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Kate A. Berry

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KATE A. BERRY\*

## Water Use and Cultural Conflict in 19th Century Northwestern New Spain and Mexico\*\*

### ABSTRACT

*This article contributes an historical geographic perspective to water conflicts in U.S.-Mexico borderlands during a period of time when friction between competing values and uses of water significantly influenced the context and nature of cultural interactions. The events and ideas surrounding water use that created cultural conflicts are examined for the vicinity of Mission San Luis Rey and the Santa Margarita River of Alta California, near present-day Oceanside, California. The introduction of new irrigation technologies and increasing demands for irrigation water prompted clashes between the Quechnajuichom, the self-identified name for the native Californians later referred to as Luiseños, and those who came later to Alta California identifying themselves as gente de razón.*

*Initially, missions were the primary institution of gente de razón to promote changes to Quechnajuichom ideas about water and simultaneously to the way water was used. Later, during the quarter century of Mexican rule, both the secularization of missions and dramatic increases in the number and size of land grants made by the Mexican government significantly changed the character of intercultural relations and availability of water.*

*Unearthing earlier conflicts in the U.S.-Mexico borderlands not only reveals historic roots of contemporary controversies involving water use, but also provides insights into struggles over the values and cultural norms that are embedded in water conflicts. While the complexity of water conflicts has increased in recent decades and institutional characteristics have changed markedly, water has always been significant enough to influence the nature of interactions in the borderlands.*

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\* Associate Professor of Geography at the University of Nevada, Reno.

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## INTRODUCTION

Water can serve as a medium that frames relations between cultures or nations. The role of water in mediating national and cultural relations is evident in the myriad of water conflicts in which representatives from national governments and political ethnic organizations position themselves strategically with respect to the use of water. As examples, consider the following:

- The national governments of Egypt, Sudan, and Ethiopia have unresolved issues over rights to the flows of the Nile River.<sup>1</sup>
- International security concerns have heightened as Iraq, Syria, and Turkey each lay claim to water from the Tigris and Euphrates Rivers, which has further implications in the aspirations of Kurdish separatists for autonomy within these three nations.<sup>2</sup>
- Arabs and Israelis continue to struggle over the flows of the Jordan River and groundwater from West Bank aquifers.<sup>3</sup>
- Use of water from the Mekong River has led Vietnam, Cambodia/Kampuchea, and Laos to stake out different positions in economic development.<sup>4</sup>

The Americas have certainly not been immune from major water conflicts that influence relationships between people of different cultures or nations. Most rivers and aquifers that span national or ethnic borders have shaped regional, national, or multi-national dialogues, including the Paraná, BioBio, Lauca, Rio Grande/Río Bravo, and Colorado Rivers, as well as the waterways of the Great Lakes.<sup>5</sup>

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1. See generally Jan Hultin *The Nile: Source of Life, Source of Conflict*, in *HYDROPOLITICS: CONFLICTS OVER WATER AS A DEVELOPMENT CONSTRAINT* 29, 29-54 (Leif Ohlsson ed., 1995).

2. See generally Michael Schultz, *Turkey, Syria, and Iraq: A Hydropolitical Security Complex*, in *HYDROPOLITICS: CONFLICTS OVER WATER AS A DEVELOPMENT CONSTRAINT*, *supra* note 1, at 91, 91-122.

3. See generally MIRIAM R. LOWI, *WATER AND POWER: THE POLITICS OF A SCARCE RESOURCE IN THE JORDAN RIVER BASIN* 66-77 (1993); Gwyn Rowley, *The West Bank: Native Water-Resources Systems and Competition*, 9 *POL. GEOGRAPHY Q.* 39, 39-52 (1990); Aaron Wolf & John Ross, *The Impact of Scarce Water Resources on the Arab-Israeli Conflict*, 32 *NAT. RESOURCES J.* 919, 919-58 (1992).

4. See generally Joakim Öjendal, *Mainland Southeast Asia: Cooperation or Conflict over Water?*, in *HYDROPOLITICS: CONFLICTS OVER WATER AS A DEVELOPMENT CONSTRAINT*, *supra* note 1, at 149, 149-177.

5. See generally Leif Ohlsson, *Introduction: The Role of Water and the Origins of Conflict*, in *HYDROPOLITICS: CONFLICTS OVER WATER AS A DEVELOPMENT CONSTRAINT*, *supra* note 1, at 1, 1-28.

While conflicts between nations over water tend to be quite apparent, cultural conflicts involving water are frequently much less obvious. Evidence of multinational water conflicts may take the form of high-level administrative negotiations or issues that come before international institutions/tribunals or even vocal debates between communities on either side of a national border. Understanding cultural conflicts involving water is challenging, in part, because of the amorphous nature of culture itself. Not only does culture defy simple definition, but also individuals' self-awareness of culture can be highly variable. Nevertheless, an element that remains central to most concepts of culture is a group of people who hold a distinctive set of social norms and standards. Unfortunately, there have been relatively few efforts to probe the norms and standards associated with the use of water by different cultures.<sup>6</sup>

However, many of the questions that surround the use of water fundamentally hinge on issues related to the standards established within a culture, implicitly or explicitly.<sup>7</sup> Cultural norms are invoked when addressing issues about water use and conflict.<sup>8</sup> Consider the question as to why water is important. Although the answer to this question may seem self-evident, any response necessitates relying on one's cultural norms. As an example, a Muslim's first response might be that water brings humans closer to God, whereas a Hindu's response to the same question might hinge on whether the water being considered was part of a sacred river. Culture is not restricted to religious or spiritual matters, of course. Many people within the U.S.-Mexico borderlands today may have a more secularized response in their belief that water has importance as it supports humans, their communities, and their economies.<sup>9</sup> Answers to other questions about water also invoke cultural norms and values, such as:

- How is water most effectively used?
- What are optimal water distributions?
- How should water be used to support communities?
- What is the appropriate balance between water providing social protection and society protecting water within the environment?

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6. See MICHAEL C. MEYER, *WATER IN THE HISPANIC SOUTHWEST: A SOCIAL AND LEGAL HISTORY, 1550-1850*, at 3-9 (1984).

7. See William W. Kelly, *Concepts in the Anthropological Study of Irrigation*, 85 AM. ANTHROPOLOGIST 880, 884-85 (1983). See generally Rutgerd Boelens, *Prologue: 'Agua'*, in *SEARCHING FOR EQUITY: CONCEPTIONS OF JUSTICE AND EQUITY IN PEASANT IRRIGATION*, at xix, xix-xx (Rutgerd Boelens & Gloria Dávila eds., 1998).

8. See Kate A. Berry, *Values, Ideologies, and Equity in Water Distribution: Historical Perspectives from Coastal California, United States*, in *SEARCHING FOR EQUITY: CONCEPTIONS OF JUSTICE AND EQUITY IN PEASANT IRRIGATION*, *supra* note 7, at 189, 190-91.

