

ABSTRACT

A Case Study of Two Cherokee Newspapers and Their Fight Against Censorship

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This study attempts to illuminate an injustice to the Cherokee Nation through denial of First Amendment rights in newspapers and communities. Through case studies and in-depth interviews it examines the avenues by which other Native American newspapers can gain independence and publish free from censorship. The study focuses on *The Cherokee Phoenix and Indian Advocate* and *The Cherokee Observer*. Studying *The Cherokee Phoenix and Indian Advocate* allowed for the examination of the Cherokee tribe's official newspaper before and after the Independent Press Act of 2000, and how the landmark legislation has changed the newspaper and its relationship to the tribal government. The establishment of *The Cherokee Observer* shows why some members of the Cherokee tribe felt that an alternative newspaper was necessary before and after the legislation was passed, and as they continue to feel the need to publish even five years after the Cherokee press was freed.

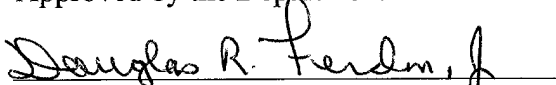
A Case Study of Two Cherokee Newspapers
and Their Fight Against Censorship

by

Desirée Y. Evans, B.A.

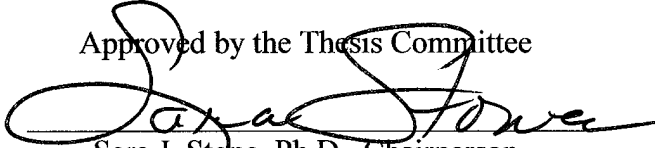
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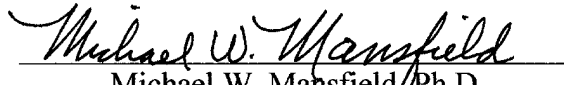

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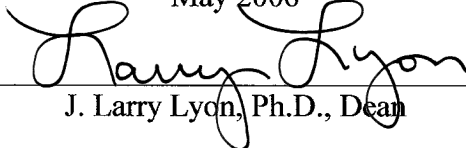

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To my mother, my strength and comfort.
Thank you for my heritage.

CHAPTER ONE

Introduction

The current state of the Native American press in the United States could possibly be compared to that of the newspapers of seventeenth century England or even those of colonial America—despite the fact that the Native American press can trace its origins back two centuries. The days of licensing and prosecution of journalists and publishers may seem very far away to the journalists in the mainstream press today, however, to journalists who are publishing in Indian country, time may seem to be standing still.

Although the punishments for speaking out are much less severe now than in colonial days when journalists were jailed, losing a job is a definite possibility for those in the tribal press. More than one Native American editor has learned that lesson all too well. One example from 2003 involved the editor of the *Sho-Ban News*, Lori Edmo-Suppah. According to the governing body of the Shoshone-Bannock tribe located in Fort Hall, Idaho, Suppah was fired for "gross insubordination." Suppah, however, claimed that she was fired because the paper tried to report both sides of a story about a recall campaign that intended to oust some of the council's members.¹ Stories like Suppah's are not rare, and in fact, they occur rather frequently.

Too few Native American newspapers are independent and too few flourish and grow. This is due to the control that these papers must contend with on a daily basis.

¹ Reporters Committee for Freedom of the Press, "American Indian Journalists Fight for Press Freedoms." *RCFP Online* [home page on-line]; available from <http://www.rcfp.org/news/2003/1110americ.html>; Internet; accessed 19 July 2004.

Most of the Native American press is under the strict rule of tribal leaders, council, or government. These newspapers are censored and considered public relations devices for the tribes.

The First Amendment, which gives all Americans the right to freedom of speech and a free press, does not stretch all the way to the sovereign nations of the Native American tribes and reservations, although it is not due to a lack of effort. In 1968, the U.S. government passed the Indian Civil Rights Act in the hope of ensuring individual American rights, regardless of the tribal governments, who are seen as sovereign nations. The Columbia Legal Services and Northwest Justice Project describe the ICRA and its purpose:

The Indian Civil Rights Act of 1968 (ICRA) prohibits Indian tribal governments from enacting or enforcing laws that violate certain individual rights. It is similar to the Bill of Rights in the United States Constitution, which guarantees personal freedoms against actions of the federal government, and the Fourteenth Amendment to the Constitution, which extends those protections to actions of state governments. Since these Constitutional limitations do not apply to tribal governments, Congress adopted the ICRA to ensure that tribal governments respect basic rights of Indians and non-Indians.²

With the ICRA in place, it is difficult to imagine the Native American press having any difficulties when it comes to freedom of speech. One problem remains, however, and that is funding. Tribal newspapers are usually funded by the tribal governments, which often leads to newspaper editors engaging in self-censorship for fear of being punished. Therefore, even with federal laws in place, the Native American press is still held on a tight leash, afraid to bite the hand that feeds it. The free flow of ideas

² Northwest Justice Project, "Indian Civil Rights Act," *NWJUSTICE Online* [home page on-line]; available from <http://www.nwjustice.org/pdfs/9202.pdf>; Internet; accessed 15 July 2004.

and communication between the Native American press and the Native American people has made progress but there is still a lot of room for improvement.

Some developing trends are occurring within the realm of the tribal press. Some Native American newspapers are attempting to gain editorial freedom through legislation passed by their respective tribes, which would theoretically free them from censorship. In 2000, the Cherokee Nation of Oklahoma and the Navajo Nation of Arizona became the first tribes to pass free press legislation.³ The Cherokee Nation enacted the Independent Press Act of 2000 to ensure the rights of the press and to uphold the Federal Indian Civil Rights Act of 1968, which it had already adopted into its constitution. According to Section 4 of the Act, “The Cherokee Nation’s press shall be independent from any undue influence and free of any particular political interest. It is the duty of the press to report without bias the activities of the government and the news of interest to have informed citizens.”⁴

Some newspapers may choose to fight for editorial and financial independence from their tribe. *The Navajo Times* became independent in 2003 when the Navajo Tribal Council voted to make the newspaper a private corporation. Tom Arviso Jr., publisher of the *Navajo Times*, explained the reasoning behind the fight for independence:

From an editorial standpoint, this removes any possibility of tribal censorship or attempts to remove us if the [tribal government] disagrees with us . . . From a business standpoint, the bureaucracy in dealing with tribal governments is just incredible. It’s tough to run a business and be profitable with all the

³Native Voice Publishers pass ‘Free and Independent Press’ Resolution at NCAI.” *The Native Voice* 2, no. 25 (2003): 1, Available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 19 July 2004).

⁴The Cherokee Nation. “Independent Press Act of 2000,” *The Cherokee Nation Online*. Home page on-line. Available from <http://www.cherokee.org/Phoenix/CherokeeFreePressAct71500da.pdf>; Internet; accessed 17 March 2005.

constraints and rules and regulations that government throws out in front of you.⁵

The third trend is when the citizens of the Native American tribe take it upon themselves to develop other avenues for tribal members to get uncensored news. According to *The Cherokee Observer* website, the newspaper has dubbed itself, “the only independent Cherokee newspaper.” *The Cherokee Observer* is a completely separate entity from the tribe. Therefore, tribal government has no control over the funding or content of the newspaper. According to the assistant editor of *The Cherokee Observer*, Franklin McLain, Sr., the newspaper was started in 1992 because of the lack of uncensored and unbiased reporting that tribal members were receiving from the official tribal newspaper, what is now the *Cherokee Phoenix and Indian Advocate*. McLain also said that the tribe’s newspaper did not include some items that were important to tribal members, such as the teaching of the Cherokee language.⁶

The Native American press and its cause are important issues that need to receive more attention. Increased publicity in the mainstream press and with independent Native American newspapers and organizations like the Native American Journalism Association championing this cause, the notion of a free tribal press has begun to command more attention.

This study examines the avenues by which the Native American newspapers can gain independence from censorship. The study focuses on *The Cherokee Phoenix and Indian Advocate* and *The Cherokee Observer*. Studying *The Cherokee Phoenix and*

⁵ RCFP.

⁶Franklin McLain, Sr., telephone interview by author, author’s notes, Waco, Texas, 12 January 2005.

Indian Advocate allowed for the examination of the Cherokee tribe's official newspaper before and after the Independent Press Act of 2000, and how the landmark legislation has changed the newspaper and its relationship to the tribal government. *The Cherokee Observer* shows why some members of the Cherokee tribe felt that an alternative press was necessary before and after the legislation was passed, as they continue to feel the need to publish even five years after the Cherokee press was freed.

CHAPTER TWO

Literature Review

History of the Native Americans

Native Americans have a rich and tumultuous history. From the time that Christopher Columbus arrived on the shores of North America, to the “Trail of Tears” and eventual placement of Indians in the Oklahoma territory, Native Americans have more than experienced their share of tragedy. All of the Native American tribes have their own special story, but the tale of the Cherokees is one of the most noted.

According to Ehle, “The Cherokees were often selected for distinction because they were inheritors of a dignity beyond their rather simple means and even referred to themselves as the ‘principle people.’ Their lands were the center of the Earth. All else radiated outward from there.”¹

In 1670 the British signed the first treaty with the Cherokee tribe in South Carolina. The Cherokee befriended the English settlers and even fought beside them against other tribes. By 1721, however, the Cherokees had become quite aware of the presence and aggression of the white settlers and it forced them to unite as a tribe and they elected the principle chief of the Cherokee nation.²

Peithmann said during the American Revolution the Cherokees displayed their loyalty to the British and joined the Tories in attacking settlers, and that, “Joining up with

¹John Ehle, *Trail of Tears: The Rise and Fall of the Cherokee Nation*, (New York: Doubleday, 1988), 1.

²Irvin M. Peithmann, *Red Men of Fire: A History of the Cherokee Indians*, (Springfield: Thomas, 1964), 19.

the English brought tensions between the New Colonial Government that were to last for many years.”³ After the colonists won the war they offered to take the Indian tribes under their protection even though the tribe had sided with the British. The Cherokees quickly found though that this new government would demand much of their land.⁴ King said that, “Despite the adoption of a constitutional government, a written language, a bilingual newspaper, and other tangible evidence of rapid acculturation, the Cherokees were subjected to relentless demands for their land.”⁵ According to King, the remaining Indian Territory east of the Mississippi River was signed over to the United States government in 1835 by a small group of Cherokees and that despite protests the treaty was ratified, leading to Indian removal. “In June 1838, forced removal began, and immense human suffering on the ‘Trail of Tears’ greatly compounded the political tragedy that had already taken place.”⁶ Ehle described the effects of Indian removal on the tribes:

There are various estimates and several arguments about the social, cultural, and physical damage caused by the 1838 removal. The main portions of all five tribes (Cherokee, Chickasaw, Choctaw, Creek, Seminole) were uprooted and the people became disoriented, their town and clan organizations disrupted. Families dwindled and were divided; many people died...

How many Cherokees and their slaves died? The answer is a mystery, enhanced, complicated by decades. In the detention camps, from three hundred to two thousand died... on the trail from five hundred to two thousand. In other words the answer is a combined total of between eight hundred and four thousand.⁷

³Ibid., 33.

⁴Ibid., 35-38.

⁵Duane H. King, *The Cherokee Indian Nation: A Troubled History*, (Knoxville: The University of Tennessee Press, 1979), xvii.

⁶Ibid., xvi.

⁷Ehle, 389-390.

After removal there was much internal strife within the Cherokee tribe, but by 1846 another treaty was signed to end the disagreements and unite the tribe and its lands. The Civil War, however, “. . . rekindled factional enmity among Cherokees who sided with the North or South largely according to factional backgrounds.”⁸

Although the Indian Territory was guaranteed to the tribes, by 1888 the white men were once again infringing upon the Native Americans’ land rights. In 1889 the first land runs began. “In a little over a decade the land rushes were over, Oklahoma became a state and the six million acres of Cherokee Outlet became wheat country, and the Indian Territory became history.”⁹

In 1893 the Dawes Commission was created and the Cherokees and the commission came to an agreement over land ownership in 1902. The Cherokees were allotted 110 acres of land for the tribe and, “All the Indians of the Five Civilized Tribes were required to take individual land holdings and sell the rest of their lands to the Government which were made available to those wanting to buy land.”¹⁰ Then in 1907 Oklahoma became the forty-sixth state to enter the union.¹¹

The Cherokee tribe’s headquarters are in Tahlequah, Oklahoma, but the members of the tribe have spread across the United States. The tribe is one of the largest Native American tribes and also one of the most prosperous.

⁸King, 157-160.

⁹Peithmann, 104-108.

¹⁰Ibid., 108-109.

¹¹Ibid., 109.

The Ethnic Press

The United States is a diverse accumulation of different cultures and people. It has a rich and sizeable ethnic press, which provides a more personal news outlook for the minority cultures. Bui said that a survey conducted in 1990, “reported 35 dailies in 10 different languages and 200 other newspapers that publish in two dozen other languages.”¹² Even with such a significant number of newspapers, research on the ethnic press is still deficient, especially on the Native American press.

Practitioners of the ethnic press consist, in majority, of immigrants to the United States. They follow no government except that of the United States, and therefore it can be assumed that they rarely have to struggle with censorship and disregard for their First Amendment rights. However, similar to the mainstream media, the ethnic press, including the Native Americans, have gatekeepers. A gatekeeper can essentially control the content of the news in some aspects. For example, with newspapers the gatekeeper may be the publisher/owner of the newspaper and his or her own personal interests or bias can also lead to forms of censorship. Hsu pointed out that although this is true, that, “Given the special functions and multifaceted demand on ethnic media and the types of audiences they serve, it is reasonable to assume that the gatekeeping process for them will probably be different from the mainstream media.”¹³

According to Slack and Allor, the role of the gatekeeper is to determine what messages the audience actually receives.¹⁴ Hsu interviewed editors of the Chinese-

¹²Katherine H. Bui, “Development of the Vietnamese-Press Relative to the Ethnic Press” (Master’s Thesis, East Texas State University, 1996), 1.

¹³Tsung-Chi Hsu, “Gatekeeping Within Ethnic Contexts: A Case Study of the Chinese-language Newspapers in Los Angeles” (Ph. D. dissertation., University of Texas at Austin, 1993), 4.

¹⁴ *Ibid.*, 48.

language newspapers in Los Angeles to discover what they felt were their roles as gatekeepers, and whom they felt had the most control over the content of the newspapers. He found that the editors felt that the owner/publisher was probably the most substantial controller of the newspaper's content. This also seems to ring true with the Native American press and tribal governments. Examining the gatekeeping role or who controls the content of the Native American press is very important to understanding the censorship the newspapers often must contend with.

Hsu emphasized several times that the main purposes that researchers have found for the ethnic press is to help their audiences with assimilation and pluralism.¹⁵ Given that Native Americans are not immigrants and are already so assimilated into American society, assimilation does not play a major role in the purpose of the Native American press. Lamsam said that, "Today few tribes have the majority of their membership living on the reservation or within council jurisdiction," and that Native Americans are widely dispersed throughout American society.¹⁶ However, pluralism is a purpose of the Native American press and Subervi-Velez found that pluralism is a major role of the ethnic press as a whole, in helping readers preserve their own culture.¹⁷ Bui said that after several generations of immigrants, the need to assimilate lessened and pluralism abounded, with the immigrant press then focusing on, "educating future generations about the language and culture of their native country."¹⁸

¹⁵Ibid., 40-41.

¹⁶Teresa Trumbly Lamsam, "Like the Sun Piercing the Clouds: Native American Tribal Newspapers and Their Functions" (Thesis, University of Missouri-Columbia, 1996), 20.

¹⁷Ibid., 4.

¹⁸Bui, 1-2.

According to McLain, preserving their culture was one of the reasons why it was necessary for the founding members of *The Cherokee Observer* to begin publishing a Cherokee newspaper that was not funded by the Cherokee government.¹⁹

Ethnic Media in Other Countries

The ethnic media outside of the United States that can best be compared to the Native American press is the Aboriginal media of Australia. It seems that the Aborigines also have struggled to build a press and are beginning to see real results. According to the Reconciliation and Social Justice Library:

There are a number of significant Aboriginal bodies now devoted to media who offer to Aboriginal people the opportunity to speak for themselves. Perhaps the most notable, because [it is the] most high profile, of these is the Central Australian Aboriginal Media Association (CAAMA)... It is interesting that the focus of CAAMA's radio broadcasting is not non-Aboriginal people but Aboriginal Communities, and many of its programs are in Aboriginal languages... the television station, however, does target non-Aboriginal as well as Aboriginal people. The result is that, for the first time in Australia, the framework within which people view their television or, in the case of CAAMA, listen to their radio—is set in terms of Aboriginal priorities.²⁰

CAAMA, which was established in 1980, said that its purpose is to continue strengthening the Aboriginal community and, “The fact that it is Aboriginal owned, operated, and controlled is a source of pride for the Aboriginal peoples of Australia.”²¹

Evans spent some time with the Warlpiri, the Aboriginal people who live in the Yuendumu area of Australia, while studying Aboriginal media. He said that the Warlpiri Media Association (WMA) was established in the 1980s and now operates a radio

¹⁹McLain, telephone interview, 2005.

²⁰“National Report Volume 2- Aboriginal Media.” Reconciliation and Social Justice Library. Available from <http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/rciadic/national/vol2/85.html>; Internet; accessed 25 April 2005.

²¹Central Australian Aboriginal Media Association, “All About CAAMA,” *CAAMA Online* [home page on-line]; available from http://www.caama.com.au/about_us.cfm; Internet; accessed 25 April 2005.

station, a videography program and a music-recording studio. Evans said that the Aboriginal media outlets he studied, "...have the community part already in hand, and they hope to build an audience that will sustain their efforts into the future. For now, nearly every outlet is supported by government money, and the media officials are aware that such funding will not last forever."²²

The Aboriginal media of Australia too have struggled with finding their voice and providing a forum of expression for their people. Although their struggle has not been caused by tribal government control, the Aborigines have also had to deal with the mainstream media's inept portrayals of them and are finding avenues to represent themselves.

The Native American Press

Murphy and Murphy said that the early history of the Native American press is very similar to that of the early white press. They described them both as having, "... infrequent publication, primitive format and content, high mortality rates, and minimal staff and resources."²³

Murphy and Murphy described the nature of the relationship between the early Native American press and tribal governments:

Another characteristic unique to early Indian publications is that they were usually official organs of Indian tribal governments. Consequently, their editors often shaped editorial policy to promote the interests of the tribes they served. This same editorial shaping operates today in many Indian papers, as we shall see. Then, as now, it created difficulties for editors and tribal

²²Michael Robert Evans, "Michael Evan's [*sic*] Studies Aboriginal Media in Australia," available from <http://www.journalism.indiana.edu/alumni/newswire/archives/volXXVIIIIno2/stories/evans.html>; Internet; accessed 25 April 2005.

²³James E. Murphy and Sharon M. Murphy, *Let My People Know: American Indian Journalism 1828-1978* (Norman: University of Oklahoma Press, 1981), 16.

leadership. At the same time, precisely because of the tribal subsidy, an Indian newspaper could generally be free of advertiser pressure and could play a tribal tune, regardless of its unpopularity among non-Indian communities.²⁴

It is obvious from earlier research that the Native American press has not changed much since its origin. Murphy and Murphy explained the conditions of the Native American press from 1828, when the first Indian paper, *The Cherokee Phoenix*, was born, through the Civil War, when Indian publications were suspended. They continued their description through to the post-war era when the Indian publications started up again and rebuilt, and into the 1950s and '60s, when the number of Indian newspapers really began to grow.²⁵

Murphy and Murphy said that today most American Indian newspapers are poorly funded and not very objective. They characterized the content of these papers in detail, and explained that most cover all levels of government, from tribal to national, but that they also focused on the heritage and history of their tribe.²⁶ Murphy and Murphy briefly described the mindset of the modern Native American editor and the issues they must wrestle with:

Editors around the country have acknowledged the tension they experience between free expression of ideas and loyalty to the good name and best interests of the tribe. When tribal leadership (or segments within a group) needs to be criticized, many editors admit to being torn between self-censorship and the concept of a free market place [*sic*] of ideas.²⁷

Trahant's *Pictures of Our Nobler Selves* points out the work and accomplishments of Native American journalists throughout history and what

²⁴Ibid., 17.

²⁵Ibid., 16-55.

²⁶Ibid., 70-79.

²⁷Ibid., 78.

effects they have had on U.S. journalism, and even the way mainstream media view and portray Native Americans.²⁸

Trahant discussed at length the first American Indian newspaper, *the Cherokee Phoenix*, which is the grandfather of the current official Cherokee newspaper. The first editor of the *Phoenix*, Elias Boudinot, who became an inspiration for other Native American editors and journalists, designed the newspaper to provide:

1. The laws and public documents of the Nation
2. [An] Account of the manners and customs of the Cherokees, and their progress in Education, Religion, and the arts of civilized life; ...
3. The principal interesting news of the day.
4. Miscellaneous articles, calculated to promote the Literature, Civilization, and Religion among the Cherokees.²⁹

Boudinot's lofty ideas of what the *Phoenix* should be and represent was not only unacceptable to the Cherokee government but by the state of Georgia, which was the home of the paper. Trahant described the trials that Boudinot and the *Phoenix* faced from both of its governments, which led to the eventual assassination of Boudinot.³⁰

Trahant said:

The story of *The Phoenix* illustrates the central quandary of tribal journalism today. Does a tribal newspaper serve its community by printing discourse? Or, does it aid the enemies of tribal government by revealing a community's weakness? This debate is no more resolved now than when Boudinot died. It is also one of the reasons for the success of independent newspapers such as

²⁸Native American Journalists Association, "Resources," *NAJA Online*. [home page on-line]; available from <http://www.naja.com/resources.html>; Internet; accessed 15 July 2004.

²⁹Theda Perdue, ed., *Cherokee Editor: The Writings of Elias Boudinot* (Knoxville: The University of Tennessee Press, 1983), 15.

³⁰Mark Trahant, *Pictures of Our Nobler Selves: A History of the Native American Contributions to News Media* (Nashville: The Freedom Forum First Amendment Center, 1995), 3-12.

Tim Giago's *Indian Country Today* and Paul DeMain's *News From Indian Country*.³¹

Trahan described the history of the Native American press, content of the Native American newspapers, and the struggle for freedom that the Native American press has endured and continues to endure.³²

According to LaCourse, "The United States today has 557 federally recognized Indian tribes residing on about 100 million acres of land. The national Indian population is just under two million, with about half residing on Indian reservations."³³ LaCourse said that for the Indian population there are only about 280 reservation newspapers and bulletins, 320 urban Native American publications, 100 magazines, thirty radio stations, and one television station. He implied that the size of the Native American press in relation to the Native American population does not match and there should be more Native American newspapers and broadcast stations than currently exist. LaCourse said that the main problems the tribal press encounters are:

Politically-motivated firings of journalists before or after tribal elections; political cutoff or selective reduction of publications' funds; prior censorship by reservation officials; the forced hiring of unqualified editors and reporters by reason of blood kinships or political loyalties; firings growing out of published news stories and editorials; the banning of journalists from tribal government meetings; restricting press access to tribal government documents; and even occasional death threats over published stories, or articles scheduled for publication.³⁴

³¹Ibid., 12

³²Ibid., 8-34.

³³Richard LaCourse, "A Native Press Primer," *Columbia Journalism Review* 37, no. 4 (1998): 51, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 18 July 2004)

³⁴Ibid

LaCourse suggested that in order to deal with such problems each reservation paper should hire a lawyer. In a study LaCourse conducted on the Native American press, he found that only about seventy of the 557 federally recognized American tribes have "free-speech language" in their tribal constitutions, and of those seventy tribes, freedom of speech for the press is openly ignored, although it is in their constitution.³⁵

Capriccioso said that reservation papers that do not have legal assistance can usually rely on the Native American Journalism Association (NAJA) as well as other press freedom groups to provide them with some kind of help. With the number of cases between reservation papers and their tribal governments rising, groups such as the NAJA and the National Congress of American Indians (NCAI) are calling for reform in the support of the tribal press. However, there are pros and cons to tribal newspapers becoming independent. With independence from the tribal government also comes the uncertainty of economic stability and funding.³⁶

After reviewing the literature it is obvious that the freedom of speech issue definitely has a major effect on the content of the Native American press. Further study of the free speech issue will help to show that newspaper content and editorial freedom are inextricably linked, which could possibly help with the plight of Native American journalists to publish equally and honestly. This research helps explain the need for journalists to be able to tell both sides of a story to their audiences and how crucial it is to the education of their respective peoples.

³⁵Karen Lincoln Michel, "Repression on the Reservation," *Columbia Journalism Review* 37, no. 4 (1998): 48, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 18 July 2004).

³⁶Robert Capriccioso, "Freedom of the (Tribal) Press? Increasing Numbers of Indian Journalists Calling for Change," *News from Indian Country* XVIII, no. 9 (2004): 10, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 18 July 2004).

