

Navajo Common Law Project

The Complexity of the Navajo Culture

The Diné Origin in General.

Before the physical existence of the universe was an empty dark space without forms. In the depth and midst of darkness formed a dense cloud-like mist and waves illuminated by a mixture of gray, red, white, and bright silver colors. In the core of this formation appeared a radiance, which is told, is the beginning of the “Matured in Space” and the “First Existence,” known as the Ahsonnutli or Yá' alnii' neeyání a Celestial Deity or Existence (the electrical charge that binds elements).

From within Ahsonnutli came forth, in form of words, the first set of laws which is k'é underlying the orderly composition of elements including the universe, sun and the earth which also formed the basic elements of life; sunlight; water, air (oxygen) and seeds (Corn Pollen). These became the fundamental elements of life on earth and the guiding principles all life thereafter.

From within Ahsonnutli came forth the second set of laws that created the life forms of the Twelve Holy People, and the Twenty-four Holy People, and many more at different levels. They are given the freedom individually to move about, with sensitivities of awareness, language to communicate, certain powers to carry out responsibilities, and to appreciate Ahsonnutli and laying down the foundation for life.

While these Holy People were in the midst of space with the basic created elements, they communicated among themselves and came to certain questions. One of the major questions was how they would address Ahsonnutli and what they would call him. The Ahsonnutli told them they would address him and communicate with him through k'é. K'é is a law and is the foundation of all laws, beenahaz'áanii and atsésilāi. Hence, that became the foundation for the guiding principles established by the Holy People. These tenets or the foundation of life were to be instilled in nature, the makeup of the Earth (Mother) and the Universe (Father).

Ahsonnutli came forth again with a third set of laws which serve as the foundation of life, love, and cultural concept. With these Laws Mother Earth emerged in her first stage as the Dark-World (First World) and Father Universe came to exist. They became the mother and the father of

all life on the earth. The laws Mother Earth and Father Universe embodied are diverse and complex, but the foremost are the acknowledgment of nourishment, shelter, and foundation of life.

As the fourth set of laws, the Earth-Surface-Holy People were created to live life with culture and to dwell in the Dark World with the guidance of the Holy People. They were allowed to alter or balance the nature of environment or surrounding to meet their way of life with the help from the foremost Holy People.

As the time went on, based on the practices of readjustments and balancing, some Diné went out of control and went beyond certain laws, which caused the supernatural alterations in the Dark, Blue, and Yellow Worlds. The result of the forbidden deviation from the teaching of the holy people in the Yellow World appeared and developed into the supernatural evils causing supernatural disorders and ordeals in the White World.

The Holy People called for the restoration of the laws and corn pollen path of life; hence a female holy child was created, and when she grew up she was called the White Shell Woman. The Holy People instilled White Shell Woman with the revelation of the Ahsonnutli's creation and his purposes. The White World livelihood circumstances, the future, and the purposes of her appearance. With the spiritual blessing upon her, she gave birth to her twin sons.

When the Twin-Brothers became adults, they took a spiritual journey to their sacred father, Johonaaei (Sun Deity). From their father, Johonaaei, they were given the sacred armors and the sacred weapons of fortified natural energies. They became the Twin-Warriors who supernaturally restored the world back to harmony and corn pollen life path. K'é, integrity, and worthiness of respect were also restored. Thus, the Nohookáá Diyin Dine'é (Earth-Surface-Holy-People) conducted various sacred healing and the blessing ceremonies with the guidance from the Holy People, which lead to the establishments of certain ethical guiding principles for the future to be free of the legacy of historical catastrophes.

When all things were back in orders, the Glittering World was established. Upon the Glittering World, again these tenets were instituted within the Diyin Nohookáá Dine'é. Meaning that Earth-Surface-Holy-People were recreated as the Holy Earth-Surface-People. Figure 1 provides a visual image of the journey of life from the first creation to the Glittering World.

Navajo People. Diné

As the indigenous peoples of this great Nation we have the unique concept of identities, which are our name, clans, language, culture, shadow. and footprints.

Our name. nihizhi, Diné means the people, human, or beings with five fingers, Bila'ashla'ii Dine'é. We also have a spiritual name, Diyin Nohookáá Dine'é or Holy Earth-Surface-People given by the Holy People. We rely on the elements of life, sunlight, oxygen (air), water, and pollen (seeds) and exist in the images of our ancestors, including the Earth-Surface-Holy-People, the Holy People, and the Ahsonnutli. We are created with living souls.

Our Diné clan system, doone'é, as the four basic clans were created by the White- Shell-Woman from her body (epidermal waste) which are: (1) Kiiyaa'áanii from her breast (2) Todich'ii'nii from her right arm pit (3) Honagháahnii from her backside and (4) Hashtl'ishnii from her left arm pit. The clan system is established to enforce k'é, and in return k'é is also the foundation of the clan system. Today there are many clans that have descended from the original four basic clans. Our clan system is the foundation of keeping the healthy bloodline toward well-beings as individuals, families, and a nation.

Our Diné language, nihiinéé' is the foundation of our culture, unity, life function, and well-being. Our language is the universal tool of k'é, our ceremonies, our prayers or songs, to communicate, educate and plan.

Our Diné culture, nihe'á'al'i, derives from our unique ancestral origin stories of evolution, values and way of life from the beginning. Our way of life, Iiná, is based on Sa'ah Naghái Bik'eh Hózhóón, the holistic practice, belief, and respect of one's journey through life. Culture is the root of life that kept us united and closely connected to Mother Earth and Father Universe. We are blessed and instilled with the colorful foundation that keeps us healthy, happy, proud. and strong. We strive to live in harmony (hozho) with our natural environment, in accordance with our ceremonies, our songs, our stories, our people using our language. Based on this, some say there is beauty before me, behind me, above me, beneath me, and all around us, also meaning not to disrupt our natural environment.

Our shadows. nihichaha'oh. remind us that we are not alone. We are all connected with the Mother Earth and Father Universe that they are our shelter, nourishment and comfort. Our shadows

remind us that Ahsonnutli has all its Holy People watching over us continuously day and night ready to hear, assist, and protect us spiritually for our physical, mental, and spiritual well-being. Basically, we cannot hide physically or mentally.

Our footprints, nihikék'e hashchiin, are our reassurance that each of us is given a chance to walk the footprints of life. We are all created and born into this world to attempt to meet the goal of old age. This road of life is hard, but we are also given chances to learn and follow the fundamental holistic guiding principles set forth by our ancestors. Meeting old ages mean that we have to control our future to make our lives worthwhile. Travel the Tá'didiin bee Kék'e Hashchiin (corn pollen footprints) in the image of Saah Naaghai' Bik'eh Hozhon (Scared-Family who proceeds and journey eternity with blessing and harmony) is the major and beautiful guiding principle most commonly practiced throughout a lifetime.

We are instilled with knowledge and wisdom of life. Hence, as we were created with the living soul, we remain Diné forever. Today, we are also recognized as Navajos throughout the world.

