

Epilogue

ONE WEEK IN OCTOBER 2010, I spent day after day sitting at the long table inside the special collections reading room in the James C. Jernigan Library of the Texas A&M University–Kingsville campus. The library lobby was full of alumni who had returned for reunion weekend. Draped in the school colors, blue and yellow, the alumni enthusiasm and celebrations were an odd juxtaposition to the grim records I was reviewing. The staff of the South Texas Archives graciously brought to me box after box from unknown rooms. Files included letters, maps of south Texas, nearly 100 photographs and postcards, and seventeen oral histories with local residents, conducted by students from the university for class credit. On my last day in the collections, an archivist asked whether any of the oral histories I had listened to were particularly helpful. One oral history, labeled “Anonymous no. 237,” had caught my attention. The archivist responded that she did not know about the interview but quickly discouraged me from giving much credence to the content. If interviewees decided not to make their name public at the time of interview, in her opinion, there was a high probability that the recorded stories might have been fabricated. The anonymity of this interview, she felt, rendered it unreliable.

The interview is a forty-one-minute-long testimonial in Spanish. It begins with the voice of the interviewer, who also remains unnamed: "In partial fulfillment for Texas History 413, the following interview of a sixty-six-year-old man was taken. This interview concerns his views and opinions of the Texas Rangers here in the early 1900s." After this statement, with a worn but still commanding voice, the interviewee begins:

Los [sic] voy a platicar una historia de los rinches de noveciento quince que yo alcancé a ver de la edad de nueve años. Persegulán a Tomás Garza de Mission, Tejas, hijo de Doña Virginia Garza. Los rinches los alcanzaron en un lugar que le decían Peladitas. Lo agarraron los rinches, lo amarraron a un mesquite con cadena, y le echaron cincuenta galones de gasolina, y vivo lo quemaron. Eso hacían los rinches en novecientos quince.

I'm going to tell you a history of the *rinches* in 1915 that I saw when I was nine years old. They were following Tomás Garza of Mission, Texas, son of Doña Virginia Garza. The *rinches* found him in an area known as Peladitas. The *rinches* grabbed him, tied him to a mesquite tree with a chain, and then they poured fifty gallons of gasoline on him, and they burned him alive. That is what the *rinches* did in 1915.¹

Over the next forty-one minutes, the man continues almost without pause. He describes brutal law enforcement methods, discrimination, segregation in south Texas, and example after example of acts of racial violence. In the words of the interviewee, state agents and local residents did not hesitate to "kill Mexicans like rabbits." The interviewee made his goal clear from the beginning. He wanted to give an account of a series of murders he witnessed or learned about: "*Eso hacían los rinches en novecientos quince.* / That is what the *rinches* did in 1915." Sitting in front of a tape recorder, he testified to the history of racial violence as he lived it and remembered it. He gave the names of victims along with the names or titles of Texas Rangers, local law enforcement officers, and area ranchers who participated in these extralegal executions. This was an act of anamnesis, a praxis against forgetting.

The anonymous oral history, conducted in the early 1970s, is one of many examples of the will that has made this book possible: an individual, long forgotten by history, who insists on recording his own truth; a will that insists on documenting what has been disavowed; a will that hopes future generations will reckon with the past. In this act of vernacular

history-making, the witness was careful to name the dead, to name the family members left in the aftermath, and to name the assailants who committed brutal murder. The anonymous interviewee thus left a trail of breadcrumbs—names, dates and locations—to aid people like me, future researchers hoping to recover erased histories.

The treatment of this oral history by a local archivist serves as a reminder of the relationship between historical narratives, memory, archives, and power. The truth of what happened can be suppressed by overt racism, by the intentional actions (or inactions) of a police captain, or a county judge, or a state senator. But history can also be disavowed by small, ordinary, and inadvertent details; by an offhand comment from an archivist that undermines the credibility of a memory; by an archivist who withholds folders from visitors searching for evidence of their family histories or guides researchers away from testimonials that seem officially troublesome; by a historian who chooses to focus on one story as opposed to others, who assumes that titled and long-celebrated employees of the state are good and that unnamed others are not. It is in this vast gamut of choices, of actions and inactions, of the conscious effort and the unconscious assumption, that histories of loss are disavowed.

Decades after the killings, when justice continued to feel out of reach, remembering the names of the dead proved an important means of grieving injustice. In describing these events, residents like the anonymous interviewee rejected the dehumanizing histories that ignored or celebrated violence. In the climate of ongoing racial tensions in Texas in the 1970s, a climate that encouraged him to remain anonymous, the interviewee must have known that the time for a public reckoning had not yet arrived. Nonetheless, he also knew that accounts should be preserved, in anticipation of days ahead with more possibilities. To dismiss the content of the interview is to foreclose those possibilities.² Passing histories along to future generations creates an opportunity and an anticipation of future efforts to reckon with histories of violence.