Although the cases of censorship are discouraging, the Native American press has come a long way since the days of the early *Cherokee Phoenix*. According to Gonzales, all of the ethnic media as a whole has progressed in America. He said the reason for the progress stems from growing ethnic communities and the lack of the mainstream press coverage of ethnic culture and events. Regarding content of the ethnic press, Gonzales said:

Stories about self-help efforts, profiles on community artists and features on cultural celebrations often can be found in the pages of ethnic newspapers. No doubt this is in response to the realization by Blacks, Latinos, Asians, and Native Americans that they cannot depend on a local daily newspaper to do this on a consistent basis, unless there's 'news' about a gang killing, a corrupt community leader, or a devastating fire.³⁷

Gonzales said that today the “future looks bright” for the minority press and that as the minority population in the United States continues to grow that “the demand for information in these respective communities will be high . . .”³⁸

According to a 2001 editorial in *Indian Country Today*, Native American radio stations are also growing in number and expanding the sources of information and communication to the Native American communities.³⁹

Although there is not an abundance of information available about the growth in numbers of the Native American media, it is obvious in reviewing the literature that they

³⁷Juan Gonzales, "Passion and Purpose for the Ethnic Press," *The Quill* 89, no. 3 (2001): 42, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 18 July 2004).

³⁸Ibid.

³⁹"Native Radio Keeps Growing," *Indian Country Today* 20, no. 37 (2001): A4, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 19 July 2004).

are growing and that every year more tribes create news organizations. With the expansion of the Native American media it is possible that press freedoms will expand too because there is power in numbers.

Mainstream Media Portrayal of Native Americans

How the mainstream press in the United States portray the American Indian relates to the content and freedoms of the Native American press in some ways. Considering what Gonzales said about the growth of the ethnic press coming from a need for coverage of ethnic news in more ways than just the negative, the way the media portray minority or ethnic people has helped to create more ethnic news outlets. Therefore, this portrayal has affected the growth and content of the Native American press.⁴⁰

Coward described the early portrayal of the American Indian in the nineteenth century press:

Specific Indian representations were created to mark social and cultural boundaries, symbolic lines that nineteenth century Americans used to define themselves and identify those who were different and 'un-American.' Although Native Americans were obviously different from Euro-Americans in many important ways, the newspapers created popular identities that oversimplified and overemphasized these differences. As a result, Indians in the papers sometimes seemed much more threatening and violent than actual Indians, a fact noted by some western travelers but one rarely acknowledged in the press . . . this emphasis on Indian differences was politically and economically useful in the nineteenth century, producing 'deviant' native identities that served the needs of a land-hungry nation and its expanding economy. This 'newspaper Indian' took on a number of guises over the years, but in almost all cases the newspapers helped foster Indian identities that were outside of 'normal' civilized society . . .⁴¹

⁴⁰Gonzales, 42.

⁴¹John M. Coward, *The Newspaper Indian: Native American Identity in the Press, 1820-90* (Chicago: University of Illinois Press, 1999), 12-13.

Coward said the 1870s were a time of Indian reformation, which continued through the late 1880s with the passage of The Dawes Act. This Act was the bill that originally set aside tracts of land for Native Americans to settle on and to try to become "ordinary United States citizens."⁴² In addition, during this time the press seemed to begin reforming its idea of the Native Americans, sometimes showing sympathy for their situation. Many of the mainstream newspapers accepted the idea that the Native Americans could be assimilated into the Anglo-American way of life, and thus promoted the ideas of the reformers. No one realized what these reforms would do to Native American culture.⁴³

Coward concluded that the image of the Native Americans in the press derives from a complicated process that cannot be attributed to any single factor. He explained, though, that much of the false identity of the American Indian resulted from a time in U.S. history when economic and national growth was consequential to creating American society.⁴⁴ As for the media's role in creating these identities, Coward said, ". . . The newspapers played a major role in creating and maintaining popular Indian identities in the nineteenth century. But the press was not alone in this process; it operated as part of a larger cultural system that had shaped beliefs and created meanings about Indians for many decades."⁴⁵

Weston examined the image of the Native American in the mainstream press too, but she focused her studies on the 1920s through the 1990s. She said in the 1920s the

⁴²Ibid., 221.

⁴³Ibid., 196-223.

⁴⁴Ibid., 227-228.

⁴⁵Ibid., 229.

previously held image of Native Americans as savages who needed to be assimilated into Anglo-American society began to change. These changes were brought on by "advocates of 'cultural pluralism'" who believed the Native Americans and their way of life should be preserved.⁴⁶

Weston described the important events and legislation that affected the Native American way of life throughout the twentieth century. She focused more broadly on ethnic minorities and their relationship with the press, instead of just American Indians. She said that the 1960s, with the integration of blacks into white schools, brought about a realization for the press about what a big responsibility journalists have to minorities. With the change in mindset that occurred in the press and society's attitudes, Native Americans became more beloved characters in the media. They became viewed as nurturers of the land who would lead America back to a greater appreciation of nature. Weston said this change occurred because people had become much more environmentally concerned at this point in history.⁴⁷

Weston said in the 1980s and 1990s Native Americans began to fight back against the injustices and false identities that had affected them since the 1800s. For example, they began protesting what they perceived to be racist sports teams' names and mascots, such as the Braves and the Redskins. She described the late twentieth century as a time when Native American stories and issues really found their way into the mainstream press. She explained her reasoning:

⁴⁶Mary Ann Weston, *Native Americans in the News: Images of Indians in the Twentieth Century Press* (Westport: Greenwood Press, 1996), 1-5.

⁴⁷Ibid., 130-133.

Whether it was due to the vigilance of Native Americans or the greater economic power of a few tribes or journalism's attention to multicultural issues or expanding definitions of news or some combination of these, the images of Native Americans in the 1990s press multiplied. Stereotyping did not end, as the examples cited illustrate, but it was mitigated by a variety of other portrayals.⁴⁸

Allen also acknowledged that Native Americans have been stereotyped in the press and still are today. He said it would take an effort on the part of the mainstream journalists to get past the stereotypes that have been embedded in them since childhood, in order to change how Native Americans are portrayed in mainstream media.⁴⁹

With this existing and ongoing problem of how Native Americans are portrayed in the mainstream media, it is only natural that the ethnic press will continue to grow in order to deal with the mainstream media's misconceptions of the minority population.

Native American Journalists Working in the Mainstream Press

The paucity of Native American journalists working in the mainstream media could be linked to the inaccurate portrayals and to the lack of coverage that the Native Americans receive. Fitzgerald quoted the editorial page editor of the *Seattle Post-Intelligencer*, who said, ". . . If there is one factor that has most changed newspaper coverage of Indian Country for the better it's the entry of Native American journalists into the mainstream press. . . Those numbers have gone from virtually nothing to fairly significant."⁵⁰ However, according to a census by the American Society for Newspaper

⁴⁸Ibid., 163.

⁴⁹Joseph Allen. "The More Things Really Don't Change," in *The American Indian and the Media*, ed. Mark Anthony Rolo (New York: The National Conference for Community and Justice, 2000), 20-23.

⁵⁰Mark Fitzgerald, "Black and White and Red All Over," *Editor & Publisher* 137, no. 1 (2004): 40, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 18 July 2004).

Editors (ASNE), only about one-half of one percent of all journalists in daily papers are Native American.⁵¹ In fact, in 2004, when Fitzgerald published “Black and White and Red All Over,” ASNE’s annual newsroom census reported that of the newspapers surveyed only 289 Native Americans were employed by these newspapers. That is 289 Native Americans compared to 1,507 Asians, 2,258 Hispanics, and 2,919 Blacks.⁵²

Pego also wrote of the paucity of Native American journalists working in the mainstream press. He said, "Native Americans who enroll in college-level journalism programs do so as individuals, blending in as best they can. When they head out to newspapers and broadcast outlets, they often find themselves isolated representatives of a culture that is underexamined and poorly understood in the American mainstream."⁵³

Pego interviewed several Native American journalists who all agreed that Native Americans are underrepresented in the mainstream newsrooms.

Fitzgerald said that one of the reasons for the lack of minority journalists may be the way they see their people or themselves portrayed in the mainstream media. He also quoted Karen Lincoln Michel, a freelance writer on the board of NAJA and Unity '99, who said one reason for the difficulty in recruiting young people, is native people or

⁵¹Ibid.

⁵²American Society of Newspaper Editors, “Newsroom Employment Census,” 6 April (2005), available from <http://www.asne.org/index.cfm?id=5649>; accessed 29 March 2006.

⁵³David Pego, "Newsrooms Make Belated Appeal to Native Americans: But Cultural Differences Often Misunderstood," *Black Issues in Higher Education* 11, no. 13 (1994): 49, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 19 July 2004).

minorities tend not to trust the media.⁵⁴ Another reason may be that competition exists for quality minority college students in every professional field.

According to ASNE, the benefits of a growing minority population means the number of minority journalists will grow too, “As the newspaper hires more minorities in the newsroom, quality of coverage of minority populations should improve, and the image of the newspaper as a white institution should fade. The lack of minority representation in the newsroom can affect the news ‘product.’”⁵⁵

Mainstream Media Coverage of Native American News and Issues

Beyond the inaccurate portrayals of Native Americans, the mainstream media do not seem to pay a whole lot of attention to the happenings in Indian country. A content analysis produced by NAJA and Newswatch examined the content of nine of America’s largest circulation newspapers to determine the amount of coverage Native Americans are receiving from the mainstream media. Over a three-year period, from 1999 to 2001, they found only 1,133 articles that dealt with Native Americans and Native American issues.⁵⁶ That is only 1,133 articles about 4.1 million Americans who report to be Native American and Alaskan Native, out of a total United States population of 281.4 million in 2000.⁵⁷ The lack of attention to these issues may bring Native Americans to read more of

⁵⁴Mark Fitzgerald, "Retention Deficit," *Editor & Publisher*, 9 August (1997): 10, available from *LexisNexis Academic Universe*, <http://web.lexis-nexis.com.ezproxy.baylor.edu/universe> (accessed 16 July 2004).

⁵⁵Murray Ablone Fortner, “The Black Press: A Case Study of Revitalization” (Ph. D. diss., University of Kentucky, 1993), 16.

⁵⁶Kara Briggs and others, "The Reading Red Report," *NAJA and News Watch* (2002), available from <http://www.naja.com/resources>; Internet; accessed 18 July 2004.

⁵⁷Stella U. Ogunwole, “The American Indian and Alaskan Native Population: 2000.” U.S. Census Bureau, available from <http://www.census.gov/prod/2002pubs/c2kbr01-15.pdf>; Internet; accessed 29 March 2005.

their tribal newspapers. That could increase the numbers of Native American newspapers. However, with most of those papers being under tribal government control, readers could be less informed because they may not be getting unbiased reports. Boyer said, "Even as the volume of words and images grows nationwide, most Indian societies remain observers, not participants, in the Information Age. News coverage of Indian issues is minimal, and there is little opportunity for Native Americans to tell their own stories."⁵⁸ Boyer said Native Americans are not seen as a major policy issue in the nation and therefore, do not get a lot of coverage by the mainstream media. He also said the mainstream media cannot be expected to spend a lot of time covering Native American issues because it is not their mission, so they cannot meet all the needs of the Native American community. He said the Native American press is growing to meet those needs and will be recognized as "a powerful source for social change" for doing so.⁵⁹

David said he has no doubt there is more coverage now of Native Americans in the mainstream press. However, more coverage does not necessarily mean better coverage for any ethnic minority:

Aboriginal issues are too complicated. There's too much to learn and too little time to learn it. Stories are often in hard-to-reach, remote communities. People (Native Americans) are mistrustful, even antagonistic, of reporters. Non-Aboriginal reporters risk accusations of racism by their subjects or charges of bias from their peers. People are wary of the consequences of speaking out. They tend to let 'officials' with the band council speak for them-even when the

⁵⁸Paul Boyer, "Don't Stop the Presses," *Tribal College* VI, no. 1 (1994): 4, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 19 July 2004).

⁵⁹Ibid.

council is the problem. Besides reporters only show up when people are already dead or dying.⁶⁰

The most common reason given for inadequate coverage of Native Americans and Native American issues by the mainstream media seems to be a lack of information or education. Again, if newsrooms were more diverse, there might be more coverage, and more adequate coverage of these issues.

