

International Journal of Critical Indigenous Studies

Volume 3, Number 2, 2010

Maya USA: The *Immigration Reform and Control Act of 1986* and its Impact on Guatemalan Maya in the United States

Eduardo Jiménez Mayo

Abstract

By degrees it has come to pass that working men have been surrendered, isolated and helpless, to the hardheartedness of employers and the greed of unchecked competition ... To this must be added that the hiring of labor and the conduct of trade are concentrated in the hands of comparatively few; so that a small number of very rich men have been able to lay upon the teeming masses of the laboring poor a yoke little better than that of slavery itself (Pope Leo XIII 1891).

Introduction

The Maya constitute one of the largest and most historically accomplished Indigenous groups in the Americas. In Guatemala today, they comprise nearly 40 percent of the population, that is, roughly 5 million individuals. Moreover, an estimated 98 per cent of Guatemalan citizens living abroad were residing in the United States (US) as of 2006, totaling over 1 million persons. Unfortunately, it remains difficult to determine with any substantial measure of certitude how many of these claim Mayan ethnicity, since, among other factors, the US census does not provide this information; nor does the federal Bureau of Indian Affairs, which does not recognise the Maya in the US. The Immigration Control and Reform Act of 1986 (IRCA), being the largest amnesty program in the history of US immigration law, represented a promise of legalization for many unauthorized Guatemalan immigrants who fled the direct or indirect consequences of the civil war. The Guatemalan-Maya were less likely to become beneficiaries of the Act than their non-indigenous countrymen, however, for reasons that will be discussed in this article.

So, why study the effects of IRCA on the Guatemalan Maya in the US?

The Maya were perhaps the most vulnerable and estranged of the undocumented groups to cross the US–Mexico border during this period. They found themselves, socially and politically speaking, lumped in with Mexican and/or Central American immigrants. Yet many spoke no Spanish, let alone English. Many had been singled out for their ethnic, cultural and ideological differences as targets of violent persecution in their homeland. The chapter of US immigration law relating to the invidious discrimination that Guatemalan and other Central American asylum-seekers faced during this period has largely been written (Garcia 2006). But research involving the effects of the IRCA on these groups, and specifically on the Guatemalan Maya, remains piecemeal.

The purpose of this article, however, is not to embark on a quixotic mission to proffer a comprehensive review of the literature as it stands today. Neither has the author engaged in original fieldwork in its preparation. The intention is rather to synthesise the research on three emblematic Mayan communities in the US during the historical period throughout the 1980s—Indiantown, Florida; Morganton, North Carolina; and Los Angeles, California—in an attempt to elucidate the IRCA's effects on them.

This trinity has been selected, firstly, for the relative accessibility of information on these communities, but secondly, and most importantly, because of their symbolic value as three disparate yet equally miraculous instances of Mayan cultural survival in the US. By 'miraculous', the author does not mean to imply events or actions of supernatural or metaphysical import: simply that their tenacity, as a people, borders on the incredible. Ultimately, the author concurs in the belief that the IRCA's benefits may have remained, on the whole, less accessible to the Guatemalan Maya than to their non-Indigenous compatriots or fellow Latin American sojourners.

The IRCA in Review

Six major sets of provisions make up the IRCA. They may be categorised as follows: employer sanctions (§101); anti-discrimination (§102); legalisation (§201); agricultural workers (§301); the SAVE provisions (§121); and miscellaneous provisions (§103). The employer sanction specifications 'impose civil and criminal penalties on employers who knowingly hire, recruit or refer aliens who are not authorized to work' (Roberts 1987, 1-1). The anti-discrimination stipulations 'prohibit hiring and firing based on an individual's national origin or citizenship status' (Roberts 1987, 2-1). The legalisation clauses 'provide a method for legalizing the status of many of the aliens now in the United States who have been here unlawfully since before January 1, 1982' (Roberts 1987, 3-1). The agricultural workers terms 'revise and expand the existing H-2 temporary worker program ... provide temporary resident status for aliens who can prove they worked 90 days in U.S. agriculture between May 1, 1985 and May 1, 1986 ... allow additional [low-wage laborers] to enter the United States as temporary resident aliens between 1990 and 1993 if there is a shortage of farm workers at the time' (Roberts 1987, 4-1). The SAVE provisions are 'intended to prevent payment of public entitlement benefits to ineligible alien claimants' (Roberts 1987, 5-1) and the miscellaneous provisions 'are in the nature of efficiency provisions, making long-overdue reforms for inadequacies exposed through the years', for example, in the area of fraud and misuse of certain immigration-related documents (Roberts 1987, 6-1).

The 1980s Civil War in Guatemala

Over 400 Indigenous villages were destroyed in the crest of Guatemala's civil war during 1982–3, causing the forced displacement of 1.5 million people and the mass exodus of 150,000 individuals, mostly Maya, into Mexico. While some fled to Belize, Honduras, El Salvador and Costa Rica, most sought refuge initially in Mexico. During the next two decades, however, the US became the destination of choice for the overwhelming majority of Guatemalan citizens leaving their homeland, although some would end up journeying as far north as Canada in order to escape political persecution and/or economic devastation. Robert Carmack, a University of California Los Angeles anthropologist, coined the oft-cited phrase, 'harvest of violence' (Lovell & Lutz 1994, 133–40), as descriptive of the barbarities the Maya suffered during the Guatemalan civil war. Much of this violence was state-sponsored; much of it traceable to American intervention in Guatemala:

Recent revelations have demonstrated that the CIA had close ties with the [Guatemalan] military in the early 1980s, that it trained troops which were subsequently implicated in the torture and murder of civilians, and that military officers responsible for extreme brutality were CIA operatives (Hamilton & Chinchilla 2001, 32).

The early 1980s marked perhaps the bloodiest period in Guatemalan history since the Spanish conquest. The roots of the outburst of popular rebellion during this period and the national government's violent suppression of these movements have been traced to a 1954 US-sponsored military coup that ended more than a decade of populist, democratic governance in Guatemala (Loucky & Moors 2000, 1–3).

A series of American-backed military dictatorships followed, peaking in the sanguinary rule of General Ríos Montt, who seized power in 1982. He ordered the violent eradication of hundreds of Maya villages, ostensibly suspecting the inhabitants of collaborating with left-wing insurrectionists. Tens of thousands of Guatemalan refugees fled to Mexico. Somewhat paradoxically, therefore, the US, the very nation that had supported the regime of terror largely responsible for their exodus, ended up becoming the destination of choice for most Guatemalans leaving their homeland (Hamilton & Chinchilla 2001, 30–33).

