

Opening of the Los Angeles Aqueduct, 1913. “There it is – take it.” – William Mulholland

I have a new piece out in The Urban Lawyer about the Owens Valley that might be of interest to Legal Planet readers. Here is an abstract:

> Everyone knows that Los Angeles stole its water from the Owens Valley, creating environmental devastation and a legacy of rapacity. It is such a commonplace that it needs only assertion. Even the finest journalists can say in passing that “the City of Los Angeles reach[ed] up and over the mountain to steal the Owens River.” Outstanding scholars, even with expertise in Los Angeles, state casually that “city officials secretly planned to steal Owens Valley river water,” and the Los Angeles Times, long a booster paper, has conceded that the aqueduct was acquired through “stealth and deception.” The events surrounding the creation and maintenance of the Los Angeles Aqueduct have created “the absolute power of colonial rule.”
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> Everyone is wrong. Los Angeles’s acquisition of water from the Owens

> Valley was not a theft: it was considered a public-policy decision from the federal government. From the standpoint of economic development and equity, favoring an urban project over a rural one was an easy and correct decision. More importantly, the creation of the Los Angeles Aqueduct in the long run helped California's environment, both generally and in the Owens Valley itself.
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> Retelling and reinterpreting the Owens Valley saga is more than antiquarianism. These environmental benefits underline the antiquated nature of the California water rights system—a system that threatens the sustainability of the state and of the entire planet.

There *were* real victims in the Owens Valley saga – the Paiute Indians. But who their oppressors? Not the City of Los Angeles, which arrived decades later, but rather the supposedly victimized Owens Valley farmers. I regret that I missed one of the more important accounts of the Owens Valley, John Walton's Western Times and Water Wars: State, Culture, and Rebellion in California (1993). Walton puts it well:

Moral claims based on pioneer achievements were self-congratulatory, ignoring the supporting policy of state expansion and the means it supplied for settler supremacy. No Paiute ever joined the hundreds of protesters mobilized to save their communities over a twenty-year period, and the rebels never wondered why.

I realize that I am in a pretty tiny minority when it comes to this issue. But the historical record is pretty clear.



William Mulholland: Actually The Good Guy

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