News

A man holds a tube in the air while standing next to a sign that reads, "Livestock water only."

Eugene Boonie, a member of the Navajo Nation, fills up his water tank at the livestock water spigot in the Bodaway Chapter of the Navajo Nation, in Blue Gap, Ariz., Sept. 17, 2020. After a 5-4 Supreme Court decision struck a blow to the Navajo Nation’s request for federal assistance in securing water for the reservation June 22, 2023, Catholics who minister among Native Americans shared their thoughts on the historic water crisis facing the Southwest U.S. and the Indigenous populations who live there. (OSV News photo/Stephanie Keith, Reuters)

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After a 5-4 Supreme Court decision struck a blow to the Navajo Nation's request for federal assistance in securing water for the reservation June 22, Catholics who minister among Native Americans shared their thoughts on the historic water crisis facing the Southwest U.S. and the Indigenous populations who live there.

"People line up at a community well and fill up their water containers to take out to their homesteads to be able to have water for their families for the week, sometimes for days. If it's an older couple, it might last a little longer," said Dot Teso, president

of St. Michael Indian School in St. Michaels, Arizona -- which was founded by St. Katharine Drexel in 1902. "You can imagine if you were going on a camping trip and you're thinking about water for the trip -- these people have to think of this every day."

Arizona v. Navajo Nation came before the Supreme Court when the Navajo Nation asked for the courts to require the federal government to identify the Indigenous nation's water rights and needs and provide a way to meet those needs. Seeking to protect their own interest in access to the Colorado River, the states of Arizona, Colorado and Nevada intervened in the suit. While the U.S. District Court for the District of Arizona dismissed the Navajo Nation's complaint, the 9th U.S. Circuit Court of Appeals reversed the decision in their favor.

The Navajo Nation argued that the 1868 Treaty of Bosque Redondo establishing the Navajos' reservation requires the federal government to secure water for the tribal nation, making a "breach-of-trust" claim. But Justice Brett Kavanaugh in writing for the majority stated the treaty "does not impose a duty ... to take affirmative steps to secure water for the tribe," adding that there were other explicit impositions on the government in the treaty.

"Our leaders long ago fought for our right to our precious homeland between our Sacred Mountains and that included the water right, the right to life," said Navajo Nation Council Speaker Crystalyne Curley in a statement. "Today's ruling will not deter the Navajo Nation from securing the water that our ancestors sacrificed and fought for -- our right to life and the livelihood of future generations."

Franciscan Fr. Dale Jamison, director of the Office of Native American Ministry for the Diocese of Gallup, New Mexico -- which serves the Navajo Nation -- noted the lack of an infrastructure of resources on the reservation. Much of the territory is rural, and many people who don't live in a community don't have access to running water and utilities for their homes, he said.

"People are just trying to eke out an existence in terms of hauling water, driving 50 miles to the nearest grocery store," said Jamison, who also serves as pastor of St. Mary Parish in Tohatchi, New Mexico. "Without water, nothing happens."

The lack of running water in many parts of the reservation was brought to light during the COVID-19 pandemic, said Teso, noting that people were unable to follow hand-washing and sterilization guidelines.

"As a church, we need to say, 'Here are people within the parameters of our country that seriously don't have running water,'" she said. "Today, is that OK?"

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Sr. Martha Mary Carpenter, a Franciscan Sister of Christian Charity, who is principal of St. Peter Indian Mission School in Bapchule, Arizona, located on the Gila River Reservation, noted that members of the tribal community (which includes the Maricopa and the Pima) also had to travel to get water until tribal attorneys successfully lobbied for Congress to recognize its water rights in 2004. Water Rights Day is now a tribal holiday.

"There has to be a solution for the Navajo -- they are the largest tribe in our country, and they are in our special prayers," she said. "Water is life."

The day after the Supreme Court's ruling, Arizona Gov. Katie Hobbs appointed four tribal representatives to serve on the Governor's Water Policy Council, which develops policy recommendations focusing on assured water supply and rural groundwater policies. Among the new appointees are the governor of the Gila River Indian Community and the legal counsel to the president of the Navajo Nation.

"We need to have engagement and partnership with our tribal partners on all issues, especially water," said Hobbs in a statement. "I remain committed to bringing tribes to the table as we work cooperatively on securing Arizona's water future."

Currently, St. Michael has a self-sustaining water system to provide for the school's needs, Teso said. But she's hoping to share that resource with the Navajo Nation.

"The Navajo Nation has a formal water management company, and what we would love to do is just let them take over the water that we have at the school," said Teso. "Right now, I have to keep a certified water tech on staff all the time. We don't really want to be in the water business, and we hate to be sitting on water that could be shared."

St. Katharine Drexel recognized the importance of education in improving the community, Teso said, adding that she had a deep understanding of the potential of the youth.

"We're really focused on them understanding their community and teaching our children about the issues in the community and how they can help. That's what St. Katharine did," Teso said. "Right now, we're educating the kids who are going to solve this water problem on the Navajo Nation. Our kids are going to be the kids who come up with a solution."

She added, "As a Catholic school in the middle of the Navajo Nation, we see it as our responsibility to make sure these kids know this, that they understand their impact on their community in the medical area, in education, in government, in production, in engineering, all of it."