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The high price of freedom

By Yvonne Abraham | GLOBE COLUMNIST SEPTEMBER 07, 2014

It was the luckiest of breaks, in a life long overdue for one.

Manuel Ordonez-Quino sat in a detention center in El Paso, awaiting deportation to Guatemala. Swept up in the massive raid on a New Bedford factory in 2007, immigration officials said he had agreed to leave the country.

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But some of his fellow detainees told lawyers that was impossible. Ordonez-Quino was deaf, they said. An indigenous Maya, he spoke only Quiché, not English or Spanish. He could not have understood what was happening to him, let alone agreed to it. So John Willshire-Carrera and Nancy Kelly of Greater Boston Legal Services and the Harvard Refugee Program took on his case.

That one stroke of good fortune will change not only Ordonez-Quino's life, but many others.

He was born in Zacualpa, in Guatemala's center, in the midst of a bloody civil war. His village was targeted by the army, as were other Maya communities. They bombed and razed these places, killing Maya and forcing others to flee.

“This happened many times, in the morning, in the afternoon, I cannot tell how many times this happened,” he said, speaking through translators at his attorneys’ offices last week. He is a small man, and child-like, with a voice that is soft and thin.

In 1980, when Ordonez-Quino was 6, his father put him on his shoulders and ran from the bombs dropping from helicopters.

“The bomb went off right next to us and I fell,” Ordonez-Quino said. He was gravely injured. His family fled to the mountains, and tried home remedies on him. He recovered, but was left almost completely deaf. His speech did not develop, and he is able to comprehend only simple questions.

Being deaf made him even more vulnerable than other Maya, targeted by the gangs that have turned his country into a different kind of battlefield in recent years. Unable to hear his attackers coming, he was a sitting duck. In Guatemala City, Ordonez-Quino was jumped at a bus stop, beaten until he lost consciousness.

He had to get out. His family paid a smuggler to get him across the border, in 2005. He found work at the Michael Bianco factory in New Bedford, making backpacks. Two years later, immigration officers raided the factory, rounding up 361 workers. Of those, about 160 were deported. Greater Boston Legal Services took the cases of about 120 of those who remained. So far, about a third of those have won permission to stay.

Twice, Ordonez-Quino’s request to remain in the United States was denied. Then, in July, a federal appeals court in Boston overruled the lower authorities, issuing a decision immigration attorneys say is remarkable. It recognizes what happened to indigenous people like Ordonez-Quino as genocide, asserting that they were targeted for persecution because of their race — a recognition other immigration judges have long bent over backwards to avoid.

The finding will probably make it easier for indigenous Guatemalans to make successful asylum claims.

“This is huge for us,” said Willshire-Carrera. For indigenous Guatemalans seeking asylum in the United States, “this puts race on the table,” especially, the judge specified, when applicants suffered harm as children.

It is a recognition long overdue. There will be many who will see something worrying in Ordonez-Quino’s victory. We have enough of our own people to take care of, the argument goes. What happens in Central America shouldn’t be our problem.

That overlooks America’s role in the war that laid waste to Ordonez-Quino’s life, and to hundreds of thousands of others.

For decades, the United States government propped up the very government forces that carried out ethnic cleansing, discounting their brutality out of some misguided sense that the Guatemalan regime was protecting us from the scourge of Communism.

It overlooks, too, this country’s proud tradition of embracing people who have suffered as Ordonez-Quino has.

The 40-year-old has a ways to go before he can enjoy that embrace. The federal court sent his case back to the lower court, which will decide his asylum claim. But it’s likely he’ll be allowed to stay.

“I feel very happy that I’m free,” he said. “I feel secure here.”

He has paid a high price for it.

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