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## Introduction

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## INTRODUCTION

*"The past is never dead. It's not even past."*<sup>1</sup>

On August 15, 2008, the New Mexico Game Commission returned 32.6 acres of state land to the Abiquiú Land Grant.<sup>2</sup> This marked the first time the state had ever returned any acreage to a community land grant, and it came less than a year after the New Mexico Department of Transportation had begun erecting official highway signs at the historical boundaries of the state's community land grants, in what the land grant associations hoped would be a "step toward reclaiming some of the common lands their families once shared."<sup>3</sup>

It has been 160 years since the ratification of the Treaty of Guadalupe Hidalgo, yet the status of New Mexico's Spanish and Mexican land grants remains as raw and unresolved today as it was when the ink was still wet on the Treaty.

Tensions over the land simmer just below the surface, and every few months or years, they break out into open conflict. The precise issue may be the contested sale of 57,000 acres that once constituted the Atrisco Land Grant, or a demand by the heirs of the Juan José Lobato Land Grant that the U.S. Forest Service exempt them from fees for firewood collection in the forests that were once part of their grant, but it always goes back to the Treaty. In New Mexico, questions about the fairness and legitimacy of the Treaty of Guadalupe Hidalgo and the adjudication processes established by the federal government are not dry historical inquiries; they are the flashpoints for communities who view this history as the source of their current poverty and continuing struggles.

This special symposium issue of the *Natural Resources Journal* seeks to contribute to the ongoing dialogue over these contentious issues. The articles showcased here exemplify the core mission of the *NRJ*: to publish new scholarship on natural resources issues that crosses the boundaries between the disciplines of law, science, history, and policy and that has practical relevance to policymakers and practitioners alike, as well as to anyone concerned with natural resource issues.

We open the issue with an essay by Dr. Manuel García y Griego, director of the Land Grant Studies Program at the University of New Mexico and an heir of the Cañón de Carnué Land Grant, who writes

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1. WILLIAM FAULKNER, *REQUIEM FOR A NUN* 80 (Vintage Books 1975) (1950).

2. Staci Matlock, *State to Return Land Grant Acreage*, *SANTA FE NEW MEXICAN*, Aug. 15, 2008, at A1.

3. Staci Matlock, *State to Mark Historical Land-Grant Boundaries*, *SANTA FE NEW MEXICAN*, Oct. 21, 2007, at C1.

movingly of the culture and values that have sustained land grant communities and held them together in the face of immense challenges.

The centerpiece of this symposium issue is an official response to the U.S. General Accounting Office's controversial 2004 report on New Mexico's land grants. This response was commissioned by the New Mexico Attorney General, at the request of the state Legislature, and was authored by David Benavides and Ryan Golten of the New Mexico Legal Aid Land and Water Rights Project. We are grateful for the willingness of the Attorney General and the Legislature to allow us to present it here.

In addition, Carol Raish and Alice McSweeney, of the U.S. Forest Service Rocky Mountain Research Station, contribute another in their series of articles on the relationship between the Forest Service and the heirs of New Mexico's community land grants. As always, their work is grounded in extensive field research and original interviews with many of the current stakeholders and provides an invaluable perspective.

Em Hall and I are particularly pleased that this symposium issue includes contributions from a new generation of land grant scholars. Denise Holladay Damico, a newly minted Ph.D. from Brandeis University, writes on ethnic identity and the history of the Cebolleta Land Grant. Professor David Correia, who has taught at both the University of Maine and the University of New Mexico, presents a fascinating analysis of the intersection between railroad development and land grant speculation in New Mexico. Mark Schiller, who has worked closely with land grant scholar Malcolm Ebright in recent years to develop detailed histories of individual land grants, contributes a piece on the history and adjudication of the Antonio Chávez Land Grant.

Finally, this issue concludes with two student articles by recent graduates of the UNM School of Law: a history of the adjudication of the Pajarito Land Grant by Elaine Lujan, herself an heir of the Pajarito Grant, and a study of the Alameda Land Grant by former *NRJ* editor Kristopher Houghton.

With this special symposium issue, we bid farewell to Em Hall and Susan Tackman, who have served as the *NRJ*'s Editor-in-Chief and Managing Editor since 2000 and 1998, respectively. Over the past decade, they have done a marvelous job of guiding this venerable publication and keeping it true to its mission of making interdisciplinary natural resources scholarship accessible to a wide audience. It has been a pleasure and a privilege for me to work with them as a student editor over the last two years. Em and Susan join me in welcoming new Editor-in-Chief Reed D. Benson and new Director of Publications Lynne Arany, who take the helm as the *NRJ* approaches its 50th anniversary. We look forward to seeing the *NRJ* grow and thrive in their capable hands.

In this time of transition for the *NRJ*, New Mexico's community land grants serve as an inspiration. As Dr. García y Griego writes, the most

important and most often overlooked aspect of New Mexico's community land grants is not their difficult past but their hopeful future. We hope that this symposium issue of the *NRJ* will play a small but productive role in the next chapter of New Mexico's community land grants.

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