Although migration patterns and trajectories had been established earlier, the massive increase in Salvadoran and Guatemalan migration to the US in the 1980s would not have occurred in the absence of political upheaval in the respective countries (Hamilton & Chinchilla 2001, 35).

Guatemalan citizens were concentrated in Los Angeles (36.3 percent), New York (10.6 percent), and Miami (8.3 percent), but they were also present in Washington, DC (4.1 percent); Houston (3.8 percent), Boston (3.6 percent) and Chicago (3.2 percent). Altogether, these six cities are home to 70 percent of Guatemalan emigrants (www.migrationinformation.org/USfocus/display.cfm?ID=392).

To many US political scientists and scholars in related fields, such figures would have seemed incredible in the last two decades of the twentieth century, since US immigration policy of the period (as manifested in the IRCA and subsequent, increasingly-restrictive legislation) had promised to stem the tide of illegal immigration across the US-Mexico border (Passell, Bean & Edmonton 1990, 262).ⁱ

The IRCA and the Guatemalan Maya of Indiantown, Florida

The first substantial migrations of Guatemalan Maya to Florida began in 1982. Unlike some other refugee communities encountered in the State, they came, at least at first, in large family, extended family and community groups (Burns 1993, 7). Later, the demographics changed in favour of young, single Mayan men (Burns 1993, 12). There are about 26 distinct Mayan linguistic groups in Guatemala, and fluency in Spanish varies widely depending on a variety of geographic and socioeconomic factors (Burns 1993, 8). The original Mayan sojourners to Florida were Kanjobal-speaking groups from San Miguel Acatán, Huehuetenango. However, within less than a decade, they were being joined by other Mayan communities, including those speaking the Jacalteco, Quiché and Cakchiquel dialects. Surprisingly, perhaps, they were also briskly joined by ever-swelling ranks of Ladino Guatemalans: 'a label applied to non-Indian Guatemalans, to *mestizos* or mixed Indian-European people, and to Maya who no longer participated in their community life' (Loucky & Moors 2000, 1).

Mexican crew leaders with contacts at the border directed the first wave of Mayan sojourners toward the sprawling citrus groves, vegetable farms and cattle ranches of south-central Florida (Burns 1993, 7). These early pioneers wrote back about the commonalities between working conditions in Florida and those on the hot, humid coasts of Guatemala, where they had previously been accustomed to migrating for seasonal labour, descending periodically from their villages in the highlands. Jobs in Florida were more plentiful, they reported, although housing conditions were often deficient (Burns 1993, 8).

Reliable data on the number of Maya in Florida at the dawn of the 1990s are hard, if not impossible, to come by. The best estimates indicate that there were between 15–20,000 Maya in the State by 1988, approximately 5000 of whom lived in Indiantown during the harvest season (Burns 1993, 23).

Why Indiantown? Because it had become a crossroads on the route from the Guatemalan Highlands to Canada, established in imitation of Mexican immigration patterns that predated the Guatemalan immigration boom by four decades (if one measures from the first Bracero Program), by seven decades (if one measures from the eruption of the Mexican Revolution of 1910, leading to a mass exodus of Mexican citizens fleeing their war-torn nation), or by as many as nineteen decades (if one measures from the end of the Mexican-American War, after which over half the national territory of Mexico changed hands to become what is now the American southwest) (Burns 1993, 8).

Many of the first Mayan sojourners had no intention of staying in the US permanently (Burns 1993, 8). But as violent conditions continued in Guatemala well into the 1990s, and progressive changes in the application of US asylum and immigration law made it at least theoretically easier to gain legal status, Indiantown—which, incidentally, takes its name from the original Seminole population—became a permanent Mayan community, and more importantly, a symbolic hub of Mayan cultural survival (Burns 1993, 150–1).

President Jimmy Carter had already denounced the Guatemalan government in the 1970s as one of the world's worst human rights abusers (Burns 1993, 5). Moreover, despite widespread reports of genocide against the Maya being committed by the nation's various political regimes, be they civil or military, the Guatemalan government continued receiving military aid from the US throughout the 1980s and 1990s, prompting relentless denunciations from human rights groups, such as Amnesty International. Furthermore, the Cold War-driven US asylum policy of the period systematically discriminated against Central Americans from Guatemala and El Salvador; at least until the so-called ABC case.ⁱⁱ

The American Baptist Churches v. Thornburgh 760 F. Supp. 796 1991. 'American Baptist Churches v. Thornburgh' is a case filed against the U.S. Attorney General and the head of the INS that alleged they violated domestic and international laws when they denied asylum to Salvadorans and Guatemalans fleeing political repression in the 1980s.

Navigating the system

Many Maya applied for asylum anyway, expecting to be denied, but as a ploy to gain time to stay in the US legally, to gain temporary work permits and to have access to hospitals and other social services. Others attempted to take advantage of the new immigration laws of 1986 providing amnesty for undocumented immigrants meeting the requisite qualifications (Burns 1993, 26). As Camposeco (2000, 172) explains, they apparently met with little success on either front:

[T]he Maya are working primarily in the lowest-paying jobs. Many Guatemaltecos [sic] in this region were unable to secure their immigration papers through the Immigration Reform and Control Act of 1986 (IRCA). Later many who had come to this area—especially single young men and some women—did not qualify for the IRCA program because they did not arrive in the United States before the cut-off date for application. If they apply for their papers now, they do so in a very haphazard fashion and are often exploited by certain notaries public in Miami when they try to get a temporary work permit. The majority do not have papers because they cannot make a good case for political asylum.

While the US Immigration and Naturalization Service (INS) clearly intended a marked difference between petitioning for legalisation under the IRCA and petitioning for asylum—with each option involving different requirements, qualifications, standards of proof, etc.—most Maya seemed to perceive them as interchangeable, or at least as two sides of the same coin. As Burns (2000, 158) explains:

When the 1986 Immigration and Reform Control Act allowed for the legalization of undocumented immigrants who had either been in the United States for over five years or had performed agricultural work in the years prior to the law, the Guatemalan Maya of Florida quickly applied for status as residents in addition to continuing their claims for political asylum as refugees. The uncertainty of legal status was reflected in the statements of immigrants. Many of them, proud of their ability to work hard and adapt to new employment opportunities, told reporters and others that they came to the United States 'to work hard.' While this kind of answer helped in establishing farmworker status under the 1986 immigration law, it was detrimental to political asylum cases.

It is beyond the scope of this paper to analyse the effects of the reformation of political asylum law as applied to Central Americans in the wake of the *ABC* ruling, or how matters stood before that landmark holding. Therefore, I might logically shift at this point to a statistical analysis of the numbers of Mayan applicants in Florida under the IRCA and the amnesty application success rates among this community. It appears, however, that these matters have never been formally assessed (Burns 1993, 23). The most that I was able to discover was that, according to the diocese of West Palm Beach, entrusted with keeping such records, approximately 200 Kanjobal Maya from Indiantown applied for legal status under the IRCA's special agricultural worker (SAW) provisions. No mention is made of the outcome of their petitions (Burns 1993, 7).

While the IRCA remained in effect, those Maya who arrived after 1981 may have still qualified for legalisation under its farm worker provisions. This reportedly led to an increased sense of permanency and security in the Mayan community at large. Asylum remained the path of choice, however, whether as a result of the *ABC* ruling or simply because it allowed a quick fix, albeit temporary, to remedy their legal status, regardless of the ultimate outcome of their case.ⁱⁱⁱ Despite the existence of dual paths to legalisation available to qualifying Maya, one crew leader, hiring from the Indiantown population, reported that two years after IRCA went into effect, 90 percent of his labour force remained illegal (Burns 1993, 115).

The IRCA's provisions in relation to employer sanctions for hiring undocumented workers, whether vain threats or conscientiously applied, compelled the Maya to resort to smaller, less conspicuous firms, sometimes run by unscrupulous crew leaders who underpaid them and pocketed their social security and unemployment benefits (Burns 1993, 116).

Others shifted from agriculture to the construction industry, as day labourers, since one could be employed for 72 hours with a construction firm before producing papers. Thus, one might switch every few days from one firm to another, or simply provide false names and social security numbers to obtain work at the same firm more than once.^{iv}

IRCA and the Guatemalan Maya of Morganton, North Carolina

Nestled at the edge of the Great Smokey Mountains, Morganton's present-day population is approximately 18,000. In the 1990s, it made national news due to a series of labour strikes at Case Farms, the local poultry processing plant, conducted by the most unlikely of people: living descendants of the ancient Maya;^v specifically, those of the Guatemalan Kanjobal and Awakateko linguistic groups (Fink & Dunn 2000, 175). Several Guatemalan Ladino immigrants and Latin Americans from other nations such as Mexico, El Salvador and Nicaragua were also involved, to be sure, and local Catholic Church leaders lent some much-needed moral support (Fink & Dunn 2000, 185, 187 & 191–3). It was not long, in fact, before professional labour union organisers descended on Morganton like migratory birds, prepared to bring sustained logistical, financial and legal support to the initially autonomous Indigenous acts of civil disobedience (Fink & Dunn 2000, 182).

Enter the US labour unions

Certain alliances between undocumented Hispanic immigrant workers and labour unions had proved successful in Los Angeles in the early 1980s in fighting corporate abuses of human rights and labour rights (Fink 2003, 81). Thus, there may have been hope that such victories might be reproduced in Morganton, despite the passage of the IRCA, designed, in part, to sanction employers for hiring undocumented workers. As Fink explains (2003, 81):

[Héctor Delgado, a sociologist who studied a fourteen-month unionizing struggle in the mid-1980s among undocumented Hispanic workers in Los Angeles, attributing its success to emotional solidarity among the laborers, and effective logistical and legal support from the unions] gathered his information before the 1986 Immigration Reform and Control Act and its formal threat to crack down on illegal immigration, [but] his argument appears to hold for the subsequent period as well. To be sure, undocumented workers at Case Farms generally dared not take on official 'leadership' roles that might attract public attention to their non-citizenship status. Yet, in Morganton, the decline of official protection inherent in work permits based on asylum applications did *not* in itself appear to trigger a loss of support for the union. As in Los Angeles, the bogeyman of INS raids was largely countered both by the practical scarcity of the federal presence and by the union's continuing assurances to the workers that the INS would not intervene in the midst of a labor dispute.

In other words, thanks, firstly to the relative ineffectiveness of federal enforcement of the IRCA's employer sanction provisions; secondly, the reassuring protection and advocacy of the labour unions, and thirdly, the vigorous emotional unity of this largely undocumented labour force, it seemed for a time that real progress could be made in Morganton.

It should be recalled that the strikes began without any assistance from the outside and they remained largely Maya-led throughout the period in question. One of the first, major, purely Mayan protests happened in response to the crimping of their over-time hours in 1991, coupled with the speeding up of the lines during their daytime shifts (Fink & Dunn 2000, 181). The next major Mayan standoff with the company occurred in remonstrance for 'unpaid hours, lack of bathroom breaks, poor working materials, and unauthorized company deductions for safety equipment like smocks and gloves, as well as inadequate pay' (Fink & Dunn 2000, 188).

Mayan workers made small but important gains during this time. Maya-cum-union efforts peaked in 1995 with mass walkouts and binding demands made on Case Farms to redress allegations of discriminatory treatment, intolerable line speeds, inadequate wages, and inhumane working conditions (Fink & Dunn 2000, 181–2; Fink 2003, 195). Internal disputes among the Maya, Ladino and other Latin American leadership, plus dwindling funds and spirits among union personnel, eventually led to the disintegration of their partnerships by the turn-of-the-century (Fink & Dunn 2000, 188; Fink 2003, 195).

Unionising fails but the Maya push forward

Despite the ultimate breakdown of the various unions' efforts in Morganton, their short-lived collaboration with the Maya and other Latin American workers at the poultry plant may be interpreted as a rebuttal of the argument that undocumented immigrants—due to their allegedly inherent willingness to accept substandard wages and abusive management practices—inevitably drag down wages and working conditions for blue-collar citizen workers:

The organizing example of the Case Farms workers, moreover, counters a common stereotype about new immigrants and especially undocumented workers as a 'threat' to American labor standards. The restructuring of U.S. industry after 1980—including the flight of capital abroad and a general emphasis on a flexible labor force at home—risked a renewal of nativist fears. Even the AFL-CIO bounced back and forth on the issue of immigration. Long an advocate of restricting immigration, the labor federation initially supported the limited-amnesty-plus-employer-sanctions principles of the 1986 Immigration and Reform and Control Act in an attempt to stem the flow of (largely Mexican) illegals. The very porousness of that act, however, made it more an instrument of labor, rather than employer sanctions, since in practice the law allowed employers to turn a blind eye to workers' credentials on hiring while still holding the whip handle of subsequent INS exposure over their heads (Fink 2003, 179).

