

GOOD NEIGHBORS MAKE A GOOD FENCE

Protecting private property
is a common cause
across this border.

By Stephen L. Wilmeth

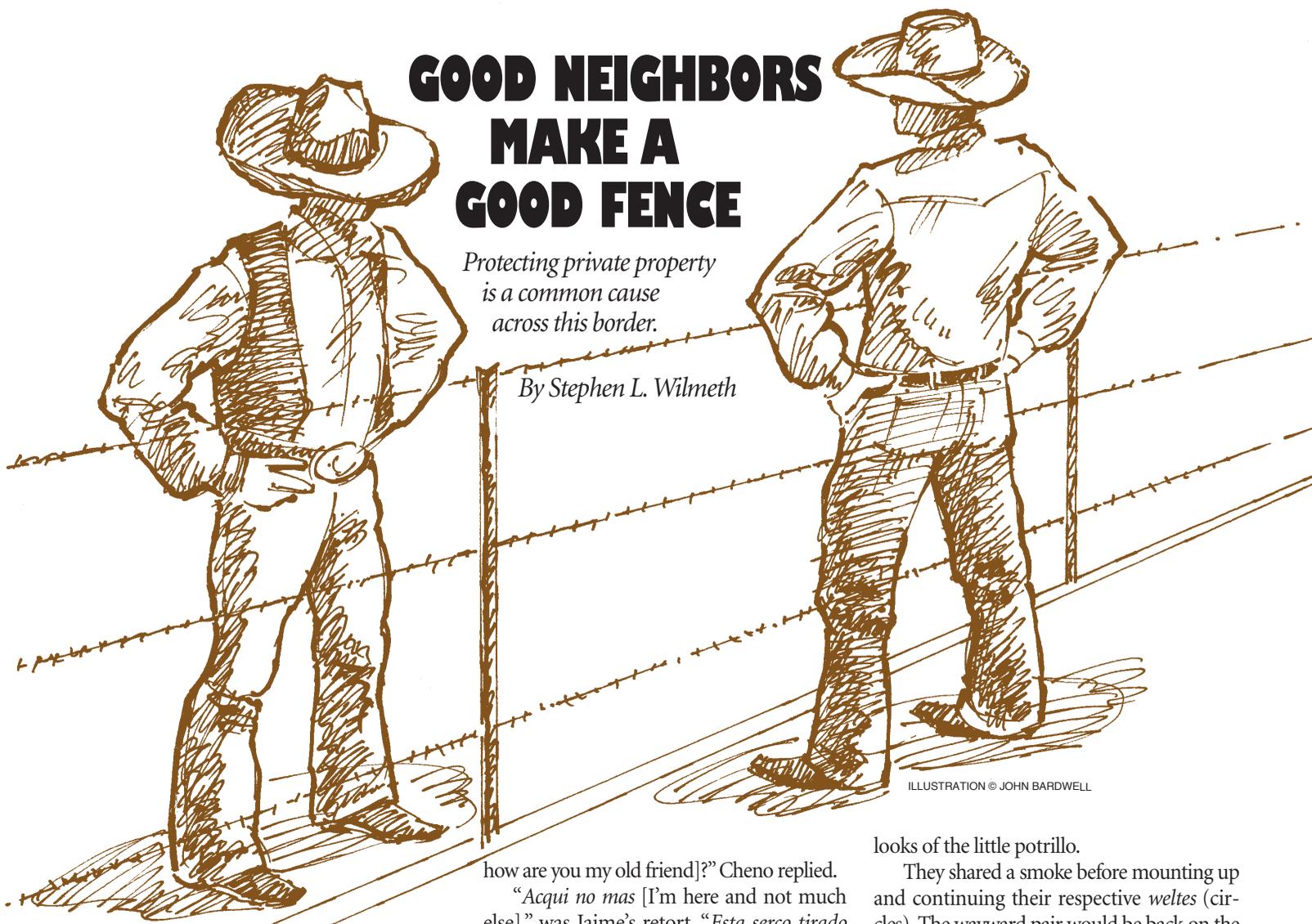


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The fence had probably been laid over two or three days before it was found. The cowboy had found cattle tracks before he had seen the fence, but he figured out what was going on. He followed the tracks and gathered most of the cows before they became mixed with other cattle. He was sure, though, that there was at least a pair that was not with the bunch that he had picked up. He would worry about that later. He drove the neighboring cattle north on a line from where he found them, put them through the fence, and headed home before it was dark.

