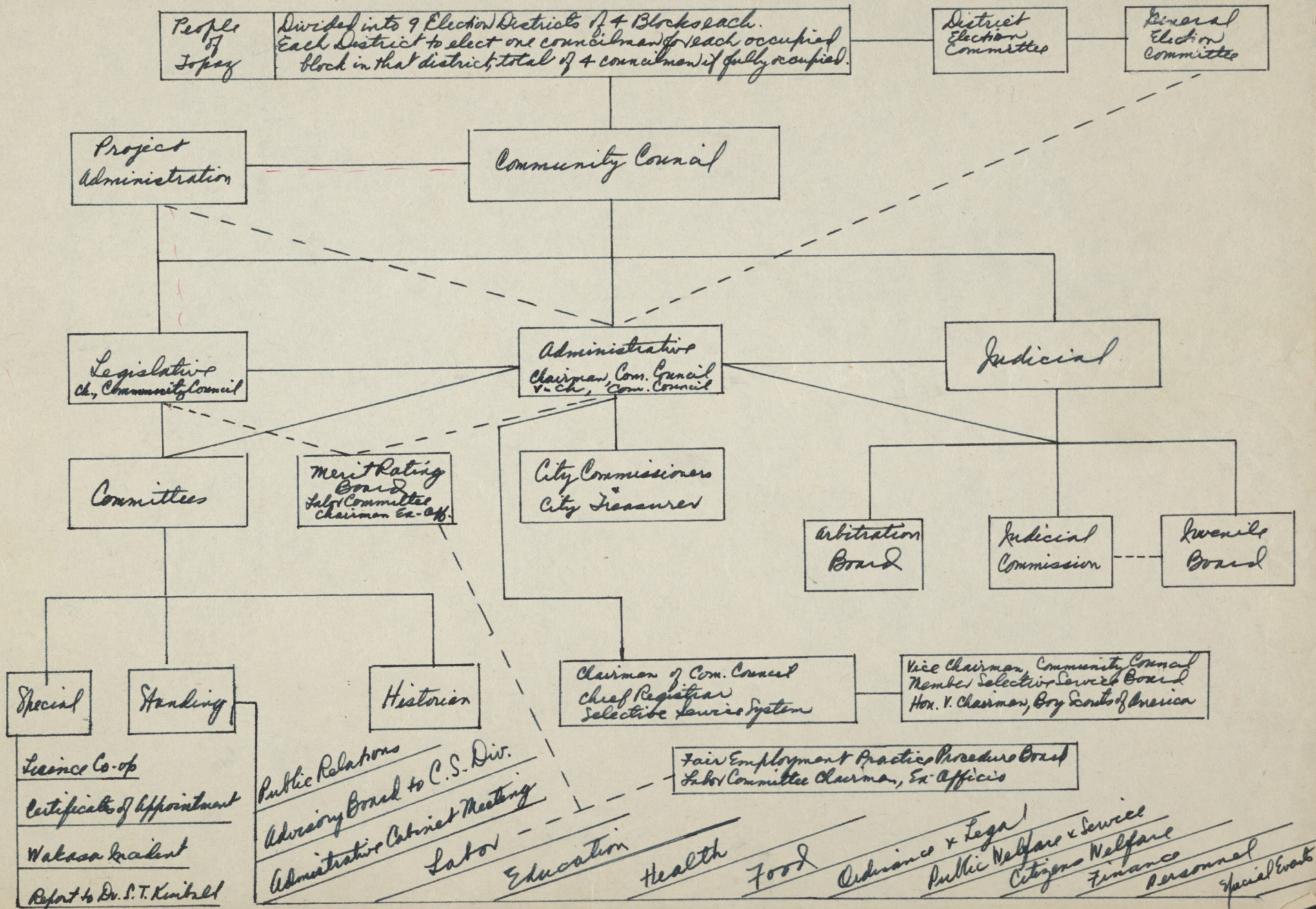


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Paul Taylor

Topez Community Government Organizational & Functional Chart

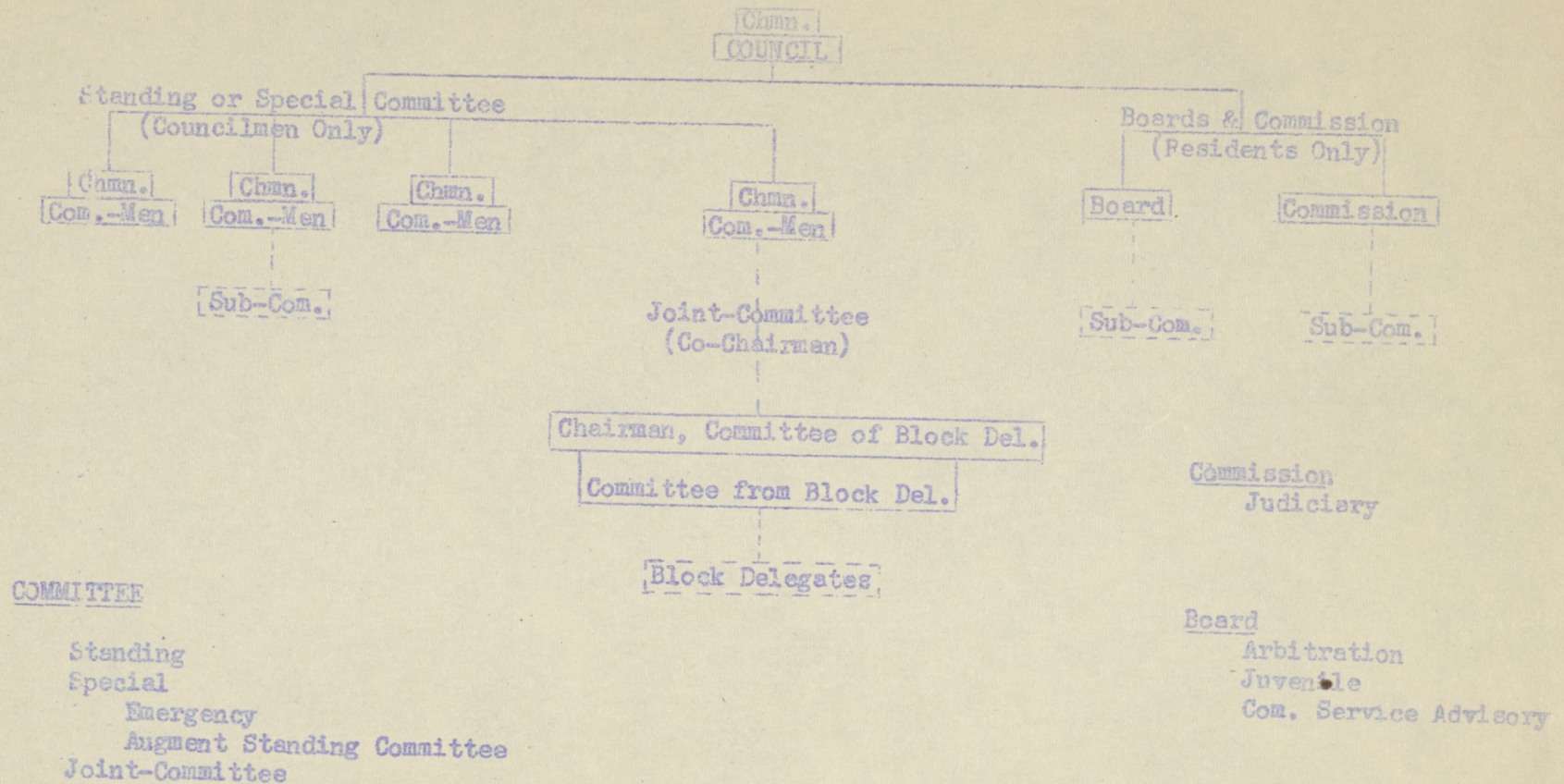


Dear Paul:

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

COMMITTEES, COMMISSIONS, AND BOARDS



Committee Report { Majority Opinion--Recommendation to--Council { accept or reject.
 { Minority Opinion--Communication to--Council or to Chairman of Council or { recommendation and information
 { Administration to influence acceptance or rejection of proposal or for information. { to Administration.

Boards & Commissions may choose own chairmen or may act in notation.
 Sub-Committees appointed are responsible to only appointing body--and not to Council.
 Block Delegates are elected by residents--and not responsible to Council.