Land Base. Kéyah Haz'á

From within the White World, came the establishment of the Glittering World as the foundation of the dwelling of the new life forms, including Diné. Presently, our homeland is approximately twenty-five thousand square miles, is placed within the four sacred mountains of Sisnaajini, Tsoodzil, Dook'o'osliid, and Dibé Nitsaa in the southwestern region of the United States. The size our land base today is much smaller than the time before the year 1868 when we had our aboriginal land base, which extended beyond the four sacred mountains. However, among the lands of other indigenous peoples in the United States, the Navajo Nation possesses the largest land base, which embodies certain amount of natural resources. Today, the Navajo Nation consists of one hundred ten chapters including three separate areas, Alamo, Ramah, and Tohajiilii' chapters.

Water - To'

The water, "To'," is one of the four basic elements. Adinidiin - Light. Nilch'i – Air/Oxygen, and Tá'didiin – Corn Pollen. The water is diyin, sacred, as well as beehaz'aanii and atsésilái, laws, and called "Dzil Binah'silá' dóó Iná Betsē silái dóó Baasilái," the Surroundings of

the Mountains and the Foundation of All Life. The water maintains the connection between the Diné and Ahsonnutli, Holy People, Mother Earth. Father Universe, and all walks of life.

When Nihimá, Ni'asdâán dóó Nihizhé'é Yãdilhil, the Mother Earth and Father Universe were created from the basic elements of life, upon the Dark World and beneath the Father Universe, the sacred mountains, the atmosphere, the water, and other life forms were put in places. The Earth-Surface-Holy-People were then created to nourish from them. At the same time, the Holy People took small amount of soil from each sacred mountain as the landmarks from all four directions were then placed into the separate "sacred deerskins of no-arrow-marks." They are placed together with a male and a female sacred mirage stones in the center. These are placed within another no-arrow- marked, and again secured with a strip of no-arrow-marked. These became and are called Hozhoji (Song) thus the most Sacred Prayer Bundle.

When we talk about the "no-arrow-marked-deerskins," they symbolize the Black Wind and the White Wind, and the relationship between the Mother Earth and Father Universe. It farther reveals the understandings that in the beginning the sacred White Wind and the sacred Black Wind were spread out like two pieces of real soft cloths, which are a female and a male. White Wind meaning the blanket of atmosphere surrounds the Mother Earth. The atmosphere is the mixture of scents and reflection of love and beauty from the Mother Earth. The Black Wind is also the atmosphere surrounding the Mother Earth and through that the Father Universe reveals his love and blessing. This foundation continually unfolds and maintains the reproduction and growth of all life.

This sacred prayer bundle symbolizes the land and hooghan, as the foundation of life. When it comes to our homeland, the deerskins symbolizes the cycle of clean and healthy environment, which are nights, days, four winds, clouds, rain, and snow over all the land. The deerskin strap symbolizes the water and the rivers as said Dzil Binah'silã.

The water flows from mountains on to the land, where rivers are our fathers and the glittering water like lakes, seas, and oceans are our mothers. They are our sacred prayers, songs, and stories; therefore, water is the law and foundation of all life.

Life and Culture. Iiná dóó A'ál'i'

All life is in connection with all creation. We are not the only inhabitants of Mother Earth; we share the land with the wildlife and vegetation. Our grandmothers and grandfathers related stories of how their grandparents were so at peace and close with the nature, which provided abundantly toward their physical, mental, and spiritual wellbeing. They nourished from the wildlife and vegetation without hesitation due to sense of any dangers. which may disrupt the well-being. They knew of medicines that could be made from wildlife and vegetation and of their application. They knew of ways to approach those vegetation and wildlife that have certain significance. They knew how to respect the natural resources by using the land and water for farming, dwelling, and security.

The holistic practices of traditional values are established from the connection with the natural world. On top of that there are the comprehension of the basic cardinal directions, the foundation like the circle of life, four seasons, and the creation stories. Our Diné traditional way of the spiritual awareness, meaning that our belief and worship practices in maintenance of the connection with the Ahsonnutli and the Holy People, holistically is the foundation of iiná dóó á'álái', life and culture.

From the east comes awareness within the white wind, the new dawn, and spring unfolding the new beginning of all through the radiance beam from the sun. These are the Holy Peoples instilling Sisaajini, the White-Shell Mountain, with the seeding of the intellectual ability, nitsihákaas, revealing and evolving new beginning on the footprints of life. Thinking is the foundation of planning. Our traditional consecrated songs and prayers to all establishments of foundations are the keys to proceedings and seeking. In daily life we have hopes and dreams to succeed.

From the south, within the sun radiance through the blue wind, midday, and summer, comes the realization, with integrity and dignity, and development of stable mentality. Again, these are instilled in Tsoodzil, the Turquoise Mountain, evolving the continuation of the road of life by setting our goals. Nahat'á', planning is the foundation of life. We proceed with identification and comprehension of fundamental values and the basic guiding principles.

From the west through the yellow radiance of twilight and autumn within the yellow wind Dook'o'oosliid. the Abalone Mountain, is instilled with the foundation of originality and the

comprehension of the fundamental values and the universal principles of life. Life, Iiná, is the foundation of wisdom. We reveal maturity and stable mentality by maintaining our responsibilities with integrity and dignity. We continuously contribute and illustrate the guiding principles and values to practice the moral standard of life and behaviors. In our practices we render welfare and guidance to our children and elders with compassion and affection. We have extensive and complex responsibilities to maintain a healthy nation.

From the north through the blanket of darkness and the whiteness, the black wind and winter, the Holy Peoples instilled Dibé Nitsaa, Jet Mountain, and the fundamental laws. Wisdom, siihasin, is the foundation of the continuous footprints of life. Based on the fourth cardinal directions, we rely on this natural library to gain understandings about the mysteries of life and creation beyond how much we know. Based on the cycle of life, we come to the old age going through difference segment of life. Consequently, we grow old physically, but mentally we advance in wisdom. Based on the circle of four seasons, we come to the time, winter, of holistic researches and sharing our advancements of wisdom. We revitalize our human well-being and our foundations proceeding with our life and culture. Meaning, we re-illustrate our practices with integrity and dignity to maintain our sound spirituality, education, government, livelihood, and natural environment. Winter is the time we review, revise, amend, and make laws.

The aspects of these concepts provided the understandings and teachings maintain the practices of unity and the roles and responsibilities of the Diné, individually and as nation. This is our sovereignty. naats'iilid, that provides us the freedom to enhance and preserve our language, belief, culture, wisdom, knowledge, governance, and relationship (ké) domestically and with the outside world. These are the fundamental values and the universal principles of our life way. Our verbal laws are based on our life way, which are upheld by the matters of integrity, dignity, and obedience. Beyond that, just simple belief and trust with k'é among the people is the key to unity.

