

# The yaquis and their constant struggle for water

## Abstract

Since the Colonial period, the Yaquis have waged a constant struggle for their territory, including access to water. This important natural resource has always been part of their subsistence, culture, and identity. In the last decades, the Mexican government has built three dams in the Yaqui River, and in recent years the government of Sonora State, Mexico has built an aqueduct. It is in this last period that the Yaquis have fought for their rights to the river water, using different strategies like protesting in alliance with social organizations of Ciudad Obregon, the second most populated city in Sonora, and with the mestizo farmers of the Yaqui Valley. Another strategy has been preventing vehicles from driving on the international highway that crosses their territory. Most importantly, they have fought by legal means and obtained various rulings in their favor. The National Supreme Court took their case and its sentence includes a free and informed consultation, which is initiating in October 2017 and will conclude by mid-2018. The Yaquis have an expert report, showing multiple problems with their water rights, and they have suggested several actions, such as providing the Yaqui River with “the minimum ecological flow”.

**Keywords:** yaqui people, yaqui river, water rights

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**José Luis Moctezuma Zamarrón**

National Institute of Anthropology and History, Mexico

**Correspondence:** José Luis Moctezuma Zamarrón, National Institute of Anthropology and History, Sonora, Mexico, Email moctezumajose56@gmail.com

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## Introduction

The territory and as part of it, the water of the rivers and the sea, has been one of the main support of the sturdy ethnical identity of the Yaquis who live in the south of the state of Sonora, Mexico. The water not only represents a natural and very important resource for their subsistence, it is also part of the worldview that supports their culture. The relation between the Yaquis and nature has been the keystone in their water defense, so much so that various myths show the significance of the Yaqui River, a space where some of their rituals also take place. The Yaquis have fought for defending the water, although private interests as well as state agencies have ended up holding up the water of the Yaqui River in three important reservoirs, La Angostura, El Oviachic, and El Novillo. From this last one water has been extracted since 2013, in order to divert it to the state of Sonora capital, Hermosillo, though the Independencia Aqueduct, despite the fact that the Yaquis have maintained a constant struggle to prevent its opening and operation. Along with civil associations from the second largest city in Sonora, Ciudad Obregon and with business men from the so called Valle del Yaqui, where most of the agricultural production in the region is obtained, they presented a battlefield which lasted several years. After a long protest, which included the transit prevention of vehicles in the village of Vicam, a strategic point in the region in which the Yaqui group live, causing the imprisonment of two of their leaders for more than a year, they managed to stop the conclusion of the Aqueduct project. At the same time, they fought by legal means, obtaining various resources in their favor, but they were not respected by the governor Guillermo Padres, now in prison because of multiple irregularities during his term. At the end their struggle reached the Supreme Court Justice of the Nation (SCJN), which its sentence implied that first, a free and informed consultation was to take place among the members of the Yaqui group, backed up by the internationally recognized law from the treaty 169 of the International Labor Organization. The conclusions of this consultation would be considered by the SCJN to render its decision in regard to the continuation of the operation of the aqueduct or its final closure. Right now a series of steps are under way for the carrying out of the Yaqui consultation about the Independencia Aqueduct, where

several government agencies are involved, considering a timetable from July 2017 to July 2018. There are some differences within the group which should be judicially and politically resolved before the consultation of the Yaqui people is concluded. Among other evidences, they have an anthropological expert's report prepared by the Instituto Nacional de Antropología e Historia.<sup>1</sup> The expert's report shows a series of circumstances which account for the problems the Yaquis have experienced due to the lack of access to the water which they were entitled to, since the decree signed by President Lazaro Cardenas in 1940, not executed in spite of the permanent struggle of the Yaqui people to make it effective. This also accounts for the lack of domestic water supply to the Yaqui communities, very much below the coverage in other places in the state of Sonora. The lack of water for the agricultural development where the ethnic group lives is a vast zone which can be productive contrasting with the water which is sent to the so called Valle del Yaqui, where an agro industry has developed under the support of the government supplies. The contamination of the scarce water that the Yaqui River carries is a permanent source of infection for the inhabitants of the close by villages on the riverside. Finally the strong impact the extraction of water from the El Novillo dam through the Independence Aqueduct, would have on the Yaqui inhabitants. For them it would be “the death sentence of the Yaqui tribe”, as they call themselves, by limiting even more their access to the water of the Yaqui River. Among the conclusions of the expert's report, it emphasizes the negative impact of the Independence Aqueduct for the continuity of their means of subsistence, agricultural, ranching and wild in the life of the Yaqui people. It would also have an impact on tradition, rituality, and everyday life, finding them without the support for carrying out their celebrations and ceremonies, of great importance for the culture and identity of the ethnic group. Finally by providing the Yaqui River with “the minimum ecological flow” would permit the recovery of the river basin in all of its extension, allowing the recovery of nature, so close to the expressions of coexistence of the group with the environment, as well as securing the means of subsistence and those of cultural character, which have implied the inclusion of many of their attributes as the foundation of their worldview.

Radonic<sup>2</sup> establishes the way in which the Yaquis have fought along their history for their rights, including the access to the Yaqui River water. Along their history their struggle has been basically armed but in recent years they have taken it to political levels although the response has not been as violent, it has not ceased to directly affect the life and the interests of the ethnic group. Radonic includes as an example the first moments of the struggle to stop the Independencia Aqueduct project and the ways of organization and resistance of the ethnic group which lead the movement in alliance with social groups which at other times have been their enemies. For their part Padilla and Moctezuma<sup>3</sup> analyze the most critical moment of the struggle against the aqueduct and the way in which the Yaqui organization has gained again weight at state and national level, after the state governmental onslaughts, imprisonment of two of their leaders and cutting off the support for the community that had already been agreed in order to lessen the resistance. At the end with the change of the state government in 2015, with the alternating party in power, the leaders were set free and the struggle enters a standoff waiting for a definite resolution from the SCJN, which apparently is going to be delayed until well into 2018. The recapitulation we can make up to this moment, shows the Yaquis fighting capacity and their recomposition in spite the interference of the state within their organizations. The Yaquis have always been very active politically and they have demonstrated along a long history of resistance before the power groups. Also their great alliance capacity according to the historic situation they were going through. This capacity allowed them to have a national and international impact, very significant in order to be able to maintain the struggle despite wear fostered by the highest levels of state government and the echoing of most of regional media, some of which used old ways to discredit the Yaqui resistance, despite not being the only ones in

rejecting the transfer of water from the south to the state capital. At the end the collective interest prevailed and that was demonstrated by the struggle for the water movement. It was started by a small group of traditional authorities and its support base, but at the end there was a consensus within the Yaqui people that water is an element for which they have to fight, even though it implies repression and wear. Nevertheless, their capacity allows them to maintain resistance even if it takes years, as they have demonstrated along a long history of struggle to defend what they believe is fundamental in order to give continuity to their people. The Yaqui River water is a fundamental element for the Yaqui society, so in order to defend it, their struggle will continue by all means they think is best.

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## Conflict of interest

Authors declare there is no conflict of interest in publishing the article.

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