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FOR IMMEDIATE RELEASE:

Judiciary Committee members hear perspectives on the Diné Fundamental Law

TSAILÉ, Ariz. – The Honorable Speaker Edward T. Begay said he began to work on the development of the Diné Fundamental Law when he was asked numerous times by non-Navajos, “Where are your laws?”

Begay told members of the Judiciary Committee members, legislative staff members and Navajo audience members attending the Friday, June 15, 2007 Judiciary Committee members at Diné College that when he was a council delegate and a speaker, he “got tired of being asked this question so I went to work to create the Diné Fundamental Law that represents the interest of our Navajo people.”

“Many times when advocating on the outside (of the Navajo Nation) I was always asked, ‘Where are your laws?’” said Begay who was elected to the tribal council in 1971. “Some of the (outside) leaders told me that there are some words in the law that should not be acknowledged. This law has made you all become aware. Now the judges are making rulings on fundamental law not really knowing. We have forgotten our own way of life.”

Begay added that the “western thinking has not completely benefited us.”

For this reason, it is critical for the Navajo Nation to address the Diné Fundamental Law.

“In 2002, the Navajo Nation government created the Fundamental Law,” said Judiciary Committee chairperson Kee Allen Begay Jr. (Many Farms/Round Rock). “We have never worked to implement the law. We need to discuss the use of the Fundamental law in the court system. We have a law, and we have to directly discuss how to implement this law that can be effectively used by the Judiciary Branch. We have an interest in determining how we can utilize the Diné Fundamental Law.”

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Robert Yazzie of the Diné Policy Institute said the reasons for the passage of the Diné Fundamental Law are to preserve the Navajo way of life, and sovereignty.

Judge Leroy Bedonie asked how judges may work with the implementation of the Diné Fundamental Law.

“We did begin to work and address, but it did become difficult,” Bedonie told the Judicial Committee members and audience. “We have been told as Judicial Branch we are charged with implementation of the Diné Fundamental Law. We are working on this effort, but we are challenged with obstacles.”

Judge Allen Sloan said they he and his colleagues are able to implement the customary law portion.

“To me this is how the law works,” Sloan said. “You will find that some judges have made the personal decision to not wear the judge robe. We enter with our turquoise our belt; this is the practice, the etiquette of the judicial demeanor. Slowly, we are making some changes.”

David Jordan, Vice-President of the Navajo Nation Bar Association who practices law at the Gallup, N.M. – based law firm Jordan and Rosebrough, said progress needs to be made, and the traditional Navajo values and beliefs need to be taught.

Jordan added that there’s needs to be a clarification from the 21st Navajo Nation Council on direction that needs to be given to the Navajo Nation Supreme Court.

“What happens if we have an old statute that conflicts with the Diné Fundamental Law?” Jordan asked. “We have to have the Judicial Committee do something about that this.”

Recommendations that came from the meeting included creating a review and revision of bringing laws to conform to Diné Fundamental Law, and create a multi-committee panel. Additionally, to work together to achieve an initiative to fit the customs and values of the Navajo Nation Law.