Navajo and European Value Systems

Cultural Integration

Through the decades. the Navajo became semi-assimilated to the world outside the four sacred mountains. The Treaty of 1868 opened the gateway to many policies of the United States including federal Indian termination and assimilation that significantly changed the traditional Diné life way. Despite being semi-assimilated, a significant number of the Navajo people still use

the Diné language, which is now a written language. The Navajo Nation government encourages its youth to learn the language and culture and has established an education policy that mandates that Navajo language and culture is taught in every school on the Navajo Nation. In support of the education policy, the Office of Diné Culture, Language and Community Services is establishing Navajo specific curricula. Already, the Diné College and the Navajo Language and Culture Center at Rough Rock Community School had provided Dine educational services for some years.

As for the healthy physical, mental, and spiritual wellbeing, our people still practice traditional prayers and ceremonies. There are some young people in the process of learning how to carry on these practices.

Regardless of the continuous integration of different thinking, planning, life ways, languages, beliefs, and laws into Navajo lifeways, it is the intention of the Navajo government to preserve and enhance all that is inherited from our ancestors and remain what and who we are. For the first time, Navajo leaders are taking the initiative to conduct research and transcribe the verbal Diné laws for incorporation into the Navajo Nation Codes.

Diné Traditional Marriage

The traditional Diné wedding is based on the mating of the young maiden, White Shell Woman, and the Sun God in the White World. The following procedures of today's wedding ceremony may vary depending on geographical location and customs are as follows:

- The wedding takes place at the bride's resident in a traditional hooghan.
- The groom is seated on the west side in the hooghan and his relatives are seated to his left.
- The bride's relatives enter the hooghan and are seated to the right.
- An uncle or a well-respected male individual is appointed as the wedding ceremony performer. He brings in a traditional pot of water and a gourd dipper.
- The bride immediately follows carrying a wedding basket containing corn mush.
- The bride sits beside the groom with the water pot and basket placed in front of them side by side. The basket is to remain in place throughout the initial wedding ceremony.
- The person who brings in water is seated to right-hand side of the couple.
- The groom's parents present the bride's parents with gifts of values as agreed.

- The wedding ceremony performer proceeds with pouring the water into the gourd dipper. The bride then pours water onto the groom's hands to rinse his hands. The groom repeats this process for the bride.
- A song or a prayer may be done before proceeding to the blessing of the corn mush.
- The blessing of the corn mush is performed by sprinkling corn pollen from west to east and back to west then from south to north and back to south in a straight line and crossing at the center on the corn mush. Then in one circular motion, a sprinkle is made beginning from the east to south, west, north and ending to the east, but the circle is not enclosed. An opening is always left to the east representing an entrance and exit for the way of life.
- The performer will place a dab of corn pollen east on the corn mush then he will take a small portion of the mush and corn pollen to eat. The bride will then take a small portion of the mush and corn pollen to eat. The same procedures are performed for the remaining cardinal directions and center of the corn mush.
- After this blessing, the groom and bride are pronounced husband and wife.

They are directed to continue eating more of the corn mush. The corn mush will also be shared with the groom's relatives first and then with the bride's relatives.

- When all the mush has been eaten the basket is given to the groom's mother to keep in her family.
- A feast proceeds after the wedding ceremony. The wife's relatives will provide all of the food for the feast.
- During the feast, traditional moral practices of motivational and fundamental speeches of advises are given to the newly wed based on the holistic values and guiding principles of parenting, family well-being, and their roles and responsibilities as husband and wife. These speakers may be parents, relatives, leaders, medicine-people, and elders.

The traditional pot and the water used in the ceremony represent the Mother Earth containing grandmother and grandfather Holy Water of Life. The gourd dipper represents the roots, growth, interweaving, and reseeding of life. The water is poured on the hands for cleansing of certain wrongs that may have been committed and symbolizes the transition from individualism to a beginning of unity and sharing of the roles and responsibilities.

The significant of the Diné traditional basket represents the creation. It is crafted from the center and proceeds in the footprints of life in the opposite path of the sun and the shadow. It is the foundation to the proceeding of growth and journey of life, Dah'adiniisd, Hajuinái, doó Ha'aznáagi hane'. It also reveals, from the center and outward, the comprehension of all bad things that happen in the process of the journey from the Dark to White World. From outside and inward in the path of the sun and the shadow, it reveals the comprehension of all the blessings and

harmonies provided by the Ahsonnutli and the Holy People. The base is the foundation of life, the Mother Earth, and the outer edge is the foundation of the Father Universe. The color prints or figures are the formations of the earth surfaces, water, and the sky of days and nights throughout the four seasons. The color prints are not completely enclosed where there is an opening that represents an entrance and exit. The opening represents access to all foundations of life that the Mother Earth and the Father Universe provide. It is also the passage for communication in all prayers and songs to the Ahsonnutli and the Holy People. The black prints also represent the Holy People's readiness to listen, assist, protect, and to guide. Like the Holy People, they also represent the Dine medicine- people and leaders. The red stripes are the rainbow and represents the children, the Dine - Bila'ashla'ii Dine'é with the spiritual name Diyin Nohookáá Dine'é. It also represents the mind, dreams, language, learning, teaching, planning, prayers, and songs, which are the tools to everyday life and accomplishments in the future.

The Dine traditional baskets have many uses. In the wedding ceremony the basket brings in corn mush where corn pollen is used. The corn mush is the sacrament of binding power to unity of life, and the corn pollen is the blessing for a new beginning of life.

The purpose of crossing a sprinkle of the corn pollen is a blessing to uphold, with integrity and dignity, a pledge of unity, and roles and responsibilities.

The sprinkle of the corn pollen from the west to east and back represents the commitment and expectations that the husband will go outside to succeed and bring in the teachings and nourishment to his family's wellbeing. He has to maintain his energy to uphold the home and improvement of the livelihood. He has to uphold his stability, mentality, and role modeling to keep the dignity, integrity, obedience, and discipline in place for his children. He has to uphold his affection and compassion for his family.

The sprinkle of the corn pollen from the south to north and back represents the expectation of the mother to uphold her roles and responsibilities like the father, but from and within the household for her family's well-being. The circular corn pollen sprinkle represents the new family's journey on the footprints of life.

The traditional Dine kinship and clan systems (K'ë dóó Doone'é) need to be seriously considered before a couple plans to wed. This is a Dine verbal law brought down from our ancestors to keep the bloodline healthy.

This Dine traditional wedding serves as an example of using the guiding principles of life, Iná Bits silái dóó Báá'silái as the Navajo Customary Law.

Navajo Declaration

The Navajo Declaration declares that we are the image of our ancestors among the Indigenous Peoples and that we are created in connection with all creation. Mike Mitchell. Wilson Aronilth. Peggy Scott. Laura Wallace, late Andrew Natonabah, and late Dr. Dean Jackson developed the following declaration, with guidance from the Navajo Medicine-Men Association and Navajo Community College. The revision of the declaration interpretation was made by: Laura Wallace, Division of Dine Education; Roger Begav. Dine Language and Cultural Development - Division of Dine Education; and Henry Barber. Office of the Speaker. The following declaration is depicted by Figure 2:

Dine Bi Beehaz'áanii Bitsësiléí

Diyin Dine'é,

Sin dóó sodizin,

Bee

Nahasdzáán dóó yádilhil nitsáhákees yilhadeidiilaa,

To dóó dzildiyinii nahat'áh yilhadeidiilaa,

Nilch'i dóó nanseahaas'ei iiná yilhadediilaa.