9. See F. LEE BROWN & HELEN INGRAM, *WATER AND POVERTY IN THE SOUTHWEST* 14-45 (1987).

This article contributes a historical geographical perspective to water conflicts in U.S.-Mexico borderlands during a time period when friction between competing values and uses of water significantly influenced the context and nature of cultural interactions. Unearthing earlier conflicts in the U.S.-Mexico borderlands not only reveals historic roots of contemporary controversies involving water use,<sup>10</sup> but also provides insights into struggles over the values and cultural norms that are embedded in water conflicts. While the complexity of water conflicts has increased in recent decades and institutional characteristics have changed markedly, water has always been significant enough to influence the nature of interactions in the borderlands.<sup>11</sup>

Ever since Spain first laid claim to Alta California, water has been pivotal in the way in which many conflicts have been articulated and addressed.<sup>12</sup> This article examines the events and ideas surrounding water use that created cultural conflict in Alta California during the first half of the nineteenth century. The introduction of new irrigation technologies and increasing demands for irrigation water prompted clashes between the *Quechnajuichom*, the self-identified name for the native Californians later referred to as *Luisenos*, and those who came later to California identifying themselves as *gente de razón*, which literally translates as "people of reason."<sup>13</sup> Cultural conflict originated with the Catholic church as the primary institution of *gente de razón* used to promote changes to *Quechnajuichom* ideas about water and simultaneously to the way water was used. Later, during the quarter century of Mexican rule, both the secularization of missions and dramatic increases in the number and size of land grants made by the Mexican government significantly changed the character of intercultural relations and the availability of water. This article examines water issues as they relate to conflicts between these cultures in the vicinity of Mission San Luis Rey and the Santa Margarita River of Alta California, near present-day Oceanside, California.

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10. See Lawrence Douglas Taylor Hansen, *El Agua en la Frontera Entre México y Estados Unidos: Una Perspectiva Histórica*, in *CROSS BORDER WATER: FRAGILE TREASURES FOR THE 21ST CENTURY* 148, 148-49 (U.S. Forest Service Proceedings RMRS-P-5, 1998).

11. See *id.*

12. See Kate A. Berry, *Race for Water? Native Americans, Eurocentrism, and Western Water Policy*, in *ENVIRONMENTAL INJUSTICES, POLITICAL STRUGGLES: RACE, CLASS AND THE ENVIRONMENT* 104-08 (David E. Camacho ed., 1998).

13. See LISBETH HAAS, *CONQUESTS AND HISTORICAL IDENTITIES IN CALIFORNIA, 1769-1936*, at 29-32 (1995).

## QUECHNAJUICHOM

The original Alta Californians identified themselves based upon their native tongues, with such names as *Tipai*, *Kumeyaay*, *Acâgchemem*. Pablo Tac, a man of the first half of the nineteenth century, used the term *Quechnajuichom* to describe himself and his ancestors and referred to the places they called home as *Quechla*.<sup>14</sup> Later *Quechnajuichom* were identified as *Luisenos*, or more generally as mission Indians, because *gente de razón* and later EuroAmerican immigrants came to associate the *Quechnajuichom* people with Mission San Luis Rey.<sup>15</sup>

Currently, very little is known about the *Quechnajuichom* prior to their association with the missions, but from what is known, water seemed to have assumed different symbolic significance than it came to have later. The *tchelahish*, for example, was a ritual for forgiveness involving ceremonial drinking and sharing of water mixed with crushed elderberry leaves.<sup>16</sup>

Water use also contributed to the livelihoods of the *Quechnajuichom*. They strategically placed rocks and minimized the impact of infrequent but intense rainfall to slow and spread water.<sup>17</sup> This technique encouraged more water to seep into the ground and reduced loss through flooding. In combination with regular controlled-burning and broadcasting of native seeds, *Quechnajuichom* adapted water sources to provide food for themselves and the wildlife they relied on.<sup>18</sup>

Seasonal mobility was a way of life, with small groups of *Quechnajuichom* moving regularly between different sources of water within *Quechla*.<sup>19</sup> Over one hundred places provided seasonal settlements for small groups of *Quechnajuichom*.<sup>20</sup> It is likely that the timing of seasonal moves was related to the availability of water. Migration was necessary to find adequate sources of water for drinking, washing, and even small-scale

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14. See PABLO TAC, *INDIAN LIFE AND CUSTOMS AT MISSION SAN LUIS REY: A RECORD OF CALIFORNIA MISSION LIFE 17-19* (Mirna Hewes & Gordon Hewes eds. & trans., Univ. of Cal., Berkeley Press 1958) (1835).

15. See HAAS, *supra* note 13, at 13-19.

16. See Raymond C. White, *The Luiseno Theory of 'Knowledge'*, 59 AM. ANTHROPOLOGIST 1, 6-7 (1957).

17. Interview by Ruth Held with Dr. Florence Connolly Shipek, at 44-45 (Sept. 16, 1991, Apr. 6, 1992, Jan. 18, 1993) (transcript available at San Diego Historical Society Oral History Program).

18. *Id.*

19. See generally D.L. True & George Waugh, *Proposed Settlement Shifts during San Luis Rey Times: Northern San Diego County, California*, 4 J. CAL. & GREAT BASIN ANTHROPOLOGY 34, 34-54 (1982).

20. These native homelands, or *rancherías*, were listed in the 1813 Padron of Mission San Luis Rey and are cited in FR. ZEPHYRN ENGELHARDT, *SAN LUIS REY MISSION 255* (1921).

irrigation because there were few perennial springs, creeks, or ponds in Quechla.<sup>21</sup>

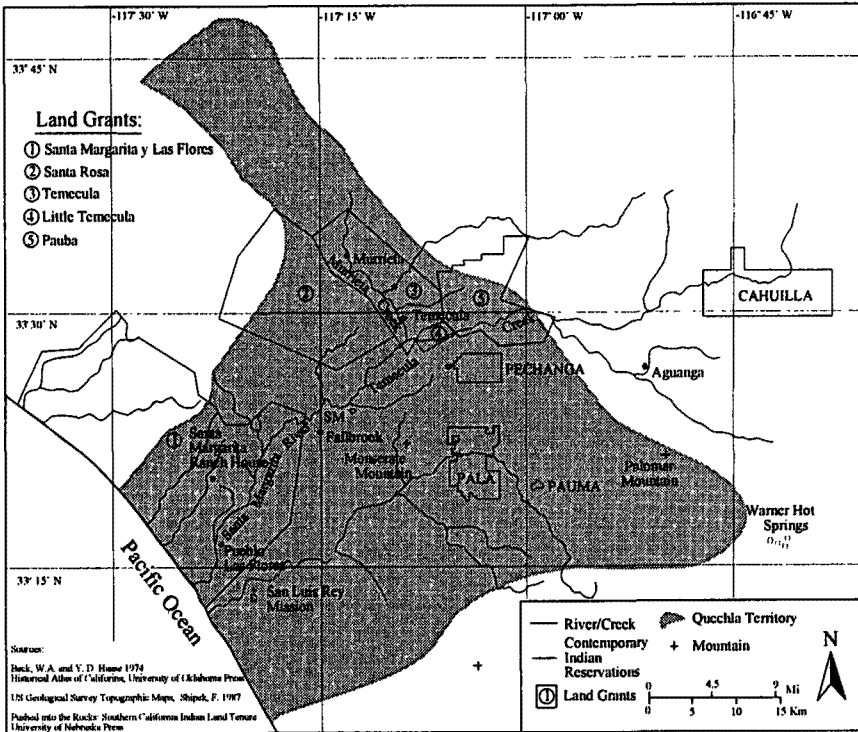


Figure 1

## GENTE DE RAZÓN

*Gente de razón* was an ethnic label firmly entrenched by the turn of the nineteenth century that self-identified those "with reason" from *gente sin razón* ("people without reason"), or the more commonly used *indios* (Indians), including the *Quechnajuichom*. This label distinguished those who considered themselves to be rational, systematic, and civilized from others who were considered as heathens, uncivilized or simply not fit to manage their own affairs.<sup>22</sup> *Gente de razón* were originally limited to those of Spanish