Incidentally, here one also witnesses the leitmotif that the Immigration and Naturalization Service (INS) generally failed to effectively enforce IRCA's employer sanction provisions, except perhaps where expedience demanded it. This kept the door revolving for undocumented immigrants, especially Mayan newcomers, to fill the jobs no longer desirable for US workers. In fact, in some cases the Maya took jobs that the earlier-arriving Mexican immigrants, who were able to take advantage of the IRCA to legalise and move on to higher paying jobs, had left vacant.^{vi}

The IRCA and the Guatemalan Maya of Los Angeles, California

While Indiantown may be the spiritual hub of the Mayan diaspora in the US, despite its relatively trifling population (off-season) and its abysmal living conditions, Los Angeles (circa 1990) hosted by far the largest concentration of Guatemalan immigrants in the country. This trend has continued well into the twenty-first century (although New York City may now boast of similar demographics). The most recent tallies are fast approaching the figure of 500,000 persons. As usual, authoritative data on the Mayan component of Guatemalan immigration to the US is either absent or sketchy. But one authority claims that Los Angeles permanently housed about 10,000 Guatemalan Maya as early as 1988. They consisted mostly of Kanjobal from the northwestern highlands, as well as persons from the Quiché region and other neighboring locales (Loucky & Moors 2000, 214).

The sheer numbers of families and extensive kinship networks that exist in Los Angeles, as opposed to other, smaller Mayan communities in the US, seemed to act as a source of comfort and a magnet for newcomers, despite their awareness of the depravities that they might face upon arriving in the megalopolis:

[N]ewcomers find 'anchors' within formal and informal family and fellow-villager networks. These provide temporary housing, job leads, and social companionship, along with a kind of safety net to help prevent what relatives remaining in Guatemala fear most: becoming 'lost' (*perdido*) in the big city. Adjustments constantly occur in household membership and even in definitions of 'family,' allowing flexibility in composition and roles to confront the insularity of urban life while spreading resources and costs more effectively. Providing much the same support as do traditional extended families in Guatemala, these kin and ethnic support networks widen and are increasingly relied upon as Maya and their families grow older and increase their time in Los Angeles (Loucky 2000, 219-20).

More importantly, perhaps, for purposes of this article, the Maya adapted quite speedily in the 1980s and 1990s to the disadvantages of their typically undocumented status.

Survival strategies

The Guatemalan Maya continued to increase their presence in Los Angeles despite the closure of the IRCA's legalisation phase. In fact, they developed specially-tailored survival skills to meet the peculiarities of their circumstances. For example, they honed their thespian abilities, role-playing as themselves on some occasions and as Mexicans on others. According to Burns (1993, 158):

One of the survival strategies that developed in the Mayan diaspora community was the use of multiple nationalities. In California, false birth certificates and identity papers have long been available to migrants from Mexico and Central America, and young Guatemalan Maya [sic] men quickly learned that in the late 1980s it was easier to cross the border into California as a Guatemalan because one could easily claim to be a political refugee, but that, once in the United States, it was easier to move about with Mexican papers.

If there is one thing about the IRCA and its effects on the urban Guatemalan Maya that haunts the literature, it is the paucity of applicants who qualified legitimately under the Act's regulations, since most of them had arrived in the US after 1982.^{vii}

This led to a situation where, in many cases, legalisation might only be obtained through an asylum petition, despite the fact that systematic discrimination against Central Americans yielded extremely low approval rates. Alternatively, they could falsify documents to ostensibly meet the employer sanction requirements. Altogether, the IRCA's overall impact on Guatemalan immigrants in Los Angeles seems to have remained minimal.^{viii} By all accounts, the vast majority of the Guatemalan immigrant population remained without legal status or a viable avenue to achieve it. The Mayan community in Los Angeles bore a tremendous psychological burden as it had to cope with the constant threat of deportation and stigmatisation.^{ix}

Unionising in the sweatshops

Labour conditions for low-wage Hispanic workers in such fields as the textile and garment industry, building maintenance and industrial painting, were notoriously deplorable, while other common occupations were less hazardous but equally if not more exploitative, such as domestic work and child care. The Los Angeles garment industry, in particular, was substantially staffed by Central American immigrants—9.2 percent Salvadoran male, 11.4 percent Salvadoran female, 8.3 percent Guatemalan male, and 3.8 percent Guatemalan female (Hamilton & Chinchilla 2001, 78). Its labour practices were particularly opprobrious.^x Hispanic leaders in Los Angeles, especially members of the Mexican population, having had the longest history in the area, initiated innovative methods of managing the unmanageable, that is, of unionising undocumented immigrant workers. Soon the Central Americans followed suit, despite their understandable fears at exposing themselves to losing their jobs or to deportation.^{xi}

In a surprising turn of events, Los Angeles Mayor Tom Bradley publically embraced the cause of the Central American unions' demands for fairer working and housing conditions, and guaranteed access to quality health care, child care, educational and legal services.^{xii} Unfortunately, confined to ethnic ghettos and surrounded by the incidental effects of poverty (violence, crime, drug-trafficking and gangs), many Guatemalan youths found themselves slipping irremediably into lives of delinquency.^{xiii}

Central American IRCA pass rates

It is curious to note that, nationwide, Central Americans appear to have been substantially represented among the beneficiaries of the Act:

Under IRCA's amnesty program: 277, 642 Central Americans were able to legalize their status (60 percent of them Salvadorans; 25.4 percent, Guatemalans; and 6 percent, Nicaraguans, with the remaining numbers coming from other Central American countries). However, the majority of Central Americans arrived in the United States after January 1982, making them ineligible (Garcia 2006, 91–1).

The Center for Immigration Studies has announced that more than 85 percent of the nearly 3 million immigrants legalised under the IRCA hailed from Latin American countries, with Mexico and Central America affording an estimated 84 percent of all legalisations (Center for Immigration Studies).

There can be no question about the overwhelming representation of Hispanics in the pool of those legalised under the IRCA. What remains unaccounted for, nonetheless, is a reliable estimation of the proportion of Guatemalan Maya granted amnesty under the Act. To this author's knowledge, no such figures have been published in the mainstream academic literature. The only consensus among scholars of Guatemalan Maya in the US seems to be that they were generally less likely than their fellow Central Americans to participate in the process.

The IRCA has been labeled the single most successful amnesty program in the history of the US,^{xiv} having legalised nearly 3 million applicants (Smith & Edmonston 1997, 29). Nationwide, it has been reported that approximately two thirds of those eligible for legalisation applied (Woodrow & Passel 1990, 66),^{xv} a very encouraging statistic. Furthermore, the acceptance rate for amnesty applications was approximately 94 percent.^{xvi} Therefore, with all its warts and blemishes—including findings of widespread use of fraudulent documents to circumvent the employer sanction provisions (Bach & Bill 1991, 125)^{xvii}—the IRCA will stand as a landmark piece of Congressional legislation.

