



Winter 1970

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Recommended Citation

Robert W. Walker, *Tijerina and the Courthouse Raid, by Peter Nabokov*, 10 Nat. Resources J. 192 (1970).
Available at: <https://digitalrepository.unm.edu/nrj/vol10/iss1/13>

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Tijerina and the Courthouse Raid

By

PETER NABOKOV

Albuquerque: University of New Mexico Press. 1969

Pp. xii, 284, \$6.95.

Man has such a predilection for systems and abstract deductions that he is ready to distort the truth intentionally, he is ready to deny the evidence of his senses only to justify his logic.

—Dostoevsky

People have worked, married, connived, saved, cheated, hurt, and killed to alter an existing or a feared arrangement concerning land. Today, the idea of a particular kind of arrangement, communal ownership, strikes fear in the hearts of red-blooded American capitalists and, for some strange reason, in the hearts of many of those near-slaves who endure the unjustifiable inequalities of resource distribution in the United States. All of this, in spite of the fact that in New York City, I suppose the mecca of capitalism, the very wealthy live in condominiums—apartments in which there is communal ownership of the commonly used portions of the building.

Nabokov tells us how a predilection against the idea of communal ownership touched the lives of the villagers and herdsmen of Northern New Mexico in the second half of the 19th Century. Before that time most families had a private home and a narrow rectangular plot which gave access to river water. The community's grazing and wood-gathering acreage, called *Ejido*, was understood to be held communally—forever a perpetual trust. This traditional outlook concerning the communal use of land dated back before the Treaty of Guadalupe Hidalgo between New Mexico and the United States in 1848. However, the surveyors general of the period between 1854 and 1880 refused to recognize claims made by communities, and most of the community-owned grazing lands were put in the public domain. Today, these lands are big ranches or the playground of recreation enthusiasts.

The villagers' cry, "return our ancestral lands," is, of course, a rallying point to call attention to their generally deplorable living conditions. In Northern New Mexico today educational opportunities are limited. Medical and legal services are grossly inadequate. Roads are so poor that during the winter they are frequently impassable. Breadwinners have few modern skills and an excess of lan-

guage deficiencies. Houses are substandard; in the village of Penasco, for example, two-thirds of them have no indoor plumbing.

Yes, it is true that the land-grant issue is a rallying point, but it certainly is not a false issue. These people do know how to improve the quality of their lives by herding cattle and sheep and by farming. They do need land.

The archenemy is the National Forest Service with its "multiple-use" policy for forest lands and its idea that the lands of Northern New Mexico should be used to the best advantage of the people of the United States instead of to the best advantage of the Northern New Mexican poor. The Forest Service balances the small rancher's need for pasturage against the recreational desires of tourists and the conservational health of the land itself. However, the Forest Service's approach to the problem of grazing makes no sense to the villagers. Unfortunately, the traditional village view makes no sense to the Forest Service.

Coyote is a fairly typical Rio Arriba hamlet. A quarter of its 250 to 300 residents receive welfare support. A handful of its family heads operates small farms or runs a few head of cattle or sheep.

Within its collection of small, metal-roofed homes these Spanish speaking men feel the emotions common to poor Northerners. When they must retrieve their impounded cattle and pay a fine after the animals have broken in to the 1,400,000 acre Kit Carson National Forest, they become bitter. When they are forbidden to cut stove wood in the federal domain without a permit and witness large logging firms moving in to ancestral lands, they become frustrated. When they are told their sheep cannot pasture in one location for two nights in a row or bed down closer than 300 feet from a stream, they become angry.

They resent the Forest Service's concept of the greatest good for the greatest number of people when they cannot get it out of their heads that this "multiple-use policy" is making them receive the loathed ten-pound brown paper bag of welfare powdered milk. Finally, they still carry the memory, difficult for an Anglo to understand, that this land was a Spanish pueblo's holding, never to be sold, always to be enjoyed and to yield communally.

Canjilon is another unfortunate village.

To outsiders it is a pass through point for the trout-stocked Canjilon lakes ten miles away. Residents watch the Anglo fisherman cruise past their homes on weekends to cast freely from banks where they are forbidden to graze livestock.

The hamlet's population has dropped from about 600 in 1953 to

125 at present. Many of its citizens of working age travel beyond New Mexico in search of produce-picking work because they cannot live year-round under the Forest Service's grazing restrictions. By Spring 1967 Canjilon had suffered the loss of 1,000 year-round cattle permits to graze on federal pastures. It had lost 20 free milk-cow permits, as well as free pasturage for horses and bulls. The total reduction of useable land since 1947 has been 31%.

Small farmers and herdsmen need a piece of land. There seems to be, at present, enough to go around. There does not seem to be a very good reason for allowing so few to have so much. In view of the inequities, land reform seems needed and reasonable. Also, land reform is much admired in the United States. Note, I did not say land reform in the United States is much admired. No, land reform is much admired in the United States only so long as it is taking place in Iran. In short, there are few matters in which we have been more ready to allow our predilections for systems of abstract deductions to distort a truth.

Nabokov paints a picture of the despair that is born of feeling unequal to the task of living. More vivid, perhaps, is the picture he paints of Reies Tijerina, a man on whom many of the desperate Northern New Mexico villagers have pinned their faint hopes for a better life. He is a charismatic mixture of gentleness and ferocity all wrapped up in a rhetoric that was polished at the Assembly of God Bible Institute in Ysleta, Texas. Tijerina was born in Texas on a mound of cotton sacks in a field near Fall City. His parents worked as share croppers and migrants. It was better to do migrant work because share croppers were so frequently driven away just before harvest time. Out of this life grew Tijerina's visions—heavenly visions—visions of fear—nightmares.