21. See generally True & Waugh, *supra* note 19, at 34-54.

22. See HAAS, *supra* note 13, at 31-32.

nationality, but throughout the Mexican era in the Californias, *gente de razón* came to include a wide variety of European nationalities as well as U.S. citizens.<sup>23</sup> As Lisabeth Haas has observed,

Not only were pagan Indians and neophytes deemed to be lacking in reason, but they were also considered minors before the law and so were tried by the Church in a separate Inquisition court. Although the identities of *de razón* and *sin razón* originated out of religious discourse, and thus implied a modicum of theological approbation, they were used interchangeably with the ethnic and national categories *indio*, and in this sense implied an insurmountable divide between civilization and savagery.<sup>24</sup>

*Gente de razón* and *Quechnajuichom* contrasted starkly in the ways they thought of, valued, and used the waters of Alta California.<sup>25</sup> During the first quarter of the nineteenth century, water assumed great importance to *gente de razón* because irrigation was seen as a means to stabilize agricultural production, the economic basis of each mission.<sup>26</sup> Without adequate, well-timed supplies of water for irrigation, mission productivity would decline, thereby jeopardizing its ability to act upon other institutional functions.<sup>27</sup> Thus, water took on economic significance because of the missions' dependence upon irrigated agriculture.

The cultural significance of water to *gente de razón* was closely related to its economic importance in sustaining missions and communities.<sup>28</sup> One cultural norm, "industriousness is next to godliness," had a great influence upon the context within which Alta California was colonized. Missionaries required *Quechnajuichom* to do the actual labor involved in irrigating and tending their agricultural crops in order to teach them the value of hard work.<sup>29</sup> Teaching industriousness was a means of extending *gente de razón* cultural norms about civilization and Christianity to the *Quechnajuichom* while simultaneously supporting the missions' economic base through the use of labor in irrigated fields.

When the missionaries arrived in Alta California, access to water frequently took precedent over access to land, similar to their settlement of

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23. See ROSAURIA SÁNCHEZ, *TELLING IDENTITIES: THE CALIFORNIA TESTIMONIOS* 57 (1995).

24. See HAAS, *supra* note 13, at 31.

25. See NORRIS HUNDLEY JR., *THE GREAT THIRST: CALIFORNIANS AND WATER, 1770s-1990s*, at 25-26 (1992).

26. See ROBERT ARCHIBALD, *THE ECONOMIC ASPECTS OF CALIFORNIA MISSIONS 171-74* (1978).

27. See John Q. Ressler, *Indian and Spanish Control on New Spain's Northwest Frontier*, 7 J. WEST 10, 11-12 (1968).

28. See HUNDLEY, *supra* note 25, at 26.

29. See Berry, *supra* note 8, at 195.



other parts of northwestern New Spain.<sup>30</sup> It was not uncommon for individual requests for land grants to be denied by representatives of the Spanish Crown, and later the Mexican government, unless there was ample water available to support the land.<sup>31</sup> Those who colonized were given one year's time to open proper ditches for irrigation of their lands. They must then open a main ditch, build a reservoir, and support any other public works necessary for cultivation of crops.<sup>32</sup> In 1781, a law was passed by the Spanish Crown that allowed colonizers in Alta and Baja California to have two *suertes* (52.9 acres each) of irrigable land and two *suertes* of dry land.<sup>33</sup> The ideological and pragmatic significance of water to *gente de razón* was also reflected in the way in which the Spanish Crown structured property taxes and other social obligations in association with the value of irrigated crops and lands. The following example, a section of a 1781 order from the Spanish Crown, underscores the significance placed on irrigation in the law:

When the said term of 5 years is past...the new settlers and their descendants shall pay 1/2 a *fanega* of maize per irrigated field and for their own benefit, it shall be an indispensable obligation upon all in common to repair the irrigation ditch, reservoir, drains and other public works of the pueblo.<sup>34</sup>

Furthermore, the missionaries' experience with aridity, drought, and flash flooding in Baja California and elsewhere in New Spain influenced the context within which Alta California was colonized.<sup>35</sup> *Gente de razón* were determined to settle in proximity to reliable supplies of adequate quality water for domestic uses and irrigation.<sup>36</sup> Early colonizing experiences in the Alta California, as in the case of Mission San Diego de Alcalá, or simply, Mission San Diego, reinforced the necessity to balance a location near ample fresh water with the need to avoid locations prone to flooding.<sup>37</sup> During the year following the founding of this first Alta California mission, crops were washed away by river flooding.<sup>38</sup> In the second year, crops were moved further from the river and largely failed to germinate due to lack of water. As a result, within a few years, the site for Mission San Diego moved

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30. See HUNDLEY, *supra* note 25, at 30-31.

31. See MEYER, *supra* note 6, at 80.

32. See ROSE HOLLENBAUGH AVINA, *SPANISH AND MEXICAN LAND GRANTS IN CALIFORNIA* 128 (1976).

33. See *id.* at 129.

34. See *id.* at 100.

35. See Berry, *supra* note 8, at 192-94.

36. See *id.* at 192-93.

37. See HUNDLEY, *supra* note 25, at 31-32.

38. See *id.* at 34.

inland with the goal of securing an adequate irrigation system for mission croplands.<sup>39</sup>

Location alone, however, was not sufficient to insure that adequate water was available for agriculture. Therefore, *gente de razón* developed infrastructure that emphasized three mechanisms of water control: conduction, utilization, and conservation, with the latter of primary importance.<sup>40</sup> During their era, the water systems of the Alta Californian missions were as highly developed as those anywhere in the Americas.<sup>41</sup> These water systems transformed both the physical and cultural landscapes of Alta California and, in so doing, asserted the cultural norms of *gente de razón*.

