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Opinion

Calendar

FEBRUARY 2014

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Creating Texture - Sue Spargo

Thu, Feb 20, 2014, 11am
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Out of the Blue - Surface Design Association - Whidbey Island

Thu, Feb 20, 2014, 11am
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IN OUR VIEW/40TH ANNIVERSARY OF COURT RULING

Reconciling the Boldt legacy

George Hugo Boldt. Forty years ago today, the federal judge's name became a touchstone, celebrated and cursed.

The Boldt narrative traces from the first tribal "fish-ins" in 1964 to protest the violation of indigenous treaty rights, to a (yes) farsighted 1970 Nixon Justice Department lawsuit against the state of Washington, to the Feb. 12, 1974 ruling that reaffirmed the federal treaties of 1854 and 1855. Tribal members, Boldt ruled, have the right to fish in their "usual and accustomed" places, with half of the annual catch going to treaty tribes.

The treaties shepherded by Washington's first territorial governor, Isaac Stevens, were a horror, demanding mass resettlement and the de facto genocide of Washington's first inhabitants. Stevens, an imperious spirit, figured tribal members would die from imported diseases or be absorbed into the larger Euro-American population. Stevens never anticipated a vital community of First Nations.

The only trouble with Boldt, it seems, was that he actually read the treaties.

Politicians demagogued, giving in to code-word racism. A striking exception was Everett Rep. Lloyd Meeds who accepted the decision, noting that tribes had the law on their side. For tolerating Boldt and his work to establish the Alpine Lakes Wilderness Area, Meeds retired rather than face a heated re-election campaign.

To mark today's Boldt anniversary, Rep. David Sawyer, D-Tacoma, introduced HB 2080, a bill that vacates the convictions of tribal activists who participated in fish-ins up to 1975. It's legislation that merits passage and breathes life into the value of civil disobedience to reverse injustice.

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“One has not only a legal, but a moral responsibility to obey just laws,” Martin Luther King, Jr. wrote in his “Letter from the Birmingham Jail.” “Conversely, one has a moral responsibility to disobey unjust laws.”

HB 2080 is a constructive step toward reconciling both sides of a rich and bitter history. The anniversary also is an opportunity to stitch the role of civil disobedience into the political fabric. Congress might consider establishing a unit of the National Park Service along the Puyallup River or near Frank’s Landing on the Nisqually River, site of the first ‘64 fish-ins.

Tribal leaders recoil at Park Service brainstorms that take a preserved-in-amber approach to a thriving culture. The mission, however, is just the opposite — to educate future generations on the fish wars, the role of civil disobedience and the centrality of salmon and Puget Sound to the Coast Salish way of life. Keep history relevant with a Coast Salish/Civil Disobedience National Historical Park. It’s time.

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