many of the Issei elected to Council membership will have greater facility in speaking Japanese than English. Some may know no English and some Nisei will know little or no Japanese. The bi-lingual character of the Council poses certain problems that should be resolved at an early date. It is essential that English be the official language. Interpreters should be provided for those who will find difficulty in either speaking or understanding the proceedings. All minutes should be released in both English and Japanese.

F. Parliamentary Procedures

Most legislative bodies develop their own parliamentary procedures. These are the result of long years of usage and custom. Robert's "Rules of Order" represents a systematization of such rules and is generally considered authoritative for this country.

Formal parliamentary procedures are in some ways contrary to the normal pattern of discussion in informal community groups. This can be observed in block meetings where there is little need for a formalized set of rules since it is the practice for each person who has something to say to be heard in turn and the decision is made from an orderly discussion. Generally speaking, the older Japanese are accustomed to this system while the younger ones are acquainted with the formal motion and discussion procedure. Among all old-world Japanese there is a great desire for unanimity.

It is probable that with many Issei on the Council there will be a tendency for Council business to be conducted Japanese style with long and thorough discussion of each point at issue. Such discussions may produce impatience among the younger members, but decisions will carry full support of most of the participants. The formal statement of these decisions should conform to recognized parliamentary procedures.

G. Official Reports of the Council

The Executive Secretary should assume responsibility for the keeping of minutes of Council meetings, reports of committees, and other official action by any group connected with Community Government. Copies of minutes and other reports should be made available to each Councilman, to the press, and to key administration officials.

An excellent procedure for summarizing Council actions and for evaluating the effectiveness of Council work is to provide for interim reports of Council activities. These reports should probably be made at least every three months. The reports should be for the use of the Council and for giving to the residents a connected story of recent happenings and action taken. Such a report should also be made available to the Project Director and, in fact, should be requested by him.

IV. ADMINISTRATION-COUNCIL RELATIONSHIPS

A. Role of the Administrative Staff

The project director, the assistant project director in charge of Community Management, and the project attorney are the three individuals most concerned with the activities and functions of the Community Council. The major responsibilities of these three persons are liaison, leadership, and technical advice.

The project director occupies the key position for liaison between the National Director and the community and fulfills the function of liaison through the Community Council. On the project director also rests a large measure of the responsibility for leadership. This leadership has been best exercised by counseling with the Council on major problems and by requesting from the Council advice for the development of procedures for effecting policies.

The assistant director in charge of Community Management is specifically charged with the organization and functioning of the Community Council. His role is that of liaison between the Council and the project director and between the Council and other administrative officers on the project staff. His leadership is important in the field of organization and it is his responsibility to assist the Council in the exercise of its functions. As an adviser to the Council, he should make certain that the Council is relaying information in a systematic and effective way to the residents. He should assist in developing cooperative relations between committees and boards of the Council and the administrator in charge of any portion of community administration such as education, health service, etc.

The project attorney's responsibility to the Council is largely in the field of technical advice. In this capacity, his role is similar to that of a city attorney. He assists the Council in the drafting and wording of regulations and resolutions. He should have an important part in dealing with problems of law and order and the functioning of the Judicial Commission. The project attorney can render valuable advice and assistance to the Judicial Commission in developing court procedures, interpreting Council and administrative regulations, and advising as to judicial principles applicable to the enforcement of law and order.

B. The Lines of Authority

As is true with any organization, it is necessary that the lines of authority be observed in Council relations. There has been a tendency at some projects for administrative officials to present problems to the Council without prior approval of the project director. There has been an even greater tendency for spontaneous pressure groups within the community to by-pass the Council and deal directly with the project director. Under a procedure which has worked successfully at one project, the project director refuses to recognize any self-appointed group or committee which purports to speak for the residents unless such group is a creation of the Council. In this particular instance, the project director has referred any complaint or suggestion presented by any rump group to the Community Council and requested its advice and action.

The desirability of this procedure should be apparent. Although the project director should be readily accessible, there should be some regular system for presenting matters of general community interest to him. If the project director allows groups to by-pass the Council, he automatically detracts from the authority of the Council and weakens the Council in the eyes of the residents. On the other hand, if he continually insists that all

community problems come through the Council to him, he will increase the stature of the Council in the community and permit it to perform one of its major functions, that of communication between the residents and the administration.

It is to be expected that from time to time members of the administrative staff will desire to appear before the Council to present some problem or proposition, or the assistant director in charge of Community Management.

C. Official Announcements

It is desirable that some systematic plan be worked out and followed for making official announcements. One such system could include joint announcements by the project director and the Community Council with subsequent publication in the center newspaper and posting on bulletin boards. Following such announcement and depending upon its nature, Councilmen can hold block or district meetings with the residents for further elaboration and discussion of the significance and effect of such announcements. In any event, it is desirable that the Community Council be fully informed of every major decision affecting the community.

D. Council Training

Many of the persons who will be elected Councilmen have not had previous parliamentary or legislative experience, nor that they had experience in dealing with the total problems of a community. For this reason, it is desirable that opportunities be available for Councilmen to become acquainted with duties of their office. The Council itself can accomplish much through the use of committees; however, a more comprehensive procedure would be desirable.

A memorandum has been sent to the projects suggesting the establishment of an adult education course in applied political science. Such a course, if properly organized and developed with the assistance of the Council, could do much to provide the kind of training and information needed to assist the Council in its work.

The incoming Council could also be materially assisted by sitting in with the old Council for the last one or two meetings preceding its inauguration.

V. THE OBJECTIVES OF COMMUNITY ORGANIZATION

The administration and Community Government should have specific objectives for the well-being of relocation center residents. There are two major objectives. The first is the establishment of procedures for the working out of community problems in a democratic manner. This requires the assumption of a considerable degree of responsibility on the part of residents, wide participation in community problems, and training in citizenship. The second responsibility is that of utilizing the qualifications and abilities of the residents and the resources at their command in the most productive manner possible.

The fulfillment of these two objectives are interdependent. The administration and the Community Council through leadership and planning, and the residents through understanding of the problems and need for action, can work out plans for the full utilization of manpower and resources. These resources, as long as relocation centers exist, are as much a responsibility of the community as of the administrative staff. As soon as the

residents begin to assume responsibility in a community sense, these resources will be utilized, but before this responsibility can be adequately developed there must be the opportunity for participation by residents in planning for productive effort and in assisting in the execution of plans. It is through such interdependent action that there will develop the sense of participation in the problems of the community and of achievement in the reaching of objectives.

VI. PROBLEMS OF THE COMMUNITY

The problems of the relocation center are surprisingly similar to the problems of any normal community. The major problems are those of keeping people fed, housed and clothed, of maintaining law and order, of providing education and recreation, of safeguarding health, of beautifying and improving surroundings, and, in general, keeping the community functioning and well organized.

There are some special problems which are unique to a relocation center. These special problems arise from the evacuation and relocation center life.

The policy of resettlement creates two major problems for the community. There is the double obligation to encourage and facilitate the depopulation of the centers and to insure adequate services for those who remain behind. The community should aid in the development of pressures to encourage resettlement. As this process accelerates, the more able and aggressive will be drawn off. There will be greater demands made on those remaining to assume the burden of community operation.

The normal problems of the community can be met in much the same manner as any community meets its problems. Granting that there are insufficient skilled persons to assume the responsibility for education, health, etc., much can be done through improvisation and through imaginative planning to maintain the standards which normal communities have set for themselves in these regards.

