

A lawyer for the missing: not arrested means that person is dead .
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Scene

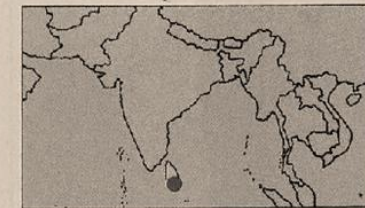
Matara, Sri Lanka

A Lawyer for The Missing

"Not arrested" means that a person is dead

BY EDWARD W. DESMOND

No one sees the anguish caused by Sri Lanka's civil war more clearly than human rights workers. They take down the names of the missing; they offer cautious words of hope to the next of kin; they check out a missing person's name with the local military commander. Quite often, the answer from the authorities is "Not arrested." In Sri Lanka that means dead.



man. "Two men were killed, but not your son. Their names were Badawel and Gagarin."

Silva threw back his head, his mouth open in a silent scream that seemed to go on and on. One of Wijesekera's aides rushed to Silva's side and helped him to sit down. After a while, tears running down his hollow cheeks, he managed to say, "Gagarin is also my son's name."

Wijesekera seemed unmoved—but



Wijesekera with visitors: one out of ten hears the dread words

"I am not happy about it, but what can I do?" the lawyer asked. "I am not going to bend my neck and live like a dog."

Every day Mahinda Wijesekera, 46, a human rights activist, lawyer and opposition Member of Parliament, receives about a dozen people at his home in Matara, a seaside town on the island's southern tip. All are seeking help. A few weeks ago, H.A.P. Charlis Silva, 62, a razor-thin retired bus driver, came calling; he told Wijesekera that he was searching for his missing son, who had been in a house in a nearby village a few days earlier when soldiers burst in and took away the occupants. "I know about that incident," replied Wijesekera, a bearded, broad-shouldered

then, it is difficult to be moved anymore in Sri Lanka. He later acknowledged that he had been caught off guard by Silva's reaction, but added that he thought the old man must have had an inkling that his son was dead. That morning Silva's youngest son had found in the village some severed fingers, thrown down by an unknown person. What Wijesekera did not tell the father was that the son's body had been dismembered and the pieces scattered. A villager who saw some of the remains told Wijesekera they belonged to a man named Gagarin. Who had killed

him? The assumption in Matara was that the army was responsible.

Had the son been a member of the J.V.P., the Sinhalese terrorist organization that is at war with the Sri Lankan government? "I don't know," Wijesekera said. "The father says no. But it is possible that he does not know."

Wijesekera assured Silva that he would call the local army commander to try to confirm the son's death. "If the commander says, 'Sorry, not arrested,'" Wijesekera explained, "then that means they have destroyed the man. But they never admit this to me." For half an hour after receiving the news, Silva stared out the window of Wijesekera's office, his face an expressionless mask.

Most of the people who seek Wijesekera's help eventually learn that a missing relative is in government custody. But one out of ten hears the dread words "not arrested." Wijesekera seems preoccupied as he recites these facts—the tragedies of others are a reminder of the dangers he himself faces. The J.V.P. has threatened to kill him because he ignored their election boycott and ran for a seat in Parliament. The terrorists have already assassinated five of his close friends, all of whom campaigned for him.

The J.V.P. also burned down his ancestral home in a nearby village. When that happened, Wijesekera's terrified landlord evicted him from the house he rented in Matara. Whenever Wijesekera drives the 100 miles to Colombo, he varies his schedule to throw any would-be assassin off his track. He travels everywhere with his wife and four small children and is accompanied by government-provided bodyguards.

He is not unaware of the fact that some of the killing is being done by people who are working for the government. "I am not happy about it, but what can I do? I am not going to bend my neck and live like a dog." Besides, he adds, he is hardly a friend of the government's either. Twenty years ago, he was a member of the J.V.P. and, subsequently, spent four years in jail for that association. Policemen, he says, killed his brother, a J.V.P. militant. Wijesekera is still a leftist, but he has renounced many of his former views. "I have rejected the J.V.P.'s violence," he says. "This is not revolution."

There are few consolations these days in Sri Lanka, least of all for a human rights lawyer. But there are moments that Wijesekera treasures. While the bereaved Silva still sat in the office, an elderly woman arrived to report that she had talked with the military commander in Matara and had been permitted to see her detained son. Wijesekera had inquired earlier about the son's condition, and the intervention had apparently helped. "They let her see him," the lawyer said, barely acknowledging the woman's effusive thanks. "It's a very good sign. It means that his life is not in danger."