Nevertheless, it has been reported that the IRCA accomplished comparatively little toward granting amnesty to the Guatemalan Maya in the US. Consider, for example, the following affirmation relating to the Guatemalan Maya of Providence, Rhode Island:

In 1986, the Immigration Reform and Control Act (IRCA), designed to halt the growing flow of undocumented cross-border movement, legislated sanctions against businesses that hired 'illegal aliens' and legalized approximately 3 million undocumented immigrants who had arrived before 1982. Many Guatemalans, including most K'iche' [sic] in Providence, were too poorly informed, fearful, and traumatized to apply for the 'amnesty,' or they had arrived after the specified date (Foxen 2007, 114).

Other scholars working among Guatemalan Mayan communities in the US have reported similar results. Hagan (1994, 101), the leading academic voice on the Guatemalan Maya in Houston, Texas, has avowed the following:

By the time the doors to the legalization office closed on May 3, 1988, over half the core study sample had filed petitions, although less than 15 percent were technically eligible.

The same scholar also reports that the Houston INS office, the busiest in the nation according to the *Houston Chronicle*, had processed 113,870 applications by 1988, by means of which 99,592 individuals were granted temporary resident status (1994, 87), suggesting an approval rate slight lower than the national average (i.e. 88 percent vs 94 percent). Most of her sample group was technically ineligible under the law, much like the sample group studied in Rhode Island, but more than half of her subjects had no qualms about applying for legalisation. Unfortunately, there appears to be no mention of the pass rate for the Houston or the Rhode Island sample groups, making it difficult to assess the success of their efforts at taking advantage of the IRCA's provisions.

Men and Women of Maize

After serving 33 years in the US Foreign Service and having survived a kidnapping in Bogotá during his diplomatic tenure in Colombia, David Ascencio testified before Congress in 1990 as head of the Commission for the Study of International Migration and Cooperative Economic Development. According to the record, it appears that the Congressman charged with introducing him may not have been able to pronounce his surname without reference to a phonetic spelling inserted into the text in parentheses. The drafters of the IRCA had commissioned Ascencio and his committee to investigate the 'causes of undocumented immigration to the United States from the Western Hemisphere countries and to consult with the governments of migrant-sending countries in an effort to develop cooperative economic solutions to this long-standing and multifaceted problem' (Ascencio 1990, 7). His message could not have been any clearer: 'The issue for many countries is stark; they either export goods and services to create jobs at home, or they export people' (Ascencio 1990, 13).

In other words, the US either invests prudently and foresightedly in sustainable economic development with its neighboring sovereign states to the south, or it faces the prospect of endless waves of Hispanic and Indigenous-Latin American sojourners entering the country for purposes of survival. Clearly, either the US lacks the resources to stop undocumented immigration across its southern border or it has become so dependent on it for its domestic prosperity that it believes it cannot live without it. The latter theory tends to make more sense, given the seemingly incongruous patterns of restrictive immigration reform coupled with comparatively lax interior enforcement over the past three decades.

The IRCA could probably not have been drafted any better than it was. Why? Because it was created by Congressmen and Congresswomen whose narrow legal training tends to preclude them from understanding problems from interdisciplinary perspectives. They either know next to nothing about Latin American history and cultures, or they choose to categorise Latin American affairs under the rubric of national security or international trade, thereby dispensing with the challenge of engaging in genuine cultural discourse.

The author, only a child at the time, remembers seeing President Reagan on television, pointing to various graphs and charts purporting to prove that Central American communists could be in Texas, his home State, in a matter of days if they so chose, and that our nation might be exposed to the most vile sort of creatures on the planet; godless, barbaric, criminals who would destroy the glorious dreams of our founding fathers to build a shining city on a hill, a safe haven for freedom and democracy. Those people were not like us. They were dark, sinister personages. They spoke a strange language and they hated American values, demonstrated by their unpardonable engagement in guerrilla warfare against our noble, democratic allies in the southern hemisphere. They would stop at nothing to destroy us. Reagan was arguably wrong about the Sandinista threat, but he was certainly right about the imminence of mass migration of Latin Americans to Texas and beyond. After all, it does not take a genius to figure out that neocolonial enterprises in impoverished nations requiring prolonged violent oppression of massive numbers of civilians cannot be eternally sustainable. Eventually, the bubble will burst.

My uncle once saw an Algerian waving a banner of protest in Paris that read: 'We're here because you were there!' The same protest might have sprung from the mouths of the Guatemalan Maya in the US.

I concur wholeheartedly with Bustamente's (1990, 225) assessment that the IRCA was not drafted at all with the best interests of Latin American immigrants in mind, much less those of the Indigenous peoples of Guatemala:

[IRCA was] not created to limit the flow of undocumented immigrants, but to respond to political pressure from ideological factions that demanded legislation ... it was designed to channel undocumented Mexican immigrants into agriculture ... to provide a cheap labor force in which the continued presence of undocumented immigrants is a necessary element to lower the overall value of the labor force of legalized immigrants ... to easily get rid of undocumented immigrants in case of an economic recession ... and as an alternative to bilateral negotiations that might have increased the value of the labor force and facilitated the organization of migrant workers.

The empirical evidence attests to the truth of these determinations. Not necessarily the writings of left-wing propagandists or liberal Congresspersons, mind you, but the very studies commissioned by the US Labor Department. Consider, for instance, the following departmentally sponsored communiqué:

The farm labor force is becoming increasingly reliant on Latin American immigrants, particularly young Mexican men. Not only are most of today's younger workers Mexican immigrants, but the influx of undocumented workers has continued. Whereas historically, Latin Americans predominated only in certain areas, the trend is now spreading to regions where until recently farm labor was done by U.S. workers ... Farm wages, working conditions, and income levels have remained low in the post-IRCA period, and have actually deteriorated for certain segments of the population (Mines 1992, 1).

Agro-business could not have dreamed of a better deal. An endlessly revolving supply of economically immobile, politically neutered farmhands; and Congress signed and sealed this inhumane scheme, not without debate, but, for the majority, with a gleam in its eye.

What does this have to do, then, with the Guatemalan Maya and the IRCA's effects on them? To put it simply, it is a question of insisting on a modicum of historical criticism; a moral imperative, one might say, to explain why the Guatemalan Maya have every right to bear a banner echoing the cry of that Algerian man in Paris: 'We're here because you were there!

US foreign policy vis-à-vis Guatemala throughout the twentieth century has consistently been premised on the notion that Central American governments exist for the sole purpose of protecting US capitalistic enterprises in these aptly named 'banana republics'. Let this not be confused with conspiracy theory. The CIA itself disclosed much of the material that formed the basis of the now-classic treatise entitled, *The CIA in Guatemala: the foreign policy of intervention*, authored by Temple University historian Richard H. Immerman (1982), in which the repugnant details of US intervention in that nation are laid bare.