- .1 Until it becomes possible to organize a democratic form of community evacuee government in accordance with the procedures hereinafter provided, the Project Director of each relocation center is authorized to organize a temporary community government. In providing for such temporary government, the Project Directors shall follow the Director's memorandum of June 5, 1942, except that the voting age shall be 18 years, the person receiving the highest vote in each block shall be declared elected, and both citizens and aliens shall be eligible to hold elective office unless they have been denied leave clearance.
- Temporary
Community
Government
- .2
- A. It shall be the responsibility of the Project Director, not later than 30 days after 75 percent of the residence units are occupied, to provide for the selection of an organization commission to prepare a plan of community evacuee government in accordance with the controlling provisions of this instruction.
- Organization
Commission
- B. The plan of government shall provide for a representative legislative body to be known as the Community Council. The Community Council may be authorized to establish such regular and special committees and commissions as may be necessary to carry out its duties and functions or to cooperate with the Project Director in promoting the general welfare of the residents.
- Community
Council
- C. The plan of government shall provide for the nomination, election and tenure of office of council members. It shall also provide for the organization of the council, its officers and the methods of their selection. Election to the Council shall be by secret ballot.
- Election
- D. The plan of government, and any subsequent amendments, shall be submitted to the Project Director for review. Before such plan or amendment is submitted to the referendum provided for in Paragraph E, the Project Director shall satisfy himself that none of its provisions violates any regulation or instruction of the War Relocation Authority.
- Review
- E. The plan of government shall become effective when approved by a majority of the qualified voters voting at a special election. When the plan of government has been thus approved, amendments may be initiated only by a two-thirds vote of the council or by a signed petition of one-fourth of the qualified voters. Amendments shall become effective only when
- Approval
and
Amendments

(.2E)

approved by a majority of the voters voting either at a general or special election.

.3

Qualifications
for
Voting and
Holding Office

- A. All persons eighteen years of age or over shall be eligible to vote in elections held pursuant to this instruction.
- B. The following persons shall be eligible to hold elective office and to serve on appointive committees, commissions, boards and other administrative positions in community evacuee government that may be established: All persons who are 21 years of age or over, whether citizens or aliens, except persons who have been denied leave clearance.

Functions of
Community Council

.4

The plan of government shall provide that the Community Council shall have the following duties and functions:

Regulations
and
Penalties

- A. To prescribe regulations and to provide penalties for their violation on all matters; other than those defined as felonies by the law of the state in which the project is located, which affect the internal peace and order of the project and the welfare of the residents, insofar as such regulations are not in conflict with any federal law, military proclamation, law of the state in which the project is located, or any order issued by an appropriate officer of the War Relocation Authority. The Council may provide for confinement and other suitable punishments. The Council may also provide that the Judicial Commission may, in cases tried before it, permit a defendant to pay a fine of a fixed sum of money as an alternative to serving a fixed period of imprisonment. The maximum fine so imposed shall not exceed the sum of \$300 for any single offense. Amounts received as a result of such sentences shall be paid into the United States Treasury as miscellaneous receipts.

Resolutions

- B. To present to the Project Director resolutions or questions affecting the welfare of the residents of the center.

Finance

- C. To solicit and receive funds and property for community purposes, and to administer such funds and property.

Licensing
Authority

- D. To license and require reasonable license fees from evacuee-operated enterprises. The total of such license fees collected from all sources in any one relocation center shall not exceed \$1000 for any calendar year. No license requirement shall be effective until approved by the Project Director

(.5D)

Arbitration

- D. The plan of government shall provide for orderly methods of arbitration for settling civil disputes between residents of the project who voluntarily agree to submit their disputes to an arbitration commission (or such other name as used for this type of agency by the law of the State where the project is located).

.6

Limitations

- A. The Project Director may, at any time, in a communication addressed to the members of the Council, act aside and make void any regulation made by the Council which he finds to be in excess of the functions of the Council herein defined.
- B. During the time that may elapse before action is taken by the Community Council in exercising any of its functions or duties, the Project Director may establish such organization or provide such regulations as he may find necessary.
- C. The authority herein conferred in the field of community evacuee government is in addition to, and not in substitution for, the functions and responsibilities of the Project Director in administering the relocation center.
- D. All official records of the community evacuee government and all official actions of the government that are reduced to writing shall be written in the English language.
- E. The provisions of this Manual Sections do not apply to the Leupp or Tule Lake Centers.

(.4D)

All funds collected under this provision must be deposited in the Treasury of the United States as miscellaneous receipts. The Council shall not have authority to regulate the management, operation or conduct of business enterprises within the center.

