

Peace and Human Rights in Sri Lanka: The Struggle for Marginalised Communities to Advocate for Justice

Perdamaian dan Hak Asasi Manusia di Sri Lanka: Perjuangan Masyarakat Marjinal dalam Mengadvokasi Keadilan

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ABSTRACT: Peace and human rights serve as a check on the dominant or majoritarian culture. An absence of human rights is conducive to weak democratic forms, unequal social and political relations, marginalisation, oppression and, in some cases, criminalisation of communities. Such a scenario can be found in Sri Lanka. This paper expands upon a principal research project which found that the marginalisation of participants arose from aspects of their particular identities, including diverse sexualities and genders, races, ethnicities, religions and youth. The principal research was informed by intersectionality, social interactionism, interviews and interpretative phenomenological analysis. This paper was composed out of the research results and was further structured by literature review. People's marginalisation, oppression and exclusion are related directly to the absence of peace and human rights manifested through injustices and structural barriers that frustrated social and political participation.

ABSTRAK: Perdamaian dan hak asasi manusia berfungsi sebagai pengawas terhadap budaya dominan atau mayoritas. Ketidadaan hak asasi manusia kondusif bagi bentuk-bentuk demokrasi yang lemah, hubungan sosial dan politik yang tidak setara, marginalisasi, penindasan, dan dalam beberapa kasus, kriminalisasi terhadap masyarakat. Skenario seperti ini dapat ditemukan di Sri Lanka. Makalah ini merupakan pengembangan dari proyek penelitian utama yang menemukan bahwa marginalisasi para partisipan muncul dari aspek-aspek identitas khusus mereka, termasuk keragaman seksualitas dan gender, ras, etnis, agama, dan pemuda. Penelitian utama ini didasari oleh interseksionalitas, interaksionisme sosial, wawancara, dan analisis fenomenologi interpretatif. Makalah ini diinformasikan oleh hasil-hasil penelitian tersebut dan selanjutnya diinformasikan oleh tinjauan literatur. Peminggiran, penindasan, dan pengucilan masyarakat terkait langsung dengan ketidadaan perdamaian dan hak asasi manusia yang dimanifestasikan melalui ketidakadilan dan hambatan struktural yang menggagalkan partisipasi sosial dan politik.

Keywords:

indigeneity,
intersectionality,
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1 Introduction

The experience of marginalised communities in Sri Lanka suggests that peace and human rights are not adequately addressed. A dominant narrative within the country about marginalisation and oppression based on race, language and religion has been apparent since independence. However, in Sri Lanka, this narrative is restrictive and denies oxygen to people who either do not fall within the dominant discourses concerning race, language or religion (such as Sinhala, Tamil, Buddhist or Christian) or because of other characteristics, (such as gender, sexuality, age or disability) also facing marginalisation, oppression, and in some cases criminalisation.

The principal research located within a peace and conflict studies framework was informed by the work of the peace scholars Johan V. Galtung and Paul D. Scott and framed by intersectionality. Galtung and Scott hypothesised that peace with justice can be established by reference to democracy and human rights. Patricia Hill Collins and Sirma Bilge argued that to understand social inequality, people's lives and the organisation of power, it is better examined through the many axes of social division.¹ Intersectionality enables such examination.¹ With these parameters in mind, the principal research examined not only the experiences of people with diverse races, languages and religions but also that of people with diverse genders, sexualities and ages. It is found that people with diverse identities experienced the same or similar forms of marginalisation due to the absence of democratic and rights-based entitlements in the social and political structures around and above them. The additional research of literature also suggests that the marginalisation experienced by the indigenous peoples of Sri Lanka is similar to that of those experienced by non-indigenous peoples and they occur due to the same social and political structures. This paper reflects upon the findings of the principal research, examines the literature relating to indigenous peoples in Sri Lanka, and determines that the evidence available leads to the conclusion that their marginalisation emanates from the same structural barriers.

Sri Lanka is in the north Indian Ocean, off the south-east corner of the Indian sub-continent (see Figure 1). Its ancient histories include both indigenous peoples and immigrants. Waves of Aryan and Dravidian migration from north and south India, Arab seafarers and traders, and European colonialists progressively settled on the island throughout the last millennium. Independence from colonial rule arrived in 1948 infusing the early political, judicial and social institutions with a British character.

Figure 1. Map of Sri Lanka



Source: analysed by the author

¹ Patricia Hill Collins and Sirma Bilge, *Intersectionality* (Cambridge: Polity Press, 2016), 2.

The peace scholars Johan Galtung and Paul Scott theorised that peace with justice is achievable by reference to democracy, human rights and development.² They asserted that ‘democracy is a feedback loop between rulers and ruled, with signals and dissent, meaning acceptance or rejection.’³ Such processes foresee a normative civic space within a democratic social and political landscape, enabling the participation of all people through dialogue and action. Advocacy and the freedom to speak through civic space, or civil society, is therefore fundamental to a human-rights based society and a participatory democracy.⁴ These themes of inquiry formed the basis of semi-structured in-depth interviews from which emergent themes arose. Accordingly, when seeking to answer the following principal research question, the participants in the study demonstrated a diverse set of views, understandings and experiences of peace with justice, democracy, human rights, and civil society in Sri Lanka.