### ESTABLISHING MISSION SAN LUIS REY

Between 1769 and 1823, Franciscan missionaries established 21 missions along the Camino Real near the coast of Alta California, spanning from Mission San Diego near the present-day U.S.-Mexico border to Mission San Francisco Solano in the north.<sup>42</sup> The eighteenth mission to be built was the Mission San Luis Rey de Francia (or simply, Mission San Luis Rey), approximately 30 miles north of Mission San Diego and located close to present-day Oceanside, California.<sup>43</sup>

A small expedition with Father Mariner and six soldiers surveyed *Quechla* territory in the summer of 1795,<sup>44</sup> even before a site was established for Mission San Luis Rey. The diary of this trip made careful note of the locations of *Quechnajuichom rancherías* as well as water sources, with special reference made to those locations deemed suitable to provide irrigation water as indicated in this excerpt from his diary:

Next morning we found two large *rancherías*, and in the afternoon we passed by two others. Then we reached another valley which is called *Esechá*. Here is where the large water ditch ran, but which at present is entirely dry. The valley has much good land which is very humid, and it contains five good-sized *rancherías*.....[the next day] Then we arrived in a valley which we named San Joseph. It may be more than three and a half or four leagues long and a league and a half wide. It is occupied by ten large *rancherías* all surrounded by

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39. See *id.*

40. See Ressler, *supra* note 27, at 16.

41. See *id.* at 10-16.

42. See WARREN A. BECK & YNEZ D. HAASE, HISTORICAL ATLAS OF CALIFORNIA, at #19 (1974).

43. See *id.*

44. See ENGELHARDT, *supra* note 20, at 5-6.

oaks, sycamores, alders, willows and pines that extend down to the ravine below. Here we came to a long ditch, the water of which comes from the sierra and passes by the *ranchería* of *Jajopin* on the right. We discovered also three springs flowing from below the *ranchería* of *Tauhi*. There is much good land. We continued the examination, and, in the valley which the Indians pointed out to us, we discovered an extensive and deep marsh, in the upper portion of which were three large springs bubbling up high as though they were boiling. The water is very good, and it could easily be conducted to irrigate the soil....<sup>45</sup>

Three years after Father Mariner's reconnaissance trip, Mission San Luis Rey was established.<sup>46</sup> Missionaries at San Luis Rey extended their reach throughout much of the area of *Quechla* by establishing outposts and chapels (*asistencias* and *estancias*) and situating croplands and herds of livestock in sites with ample water.<sup>47</sup> Water was used for irrigating crops close in as well as fields located at some distance from the Mission, and in some cases irrigation water was transported as far as eight leagues to fields.<sup>48</sup> Where possible, missionaries located these fields and buildings in roughly the same places as *Quechnajuichom* communities had historically congregated, which had been noted in Father Mariner's 1795 diary as "Indian *rancherías*."

Unlike most other missions in Alta California, Mission San Luis Rey allowed *Luiseños* to return to their communities after being baptized and trained in the ways of *gente de razón*.<sup>49</sup> Only certain groups of *Luiseños*, in particular the young, unmarried or those showing particular promise or skill, were retained near the mission:

[At Missions San Luis Rey and San Diego] the missionaries trained them [baptized mission Indians] and supervised them while Indian labor parties worked on the nearby agricultural fields seized for each mission. After this initial training, the baptized Indians were returned to their villages and a new group was brought in. Overseers went out regularly to supervise and instruct the Indians in the use of the new plants, trees, and vines, and the new techniques and animals, as well as in the tenets of the new religion.<sup>50</sup>

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45. ENGELHARDT, *supra* note 20, at 3-5 (quoting Fr. Mariner's diary entry of Aug. 26, 1795).

46. See BECK & HAASE, *supra* note 42, at #19.

47. See ENGELHARDT, *supra* note 20, at 41.

48. See *id.*

49. See FLORENCE CONNOLLY SHIPEK, PUSHED INTO THE ROCKS: SOUTHERN CALIFORNIA INDIAN LAND TENURE, 1769-1986, at 23 (1987).

50. *Id.*

Restricted access to traditional foods and other necessities of life reinforced *gente de razón's* social control over *Luisenos*. Alterations to water, land, and acceptable social behaviors established greater dependency on agricultural products and technologies that emanated from the Mission. *Luisenos* came to understand agriculture anew through work on the Mission's field crops (wheat, corn, and beans), garden crops (watermelons, melons, cabbages, lettuce, radishes, mints, parsley), fruit orchards, and vineyards (pear, apple, peach, quince, pomegranate trees, grape vines).<sup>51</sup> *Luisenos* worked not only the fields close to the Mission but also in outlying areas as there were three large fields in proximity to the Mission itself, one near Pala, and another in the Temecula Valley.<sup>52</sup>

Ponds, dams, *acequias* (irrigation ditches), and other infrastructure needed to irrigate crops could not have been built nor maintained by the Mission without the labor of *Luisenos*. *Luiseno* labor was also instrumental to physically irrigate the Mission fields. The Mission's periodic labor requirements for agriculture and in constructing, upgrading, and maintaining irrigation works served as a sort of personal service tax.<sup>53</sup> The amount of time involved in working for the Mission reduced the time available for personal and family subsistence activities.<sup>54</sup>

In the tradition of other missions in Alta California during the first quarter of the nineteenth century, Mission San Luis Rey was central in the attempts of *gente de razón* to transform *Quechnajuichom* by exerting controls on movement, social behavior, and use of lands and water.<sup>55</sup> Robert Jackson places this institutional function within a broader regional perspective: "missionaries in Alta California exercised the greatest degree of social control over the converts, and thus modified their culture and social structure more than in the other missions in northwestern New Spain."<sup>56</sup> One way in which *Quechnajuichom* became tied to Mission San Luis Rey was through their newly given name, *Luisenos*.

*Gente de razón* also used irrigated agriculture, in particular food crops, as a means to attract *Quechnajuichom* to the Mission.<sup>57</sup> Missionaries assumed that access to food produced by the mission would motivate *Luisenos* to come to the Mission.<sup>58</sup> The goal was to transform *Quechnajuichom*

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51. See TAC, *supra* note 14, at 16; ENGELHARDT, *supra* note 20, at 41.

52. See TAC, *supra* note 14, at 16.

53. See SHIPEK, *supra* note 49, at 25.

54. See *id.*

55. See ROBERT H. JACKSON, INDIAN POPULATION DECLINE: THE MISSIONS OF NORTHWESTERN NEW SPAIN, 1687-1840, at 164 (1994).

56. See *id.*

57. See generally Michael LaRosa, *Food Supply and Native American Conversion at Four Alta California Missions, 1810-1830*, 33 J. WEST 106 (1994).

58. See *id.* at 113.

religion, ideology, and practices; the missionaries thought that once *Luseños* came to the Mission, they could be baptized and trained in the ways of *gente de razón* and would return regularly for work duties and Catholic ceremonies. In other words, missionaries sought a major cultural change; irrigation and the work surrounding it was intended as a means to facilitate this conversion.

Thus, the introduction of new agrarian ideologies and practices was designed to cultivate more than simply soil and water. It was not simply the need for food that pushed *Luseños* towards the Mission.<sup>59</sup> In the grander scheme, new agrarian ideas and agricultural practices were being promoted as substitutes for traditional subsistence activities and the cultural norms and practices that surrounded the *Quechnajuichom* way of life. Irrigation practices were religiously and socially sanctioned activities that reflected the cultural characteristics of *gente de razón*.<sup>60</sup> In effect, irrigated agriculture taught converted *Luseños* how to be industrious from the *gente de razón* perspective on industry, and thus became a key component in the Mission's efforts to civilize and christianize *Luseños*.<sup>61</sup>

### SECULARIZATION OF MISSION SAN LUIS REY

In 1821 Mexico achieved independence from Spain and Alta California came under the Mexican flag. During the Mexican era in Alta California, the secularization of the mission system as well as the land grant system influenced the character of inter-cultural relations and the availability of water for *Luseños*.