Research Questions

This study focuses on the First Amendment in relation to the Native American press. Topics dealing with the mainstream media and Native Americans are important to providing some insight into what a Native American newspaper could potentially mean to its readership, and therefore how important it is that these newspapers are free to publish without unjust regulation. The pure lack of coverage on Native Americans in the mainstream media and the inaccurate portrayals of the Native American people show why there is a tremendous need for the Native American press to expand. Whether the lack of accuracy and coverage are due to deficient education on these issues in mainstream journalists and too few Native American journalists working in the mainstream media, the opportunity is there to correct these problems through the Native American media outlets. The importance of these outlets to the education, culture, and sense of community of the Native American people is so great, and their efforts should not be hindered by a controlling tribal government.

This study examined the efforts of *The Cherokee Phoenix and Indian Advocate* to publish without interference from the Cherokee government and the reasons why the

⁶⁰Dan David, "Too many Sheep, Not Enough Shepherds," *Windspeaker* 21, no. 4 (2003): n/a, available from *ProQuest Information and Learning Company*, <http://proquest.umi.com.ezproxy.baylor.edu> (accessed 18 July 2004).

founders of *The Cherokee Observer* find it necessary to put forth the time and effort to publish a tribal newspaper that is completely removed from the Cherokee government.

The following research questions were formulated:

RQ1: What is the history of the events leading up to the passage of the Cherokee Independent Press Act of 2000?

RQ2: How did the Cherokee Independent Press Act of 2000 affect *The Cherokee Phoenix and Indian Advocate*?

RQ3: What is the history of the events leading up to the establishment of *The Cherokee Observer* in 1992?

RQ4: Why did the founders of *The Cherokee Observer* feel the newspaper was necessary initially and then after the Cherokee Independent Press Act of 2000?

RQ5: What is the history of *The Cherokee Phoenix and Indian Advocate* after the legislation was passed?

RQ6: What is the history of *The Cherokee Observer* from its beginning in 1992 to present?

RQ7: Do the staff of *The Cherokee Phoenix and Indian Advocate* feel that they publish freely?

RQ8: What does the staff of *The Cherokee Phoenix and Indian Advocate* feel the newspaper contributes to the Cherokee community?

RQ9: What does the staff of *The Cherokee Observer* feel that the newspaper contributes to the Cherokee community?

RQ10: What does the future hold for *The Cherokee Phoenix and Indian Advocate*?

RQ11: What does the future hold for *The Cherokee Observer*?

RQ12: Are *The Cherokee Phoenix* and *The Cherokee Observer* examples of trends in the fight for a free Native American press and what implications may their accounts have on other Native American newspapers?

CHAPTER THREE

Method

In initially examining *The Cherokee Phoenix and Indian Advocate* and *The Cherokee Observer*, and by discussing the proposed research with the editors of the two papers, it was obvious that there would be significant differences in the content. So the more pertinent question became, why is the content different? The answer may be monetary, something that is also relevant in the mainstream media. Whoever controls the funding controls the content. Therefore, content control, whether real or invented, becomes the argument for the independent newspaper. The purpose of this study is to understand that argument and to record the how and why aspects of the fight for a newspaper that is independent from its tribe.

The research method used is qualitative, which allowed the researcher to gain a better understanding of the Native American press and allowed for the flexibility that was needed in order to pursue the histories and stories behind *The Cherokee Phoenix and Indian Advocate* and *The Cherokee Observer*.¹

Case studies of both newspapers were conducted and a chronological narrative of the events was created, beginning in 1992 with the founding of *The Cherokee Observer*. In-depth interviewing and direct observation were the methods used to do the case studies.

¹ Roger D. Wimmer and Joseph R. Dominick, *Mass Media Research: An Introduction*, 7th ed. (Belmont: Wadsworth, 2003), 47-48.

Case Studies

Wimmer and Dominick said that a case study is, "...conducted when a researcher needs to understand or explain a phenomenon."² To find out how and why the independent newspaper is deemed necessary, a case study was the most suitable method to dig deeply into the reasoning of the newspaper participants.

The case study method's efficiency has long been debated, as has qualitative research as a whole. It is argued that the case study method is incapable of providing a generalizing conclusion because it depends on a single case.³ However, Tellis said, "It is a fact that case studies do not need to have a minimum number of cases, or to randomly 'select' cases. The researcher is called upon to work with the situation that presents itself in each case."⁴

Wimmer and Dominick said that Merriam (1988) lists the four essential characteristics of a case study as particularistic, descriptive, heuristic, and inductive.⁵ All four describe the intent of the research in this study of two Native American newspapers. The study is particularistic because it focused on one event or phenomenon, which is a practical, real-life problem. It is descriptive because it tells the story behind the phenomenon, which makes it heuristic also because the descriptiveness is intended to explain and lend understanding to the phenomenon. Last, the study is inductive because it examined the potential cause and effect relationship between the two newspapers to

²Ibid, 129.

³Winston Tellis, "Introduction to Case Study," *The Qualitative Report* 3, no. 2 (1997): Internet; available from <http://www.nova.edu/ssss/QR/QR3-2/tellis1.html>; (accessed 26 April 2005), 4.

⁴Ibid., 5.

⁵Wimmer, 129..

verify that they are trends, which could develop to help the Native American press with its freedoms.⁶

The advantages of the case study method strongly allowed for the researcher to study an expansive amount of data or evidence, which included the study of documents, history, interviews, and observation.⁷

In-depth Interviews

In-depth interviews were used in building the background of the case studies and to discover the reasoning behind getting freedom from the tribe through the people involved. McNamara said that the overall purpose of in-depth interviews is to, “fully understand someone’s impressions or experiences.”⁸ Wimmer and Dominick said in-depth interviews are unique from other types of interviews because they use smaller samples, are customized to different respondents, are usually very long, can be influenced by the interview climate, allow for lengthy observation of respondents, and provide detailed background about the reasons behind respondents’ answers.⁹ Many of those characteristics were necessary to the interviews conducted for this study.

This study also used in-depth interviews because they are so flexible. Flexibility was very important to the research because the interview questions depended so much on whom the respondents were and which newspaper they were affiliated with. “With in-depth interviewing, there is no specific order to the questioning. The respondent may

⁶Ibid

⁷ Ibid., 130.

⁸Carter McNamara, “Overview of Basic Methods to Collect Information,” *MAPNP Online*. [home page on-line]; available from <http://www.mapnp.org/library/research/overview.htm>; Internet; accessed 26 April 2005.

⁹Wimmer, 127.

jump from one subject to another. The interviewer has a list of things to be discovered, but the wording and sequence of the ‘questions’ depends on the ‘answers’ the respondent gives.”¹⁰ In fact, according to *AudienceDialogue.org* there are only three rules with in-depth interviewing:

1. You need to decide in advance which main topics you want the interview to cover.
2. You need to decide whether everybody will be asked the same questions, or you will change the questions, depending on the respondent.
3. The interview needs to be recorded in some way.¹¹

General areas to be discussed in the interviews were created and then narrowed down to exact questions depending on the interviewee. Questions for all interviews varied depending on the respondents’ involvement with the newspapers and legislation and also their answers to earlier questions. All interviews were voice recorded while the researcher took hand-written notes. Almost all interviews were also video-recorded.

Observation

There are basically two types of research observation, participant and direct. Participant observation is when researchers become involved in the context or situation that they are observing. Participant observation can often take a very long time in order for the researcher to be sufficiently immersed in the situation to render the observations helpful. In direct observation, however, the researchers try to be as unobtrusive as possible to the environment they are observing. This is done so that the researcher’s

¹⁰“Know Your Audience: Chapter 10 In-depth Interviewing,” *Audience Dialogue*, [home page on-line]; available from <http://www.audience dialogue.org/kya10.html>; Internet; accessed 26 April 2005.

¹¹Ibid.

observations will not be biased. Also direct observation can be done successfully in a shorter amount of time.¹²

Although observation is often a part of preliminary research, it can be used alone, especially when quantification is difficult. Wimmer and Dominick said, “Field observation is particularly suitable of the gatekeeping process... because it is difficult to quantify gatekeeping.”¹³ This study used direct observation, with the researcher being identified and the subjects being aware of the researcher’s intent. Due to time constraints however, the observation was very limited. The researcher was able to view the interviewees doing their daily tasks in their environment only during the interview times.

Research Design

The researcher conducted case studies of *The Cherokee Phoenix and Indian Advocate* and *The Cherokee Observer*. The first step of each case study was the examination of all historical documentation of the events surrounding the free press legislation, which was passed by the Cherokee government in 2000. A substantial number of articles were written about the legislation and the events leading up to it in the Native American and mainstream press. Understanding exactly what went on during this time period and the key players involved was essential.

Second, in-depth interviews were conducted at newspaper headquarters in Tahlequah, Oklahoma, and Blackwell, Oklahoma, with the editors of the two papers, their staffs and members of the organizations that fund the two newspapers.

¹²“Qualitative Methods,” *Social Research Methods.net*, available from <http://www.socialresearchmethods.net/kb/qualmeth.htm>; Internet; accessed 26 April 2005.

¹³Wimmer, 117.

A line of specific questioning was not designed for the interviews because the flow of each interview was based so much on the involvement of the individual in the observed phenomenon. Also the researcher felt that the best interviews are not strictly structured and allow the subject to expand his or her answers, which often leads to impromptu details and information.

In general the interviews incorporated the history of the newspapers, which dated from approximately the beginning of *The Cherokee Observer* in 1992 to present, the issue of censorship and funding, the editors' and staffs' perceived roles in the newspaper and its content and their views on the purpose of the respective newspapers in their communities. The researcher questioned the role of the tribal government in the newspapers from both the newspaper staff's viewpoints and that of the tribal government.

For *The Cherokee Phoenix*, an interview with the editor, Dan Agent, was significant to the research in two ways. Obviously he plays a major role in the production, content and business of the newspaper; however, he also played a major role in the free press legislation that was passed in 2000. Agent previously had been let go from the paper due to editorial differences with the tribal government and was very involved in getting the legislation passed, after which he was asked to return to the paper under a new Cherokee chief. Agent was a resource for interviews with other people who were involved in the creation of the legislation, including journalists who work in the mainstream media and one current tribal official. Two interviews dealing with this part of the case study were conducted by email, but most were face-to-face.

The following is a list of people who were interviewed in association with *The Cherokee Phoenix and Indian Advocate* and the Cherokee Independent Press Act of 2000 and the topics that were discussed in the interviews.

- Dan Agent, Editor of *The Cherokee Phoenix and Indian Advocate*:
 - ~His dismissal from what was then *The Cherokee Advocate*.
 - ~The events leading up to the Independent Press Act of 2000 and his involvement.
 - ~What the newspaper's content was like before the legislation.
 - ~How the legislation has changed the newspaper's content and operations and what they have achieved as a result.
 - ~How the legislation has changed the relationship between the newspaper and its government.
 - ~His feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Phoenix* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.
 - ~Circulation size, cost of publishing and production, and basic background information.
- Bryan Pollard, Assistant Editor, Photo and Graphics Coordinator of *The Cherokee Phoenix and Indian Advocate*:
 - ~History of *The Cherokee Phoenix*
 - ~History of the Independent Press Act of 2000.
 - ~How the legislation has changed the newspaper's content and operations.
 - ~His feelings on tribal government restriction of the Native American Press.
 - ~The future of *The Cherokee Phoenix* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.
- John Shurr, Cherokee and Associated Press Bureau Chief in Columbia, South Carolina:
 - ~The events leading up to the Independent Press Act of 2000 and his involvement.
 - ~The effects of the legislation on the Native American press.
 - ~His feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Phoenix* and the Native American press as a whole.
- George Bengel, News Executive at the Corporate News Department of Gannett Co., Inc. in McLean, Virginia:
 - ~The events leading up to the Independent Press Act of 2000 and his involvement, if any.

- ~The effects of the legislation on the Native American press.
 - ~His feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Phoenix* and the Native American press as a whole.
- Lisa Hicks, Graphic Artist, Contract Advertising Coordinator for *The Cherokee Phoenix and Indian Advocate*:
 - ~Her feelings on tribal government restriction of the Native American press.
 - ~What she feels is the nature of the relationship between the newspaper and the Cherokee government, and whether they have felt any restraint.
 - ~The future of *The Cherokee Phoenix* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.
 - Cara Cowan, Cherokee Nation Tribal Council Member-- District 7:
 - ~The events leading up to the Independent Press Act of 2000 and her involvement, if any.
 - ~How the legislation has changed the newspaper's content and operations and what they have achieved as a result.
 - ~How the legislation has changed the relationship between the newspaper and its government.
 - ~Her feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Phoenix* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.

The Cherokee Observer, according to its editor Franklin McLain, is small-staffed and low on funds. He agreed to an interview as well as to help obtain interviews with staff members and the executives of The Whitepath Foundation, of which he is the chairman. The Whitepath Foundation is a federally tax exempt foundation, which founded and funded *The Cherokee Observer* until the two were split and became their own private entities.