*Viewed through the experiences of people from marginalised communities within Sri Lanka, and with a particular focus on people from the LGBTIQ community, what civil society space is available for marginalised people in Sri Lanka to participate in the social and political fabric of the post-civil war state?*⁵

The marginalisations experienced by research participants were examined through an intersectional lens, illuminating how power relations were intertwined across different social categories and identities, such as race, class, gender, sexuality, dis/ability, ethnicity, nationality, religion, and age.⁶ It is by recognising these intersecting experiences that marginalisation and structural barriers are observed with clarity.⁷ The principal research shone a particular light on the community of people who faced discrimination, oppression and criminalisation because of their diverse sexual orientation, gender identity and expression (SOGIE) generally and who was identified with the Lesbian Gay Bisexual Transgender Intersex and Queer (LGBTIQ) community specifically. As Dennis Altman warned, ‘For those who are oppressed always know more of what is above them than *vice versa*’.⁸

Whilst intersectionality enabled the collection of data from people who identified with other marginalised communities, such as the Sinhala and Tamil communities, it was also the case that the contemporaneous social and political structures imposed restrictions on both people’s participation in research interviews as well as on the researcher’s own agency.⁹ Accordingly, the principal research was not able to capture the experiences of people from some marginalised communities in Sri Lanka. People from indigenous communities, for example, were deemed not accessible to the researcher during that time. Whilst the indigenous inhabitants of Sri Lanka, the Vedda (or Wanniyala-Aetto) peoples, appeared to have continued their cultural practices on their lands, at least until independence, the literature suggested that post-independence the Vedda became increasingly isolated as successive Sri Lankan governments ‘interfer[ed] in various ways in [their] lifestyle.’¹⁰

This paper arises from the author’s principal doctoral research on peace, human rights, democracy, civil society and marginalised communities in Sri Lanka; his professional and social experiences living across Asia and the Pacific, including his relationships with marginalised communities in Sri Lanka and, by cross-referencing knowledge gleaned during the principal research exercise with relevant literature available about the Vedda communities. It is not a study of the Vedda people per se, but an exploration, based on both individual experiences and the literature review, of whether a common set of structurally induced marginalities arise across multiple communities.

2 Johan V. Galtung and Paul D. Scott, *Democracy, Peace, Development* (Kolofo Press, 2008), 25.

3 Galtung and Scott, 16.

4 Benjamin R. Barber, *Strong Democracy: Participatory Politics for a New Age* (London: University of California Press, Ltd., 2003), 117.

5 Scott Hearnden, “Strengthening Peace with Justice in Sri Lanka: Exploring the Space Available for Civil Society to Function - Interpreting Voices from Marginalised, Vulnerable and Oppressed Communities” (PhD Thesis, University of Sydney, 2020), <https://ses.library.usyd.edu.au/handle/2123/24000>.

6 Collins and Bilge, *Intersectionality*, 7. See also M. Romero, *Introducing Intersectionality*, Short Introductions (Cambridge: Polity Press, 2018). See also discussion on Categorical Theory in R.W. Connell, *Gender and Power: Society, the Person, and Sexual Politics* (Cambridge: Polity Press/Blackwell Publishers, 1987), 54–64.

7 Martha Nussbaum, “Compassion: The Basic Social Emotion,” *Social Philosophy and Policy* 13, no. 1 (1996): 35, <https://doi.org/10.1017/S0265052500001515>.

8 Dennis Altman, *Homosexual: Oppression and Liberation*, Revised Edn (Ringwood, Victoria: Penguin Books Australia, 1973), 24–25.

9 Scott Robert Hearnden, “Strengthening Peace with Justice in Sri Lanka: The Struggle for Agency to Research,” *Social Alternatives: A Sustainable Peace* 42, no. 1 (April 1, 2023): 31–39, <https://doi.org/10.1017/S0265052500001515>.

10 Lasanthi Manaranjanie Kalinga Dona, “Indigenous Voices Within the Majority-Minority Discourse in Sri Lanka,” *Musicological Annual* 55, no. 2 (December 13, 2019): 204–5, <https://doi.org/10.4312/mz.55.2.201-224>; Shashi Kumar, “Indigenous People in South Asia and International Law,” in *Shifting Horizons of Public International Law: A South Asian Perspective*, ed. J.L. Kaul and Anupam Jha (New Delhi: Springer (India) Pvt. Ltd., 2018), 79–80, https://doi.org/10.1007/978-81-322-3724-2_4.

The principal research was situated within a peace and conflict studies framework and informed by intersectionality. The data were collected through 22 participant interviews from a cross-section of marginalised communities (Tables 1 & 2). Whilst none of the participants was identified directly with the Vedda community, the author argued that the experiences of non-Vedda marginalised people, whose experiences and voices are articulated in the research, point to a common set of structural barriers and as identified in the literature are also common to Vedda people. It is therefore reasonable to posit that Vedda people's experiences, well documented through sources in the literature, are frustrated by the same structures of power as other marginalised communities in Sri Lanka.