- E. To appoint such committees or commissions as may be desirable for the exercise of its functions. Committees
- F. To exercise such other duties and functions as may be conferred upon it from time to time by the War Relocation Authority. Other

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- A. The plan of government shall provide for a Judicial Committee or Commission of not less than three members which shall hear cases and apply penalties for violation of law and order regulations prescribed by the Community Council. Judicial Commission
- B. The Judicial Commission shall, after appropriate notice and hearing, render a decision finding the defendant either guilty or not guilty and stating the penalty to be applied. Such decision shall at once be communicated to the Project Director for review. If the Project Director shall have taken no action by the expiration of twenty-four hours after the Judicial Commission's decision has been submitted to him, such decision shall become final. The Project Director may affirm the decision and order the penalty to be carried out, or may remand the case to the Judicial Commission with his recommendations. Where the Project Director has remanded a case within the required twenty-four hours, he may submit his recommendations within a reasonable time thereafter. Upon such remand, the Commission shall further consider the case and enter such judgment as may seem appropriate. Such judgment shall also be subject to review by the Project Director in accordance with the provisions of this paragraph. Decisions and Review
- C. In civil cases where parties refuse to arbitrate, probate cases, cases of adoption of children, etc., arrangements should be made to give the parties leave from the center and other proper assistance to enable them to take advantage of the regular state and local courts. Civil Cases

市政便覽

「政府が命令する時は、只にその民衆に服従する外見の關心を促すのみに過ぎぬ。政府が啓蒙する時は、民衆に内心の意志を回轉する能はざる影響を與ふる。訓令の最善の方法は事實を修飾せずして發表することである。然し、時としては、民衆が種々の事實の判断を自らするに助けられることが良いのである。」

Shawyer - Bancroft (立法の定義)

第一章 緒論

戦時転住の二大目標は、立退者が米國で生活の本流に適合することを容易ならしめること、その再転住の過程に在る期間、転住所に、根本的必需品と助力とを立退者に與へることである。

転住所内の諸問題の大半は、これの新社会に、その最初の整理に當りて面する諸問題と相似て居る。それは、健康、教育、法令、職業、食物、住居、娯樂、生業及生計の諸問題である。更に特殊の諸問題は、再転住の臨時應急的諸活動、立退に當る分裂的諸結果、敵回入側なる立退者の分派、及び戦争によつて生じた敵對行為の一般趨勢である。

是等諸問題の解決は、戦時転住局と立退者との連帯責任であり、協力の努力によらざるば多くの困難に當りて満足な結果を見出すを得ぬ。此の協力は、各協力が各方面の職務と責任とを了解し、又信頼と相互の尊重が保たれて始めて、最も有効となる。市政はその目標の一として、各協力を立退者が諸問題を組織的に規律正しく取扱ふ事が出来る機関の設置を要する。

市政は立退者のみの又は立退者のみにする自治政ではない。市政が自治政に非ざる所以は、法律上の制限がある上に、各協力を立退者以外の協力を要する故に、両者の全軍獨行の要求を排除するからである。然し、此の協力の関係の中に健全なる行政の發展と有効なる平等行為を行ふ實際の機会が存在する。

此發展は今日まで時には不規律であり、時には遅鈍であったが併し可なり。進歩が、その転住所に見受けられ、或るものは記録著しきものである。

立退者なる綜合したる社會の成長が大なる障礙の中に在るにも不効實現した。立退者は彼等最近の經歷に於ては僅かに限られたる政治的經驗を有して居るのみである。而して彼等自身の間にも多量の重要問題に關して不一致であつた。その不一致は在米日本人が社會的に經濟的に同質でない現存員に根ざせるものであつた。其人口は基督教徒と佛教徒とに分れ、又是等は多くの教派に分かれて居る。その職業は普通職の勞働者より、蓄蓄を極めた技術家、問答に、比較的に農業方面、小商人、奉公人が多數である。忠誠は誠生と年齢の事情によつて分岐したのである。

凡てのこのよつて分岐すべき或る特質事物がある。居住者は日系である。彼等は立退の共通の經驗を持つて居る。彼等は「立退者」と呼ばれ、日本人に非ざる管理員、監督の下に兵隊の護衛する転住所に在る居住者である。各転住所内の基礎的設備物は殆ど平均である。賃銀、住居、食物、又は他の主要な手當の相違は僅かである。

