

Comparing Western Legal System and Navajo Legal System

By Shawn Attakai

	American Legal system	Navajo Peacemaking system
Goals	<ul style="list-style-type: none"> • To win/lose • Punishment 	<ul style="list-style-type: none"> • To identify and solve problem • To restore relations back to harmony
System	<ul style="list-style-type: none"> • Adversarial, Competition 	<ul style="list-style-type: none"> • K'eh (Communication, Respect, Cooperation, Roles & Responsibilities, Sharing)
	<ul style="list-style-type: none"> • Individual emphasis • Divides parties 	<ul style="list-style-type: none"> • Group/Family emphasis • Unifies parties
	<ul style="list-style-type: none"> • Procedure used as tactics against each other to "win" the case 	<ul style="list-style-type: none"> • Procedure used to address problem and reconcile
Government	<ul style="list-style-type: none"> • Defendant compelled (coercion) • Individual rights to protect parties • Court forces judgment 	<ul style="list-style-type: none"> • Party consent (voluntary), T'ahwoajit'eego • Party resolves to work on course-of-action with relatives' help
Laws	<ul style="list-style-type: none"> • Written • Man-made (Changeable) • Emphasize justice & fairness 	<ul style="list-style-type: none"> • Oral • Natural (Unchangeable) • Emphasize K'eh
Impact	<ul style="list-style-type: none"> • Fosters classism & capitalism 	<ul style="list-style-type: none"> • Fosters K'eh