Ko', adinIdlIn dóó ntl'iz náadahaniihj jThiihasin yilhadediilaa.

DII ts'idá aláajjThihibeehazáanii bitsësilél nihá'ályaa.

Nitsáhákees éi nahat'á bitsësilél.

Iná éi siihasin bitsësilél.

Hanihidilyaadi dII nihiihdaahya' dóó bee hadInlit'é.

Binabji nihééhodIlzinii éi:

NihIzhi,

Adóone'é niidlinii,

Nihiinéé -,
Nihe 'áál 'j',
Nihichahaoh,
Nihikék'e hashchIn.
Díí bik'ehgo Diyin Nohookáá Dine'é nihi'doo'niid.
Kodóó dah'adInIisá dóó dah'adiidéél.
Ako diIshjIjgi éí nitsáhákees, nahat'á, iiná, saad, oodla',
Dóó beehaz'āanii al'a ádaat'eego nihitah nihwiileh,
Ndi nihibeehaz'āanii bitsésilél nihánidaahya'át'ahdii doo lahgo ánéehda.
Ej biniinaa t'áá nanihi'teelyáháadoo nílch'i diyin hinááh nihiihdaahya'á
geatéigo,
T'áá Dine niidlíjgo náásgóo ahoohá.

The Foundation of Diné Laws (revised English version)

The Holy People ordained,
Through songs and prayers,
That
Earth and universe embody thinking,
Water and the sacred mountains embody planning,
Air and variegated vegetation embody life,
Fire, light, and offering sites of variegated sacred stones embody wisdom.
These are the fundamental tenets established.
Thinking is the foundation of planning.
Life is the foundation of wisdom.
Upon our creation, these were instituted within us and we embody them.
Accordingly, we are identified by:
Our Diné name,
Our clan,
Our language,
Our life way,

Our shadow,

Our footprints.

Therefore, we were called the Holy Earth-Surface-People.

From here growth began and the journey proceeds.

Different thinking, planning, life ways, languages, beliefs, and laws appear among us,

But the fundamental laws placed by the Holy People remain unchanged.

Hence, as we were created and with living soul, we remain Diné forever.

English Terms v. Navajo Terms

Navajo Leadership Titles

Almost a century has passed since the Navajo people raised their leaders by selecting them while still in their youth and teaching them either the ceremony of Hozhojii or Nayyeejii and when new leaders were needed would choose their leaders by standing behind their selected candidate as a vote and for much shorter term, by casting ballots. From that time Dine began to choose leaders based on their possessions of wealth and other factors such as geography. The Dine leaders were installed through the traditional spiritual ceremonies before carrying on their responsibilities. Today, Navajo Nation leaders are chosen through the election process established by Navajo Nation election laws. They are installed through taking the Oath of Office. The common elected leaders are the: Navajo Nation President and Vice-President, council members, chapter officials, grazing committees, farm boards, land board members, school board members, and Board of Election Supervisors. At certain points, elected leaders may appoint other Navajo leaders to assigned positions such as Speaker of the Navajo Nation Council, Chief Justice, and Attorney General.

Based on the Navajo origin, the proper titles of Navajo leaders at the top level are:

- The ‘Aláaji Hózhóoji Naat’ááh (President)
- The ‘Aláaji Naat’áji Naat’ááh (Speaker)
- The ‘Aláaji Haskééji Naat’ááh (Chief Justice)

The ‘Aláaji Naat’áji Ndaanit’áui or Naataanii (Navajo Nation Council)

Through this study on the Navajo Common Law, a significant leader was rediscovered - the War Chief —‘Aláaji Naayee’ji Naat’ááh.

Proposed Amendments to Navajo Law

Government, Naat'áà, and Compartment Titles

In the Navajo language, Naat'áà means a government. The system of the Navajo government is called Nahat'á., which involves the function of planning, legislating, implementing, and future growth and developments. The Navajo way of governing embodies the four compartments, which are Hózhóóji Nahat'á, Naat'ááji Nahat'á, Hashkééji Nahat'á, and Naayee'ji Nahat'á. Figure 3 outlines this structure.

Today the Navajo Nation functions on the two-level (branches) systems of government, which are the three-branch and the chapter systems. Some of our people expressed that the three-branch system is not the Dine origin of government. Based on the Navajo Common Law research, the Dine origin of government is based on four compartments or branches.

The practice of the roles and responsibilities of the Navajo government and leadership with the four compartments as a whole was under the individual leadership or more leaders mainly depending on the size of the population and the geographical factors before the western form was introduced. The practice of the modern Navajo three-branch government is based on the size of the population and the members of the leaders at larger scale, where separation of the compartments are appropriate to meet the changes in our lifestyle.

Description of the Four Basic Compartments

Hózhóóji Nahat'á, Exercises of Harmony and Peace Way of Livelihood. This compartment is the core and the foundation of wisdom and knowledge evolving the implementation of the fundamental guiding principles and values of life. It is respected and practiced as if alive that inhales and exhales, meaning that it accumulates and contributes fundamental worthiness toward sound livelihood. It is instilled with understandings of the practices of Diné relationship (ké) domestically, abroad, and with the environment. It is also instilled with the understanding and respect of Diné histories and foresees the future, where the function of life is very much based on the cycle and laws of the nature of the four seasons, and the cycle and laws of life from birth to meeting old age. The plans were developed and practiced on these bases and became laws of the nation. This compartment does not function alone. It reviews issues and develops plans in consultation with the people. Although there was no centralized traditional government like at the beginning of civilization, it proceeds with recommendations to the planning or law-making part of

its divided or isolated small functional government. It is also the representation of its government and its nation in the best interest of the people. Presently we recognize this as the Executive Branch.

Naat'ááji Nahat'á, Exercises of Planning (Legislating and Governing). This compartment was exercised verbally by a group of representatives verbally appointed by the Peace-Chief or the people, to uphold the fundamental responsibilities. With the input by its people or nation, it reviewed and developed plans with verbal agreements for implementation. These plan-making activities were done in support to have positive head leadership. If these plans enacted are repeatedly practiced with good results then in time they become laws in the best interest of the people. Again, these practices are based on the relationship with Mother Earth and Father Universe, the seasonal environments, the nature of human life cycle integrated with sacred spiritual beliefs and the guiding principles descended from the Holy People. These practices of collaboration, coordination, and unity, with respect and obedience, maintained the stability of governmental functions of the nation. Presently, we recognize this as the Legislative Branch.