By the eve of secularization in 1834, San Luis Rey had become the most populous mission in Alta California.<sup>62</sup> Rowntree suggests that irrigation practices may provide an explanation for the large population of converted *Luseños* associated with the Mission.<sup>63</sup> Agricultural productivity, in particular the yield of corn, was closely correlated with the Mission's population, reflecting the need for a relatively large labor force to build and maintain the water control structures used to irrigate San Luis Rey's crops.<sup>64</sup>

In 1834 Franciscans were relieved of administrative control over the missions and were replaced with secular administrators. Pio Pico, who later served as the last Mexican governor of Alta California, was assigned as

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59. See *id.* at 113-14.

60. See Kelly, *supra* note 7, at 884-85.

61. See Berry, *supra* note 8, at 192-94.

62. See JACKSON, *supra* note 55, at 88.

63. See generally Lester B. Rowntree, Drought during California's Mission Period, 1769-1834, 7 J. CAL. & GREAT BASIN ANTHROPOLOGY 17 (1985).

64. See *id.* at 17.

administrator of Mission San Luis Rey from 1834 to 1840.<sup>65</sup> Pico was not well disposed towards *Luiiseños* under his charge; as Rosauria Sanchez has noted, "Only Pico acknowledged that he arbitrarily had an Indian put in shackles and whipped when he was administrator of the secularized San Luis Rey Mission."<sup>66</sup> Nor was Pico interested in sustaining the mission system, as he later made clear in addressing his actions as governor of Alta California, "The principal object that guided me in my measures with respect to these establishments was to have the mission regime disappear completely and to form pueblos in its place, reserving for the religion and sustenance of its ministers the necessary buildings..."<sup>67</sup>

While Pico's actions and remarks underscore changes in the institutional functions and day-to-day operations of missions, they also point to the changes in relationships between *gente de razón* and *Luiiseños* associated with secularization. Just as secularization undermined the power that missions had enjoyed in northwest New Spain, secularization widened the base of power amongst *gente de razón* such as Pio Pico, who were not missionaries. Denied a monopoly on social control, missionaries had fewer means to eliminate *Quechnajuichom* culture and replace it with *Luiiseño* culture that could serve *gente de razón*.

Furthermore, cultural norms associated with water use were to change with the proliferation of land and water grants made during the Mexican era.<sup>68</sup> During the first quarter of the nineteenth century, the missions in Alta California used as much water and land as their numbers and requirements demanded, with the implicit understanding that they were preparing *Luiiseños* and other mission Indians to take over individual possession.<sup>69</sup> The Franciscan missionaries, however, could own no property; so while lands and waters theoretically belonged to a mission, the Spanish crown never made formal land or water grants to missions nor to any *Luiiseño* or other Indians in Alta California.<sup>70</sup> The Spanish Crown, in fact, made only 25 land grants (or land concessions) throughout all of Alta California and titles for these remained with the Crown.<sup>71</sup>

In 1824 Mexico passed the Law of Colonization, which was designed to encourage settlement by Mexican nationals and foreigners in

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65. See ENGELHARDT, *supra* note 20, at 100-08.

66. See SANCHEZ, *supra* note 23, at 84.

67. Narration of Governor Pico, *quoted in* Hallie E. Rice, *Pio Pico: Last Mexican Governor of California 24-25* (1932) (unpublished Master's Thesis, University of California, Berkeley).

68. See Berry, *supra* note 8, at 195.

69. See AVINA, *supra* note 32, at 5.

70. See *id.*

71. See BECK & HAASE, *supra* note 42, at #24.

sparsely populated areas, such as Alta California.<sup>72</sup> The Law of Colonization explicitly recognized the demand not simply for lands, but for well-watered lands. The size of a grant to any one person was legally limited to one league (approximately 4,400 acres) of irrigable land but up to four leagues was allowed for lands capable of dryland cultivation and six leagues for grazing lands.<sup>73</sup> Four years later the law was slightly modified to include the requirements that the land be occupied and a permanent dwelling erected and inhabited within one year of the grant.<sup>74</sup>

These changes in law reflect changes in cultural norms ushered in with the Mexican Republic. Water had begun to assume value as property that might be used to transform the finances of individuals or the economies of communities. Secularization of the missions and the proliferation of civil land grants moved *Luisenos* and other mission Indians out of the spotlight, with an implicit expectation that *Luisenos* would adapt, if not embrace, the changing cultural value of water as economic property. Two cases are presented here, the Pueblo Las Flores and Temecula Valley, to provide insights into the ascendancy of water's value as property within *gente de razón* culture. These case studies also illustrate how cultural conflicts between *Luisenos* and *gente de razón* involved conflicts over water, land, and agriculture.

### PIO PICO AND PUEBLO LAS FLORES

During the summer of 1840, while still serving as secular administrator of the Mission San Luis Rey, Pio Pico and his brother Andres were provisionally granted one of the outlying areas of Mission San Luis Rey, the Rancho Little Temecula.<sup>75</sup> *Luisenos* who had lived in the Temecula Valley cultivating and irrigating the lands and the former *mayordomo* (manager) of this site, José Antonio Estudillo, unsuccessfully protested this grant of water and land to the Pico brothers.<sup>76</sup>

However, Pio Pico had a much grander plan in mind.<sup>77</sup> To the north of Mission San Luis Rey was the Rancho Santa Margarita, a sprawling parcel used for many years by the Mission for the cultivation of vineyards

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72. See R.H. BECKER, *DISEÑOS OF CALIFORNIA RANCHOS, MAPS OF 37 LAND GRANTS (1822-1846)*, at x-xii (1964).

73. See *id.* at xii.

74. See *id.* at xiii-xiv.

75. See Michael Edward Thurman, *A History of Rancho Santa Margarita y Las Flores to 1882*, at 42-44 (1960) (unpublished Master's Thesis, University of Southern California).

76. See ENGELHARDT, *supra* note 20, at 121-22.

77. Pio Pico was the driving force behind these property exchanges and most of the operations regarding Rancho Santa Margarita. Andres Pico had a minimal role in the acquisition and operations of this Rancho.

and for grazing lands.<sup>78</sup> Pico wished to acquire the Rancho Santa Margarita and consolidate it with a grant he had already acquired just north of Santa Margarita, the Rancho San Onofre, which had formerly been under the control of Mission San Juan Capistrano.<sup>79</sup> In 1841 Pico negotiated a deal to trade ownership in Rancho Little Temecula for property rights to the much larger Rancho Santa Margarita (see figure 1). In this exchange Pico agreed to pay \$3,300 for improvements on the Rancho, of which \$3,000 was specified as payment for the vineyards that were sustained by water and irrigation facilities. The ability to irrigate the Rancho Santa Margarita's vineyards was essential to their productivity and to their value to Pico. Payment was to take the form of 400 cows and 200 young bulls, but it is not clear whether payment was made or to whom it was made or from where the cattle originated.<sup>80</sup>

The primary rationale that Pico used in proposing this exchange was to satisfy the concerns of *Luisenos* over the loss of Rancho Little Temecula.<sup>81</sup> An affidavit supporting Pico's petition, written in the name of a couple of *Luisenos*, stated that it was freely entered into.<sup>82</sup> However, no mention was made about the concerns of *Luisenos* living at that time within the Rancho Santa Margarita or about the residents of the Pueblo of Las Flores.<sup>83</sup>

Las Flores was the site of a Mission chapel; its waters supported the subsistence crops for *Luisenos* living there during the first part of the nineteenth century. Las Flores was situated along the southern boundary of Rancho Santa Margarita and contained some of the most reliable water sources and springs as well as the lower reach of the Santa Margarita River.<sup>84</sup> In the early 1830s, in a rather unusual legal move, Las Flores

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78. See Benjamin Hayes, Notes from the Diaries of Judge Benjamin Hayes 63, 141 (1929) (privately printed manuscript, on file with Huntington Library collections, San Marino, Cal.).

