



**The 21<sup>st</sup> Navajo Nation Council**  
Contact: Alastair L. Bitsoi, Public Information Officer  
Phone: (928) 871-6384  
Cell: (928) 255-2943  
Fax: (928) 871-7255  
[abitsoi@navajo.org](mailto:abitsoi@navajo.org)  
[www.navajonationcouncil.org](http://www.navajonationcouncil.org)

October 5, 2010

**FOR IMMEDIATE RELEASE**

---

## **Kee Allen Begay: Executive Branch prevents Navajo people from exercising their right to vote on referendum, judges should recuse themselves from TRO case**

*"What happened to the Executive Branch standing firm on Diné Fundamental Law?"  
- Kee Allen Begay, chairman for the Judiciary Committee*

**WINDOW ROCK, Ariz.** – Kee Allen Begay, chairman for the Judiciary Committee, has expressed serious concerns regarding President Joe Shirley's effort to halt a referendum to elect Navajo Nation Judges and Justices through a temporary restraining order, which violates the fundamental rights of the Navajo people choosing who they want as their leaders.

"What happened to the Executive Branch standing firm on Diné Fundamental Law?" questioned Begay. "According to the Executive Branch, Diné Fundamental Law affords the Navajo people the right to select who they want for leaders, their right to vote, and their preference for government structure. What happened to the people's choice, the premise that paved the way for a 24-member Council?"

Begay said the Council passed the Judicial Elections Referendum Act of 2010 to provide the Navajo people the fundamental right and freedom to participate in their democracy, which is very similar to the President's initiative to reduce the Navajo Nation Council from 88 members to 24 members.

"Instead of standing firm on Diné Fundamental Law, the Executive Branch resorts to other excuses to file the TRO when there is a clear statement that states, 'It is up to the Navajo people to shape their Navajo Nation government,'" Begay said. "The TRO filed by the Office of the President is an attempt to derail, delay and strip the Navajo people of their freedom to vote and is in direct contradiction of the people's choice."

With the people's choice in mind, Honorable Begay said it would be in the best interest of the Navajo Nation for all sitting Navajo Nation District Court Judges and Supreme Court Justices to recuse themselves from the TRO case.

"For a fair decision, it is my recommendation that current sitting Navajo Nation District Court Judges and Supreme Court Justices recuse themselves from the TRO case because there is a conflict of interest," Begay said. "It is obvious that the assigned judge will base his or her decision according to the Executive Branch's liking, which is to delay, derail and prevent the Navajo people from voting during a historical general election. I will seek and ask retired judges and even our own Navajo elders, traditional elders to participate in determining this case."

Mr. Begay also said both parties should be represented by Navajo lawyers and arguments heard in the Navajo language. "I wonder how much Gallagher and Kennedy Law Firm is being compensated for and from what funding source the Executive Branch is utilizing for the TRO counsel?" questioned Begay. "The referendum is to be posed to our Navajo people who will determine what is best for the Navajo Nation, which is democracy practiced in its truest form."

###