

Essential elements of a tribal free press

An independent tribal media is an essential part of a thriving, transparent tribal government. As tribal governments grow, it becomes more important that tribal media grow to inform tribal citizens how these rapid changes affect their families and communities. Tribal governments must foster an environment where tribal media can develop policies, journalistic excellence, editorial freedom and independence from undue governmental influence.

Declaration of protected free speech and freedom of the press. Specific language protecting the citizens right to free speech and a free press should be in the tribal constitution. The lack of these protected rights could undermine any law or policy established to protect a free press.

Establish an independent media. Tribal government should enact a law that guarantees protection of free speech and a free press, independence from undue political influence, a commitment to the ethics of journalism, a commitment to training and retaining professional journalists, and a commitment to allow operation without prior restraint or fear of reprisal.

Establish an independent editorial board. An act establishing a free press should include an independent governing body with sufficient powers to set and enforce editorial and personnel policies. This editorial board will, in effect, be the publisher for the organization, and will hold final accountability for any activities under the auspices of the organization.

Establish a tenured executive. Legislation enacting a free press must protect the chief executive from undue political influence. There should be a formal process of removal for cause only. There should also be specific requirements that an executive adhere to journalistic ethics, and required professional experience in the management of a news organization.

Explicit declaration of an open public forum. It should be publicly stated that it is the intent of the tribal government to provide an “open public forum” for its citizens. This declaration establishes a commitment to the tradition and practice of free speech and the basic rights guaranteed under the First Amendment.

Freedom of Information Act. The public right to information about the policymaking processes and budgetary actions of the government should be established in law. A “Freedom of Information Act” should define the scope and limitations of disclosure for public bodies, public records, and the processes and outcomes of public meetings.

“Shield” Act. Enact legislation to provide protection for the sources journalists or tribal media use in reporting. It should include specific language exempting a journalist from disclosing a source of any published or unpublished information in any tribal proceeding. Tribal journalists must be able to provide their sources with a reasonable assurance that their identity will be protected.

Budget allocation and protection. Legislation forming a free press must protect allocated tribal funding. Tribal media may not have large enough audiences to fund the organization through subscription or advertising revenues. It is necessary that the tribe subsidize the operational budget of the organization without using this financial power to influence policy or content.

Brand. Design a media brand that is distinct from the brand of the tribal government. It should include a name and logo that incorporates language and imagery universally recognized by the people that symbolizes the unique position and responsibility held by tribal media as a conduit of information between the people and the government.

Location, location, location. If possible, independent tribal media should operate in a building or facility that is separate from the other branches of tribal government. The symbolic and practical significance of this separation will be noticed by tribal citizens and will act to building a reputation of independence from the government.



Native American Journalists Association

The Native American Journalists Association has developed this list of essential elements needed to form an independent tribal media to guide tribal officials seeking to enact press freedoms. NAJA is available to discuss these and other elements at any time. Please contact us at www.naja.com for more information or to schedule a meeting.