As this book has shown, people whose lives were interrupted by the tragedies they learned from relatives answered the call for a public reckoning with this history. Benita and Evaristo Albarado, Romana Bienek, Linda Davis, Norma Longoria Rodriguez, Kirby Warnock, and others preserved these histories and through vernacular history-making made them public. Their efforts inspired others, myself included, to hold to account state

institutions in revising the stories they tell about histories of violence. One exhibit and a handful of state historical markers are only the beginning of reckoning with this history of violence. As we have seen, there are also many victims whose names still need to be recovered.³

In recognizing the strong impulse to remember the dead, we should also be cautious of unintended consequences of efforts to memorialize. On the one hand, the consequences of not reckoning with histories of violent border policing are profound. As Vicki Ruiz wisely reminds us, "Historical memory shapes affinities of belonging and claims of citizenship."⁴ The failures to confront violent policing practices in the 1910s allowed a system of violence to go unchecked in the twentieth century. The failure to remember this history enables its perpetuation. On the other hand, public projects on histories of violence may lead some to conceptualize racial and ethnic violence as matters only of the past. Recognizing the significance of a violent historical period, writing about that history, and memorializing victims is not enough. Current efforts to reckon with histories of state violence are occurring in the midst of ongoing practices of police brutality both along the border and across the country. Remembering the past, then, is also about knowing the present.

In 1924 politicians and state agents who created the conditions for a widespread period of anti-Mexican violence went on to become the architects of the US Border Patrol and incarceration systems in the United States. Current federal and state policing regimes have deep roots in the violence of the borderlands—the regime of terror practiced a century ago on the Texas–Mexico border is crucial to ongoing conversations about police brutality and the carceral state. The history reminds us of the dangers of criminalization and unchecked racial profiling and police abuse.

More than 2.3 million people are incarcerated in American federal and state prisons, juvenile correctional facilities, local jails, Indian Country jails, civil commitment centers, military prisons, and prisons in US territories. Seventy-one percent of federal prison inmates are Black or Latinx. Since 2009, congressional appropriation laws have included language that sets a quota to maintain 34,000 immigration detention beds on a daily basis. US Immigration and Customs Enforcement (ICE) is the only law enforcement agency subject to a statutory quota. In 2015 the United States spent nearly \$2 billion a year on immigration detention centers and relied on private prison companies to manage these facilities. In 2017 approximately 41,000

people were confined in immigration detention.⁵ We are living in the midst of structures of containment. Bryan Stevenson reflects that mass imprisonment has "littered the national landscape with carceral monuments of reckless and excessive punishment and ravaged communities with our hopeless willingness to condemn and discard the most vulnerable among us."⁶

In addition to confinement, the US–Mexico border continues to be a hive for policing. Indeed, the US Border Patrol is the nation's second largest police force, after the New York Police Department. Since 2000 Border Patrol officers have made nearly twelve million apprehensions. Latinx populations accounted for nearly all, a staggering 92 percent, of these apprehensions. And reports of abuse, misconduct, and corruption are on the rise.⁷

Calls for an expanded Border Patrol in the twenty-first century have had dangerous results. When the Border Patrol expanded dramatically between 2006 and 2009 (adding 8,000 new agents), the number of employees arrested for misconduct (civil rights violations or off-duty crimes such as domestic violence) increased by 44 percent during the three-year span. The American Immigration Council reported that more than 100 employees were arrested or charged with corruption, including taking bribes to smuggle drugs or people, and many more have been charged with misuse of force, criminal misconduct, abuse of migrants, and violating constitutional rights. According to US Customs and Border Protection reporting, border agents killed fifty-one people between 2005 and 2015. Five of these killings involved police firing shots across the border.⁸

As we reflect on the centennial of the 1919 state investigation into Texas Rangers, worrisome trends of police abuse continue, and the requirements and oversight for border enforcement officers are starting to thin. In 2014 the United Nations High Commissioner for Refugees called for mandatory training for US border enforcement authorities in "fundamental principles of nondiscriminatory treatment" and "on the basic norms and principles of international human rights and refugee law."⁹ Instead, in 2017 the Department of Homeland Security moved to ease training and enrollment requirements for Border Patrol agents, even as it sought to increase their numbers by hiring 15,000 new Border Patrol and ICE agents.¹⁰ The call to rapidly expand the number of agents failed to consider the proven risks, historically and more recently, of having officers on a police force without the proper requirements. Despite the lessons learned, Homeland

Security officials suggested waiving a required polygraph test (required by the Anti Border Corruption Act of 2010), removing language proficiency tests from Border Patrol entry exams, and removing one of two physical fitness tests for officers. Given the state of policing on the border, reforming police practices is an important struggle to engage. Transforming immigration policies and ending the criminalization of immigrants is the longer struggle ahead.

