Land in the American West: Private Claims and the Common Good

Reviewer James W. Oberly is professor of history at the University of Wisconsin-Eau Claire. He is the author of Sixty Million Acres: American Veterans and Public Lands Before the Civil War (1990).

The essays by historians and social scientists included in Land in the American West were first delivered at a conference at Oregon State University in 1997. The subject matter is mainly twentieth-century public lands history in the trans-Missouri West. The organizing principle is not so much “private claims and the common good” as it is the federal management of the public lands amidst competing rights. Some of those rights involve traditional private property rights, and several authors devote attention to the mid-1990s concern of property owners about defense of their Fifth Amendment rights from federal “takings.” Other authors in the volume go beyond private property rights and claims to investigate old-fashioned states’ rights, and even common rights or customs. In sum, the management of the public domain at the end of the twentieth century ran head-on into the burgeoning “rights talk” that is such a feature of modern America.

Editor William Robbins starts the volume with a useful summary of recent conflicts between federal land managers and their critics in the West. The two essays that readers of the Annals of Iowa may find most valuable are Daniel Bromley’s on the theory of property rights and Richard White’s on competing popular views of public lands. Bromley’s essay is a gem of a historically informed social science theoretical précis. Bromley insists that property rights involve an “essential triad” of rights claimant, rights respecters, and the commodity being claimed. Rights to property are not timeless, but historically contingent on the power of the rights claimants to have their claims respected by law and even force. White’s essay traces the history of popular understanding of the use of the public lands from the nineteenth-century consensus that the public domain be rapidly privatized, through the early twentieth-century belief in efficiency, to the later twentieth-century support for wilderness. White sees the root of contemporary conflicts over western land use in the competing paradigms or “fundamentalisms” of respect for the market and respect for nature.

The volume also includes short essays by three authors with recently published or forthcoming books. Maria Montoya offers a fine history of the conflict in Colorado and New Mexico over the use of the Taylor Ranch. Hispanic residents have long used parts of the highlands of the ranch as a commons for wood-gathering and grazing. As the
absentee owners sought to stop what they saw as poaching and trespassing, a conflict familiar to students of early modern capitalism in Europe erupted in late twentieth-century America. Arthur Gomez draws on his work in *Quest for the Golden Circle* to tell the story of the conflicts in Utah and Arizona over the Clinton administration’s proclamation of the Grand Staircase/Escalante National Monument, withdrawing from development 1.7 million acres of public land, including a potentially rich coal deposit, and drawing the ire of Utah’s congressional delegation. Gomez tells the story as a part of the ideological battle during the Clinton years between a Republican Congress and a Democratic White House. Finally, worthy of mention is Stephen Haycox’s fine summary of the history of Alaska state lands and how Alaska politics has revolved around competing claims between the state, Alaska Natives, and the United States. Haycox is the only author in the volume to give more than a passing nod to American Indian claims on land and resources. The editors otherwise missed an opportunity to include a native perspective on land claims and sovereignty.


Reviewer Norman E. Fry teaches American history at Southeastern Community College, Burlington, Iowa. He has recently written several biographical sketches for *The Historical Dictionary of the Gilded Age*.

Richard Younker’s book is a biography of Junnie Putman, a commercial fisherman from Bellevue, Iowa, who fished on the Mississippi River for more than 50 years until his death in 1997. Younker chronicles a way of life and an occupation that has existed on the river for decades but is now rapidly disappearing on some parts of the river due to the effects of locks, dams, enormous barge tows, and Alabama catfish farms.

Younker’s method for preserving the record of Junnie Putman’s life and of commercial fishing on the Mississippi is to combine a written narrative with quotations and extensive dialogue from Putnam, his fellow fishermen, and family members. The narrative is interspersed with 70 black-and-white photographs that record Putnam at work or socializing with friends and family. Six of the book’s nine chapters deal with specific aspects of the river fisherman’s occupation, such as fishing with the seine net, trammel net, hoop net, and trotline. These chapters describe how the fisherman actually goes about his business of catching fish.