By midmorning the next day, the cowboy had found where the cattle had come across the line. He had seen Jaime Guillen, the neighbor's cowboy and his friend, before he actually saw where the fence was down. Jaime was working on it as he rode up.

"Que dice [what do you say], Cheno?" Jaime called out as Nepomuseno "Cheno" Valdespino rode up.

"Nada, y como esta, Viejo [nothing, and

how are you my old friend]?" Cheno replied.

"Acqui no mas [I'm here and not much else]," was Jaime's retort. "Esta serco tirado [the fence is down]. As visto los vacas [did you see the cows that crossed]?"

"Sí, Jaime," Cheno had said. He then told him where he had picked up the cows and where he had put them back through the fence. "Ayudo [I will help]. Todo dia faltan un vaca y becerro orita [there is probably one other pair still]."

The two neighbors finished putting the fence back up and talked about news and ranch happenings. They were hopeful of weed growth with all the welcome moisture that had fallen since November 2009. As the last staves were retied, Jaime motioned to the potrillo (colt) Cheno was riding.

"Buen caballito [good little horse], Cheno."

"Yo no se [I don't know]. Aqui esta este que es un poco malcriadito [here is one that is a little impolite]," Cheno Valdespino smiled and said as he thought about how the little horse had pitched around the corral that morning. If he heard the implication, Jaime hadn't shown any response. He continued watching the little blue roan. He liked the

looks of the little potrillo.

They shared a smoke before mounting up and continuing their respective *weltes* (circles). The wayward pair would be back on the north side of the fence by the end of the week. Cheno would put the cow and an unbranded bull calf through without fanfare. He would tell Jaime about it when he saw him.

Jaime Guillen would do the same for his friend and his friend's *mayordomo* (boss) when the circumstances were reversed. That was the way it was. That is the way it had been as long as the cowboys had been there and as long as anybody could remember. The fence wasn't just any fence, though. That fence was none other than the fence separating the United States and Mexico. The pasture on the north side belonged to an American and the pasture on the south side belonged to a Mexican. The fence line that they had put back up together was the international boundary.

The Process

On most ranches on the American border, there are cowboys just like Jaime Guillen and Cheno Valdespino who play key roles in international relations. They are the unofficial frontline liaisons between the ranch operations. If cattle are crossed and mixed, they will

communicate and work out the details. If fences are down, as Jaime and Cheno found, they will work separately or together to make sure they are back up. If gates are being left open, they will communicate and, if circumstances prevail that require their respective mayordomo's input, they will bring them into the discussion.

In most of these circumstances, these unofficial appointments to ranch liaison for international relations come from years of service and friendships and knowledge of local politics and daily life on both sides of the border. If you ride with these cowboys on any morning in a pickup, they will have the radio tuned to stations from Agua Prieta, Janos or Casas Grandes. Normally, they will know much more about what is happening on the Mexican side of the border than on the American side. Although there are exceptions, most of these men will speak Spanish as their first language, and many speak little or no English.

The protocol for these cross-border dealings is strict. On one large New Mexico Bootheel ranch, only one employee handles the communication. In 2004, the border along that ranch's southern exposure was being overrun with mechanical trespassers from Mexico. To a lesser extent, there was also a growing amount of trespass from the American side of the border going south. The latter was largely goods like used farm equipment that would be held up at the ports of entry by Mexican officials. Rather than paying the *mordida* (hush money) required for timely entry, the loads were being diverted to crossings in the unprotected, isolated expanse of ranch lands.

