On February 12, 1974, Federal Judge George Boldt (1903–1984) issues an historic ruling reaffirming the rights of Washington's Indian tribes to fish in accustomed places. The "Boldt Decision" allocates 50 percent of the annual catch to fish in accustomed places. The campaign to reassert Native American fishing rights began in 1964 with "fish-ins" on the Puyallup River led by Robert Satiacum and Billy Frank, who defied Washington state attempts to regulate their fishing.

Local tribes sued to block state regulation, but the U.S. Supreme Court issued an ambiguous decision in 1968 that left the issue unresolved. In 1970, the Nixon administration's U.S. Attorney for Western Washington, Stan Pitkin, filed a new complaint against the state of Washington, which was defended by Attorney General (future U.S. Senator) Slade Gorton. Commercial and sport fishing groups submitted friend-of-the-court briefs opposing treaty fishing rights.

JudgeBoldt finally held that the government’s promise to secure the fisheries for the tribes was central to the treaty-making process and that the tribes had an original right to the fish, which they extended to white settlers. It was not up to the state to tell the tribes how to manage something that had always belonged to them. Judge Boldt ordered the state to take action to limit fishing by non-Indians.

The Boldt Decision revolutionized the state fisheries industry and led to violent clashes between tribal and non-tribal fishermen and regulators. In 1979, the Ninth Circuit Court of Appeals upheld Boldt’s ruling, and on July 2, 1979, the U.S. Supreme Court largely affirmed it. Principles established by the Boldt Decision have since been applied to other resources, including shellfish.

Sources:

Courtesy Seattle Post-Intelligencer

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The Boldt Decision
Study Guide Questions

Directions: Alone or with a partner, create a political cartoon with either a caption, speech balloons, or both, that will...

1. ...explain the Boldt Decision and its impact on NW tribes and their sovereignty and
2. ...explain the Boldt Decision as an example of social justice

Caption: