

# How a Nisqually Icon Freed the River and Inspired Generations of Activism

By Eric Anthony Souza-Ponce

A fourteen-year-old Nisqually boy sat with a line in the Nisqually river one summer day, waiting for a salmon to bite. He had grown up fishing here, on his family's property, just as his people had done before him for 10,000 years<sup>1</sup>. But on this beautiful morning, Federal agents lay hiding in the bushes with the specific intent of arresting him for illegal fishing<sup>2</sup>. On his ancestral land.

The year was 1945, and that 14-year-old boy was Billy Frank Jr. At the time of his arrest, Billy was barely a teenager, but he would one day become one of the most influential Indigenous activists of the past century. His contributions were recognized posthumously by President Barack Obama with the Presidential Medal of Freedom. He was honored with the Washington State Environmental Excellence Award. There is a proposal<sup>3</sup> for a statue of him to represent Washington state in the US Capitol<sup>3</sup>. The legacy of this civil rights icon continues to inspire activists, who point to his peaceful protests and the effects they had on Indigenous rights. On February 24, 2021, several youth organizers attended a Seattle School Board meeting, calling on the board to recognize Billy Frank Jr. with his own holiday in the school district. They pointed to the

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<sup>1</sup> :: Nisqually Indian Tribe home page. (n.d.). Retrieved March 13, 2021, from <http://www.nisqually-nsn.gov/>

<sup>2</sup> The life and legacy of BILLY Frank Jr. (n.d.). Retrieved March 13, 2021, from <http://billyfrankjr.org/>

<sup>3</sup> Quirke, S. (2016, January 07). A tribute to NISQUALLY hero BILLY Frank Jr. Retrieved March 13, 2021, from <https://www.streetroots.org/news/2015/12/31/tribute-nisqually-hero-billy-frank-jr>

importance of Frank's legacy and addressed the importance of recognizing an Indigenous hero from the Nisqually tribe in Washington State.

For 10,000 years, the Nisqually tribe has been an established salmon-focused community in the south Puget Sound watershed. By the time primitive Europeans were beginning to farm, the Nisqually people had already been practicing their way of life for many millennia<sup>4</sup>. But their long history of peaceful existence was abruptly shattered when European colonizers began a violent occupation of the region fewer than 200 years ago. These invaders brought with them many diseases, but most devastatingly, that of white supremacy. In a system that seeks to place white standards above all others, the Nisqually soon learned that simply existing as a Black/brown/Indigenous person was seen as an act of rebellion.

The white colonizers would eventually legislate what the Nisqually people were permitted to do on their own ancestral lands. They established the Nisqually Reservation as such in 1854<sup>5</sup>, modifying it to their convenience in 1856, and again in 1884. The legislation intentionally neglected to include any of the Nisqually river in that reservation. This was the river that the Natives had relied on for thousands of years. This move intended to weaken the Natives and their ties to their land and customs. The less connected the Nisqually were to their land, the more fragile their ties would become

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<sup>4</sup> :: Nisqually Indian Tribe home page. (n.d.). Retrieved March 13, 2021, from <http://www.nisqually-nsn.gov/>

<sup>5</sup> :: Nisqually Indian Tribe home page. (n.d.). Retrieved March 13, 2021, from <http://www.nisqually-nsn.gov/>

to their culture and to each other. The government's goal was to ultimately lead to full absorption and assimilation of the Nisqually people into white American standards. The intimidation and arrest of a 14-year-old boy was meant to send a message to those trying to keep their traditions alive, and to grow fear among his people.

And it worked - for a time, at least. But Frank came of age watching other organized movements of resistance all over the world. He would eventually join the military, and then work in construction<sup>6</sup>. The 1960s were as tumultuous a time in the United States, as they were across the globe. At the height of the war in Vietnam and the Cold War, the American Civil Rights movement was in full swing. Frank studied the tactics employed by many Black organizers, and applied these methods to help his own people, who were under attack by the same system of oppression. Many Black Civil Rights activists participated in 'sit-ins,' where they would enter segregated white establishments and take part in the revolutionary act of simply existing in that space. Frank drew inspiration from these activists and began organizing 'fish-ins' where Indigenous rights activists would fish on their own Native land, even though this action was considered illegal according to the laws of their oppressors<sup>7</sup>.

The fish-ins began to gain attention, from both allies and adversaries. Indigenous peoples came from all over the Pacific Northwest to participate in them.

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<sup>6</sup> Being frank: The legacy of billy frank jr. (2016, November 04). Retrieved March 13, 2021, from <https://nwtreatytribes.org/the-legacy-of-billy-frank/>

<sup>7</sup> Quirke, S. (2016, January 07). A tribute to NISQUALLY hero BILLY Frank Jr. Retrieved March 13, 2021, from <https://www.streetroots.org/news/2015/12/31/tribute-nisqually-hero-billy-frank-jr>

But every time oppressed people push for progress, there is backlash.

Frank was rapidly rising to a more prominent position at the center of the struggle, through his relentless community organization. Local authorities started viewing him and his colleagues as a threat and took terrorist countermeasures. A close Nisqually colleague of Frank's was shot by Federal agents. Peaceful activists were arrested at alarming rates. Frank himself would be arrested over 50 times in his lifetime.<sup>8</sup>

In 1965, Federal agents in a speedboat charged a canoe in which Frank sat with his colleagues, preparing to organize another fish-in. They rammed into Frank's canoe in an attempt to silence the activists at any cost. Undeterred, Frank pressed on, and later that same week, he took part in another fish-in on his own property, in the exact same spot where he had first been arrested as a child. The event came to be known as the Battle of Frank's Landing. As the demonstration began, federal agents attacked and brutalized the fishermen. They beat them with lead pipes, and wielded brass knuckles and clubs. In this thrashing, the agents assaulted women and children alongside the men. Frank's teenage niece would later recount how she and her friends and family were beaten ruthlessly for taking part in the peaceful protest for human rights.<sup>9</sup>

By 1965, the US government felt so threatened by the Indigenous unity and power that Billy Frank Jr. was achieving in his community, that they routinely sent heavily-armed

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<sup>8</sup> *Frank, Billy Jr. (1931-2014)*, [www.historylink.org/File/8929](http://www.historylink.org/File/8929).

<sup>9</sup> *Where the Salmon Run: the Life and Legacy of Billy Frank Jr.*, by Trova Heffernan, The Washington State Heritage Center, Legacy Project, 2013, pp. 98–101.

contingents of agents to attempt to silence the Nisqually Natives wishing to fish on their ancestral land. But to little avail.

Frank was later quoted saying “I wasn’t a policy guy. I was a getting-arrested guy.” But for someone who wouldn’t accept the label of a policy guy, Frank had a pretty major impact on a landmark court case.

As the Civil Rights movement gained steam, tensions between white American enforcers of the status quo and those who sought racial justice began to overflow into other legal avenues. The US government searched for new ways to strip Indigenous peoples of their rights. On September 18, 1970, the United States v. Washington lawsuit was filed, in which the US Justice Department sought to overturn the treaties that protected the small amount of remaining Native land that the Indigenous peoples were permitted to use. The judge, George Boldt, had a reputation of being one of the most conservative and “old-school” in the judiciary. Many of the activists were not optimistic about placing their fate in the hands of such a proven hardliner.

It took nearly three years for the trial to begin, but starting August 27, 1973, dozens of tribal leaders and activists testified over the course of six months. Among them was Billy Frank Jr. The testimony he delivered has been considered vital to the Indigenous cause. He carried powerful sway in his community, and his critical accounts made a strong impression on Judge Boldt and the jury. In a shocking decision, Boldt ruled that the treaties were valid, and that fisheries and the rights to fish were to be secured for

the Indigenous peoples to continue their way of life. This decision came to be known as the Boldt Decision and was a huge victory for Frank and the Nisqually tribe.

It didn't take long for the backlash. Many people who had benefited from Indigenous oppression - among them the Attorney General Slade Gordon - tried to overturn the Boldt Decision. For years, white supremacists fought this decision, both through legal avenues and with acts of physical violence and terrorism. In the face of this hatred, Frank continued to organize within his community. The Boldt Decision would make its way all the way up to the US Supreme Court, which ruled to uphold it in 1979.

Frank would continue to fight for his people for the rest of his life. In 1981, he was appointed Commissioner of the Medicine Creek Treaty Area of the Northwest Indian Fisheries Commission, eventually moving his way up to the position of Chairman of the entire organization. He used this position to fight for other tribes to get the same rights the Nisqually tribe had achieved. He oversaw the maintenance and use of all the regional Indigenous fisheries. He served as the Nisqually tribal Fisheries Manager until 1988. In 2003, he founded the Salmon Defense, an organization that seeks to protect salmon populations from outside threats such as commercial fishing and climate change.

Frank's advocacy extended to other Native peoples from across the Pacific Northwest, supporting and leading the demands of the Yupik tribe in Alaska as they fought for the same rights the Nisqually had gained back.

The legacy of Billy Frank Jr. is one of undeniable perseverance and strength. He devoted his life to protecting the rights of Indigenous peoples to continue the way of life that they practiced for 10,000 years. In the face of the full force of white supremacist colonial violence, Frank fought to ensure that his people were not erased, that they could continue not only to exist, but to keep their rich culture and tradition thriving despite all adversity.

Throughout his life, Billy Frank Jr. received many awards. However, no award could do justice to the achievements, legacy, and impact that Billy Frank Jr. had on his community, and for indigenous peoples everywhere. The protected rights necessary to keep the Nisqually culture alive, were the culmination of Billy Frank Jr.'s life's work.

The impact of arresting a 14-year-old boy and dragging him off from the riverside on his own land, would reverberate for generations to come. A Pacific Northwest Civil Rights icon would emerge as the voice for his people, and inspire future youth sharing in the struggle.

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