Hashkééi Nahat'á. Exercises of Peace Making, Obedience, Discipline, and punishment. Our ancestors believed in the strong reliance on the teaching of obedience, especially for younger generations, through peace makings and the necessary scales of disciplinary actions. At times, when come to misbehaviors of Diné of higher level of wrong doings or commitment of crimes, other steps of measures are considered other than the basic teachings which are holistically addressed. Other steps of measures convey the use of the traditional spiritual ceremonies to restore the righteousness from the wrongful doings. When major crimes are committed, different scales of punishment are applied. Payments in these certain crimes vary in the form of slavery, wealth, and outcast. Sometimes to help make a difference in case decision, a person who committed a crime may plead with the victim or victim's relatives. The capital punishment of "death penalty" is not the Diné punishment, though life elimination was experienced among the Earth-Surface-Holy-People

Again this compartment has the verbal moral practices and the methods of regulating the moral standard guidance of obedience in the matter of respect and trust based on the holistic traditional and cultural concepts. These procedures were practiced and carried out by verbally appointed well-respected person.

Presently, the Navajo Nation operates two level court systems, Dine bi wholdii, which consists of Trial Courts and Navajo Nation Supreme Court. The Trial Courts consist of seven judicial districts. Cases begin at the trial courts and the appeals are made to the Supreme Court. From time to time the court judges use the uncodified Diné law to interpret and decide cases. When laws are established through court, the Navajo Nation Legislative Branch should review them for ratification, once these laws ratified should become codified. This compartment is recognized as Judicial Branch.

Naayee'ji Nahat'á, Enemy and War Way. National Defense and Security. In the Diné origin, the Peace Chief and War Chief are basically the foremost parallel in leadership and protection of life and nation. Even in the foundation of the Diné traditional spiritual ceremonial practices there are hózhóóji and naayee'ji. We seem to have let go of this part of the fundamental practice of our sovereignty and freedom, though it was not taken from us at the time when our ancestors signed the Treaty with the United States. The Diné way: there are four foundations of sacredness to every major parts of the creation. It is vitally important to have this foundation, mainly to have our National Defense and Security in place in cases of extreme emergencies. If we reestablish this as the Fourth Branch of the Navajo Nation, it would preserve the assurance of the fiduciary roles and responsibilities. We would farther establish the Office of the Chief of Security to maintain and enforce the moral standard of broad security systems and operation for the Navajo Nation at all time. It would provide services and guidance working with the National Guard, veterans, volunteers, and medical health units and other service centers in the event of severe national crisis or military-type disasters. It would further provide guidance to establishments of security shelters and centers within the nation.

The other option would be the Atsililái Nitsíhákéesji Nahat'á, Traditional Philosophy Branch. This was pointed out by the Navajo public at a recent hearing during the summer of 2001 conducted by the Office of Navajo Government Development. This would assist in the development of a nation-wide policy having input on the legislative and fiscal matters. This would ensure that the proposed laws are consistent with the Diné values and will determine which aspects of traditional law should be written into the codes. It would also ensure that all branches are working in harmony. I recommend this as an institution within the government, not as a branch.

Navajo Laws. Diné Bi Beenahaz'áanii, Atsésilái

On the conception of our modern Navajo life way and the comprehension on European or United States federal concept of government we have adapted to for nearly eighty years, the following outline was developed.

Navajo Nation Government Title I Amendments

General Provisions

Diné Bi Beenahaz'áanii

The Diné Bi Beenahaz'áanii is the Diné sovereignty that embodies Diyin bits'áádé beehaz'áanii (Traditional Law). Diyin Dine'é bits'áádéé Beehaz'áanii (Customary Law), Nahasdzáán doo Yádilhil bits'áádéé Beehaz'áanii (Natural Law), and Diyin Nohookáá Dine'é bi Beehaz'áanii (Common Laws). Figure 4 outlines this structure.

These laws are the safe keepers of the Diné that uphold the unique life and culture, relationship with world beyond the sacred mountains, and balance the relationship with the natural world.

These laws are also the foundation of the Diné Bi Nahat'á (administers, implements, and exercises of fundamental method of plans in form of guiding principles), where the Diné Bi Nahat'á is the foundation of the Diné Bi Naat'áá (government). Hence, the Diné Bi Beenahaz'áanii shall reserve the following rights and freedom.

For the Navajo people to preserve, protect, and ensure through the said law, by virtue of respect, honor, belief, and trust, the recognition and the practice of the establishment of the Navajo Nation self-government; and

To recognize the present location in Window Rock, Arizona as the sacred ground for the Capitol of the Navajo Nation within the four sacred mountains of Sisnaajini, Tsoodzil, Dook'o'ooljid, and Dibé Nitsaa; and

To ensure that the Diné Bi Nahat'á is based on the Diné fundamental values, universal principles of life way, sovereignty (naats'ílid), citizenship, and the Treaty of 1868 between the Diné and the United States of America; and

To preserve and enhance the fundamental Diné sovereign practices of governance passed on to us from our ancestors which consist of Hózhóóji Nahatá (Executive Branch), Naat'áji Nahat'á (Legislative Branch), Hashkééji Nahatá (Judicial Branch) and the reestablishment of Naayee'ji Nahat'á (National Security Branch); and

To maintain the moral practices of Diné Bi Nahat'á that by virtue of the fundamental Diné values and life way to recognize the Diné Bi Beenahazáanii as the foundation of all existing laws enacted and/or revised by the existing Navajo Nation government; and

To ensure, protect, maintain, and provide the future development, establishment, and growth of healthy Navajo Nation regardless of different thinking, planning, life ways, languages, beliefs, and laws appear with in the nation; and

That Diné Bi Beenahaz'áanii shall be recognized by the Navajo people, with respect and honor, to preserve, ensure, and enhance the Navajo Nation moral practice of the universal governmental relationships with other governmental entities, the federal agencies, and other countries; and

That Navajo Nation government and laws may or shall be recognized and honored by all nations toward the moral practices of the establishment, preservation, and enhancement of the universal governmental relationships.

Diné Traditional Law

The Diné Traditional Law shall ensure, preserve, and reserve the right and freedom for the Navajo people to choose the Navajo leaders of their choice from the local to the Navajo national levels through the standard Navajo Nation election law.

The Diné Traditional Law shall preserve the assurance and enhancement of the fiduciary roles and responsibilities of the Executive Branch of the Navajo Nation. The Chief Executive Office of the Navajo Nation shall represent the Navajo Nation and uphold the moral practice in the implementation of the Navajo Nation laws enacted by the Navajo Nation Council in the best interest of the Navajo people.

The Diné Traditional Law shall preserve the assurance and enhancement of the fiduciary roles and responsibilities of the Office of the Speaker and Legislative Branch of the Navajo Nation.

The Navajo Nation Council shall legislate and amend laws to address the immediate and the future needs and in the best interest of the Diné. Further exhibit the moral practice basing on the representation with responsibility, accountability integrity, and justice.

The Diné Traditional Law shall preserve the assurance and enhancement of the fiduciary roles and responsibilities of the Judicial Branch of the Navajo Nation.

The Diné Traditional Law shall continue to uphold the moral standard of integrity and loyalty in the moral practice of peace making, obedience, discipline, and punishment. With honor and respect the Chief Justice shall farther uphold the moral practice, interpret laws, and render judgments. Those Navajo Nation court decisions based on or in accordance of Diné laws shall be reviewed and ratified by the Navajo Nation Council in best interest of the Navajo people.