The ranches affected by the cross-border traffic took action. The northern neighbor dealt with the southbound illegal crossings by relaying vital intelligence to Customs and Border Protection-Border Patrol (CBP-BP), while the neighbor to the south locked his gates and commenced patrolling his southern boundary, the one farthest from the American border. The actions, initiated bilaterally by the ranch ownership on both sides of the border, were coordinated and communicated by ranch employees—the unofficial ranch liaisons between the ownership on both sides

of the border. The illicit traffic was diverted elsewhere.

The Glue That Binds

The common bond between the ranches that still exist on the American border is livestock. This is particularly true when actual livestock operations remain the central source of income. The dependency works in both directions and is not simply philosophical. It is market driven.

Although it isn't an ongoing or a common occurrence, there have been enough cases of cattle theft with cross-border livestock movement that American ranchers remain constantly vigilant. If it does happen, though, the chances of interdicting the perpetrators diminish rapidly as time passes. So border-neighbor relationships must be maintained for American rancher protection.

Similarly, there is the ever-growing drug problem. Drug smugglers have made the borderlands their operational fiefdom. If and when a corridor of entry opens north of the border, the cartel operatives seize on the opportunity, invade that corridor and protect it with barbaric ferocity. When that happens, legitimate Mexican ranchers can be caught in the crossfire. The Mexican ranchers also need to be protected from the development of those corridors.

What the border ranchers find is that their joint pursuits in the business of beef production unite them in a battle for survival. The wolves they face, literally and figuratively, are dressed in the same clothing. They are more mutually dependent than even they realize. As long as they are back to back, defending their front lines, they stand a chance of holding off the onslaught. If either is removed, the other runs the risk of failure and elimination.

The Dangerous Border

During 2009, the drug war in Mexico was finally elevated onto the front pages of American newspapers. In Juarez alone, there were 2,660 reported drug-related killings. The Monday morning accounts of weekend activities became matter-of-fact as 17, 35, 21, and similar numbers of deaths were recounted. That city, though, was not the only scene of such brutality.

The entire border was ablaze as rival cartel groups maneuvered and fought for smuggling-corridor dominance. At one point, the Sinaloa Cartel was operating north of the border attempting to wrestle smuggling lanes away from the Chihuahuan and Sonoran cartels. Death counts in the desert areas were likely not inclusive, but at Organ Pipe Cactus National Monument the counts in the year ending July 2009 were up 40 percent from the reporting periods since 2007. This was all in the presence of declining total illegal-alien apprehension rates. The border is a dangerous place.

In 2009, it was learned that Department of Interior land-management agencies, particularly the Park Service, had withheld study information from Congress as to the extent of impact on natural resources that was occurring on the border. The destruction wrought by people and vehicles on fragile desert lands had been escalating for at least a decade.

Members of the National Association of Former Border Patrol Officers (NAFBPO)—a group that represents more than 5,000 man years of border and national-security related experience—are now suggesting that the presence of large areas of federally controlled

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Big Hatchet Mountain is a tough place to cross, but it works for smugglers and illegals because it's wilderness, and pretty much unprotected.

lands along the Arizona border are causative factors of the explosion of human- and drug-smuggling corridors through those vast lands. There is also growing evidence that the most dangerous corridors have developed in designated federal wilderness areas where CBP-BP access is encumbered and conditional because of restrictions imposed by the wilderness legislation.

NAFBPO has analyzed the extent that designated wilderness encumbers CBP-BP access to all lands within a certain distance north from the border. Distances of 25 to 100 miles are being discussed and evaluated. The lesser mileage buffer consideration relates to standard CBP-BP allowances for stop-and-search authority without warrants while the greater buffer relates to the growing danger posed by wilderness areas further from the border. The environmentalists' successful restriction of CBP-BP officers actively patrol-

ing wilderness areas further from the border explains the danger posed by places like Saguaro (West) National Monument. Now considered one of the top 10 "most dangerous parks" by the National Fraternal Order of Police, Saguaro—which lies just west of Tucson—is now dangerous because "drug smuggling, disposal of bodies, and drug manufacturing" activities have expanded into it. Zack Taylor is a NAFBPO member and former Arizona CBP-BP agent. He says: "When there is a law-enforcement void created, illicit activities will fill it." And fill it they have.