Submitted by:
 Saiki Muneno
 Ass't Office Mgr,

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 not read
specifically*

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 semipermanent 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 demand 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.

11/18/43

Supersedes A. I. #34

(.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

.5

- 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

11/18/43

Supersedes A. I. #34

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、民衆に内心の意思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斷をなすやうに助けることが良いのである。」
（ジョージ・ベンサム（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、その面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。

転住所の諸問題の大部分は、いづれの新社会にても、その最初の整理に當つて面する諸問題と相似て居る。それは、健康、教育、法、職業、食物、住居、娯樂、生計及生計の諸問題である。更に特殊の諸問題は、面転住、臨時の應急的諸活動、立退による分裂的諸結果、敵國人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、協力的努力によらざるは、多くの困難に當つて満足なる結果を見出すを得ぬ。此の協力には、各協力者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、各官署と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關の設置を要する。

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、各官署と立退者双方の協力努力を要する故に、面転住の全軍獨行の欲求を排除するからである。然し、此の協力の關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的機會が存在する。

此發展は今日まで時には不規律であり、時には遅鈍であつたが併し可なり。進歩が、こ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。堅實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拘らず實現した。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く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實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れて居る。その職業は普通一般の労働者より、蘊蓄を極めた技術家、専門家に亘り、比較的、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。

凡てのこれによつて分擔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、日本人に非ざる官署職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少である。

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圍内に、行政をも含むもの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遙かなる發展を助けるをもつて目的とするものである。

第二章 市政の權能

A. 立法

市政議會は規定を制定し、官署司案内書中に記された一定の限度に從つて轉住所内の各學校、居住民の福祉とに及ぼす事柄の違反に對する所罰を設くる責任を負ふ。（第三、六項を見よ）該諸規定は採用された時、轉住所の法律となり、司法會の履行する規則となるのである。轉住所内に適當に法律が履行されることは大に、市政議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全うして居る轉住所生活の全面に亘る正規の政体を制定して居ない。保安課員なる轉住所警備員其他が對する制定の地均しをなし、諸制定をなすた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

轉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。該委員會は各轉住所に用ひられる基礎的命令の規定に從つて、各轉住所に設立せらるべきである。是の基礎命令は勿論各轉住所に一律ではなく、此の委員會の細密なる働きが一種の方法によるものであることは期待されて居ない。憲章に基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民の信頼を獲得保持することは非常に大切なことである。司法委員會の働きの各方面が六月十八日附、中央司令官が發した告知中に論じてある。此告知は主として轉住所長及び官署職員の使用と通知目的である。その或る部分は司法委員會の働きに關係のあるものである。左に適切な二項を引用する。

轉住所長及び司法委員會の前に於ける議事は司法の軍嚴禮節、及公明正大に定せる手續の重要性を強調し過ぎる事は出來ぬ。法廷に於ける軍嚴的的形式、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必要はない。併し形式の全廢は司法の處置に對する輕蔑を生み、遂には、我等は眞の法廷に居るのやうな、と言ふ機會を造る。機微裁判が關つて居るに過ぎず、この觀念は使に法律秩序の維持、立退者市政の全制度の下に横たふ法律の基礎にも及ぼすものである。此結果を及ぼすのみ、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迴附したと言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訴えられ罰せられし事なき立退者の何人も此不平を申立てたことは信じられ、居ないが斯る要請が決して起らないやうに我等ははつきりとして置きたい。而して適當なる形式の圖軌は公平な裁判を保証する一つの方法である。

司法委員會は有する市政の常置制度が設立された轉住所には、官署司案内書第三十四號及第六十五號に基き、法令に關する問題は殆ど轉住所長により、此委員會が職取するから、此委員會の司法手續の法典の形成の問題が起る。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、法廷の規則が多くの法廷の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よい。いづれの場合も轉住所警備員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、是れしきことである。概して起草される手續の規則は、余り詳細に亘らぬことである。官署司案内書第八十号、第三項轉住所長の前に於ける行政議事の中に於ける規則に事

竟同様の規則の二組が司法委員會議事にも適用であらう。

C. 顧問

市政の機能中、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員の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。其故に市参事会の推挙に對する同情のある注意が與へられ申込んだ行動が實行される時は詳細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。