The Diné Traditional Law shall preserve the assurance and enhancement of the fiduciary roles and responsibilities of the Security Branch of the Navajo Nation. The Office of the Chief of Security shall maintain and enforce the moral standard of broad security systems and operation for the Navajo Nation at all time. It shall provide services and guidance in the event of severe national crisis or military-type disasters. It also shall work closely with the National Guard, veteran, volunteers, and medical health units and service centers. It shall further provide guidance to establishments of security shelters and centers within the nation.

The Diné Traditional Law shall be respected and honored as perseverance and assurance for the Navajo people and the medicine people and philosophers, in good faith, freedom, and harmony, continue to uphold the moral practice of our ancestral spiritual belief.

The Diné Traditional Law shall preserve and ensure the acknowledgement, in respect and honor, of the Diné elders and medicine people and philosophers for their participation and contributions of the universal traditional values and principles of the Diné life way toward the growth of the Navajo Nation.

The Diné Traditional Law shall be respected and honored to preserve and ensure the Navajo Nation Four Branch Government, from time to time, by requesting the Diné medicine people and philosophers to provide the cleansing, protection prayers, and blessing ceremonies securing a healthy leadership and government operation.

The Diné Traditional Law shall honor and respect by recognizing the moral practices the spiritual belief concept of the Navajo Native American Church and the denominational churches of the Navajo Christianity of inputs and contributions to maintain healthy leadership and government operation.

The Diné Traditional Law shall, by virtue of respect, honor, belief, and trust to promote, enhance, and ensure the western medical practices by the doctors and nurses in well facilitated medical service centers in every Navajo agency for the physical and mental well-being for every Navajo individual.

Diné Customary Law

The Diné Customary Law is the Diné sovereignty that embodies and provides the unlimited fundamental education.

The Diné Customary Law shall preserve, ensure, and enhance the moral practice on the educational developments on the basis of traditional Diné fundamental values and principle of life toward physical and mental well-being to be in balance of all creation and to continue walk in harmony.

The Diné Customary Law shall preserve and ensure the Navajo people the acknowledgment of k'ée, language, and the practices of respect, honor, trust, and belief as the foundation of the traditional well-being on the basis of the fundamental values and the universal principles of the Diné life way.

The Diné Customary Law shall preserve, ensure, and enhance the traditional Diné education on the holistic philosophical infrastructure of the fundamental values and the universal principles of the Diné life way and the relationship with the elements of the creation.

The Diné Customary Law shall preserve, assure, and enhance the traditional education and moral practice of Navajo family unity on the basis of the purpose and upholding of the loyalty and integrity of the customary marriages. Every Navajo child shall inherit the healthy physical and mental well-being, free from all known abuses, and to be in positive balance approaching their future environment.

The Diné Customary Law shall preserve, ensure, and enhance the traditional education for the Navajo youth to develop the moral practice to respect and honor the Navajo elders. The said law shall maintain the improvements and developments of the Navajo senior care and services centers. Every Navajo elder shall enjoy life in old age with peace at mind, good health, and good environment free from all known abuses.

The Diné Customary Law shall preserve and ensure the traditional education that shall enhance our Navajo children's comprehension on the modern and western education to absorb wisdom, self-knowledge, and knowledge to mastermind navigating the growth of the Navajo Nation in the future.

The Diné Customary Law shall promote and ensure the establishment of the modern medical health and medical science education toward healthy physical and mental well-being for every Navajo individual in the future.

Diné Natural Law. Nahasdzáán dóó Yádilhil Bits'áádée' Beehaz'áanii

The Diné Natural Law shall preserve and ensure the recognition, with deep respect and honor, of the four sacred mountains for Sisnaajini, Tsoodzil, Dook'o'ooliid. and Dibé Nitsaa are the foundation of the Navajo Nation. The Diné Natural Law shall reserve our rights and assurance to have the United States government preserve and reserve the Navajo people the rights to the air, water, land, natural resources, and natural wildlife inhabitants within the Navajo Nation.

The Diné Natural Law shall preserve and ensure the recognition, with the moral practice in respect, honor, and belief, of all sacred sites, minerals, water, vegetation, animal kingdom, and other natural resources within and beyond the four sacred mountains as the foundation of our spiritual ceremonies and the Diné life way.

The Diné Natural Law shall be respected and honored as the guiding principle in preservation and assurance for the Navajo people in good faith and harmony to continue to uphold and enhance the moral practices of land cares and uses. Beyond the land uses and developments, we shall keep the natural beauty of our land following our ancestor's teachings coextensive with the knowledge of modern methods.

The Natural Law shall preserve, assure, enhance, and recognize, on the basis of our values and life way, the Navajo Nation establishment of the environmental protection policies on land,

water, air, wildlife and future appropriate policy plans and developments. These policies shall be the guiding principles for the future domestic animal ranges, roads, farming, housing, schools, hospitals, businesses, economics, and the countless other land use developments.

The Diné Natural Law shall promote enhancing and ensuring the preservation of the renewal and non-renewal natural resource development and protection policies to be honored and respected. Within these policies the Navajo Nation shall set guidelines for the development plans of our own future domestic usage of the renewal and non-renewal natural resources.

Diné Common Law. Diyin Nohookáá Dine'é Bi Beehaz'áanii

The Diné Common Law shall be honored and respected to ensure the Navajo people, in good faith and harmony, to preserve and enhance the moral practice of our verbal fundamental values and the universal principles of Diné life way in compliance with written laws of the Navajo Nation.

The Diné Common Law shall be recognized with belief, respect, honor, and trust as the motivational and promotional guidance for the Navajo people and leaders to accept and cope with the forces of the complexities of the changing world and sophisticated modern life systems.

The Diné Common Law shall preserve and ensure to harness and utilize the revealed of unlimited interwoven Diné knowledge, with our absorbed knowledge from other races. This knowledge shall be our tool to exercise and exhibit the energy as self-assurance and self-reliance for major accomplishments in life standard to enjoy the beauty of happiness and harmony.

The Diné Common Law shall be the guiding force of assurance in the Navajo Nation advancement of business and economy toward the competitive system domestically and with the outside world. Our advancement shall be based on our Navajo human and natural resources with and through the developments and establishments of the business and economical infrastructures.

The Diné Common Law shall ensure and enhance the Navajo Nation domestic economic development and operation policies to uphold our business and economic relationship with the border towns, counties, states, including the other countries.

The Diné Common Law shall ensure and enhance the healthy social and life standards for every individual Navajo family through exercising and experiencing the enjoyment of the

employment opportunities through the improvement of the business and economic standards on the Navajo Nation.

Navajo Nation Government Title II Amendments

Navajo Nation Council

With Diné sovereignty through the Traditional Law so shall be written, hereby set forth the reestablishment of the Navajo Nation four branch government system consisting of the legislative, executive, judicial, and security branches; and within this government the fiduciary roles and responsibilities of the Navajo Nation elected leaders shall be set forth in the Navajo Nation Codes on the bases of Diné Traditional, Customary, Natural, and Common laws for the wellbeing of the people; and where the Navajo Nation elected leaders shall consist of the Navajo Nation President, Vice President, and Navajo Nation Council members; and

Where all the Navajo Nation elected leaders shall be installed by the Diné traditional songs and prayers of leadership and by the oath of office to initiate official duties; and

Where the Navajo Nation leaders shall be the caretaker of the said incorporated laws of the Navajo Nation; and

Where the Navajo Nation Code, Title II shall be comprehended and applied with assurance of the universal Diné values and guiding principles of life and culture be inclusive in all legislation as the foundational functions of the Navajo Nation government; and

Where the Navajo Nation Council shall be recognized as the legislative body (lawmakers) to review, amend, and legislate laws of the Navajo Nation in the best interest of the Navajo people; and

Where each member of the Navajo Nation Council prior to legislating shall inform and consult with their representative population; and

When the Navajo Nation Council copes or addresses the Navajo Common laws toward legislation shall consult with Atsisiláí NitsIhákeesji Nahat'á, Diné Traditional Philosophy Institution, for thorough researches and recommendations; and

When the nature of a matter concerns or affects the entire Navajo people, it shall be submitted to the Navajo people for their review and decision by referendum election by majority votes and recommended to the Navajo Nation Council for their review and ratification; and

Where the Navajo Nation government shall acknowledge and honor this procedural decision as the voice of the Navajo people; and

When time if a significant matter seems necessary shall be considered and factually addressed without prejudice by the Navajo people through their perspective local government system to meet their need and recommend the decision to the Navajo Nation Council for legislative proceedings and approval; and

Spirituality in the Government Diné Traditional Law: The Cleansing, Protection, and Blessing Ceremonies

The Diné Traditional Law shall reserve the right for our Navajo Nation Council and Departments within the Legislative Branch, when necessary, to request for the Diné traditional appropriate ceremonies by:

- Authorizing and directing the Speaker of the Navajo Nation Council with the assistance of the Office of the Speaker and with the consultation with the Offices of the President and Chief Justice of the Navajo Nation to have the traditional protection and appropriate ceremonies provided by the Diné medicine-people and philosophers; and

- Authorizing and directing the Speaker of the Navajo Nation Council with the assistance of the Office of the Speaker and with the consultation of the Offices of the President and Chief Justice of the Navajo Nation to have the traditional cleansing and the rededication of the blessing on the Navajo Nation Council Chamber; and

- The authorization of the establishment of having the traditional cleansing and rededication of the blessing on the Navajo Nation Council Chamber Of the appropriate said date in the season of spring and every second-year cycles thereafter; and

- Authorizing, in recognition, the foundation of the spiritual belief practice concept of the Navajo Native American Church, providing the Consultation with the Four Branch Chiefs, may at their wishes provide the Navajo Nation Prayer services in support of the Diné traditional spiritual belief foundation; and

- Authorizing, in recognition, the foundation of the spiritual belief practice concept of the Navajo Christianity, providing the consultation with the Four Branch Chiefs, may at their wishes provide the Navajo Nation Prayer Services in support of the Diné traditional spiritual belief foundation.

Navajo Nation Government Title VII Amendments

Court and Procedures

Applying Diné Original Laws

The Navajo Traditional Law shall preserve, assure, and enhance through Title VII of the Navajo Nation Code, the moral practices by the Judicial Branch of the Navajo Nation and the Office of the Chief Justice, the fiduciary roles and responsibilities.

The Navajo Nation Court System shall be based on the Diné bi beenahazaanii, Traditional, Customary, Natural, and Common Laws, and the existing Navajo Nation Codes to uphold the moral standard of integrity and loyalty in the moral practices of peace making, obedience, discipline, and punishment.

Sisnaajini is placed to the east and exist to evolve the realization and integrity of laws. The coming of new dawn and spring are in consistence of new beginning of time, beginning of life, and beginning of growth. The songs and prayers is the key of proceeding and seeking.

NitsIhákaas, thinking is the foundation of planning. Hence, the comprehension brings the people together to reveal knowledge and self-knowledge to assist those who are in need.

Tsoodzil is placed to the south and exist to evolve the realization and integrity of educational laws to help succeeding in Nahat'á' planning. Planning is the foundation of life. These are the original laws to be applied for comprehension and acknowledged.

Hence, people come together applying this basic information to discuss problems and seek solutions to assist those who are in need.

Dook'o'ooslííd is placed to the west to evolve the realization and integrity of fundamental guiding principles of daily iiná, life activities. Life is the foundation of wisdom. Succeeding the harmony way of life is based on holistic well-being of self-image and self-knowledge, and firm implementations of the fundamental mature and stable thinking and planning. These are the original laws applicable to retain and share versatile knowledge. Hence, people agree/disagree and commit to solutions and comprehend on the progresses.

Dibé Nitsaa is placed to the north to evolve the realization and integrity of foundational laws based on siihasin, wisdom. Wisdom is the foundation of continuous footprints of life. Diné rely on this

natural library of extensive knowledge and wisdom of life and creation, which is based on the four cardinal directions that continuously keep the life cycle in place. The continuous cycle of the natural timetable of four seasons controls the circle of life. The circle of life cannot do without the connections and nature of all sacred elements of Mother Earth and Father Universe. Diné elders, philosophers, medicine-people, leaders, and elder warriors through k'é and its teachings layout these holistic universal guiding values and principles toward peace making, obedience, discipline, and punishments. Different thinking, planning, life ways, languages, beliefs, and laws appear among us every day. Hence, these coextensive laws may be applied from simple peacemaking to complex case decisions and enforcement to insure the human well-being and domestic orders.

K'é is a word, yet a symbolic tool, k'é bilnaazt'ígo, or the fundamental guiding force, nature, and principle of integrity and loyalty to all laws and Diné love, kindness, and life ways. K'é is a law providing security, continuance, and balance of unity and harmony for Diné life well-being; therefore, it is applicable even before major decision of crime or civil cases.

The Navajo Nation court system shall comprehend on the Diné laws and acknowledge the federal and the state court system that Diné Bi Beenahaz'áani do not and shall not acknowledge the capital punishment "death penalty" if committed by member of the Navajo "indigenous."

The Navajo Nation court system to comprehend on the Diné laws where or when decision may be based on nature of such human behavior or commitment of major crime, from simple to severe punishment, sá aghá, may be sentenced accordingly, and/or apply rehabilitation by moral practices of the Diné teachings and traditional spiritual belief and healing ceremonies.

The five-fingered-being, Bíla'ashdla'ii Diné, is created with the basic sacred living elements of Mother Earth and Father Universe and is of the ancestral image, of the Holy People, and the Ahsonnutli. Through songs and prayers, human is instilled with the living soul and blessed and harmonized with sacred white and yellow corn and pollen.