The following is a list of people interviewed in association with *The Cherokee Observer* and the Whitepath Foundation:

- Franklin McLain, Assistant Editor and Online Editor of *The Cherokee Observer*, Chairman of The Whitepath Foundation:
 - ~The history of events leading up to the establishment of *The Cherokee Observer*

in 1992.

- ~The rationale behind the establishment of the newspaper and why he felt it was necessary.
 - ~The history of the Whitepath Foundation.
 - ~History of the newspaper from 1992 to the present.
 - ~Circulation size and cost of publishing and production, and basic information.
 - ~His feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Observer* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.
- Marvin Summerfield, Publisher, Language Editor of *The Cherokee Observer*:
 - ~The history of events leading up to the establishment of *The Cherokee Observer* in 1992.
 - ~The rationale behind the establishment of the newspaper and why he felt it was necessary.
 - ~History of the newspaper from 1992 to the present.
 - ~His feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Observer* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.
- David Cornsilk, Former Managing Editor, Guest Writer for *The Cherokee Observer*:
 - ~The history of events leading up to the establishment of *The Cherokee Observer* in 1992.
 - ~The rationale behind the establishment of the newspaper and why he felt it was necessary.
 - ~History of the newspaper from 1992 to the present.
 - ~His feelings on tribal government restriction of the Native American press.
 - ~The future of *The Cherokee Observer* and the Native American press as a whole.
 - ~What role the newspaper plays in its community and what it contributes to the community.
- Robin Mayes, Former Executive Director of The Whitepath Foundation, Contributor to *The Cherokee Observer*:
 - ~The history of events leading up to the establishment of *The Cherokee Observer* in 1992.
 - ~The rationale behind the establishment of the newspaper and why he felt it was necessary.
 - ~History of the newspaper from 1992 to the present.
 - ~His feelings on tribal government restriction of the Native American press.

- ~The future of *The Cherokee Observer* and the Native American press as a whole.
- ~What role the newspaper plays in its community and what it contributes to the community.

Initially plans were to spend approximately one to two days doing direct observation of the newspapers' staffs and daily operations. The reasoning behind the direct observation was to see the differences between the two newsrooms in the numbers of their staff members, quality of equipment, and the intensity of the work environment. The researcher was only able to observe at *The Cherokee Phoenix and Indian Advocate* during interview times due to time constraints. The members of *The Cherokee Observer* work separately out of their homes, therefore the amount of observation was very limited.

One final note, to understand the goals of this study is to realize it was not searching for results or answers in any typical fashion. Instead, it sought a story behind a phenomenon, to help describe and encourage intrigue into an issue that has real-world implications for the Native American press as well as the universal media.

CHAPTER FOUR

Findings

The Cherokee Observer

The founding members of *The Cherokee Observer* agree that starting the newspaper was a worthwhile and rewarding endeavor. Although it has been a strain on both their professional and personal lives, they feel that what they have done as an organization will leave a lasting impression on the history of the Cherokee tribe.¹

The founders of *The Cherokee Observer* felt that an independent Cherokee newspaper was necessary because the official Cherokee newspaper served as a public relations tool for the Cherokee government and that it did not or could not give accurate coverage of the Cherokee government and the happenings in the Cherokee Nation. They also felt that the Cherokee people were being oppressed and that terrible injustices were committed that needed to be brought to light² and that a different view of Cherokee politics needed to be represented.³

Second, the founders of *The Cherokee Observer* felt that The Whitepath Foundation, as well as the newspaper, would be a crucial element in trying to save the Cherokee language. They thought that they could use the newspaper to teach Cherokee lessons and to provide news in the Cherokee language.⁴ They felt that this was necessary

¹David Cornsilk, interview by author, tape recording, Tulsa, Oklahoma, 28 May 2005.

²Ibid.

³Marvin Summerfield, interview by author, tape recording, Miami, Oklahoma, 25 May 2005.

⁴Franklin McLain, interview by author, tape recording, Blackwell, Oklahoma, 26 May 2005.

because the number of Cherokees who could read, write, or speak Cherokee was at an all-time low, and they did not feel that the Cherokee government was doing anything to educate its people or save its language.⁵

Marvin Summerfield, the publisher and language editor of *The Cherokee Observer*, remembers that it was some time in 1990 when David Cornsilk, the former managing editor of *The Cherokee Observer*, first mentioned the idea of starting an independent Cherokee newspaper. He said Cornsilk's idea was to be advocates against inequalities in the Cherokee Nation and that the tribal newspaper at the time was illusive and gave off the perfect image of the Cherokee Nation.⁶ Cornsilk said, "We saw a communication problem and we wanted to fix it, we wanted a free Cherokee newspaper."⁷

Summerfield and Cornsilk met while working for the Cherokee Nation during Chief Wilma Mankiller's administration. Cornsilk quit his job as a research analyst in the tribal enrollment office in 1990 because he, "had profound philosophical differences with the administration."⁸ Cornsilk, who has long been an advocate for the rights of Cherokee Nation employees, has represented many of his fellow Cherokees, who felt mistreated or were unfairly fired from their positions with the Cherokee Nation, in the tribal court. In fact, he became acquainted with Robin Mayes, the former executive

⁵Summerfield, 2005.

⁶Ibid.

⁷Cornsilk, 2005.

⁸Ibid.

director of The Whitepath Foundation and contributor to *The Cherokee Observer*, when he helped him with his own case against the Cherokee government.⁹ Mayes said that his wrongful termination was the catalyst that got him involved with the newspaper. At first he kept his involvement with the newspaper quiet because he thought he might work for the Cherokee Nation again at some point, however, he was there for the creation and distribution of the first issue. Mayes has never really done any writing for the newspaper but he helped with art, format, layout, and production¹⁰ Cornsilk's involvement in cases like Mayes' and his advocacy against the Cherokee government played a major factor in his desire to start an alternative Cherokee newspaper.¹¹

Cornsilk said the catalyst for him to start the newspaper was his relationship with Chief Mankiller and her administration, and watching the way she controlled the Cherokee press. He felt that the tribal newspaper, which at that time was named *The Cherokee Advocate*, was being used as a public relations tool for the tribal government and local mainstream newspapers were either ignoring what was going on in the Cherokee Nation or were just printing press releases. There was no free press legislation in the Cherokee Nation at that time and the tribal newspaper was literally part of the public relations office of the tribe. Cornsilk said that with the tribal newspaper not covering the issues or what he considered the wrongdoings of the Cherokee government, he felt like there, "was a darkness over the Cherokee people," and he knew he had to do something to help. Cornsilk thought that an independent Cherokee newspaper could

⁹Ibid.

¹⁰Robin Mayes, interview by author, tape recording, Denton, Texas, 9 June 2005.

¹¹Cornsilk, 2005.

provide a different view into ongoing Cherokee issues, educate and teach, expand the language, rebut, and provide a forum for tribal members to speak out.¹²

At a meeting in Tahlequah, Oklahoma, Cornsilk, Summerfield and another founding member, Tom Fortkiller, decided to create The Whitepath Foundation, a non-profit organization, which would support a newspaper and any social programs.¹³ They named the Foundation after Cherokee Chief Whitepath, who died during the period of Indian removal on the “Trail of Tears.” McLain said that Whitepath was very outspoken against Indian removal and they named the Foundation after him in order to follow in his example and keep the Cherokee people informed on what is going on around them.¹⁴ Whitepath also refers to “the path to God” or “the path of righteousness.”¹⁵

According to The Whitepath Foundation website it was created in 1991 and its mission is, “To continue in being the leaders of our Cherokee language. We will provide articles, stories, lessons (*sic*) in our Cherokee language to as many Cherokee’s (*sic*) that can only read, write, & speak Cherokee. Provide Cherokees (*sic*) to learn the Cherokee Syllabery so they can learn to read, write and speak Cherokee.”¹⁶ The Foundation was very important to the start of *The Cherokee Observer*, but it was also a basis to teach the Cherokee language to younger generations who had not been exposed to it. Summerfield said that from 1838 to 1907 about ninety percent of Cherokees could read and write their

¹²Ibid.

¹³Ibid.

¹⁴McLain, Blackwell, 2005

¹⁵Cornsilk, 2005.

¹⁶The Whitepath Foundation, “Our Mission.” *The Whitepath Foundation Online*. Home page on-line. Available from http://www.cherokeeobserver.org/whitepath/main_page.htm; Internet; accessed 20 March 2005.

language, but from 1907 to the 1980s that number dropped to about ten percent.¹⁷

Although the founding members felt that a newspaper would provide an alternative news source and a platform for the Cherokee people, they also were distraught over what they considered the slow death of their native Cherokee language. They felt that the newspaper could also be a tool to keep their language as well as some of their Cherokee customs alive.¹⁸

Preservation of the Cherokee language was certainly one of the driving forces behind Summerfield getting involved with *The Cherokee Observer*. Summerfield sees his work with the newspaper as a tribute to his youngest daughter.¹⁹ Without her Cornsilk believes *The Cherokee Observer* may have never been possible.²⁰ Before she died from a brain tumor in 1989, Summerfield's daughter Fossin was learning to speak Cherokee from her grandmother. Summerfield said that Cherokee was his first language and that he did not begin to speak English until he was four or five, so when Fossin began to learn he was thrilled, and she drove him to really relearn his native language. In his family, culture had always come first and that, "Once you lose your language, you lose your identity. Lose it and you are no longer Cherokee."²¹

Watching Fossin, Summerfield saw how easily children could learn other languages and he wanted to continue educating Cherokee children, so he earned his certificate to teach the Cherokee language. Then, in 1992 the Summerfields received a

¹⁷Summerfield, 2005.

¹⁸McLain, Blackwell, 2005.

¹⁹Summerfield, 2005.

²⁰Cornsilk, 2005.

²¹Summerfield, 2005.

settlement for Fossin's death and in 1993 they used that money to fund *The Cherokee Observer* and print the first issue in the memory of their little girl.²²

Teaching the Cherokee language to new generations of Cherokees was also a big concern for Franklin McLain. One day McLain went to visit his father, Jackson McLain, who was a council member of the United Keetoowah Band of Cherokees in Oklahoma. While visiting his father at work, he found employees searching for a typewriter that used an IBM selectric ball, because their typewriter had broken. That ball was the last of three made during the 1960s that could type the Cherokee syllabary. McLain said that if they could not find a typewriter that was compatible with the selectric ball, that they would no longer be able to type in their Cherokee language, as the Cherokee Nation was doing little to preserve the written language at that point in time.²³

McLain knew that the Cherokees needed a “media for their language,”²⁴ so he began developing a Cherokee font for the IBM PC. Summerfield approached McLain and described how he wanted to include Cherokee language stories and lessons in the newspaper they were developing. McLain agreed to help and he and a non-Native American linguist, Al Webster, worked together for a year and a half to develop a Cherokee font for both PCs and Macintosh computers. Their development of a Cherokee font for computers enabled The Whitepath Foundation and *The Cherokee Observer* to make great strides in helping to teach the Cherokee language.²⁵ The Whitepath Foundation website states that they, “. . . have provided the Cherokee head start

²²Ibid.

²³McLain, Blackwell, 2005.

²⁴Ibid.

²⁵Ibid.

programs with on-site presentation of the Cherokee syllabary and lessons, provided flash cards in Cherokee, published these (*sic*) articles in the Cherokee Observer since 1992.

We were the first Cherokee organization to publish HIV/AIDS information in our Cherokee language.”²⁶ Through all of their efforts Cornsilk still feels that the Cherokee language is on its deathbed, however he does feel that *The Cherokee Observer* has made significant contributions to its survival.²⁷

In late 1995 to early 1996 the founding members decided that The Whitepath Foundation and *The Cherokee Observer* should become completely separate entities and that The Whitepath Foundation would only deal with language issues and social programs or charity and that the newspaper would no longer be a nonprofit.²⁸ Cornsilk said one reason for the separation was that the newspaper’s political commentary was beginning to threaten the support and donations to The Whitepath Foundation.²⁹

The establishment of The Whitepath Foundation as a non-profit Cherokee language entity, while a major accomplishment, was only part of what the founders had planned to do. Cornsilk said, “Our main focus at that moment was how to get this newspaper started and none of the three of us had any computer experience or knew anything about what it would take.”³⁰ Summerfield introduced the group to McLain, who he described as a “computer whiz.”³¹ They met with McLain in Jay, Oklahoma, where he

²⁶The Whitepath Foundation.

²⁷Cornsilk, 2005.