Table 1 Principal Group – Principal Research Participants identified as being from the LGBTIQ Community

	Pseudonym, Date of Interview Conduct (2)	Researcher Location (4)	Gender Identity (3)	Nationality/Race- Ethnicity/Religion	Age Percentile (Approx)	Sector
1	Kate 21 November 2013 F2F	Bangkok	Female	Sri Lankan/Ethnicity unknown	41-50	Civil Society NGO
2	Deepak 15 July 2015 F2F	Bangkok	Male	Sri Lankan/Sinhala Buddhist	21-30	Civil Society Trust-NGO
3	Anand 20 August 2015 F2F	Jakarta	Male	Sri Lankan/Tamil Hindu	41-50	Civil Society NGO
4	Hilol 9 March 2016 F2F	Bangkok	Male	Indian/Brahmin Hindu	41-50	Civil Society NGO
5	Lasantha 14 March 2016 Skype	Jakarta	Male	Indian/Brahmin Hindu	41-50	Civil Society NGO
6	Kasun 27 March 2016 Skype	Jakarta	Male	Sri Lankan/Sinhala Buddhist	21-30	Civil Society NGO
7	Gloria 1 June 2016 Skype	Jakarta	Female	Anglo-Celtic Unknown	31-40	Embassy and/or High Commission
8 FG1(1)	Ramaya 14 June 2013 F2F 12 July 2016 Email	Bangkok Jakarta	Female	Sri Lankan/Other South Asian No religion	41-50	Civil Society NGO and International Org.
9 FG1(1)	Margaret 14 June 2013 F2F	Bangkok	Female	European No religion	41-50	Civil Society NGO

Source: analysed by the author

Legend Both Tables 1 & 2

(1) FG means Focus Group.

(2) Conduct: F2F Face to Face and in person.

(3) Gender identity is defined by the Yogyakarta Principles and discussed in this Chapter.

(4) Participant locations are not indicated for security and anonymity reasons.

Table 2 Alternative Group – Principal Research Participants from other communities identified as being from the non-LGBTIQ Community

	Pseudonym, Date of Interview Conduct (1)	Researcher Location (4)	Gender Identity (2)	Nationality/Race- Ethnicity/Religion	Age Percentile (Approx)	Sector
1	Robert 30 March 2016 Skype	Jakarta	Male	Sri Lankan/Sinhala Buddhist	41-50	International Org.
2	Navalan 22 April 2016 F2F	Sydney	Male	Sri Lankan/Tamil Unknown	31-40	Civil Society Media and NGO
3	Henry 24 April 2016 F2F	Sydney	Male	Sri Lankan/Tamil Christian	61-70	Civil Society Media and Academia
4	Kathy 9 June 2013 F2F 29 May 2016 Skype	Bangkok Jakarta	Female	American Religion: Unknown	51-60	International Org.
5	Justin 15 June 2016 Skype	Sydney	Male	Sri Lankan/Tamil Christian	51-60	Civil Society Faith Based
6	Anurupa 1 July 2016 Skype	Jakarta	Female	Sri Lankan/Tamil Hindu	51-60	International Org. & Govt Agency
7	Nehamana 6 July 2016 Skype	Sydney	Female	Sri Lankan/Sinhala Buddhist	Unknown	Civil Society Research
8	Anne 17 July 2016 Skype & email	Jakarta	Female	American Religion: Unknown	61-70	Civil Society Academia
9	Marie 27 July 2016 Skype	Jakarta	Female	American Religion: Unknown	61-70	Civil Society Academia
10	Annarita 15 August 2016 Skype	Jakarta	Female	Sri Lankan/Sinhala Buddhist	51-60	Civil Society Research and Trade Union

	Pseudonym, Date of Interview Conduct (1)	Researcher Location (4)	Gender Identity (2)	Nationality/Race- Ethnicity/Religion	Age Percentile (Approx)	Sector
11 FG2	Nigel 23 July 2013 Skype 18 May 2016 Skype	Jakarta Jakarta	Male	Sri Lankan/Sinhala No religion	41-50	Civil Society NGO
12 FG2	Wena 23 July 2013 Skype 18 May 2016 Skype	Jakarta Jakarta	Female	Sri Lankan/Sinhala Buddhist	41-50	Civil Society NGO
13 FG2	Manik 23 July 2013 Skype	Jakarta	Male	Sri Lankan/Sinhala Buddhist	21-30	Civil Society NGO

Source: analysed by the author

In 2004 the sociologist Adam Jamrozik identified barriers to social justice based on race, ethnicity, culture, religion, language, gender, or place of birth.¹¹ These parameters have been popular in much academic research, including Sri Lanka. The principal research broadens this scope to include the experiences of people facing structural barriers on other grounds, including gender, sexuality and age. It is the articulated suite of experiences of people from marginalised communities in the principal research data, triangulated with the experiences of indigenous peoples reported throughout the literature, that a broader comparative insight of others can be drawn.

