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WATER IN THE HISPANIC SOUTHWEST: A SOCIAL AND LEGAL HISTORY, 1550-1850

By MICHAEL C. MEYER.

Tucson: University of Arizona Press. 1984. Pp. xiii, 189. \$26.00.

Borderlands history has long focused on the area's social, religious, and political institutions. Studies of land as an exploitable resource abound. By and large, water has escaped the attention of the region's historians. Professor Michael Meyer's slim volume, *Water in the Hispanic Southwest*, begins to fill what has been an enormous gap.

Several factors may explain why this invaluable book has been so long coming. In the development of the Hispanic southwest, water problems tended to be worked out locally. Often the solutions were not written down. On the few occasions when officials recorded disputes, the small surviving record shows many different, often contradictory responses to the problems posed by the paucity of water in the region. *Water in the Hispanic Southwest* yields tales that are neither as plentiful nor as spectacular as the better known ones involving land. Yet the fact remains that in the history of both the Indian and non-Indian settlement of the Borderlands, water drew human society to it as surely as that limpid Greek fountain drew Narcissus. Meyer's book honors this fundamental fact.

Water in the Hispanic Southwest recognizes in a desert environment what the Greeks always knew about water's most fundamental attribute: it reflects a society's deepest and most personal image of itself. To analyze that image, Meyer divides his book into two discrete sections, one dealing with the role of water in the ecological life of the Hispanic southwest, the other dealing with the role of water in the legal life of the Hispanic southwest. Meyer draws the second half of this study from a 1979 report he and Susan Deeds prepared as expert witnesses in water litigation. He has supplemented that original work with additional archival work in Mexico and Spain and he has amended some of his original findings to reflect the criticism of other expert historians in the same case. This portion of *Water in the Hispanic Southwest* already has undergone that trial by fire which only litigation can provide.

The first half of *Water in the Hispanic Southwest* represents new, untested, and, in some ways, the most interesting material in this book. In it, Meyer attempts to outline the role water played in shaping the human and natural environment of the desert southwest. The interactions between man and nature, society and water, were mutual; Meyer dubs the sometimes symbiotic relationships "ecolturations." He sketches the outlines of the natural accommodations in the southwest much as William

Cronan detailed them for New England in his recent, influential *Changes in the Land*. But *Water in the Hispanic Southwest* only suggests what those peculiar adjustments might have been in this region. In this respect, the first half of this volume—"Water and Society"—is primarily valuable for the approach it suggests.

The second half—"Spanish Colonial and Mexican Water Law"—covers much more familiar, although equally uncertain, terrain. Many others have attempted to define water rights which originated under New Mexico's antecedent sovereigns. No two have ever agreed. Meyer's book provides the final answer simply, I suspect, by virtue of being the latest published.

Water in the Hispanic Southwest resurrects all the old esoteric battles in southwestern legal history—did a grant of land imply a grant of water, did the 1782 Plan of Pitic apply throughout the northern provinces?—and offers its own, often eloquent answers. But those answers come from arguments based on facts that are at best opaque. For example, Meyer often relies in this volume on the 1823 Taos area *repartimiento* of the Rio Lucero to support his theory of multi-party equitable rights in a common water source. Other serious students of the same decree suggest that it proves the opposite: single ownership of the common source by a preferred party, in this case the Taos Pueblo. This book argues its side of the 1823 decree but cannot carry the day simply because the document itself is ambiguous.

In addition, some Borderlands scholars will quarrel with other aspects of *Water in the Hispanic Southwest*. Meyer relies extensively on Francois Chevalier's relatively early, general work on landed estates in Mexico at a time when some of the Frenchman's work is coming under attack. The extensive and wide-ranging footnotes in this book refer to occasional documents and secondary sources which Meyer clearly has misread.

But, by and large, none of this detracts from the seminal work that Michael Meyer has given us in this eloquent, well-researched book. *Water in the Hispanic Southwest* deals for the first time with the single natural resource of paramount importance in this region. The book does so based on far-ranging, extensive research into primary and secondary documents. It does so clearly and eloquently. It is mercifully brief and fundamentally important.

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