El Tribunal de las Aguas de la Vega de Valencia
Valencia is one of the most ancient cities of the Mediterranean coast and received the title of «civitas» — capital — as early as 138 B.C.

It was more than two thousand years ago then, that Decimus Junius Brutus chose this beautiful city as a centre to rule over the whole of the great area which lies on the south of the Ebro between Tarragona and Cartagena.

The remains of the Roman wall give us an idea of its importance, which grew from year to year.

Great characters of History have lived within its walls: Hannibal the Great, Julius Caesar, Pompey, the Scipiones... Saint Paul, the Martyr Saint Vincent, Saint Valero, Saint Hermenegildo... Tarik (the soldier who gave his name to Gibraltar, since it was originally known as Gibraltarik) Muza, Aben-al-Abar, el Cid, Alfonso VI, Jaime I el Conquistador, the Catholic Monarchs, and all the Kings and Queens of Spain from 1238 up to the present day.

It is not surprising, then, that together with the lifeless remains and ruins, we should still have something full of life and movement: the network of irrigation canals which for two millennia have watered our land and our «Huerta» (a region of high-density market-gardening surrounding Valencia), giving life to the city.

The great poet Claudian describes Valencia and our river Turia in these lines:

«Floribus et roseis formosis
Toris ripis
Fructibus et plantis semper poulcherrimis vundis»

The recent discovery of five «Tabus» confirms that in the second century Valencia had mastered the techniques of irrigation, because these pieces of pottery were specifically designed to interrupt the flow of water in canals and ditches and divert it to other canals or to the fields according to the...
needs of irrigation or the wishes of
the farmers.

At the Door of the Apostles of
Valencia Cathedral, which faces out
into the Plaza de la Virgen, the Wa-
ter Court of the Plain of Valencia
meets every Thursday just as the
bells toll the twelve strokes of noon.

The Court consists of eight work-
ers, who still wear the typical black
shirt of the people of the «Huerta»,
and who are elected democratically
every two years by the other water-
users of the «Huerta». As they sit
in a circle on their XVII century
chairs made of wood and leather one
can see that they are invested with a
serious authority.

At that moment, every Thursday
at noon, this group of eight men ex-
ercise supreme authority in matters
of irrigation in the world-famous
«Huerta» of Valencia. They are the
Deputies of the eight canals which
supply it with water and as a group
they constitute the famous Water
Court of the Plain of Valencia.

THE COMMUNITIES OF
WATER-USERS

The entire «Huerta» is irrigated
by large canals, which by means of
an interminable complex of sec-
ondary channels, distribute the
water of the river Turia to every
single field of the 17,000 hectares
under irrigation. All these prin-
cipal canals were built by the Ro-
mans two thousand years ago and
their names are: Quart, Mislat, Favara and Rovella on the right of
the river and Tormos, Mestalla and
Rascanya on the left.

The owners of the fields watered
by a principal canal, or several sec-
ondary ones, form a community of
water-users which takes the same as
the main canal.

All the members of the commu-
nity are called «comuneros» because
they own a common property, the
water, which belongs to each and
every one, not individually, but
communally and collectively. They
can use it for irrigation in propor-
tion to the surface area of the land
they own. In this way, if a lot of
water is available, everyone has a
right to use it liberally to irrigate all
their land. But if water is scarce, ev-
everyone distributes the short supply
in proportion to the surface area of
their fields. This is so that everyone
should receive sufficient water, by
the common right to it which they
all possess.

This communal system for wa-
ter has made it possible to maintain
order in the «Huerta» down the
draging, despite the periods of drought
which the River Turia suffered be-
fore the Embalse del Generalísimo
was built.

This dam has now solved the
perpetual problem of summer
drought.

Each community is governed by
its own statutes which are more than
seven hundred years old. When a
farmer violates one of the statutes
of his canal, he must be judged and
the Water Court is responsible for
this. The Watchman of the canal
calls the offender to appear before
the court on the following Thurs-
day. The Watchman himself formu-
lates the charge and acts as a pros-
ecutor and advocate on behalf of the
community.

The Court examines the case to
decide if the accused is guilty or not
and whether he must be punished.

The whole trial is verbal and
thus nothing at all is written; down
not the charge, nor the acquittal, nor
the proof. Even the sentence is
pronounced by the President at the very
moment the trial finishes, after con-
sulting with the other members of
the court.

The decisions of the court are
absolute and there is no right of ap-
peal.

It is interesting that the trials of
water-users from the left bank are
conducted by the President, who
comes from a canal on the right
bank; and equally, the Vice-Presi-
dent who is a Deputy from a canal
on the left bank, conducts the trials
of water-users from canals on the
right bank.

This is to prevent any suspicion of
partiality.

The Deputies of the court, and
even the President, being water-us-
er themselves, are liable to be ac-
cused, judged, and condemned, just
as any other user.

The trials are conducted in the
Valencian language, which is spoken
by the people who live in the «Huert-

The water, which belongs to each
and every one.
ta». Yet more unusual is the fact that sentences which involve fines are imposed in «liures valencianes», which was the mediaeval currency of the Kingdom of Valencia.

HISTORY

The Court has functioned without interruption for more than a thousand years. Investigators estimate that it was originally founded in about 960 A.D. in the reign of the Caliph of Cordoba, Abderraman III, known as the Great. King Jaime I confirmed the irrigation customs of the Saracens in Charter XXXV. Kings Pedro III, Jaime II, Pedro IV, Fernando el Catolico, Emperor Carlos V, King Felipe II, and also the Monarchs of the House of Bourbon continued to accord privileges to the canals and their communities, and to confirm the system of administration of the irrigation water, which has thus come down to the present day with no changes whatsoever.

DEVELOPMENT IS SPANISH AMERICA

King Alfonso XII promulgated the Water Law in 1879, drafted by Antonio Rodriguez de Cepeda, Professor of the University of Valencia, and which confirmed the existence and privileges of the court.

Still more importantly, it codified its organisation as a model for the Water Courts of every irrigation community in Spain.

Later, the nations of Spanish America — except Chile — copied all the Spanish Water Laws (the ones of 1866 and 1879), and also adopted this highly democratic model of Water Court.

Thus we can say that by means of this Spanish law, the Water Court of the Plain of Valencia is the original model which has inspired all similar courts in every Spanish-speaking country. The Water Courts or Tribunals therefore have their origin and legal and historical antecedent in Valencia, in the court which meets every Thursday at noon outside the Door of the Apostles of its Cathedral, under a canopy of gothic stone arches; a court which administers in full view of everyone the transparent justice of these «eight good men and true», farmers of the Valencian «Huerta», exercising in their black shirts the authority of popular judges as deputies of each canal, and whose hard work and careful watch over the waters of these canals make the «Huerta» of Valencia a garden of flowers; and with their thousand-year-old justice, they govern it in peace.