Demographic data about the indigenous Vedda peoples of Sri Lanka is thin and varies subject to topic and source. However, scholars generally agreed that the Vedda peoples are on a ‘continuous shrinking’ trajectory¹² and, like many marginalised communities, are subject to barriers that constrain their identities, and frustrate their access to education, employment and land.¹³ Unsolicited ‘state-sponsored ritual(s) of development’, such as those under the Ranasinghe Premadasa projects of the 1980’s saw governments attempt to incorporate Vedda society within the Sinhala nation.¹⁴ These integrationist policies have led to no Vedda participation at decision-making tables nor visibility within a contemporary Sri Lankan social and political landscape. Forced relocations from traditional forests to newly constructed villages and the conversion of large tracts of previously occupied Vedda lands to hydro-electric/irrigation projects removed the Vedda’s means of subsistence and led to poorer health outcome – such as alcoholism and declining mental health. Moreover, harassment and exploitative behaviours by state authorities reportedly persist¹⁵ including the criminalisation of Vedda people who seek access to national park lands that were formally used for traditional hunting and collecting practices.¹⁶ Finally, the preparedness of Vedda youth to immerse themselves in ‘modernity’ and integrate into Sinhala majority spaces has diluted Vedda identity and led to intergenerational disengagement from ethnic ancestral kinship.¹⁷

Beyond the commodification of Vedda culture within the marketplace in the form of ‘professional primitivism’ (sometimes referred to as eco-tourism) and their seemingly haphazard engagement with politicians, leaves an absence of real participation, and therefore visibility, in contemporary social and political decision-

- 11 Adam Jamrozik, *The Chains of Colonial Inheritance: Searching for Identity in a Subservient Nation* (Sydney: University of New South Wales Press, 2004), 86.
- 12 Dona, “Indigenous Voices Within the Majority-Minority Discourse in Sri Lanka,” 201.
- 13 Chamila T. Attanapola and Ragnhild Lund, “Contested Identities of Indigenous People: Indigenization or Integration of the Veddas in Sri Lanka,” *Singapore Journal of Tropical Geography* 34, no. 2 (July 2013): 172, <https://doi.org/10.1111/sjtg.12022>.
- 14 James Brow, “The Incorporation of a Marginal Community within the Sinhalese Nation,” *Anthropological Quarterly* 63, no. 1 (January 1990): 7, <https://doi.org/10.2307/3317956>. “Tendentious Revisions of the Past in the Construction of Community” (The George Washington University Institute for Ethnographic Research, January 1990).
- 15 Kumar, “Indigenous People in South Asia and International Law,” 79.
- 16 Attanapola and Lund, “Contested Identities of Indigenous People,” 182.
- 17 Dona, “Indigenous Voices Within the Majority-Minority Discourse in Sri Lanka,” 216.

making. Part of this absence arises due to the Vedda's forced dislocations across non-urban spaces, largely in the Central, Uva and Eastern provinces. The absence of data collection about the Vedda people from the Sri Lankan government's data gathering processes serves, albeit indirectly, to further increase their marginalisation. As one LGBTIQ participant commented when discussing their own circumstances, a person's invisibility made their vulnerability existential. The government's 2021 census remains in abeyance, the most recent data being found in the 14th Population and Housing Census of 2012. It divided Sri Lanka's then 20.36 million population into racial and religious cohorts.¹⁸ Indigenous Vedda populations fall within a cohort of 'Others', the total of which amounts to only 0.5% of the overall population counted. The remaining categories include declining numbers of Burghers (descendants from former mixed European and Sri Lankan families), Malays, Sri Lankan Chetties and Bharathas.¹⁹

The renamed Ministry of National Integration, Official Languages, Social Progress and Hindu Religious Affairs (MNI)(formerly the Ministry of National Languages and Social Integration - MNLSI) released two performance reports for 2018 and 2019 which articulated a series of amelioratory activities that sought to harmonise Sinhala-Buddhist and Tamil (Christian & Hindu) relations. However, notwithstanding the ministry's vision to 'foster the cultural identity of all communities', indigenous groups and other marginalised communities were omitted. The notion of co-existence, as articulated by Sri Lankan authorities, is limited to those conflicted spaces that form a mythologised public cultural and political narrative, ignoring many hidden conflicted spaces within which other minority and marginalised groups struggle.²⁰

2 Method

The application of the methods used in the primary research employed the principles of participatory democracy and human rights. Roger Smith argued for a suite of methods that invoke 'principles of rights, participation and social justice', whilst Norman Denzin emphasised the importance of 'triangulation' and the adoption of multi-methodological perspectives.²¹ The methods included symbolic and interpretative interactionism, interpretative phenomenological analysis and participant interviews. They were selected to help 'position' the researcher and acknowledge the power relationships that exist between researcher and participant. They also recognised the problems associated with adopting a scientific model that is uncritically narrow, restricting the sociological imagination to merely 'objective' analyses.²²

The data were gathered through interviews which highlighted the significance of participants' experiences.²³ The participants were selected for a variety of reasons including: their perceived degrees of marginalisations vis a vis their abilities to participate in their society consistent democratic and rights-based entitlements; their knowledge of civil society as a space in which the exercise of such entitlements was anticipated; and, their abilities to meaningfully participate in the interview process. There were also ethical constraints which restricted eligibility of participants for reasons of confidentiality, protection and safety.

Although a broad selection process began, it was constrained by these and other ground issues, including the post-war militarised environment in the country. The process of selection was informed by Smith et al. who argued in favour of selecting people who, 'represent a perspective, rather than a population'.²⁴ Marginalised peoples whose experiences and perspectives offered insight into a shared set of experiences therefore avoided the essentialising tendencies found in single identity studies and concomitantly offered greater resonance than would the generality of an overly broad population.