管理員は参事会に對して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ある。管理員が若し参事会を信頼せずば参事会は現下の諸問題、諸計画に通ずるを得ず。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、市参事会相互間の協調を欠くに至る。参事会も亦同様、管理員に立退者の立場から市内の諸問題を断え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。團體が複雑して行くに伴ひ更に多くの人が参加するに従つて聯絡上の困難が増加するとは明白なことである。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。

連絡するこの個人の或は心理的の面は同じやうに困難な問題を出す。我々が経験することは管理員と立退者が経験を等分に分担して居るに層々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、層々豫期しない種々な爆烈を招くのである。意志と目的を誤解した基に一例は戰闘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ふべきである。換言すれば現下の情報を断えず報告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於ては三條の基礎的の原則がある。第一は連絡は権限の系統に従ふことである。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。同様に参事會は市参事會の部門を通して情報と管理員に傳達すべきことを主張するべきである。第二は連絡は規律的たるべきことである。同じ方法が同様の各場所を用ひられ聯絡の個人又は集團がこの關係で部署を保持するやう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ることである。参事會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、受取人に關係のある事とてなくてはならぬことである。

連絡機關の組織は参事員がブローカー中繼報告をするやうに参事會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會議の行動を通して参事會に報告し、参事會はこれを管理員に通報することになる。提議者に公報を貼出す方法、新聞を用ふることは参事會も管理員も等しく有効に利用が出来る。併し對談的關係は参事會と管理員とに對し多種の報告をなく傳へる更によき方法である。

E. 企画

市参事會が居住所の計画を立てるに當つて貢獻することは重大なものであつて一般的にはそれだけに見られて居る。問題は爲する爲に現行正しき計画を遂行して行くことは管理員の仕事で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會は外部居住、法外的支持、職業、生産、其他居住所内の重要な勤務と活動と計画するに當つて主役となるべきである。管理員職員は参事會が計画をするに當り行政の重要な問題を時を逃がす事と進展されねばならぬ處置に於て忠告を與へるに際し参事員を補佐することが出来る。同時に参事會は社會的問題を居住者に報告しその解決を見出すのに彼等の参加を求めることが出来る。特別な問題を懸念するに特別委員會の設立も此處を得たる方法である。

健康の社會にはいれし市参事會が社會の公式代表として活動する。市長又は市會議員は市内に關係する事案又は記念の式に出席する。衆目、市内行事、又は國家に關係する事件のたの宣言が與へられる。是と同様の機會が轉住所内に居る事案であり、参事會が公式の儀式、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、たとへば赤十字社募金、少年義勇團不感運

事、卒業式又は是等に相當する市の或部分又は全部が參與する出来事に公式の認可と推挙とを與へるに於て参事會は斯る如き活動を各處に成功せしめ助援することが出来る。或轉住所に於ては親師會が奨學資金貸付の集の効果を収めたがその運動は最初市参事會が東書したものであつた。

第三章 参事會の組織

A. 参事會委員會

行動を容易ならしめるには委員會を用ひることが最も効果的方法なることを大部の立法の団体は見出して居る。委員會の機能は立法団体の小集團に問題に關する必要な事實を集めるのしをそれと組立てて立法団体に對し行動する爲に提出せしめるのである。此の方法は時間と節約し能率的で若し各参事員が此の情報を集めるやうとするならば結果として起る紛糾を防ぐものである。

若干の常設委員會を設立することは参事會が行つて来たことである。是等の委員會は常に、教育、衛生、娛樂、職業、外部居住、法外、公衆關係、運輸、供給、公衆救済、社會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。且つ参事會は並次起つてくる特殊の問題を臨時委員會をも遣つて居る。大凡の参事會も市の諸問題全体に對して考慮する行政又は實行行委員會を置いて居る。此集團は参事會管理員の面者に連絡する主眼の地位を占めて居る。職務は、参事會各委員會、各職、各委員會、及所長身邊の職員の調和を計ることをも含んで居る。