79. See Thurman, *supra* note 75, at 42-43.

80. See Santa Margarita y Las Flores grant, Pio Pico et al. claimants, Land Claim 700 before the Board of U.S. Land Commissioners, 317 S.D. at 22-30 (testimony of Brijido Morilla and Santiago Arguello, given Jun. 26, 1854) (on file with the Bancroft Library, Berkeley, Cal.) [hereinafter Santa Margarita grant].

81. See Santa Margarita grant, *supra* note 80, 317 S.D. at 60-62 (expediente of L. Arguello, taken on Mar. 12, 1841).

82. See Santa Margarita grant, *supra* note 80 (correspondence of various parties to Secretary of State, dated Mar. 22, 1841).

83. See Santa Margarita grant, *supra* note 80, 317 S.D. at 63 (letter of J.A. Estudillo to Superintendency of San Luis Rey, dated Aug. 22, 1841).

84. See Hayes, *supra* note 78, at 126.



became officially organized as a pueblo, which gave it legal standing under Mexican law.<sup>85</sup> Its population was reported to be 196 people in 1836.<sup>86</sup>

Residents of Las Flores had conflicts with Pio Pico throughout the 1830s and 1840s.<sup>87</sup> Pueblo residents were concerned with Pico's handling of ranching operations and with the liberties Pico took in his capacity as administrator of Mission San Luis Rey. W.E.P. Hartnell, on an official Mexican government review of the Missions in 1836, noted that *Luisenos* of Las Flores were concerned about Pico's restricting their water supply through upstream dams and his cattle destroying their crops:

The Indians of Las Flores told me that Pio Pico's cattle did much damage to their "milpas" (crops), they occupied all their land and dammed up the streams. They wish to ask the governor that the cattle be taken away or else they cannot subsist.... They do not want to work because the Srs. Picos would profit by it. Don Pio Pico was named by the governor to take charge of Las Flores but he ought not take advantage of the office to damage the Indians, if not to protect them....<sup>88</sup>

In his defense Pico complained that *Luisenos* had been robbing the Mission's cattle.<sup>89</sup> Hartnell was not convinced and he required Pico, as the Mission's administrator, to account for the disappearance of its properties. Pico, in response, provided an inventory of properties and goods belonging to the Mission and its ranchos in August of 1840.<sup>90</sup> Shortly thereafter, the pueblo of Las Flores received cattle, sheep, horses, and goats valued at 867 pesos and 6 reales.<sup>91</sup> From this point on, however, the livestock of Las Flores continued to diminish in number as Pico's livestock increased.<sup>92</sup>

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85. See Santa Margarita grant, *supra* note 80, 317 S.D. at 130 (testimony of Don Juan Forster, given on Jun. 26, 1854).

86. See Daniel Garr, *Planning, Politics and Plunder: The Missions and Indian Pueblos of Hispanic California*, 54 S. CAL. Q. 291, 300-01 (1972).

87. See ENGELHARDT, *supra* note 20, at 110-21.

88. Marian E. Smith, *Pio Pico: Ranchero and Politician* 95 (1928) (unpublished Master's Thesis, University of California, Berkeley) (quoting from W.E.P. Hartnell, *Diario del Vistador de Misiones* 20-21).

89. See Santa Margarita grant, *supra* note 80, 317 S.D. at 56-58 (letter from Pio Pico to "Sir Superior Political Chief," dated Feb. 23, 1836). See also ROBERT H. JACKSON & EDWARD CASTILLO, *INDIANS, FRANCISCANS, AND SPANISH COLONIZATION: THE IMPACT OF THE MISSION SYSTEM ON CALIFORNIA INDIANS* 100 (1995).

90. See Pio Pico, *Inventory of Mission San Luis Rey* (Aug. 16, 1840) (unpublished manuscript, on file with the Bancroft Library, Berkeley, Cal., as MSS 68/115 C:4).

91. See JACKSON & CASTILLO, *supra* note 89, at 100.

92. Marian Smith noted that Aguilar's 1843 investigation identified 32 families in the Pueblo and they owned 54 sheep, 69 beasts of burden, 3 ½ yokes of oxen, and 9 milk cows. These numbers are significantly less than the total of 384 livestock that Jackson and Castillo identified as being given to the Pueblo a couple of years prior. Compare Smith, *supra* note 88,

Soon after the transfer of Rancho Santa Margarita to Pio Pico, it became clear to *Luiseño* residents of Las Flores that Pico would continue to pursue his best financial interests with little regard for the Pueblo. In June of 1843 the *alcalde* (community leader or mayor) of Las Flores filed a formal legal complaint stating that the Picos' cattle were ruining their cornfields and they were "even depriving us of the use of the necessary water."<sup>93</sup> Aguilar investigated the matter and was unsympathetic to the Pueblo's complaints, reporting that the *Luiseños* "aspire to clasp land, which they are not capable of either protecting or cultivating" and that they had never been denied appropriate use of water. Furthermore, Aguilar supported Pico's claim that the boundaries of their grant were different than Pueblo residents had long assumed.<sup>94</sup>

Residents of Las Flores fought back as issues of ownership came to a head. Pico was ordered by a court in August of 1843 to release the legal documents he had personally retained regarding Pueblo Las Flores. After reviewing these papers, the court reconfirmed the Pueblo's grant.<sup>95</sup>

After this minor defeat, Pico became more determined to consolidate his property holdings by acquiring the water and croplands of the Pueblo of Las Flores, and he soon succeeded.<sup>96</sup> Pico managed to negotiate the transfer of the entire Las Flores grant to himself under the rationale that Las Flores *Luiseños* had no means to take care of this small property and no resources with which they might be entitled to gain an enlargement.<sup>97</sup> It is particularly noteworthy that the Pueblo's "artificially irrigated pastures" were specifically identified as being assigned to Pico in the court records of this transfer.

Thus, the Pueblo Las Flores was officially extinguished and the 133,440 acre Rancho Santa Margarita y Las Flores became the largest Mexican land grant in Alta California.<sup>98</sup> Some Pueblo residents remained in Las Flores, working periodically as wage laborers or *vaqueros* for the Picos on Rancho Santa Margarita y Las Flores, while others moved on to join family or friends in Temecula.<sup>99</sup>

Pueblo Las Flores arose because the *Quechnajuichom* adapted the missionaries' teachings about the cultural value of industriousness. As a

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at 101 with JACKSON & CASTILLO, *supra* note 89, at 100.

93. See Santa Margarita grant, *supra* note 80, 317 S.D. at 79 (petition of Geronimo, Jose Inacio, and Geronimo, dated Jun. 6, 1843).