The principal research examined the marginalisations experienced by individuals who identified with various communities in Sri Lanka including: women, youth, Tamil, Sinhala, Burgher, Hindu, Christian and the

18 Ministry of Policy, Planning and Economic Affairs, Department of Census and Statistics, "Sri Lanka Population and Housing Census 2012," GHDx Health Data, 2012, statistics.gov.lk.

19 Ministry of Policy, Planning and Economic Affairs, Department of Census and Statistics Table 9.1:141.

20 Gazetted as Ministry of National Languages and Social Integration, Ministry of National Co-existence, Dialogue and Official Languages (2015) then as Ministry of National Integration, Reconciliation and Official Languages (2018)

21 R. Smith, *Doing Social Work Research*, UK Higher Education OUP Humanities & Social Sciences Health & Social Welfare (Maidenhead, Berkshire, England: McGraw Hill/Open University Press, 2009), 12; Norman K. Denzin, *The Research Act: A Theoretical Introduction to Sociological Methods*, 1st ed. (London: Aldine Transaction/Transaction Publishers, 2009), 36, <https://doi.org/10.4324/9781315134543>.

22 Romero, *Introducing Intersectionality*, 55.

23 Jonathan A Smith, Paul Flowers, and Michael Larkin, *Interpretative Phenomenological Analysis: Theory, Method and Research* (London: SAGE Publications, 2009), 3.

24 Smith, Flowers, and Larkin, 49.

LGBTIQ communities. The information gleaned from interviews with these groups was triangulated with the literature concerning the experiences of indigenous peoples. It is noted that the multiple identities enjoyed by people in the communities interviewed is similarly the case for indigenous groups, for example, through processes of homogenisation some people who were identified as Vedda also were identified as Christian, Sinhala and/or Buddhist.²⁵ None of the participants in the principal research was identified as Vedda nor was access to Vedda communities deemed possible, largely due to the social and political circumstances in-country at the time.

Finally, my own engagement with people whose identities included members of the LGBTIQ community, amongst other marginalised communities, and their knowledge of my research, led to an enhanced response and snowballing of participants. Moreover, their experiences, and the empathy as researcher I could bring to the discussions, meant that the knowledge gained through this cohort's experiences was conducive to adopting and highlighting this knowledge as a benchmark forward.

3 Findings and discussion

3.1 Peace with Justice for Communities

The meaning of peace for participants, as it relates to Sri Lanka, was examined. When asked to describe how peace would be manifested in Sri Lanka, one of the principal research participants, a Sinhala-Buddhist woman named Annarita, observed that for peace to occur, *'It would require a political transformation and political changes where all communities, whether you are part of the majority or part of the minority, in different parts of the country feel secure and safe. And I don't think we have that yet....'* Annarita's doubt as to the integrity of peace achieved is representative of several participants' views and reflects a history of Sri Lankan state shortcomings.

Responses were considered in light of the commitments made to five principles for the promotion of world peace during the Bandung Conference of Asian-African Nations in 1955. Those commitments fell short of contemporary meanings of peace with justice understood by participants. The five principles included: the mutual respect of all nations for their sovereignty and territorial integrity; non-aggression; non-interference in internal affairs; equality and mutual benefit; and peaceful coexistence.²⁶ Understandably they sought to avoid a repetition of the recent colonial experience from which many of the participating states emerged. Their framing was characteristic of an era in which new state power and confidence was being assertively outwardly projected. The breadth of contemporary peace studies however calls as much for an inward focus as it does for outward state-rights projections. It includes the scrutiny of state behaviours towards their own citizens, informed by democracy and human rights.

The peace scholars, Galtung and Scott, defined peace in both negative and positive terms. They argued that negative peace arises when there is structural violence but no direct, or physical, violence; whilst positive peace exists when both direct and structural violence are absent.²⁷ This conceptualisation embraces the theoretical proposition that a society of peace with justice is a site of constitutive democratic power, exercised creatively and distributed equitably.²⁸ For Galtung and Scott, 'A democracy is a system steered by human rights that uses voting, negotiation and dialogue for the nonviolent and creative resolution of conflicts over distribution of the social surplus.'²⁹ In this conceptualisation, the notion of peace is holistic in its application and the management of conflict is both external and internal to state structures. Moreover, different conflict types are deemed isomorphic and therefore conducive to the same, or similar, approaches towards their management and resolution. In this sense, conflict can bridge differences and find harmony if understood and managed well. The kaleidoscope of rainbow colours, adopted by the LGBTIQ community for example, might be understood to not only permit gender and sexual diversity and difference but enjoin that diversity across its membership in peaceful co-existence.

Both international relations and human rights scholars, such as Heather Rae and Jim Ife, also reinterpreted concepts with a view to rights-based justice, locating them within the discourse concerning the third-generation of human rights.³⁰ Rae examined, for example, the etymological dynamics of early twentieth century ideas of

25 Brow, "The Incorporation of a Marginal Community within the Sinhalese Nation," 10.

26 Partha Chatterjee, "Nationalism Today," *Rethinking Marxism: A Journal of Economics, Culture & Society* 24, no. 1 (January 2012): 11, <https://doi.org/10.1080/08935696.2012.635023>.

27 Galtung and Scott, *Democracy, Peace, Development*, 40–41.

28 S. Rees, *Passion for Peace: Exercising Power Creatively* (Sydney: University of New South Wales Press Ltd., 2003), 36–47.