B. 會議と委員會

参事會委員會の主たる職務は参事會に現在の諸問題の狀態を絶えず報告することである。又斯る場合にも應ずる聰明なる行動を遣ふすることであるが一方、参事員に非ざる委員を以て組織された會議と委員會には緊密に相関した職務がある。是等の集團は参事會管理員のいかにしても又或る他の集團にとつても顧問である。或る會議は参事會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。

管理員は参事會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のなり。

是等の公議の役員に任命したる人は参事會選舉から獨立した職務を担ふべきである。彼等の職務の任期は一期六月以上で、普通選の方法である面選をなし得るものなり。半永久的公議の長所は参事會改選に關りなくその事務上に市の関心と参事會を受けることが出来る点である。それであるから、是等の集團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院、諸議會、集會の多數の一定制度を規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關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

ブロックの集團は多くの転住所が重要な社會上、政治上の二單位とするものである。ブロックの人は社會、經濟、政治的活動に共に團結して働く。ブロックの團結性は、ブロック問題を討議し、大い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、覺悟を表はされる。参事會は時として毎週開催される。

ブロックの集團は組織立つた管理員、立退者、接衝に善き機會を與へる。市参事會と参事會内のブロック代表者を話し及彼等と共に働いてはじめて諸集團を、居住民に現下の管理員諸問題及新政策を知らしめ、より良き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代表者が取計、諸集團は可なり関心をひくものであり、所長が年長居住者道を更に知り、彼等の問題にふれる機會を彼に与へる。且つ斯の集團は所長に転住所内に行はれ居ることを面會し、多くの質問に答へる時を与へる。

或転住所の行政の場合の一方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を命ずることである。参事會幹事は最近の行動と現在の一般事務の大概を各参事員が該集會で用ひ得るやうに調製して置く。

D. 参事會の常置の産負

参事會の事務担当の産負する本職の産負数は限定され居り、幹事一名、速記事務員二名、小使丁一名が規定である。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受ける。

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

参事員に望ま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らう。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てはならぬ問題である。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. 議院法

立法因縁の多くは彼等自身の議院法を發展する。是等は慣例と習習の長年の結果である。ロバート氏の「規則と命令書」は斯る規則の粗立てを提出して居り、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團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斯る制度に慣れて居るが、少壯者は公式の動議と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。

参事會の多くの一世の問題の各方面を長く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。斯る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合はむべきである。選舉、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。

G. 参事會の公報

幹事は参事會の集會の記録、委員會の報告及市政に關聯する、市の集團による公務上の行為の記録をも保存すべき責任あり。記録と報告のやうには、各参事員、転住所新聞社及管理員主眼職員に送らねばならぬ。参事會の諸行動を略言し、参事會の活動の結果を評價する優れた方法は参事會の活動方面の當座報告を行ふことである。この報告は少くとも各三月毎に行ふことがよい。報告は参事會の使用のためまた居住者に最近の出来事と取つた處置に關する報道を傳へる爲でなくてはならぬ。この報告は所長にも送致すべきで、差出されて居る場合は所長はこれを要求することが出来る。

第四章 管理員、参事會間諸關係

A. 管理員職員の任務

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に最も關係のある人々である。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、暫時轉住所中央局長と轉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關して責任あり。彼の任務は参事會と所長間、及び参事會と轉住所職員なる他の管理員間の連絡である。彼の指導は組織方面に重要であり、参事會がその機能を開拓するやうに助長することは彼の主眼である。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どうかを確證しななければならぬ。彼は参事會の委員會と會議、教育、衛生等の如き市經營の二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。彼の側面の任務は市檢察のそれと大部分相似て居る。彼は規則、決議の草稿及語句作製を助ける。彼は法學問題及公可法とを、委員の働きに預つて重要な役を受持たねばならぬ。轉住所専任辯護士は法廷の諸手續を行ひ、参事會及管理員諸規則を釋明し、法令履行に適用するべき司法原則に就て忠告をなす司法委員會に價値ある進言と助力を與ふことが出来る。

B. 權限の範圍

これらの團體も左様である如く、参事會と關係にても權限の範圍が定められることは必要である。或轉住所では管理員職員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つた。しかしながら、市中自治の壓力團體が参事會を不當して直接所長と交渉する更に大なる傾向すらあつた。ある轉住所で非常に良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語るものであると云ふ、如何なる自任団体も委員をもち