94. See Santa Margarita grant, *supra* note 80, 317 S.D. at 80-84 (report of R. Aguilar, dated Jul. 14, 1843).

95. See *id.*

96. See generally Santa Margarita grant, *supra* note 80 (various documents).

97. See *id.*

98. See BECK & HAASE, *supra* note 42, at #24-#39.

99. See JACKSON & CASTILLO, *supra* note 89, at 94-98.

result of this industriousness, they built and maintained irrigation works, croplands, residences, and a chapel. Ironically, it was this very development of water and agriculture that made Pueblo Las Flores desirable to Pico. Pico did not recognize *Quechnajuichom* culture nor was he concerned about the *Luiseño* people he encountered. He was absorbed with the economic value that water contributed to the consolidation of lands rather than having an interest in teaching or practicing industriousness.

This case underscores how the economic value placed on the waters and lands of Las Flores displaced earlier cultural values. It is quite clear that Pio Pico sought the largest contiguous grant of land he could get; however, water and its development should not be overlooked, in particular the water that was already in use at the time for crop irrigation and livestock support. During the 1841 exchange, Rancho Santa Margarita was valued almost entirely in terms of the improvements, structures, and other facilities that supported crops and their irrigation systems.<sup>100</sup> This valuation can be viewed, not only as an indicator of Pico's abilities as a negotiator or his greediness, but also as a reflection of the growing cultural significance of the value of water as property.

### WATER AND CULTURAL CONFLICT IN TEMECULA VALLEY

Pueblo Las Flores was located near the River's confluence with the ocean in the lower Santa Margarita River valley.<sup>101</sup> The low-lying hills surrounding the River near its confluence recede as the River passes through a narrow canyon in Santa Margarita Mountain range.<sup>102</sup> Upstream of this point the River becomes known as Temecula Creek.<sup>103</sup> Temecula Creek flowed nearly year round and formed a wide and fertile valley near its confluence with Murietta Creek (see figure 1).

*Quechnajuichom* gathered and lived in this valley for many years before the missionaries arrived because Temecula Creek was one of the few perennial streams in *Quechla*.<sup>104</sup> When the missionaries arrived, the newly renamed *Luiseños* were put to work, damming the creek and adjacent springs to form a pond.<sup>105</sup> Missionaries constructed a chapel and had

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100. See Santa Margarita grant, *supra* note 80, 317 S.D. at 22-30 (testimony of Brijido Morilla and Santiago Arguello).

101. See ENGELHARDT, *supra* note 20, at 123.

102. See JEROME W. BAUMGARTNER, RANCHO SANTA MARGARITA REMEMBERED 5-7 (1989).

103. See Leland E. Bibb, The Location of the Village of Temecula (n.d.) (self-published manuscript, on file with the San Diego Historical Society Archives).

104. See HORACE PARKER, THE HISTORIC VALLEY OF TEMECULA: THE EARLY INDIANS OF TEMECULA 3-8 (1965).

105. See Leland E. Bibb, *Pablo Apis and Temecula*, 37 J. SAN DIEGO HIST. 257, 257 (1991).

ditches built to convey water for irrigation.<sup>106</sup> A village was founded, crops were grown, and livestock was raised around this reliable source of water.<sup>107</sup>

Pablo Apis, a *Luiseno* community leader, was born in 1792 near Mission San Luis Rey.<sup>108</sup> He had been educated at the Mission.<sup>109</sup> Apis received the only grant of land and water made to the *Luisenos* by the Mexican government. After Pio Pico promoted the exchange of Rancho Little Temecula for Rancho Santa Margarita, a land grant of about one-half league of land (about 2,200 acres) was made to Pablo Apis on behalf of *Luisenos* and in recognition of his service to the Mission.<sup>110</sup> This land grant included much of the *Luiseno* village of Temecula, probably the largest Indian village in Southern California at the time.<sup>111</sup> While the grant was relatively small by the standards of the day, Apis was the only *Luiseno* to receive a land grant from the Mexican government and probably one of the only mission Indians to hold title to property during this time period. The grant of Little Temecula was undoubtedly made to Apis due to his close relationships with rancher Issac Williams of Chino and businessman Abel Stearns of Los Angeles.<sup>112</sup> Pio Pico was governor of Alta California at the time the grant was finalized in May 1845, thus ironically, he was the government official who formally granted Rancho Little Temecula to Pablo Apis and the Temecula *Luisenos*.<sup>113</sup>

Other grants made around the same time in the valleys of Temecula Creek and its tributary Murietta Creek influenced the ability of the much smaller Rancho Little Temecula to access the water necessary for irrigating their lands and sustaining their livestock. In 1844 the Mexican government granted six leagues of land, the Rancho Pauba, to Vincente Moraga and Luis Arenas; in 1846, under one of the "midnight" grants, Pico conveyed Rancho Santa Rosa to Juan Moreno.<sup>114</sup> The grant, which became the most significant

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106. See *id.*

107. See *id.* at 259.

108. See *id.* at 257.

109. See *id.*

110. See Little Temecula grant, Pablo Apis, claimant, Land Claims Case 435 before Board of U.S. Land Commissioners, 55 S.D. 4-14 (various documents, Nov. 15, 1853) (on file with the Bancroft Library, Berkeley, Cal.) [hereinafter Little Temecula grant].

111. See Bibb, *supra* note 105, at 257-58.

112. See *id.* at 259-62. See also Letter from Pablo Apis to Don Abel Esterims [Stearns], (Aug. 10, 1852) (on file with the Huntington Library, San Marino, Cal., Stearn papers collection).

113. Heirs to the Little Temecula Rancho sold off portions of the grant in 1859, 1872, and 1876.

114. See Deanna La Cava, *The Santa Rosa Ranch and Parker Dear 1-2* (1996) (self-published manuscript, on file at the archives of the San Diego Historical Society).

to the Temecula *Luisenos*, however, was the grant of Rancho Temecula, situated north of Rancho Little Temecula.<sup>115</sup>

Rancho Temecula was more than 26,000 acres, over ten times the size of Rancho Little Temecula, and included more irrigable land than any single grantee was technically eligible for under Mexican law.<sup>116</sup> Rancho Temecula was granted to Feliz Valdez in 1844 and there is no evidence that Valdez ever saw the lands and waters of Rancho Temecula.<sup>117</sup> Rancho Temecula was purchased in 1846 by Frenchman Luis Vignes.<sup>118</sup> Vignes immediately placed a man, known only as Ramirez, as manager of the Rancho. Ramirez lived in an old house of the Mission and, using an irrigation ditch built originally by *Luisenos*, cultivated corn, wheat, grapes, and other crops.<sup>119</sup>

When Rancho Temecula was granted, *Luisenos* were effectively dispossessed of much of their prime irrigated croplands as well as ready access to irrigation water. Pablo Apis and other Temecula *Luisenos* associated with Mission San Luis Rey were in possession of these lands at the time Rancho Temecula was granted.<sup>120</sup> Yet it took many years before the Temecula *Luisenos* experienced the full effect of the Rancho Temecula grant. During the late 1840s and through the late 1850s water remained, for the most part, available for irrigation and continued to support the vineyards, orchards, and grain fields of *Luisenos* throughout the Temecula valley.<sup>121</sup>

In the early 1850s, the U.S. Board of Land Commissioners, who evaluated the specifics of grants made by the Mexican government in California, made a decision to deny the grant of Rancho Temecula to Luis Vignes.<sup>122</sup> This decision was made in part because Rancho Temecula included more irrigable land than any one grantee was eligible for and also because *Luisenos* of Temecula had been in possession of the lands at the time the grant was made and were, as a result, dispossessed of resources rightfully theirs.<sup>123</sup> An 1855 court ruling overturned the Commission's decision, thereby allowing the grant title to transfer to the assignees of

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115. See Little Temecula grant, *supra* note 110, 55 S.D. 4-21 (various documents, Nov. 15, 1853).