29 Galtung and Scott, *Democracy, Peace, Development*, 25.

30 Jim Ife, *Human Rights from Below: Achieving Rights through Community Development*, 1st ed. (Port Melbourne: Cambridge University Press, 2009), 47–48, 113, <https://doi.org/10.1017/CBO9780511808340>. See also in Joanne R. Bauer and Daniel A. Bell, *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999).; and W. Pereira, *Inhuman Rights: The Western System and Global Human Rights Abuse* (Penang/Goa: The Other India Press, 1997).

‘self-determination’. She explored the interface between global and local issues and challenges contemporary normative approaches, bringing the majoritarian conundrum, (the Sinhala-Buddhist majoritarian hegemony in the case of Sri Lanka), back into focus through a broader human rights bottom-up perspective. She challenged the behaviours of contemporary state structures when the hegemony of majoritarian politics conflicts with the human rights of minority or marginalised people more broadly.

Rae elevated arguments that support compliance with international conventions and rejects arguments by state authorities that conflate compliance of the international rules, and rights, based system with interference in sovereignty. These issues were identified by participants in the principal research. For example, Anand, who is a gay Sri Lankan Tamil man referencing the pre-2015 Rajapaksa government said, ‘...with the last regime, any organisation that had human rights in its name or anything that was opposed to government view, their funding was scrutinised and lots were shut down’. Explaining further he said, ‘I think that human rights was always associated with foreign interference.’

Much like Galtung and Scott, Rae also located meanings in the context of peoples’ basic needs, which included the emergence and recognition of new identities *within* state boundaries. Rae highlighted the inflexibility found within the behaviours of political elites, such as highlighted in the principal research concerning the unitary system in Sri Lanka. She rationalised that the refusal by political elites to embrace progressive politics is to ‘define the state as a normative order and to cultivate identification through targeting those designated as outsiders for discriminatory and often violent treatment...through the creation of an ostensibly unified population [and through the enterprise of] state-building.’³¹ These strategies are often pursued with a view to the exclusion of minorities.

In the same year as the Bandung Conference, Sri Lanka was admitted as a member to the United Nations (UN), committing itself to various Conventions and Declarations.³² Significantly, Sri Lanka ‘declared its full support of the fundamental principles of Human Rights as set forth in the Charter of the United Nations and took note of the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all Nations.’ It also ‘declared its full support for the principles of self-determination of peoples and nations’.³³

Despite the above, inattention to addressing the concerns of disenchanted citizens exemplifies much of Sri Lanka’s domestic focus since independence. The experiences of the participants in the principal study did not project any confidence in its leadership and found little or no evidence of a commitment to dialogue, towards addressing community needs, nor to exploring how the body politic might ensure support for marginalised communities to strive for self-determination and/or realise their determinative-selves. The participant Deepak exemplified this existential dimension to marginalisation in Sri Lanka when he revealed the attitudinal barriers with which he was confronted by those in positions of power at the Human Rights Commission of Sri Lanka (HRCSL). When seeking their support to respond to the needs of the LGBTIQ community, for whom he tried to advocate through his civil society organisation, he was reduced to having to prove his own existence. He said: *You can go to the HRC and you go and try to talk to the Ministry of Justice and say that we as a community face problems. But then they say, who? Where is the community? Where are they? How many? So, that’s where the invisibility comes in.*

Human Rights Watch (HRW) offered one interpretation of the types of attitudinal barriers highlighted by Deepak directed towards people of diverse genders and sexualities which helps to explain the circumstances in which Deepak found himself. ‘For many Sri Lankans’ the HRW report stated, ‘attitudes toward gender non-conformity and homosexuality are shaped by social and cultural beliefs about how women and men should look and act...homosexuality is an illness and “foreign” import counter to national culture’.³⁴

3.2 What Does the Principal Research Say About the Experiences of Non-Indigenous Marginalised People in Sri Lanka?

Interviews with participants were semi-structured with directed themes, as well as unstructured from which new themes emerged. Some key aspects are discussed below.

31 Heather Rae, *State Identities and the Homogenisation of Peoples*, 1st ed. (United Kingdom: Cambridge University Press, 2002), 4–6, <https://doi.org/10.1017/CBO9780511491627>.

32 See Document S/RES/109, marked 109 (1955) S/3509, 14 December 1955

33 http://franke.uchicago.edu/Final_Communique_Bandung_1955.pdf

34 Human Rights Watch, “All Five Fingers Are Not the Same”: Discrimination on Grounds of Gender Identity and Sexual Orientation in Sri Lanka, Human Rights Watch Short Reports, Sri Lanka (New York: Human Rights Watch, 2016), 46, <https://www.hrw.org/report/2016/08/16/all-five-fingers-are-not-same/discrimination-grounds-gender-identity-and-sexual>.

3.2.1 Directed Themes

3.2.1.1 The Multi-Dimensional Nature of Peace

All participants in the principal study acknowledged the multi-dimensional quality of peace but questioned whether peace had arrived in Sri Lanka as they recognised that for peace to occur people's basic human needs had to be met. Many spoke of the absence of violence as a co-requisite for peace and distinguished direct violence from indirect, or structural, violence. They spoke of human rights and rights-based processes as co-requisites to peace. One participant affirmed the processual nature of peace but said it included 'negotiated outcomes with dialogue'. Aspects of social justice thus formed the basis of several participants' responses. Another participant said that peace demanded equal participation, inclusion of everybody, voices 'unbottled', and a democracy that did not simply cater for the majority of people.