The Historical Security Buffer Revealed

The 2004 expansion of mechanized trespass that occurred on the large Bootheel ranch resulted from just such a void. Unbeknownst to the local citizens, a vital CBP-BP relay device in that area was shut down as a result of the mere threat of litigation by a major environmental group. The group claimed it was operating without authority within a Wilderness Study Area in New Mexico's Big Hatchet Mountain complex and demanded consideration of the native herd of desert bighorn sheep and a large colony of bats. For national-security reasons, CBP-BP couldn't expose the electronic relay's presence or location for such disclosure would enable the drug cartels to elude detection.

In the BLM environmental assessment that was finally done in order to put the device back into service, it was determined that illegal foot traffic had increased 348 percent during the first six months of fiscal year 2006 as compared to the previous reporting period. During the same period, mechanized trans-border trespass had increased an astounding 671 percent. The absence of the device not only added to the dramatic increase in illegal entry, but it also put American families living in the area (and active CBP-BP agents working there) at high risk. The BLM report stated that "the danger

posed to families of people who are perceived (by drug cartels) to assist the Border Patrol by calling in illegal traffic is potentially devastating."

The diversion of the mechanical trespass resulting from the actions of the ranches on the south end of that corridor when they were left fully exposed by the government must be

evaluated. They did what CBP-BP was unable to do during the time of the transmitter blackout and they did it with no additional resources.

In a High Intensity Drug Trafficking Area report, which was written shortly after the Park Service Organ Pipe study was done that was never revealed to Congress, some astounding data were disclosed. The data came in the form of Aerostat reports. Aerostat services are provided by the U.S. Air Force and data are collected from a series of tethered blimps that the military operates on the American side of the Mexican border. Among other things, these blimps provide radar coverage of inbound cartel aircraft that fly drugs north from the Mexican interior. Those drugs are unloaded south from the border and then staged for running north into the United States.

The Aerostat data suggest that, in any representative reporting period, drug-smuggling activities relating to incidents per mile of border in Arizona, New Mexico and Texas are vastly different. For example, cartel aircraft approaching the Texas border occur about once every 17 miles of border for each reporting period. In New Mexico the rate is once in nine miles of border, and in Arizona the rate is once in every mile-and-a-half of border. Drug-load interdictions and apprehensions

show the same dramatic differences.

Jim Switzer, former CBP-BP sector chief at Yuma and the current chair of NAFBPO, cuts through the complication of interpreting those results. "New Mexico and Texas still have a vested, engaged and resident population of citizens who will protect their private property rights," he says. "The Arizona counterparts have been largely eliminated." He continues: "Look at the data. Where there are resident Americans who have private-property rights at risk, there remains a working relationship with the Border Patrol. If there is activity, the Border Patrol will be contacted and welcomed. That is not the case where federal land agencies are present."

Richard Hays, former CBP-BP chief of flight operations, adds: "Like Arizona, there is a domination of federal lands along the New Mexico border, but New Mexico still has a residual population of a resident ranching community. Go on over into Arizona and nearly the entire border is federally controlled land. The ranchers have been eliminated or so decimated that they no longer can maintain a dominant posture. They are gone in the monuments and the wildlife refuges, and the infrastructure that they built and maintained is gone as well. The forest allotments are so gutted and reduced that those folks are in a very precarious position. And, at the Tohono O'odham [Reservation], the Bureau of Indian Affairs has no idea how to control that deal. You come to your own conclusions of what has happened in Arizona."

What all this means is simple: as the percentage of government-owned lands increases and private property diminishes, the greater the threat of intrusion becomes. Americans with property rights at risk will defend those property rights. Mexicans with property rights at risk will defend those property rights. When those neighbors are backed up to each other, those property rights are defended with vigor and commitment. Where a cow grazes, American resources, interests, and safety are more likely to be protected than where government land-agency personnel are present without private citizenry on the front line. ■

Steve Wilmeth is a rancher in southern New Mexico. He is a strong believer that the vast majority of western ranches are not overgrazed; rather, they are underwatered. He also believes that the days and years to come will reveal ever-more insightful methods of land stewardship, as long as private citizens with property rights at risk remain active in the stewardship of lands.