居住者の此經濟上の又教育上の不同に對向して有形的行政的均一の必要條件の範囲内にて、行政をも含むこの転住所の計画は、いづれも進展して來たのである。此の便覧は責任重き代議政体による社會の更に進歩なる發展を助くるを以て目的とするものである。

第二章 市政の權能

A. 立法

市參事會は規定を制定し、管理員がその中に記された一定の限度に於て、転住所内の警察、衛生、住居の福祉とに及ぼす事務の遂行に對する所罰を設くる責任を有す。(第三、六項を見よ) 該諸規定は採用された時、転住所の法律となり、司法會の履行する規則となるのである。転住所内に適當に法律が履行されることは、大に參事會が採用する規定が適當なることによるものである。

或る參事會は彼等が整理する權限を、入れて居る轉住所の諸の全面に亘る正規の政体を制定して居る。保安課員なる轉住所の警備その他が斯る制定の地均しをなし、諸制定を、その又その制定を正しき形に起草する爲に大に助力することが出来る。

B. 司法

転住所内市政の司法の權能は、司法委員會を通じて令施される。該委員會は各転住所に用ひられる基礎的憲章の規定に従つて、各轉住所に設立せらるべきである。是の基礎的憲章は勿論各轉住所一様ではなく、此の委員會の細密なる働きの一様の方法によるものであることは期待されて居る。憲章に於いて、司法委員會の權限と行動とを決定するに當り、程度を異にした權能が各市中參事會に許されて居る。

勿論、司法委員會が行ふべき公平の技能によつて居住者の信頼を獲得保持することは非常に大切である。司法委員會の働きの各方面が六月十八日附、中央局長が發した告知中に論じてある。此告知は主として、轉住所の長及び各管理員、職員の使用と適知目的である。その政務は司法委員會の働きの儘かに關係のあるものである。右に適切なる二項を引用する。

轉住所の長及び司法委員會の前に於ける議事は、司法の單數禮節、及公明正大に定せる手續の重要性を強調し、過る事は出來ぬ。法廷にて争ひあはる車問的形式、又は法廷で行はれる証據と訴訟の嚴格な規則に固く拘泥するの必要はない。併し、形式の全廢は司法の意圖に對する輕蔑を生み、遂には、我等は眞の法廷に居るののではない、と云ふ機會を造る。機、擬裁判、が關つて居る通過すべきの觀念は、法律、秩序の維持、立退者市政の全制度の下に横はる法律の基礎にも及ぶものである。此の結果を及ぼすのみか、如く合理的な形式を省略することは、被告者に、彼等對して作られた告訴に抗辯を提出する適當な機會を與へず、彼等を大部是公議に對付したと云ふ余地を與へることとなる。轉住所内未だ法令侮辱の科にて訴えられ罰せられ、事なき立退者の何人も此の不平を申立てたこと信じて居るが、斯る要請が決して起らざらば、我々ははつきりとして置きたい。而して適當なる形式の圖は公平な裁判を保証する一つの方法である。

司法委員會を有する市政の常置制度が設立された轉住所には、管理員指令第三十四號及第三十五號に於て、法令に關する問題は、轉住所の長に於て、此の委員會が職取するから、此の委員會の司法手續の法典の形成の問題がある。此の法典は市政の憲章中に於ても差支へない。或は司法委員會に、法廷の規則が、裁判長によつて宣布される如く、その手續の規則形成を委せてもよい。いづれの場合も、轉住所の長は手續法典形成に如何なる任務を委ねられたとしても、彼がこれを援助することは適當であり、是れはしきりである。概して起草される手續の規則は、余り詳細に言及することである。管理員指令第八十号、第三項、轉住所の長の前に於ける行政議事、中に於ては、規則に事

