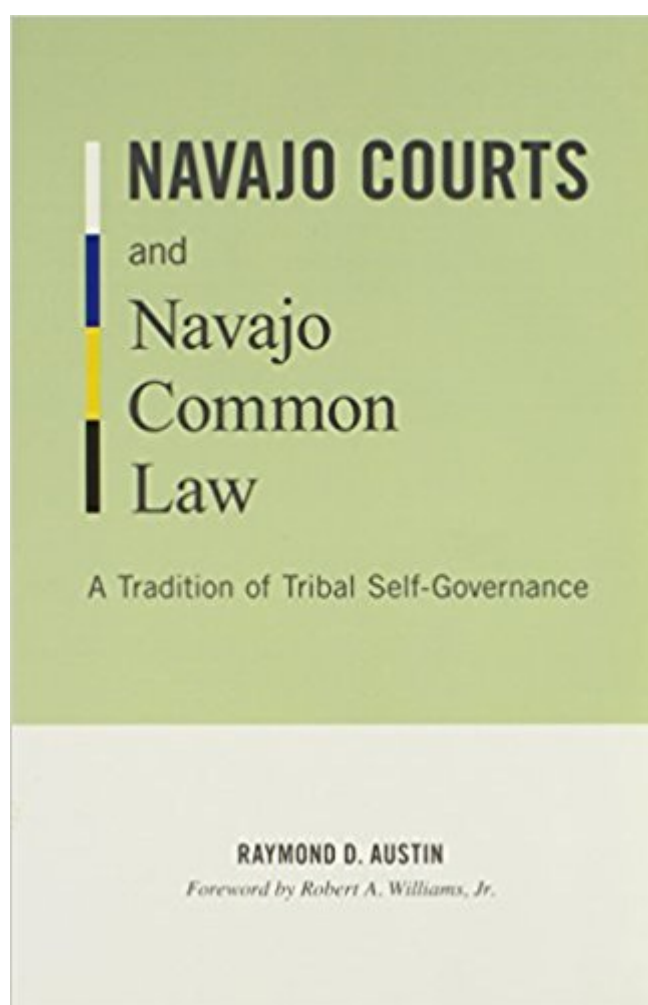


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# Navajo Courts And Navajo Common Law: A Tradition Of Tribal Self-Governance (Indigenous Americas)



## Synopsis

The Navajo Nation court system is the largest and most established tribal legal system in the world. Since the landmark 1959 U.S. Supreme Court decision in *Williams v. Lee* that affirmed tribal court authority over reservation-based claims, the Navajo Nation has been at the vanguard of a far-reaching, transformative jurisprudential movement among Indian tribes in North America and indigenous peoples around the world to retrieve and use traditional values to address contemporary legal issues. A justice on the Navajo Nation Supreme Court for sixteen years, Justice Raymond D. Austin has been deeply involved in the movement to develop tribal courts and tribal law as effective means of modern self-government. He has written foundational opinions that have established Navajo common law and, throughout his legal career, has recognized the benefit of tribal customs and traditions as tools of restorative justice. In *Navajo Courts and Navajo Common Law*, Justice Austin considers the history and implications of how the Navajo Nation courts apply foundational Navajo doctrines to modern legal issues. He explains key Navajo foundational concepts like *Háńfáń* (harmony), *K'Áńfáń* (peacefulness and solidarity), and *K'Áńfáń-Áńfáń* (kinship) both within the Navajo cultural context and, using the case method of legal analysis, as they are adapted and applied by Navajo judges in virtually every important area of legal life in the tribe. In addition to detailed case studies, Justice Austin provides a broad view of tribal law, documenting the development of tribal courts as important institutions of indigenous self-governance and outlining how other indigenous peoples, both in North America and elsewhere around the world, can draw on traditional precepts to achieve self-determination and self-government, solve community problems, and control their own futures.

## Book Information

Series: Indigenous Americas

Paperback: 296 pages

Publisher: Univ Of Minnesota Press (November 25, 2009)

Language: English

ISBN-10: 0816665362

ISBN-13: 978-0816665365

Product Dimensions: 5.5 x 0.8 x 8.5 inches

Shipping Weight: 13.6 ounces (View shipping rates and policies)

Average Customer Review: 4.7 out of 5 stars 4 customer reviews

Best Sellers Rank: #182,206 in Books (See Top 100 in Books) #13 in [Á Books > Law >](#)

Administrative Law > Indigenous Peoples #398 in [Books](#) > Politics & Social Sciences > Social Sciences > Specific Demographics > Native American Studies #508 in [Books](#) > History > Americas > Native American

## Customer Reviews

Justice Raymond D. Austin is the Indigenous Peoples Law and Policy Program's Distinguished Jurist in Residence at the James E. Rogers College of Law at the University of Arizona. A member of the Arizona and Utah state bars and the Navajo Nation Bar Association, he served on the Navajo Nation Supreme Court from 1985 to 2001. Justice Austin is Diné from the Navajo Nation.

This text is a diverse, multifaceted read that goes beyond the topic of common law. Ray Austin provides philosophical and spiritual insight into the conceptual nature of Navajo core values. Interfacing systems of holistic interaction and traditional self-governance reminds us of the endless possibilities that can occur in the reclamation of traditional forms of tribal government. Fundamental to successful Native nation building, Navajo courts and Navajo Common Law provides a template for current IRA structured tribal governments to reevaluate themselves in relation to their worldview. This text explores the application of tradition in securing successful peacemaking and common law courts for Navajo nation. It serves as a testament to cultural survivance and judicial sovereignty that will inspire and inspirit Native nations and their communities.

This is a great book! Easy to read, interesting tidbits and facts! Austin did a great job making a potentially dry topic (law) very interesting!

This is one of the few books of its kind and it is a good book of information on the Navajo courts and Navajo common law. The Navajo Nation is still in the developmental process and this is one of the good starts.

This is a great resource for anyone interested in American Indian courts and of course, the Navajo justice system. Former Chief Justice Rayond Austin writes so clearly and the cases he discusses are fascinating. The index is extremely helpful in finding Navajo concepts discussed in the book. This book teaches the reader that there are many different lenses through which one can view justice, and American judges at all levels could learn a lot from reading it. Highly recommended!!!!

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