Human is cleansed and protected with basic sacred variegated vegetation and basic sacred variegated stones from within and all around and proceeds to journey on the footprints of life in the image of Sa'ah Naaghái Bik'eh Hózhóón. Hence, human as a child still in its mother's womb to the time of meeting the old age shall not be abused, harmed, nor eliminated.

Figure 5 symbolizes the sacred elements of Mother Earth and Father Universe.

The court interpretations and decisions may also be based on Diné traditional moral practices of livelihood system, and/or fundamental values concept as connection with all sacred elements of Mother Earth through the traditional spiritual belief and healing ceremonies.

Diné is part of the land and the nature. The sacred living elements, land and environment nature, are not to be claimed, but to occupy as dwelling, shelter and for nourishment with harmony in process of life cycle. Land is to be occupied with the moral practice of respect, freedom, safety, and passionate k'é without prejudice. Among the Diné, shall be no disputes, abuses, and harms over land domestically. Based on the acknowledgement of history and unity of Diné as a whole, the Navajo Nation is originally defined as the ancestrally rooted of life so connected to such land base is to be protected which moderately control and eliminate development of land disputes.

Under any condition or ground, one does not enter a home or dwelling, hooghan, of another person or family without permission and approval, and does not impair one's home or properties nor steal.

Traditionally, the common items of values, Naalyéhé and naadeelee, are generally consider with respect as nahoodleelii, replaceable, hence not to be disputed. These items of certain values are not to be taken without permissions. If items are of lost and found, make known and /or return to proper owner. If such items are stolen, and recovered with proper proceeding, items are to be returned to proper owner. If stolen items are not recovered or destroyed, the proven accused may repay owner with equal value based on agreement.

In resolving such case of dispute over the exceptional items of sentimental values is customarily considered with traditional practices with loyalty and integrity where elders or any well-respected family members or a close relative may have acknowledgement of such values. Such items are not to be damaged, destroyed, or stolen.

In resolving such court case issues on symbolic or sacred items customarily considered traditional practices with loyalty and integrity where Medicine-people, leaders, elders, and/or a designee of well-respected family member or relative may have acknowledgement of such items. Such items are not to be sold, damaged, destroyed, or stolen.

Do not think and plan for livestock and expect them to do and follow these things on their own. Consider them with the understandings and base these comprehensions to resolve disputes over

livestock. With songs and prayers, they, like all other existences of life, are created and embodied with variegate sacred living elements of creation.

Livestock is acknowledged as one of the foundations of life. They are the gifts from the supernatural holy being Sun God through the Twin Warriors in the White World. They are in paired with the Holy Rain People to preserve the connection between the Mother Earth and the Father Universe stabilizing inter-foundations of the four seasons. The caretakers or ownership of livestock are customarily considered by traditional practices with loyalty and integrity where leaders, one or more designee/s of elder/s and/or member/s of close relatives may have acknowledgement of such.

The traditional nature of guardianship, Alchíní (children) are to be nurtured with admiration in sentiment of compassion. Every child is unique, irreplaceable, and is the child of the Ahsonnutli. Children are instilled with living soul and embody all the sacred living elements of the creation. They cannot be denied acknowledgement and comprehension of their identities, life values, wisdom, dignity, and their rightful places among their people. They have the rightful share of well beings on the Mother Earth to be the center and in balance of all creation. Children are to be properly discipline with admiration and compassion when appropriate without abuses and harm. They are to be protected from dangers, molestation, and abandonment. All ages of youth shall be provided with appropriate and comprehensive traditional education in parenting, guardianship, and foundation of family unity.

All Navajo judges shall have traditional teaching skills in the area of Diné values and way of life. All Navajo Nation court cases interpretations and decisions based on Diné original laws not legislated nor reviewed nor ratified shall be within said appropriate time addressed through proper proceeding for legislative review and ratification by Navajo Nation Council.

The Navajo Nation Court judgments based on Diné original laws when necessary shall be intensified by appropriate Diné holistic traditional teachings.

Conclusion

This report is on the result of the Navajo Common Law research in summary on the basic values and guiding principles identified from the Diné historical and traditional life and cultural foundation from the governmental view. These are the unique fundamental outlines of how our

ancestors operated their government with the verbal laws. Figure 6 outlines the proposed Navajo government and law structure. Hoping this would help provide the idea of how the Navajo Nation can craft legislation to incorporate “the would-be” written Navajo Laws into the Navajo Nation Codes.

The Diné bi Beenahaz’áanii with the four fundamental laws and compartments will be the foundation of all existing Navajo Nation Codes.

Figure 7 shows how the codes will be connected to each law with the declaration and preamble to be established in Title

1. Figure 8 charts how all the present laws under the Navajo Nation Tribal Codes can be divided into these four basic laws with minor changes.

In the meantime, research needs to continue on the Navajo Common Law project.

The Navajo Nation Council will establish the Atsésilái Nitsihákeesji Nahat’á’ institution.

This mechanism would ensure the education and observance of the Diné Laws for our government and our people. This institution will go hand-in-hand with Diné College to have the grassroots contributions, not only from the medicine people but from the younger generation as well. This institution can provide the Navajo law findings to be the base for legislation and amendments for future law developments (see Figure 9).

Definitions

‘Aláaji - First, ahead or a head of.

Alnáó ‘ - Crisscross or relating to intergovernmental affairs.

Atsésilái Nitsihákeesji - Philosophy way.

Bee’haaz’áanii or Beenahaz’áanii — Laws, rules, regulations, guiding principles and/or common, natural, customary, and traditional laws (the four basic laws).

Dibé Nitsaa - Mount Hesperus, the Jet Mountain (Big Sheep Mountain), the sacred mountain and the Navajo landmark set to the north, located northwest of Durango, Colorado.

Diné - The identity of the indigenous Navajo people in southwestern United States of America.

Diné Bi Bee’hazáanii - Common Law: verbally established Diné principles that encompass the moral practices of respect, honor, and trust in the relationship to the environment.

Diyin Bits'áádée Beehaz'áanii - Traditional Law: the supreme, fundamental guiding principles of the Diné that play a vital role in the practice of physical, mental, and spiritual well-being. The universal creations by the Ahsonnutli cannot be changed by the Earth-Surface-Holy-People nor by the Holy People. Relating to this law, the Holy People, with the guidance of the Ahsonnutli, established the holistic spiritual beliefs based on the encountering of certain disharmonious events.

Diyin Dine'é Bits'áádée Beehaz'áanii - Customary Law: the Diné verbally established practices based established in correlation with the moral events brought about by the Holy People.

Diyin-Dine'é - Holy People: the first spiritual beings to come into existence, these beings hold the utmost powers above the Earth-Surface-Holy-People and humans.

Diyin Nohookáá-Dine'é - Holy Earth-Surface-People: the traditional and spiritual sacred name of Diné bestowed by the Holy People.

Dook'o'oosliid - San Francisco Peaks, the Abalone Shell Mountain set to the west, located north of Flagstaff, Arizona.

Haskéji — Obedience, discipline or punishment ways — relating to judicial responsibilities.

Hózhóji – Equilibrium Harmony, peace, good, positive ways — relating to executive responsibilities.