"We were working on the Steven's ranch, five miles from Poth, Texas. I think we were picking cotton. I use to dream that this car would come driving toward our house by itself, without any driver. It would drive up without any driver and then I would shake. I would shake from fright because I was afraid he would think we had stolen it and shoot one of us. I would wake up, and trembling."

Tijerina's mother instilled him with a religious fervor, but later, his interests changed to political activism when he learned, "that deeds of love are found in men who don't teach. And . . . that there's no mercy in churches, no justice in religious people." He continued to have visions, though, and it was a vision that directed him to New Mexico and to the land-grant issue.

"The sun woke me and that white, how do you say, dew had

covered me all over. It shaped all my life, from there I turned to New Mexico. I saw frozen horses, they started melting and coming to life in a very old kingdom with old walls. Then I saw three angels of law and they asked to help me. They said they had come from a long ways, had traveled the earth and come for me. . . . Those tall pines I saw meant New Mexico. When I started doing research in land grants, I found they are not dead, they are just frozen. They are living, latent political bodies."

Tijerina came to New Mexico in 1960, and by 1967 he had had a few successes and many, many failures in his efforts to focus attention on the Northern poor. A lot of work had gone in to trying to give some direction to the *Raza* and make their voices heard. June 3, 1967, was to be a big day. The Alianza, Tijerina's land grant group, was meeting at the school grounds in Coyote. The meeting had been billed a number of different ways by different people. It was to be a peaceful mass rally, a showdown, or a take-over—according to who was telling the story.

There had been incidents of arson and vandalism in the North; and, in what he apparently considered the vacuum left by the failure of federal officials to "do their job," District Attorney Alfonso Sanchez decided to prevent the Coyote meeting from occurring. Roadblocks were to be set up the night before the meeting was to be held. Officers manning the roadblocks were to arrest key Alianza members on charges of unlawful assembly, driving without a license, public drunkenness, etc. The plan worked beautifully. The next day, with key Alianza members in jail, the big Coyote meeting was a humiliating and disappointing failure.

But this is just the beginning of Nabokov's story. The men who had been picked up at those roadblocks were to be arraigned on Monday, June 5th, in the now famous pink and blue Tierra Amarilla courthouse. This was the occasion for the courthouse raid.

After the raid, as the fear and excitement generated by the gunfire quieted, a number of different explanations were given. No one knew which one was true. Surely it was not to free the prisoners, because they had already been out of custody for fifteen minutes at the time of the raid. Sheriff Benny Naranjo told reporters, "It wasn't a jail break like you guys said. That's all wrong. They came here for Al." By "Al" the Sheriff was referring to District Attorney Alfonso Sanchez, and the Sheriff was right. However, their coming "for Al" had a most unusual twist. They came to make a citizen's arrest. Bizarre as it may seem, the Alianzans made the T.A. raid for the purpose of arresting District Attorney Alfonso Sanchez who had interfered with their constitutional right to assemble.

Nabokov is subtle but transparent with his own prejudices, and this is the most delightful aspect of his book.

He refers to the militancy of the land grant forces as "unsophisticated" but to the State Police response as "primitive."

He obviously enjoys letting people in high places show themselves up as fuzzy minded, ineffective, and petty. He seems to say, "If one must have a religion, District Attorney Sanchez's anti-communism may be as good as any, but must it be practiced so damned unintelligently?" When Sanchez first met Tijerina and Tijerina raised the land grant question, the D.A. "figured him for a communist right then." Through the book, Sanchez provides us with an interesting glossary: taking property by force is communism; killing people is communism; pilfering is communism.

Nabokov gives Governor David Cargo the spotlight several times. When the results of an expensive study ordered by Cargo's office appeared superficial and when one state house veteran exclaimed, "Hell, I could have written a report like that without getting up from my desk,"

Cargo shortly disassociated himself from the entire episode. "I don't see how," he said with a straight face, "some one can come in from out of state for seven days and do an in-depth study of Northern New Mexico. I had nothing to do with it."

There are pages that drag and there are more than a few facts that one feels might have been left out. "From a highway cafe I called Devereaux, who had been chain-smoking all night in Room 444 of La Fonda." However, for such an apparently accurate and well-documented account, the book has a surprisingly good mix of pathos, urgency, and, at one point, terror. Nabokov tells of a still-unsolved and brutal murder in which rumor implicates everyone from Tijerina to law enforcement officials themselves.

The book is a serious one; however, there are spots that are fun; it is really difficult to imagine Albuquerque's Civic Auditorium as the setting for the speech of the King Emperor of the Indies, better known as Jerry Noll.

"Thank you, Mr. Tijerina." Noll drew bewildered smiles from the newcomers as he began in a lispy, high-pitched voice. "If I had known before hand that I was going to be given such a grand introduction I would have had six silver trumpets blow to add a touch of pagentry. . . . I have long awaited this opportunity to formally address you in my official capacity as King Emperor of the Indies, and make this official declaration from the throne. . . ." The rest of Don Barne Quinto Cesar's thirteen page prepared revelation

testified to his complex royal lineage and told the United States that it must repair to its original thirteen colonies and leave the rest of his kingdom alone.

Governor Cargo is reported to have said that he considers Tijerina a phony and financially motivated. Many people agree that Tijerina is a false messiah—that this is a game—if not for money, then for ego. He really does not care about the people. His feelings are mock feelings. If that is so, it seems Tijerina has worn the mock feelings so long that he doesn't have any others left. As Gide said, "A mock feeling and a true feeling are almost indistinguishable." How do *you* feel about the man of Northern New Mexico who cannot feed or educate his children? Are *your* feelings mock or real?

Nabokov has told us of a man who cries when he sees despair—who cries for something he calls justice. Tijerina seems unable to understand something which perhaps lawyers understand all too well. Tijerina seems unable to understand why law isn't justice.

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