116. See Temecula grant, Luis Vignes, claimant, Land Claims Case 342 before the U.S. Board of Land Commissioners, 119 S.D. 90-91 (opinion of Board, 1855) (on file with Bancroft Library, Berkeley, Cal.) [hereinafter Temecula Grant].

117. See *id.*

118. See Temecula grant, *supra* note 116, 119 S.D., at 7-8, 98-102 (testimony of Luis Arrenas, dated Apr. 18, 1855).

119. See *id.*

120. See Temecula grant, *supra* note 116, 119 S.D., at 90-91 (opinion of Board, 1855).

121. See Hayes, *supra* note 78, at 63; Bibb, *supra* note 105, at 259-60.

122. See Temecula grant, *supra* note 116, 119 S.D., at 90-91 (opinion of Board, 1855).

123. See *id.*

Vignes. Approximately 250 to 300 *Luiiseños* with residences and irrigated fields on the Temecula grant were affected by this decision.<sup>124</sup>

In the late fifties and again in the early sixties, *Luiiseños* petitioned against *gente de razón*, alleging that their planting grounds and irrigation water had been stolen and asking for their reinstatement.<sup>125</sup> As a result, new lands in the Temecula Valley were set aside for the *Luiiseños* on the Pechanga reservation, but these lands lacked a reliable water supply, the irrigation infrastructure they had developed, and cultivated soils.<sup>126</sup> While some Temecula *Luiiseños* went to Pechanga, others made their way to Pala and Pauma reservations or to the growing urban areas of southern California. Many *Luiiseños* remained as occupants of their homes and fields until 1873 when they were physically removed.<sup>127</sup>

As with Pueblo Las Flores, the land grant system served to disenfranchise the *Luiiseños* in Temecula Valley. Despite initially receiving a small land grant, the Temecula land grant and other surrounding grants restricted *Luiiseño* access to water and cultivated lands. While it took many years for the full effect of the Temecula land grant to be felt, ultimately it was the legal authority of the Mexican land grant system that was used to dispossess Temecula *Luiiseños* of their water and lands.

Unlike Pueblo Las Flores, in this case there was no outright struggle over water and lands between individuals in two cultures, *Luiiseño* and *gente de razón*. Nevertheless, differences in cultural norms were the underpinnings of this conflict over water and lands. The *Quechnajuichom* of Temecula had become *Luiiseño* in part by being taught the value of hard work and the value of well-watered cropland. With the proliferation of land grants under Mexican law, a new cultural value, economic utility, was being asserted. Water, in this new way of thinking, assumed significance for its ability to increase property values. This is evident from Rancho Temecula, in which the original boundaries of the land grant intentionally encompassed economically valuable sites including prime places to access water and an in-place irrigation system built by the Temecula *Luiiseños*. The changing cultural appreciation for economic valuation can also be seen in the speculative nature of the Temecula land grant. The original grantee, Feliz

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124. See *id.*

125. See Petition from Francisco of Temecula, Manuelito and Pacifico complaining of *gente de razón*, (Jul. 11, 1862) (unpublished, on file with the Huntington Library, Cave Couts paper collection, as CT 193(52)); Bibb, *supra* note 103, at 1; Florence Shipek, *Documents of San Diego History: A Unique Case, Temecula Indians vs. Holman and Seaman*, 15 J. SAN DIEGO HIST. 26, 30 (1969).

126. See ENGELHARDT, *supra* note 20, at 180-83.

127. See J.R. YOUNG ET AL., AN INVENTORY OF MISSION INDIAN AGENCY RECORDS 4-7 (American Indians Treaties Publication Series No. 3, Univ. of Cal., Los Angeles, Am. Indian Studies Ctr., 1976).

Valdez, sold the grant sight-unseen to Luis Vignes. Furthermore, Vignes never resided on nor worked the waters or lands of his grant but acquired it speculatively as an economic asset. By contrast, the Temecula *Luiaseños* continued to work the waters and lands of the Temecula Valley in a manner that had come to make sense to them when the cultural values of the Mission era were intact.

## CONCLUSIONS

In this article the argument is made that struggles over cultural norms and values are evident in conflicts over water. This is not to suggest that water conflicts are the only way, or in every instance the best way, to examine cultural definitions or to come to an understanding of cultural resistance and change. Nevertheless, as these cases have illustrated, water conflicts can be revealing. While cultural conflict can be somewhat difficult to pinpoint, conflicts about the use of water have the advantage of being tangible, relatively well recorded historically, and deeply immersed in the cultural logic of the time.

The case studies presented here point out how differences between the cultural logic of *Quechnajuichom*, *Luiaseño*, and *gente de razón* in early nineteenth century Alta California were expressed in substantive conflicts involving the use of water. *Quechnajuichom* became *Luiaseño* through their association with Mission San Luis Rey and were taught to appreciate the value of industriousness. This industriousness was put into practice as they worked for Franciscan missionaries who needed the labor of *Luiaseños* to work the missions' fields and provide water for the livestock. With the secularization of the Mission and the proliferation of civil land grants, the emphasis on industriousness as a cultural value diminished as the value of water as property increased. This change reflected a cultural shift in the importance of economic utility associated with water use.

These assertions are based on the notion that economic, legal, and political aspects cannot be neatly separated from the notion of culture. For example, missionaries taught the value of industriousness to *Luiaseños* through labor in irrigation, crop raising, and livestock raising, while at the same time the Franciscans were using this labor to ensure the economic potential of the Mission. In retrospect, it seems likely that both aspects must have been viewed by missionaries as consistent components of their cultural system. During the Mexican era, law and politics both reflected changing cultural norms and also served to shape cultural change in places like Pueblo Las Flores and Temecula Valley, where *Luiaseños* were displaced through legally-sanctioned grants along with the political maneuvering of Pio Pico and other economically-motivated *gente de razón*. Cultural norms, then, underlie not only social interactions, but also economics, law, politics, and, of course, water use.

It is precisely for this reason that studies of this type have relevance, not only in interpreting historical places and events but in making sense out of contemporary water conflicts within the borderlands. As Enge and Whiteford have asserted in their study of the role of irrigation in Mexican rural development,

Irrigation systems are parts of more complex systems. They are managed by people who share customs, traditions, and laws that are a part of a common cultural system. The transformation of the natural environment to make cultivation possible is one aspect of the production process and must be seen in relation to the control of means of production, the technology, the social relations of the people involved, and other dimensions of the sociocultural system, especially the state.<sup>128</sup>

Today, just as in the past, investigating the context within which water is used and water conflicts arise can reveal the dynamics of cultural norms and values. Likewise, examining changing or conflicting cultural systems may reveal much about the roots of water conflicts.

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128. See KJELL I. ENGE & SCOTT WHITEFORD, *THE KEEPERS OF WATER AND EARTH: MEXICAN RURAL SOCIAL ORGANIZATION AND IRRIGATION* 2-3 (1989).