竟同様の規則の二組が司法委員會議の議事にも適用であらう。

C. 顧問

市政の権能中、最も困難であるが重要なものは市政の顧問の任務である。これは立退者の態度を映し、立退者の意見を相立てて指導する要質的立場であるから重要である。又管理員が種々な理由で立退者が推したことを遂行することが不可能なこともあるから、この任務は困難である。参事会は已に進言又は推挙が無視され継承されぬ時は、協力的消極的態度に出で易い。其故に参事会の推挙に對する同情のある注意が喚起され申込んだ行動が実行される時は、説明をなし参事会の進言が容れられたる場合はその功を認めることは大切である。

管理員は参事会に断らず現在の諸問題及びその成り行に關する情報を与ふる義務が有る。管理員が若し参事会を信頼せば参事会は現下の諸問題、諸計画に通過するを得ず。而してその時間を解決の出来ぬ問題又はすでに解決済みの問題に浪費して、結局は管理員、参事会相互間の協調を欠くに至る。参事会も亦同様に、管理員に立退者の立場から、市内の諸問題を断らず通知する義務がある。

D. 連絡

市参事会は管理員より居住者に宛たる報告を遍く傳へること、また居住者の希望と要求とを管理員に報告する要する地位に在る。適當なる聯絡制度は管理員と立退者との間の理解と協力を助ける。團體が復雜して行くに伴ひ、更に多量の人が参加するに従つて聯絡上の困難が増加する事は明白な事である。斯る困難の唯一の打破は事實、理想其他を個人より個人に自由に通せしむる輪廊の鮮明な機關を備へたる行政組織の創設である。

連絡するものは個人的或は心理的の面は同じやうに困難な問題を出す。彼が経験することは管理員と立退者が経験する等分に分けて居るに屬する事案が解釋されて居ることである。此の結果として誤解を生じ、量々豫期しない種々な爆発を招くのである。意志と目的を誤解した基に、一例は戦艦部隊の発表に見たのである。それは特別軍隊を通して二世の忠誠を形に現はす意圖であつたが、多くの人はこれを「分離」と解釋したのである。

連絡の組織を向上させ報告と思考を傳達するには種々の心を用ふべき点がある。我々は人が事務を承知して居ることが、一般の了解があるか、或は行はうとする事の計画に意見が一致して居るかとか決して思はぬべきである。換言すれば現下の情報を断らず報知することが必要である。情報又は思考の傳達の成功は連絡制度の効果を現出するに對照するに於て決定されるべきである。

連絡の適當な制度を確立する爲に守らるべき三條の基礎的原則がある。第一は連絡は権限の系統に従ふべきである。例へば所長又は彼の代理が市参事會と接觸する主要人物たるべきである。同様に、参事会は参事会の部門を通して情報を受取るべきである。第二は連絡は規律的であるべきである。同じ方法が同様の各場所を用ひられ同様の個人又は集團との關係で、部署を支持するに特殊の注意を拂はねばならぬ。且つ連絡は規則正しく頻繁にすべきである。参事会と管理員との公式接觸は各週行はるべきである。第三の原則は伝達する情報は意味のあるものにて、各通信は分り易き言語を用ひ、受取に關係のある事とすべきはなからうべきである。

連絡機關の組織は参事員がブローカー中継報告するやうに参事会を利用する事をも含んで居る。それと同時に各ブローカーはその代表者又はブローカーの行動を通して参事会に報告し、参事会はこれを管理員に通告することが出来る。極度に公報を贈り出す方法、新聞を用ふることは参事会も管理員も等しく有効に利用出来る。併し對談的關係は参事会と管理員とに對し多種の報告をなく傳へる要なき方法である。

E. 企画

市参事会が居住所の計画を立てるに當つて負ふべきことは重大なものである。一般的にはそれだけ見られて居る。問題は爲する爲に現行止し計画をすゝめて行くことは管理員に責任があるばかりでなく居住者の責任である。公式に選舉された居住者の代表者によつて成立する参事会は外部居住、法令の支持、職業、生産、其他轉住市内の重要な勤務と活動と計画するに當つて主要となるべきである。管理員職員は参事会が計画をするに當り行政の重要問題の時を逃がす事と進展を止められぬやうに注意を喚ぶべきである。参事員を補佐するものが出来る。同時に参事会は社會的問題を居住者に報告しその解決を見出すために彼等の参加を求めねばならぬ。特別な問題を懸念するものに特別委員会の設立も此面を得たる方法である。