²⁸Summerfield, 2005.

²⁹Cornsilk, 2005.

³⁰Ibid.

³¹Summerfield, 2005.

introduced them to PageMaker, a software program used in newspaper layout and design. Cornsilk said that when he saw the program and what they could do with it, “I knew we had hit pay dirt. It was like we were going to have a newspaper . . . It was so exciting.”³²

The group set out to print its first issue during the summer of 1992. At this point their numbers had expanded to six, including Cornsilk, Summerfield, Fortkiller, McLain, Mayes, and Linda Summerfield. Cornsilk said that what drew the members of the newspaper together, “. . . is our love for the Cherokee people. We wanted to make a legacy for them and our goal was to serve . . . and give them a voice.”³³ They decided to name the newspaper *The Cherokee Observer* because its role was to be the eyes, ears, and mouth of the Cherokee people³⁴ and that “observer” represented that they were “watchers” over the Cherokee Nation.³⁵

In January of 1993, for about \$2,500, they produced 25,000 copies of *The Cherokee Observer*'s first issue and then canvassed the Cherokee Nation. Cornsilk said that covering the whole Cherokee Nation was astounding and daunting. “We were just giving them away like crazy.”³⁶ Mayes said that people were very appreciative of the newspaper and that it was tremendously well received and that producing it was one of the best things he had ever had the opportunity to assist in.³⁷

³²Cornsilk, 2005.

³³Ibid.

³⁴Mayes, 2005.

³⁵McLain, Blackwell, 2005.

³⁶Cornsilk, 2005.

³⁷Mayes, 2005.

Summerfield had contacted the local newspapers about the first issue to gain some coverage for The Whitepath Foundation and *The Cherokee Observer* and to create some hype. McLain said that when word got out about the newspaper he was told that Chief Mankiller and other tribal officials were, “waiting with bated breath,” for their first issue.³⁸ This would be the beginning of a sometimes-tumultuous relationship between *The Cherokee Observer* and the Cherokee government.

During 1994-95, *The Cherokee Observer* went online with McLain as its editor. “We felt like being on the Internet would allow a lot more people to access it (*The Cherokee Observer*).” Cornsilk said it also allowed for them to reach a broader audience and it also made it possible for the newspaper to be archived online, which is a preservation of the newspaper and will allow for people to research *The Cherokee Observer* in the future.³⁹ Being on the Internet also allowed them to provide an online Web board. McLain said the Web board has received about 1 million hits since 1997 and gets about 3,000 hits daily and that they do not censor posts except for decency reasons. “It is a true forum for tribal members to speak out. We don’t moderate it. It is truly free speech.”⁴⁰

Summerfield said that *The Cherokee Observer* quickly evolved into a watchdog group after their first issue. After all keeping an eye on the Cherokee government was one of the main reasons they started the newspaper to begin with. Almost all of the members of *The Cherokee Observer*’s staff have been outspoken towards their

³⁸McLain, Blackwell, 2005.

³⁹Cornsilk, 2005.

⁴⁰McLain, Blackwell, 2005.

government on more than one issue⁴¹ but they also feel that even though they have published articles they would consider negative, they have published positive stories too.⁴²

Cara Cowan, a tribal council member for District 7 of the Cherokee Nation, said she feels that *The Cherokee Observer* is an outstanding idea but that the newspaper staff has missed its opportunity to have an open dialogue without being biased. “They don’t maintain the integrity of journalism. [They] take more of a tabloid approach.”⁴³ Cornsilk agreed to a point that *The Cherokee Observer* is not perfect and that especially in the beginning the staff allowed some editorial remarks to get into the articles. He said he felt justified because of the oppression that the Cherokee people have been under. He explained that another reason might be that, “We aren’t journalists. *The Observer* was biased in the sense that we wanted to empower and strengthen the people against the Cherokee government.”⁴⁴ He said that the staff was never really concerned with AP Style or keeping opinions out of their articles because they had never had any education in journalism. He said they began to improve after 1994 when an acquaintance, who was a journalist, came to help them become more of a professional newspaper.⁴⁵ Cornsilk feels, however, that, “If we had been so regimented, it wouldn’t have been a Cherokee newspaper.”⁴⁶

⁴¹Summerfield, 2005.

⁴²McLain, Blackwell, 2005.

⁴³Cara Cowan, interview by author, tape recording, Tulsa, Oklahoma, 7 June 2005.

⁴⁴Cornsilk, 2005

⁴⁵Ibid.

⁴⁶Ibid.

Although their stories had improved, they had already made an impression in the community and Cornsilk said that he and Summerfield, as the public representatives of *The Cherokee Observer*, took the brunt of criticism from people who did not agree with their stories, as well as the applause from the ones who did. They dealt with death threats, slashed tires, and even phone tapping, which Summerfield said only made him more resolved to continue publishing.⁴⁷ At one point Cornsilk and Summerfield began receiving threatening phone calls, mostly from family members of government officials or employees who were upset over stories that the newspaper had ran, but they dismissed them.⁴⁸ Cornsilk said he was never afraid until someone shot out a headlight on his car. Cornsilk said that after the incident with his car, “. . . we began moving our meetings around so no one could find us. It was kind of scary because you never knew what would set people off.”⁴⁹

Cornsilk resigned from The Whitepath Foundation and the newspaper both, between December 1998 and December 1999. He had become such a controversial figure in the Cherokee Nation that he felt that both entities would be better off if independent from him. Also, working for the two had put strain on his personal life. He said that he became way too deeply involved with the newspaper and there was so much turmoil. “There were attacks and also support for us. I don’t think *The Observer* would have become what it is without all of our extreme personal investments.”⁵⁰ Although he

⁴⁷Summerfield, 2005.

⁴⁸Cornsilk, 2005.

⁴⁹Ibid.

⁵⁰Ibid.

feels like his involvement with the newspaper contributed to his divorce, he does not regret being a part of *The Cherokee Observer*.⁵¹

After Cornsilk resigned from the newspaper, Summerfield, McLain, and Mayes continued publishing, as Fortkiller and Linda Summerfield were no longer really involved either. Mayes, who quit his position with The Whitepath Foundation in 2003, said that he was more of a behind-the-scenes player in the newspaper than McLain and Summerfield were. He feels that when Cornsilk left the newspaper, a lot of the balance went with him. He said that the focus of the newspaper did seem to shift more towards the negative and that more opinion was being injected into the stories. However, he did say, that for all of the negative stories there is a lot of positive news coming out of *The Cherokee Observer*.⁵²

In 2003, McLain became gravely ill and could no longer keep up with the late nights of doing the layout, let alone all the miles he had to drive just to put the newspaper together and distribute it. Due to the circumstances, *The Cherokee Observer* went online full-time and stopped publishing in hard copy. Although the staff managed to keep the paper alive and functioning online, they lost a lot of its readership. Now however, *The Cherokee Observer* is making a comeback and published its latest hard copy issue in April of 2005.⁵³

When it first began, the newspaper published monthly when there was enough news and eventually went to a quarterly publication. McLain said, however, that when

⁵¹Ibid.

⁵²Mayes, 2005.

⁵³McLain, Blackwell, 2005.

there was no news, at times, they have not published. The paper used to be in tabloid format but when publication began again in 2005, it switched to broadsheet because of the stigma that goes with tabloid papers.⁵⁴ The newspaper usually ranges about eight pages but has been as many as 32 pages in the past. It covers all aspects of the news, including feature stories, cultural events and history, community news and events, national Native American issues and wire stories, local sports, birth announcements and obituaries, and stories and lessons in the Cherokee language.⁵⁵ Staff members have encouraged readers to write stories for the newspaper in order to get people more involved and they take almost any Cherokee writings or stories into consideration for publication.⁵⁶ They try to make the newspaper responsive to what the readers want, however, the majority of *The Cherokee Observer's* stories revolve around political issues because those stories are the most newsworthy and most needed by the Cherokee people.⁵⁷

The majority of the story ideas for *The Cherokee Observer* are created on an individual basis because the staff members work from their homes. They then discuss the ideas amongst themselves, mostly through email, because they do not have an office or newsroom set up. McLain said they do get some story ideas from their readers who write or email them, but they spend a lot of the newspaper's space covering ongoing issues that they keep updating with each issue.⁵⁸

⁵⁴Ibid.

⁵⁵Cornsilk, 2005.

⁵⁶McLain, Blackwell, 2005.

⁵⁷Cornsilk, 2005.

⁵⁸McLain, Blackwell, 2005.

There are subscriptions available to *The Cherokee Observer* for Oklahoma Cherokees, Cherokees from out-of-state, and even Cherokees living outside of the United States. A yearly in-state subscription to *The Cherokee Observer* is \$20, out-of-state subscriptions cost \$41.50, and a copy of a single issue is seventy-five cents. However, McLain said that he would give the paper away as long as people are reading it.⁵⁹ The staff gets some of its funding from advertising revenues and some from donations, but much of the expenses come out of their own pockets. McLain said, “We have pulled ads before to make room for stories.”⁶⁰ No member has ever made a dime from the newspaper and it will always be that way because the staff is publishing for the Cherokee people.⁶¹

Summerfield said that he feels that *The Cherokee Observer* may have had a hand in pushing the Cherokee government towards passing free press legislation. In reference to the Cherokee Independent Press Act of 2000 Summerfield said, “The legislation passed and we always thought it would, but we have never thought that it (Cherokee tribal newspaper) would become free. At least not until they make some changes in the administration and get out of the (Cherokee Nation) complex.”⁶²

McLain said that he never thought that the free press legislation would make a difference because as long as the government funds the tribal newspaper, it would never print anything negative about the chief of the tribe. “I think the people wanted the legislation passed, so they (Cherokee government) enacted it, but I can’t tell a

⁵⁹McLain, Blackwell, 2005.

⁶⁰Ibid.

⁶¹Summerfield, 2005.

⁶²Ibid.

difference.”⁶³ Mayes also said that he had seen no changes in the coverage by the tribal newspaper since the legislation was passed but he feels that it was a step in the right direction that the Cherokees were even examining a free press, which is so crucial to communication.⁶⁴

McLain said that he felt that *The Cherokee Observer* balances out the official newspaper of the tribe, *The Cherokee Phoenix and Indian Advocate*. McLain explained that even had they felt that the legislation worked, “. . . we probably would have continued to publish anyway just for the language aspect and to teach.”⁶⁵

The staff of *The Cherokee Observer* feels that it is the eyes, ears, and voice of the Cherokee people and serves the watchdog purpose in the Cherokee community.⁶⁶ The newspaper has offered an alternative view of events and issues to the Cherokee people and has changed the way the Cherokee people absorb their news. Cornsilk said, “They look for different angles now.”⁶⁷

The newspaper has contributed to the community by being a teaching aid for the Cherokee language and for trying to preserve the Cherokee language and customs that the members feel are so important to the Cherokee identity.⁶⁸

The founding members of *The Cherokee Observer* hope that the newspaper continues to publish long into the future. They have been making efforts to gain the

⁶³McLain, Blackwell, 2005.

⁶⁴Mayes, 2005.

⁶⁵McLain, Blackwell, 2005.

⁶⁶Mayes, 2005.

⁶⁷Cornsilk, 2005.

⁶⁸Summerfield, 2005.

interest of young people and to try to get them involved in the newspaper so that they can continue their work and what they started.⁶⁹ Mayes said that he hopes *The Cherokee Observer* can make a strong comeback now that they are publishing hard copy again because the Cherokee people still want to read the newspaper.⁷⁰

Cornsilk said that even though he is no longer a member of the newspaper's staff, he feels *The Cherokee Observer* will always be needed but that its future is hard to predict. He feels that the newspaper has always been on the edge of oblivion because it depended on such a small group of people. "The first night could have been its (the newspaper's) last."⁷¹ Cornsilk said that another problem might be that the newspaper may have trouble surviving its own connections and relationships with the local newspapers because if the local papers really pick up on the issues in the Cherokee community, *The Cherokee Observer* could become obsolete.⁷²

Cornsilk feels that the future of *The Cherokee Observer* lies in its ability to, "... get the Cherokee people to understand that there is power in their voice. Their future is in continuing to remind the Cherokee people that you don't have to lay down for it. You can speak out."⁷³

The founders of *The Cherokee Observer* do hope that they and the newspaper are trendsetters in the realm of the Native American press but not all agree on whether they have made that difference.

⁶⁹Ibid.

⁷⁰Mayes, 2005.

⁷¹Cornsilk, 2005.

⁷²Ibid.

⁷³Ibid.