The US may not be responsible for the historically subjugated status of the Indigenous peoples of Latin America. But it is indeed responsible for covertly promoting a Guatemalan domestic policy that embraced systemic harassment, torture, and orchestrated genocide against the Guatemalan Maya. 'The only good Indian is a dead Indian'. General Sheridan may not have put it quite that way, but that is how the elocution has passed into US history. And it continues to linger in the collective unconscious of our nation. "Just shoot them all [meaning, the Guatemalan Maya]. I wish I had a gun. I'd take care of them", said an elderly cowboy standing behind the supermarket in Indiantown one day' (Burns 1993, 124). In situations such as these, one begins to question whether there is such a thing as moral evolution.

The Guatemalan Maya missed the IRCA train, not only because some were late to the stationhouse, but also because there were no booths staffed with personnel who could speak the over two-dozen Indigenous languages of their homeland. The IRCA's drafters had their eyes set on a much more familiar prize: those whose images appear on ceramic souvenirs, such as the dishware presented to my Mexican-American father as a wedding gift, portraying a swarthy youth donning a sombrero, sleeping under a cactus in a lethargic attempt at escaping the brutal flames of the Aztec sun. The INS scheduled the adjudication of what would amount to over 3 million IRCA applications to begin on May 5, 1987, *¡Cinco de mayo!*, perhaps the most renowned of Mexican holidays, now officially celebrated in pubs all over North America, from Los Angeles to Boston. Cortés conquered Tenochtitlán with feats of arms to bring the Aztec empire under the sway of the Spanish king. The US simply legalised a few million undocumented Mexican citizens, already within its midst—primarily those living in California, Illinois and Texas—and droves of Latin Americans, particularly the indigent, would be lured there this singular mirage.

Even had the Guatemalan Maya hitched a ride on the IRCA train, one cannot promise that great expectations awaited them. On the contrary, according to Chishti (1990, 190), the IRCA often took from its beneficiaries as much as it gave:

In the past, undocumented workers could seek the membership and protection of unions. Unfortunately, the new law adversely influences the ability of unions to organize and protect undocumented workers. If undocumented workers sign union cards, they may be fired but have no recourse. Prior to IRCA, this would have been an unfair labor practice, Post-IRCA, the union is defenseless: the employer, after all, cannot be asked to reinstate a worker who cannot lawfully work. Thus, employers will continue to hire the undocumented as long as it is suitable—at a low wage—and discourage them when it becomes convenient. Ironically, therefore, employer sanctions may achieve the exact opposite of their intended goal; depress wages and working conditions rather than improve them.

Conclusion

Chishti's words capture with great candor the ambivalent attitudes toward the IRCA that continue to pour forth from scholars' pens to this day. Many policymakers, such as the late Senator Edward Kennedy, expressed initial enthusiasm at the possibility of the first comprehensive legalization program in US history. But once the dream had become a reality, and enough time had passed to objectively evaluate its effects, it became clear that the IRCA had seemed to accelerate, rather than decelerate, the trend of unlawful migration across the US-Mexico border. Internally, the program suffered from a multiplicity of complications, from fraud, to inconsistent administration of the eligibility provisions, to lax enforcement with respect to the employer sanction provisions, and so on. I maintain that, given all the obstacles that lay in their path, Guatemalan Mayan physical and cultural resistance and continued survival in the land

which appeared unprepared to welcome them, pays tribute to their tenacity, constituting a most profound testament to their uncanny ability to withstand the tests of time. They are a timeless people, perhaps, but not a relic of the past. Like the maize so central to their culture, they seem to bloom wherever they are planted, even while facing the most inclement conditions.

Notes

ⁱ 'The studies are generally consistent in suggesting a decrease in the flow of illegal migrants across the U.S.-Mexico border, notwithstanding the difficulties of detecting an effect [of IRCA in this respect]' (Passell, Bean & Edmonton 1990, 262).

ⁱⁱ *American Baptist Churches v. Thornburgh* 760 F. Supp. 796 1991. 'American Baptist Churches v. Thornburgh' is a case filed against the U.S. Attorney General and the head of the INS that alleged they violated domestic and international laws when they denied asylum to Salvadorans and Guatemalans fleeing political repression in the 1980s. In the 1980s, approximately 500,000 Salvadorans and Guatemalans fled political repression and violence condoned by their governments and applied for refugee status in the U.S.—the vast majority were denied. The lawsuit was filed by the Center for Constitutional Rights (CCR) on behalf of eight religious organizations, including the American Baptist Churches in the U.S.A., the Presbyterian Church, U.S.A., the Unitarian Universalist Association, and the General Board of Church and Society of the United Methodist Church, against the U.S. Attorney General and the head of the INS. Plaintiffs alleged that defendants violated domestic and international laws which require that asylum determinations be made on a non-discriminatory basis without regard to the ideology of the country from which the refugee has fled, and that federal officers protect refugees fleeing conditions of war, persecution and widespread human rights violations. The lawsuit also charged U.S. government officials with interfering with the First Amendment religious rights of sanctuary workers, who have participated in individual and collective acts of resistance by providing "sanctuary" to refugees from those countries. It sought a court declaration that sanctuary is legal under international law and the 1980 Refugee Act. In October 1988, the court rejected the government's attempt to dismiss the case and granted CCR the right to litigate the issue of a pattern and practice of discrimination carried out by the INS by denying the asylum claims and refusing extended voluntary departure to these refugees. The court, however, held that international law does not provide a basis for refugee status in the U.S. and that only the domestic 1980 Refugee Act provides a basis for such relief. It also rejected the religious claim, stating that churches do not have "standing" to sue, and rejected the issue of religious harassment. Extensive discovery took place in the summer and fall of 1990, but a settlement was reached in 1991 before trial. As a result, many of the refugees who were denied asylum now had the opportunity to seek legal asylum in the United States because of the settlement, in which the INS agreed to readjudicate claims for refugee status which had been denied after 1980' (Center for Constitutional Rights. *American Baptist Churches v Thornburg*. Accessed 26 April 2011. <http://ccrjustice.org/ourcases/past-cases/american-baptist-churches-v.-thornburgh>).