健全な社會には、これら市参事会が社會の公式代表として活動する。市長又は市議員は市内に關係する事案及び紀念の式に出席する。米日、市内行事、又は國家に關係する事件のための宣言が登壇される。是と同様の機会が轉住市内に屬する事案であり、参事会が公式の儀式、又は通牒をなす事によつてその感情を示すことが出来る。

市の種々な出来事、たとえば赤十字社募金、少年義勇團不感運

事案、卒業式又は等に相當する市の或部又は全部が參與する出来事(公式の認可と推挙とを兼ねる)によつて参事会は斯る如き活動を容易に成功せしめ助授するべきである。或轉住所に於ては親師会が奨學資金等の集め、効果を取つたが、その運動は最初市参事会が東書したのである。

第三章 参事會の組織

適當な儀式、演説其他を加へた新参事会、新任式は重んずべきものである。地方檢察、又は官吏等外部より主なる演説の講演者として招くことも。

若干の常設委員を設立することは参事会が行つて来たことである。選挙の本員会は常に、教育衛生、娛樂、職業、外部轉住、法、公衆關係、運輸、供給、公衆救済、社会風紀及び其他市政上のこの特殊問題に當る用意をして居る。且つ参事会は並次に起つてくる特殊の問題に當る臨時委員をも遣つて居る。大凡参事会も市の諸問題全体に對して考慮する行政又は官行任務を置いて居る。此集團は参事會管理員と兩者に連絡する主眼の地位を占めて居る。職務は、参事会各本員会、総議、本員会、及市長身邊の職務の調和を計ることをも含んで居る。

参事會と委員會

参事会委員會の主たる職務は参事会に現在の諸問題の狀態を絶えず報告すること、又斯る場合の行動を聰明なる行動を導くことであるが一方、参事員に非ざる本員を以て組織された會議と委員會との相異した職務がある。是の集團は参事會管理員にこれらことも又或る他の集團によつても顧問である。

或る會議は参事会から半ば獨立して働くことも出来る。標準の市では圖書館、學校、衛生事業、企画、境界設定等のために市民が組織する會議がある。斯る非参事會集團は未だ廣く用ひられて居ない。

管理員は参事会に半永久的半獨立したる圖書館、學校、勞働關係、職業轉任、其他市の公けの働きの爲に斯の如き公議を設ける事を奨励するもよし。

是等の公議の役員に任命したる人は参事會選任から獨立した職務を持つて居る。他等の職務の任期は一期六月以上で、普通選出の方法である。其の職務上は市の関心と公議との受けることが出来るのである。それであるから、是等の集回は参事會委員より更に繼續性がある。

各新會議と共に参事會は公議員候補、請願、集會の度敷の一定制度を設定しなくてはならぬ。参事會は是等會議がその集會と行動に関する規則正しき報告を参事會に提出すべき事を主張すべきである。各會議は一参事員を任命する方法を或る転住所には行つて居る。

C. ブロック體制

ブロックの集回は多くの転住所が重要なる社会上、政治上の一單位とするものである。ブロックの人は産業、社会的、經濟的、政治的活動に共に回結して働く。ブロックの團結性は、ブロック問題を討議し、大小諸問題を決定するに當つて参事會にて正式の組織を以て、曼々表はされる。その集會は時として毎週開催される。

ブロックの集回は組織立つた管理員一人居居者接衝に善き機会を與へる。市参事會と参事會内のブロック代表者を通し又彼等と共に働いてはじめて諸集會を、居住民に現下の管理員諸問題及新政策を知らしめ、了解をなすの又凡紀の改革のために利用することが出来る。所長のためにブロックの代表者が取計、諸集會は可なり的心をひくものであり、所長が年長居住者選を更にし知り、彼等の問題に於ける機会を彼に与へる。且つ斯の集會は所長に転住所内に行はれ居ることを調査し、多くの質問に答へる時をよめる。

