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Negotiating Conquest: Gender and Conquest in California, 1770s to 1880s.

Miroslava Chávez-García. Tucson: University of Arizona Press, 2004; xx + 242 pp., maps, photographs, tables, endnotes, bibliography, index; clothbound, \$39.95.

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This book appears to be the published version of the doctoral dissertation of Miroslava Chávez-García, an Assistant Professor in Chicana/o Studies at the University of California, Davis. Chávez-García characterizes herself as a feminist historian, and indeed, her study makes gender, class, and ethnicity the key categories of analysis. She relates her findings to established works in the field of feminist and Chicana history, such as those by Antonia I. Castañeda and Virginia Mayo Bouvier, but extends her study to later periods than those scholars. Chávez-García has collected information on the women of Los Angeles for the Spanish colonial period, the Mexican period, and for the first three decades of the American period. She has divided these women into the following groups: Spanish-Mexican (“gente de razón”), Christianized Indian (“neófitas”), Native American (“indígenas”), and Euro-American. Her analysis reveals contrasts among these groups in the ability to resist patriarchy and negotiate reciprocity in male-female relations. She also finds variability in this regard depending on the regime in power. She finds patterns, as well, of common motives and concerns among the women of all classes, races, and eras in pre-1880s California.

In her six chapters, Chávez-García proceeds chronologically from the Spanish settlement of California, where the power struggle between the church and the military shaped all women’s lives, through the Mexican period, when local, community-based law gave women, especially those of the *gente de razón*, more opportunities for controlling their own

affairs, to the American period, in which some women, most commonly Euro-American women and property-owning, former *gente de razón*, used the new legal system to alter gender relations. Chapter 1 examines how women, marriage, and the establishment and immigration of stable families were central to Spanish settlement strategy. Chapter 2 documents women of differing class and ethnicity interacting with the patriarchal legal system of Mexican Los Angeles in the areas of marriage and sexuality, while Chapter 3 investigates the same categories of women exploiting new property-holding rights in the same setting. The post-conquest effects of a new language and new legal system on the several classes and ethnicities of women in American Los Angeles, focused especially on the areas of divorce, child custody, alimony, and child support, occupy Chapter 4. Property issues under the new regime are the subject of Chapter 5, with land laws, litigation costs, and ruinous interest rates on loans combining to leave most Spanish-speaking women (and men) in Los Angeles landless and compelled to find some other means of livelihood than farming. Finally, Chapter 6 identifies post-conquest factors contributing to dramatically increased illegitimacy for children born to women of Spanish and Native American ancestry, including the abandonment of wives by increasingly marginalized men seeking economic opportunity outside of Los Angeles, which forced the women to find other men to support them and their children. Chávez-García’s endnotes reveal extensive and painstaking research in primary sources, and throughout her work, she uses many case histories to illustrate her points and to create a lively narrative.

One of the persistent threads woven through Chávez-García’s analyses sees women negotiating-pushing the boundaries of gender norms and using the law to resist patriarchy and emphasize mutual obligations in male-female relations. Another important thread traces the manner in which differing legal systems under the three regimes in California progressively increased women’s ability to negotiate greater control over their lives. Another thread maps the persistence of class and ethnic differences among

women in all three periods as an explanation of unequal experience of benefit or injury at the hands of the patriarchal system. Property-owning women of the *gente de razón* were best able to exploit advantages in the law and to skirt the disadvantages of societal norms, while Native American women, out of ignorance and poverty, were least able to use any legal advantages they had while enduring the disadvantages of having a doubly despised status in a racist and sexist society.

Chávez-García's most important primary sources were thousands of federal, county, and local court cases. She also used local and territorial land records, city council records, church records, census records, collections of family papers, and newspapers. She acknowledges that the records from the Spanish and Mexican periods were "thin," but their richness of description and nuance compensated for that (p. xvii). She saw the task of finding and analyzing fragmentary and "rarely examined sources" as both a labor of love (p. xxi) and as the only way to recover an obscure history (p. xvii). The records from the American period she found much more voluminous, but lacking in human drama.

Regrettably, there are too many errors in this book of the kind a spell-checker cannot find, but which a good editor should, such as this (providing background on American views on divorce): "The South followed the Church of England's *cannon* law, which prohibited absolute divorce," (p. 92, emphasis added). But such errors are just momentary distractions, easily overshadowed by the large achievements of this work. Chávez-García has added an important chapter to our understanding of the history of women and law in California.