ⁱⁱⁱ 'Since the enactment of the immigration reform act in 1986 (IRCA), however, more immigrants have looked for ways to stay in the area rather than to move up the immigrant stream with the uncertainties, low wages, family stress, and physically demanding work that comprises life as a migrant worker. The farmworker amnesty portion of IRCA has been especially important in Indiantown. This provision gives

resident alien status to farmworkers who are not eligible under the provisions of the law that granted legal status for undocumented immigrants who came after 1982. An undocumented immigrant who came after 1982 and worked a total of ninety days in agricultural labor between 1985 and 1986 is eligible [...] Those who have arrived after 1986, when provisions for legal residency could not be obtained under the law, have used political asylum as a strategy to obtain working papers for the temporary period of one year. Using political asylum to obtain work authorization is complicated by the existence of a large number of asylum applicants from the early 1980s whose cases were extremely sound, being based on the violence that was consuming much of the northwestern highlands of Guatemala at that time. More recent asylum seekers, who tend to have less sound cases, have switched from applying through recognized legal assistance programs to using notary publics in Miami who fill out asylum papers for whatever price they can get' (Burns 1993, 90–1).

^{iv} 'The other alternative for those who do not qualify for legal status under IRCA provisions is to work at construction jobs where day laborers are given seventy-two hours to apply for a work permit. This allows these industries to maintain a large labor pool of very transient workers. Many workers have, of course, developed strategies to maximize the employment opportunities within this structure. They move from job to job every seventy-two hours or give false names and social security numbers to gain subsequent seventy-two hour periods of work' (Burns 1993, 116).

^v 'The 550-person Morganton workforce, estimated in 1995 as 80 percent Latino (of which 90 percent were Guatemalan immigrants), and 80 percent male, highlights the crucial role that a new Hispanic migration is playing in the U.S. labor force, a role that requires a revised exploration of 'working-class community' as well as a new assessment of both potential resources and obstacles facing organized labor in a changing political climate' (Fink & Dunn 2000, 175).

^{vi} 'Guatemalan Mayas have also benefited from immigration legislation that in 1986 provided an opportunity for most undocumented Mexicans who had lived in the United States for many years to acquire legal standing and move into better employment in the visible economy. This left open the underground employment sector: agricultural piece work, sweat shops, day labor in construction, etc., for the new immigrants to fill. Many moved right into the traditional agricultural migrant stream that most Mexicans were simultaneously abandoning' (Wellmeier 2000, 150 n2) .

^{vii} 'Some Central Americans received legal status through the 1986 Immigration Reform and Control Act (IRCA), which provided amnesty for undocumented immigrants who arrived before 1982, but this cutoff date excluded most Central Americans who arrived in the 1980s' (Hamilton & Chinchilla 2001, 251 n8).

^{viii} '[The] enactment of the Immigration Reform and Control Act (IRCA) in 1986, [...] penalized employers who hired undocumented workers. At the same time, the act provided amnesty for immigrants who could demonstrate that they had been in the country since 1981. The impact on the actual employment of immigrants appears to have been minimal, largely due to lax implementation, although it did result in a flourishing business in false documents which could be used to "prove" legal status and which were sold at key intersections in immigrant neighborhoods throughout the Los Angeles area. In some instances IRCA gave owners more leverage in hiring undocumented immigrants at subsistence wages, and enabled unscrupulous employers to play on fears of immigrants by threatening to report them to INS.

Some Central Americans were able to take advantage of the amnesty provision, but since most came after 1981, only a small number could do so' (Hamilton & Chinchilla 2001, 79).

^{ix} 'Like the Mexican immigrants who came escaping the economic crisis of the 1980s, Salvadorans and Guatemalans were classed as 'economic migrants' and experienced the stigma of illegality and the fear of deportation as well as the trauma many suffered as a result of the violent conditions they had escaped. For some, the situation was mitigated through the amnesty provisions of the 1986 Immigration Reform and Control Act, but the vulnerability of those not eligible increased' (Hamilton & Chinchilla 2001, 223).

^x 'According to one source, apparel workers in the United States earn less in real wages today than they did in 1955, although productivity has doubled (Howard 1997, 158). Because of the vicissitudes of the market, work is insecure and jobs may disappear if the demand is low. Manufacturers may also refuse to pay for garments that are allegedly not well made. Benefits are few to non-existent, and working conditions are frequently unhealthy and often dangerous. According to a 1994 survey of the conditions in the California garment industry, 50 percent did not pay the minimum wage and 93 percent were guilty of health and safety violations (Suro 1998, 96). Unionization is actively discouraged by employers. A Salvadoran garment worker who had been active in a union in El Salvador where she learned to 'fight for my rights' has not joined a union in Los Angeles, because to 'speak of unions is to lose your job.' Workers also confront the 'stitch and ditch' phenomenon whereby contractors close down a shop overnight and locate elsewhere if threatened with unionization, or simply disappear, owing workers for a week's work or more' (Hamilton & Chinchilla 2001, 83).

^{xi} 'The hiring of immigrant Mexican organizers, beginning in the 1970s, marked the beginning of an increased union emphasis on the needs of immigrant, including undocumented, workers. The difficulties of unionizing an undocumented workforce in a fragmented and unstable industry also led the ILGWU to emphasize other types of activities. With the passage of IRCA in 1986, the ILGWU established clinics to advise undocumented workers of their rights. In 1990 it launched its Campaign for Justice, which formed Justice Centers in Los Angeles and other cities to advise workers with complaints regarding wages and working conditions and to offer classes in literacy and English [...] Despite their vulnerability, some Salvadoran, Guatemalan, and Mexican as well as Asian immigrants have joined strikes, formed unions, and participated actively in other labor initiatives' (Hamilton & Chinchilla 2001, 83–4).

^{xii} 'Mayor [Tom Bradley's] Advisory Committee called for additional studied of certain areas, such as the economic impact of Central American immigrants; urged due process in the application of laws respecting asylum for Guatemalan and Salvadoran applicants and the enforcement of labor legislation and housing codes; and advocated support for organizations providing services such as legal counseling and legal representation, education, health and medical care, and child-care programs needed by Central Americans and others. Although the report did not receive much press coverage, it did provide documentation of community needs and represented official recognition of their importance. The report also served to raise the consciousness of public officials about the impact of Central American immigration and the IRCA reforms on Los Angeles' (Hamilton & Chinchilla 2001, 139).

^{xiii} 'The dynamic growth of Los Angeles as a multiethnic center, combined with economic changes and spatial patterns, also affected Central American settlement patterns and experience. For the most part, new Central American immigrants were drawn to low-income residential areas near places of work that

were affordable and often had the advantage of a predominantly Spanish-speaking population—Mexican and Mexican American, or mixed Mexican and Central American. But these were also inner-city areas with inadequate housing, deteriorating schools, and insufficient recreation facilities, conditions that were aggravated by the passage of Proposition 13 at the end of the 1970s. By the late 1980s, the increase in drugs and crimes had become a major problem in many of these areas, and some Salvadoran and Guatemalan youth were among those drawn into gangs such as the Eighteenth Street gang and Mara Salvatrucha' (Hamilton & Chinchilla 2001, 223–34).