Summerfield hopes that other Native Americans will see their example and follow suit. He thinks that more tribal people are beginning to start independent newspapers and that he has seen some evidence of it with smaller tribes who are developing newspapers. Summerfield said that he and McLain have even discussed an independent newspaper with members of both the Creek and the Choctaw tribes, but that nothing was ever developed.⁷⁴

McLain believes that more people will continue to get involved in creating a free press and that the Native American media will continue to expand. He said individuals from a couple of different tribes who wanted to know how they created and sustained *The Cherokee Observer* have contacted him. “We have gotten word that there are independent newspapers from other tribes and I feel like it is a trend that will start to develop more and more in the Native American press.”⁷⁵

Cornsilk feels that *The Cherokee Observer* has set an example but that it does not mean that the rest of Indian country is following in its footsteps. He said that he really thought that other groups would learn from them and is disappointed that there has not been more interest and he does not understand why. He has received inquiries too on how *The Cherokee Observer* was developed and it gives him hope that someday other people will want to make the sacrifices it takes to give their tribes a voice.⁷⁶

⁷⁴Summerfield, 2005.

⁷⁵McLain, Blackwell, 2005.

⁷⁶Cornsilk, 2005.

The Cherokee Phoenix and Indian Advocate

In 1995 Joseph Byrd became chief of the Cherokee tribe and in 1996 the “Cherokee Nation’s Constitutional Crisis” ensued.⁷⁷ Dan Agent, the editor of what is now *The Cherokee Phoenix and Indian Advocate*, became the Cherokee Nation’s Director of Public Affairs in October of 1996. He was also serving as the editor of the Cherokee Nation’s newspaper at that time, which then was named *The Advocate*. By July of 1996 he had been laid off along with five other members of his staff.⁷⁸ Agent said that the layoffs came after:

. . . months of tension between the (*Advocate*) staff and Byrd, whose administration had been marked by allegations of financial misconduct, federal investigation, lawsuits and outrage from many Cherokees over his attempted removal of the tribe’s Judicial Appeals Tribunal, an act comparable to a U.S. president attempting to fire the U.S. Supreme Court.⁷⁹

Agent said that on February 25, 1997, the Cherokee Marshals service served a search warrant to gain access to financial records, which Chief Byrd had refused to give up. Byrd fired the entire Marshal service after the search and then in April altered the Cherokee Nation Constitution, which led to the impeachment of the Judicial Appeals Tribunal. Shortly after a group of Cherokees sued Chief Byrd, stating that what he had done was illegal. The Judicial Appeals Tribunal found for the Cherokee citizens but Chief Byrd ignored the court.⁸⁰

⁷⁷Dan Agent, “Constitutional Crisis: A 1995-1999 Timeline,” *The Cherokee Phoenix and Indian Advocate*, Spring 2001, p20.

⁷⁸Dan Agent, interview by author, tape recording, Tahlequah, Oklahoma, 2 June 2005.

⁷⁹Dan Agent, “Cherokee Chief Attacks Cherokee Constitution and Press,” *News Watch*, Spring 1998.

⁸⁰Ibid.

Agent said that as editor of *The Advocate* he requested that one of his reporters cover the story without bias or editorial.⁸¹ He ran the story on the front page of the March-April 1997 issue of *The Advocate*.⁸² “Before my layoff, *The Advocate* provided front-page coverage of the crisis in what I consider relatively mild terms, given the conduct of the Byrd administration.”⁸³ Then in the May-June issue of *The Advocate* he ran another front-page story concerning the Constitutional Crisis. “Both stories were reviewed by Byrd’s executive staff, who changed some copy that they considered negative toward Byrd.”⁸⁴ Shortly after publication, Agent found himself being organized out of his position in the Cherokee Nation. He was told that he had until noon on the following day to clean out his office and the rest of the staff was to leave in two weeks. Agent said that a Byrd-supporter had been chosen to replace him, and they extended the time of the rest of the staff under the threat of losing their jobs. Then the Byrd administration took over *The Advocate*.⁸⁵ Agent said that there were obvious differences between the content of *The Advocate* from before and after the layoff, which, “. . . is evidence of Byrd’s desire to control what is published in the tribal newspaper.”⁸⁶

After he was fired, Agent took a job in Santa Fe and filed a lawsuit for wrongful termination against the Cherokee Nation. He hired Chad Smith to represent him and his case was supposed to go to the Judicial Appeals Tribunal. Thanks to Chief Byrd,

⁸¹Agent, 2005.

⁸²Agent, 1998.

⁸³Ibid.

⁸⁴Ibid.

⁸⁵Agent, 2005.

⁸⁶Agent, 1998.

however, the tribunal no longer existed. Byrd was never ousted from the government and he even ran for reelection. However, Agent's attorney, Smith, ran against Byrd and won, so Agent had to hire someone else to continue representing him. Smith was elected as principal chief of the Cherokee tribe in 1999.⁸⁷

Chief Smith asked Agent to come back to his position as editor of *The Advocate*, which would no longer be a part of the Cherokee Nation's public relations office. Agent returned on November 1, 1999, and began working with Chief Smith to pass free press legislation in the Cherokee Nation. Agent said that it was ironic because Smith had actually drafted an Independent press act initially in 1995 because of inaccurate or unfair coverage by *The Advocate* about Chief Byrd's election.⁸⁸

Smith and Agent consulted with outside sources to help them create an independent press act that would work for the Cherokees. After he was elected, Smith contacted John Shurr, a registered member of the Cherokee tribe and an Associated Press bureau chief, to help ensure that another constitutional crisis never occurred.⁸⁹ Shurr said, "Part of my mission was to create a buffer between tribal government (chief and council) and the tribal newspaper . . ." ⁹⁰ They also elicited advice from and consulted with Richard LaCourse, a Native American journalist and editor who founded several tribal newspapers and advocated free press in Indian country. Agent said that the legislation ended up being much more simple and specific. "It is direct and to the point. It says that it (the newspaper) is funded by the tribe but free of government influence, but

⁸⁷Agent, 2005.

⁸⁸Ibid.

⁸⁹John Shurr, email interview by author, 7 October 2005.

⁹⁰Schurr, 2005.

we have to cover the Cherokee news fairly.”⁹¹ The Cherokee Independent Press Act was passed in July 2000 by a 14-1 vote. Shurr said the newspaper was renamed in order to honor the original Cherokee newspaper, *The Cherokee Phoenix*.⁹² “*The Phoenix* and the tribe rose again from the post-Joe Byrd . . . days and we felt *The Phoenix* should again be our newspaper’s name.”⁹³

The Cherokee Independent Press Act of 2000 is basically how Agent described it, free to publish yet still funded by the Cherokee nation. However, the Act also called for the creation of an editorial board. Tribal Council member Cowan said that the editorial board of *The Cherokee Phoenix and Indian Advocate* does not serve the same function as one might think. “They are only there to provide direction and to decide on specific conflicts. They’ve never really been in action.”⁹⁴

The editorial board for *The Cherokee Phoenix and Indian Advocate* consists of three members, two of whom have to be registered Cherokees. The members are appointed to staggered terms, one six-year term, one four-year term, and one two-year term. One member of the board is appointed by the chief of the tribe, one by the tribal council, and the last one is appointed by the other two members and approved by the chief and the council.⁹⁵

The requirements for being a board member are similar to expectations of most employers, such as an age minimum and being of good character. Also though to

⁹¹Agent, 2005.

⁹²Ibid.

⁹³Shurr, 2005.

⁹⁴Cowan, 2005.

⁹⁵The Cherokee Nation, 2005.

become a board member one must, “. . . certify he or she will adhere to the standards of accepted ethics of journalism as defined by the Society of Professional Journalists and endorsed by the Native American Journalists Association.”⁹⁶ The standards of ethics are also mandatory of the editor of the tribal newspaper.

According to Section 7 of The Cherokee Independent Press Act, the editorial board should:

- . . . establish and enforce an editorial policy that will be fair and responsible in the reporting of general news, current events and issues of Cherokee concern including activities of the community, language, culture, history and other subjects which will inform the Cherokee citizenry about their government, tribe, and culture.
- . . . ensure the operational structure is sound and that the duties and obligations required of the board are filled.
- . . . review advertising rates and policies.
- . . . develop consistent fair and reasonable policies on campaign advertising to be published sixty days prior to beginning of the filing period.⁹⁷

Agent said that the role of the editorial board is to define the Cherokee Independent Press Act of 2000. They consult with the staff and critique the newspaper, make recommendations concerning publishing and ethical issues, provide instruction, and enforce the fair reporting requirements on the newspaper.⁹⁸ According to Agent, since the legislation was passed that there has been no interference with what the newspaper publishes. “No one has ever reviewed what we have printed. People have been displeased at times, but no one has had any influence.”⁹⁹ Although he did say that there

⁹⁶Ibid.

⁹⁷Ibid.

⁹⁸Agent, 2005.

⁹⁹Ibid.

have been efforts on the behalf of the council, the only reviews on the newspaper have been for fact checking.¹⁰⁰

As a member of the editorial board, Shurr said that his level of involvement with the newspaper varies from week to week. “Depends on issues as they arise. Sometimes several days a week. Sometimes we don’t have exchanges at all.”¹⁰¹ As for the editorial board’s influence on the content of *The Cherokee Phoenix and Indian Advocate*, Shurr said, “I’ve helped edit quite a few stories, made story suggestions and recommendations on handling stories. When readers or council members don’t like what they see or read, we talk about that and I help Dan (Agent) and his staff come up with sound ways to handle the issues, usually with a mind toward a public discussion of our thinking.”¹⁰²

Bryan Pollard, the assistant editor and photo and graphics coordinator of *The Cherokee Phoenix and Indian Advocate*, said that he never would have worked for the newspaper before the legislation was passed. He said that it is exciting that the newspaper has changed though and that it has changed a lot. “The legislation renewed the legitimacy of the newspaper.”¹⁰³ The legislation has also changed the content of and the operations of the newspaper. Cherokee citizen George Benge, a news executive at Gannett Co., Inc. who, “has written a column on Native American issues for a number of years,”¹⁰⁴ said that, “Having read the newspaper (*Cherokee Phoenix and Indian Advocate*) closely, [sic] legislation (Cherokee Independent Press Act of 2000) has

¹⁰⁰Ibid.

¹⁰¹Shurr, 2005.

¹⁰²Ibid.

¹⁰³Bryan Pollard, interview by author, tape recording, Tahlequah, Oklahoma, 6 June 2005.

¹⁰⁴George Benge, email interview by author, 8 November 2005.

resulted in a more open and vibrant report on life among the Cherokee people. The tone and reporting of the newspaper have greatly improved, giving Cherokee people a quality news and information product they can use in their daily lives.”¹⁰⁵ Shurr said he too thought that the legislation had changed the newspaper because it gave the staff more confidence as journalists and opened up information that in the past may have been unattainable to them.¹⁰⁶

Since the legislation, *The Cherokee Phoenix and Indian Advocate* has gone from being a, “. . . quarterly, feature-focused newspaper to a monthly news presentation that better serves the tribal members.”¹⁰⁷ The staff also changed the format of the newspaper from news magazine to a tabloid size format. There are approximately 250,000 Cherokee tribal citizens enrolled in the Cherokee Nation of Oklahoma and one copy of *The Cherokee Phoenix and Indian Advocate* is mailed out monthly to every registered household. Agent said that one of the reasons that being funded by the tribe is beneficial is because the newspaper can reach so many people. He feels that without tribal funding that it couldn’t be done because it costs close to \$41,000 just to print an issue.¹⁰⁸

The staff of *The Cherokee Phoenix and Indian Advocate* consists of 8 people, and there are 14 historical boundaries to cover in the state of Oklahoma. Reporters are assigned beats, but coverage also includes Cherokees outside of Oklahoma and larger community events.¹⁰⁹ Lisa Hicks, graphic artist and contract advertising coordinator for

¹⁰⁵Ibid.

¹⁰⁶Shurr, 2005.

¹⁰⁷Ibid.

¹⁰⁸Agent, 2005.

¹⁰⁹Agent, 2005.

The Cherokee Phoenix and Indian Advocate, said that the newspaper is all about the Cherokee people. “It is very focused on getting the tribal perspective and gives a lot of in-depth cultural information.”¹¹⁰

According to Agent, Chief Smith’s administration is trying to promote culture, history, and language lessons. Newspaper articles provide short instructions on the pronunciation of the Cherokee language and at least one story is printed in English and Cherokee per issue. “We can’t always do it depending on the amount of news, but we try to have it be a story that will interest everyone.”¹¹¹

Agent said that the newspaper discusses Cherokee services and lists contact information for Cherokee government offices to inform people on where they can go for help that they may need. He also said that Cherokee citizens are encouraged to write letters to the editor and guest columns and that there is always a standing offer for the chief of the tribe and members of the tribal council to write open letters or columns for the newspaper. In fact, Chief Smith writes a column every issue where he tries to address issues and discuss the future of the Cherokee people.¹¹²

The Cherokee Phoenix and Indian Advocate still depends on the Cherokee government for its funding. However, everyone involved with the paper feels that the legislation has helped the newspaper make huge strides towards being an independent newspaper and that the changes they have seen in the paper have been positive ones.