The research found that the multiplicity of barriers was sufficiently complex to negatively impact upon the 'inner peace', or mental health, of individuals within marginalised communities. The participant Lasantha, a gay Indian Brahmin man, spoke of peace's *'two layers – surface and deep'* and reflected upon how his deep inner peace helped to *'reconcile'* who he was, or as he said, *'what [his] topic is'*. Inner peace also arose in the context of the patriarchal system in Sri Lanka generally and Sinhala Buddhist nationalism specifically. Participants linked both patriarchy and nationalism as undesirable contributing factors to the far-reaching effects of male heteronormative hegemony. One participant spoke of the effects of a *'masculine mindset'* the psychology of which incarcerates men's behaviours, setting limits to their imaginations, choices and behaviours. He described its effects as both self and outwardly directed, often violent, and referenced his experiences to the case of a young gay man who committed suicide. In his discussions on peace, Galtung also pointed to the gendered effects of patriarchy, which he described as 'one of the most vicious forms of structural violence.'³⁵

3.2.1.2 Democracy, Human Rights and Civil Society

The participants painted a picture of a public political culture in which their expectations of democracy differed to their experiences. Participants described experiences that reflected deficits in peace, democracy and human rights and an absence of civil society space, in which they sought to participate.

The participants agreed that for peace with justice to be realised a set of rights and freedoms to compliment a democratic and rights-based society were anticipated. However, they also agreed that their ability to realise such rights and freedoms in Sri Lanka was limited. For example, they did not believe they enjoyed freedoms associated with opinion or expression. Nor did they think that they enjoyed a freedom to participate in the social and political spheres. They did not think that the government endorsed such freedoms for people. Two lesbian participants, Margaret and Ramaya, who were European and Sri Lankan respectively, spoke about the necessity to close their civil society organisation after they were summoned by the military for investigation. Their work in policy development and community support was shut down in fear of intervention by the authorities.

Much like Margaret and Ramaya's experiences, participants spoke of social and political structures to which they were subjected and that differed from models of democracy discussed in the literature. They revealed that democratic structures in Sri Lanka are subverted and that this contributed to their marginalisation and disenfranchisement from what they anticipated was their democratic entitlement to participate with equity in society. Several participants claimed their political and legal equality was denied, whilst others characterised the polity as 'authoritarian'.

When asked to elaborate on their understanding of why such structures existed participants pointed to an elite political centre. They acknowledged that Sinhala-Buddhist nationalism and majoritarianism formed a part of the basis for the barriers they faced but did not believe their particular experiences were solely matters of race or religion. Instead, they brought to this study a range of experiences that pointed to a broader interpretation of conflict that whilst less visible is nonetheless very real. Whilst they acknowledged that factors of race and religion played a role, they pointed to other human characteristics, including sexuality, gender and age, rationalising that their own exclusions were based upon the expression of, or identification with, these other human characteristics. These factors compounded their marginalised status. In arriving at this conclusion participants linked their survival and well-being with the freedom to live with an appropriate outward identity. This commonly held view correlated with Galtung's notion of social justice and basic needs. It also correlated with aspects of Vedda needs

35 Johan V. Galtung and Daisaku Ikeda, "The Feasibility of Non-Violence," in *Choose Peace: A Dialogue Between Johan Galtung and Daisaku Ikeda* (Londong: Pluto Press, 1995), 59, <https://books.google.co.id/books?id=2TMNAQAAMAAJ>. See also Brow, "The Incorporation of a Marginal Community within the Sinhalese Nation."

found in the literature.³⁶

The principal research found that freedom was seen as intrinsically linked to the right to self-determination. However, some participants cast doubt on whether their fellow Sri Lankans harboured a unified understanding or acceptance of human rights generally and self-determination specifically. They did not regard human rights as a ‘foreign imposition’ but recognised this claim as forming a part of the public political narrative reiterated by the political class in Sri Lanka.

In the absence of functional human rights institutions in the country, the concept of human rights has remained open to political exploitation in the public arena by referencing it as ‘foreign’. Characterising human rights as a national security threat lends itself to a populist narrative that appeals to an uncritical audience. Participants believed that human rights had been exploited in the public sphere, including institutions and quasi-religious bodies. Whilst several participants pointed to actions of ‘bad’ civil society organising against human rights, they also believed that with a correctly applied interpretation of Buddhist principles the human rights of marginalised communities, such as the LGBTIQ community, could be protected.