或転住所の行政の場合のつは参事員諸君が彼等を選出せる人々に對する規則正しき報告を乞ふことである。その結果は居住民に報告が行き届かず、参事員自身は一般の問題に暗くなる。一つの救済策は、市参事會が各参事員に彼のブロックの人々とともに一月に二回は公議する機会を與へることである。参事會幹事は最近の行動と現在の一般事務の方略を各参事員が該集會で用ひ得るやうに調製して置く。

D. 参事會の常置置産負
参事會の事務担当の爲に用する本職産負數は限定され居り、幹事一名、速記事務員二名、小使一人名が規定である。これに加へて参事會議長は市参事會事務の關係にて金額の給料を

支給される。参事會集會の場合には必要であり且つ参事會記録と報告の翻譯のため。パートタイムの翻譯者を雇ふことが出来る。

E. 西國語制

参事員に容れられたる一世の多くは英語より日本語を用ひて話すが、要に容易である。又或る人は英語を解せず、又或る人は日本語を辛うじて解するが、或は全然知らない人もある。参事會の西國語の特性は、初期の中に解決されて居なく、はなはだ問題である。英語が公式の言語たることは大切である。議事を話し又了解するに困難なる人々のために翻譯者を置かねばならぬ。議事録は日英兩國語で發表すべきである。

F. 下議院法

立法団体は多くは彼等自身の議院法を發展する。是等は慣例と凡習の長年の結果である。ロバート氏の「規則と命令」は斯の規則の粗立てを描述して居り、當國として一般から權威あるものと思はれて居るものである。公式の議院法は非公式の公衆集會に於ける並進の討論の型とは或方面では相違して居る。概して言へば、年長の日本は、この制度に慣れて居るが、少壯者は公式の討論の方法に親しんで居る。すべて東半球日本人は満場一致を非常に好む。

G. 参事會の公報

参事會の多くの一世は問題の各方面を長、徹底的に討議して、参事會の事務を日本式に取扱ふ傾向があるやうである。斯の討論は少壯参事員間に倦怠を生ぜしめるが、併し決定は参議者の大勢の全幅の支援を含むべきである。是等決議の公式聲明は認められたる議院法によらねばならぬ。

第四章 管理員、参事會間諸關係

A. 管理員職務の任務

所長、社會管理担当の副所長、及転住所専任辯護士の三名は市参事會の活動と權能と最も關係のある人である。此の三名の主要な責任は連絡、指導、専門的助言である。

所長は戰時転住所中央局長と転住所公衆との間の連絡の主要地位に在り、而して市参事會を通して連絡の權能を行ふ。所長にはまた統率の大責任がある。この統率は、重要問題は参事會と相談して實行する方針の進展の方法に對する参事會の忠告を求むることによつて最善に行はれる。

社會管理維持の副所長は特に市参事會の組織と權能に對して責任あり。彼の任務は参事會と所長間、及び参事會と転住所職員なる他の管理員間の連絡である。彼の指導は組織の方面に重要であり、参事會がその機能を開発するやうに助長することは彼の主要な任務である。参事會の顧問として彼は参事會が居住民に報告を規則的に効果的に中絶して居るか否かを確信しななければならぬ。彼は参事會の委員と會議、教育、衛生等の如き市経費の一部分の責任者との間の協力的關係を進めるやうに努めねばならぬ。

轉住所専任辯護士の参事會に對する責任は單問的助言である。彼の任務は市檢察官のそれと大部分相似して居る。彼は規則、決議の草稿及語句作製を助ける。彼は法令問題及公判、轉住所の辯護士は法廷の諸手續を行ひ、参事會及管理員の諸規則を釋明し、法令履行に適用するべき司法原則に對して忠告を予し、司法委員に價値ある進言と助力を與ふることが出来る。

B. 權限の範圍

これらの團體も左様である如く、参事會關係にも權限の範圍が定められることは必要である。或転住所では管理員職務が所長の承認を経ずして参事會に問題を提出する傾向があった。しなみならず、市中自主の壓力團體が参事會を支配して直接所長と交渉する或は大なる傾向すらあり。ある轉住所で非常に長結果を擧げた方法は、所長は、市参事會が設置した集團に非る限り、居住民の爲に請ふものであると、如何なる自任団体も委員を