Sovereign to Sovereign Collaboration:
A Spirituality of Law Analysis & Warrior of Law Approach

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Introduction & Expectations

Who Am I? Why Am I Here?

Who/What is TLPI? (tlpi.org)
(www.walkingoncommonground.org)

TLPI Promising Strategies (Judicial & PL 280 publications)

&
Considerations for Collaborative Possibilities
SoL Analysis + WoL Approach = The Sphere

First – Where Am I
About TLPI

• Training and technical assistance
  – Healing to Wellness Courts
  – Child Welfare

• Research
  – Needs assessments
  – Community Surveys

• Resource development
  – Code development resources
  – Tribal Legal Studies Series

• Tribal Court Clearinghouse
Facilitating and Promoting Collaborations

• Grant from BJA
  – Enhance/Update WOCG
  – Promising Strategies

• Vital need for resources on collaboration
  – Existing resources scattered: NCAI; NCSC; NCSL; etc.

• Unique Focus on collaborations – agreements, not disagreements
Walking on Common Ground

Resources for promoting and facilitating tribal-federal-state collaborations

- Interactive map by topic
- Listing of cooperative agreements, MOUs, MOAs, articles, etc
- Not promising strategies
Criteria for TLPI Promising Strategies

- Innovative
- Culturally Compatible
- Community Component
- Respect for and Enhancement of Tribal Authority
- Fairness
- Intergovernmental Cooperation
- Management Effectiveness
- Sustainable
- Replicable

And . . .
- Cultural Diversity
- Geographic Diversity
Common Themes

- Strong Leadership, institutionalizing relations
- Educational efforts
- Effective Comprehensive Justice Services
- Culturally compatible policing and court alternatives
- Cooperation between tribal-county-state
- Enhancement of tribal government powers
- Agreeing to disagree on certain issues
- Fairness is priority
- Reduce costs, duplicative litigation
Collaborative Benefits/Incentives

- Expression & Exercise of Sovereignty – Community & Nation Building
- Cross Sovereign Education & Understanding
- Collective Confrontation-Team Work/Holistic Approach
  - culturally accordant
- Promotes and/or Maintains Culture & Tradition
- Stretches/Strategically Utilizes Limited Governmental Resources

THUS

- Enhances Services to Citizens/Communities
Spirituality of Law Analysis = How to Look At/See

Definition of Spirituality

Warrior of Law
(Community & Nation Builder):
Confrontation
Communication
Compromise & Concord (accord-peace)

Common Law
Constitutions
Codes

Cooperation

Reason

MORALITY

LAW

Conscience

Conflict

WILL

MORALITY

Collective
Conscience

Custom
Common Practice
Culture

History - The Past
Clarity - The Present
Vision - The Possible

People - Leadership
Policy - Law
Place - Land
Pecuniary Possibilities - Laissez-faire

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The Warrior of Law’s Path Prescribes:

A WoL (Community & Nation Builder, Justice Professional, Planner, Counselor, Person, etc.)

- participates/plays – provides presence (body movement & maintenance)
- protects your (personal) peoples/party’s position & property
- presumes all parties are professional/principled (until shown differently)
- promotes partnership - possibility
- prepares procedure – protocol – process
- proposes policy - strategic plans
- patiently pursues precision - perfection

&

- preserves, presents, and portrays Peace (most important)  

{prays}
Cooperation

Conflict

Citizen

Community

Conscience

Collective Conscience

WILL

Reason

MORALITY

LAW

REASON

Common Law
Constitutions
Codes

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Clarity - The Present
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Confrontation

Communication

Compromise & Concord (accord-peace)

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Custom
Common Practice
Culture

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Sorting Spheres

Universes, Galaxies, Solar Systems, Planets
Nations, States/Provinces, Counties, Campuses (person?)

3 Sovereigns in U.S.A.

Intra-Sphere (draw) {NOTE: working within – difficult}

Inter-Sphere (draw) {NOTE: working with others – possible}

HCV – Vision – Critical for Collaboration
(seeing the same thing)
Collaboration is Spiritual - Now to Spherical Content
Cooperation
Conflict
Citizen
Community
Conscience
Collective
Conscience
WILL
Reason
MORALITY
LAW
Conscience

History - Past
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“Given the complexity of our species – in particular, the fact of our having thoughts and emotions as well as imaginative and critical faculties – it is obvious that our needs transcend the merely sensual. The prevalence of anxiety, stress, confusion, uncertainty, and depression among those whose basic needs have been met is a clear indication of this. Our problems, both those we experience externally – such as wars, crime, and violence – and those we experience internally – our emotional and psychological sufferings – cannot be solved until we address this underlying neglect. That is why the great movements of the last hundred years and more – democracy, liberalism, socialism – have all failed to deliver the universal benefits they were supposed to provide, despite many wonderful ideas. A revolution is called for, certainly. But not a political, an economic, or even a technical revolution. We have had enough experience of these during the past century to know that a purely external approach will not suffice. What I propose is a spiritual revolution.”

His Holiness, The Dalai Lama