Policing strategies and incarceration, unfortunately, are merely one part of the brutal US security efforts. Strategies like Operation Gatekeeper, for example, inaugurated in 1994, strategically increased policing along the US–Mexico border in California, New Mexico, and Texas in order to funnel would-be migrants and refugees to the most dangerous area of the border, the Sonoran Desert, thus deterring them from crossing. Using the desert as deterrent did not work. These efforts did not curb migration but instead had dire humanitarian consequences. According to US Border Patrol statistics, over the past eighteen years, nearly 7,000 people have died of hypothermia, drowning, heat exhaustion, or dehydration attempting to cross into the United States.¹¹ Anthropologist Jason De León describes the federal plan simply as “a killing machine that simultaneously uses and hides behind the viciousness of the Sonoran Desert. The Border Patrol disguises the impact of its current enforcement policy by mobilizing a combination of sterilized discourse, redirected blame, and ‘natural’ environmental processes that erase evidence of what happens in the most remote parts of southern Arizona.”¹²

The fact that hundreds die crossing into the United States every year, and that this is not considered a national crisis, speaks to the dismissal of immigrant life by US Americans on a daily basis. The US–Mexico border is again littered with bodies, transformed into what De León describes as “a land of open graves.” Families and friends are returning to the borderlands to search the landscape for the remains of loved ones. Anthropologists and immigrant rights groups are helping to document and identify the dead. And the graves are not limited to Arizona.

In south Texas, too, groves of mesquite trees are again concealing dead bodies. Brooks County, for example, is described as a “death valley” for immigrants.¹³ Since 2009, the remains of more than 550 undocumented migrants have been discovered in the county alone. In 2014 a group of archaeologists from Operation Identification, a project at Texas State Univer-

sity's Forensic Anthropology Center, found a mass unmarked grave near the inland border checkpoint in Falfurrias in Brooks County. What they discovered was harrowing. Some of the bodies were just tossed into the pit, while others were placed in trash bags, shopping bags, or body bags. Some bags had the bones of several different bodies. It turned out that Border Patrol agents had collected the remains of unidentified people who died attempting to cross into the United States. After they found them, they haphazardly buried the dead.¹⁴ The Colibrí Center for Human Rights is a family advocacy organization working to end migrant death on the US-Mexico border. Founder and forensic anthropologist Dr. Robin Reineke is collaborating with families and forensic scientists to collect missing persons reports, help identify the dead, and return the remains to families looking for their loved ones.¹⁵ When immigrants are criminalized and made the scapegoats of elected officials, the borderlands remain a place of violent policing. Colibrí is collecting a twenty-first-century red record.

When I learned about these anthropologists discovering mass graves and attempting to recover the names of the dead, I thought about the early work of Ida B. Wells-Barnett, Jovita Idár, and Frank Pierce, creating records of death and calling for social justice. When I contemplated the families waiting to hear from loved ones after they crossed into the United States, I remembered Miguel García in 1918 searching groves of mesquite trees in south Texas for the remains of his son Florencio. When I learned that in 2010 Jesus Mesa Jr., a US Border Patrol officer, shot his gun across the US-Mexico border killing fifteen-year-old Sergio Hernández, I thought about Concepción García in 1919, shot and killed by a US soldier while crossing the Rio Grande, returning to Mexico from school in Texas. When I heard that in 2017 the US Supreme Court denied Hernández's parents legal standing to sue Mesa for using lethal force, I thought about the descendants of the 1918 Porvenir massacre, waiting for decades to have their claims decided by the US-Mexico General Claims Commission of 1923, only to learn in 1941 that the commission would not hear the case.

When I consider how long it will take for families, advocates, and communities to recover from the injustices they are witnessing today, I think about Norma Longoria Rodriguez, Benita and Evaristo Albarado, and Juan Flores Jr., who still carry sentiments of loss 100 years after their relatives were murdered by the state police. Recounting these myriad acts disrupts popular assumptions that violence is followed by reconciliation, that the

dead were likely criminals anyway, that the mere passage of time can heal wounds. Answering calls for justice requires remembering the names of the departed, acknowledging the lives lost, and confronting disavowed histories of violence. In calling for redress, descendants are in the company of other social luminaries like Mamie Elizabeth Till-Mobley, Jennicet Gutiérrez, las Madres de la Plaza de Mayo, the Safe Women Strong Nations project, Mothers Against Police Brutality, Justicia Para Nuestras Hijas, and the Missing Migrant Project.

These calls serve as a reminder: reckoning with the past is intertwined with current efforts for social justice and transformation, for freedom and full humanity. We live in a world that needs to be reconstructed. The more people understand the long consequences of violence, the more likely we will be to intervene against—to denounce outright—the violence and death that continues today.