^{xiv} 'Not even IRCA's staunchest critics can deny the success of the legislation program: the numbers speak to its success. It legalized nearly 2 million applicants [Note: nearly 3 million is now considered the most reliable estimate]. In fact, it will probably be recorded as the single most ambitious and successful program in the history of U.S. immigration policy, considering the size and the proportion of the estimated eligible population whose status has been legalized' (Hagan 1994, 9).

^{xv} '[A]bout two thirds of those who appear to have been eligible for the general amnesty (based on their dates of entry) actually applied' (Woodrow & Passel 1990, 66).

^{xvi} 'In 1986, Congress passed the Immigration Reform and Control Act (IRCA). This legislation had two major facets: amnesty and enforcement. IRCA provided amnesty to aliens who had completed one of two stipulations: they had resided continually in the U.S. since January 1982 or they had completed 90 days of agricultural work between May 1985 and May 1986. The acceptance rate for amnesty applications was about 94 percent, eventually giving legal status to approximately 3 million. It is estimated that one-fourth of the cases accepted were fraudulent. In 2000, IRCA was extended through Late Amnesty, which allowed those fighting their original denial to reapply. As of June 2007, 15,000 Late Amnesty cases are still pending from IRCA. The 1986 legislation also contained enforcement provisions to prevent future illegal entry. The provisions prohibited the hiring and harboring of illegal aliens, but few resources were allocated to enforce these laws. Poor funding essentially tied the hands of enforcement officials. This created a lopsided 'grand compromise' that fueled later generations of illegal aliens' (Center for Immigration Studies. *Immigration History*. Accessed 26 April 2011.

<http://www.cis.org/ImmigrationHistory>).

References

Asencio, D. 1990. 'Report of the Commission for the Study of International Migration and Cooperative Economic Development.' Hearing before the House Committee on Foreign Affairs. House of Representatives. One Hundred First Congress. Second Session. July 24, 1990. U.S. Government Printing Office.

Bach, R.I. & Bill, H. 1991. 'Impact of IRCA on the U.S. labor market and economy: final report to the U.S. Department of Labor'. State University of New York at Binghamton.

Burns, A.F. 1993. *Maya in exile: Guatemalans in Florida*. Temple University Press.

Burns, A.F. 2000. 'Indiantown, Florida: The Maya diaspora and applied anthropology'. In *The Maya Diaspora: Guatemalan roots, new American lives*. Edited by J. Loucky & M. M. Moors. Temple University Press.

Bustamente, J.A. 1990. 'Undocumented migration from Mexico to the United States: preliminary findings of the Zapata Canyon Project'. In *Undocumented migration to the United States: IRCA and the experiences of the 1980s*. edited by J. S. Passel, F. D. Bean and B. Edmonston. The Urban Institute Press.

Camposeco, J. 2000. 'A Maya voice: the refugees in Indiantown, Florida'. In *The Maya Diaspora: Guatemalan roots, new American lives*. Edited by J. Loucky & M. M. Moors. Temple University Press.

Center for Immigration Studies. <http://www.cis.org/IRCAAmnesty-10YearReview>

Chisti, M.A. 1990. 'The impact of IRCA's employer sanctions provision on workers and workplace'. In *In Defense of the alien, Volume XII: impacts and consequences of IRCS; legalization, social services and health; IRCA's employer sanctions provisions; legal immigration reform; refugee policy issues*. Edited by L.F. Tomasi. Center for Immigration Studies.

City of Morganton. The Official Website of the City of Morganton. Updated October 30, 2009. <http://www.ci.morganton.nc.us>

Fink, L. 2003. *The Maya of Morganton: work and community in the nuevo new south*. The University of North Carolina Press.

Fink, L. & Dunn, A. 2000. 'The Maya of Morganton: exploring worker identity within the global marketplace'. In *The Maya Diaspora: Guatemalan roots, new American lives*. Edited by J. Loucky & M. M. Moors. Temple University Press.

Foxen, P. 2007. *In search of providence: transnational Mayan identities*. Vanderbilt University Press.

Garcia, M. C. 2006. *Seeking refugees: Central American immigration to Mexico, the United States and Canada*. University of California Press.

Hagan, J.M. 1994. *Deciding to be legal: a Maya community in Houston*. Temple University Press.

Hamilton, N. & Chinchilla, N.S. 2001. *Seeking community in a global city: Guatemalans and Salvadorans in Los Angeles*. Temple University Press.

Immerman, R.H.. 1982. *The CIA in Guatemala: the foreign policy of intervention*.

Loucky, J. & Moors, M.M. 2000. 'The Mayan diaspora: Introduction'. In *The Maya Diaspora: Guatemalan roots, new American lives*. Edited by J. Loucky & M. M. Moors. Temple University Press.

Loucky, J. 2000. 'Maya in a modern metropolis: establishing new lives and livelihoods'. In *The Maya Diaspora: Guatemalan roots, new American lives*. Edited by J. Loucky & M. M. Moors. Temple University Press.

Lovell, W.G. & Lutz, C.H. 1994. 'Conquest and population: Maya demography in historical perspective' *Latin American Research Review* 29(2).

Mines, R. 1992. 'U.S. farmworkers in the post-IRCA period: based on data from the National Agricultural Workers Survey'. Appendix I of the Report of the Commission on Agricultural Workers Submitted to Congress in November, 1992.

Passel, J.S., Bean, F.D. & Edmonston, B. 1990. 'Undocumented migration since IRCA: an overall assessment'. In *Undocumented migration to the United States: IRCA and the experiences of the 1980s*. edited by J. S. Passel, F. D. Bean and B. Edmonston. The Urban Institute Press.

Pope Leo XIII. 1891. *Rerum Novarum: Encyclical of Pope Leo XIII on Capital and Labor* (accessed 25 April 2011).

http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_lxiii_enc_15051891_rerum-novarum_en.html.

Roberts, M.A. 1987. *Understanding the 1986 Immigration Law: A practical analysis*. Stephen Yale-Loehr, ed. Federal Publications Inc.

Smith, J.P. & Edmonston, B. (eds.) 1997. *The new Americans: economic demographic and fiscal effects of immigration*. National Academy Press.

United Nations. *Instraw*. (accessed 26 April 2011) http://www.un-instraw.org/index.php?option=com_content&lang=en&id=340&task=view&Itemid=449

Wellmeier, N.J. 2000. 'La Huerta: transportation hub in the Arizona desert'. In *The Maya Diaspora: Guatemalan roots, new American lives*. Edited by J. Loucky & M. M. Moors. Temple University Press.