¹¹⁰Lisa Hicks, interview by author, tape recording, Tahlequah, Oklahoma, 6 June 2005.

¹¹¹Agent, 2005.

¹¹²Ibid.

“We don’t run surveys, but we do get positive feedback from readers and we seldom get critical letters. People, in general, are very pleased with the direction we have headed.”¹¹³

Agent said he feels that *The Cherokee Phoenix and Indian Advocate* is free to publish without interference from the tribal government since the passing of the Cherokee Independent Press act of 2000.¹¹⁴ Hicks and Pollard both said, however, that they do not know if a tribal newspaper can ever be totally free as long as the tribal government is funding it. “The administration has been very hands off and hasn’t tried to have any control or influence.”¹¹⁵ However, Pollard added that there have been complaints from members of the tribal council over stories the newspaper has run. He said this reaction is worrisome because the tribal council could hurt the newspaper because they hold the purse strings. “It is a very remote possibility but it is a possibility.”¹¹⁶

Hicks said that Chief Smith is very supportive of a free press and talks about its benefits, even though the staff has printed some information about the Cherokee government that could be considered negative. She said that although the legislation helps to prevent action by the government against the Cherokee newspaper, the real precedent was set with *The Navajo Times* because a newspaper cannot really be free to publish until it is self-supporting.¹¹⁷

¹¹³Ibid.

¹¹⁴Ibid.

¹¹⁵Pollard, 2005.

¹¹⁶Ibid.

¹¹⁷Hicks, 2005.

Pollard said that for the community, “On the whole it (*Cherokee Phoenix and Indian Advocate*) benefits the Cherokee people. It’s a lifeline to the Cherokee Nation and keeps them in touch with the happenings, not just the government but the whole Cherokee Nation and its people.”¹¹⁸ He said that there are a lot of human-interest stories in the newspaper, which he feels are an important source of pride for other Cherokees to see what Cherokees are accomplishing.¹¹⁹

Shurr said that he thought that the newspaper also enables the Cherokee people to make better decisions about their elected officials and to learn about services that are offered to them that they may otherwise not use.¹²⁰ “It is a vigorous and vital newspaper that strives to keep the Cherokee people informed.”¹²¹

Concerning the future of the freedom of *The Cherokee Phoenix and Indian Advocate*, Agent said that he just hopes that the legislation is good enough that new leaders will not be able to easily overturn it.¹²² Bengé is also hopeful that, “. . . the current favorable conditions of openness and press freedom will continue when the inevitable changes occur in tribal leadership. It would be most unfortunate for the Cherokee people if anything less were to happen.”¹²³

Cowan said for the content of the newspaper and its role in the community she sees the paper expanding and reaching out to the community more for news and also

¹¹⁸Pollard, 2005.

¹¹⁹Ibid.

¹²⁰Shurr, 2005.

¹²¹Bengé, 2005.

¹²²Agent, 2005.

¹²³Bengé, 2005.

creating a sense of community, which the local papers seem to lack. She sees them becoming more localized while still reaching out to Cherokees outside the counties of the Cherokee Nation.¹²⁴

The Cherokee Independent Press Act of 2000 has become renowned in the realm of the Native American press. “It certainly got noticed and has been talked about a lot at all the recent NAJA meetings, including this year’s meeting in Lincoln (Nebraska) where the entire focus was Free Press.”¹²⁵

Benge said that he is hopeful that the 2000 legislation is starting a trend towards a free Native American press. “*The Cherokee Phoenix* story has been told many times, and its success as a role model for other tribes has helped. However, far too many tribal governments still practice the rigid control and censorship that leave their own people in an information vacuum.”¹²⁶

Agent said since the legislation passed he has had twelve colleagues from different publications approach him for advice on how to get free press legislation passed. He tells them to use the Cherokee’s legislation as a model and that they have to have good tribal leadership in order to make it work. “You have to have tribal leadership that believes free press is essential and is the fourth estate of government and that without it

¹²⁴Cowan, 2005.

¹²⁵Shurr, 2005.

¹²⁶Benge, 2005.

you don't have a true democracy."¹²⁷ Agent said that he believes that the Cherokee legislation is a landmark decision and has a huge impact on the issue of Native American press freedoms.¹²⁸

¹²⁷Agent, 2005.

¹²⁸Ibid.

CHAPTER FIVE

Discussion

Summary

The Native American press is far from being free from tribal government control and censorship. Native Americans' battle for a free press is a long and grueling process with many casualties. However, there is a light at the end of the tunnel. Native American people are beginning to fight back against the suppression of their First Amendment rights.

This study examined two groups of Cherokee people who have found a way to cope with and hopefully overcome their tribal government's restraints on the flow of information and communication within the Cherokee nation. It looks at two diverse avenues in the travel to a truly free Native American press.

The first part of the study focused on the founding of *The Cherokee Observer* by a group of Cherokee citizens who took it upon themselves to start an independent Cherokee newspaper, with no links to the tribal government and total freedom to publish without outside censorship. The study took an in-depth look at the reasons why they chose to take on this task, the obstacles they had to face, what it has meant to their lives, and why they continue.

The second part of the study focused on *The Cherokee Phoenix and Indian Advocate*, which is the official newspaper of the Cherokee tribe. The study examined the

Landmark legislation that was passed in 2000, which freed the Cherokee press from government control, what was the catalyst for the legislation, how it has changed the newspaper and its relationship to its government, and what is in the future of the newspaper that services the largest Native American tribe in the United States.

Studying the history of the two newspapers gave insight into the reality and the process that these two newspapers dealt with in order to meet their ultimate goal of independence. It discovered the catalyst for both of their ventures, what they have accomplished as a result, their futures, and whether they are beacons for the rest of the media in Indian country.

Conclusions

The fact that a free press is crucial to a democracy and the people who live in it cannot be denied. An informed population of citizens is what makes a democracy successful. So naturally the same can be assumed for the members of the Cherokee tribe and their democratic and sovereign nation. This makes the freedom of *The Cherokee Observer* and *The Cherokee Phoenix and Indian Advocate* similarly crucial to their survival.

It would be fair to say that the staff of *The Cherokee Observer* is free to publish whatever it wants within legal journalism practices and standards. That freedom has allowed the paper to become a watchdog group. The term watchdog implies that the newspaper is constantly watching, examining, and sometimes criticizing the government. Along with that term often comes the implication of some bias, which raises the question of whether being a watchdog group makes the staff overtly critical or negative of the Cherokee government. The founding members of *The Cherokee Observer* openly admit

that one of the main catalysts for them to start an independent newspaper was their dissatisfaction with the Cherokee government and the way the government was being covered by the official tribal newspaper. However, regardless of whether there is unconscious bias, intentional bias, or even an assumption of bias on or about *The Cherokee Observer*, the staff still remains free to write and say what they want and to keep with their intentions to inform and offer the Cherokee people a different take on the issues and happenings in the Cherokee Nation and to educate their people on their history, culture, and customs.

The Cherokee Phoenix and Indian Advocate is the main source of Cherokee news for much of the population of the Cherokee Nation. Their advocacy of pioneering legislation is certainly a step in the right direction for all of Indian country. Although the staff has made great strides, it may be fair to say that the newspaper is only free to an extent, which could cause some fashion of bias in itself. While they have free press legislation and can now fairly and accurately cover the issues and their government, they are still funded by tribal monies, which means that an unhappy government could wreak havoc on their budget if the need arose. As Agent said, the factor that makes the Cherokee Independent Press Act practicable is that Chief Chad Smith, who the researcher attempted to contact through Agent on several occasions for an interview, and his administration is supportive of and cooperative with the idea of a free and independent newspaper. Without supportive leaders, the legislation would be unable to be realized and the newspaper would be restricted to writing what the administration saw as suitable.

According to the people involved with *The Cherokee Observer* and those of *The Cherokee Phoenix and Indian Advocate*, they possibly have started trends in their plights

to publish without restriction. However, only time will tell if others will follow in their footsteps.

Regardless of whether the rest of Native America takes a cue from these two newspapers they have managed to do something important and substantial. They have set the precedence and made people think about the possibility of a free tribal press. Both newspapers have had inquiries about how they managed to do what they did. Although they have not seen any results from their examples or their advice, they hope and feel that the Native American media can learn something from their experiences.

The future of *The Cherokee Observer* depends solely on the hearts, lives, and sometimes pocketbooks of its last two full-time remaining members. It also depends on what the Cherokee people want. McLain and Summerfield seem pretty adamant that as long as someone wants to read the newspaper, they will keep publishing it. They both have a strong desire to attract younger generations of Cherokees to get involved with the newspaper so that it has a chance of surviving for a long time.

The future of *The Cherokee Phoenix and Indian Advocate* is bound to be stable due to it being the main source of Cherokee news in the Cherokee Nation. Its future as an independent newspaper however relies on every election to come. Whether it's an election for chief of the tribe or the tribal council, their independence will always rest with how those leaders perceive freedom of the press.

Implications and Suggestions

This study is in no way concrete evidence of what may occur with the freedoms of the Native American media. It does not necessarily generalize to all Native American tribes and publications and certainly does not lend itself to assumptions about what is the

right course of action for any of these groups to take. In spite of this, the research is substantial and served its purpose. The purpose of the study was to shed some light on an almost obscure topic to much of the American population. The suppression of so many Native Americans' First Amendment rights is a problem. The issue has been greatly ignored in the mainstream media, which is detrimental to the Native American press in its own right. Any enlightenment on this topic, which this research provides, is almost certainly progress.

Beyond the intention of illuminating and clarifying the dilemma of the Native American press, the study aimed to be informative and interesting to the people who are operating under the assumption that maybe nothing can be done to fix these injustices. The research was conducted in the hopes that it may give some sort of guideline of the options that members of the Native American press have in order to try to make a change. It is a small-scale look into what can be done, what should be done, and generally what it takes to create and sustain an independent newspaper in the Cherokee Nation. It described not only the professional frustrations in doing so, but examined the personal frustrations and sacrifices of the people behind the creation of *The Cherokee Observer* and the legislation that freed *The Cherokee Phoenix and Indian Advocate*.

This study is in no way complete, as with any assessment of history. It is only the beginning of what could be done on the research topic. Any researcher with plans to do historical research, in-depth interviews, or even case studies should allot themselves an adequate amount of time to conduct the research. It is disadvantageous to this type of research to be tight on time. So much of the research depends on the schedules of interviewees and observing them at work proves difficult without ample time.

Initially this study was to include a content analysis of both *The Cherokee Observer* and *The Cherokee Phoenix and Indian Advocate*. The reasoning was to examine the content of the newspapers to try and come up with statistical evidence of which paper was either more critical or less critical of the Cherokee government, implying that one was freer than the other or that one or both was biased in a negative or positive manner towards the Cherokee government. The content analysis did not prove feasible because an accurate and sizeable sample could not be taken due to different publication schedules. Also the qualitative methods of the study were more appropriate and beneficial because the study did not analyze variables. A content analysis is suggested to interested researchers who might look to compare any tribal newspapers, however, it did not fit the needs or goals of this study.

Examining the two avenues by which official tribal newspapers have gained their freedom may also prove to be fruitful research. *The Cherokee Phoenix and Indian Advocate* marshaled legislation that freed it of interference from the Cherokee government, however, it is still funded by the government. *The Navajo Times* fought to become its own company and no longer relies on the Navajo tribal government for its funding. The question to ask would be which is better, a newspaper that is totally free to publish but has to depend on advertising revenues and subscriptions for its budgetary needs, or a newspaper that is legally free from its government, yet has the financial backing to reach all of its citizens? Although an interesting topic, it has already attracted some attention, even if nothing substantial has yet to be published on the subject.

To reiterate, the goals of this study was not searching for results or answers in any typical fashion, nor did it find any. Instead, it managed to tell the story behind a

phenomenon, and described and encouraged intrigue into an issue that has real-world implications for the Native American press as well as the universal media.

APPENDIX

APPENDIX

Video Permission Slip

I, _____, give Desiree Evans permission to videotape our interview for use with her Master's thesis.

Signed: _____

Dated: _____

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