Despite Sri Lanka’s public commitments to international treaties, the participants doubted people’s rights to access justice had been materialized locally, referencing human rights as constituting a part of a proper administration of justice. Criticism of the Human Rights Commission of Sri Lanka (HRCSL) included its exploitation by the political and judicial sphere. Participants said it was used for the purpose of creating a culture that appointed career-motivated, rather than rights-based motivated, Commissioners. At least one participant spoke of investigation officers at the Commission who had been the target of violence for pursuing investigations on behalf of complainants. It was noted that despite several representations to HRCSL no Commissioners, nor Commission staff, were prepared to publicly be interviewed for the principal research. It is also worth noting the institutional barriers faced by the author, akin to those faced by participants, when seeking to undertake the principal research. Not only would the HRCSL not participate, but the Vice Chancellor of the University of Colombo and the Minister of MNI (formerly MNLSI) declined.³⁷

3.2.2 Emergent Themes

The secondary level of primary data arose during the less structured or unstructured part of each interview. Secondary level data was understood to impact upon all marginalised communities. Those findings pertinent to the circumstances of all marginalised groups, and also relevant to Vedda people, are summarised below. In the background to each of these themes is the effect of the patriarchal system.

3.2.2.1 Leadership

Most participants believed that good leadership in the political sphere was a key to good governance, conducive to the strengthening of democracy, human rights and civil society and helped to harness an enabling environment for marginalised voices to be heard. However, like the experiences of the Vedda people described in the literature, the participants had not experienced sound political leadership.³⁸ One key factor observed by participants in overcoming the lack of, and their exclusion from, policy development, was that the same group of people always remain in power. Notwithstanding the hopes that arose in the wake of the 2015 elections, one participant remained particularly pessimistic and said, *‘it’s as if there’s the same pot of politicians, national politicians, no matter who gets elected, no matter what party is in power, no matter what splits and so on...you stir the pot and you come up with the same people. And they just move around from portfolio to portfolio to portfolio. But they’re always going to have a place in parliament.’*

The principal research noted that the concerns about the immobility of politicians was linked to the idea that self-interest in public office *suffocated* the public good and warned against the rise of a ‘predatory class’, characteristic of which was their protection by a strong and present military.³⁹ Similarly, the centralisation of power through familial and nepotistic relations was discussed in the context of its impact upon the leadership of state and statutory institutions.

36 Attanapola and Lund, “Contested Identities of Indigenous People,” 175.

37 Hearnden, “Strengthening Peace with Justice in Sri Lanka: The Struggle for Agency to Research,” 33–35.

38 Attanapola and Lund, “Contested Identities of Indigenous People,” 182.

39 Erik Paul, “On the Geopolitical Economy of Violence in Southeast Asia” (University of Sydney, Centre for Peace and Conflict Studies (CPACS) Working Paper, No. 13/1, Sydney, September 2010), 11.

3.2.2.2 Recognition of Vulnerable Communities and Justice through Pluralism and Participation

When discussing vulnerable communities in Sri Lanka, participants in the principal research invariably referred to the LGBTIQ community, women, people with disabilities, and ethnic and religious minorities. They did not mention Vedda people. They explained women's vulnerabilities through the lens of the patriarchal society and discussed the impact of violence by men.

The vulnerability of Tamil people was discussed. There was holistic agreement that this remained unresolved and acknowledged that the root causes of Tamil's experiences were grounded in a male hegemony, similar to the experiences of other marginalised communities. One participant recognised sub-groups within groups of marginalised people and explained that within the Tamil community itself, the most marginalised people are the Tamil LGBTIQ community.

Both LGBTIQ participants in the principal research and the Vedda people discussed in the literature experienced marginalisation due to legal impediments linked to behaviours. The LGBTIQ community was criminalised because of their sexual relationships and who they loved, whilst the Vedda were criminalised for exercising traditional hunting and gathering practices in State forests and parks. Importantly, the behaviours of each group which led to the legal impediments were intrinsic to each groups' existential selves. Moreover, the behaviours intrinsic to each group formed part of their basic needs and yet both were challenged by state authorities and unjust laws. LGBTIQ participants argued that they suffered the same, or similar, vulnerabilities as women and Tamils. Hegemony is not merely driven by a male patriarchy, but a male patriarchy that is heteronormative and heterosexist too. Like the women's vulnerabilities, the LGBTIQ participants recognised that their community suffered similar domestic and workplace violence. The Women's Support Group report noted that non-conforming young women, much like LGBTIQ people, are expelled from their families, suffered from violence by authorities and had no remedial services due to a weak administration of justice. The principal research showed that in the pre-2015 period government ministries and public services continued to exclude many marginalised communities from consideration, including women. Notwithstanding the MNI's (formerly MNLSI) focus on issues of race, ethnicity and religion – it excluded references to the Vedda. The LGBTIQ participants similarly found that in their various attempts to seek statute-mandated services, such as through the HRCSL, they were excluded.⁴⁰

Interpretations of what constitute diversity across a population may be constrained by the 'myths' that construct the popular public culture. Myths are often grounded in an unreality and generalisations that call on an unchallengeable suite of so-called traditional values that delimit the discussion.⁴¹ Amartya Sen pointed out that to limit our interpretation of what constitutes identity is to deny the multiple identities existing in each person: within our plural selves.⁴² Identity, as Galtung stated, is one essential feature that constitutes a person's basic needs.⁴³ Indeed, he continued, 'survival – well-being – freedom – identity, are basic needs.'

In the context of social justice, the removal of structural barriers experienced by people of marginalised identities supports a recognition that people's identities help to locate them as members of self-directing (self-determinative) communities. It is fundamental to the pursuit of a fairer and more equitable society.⁴⁴ Concomitantly, once a person is able to express their identity the question of what reasonable actions are to be taken by, and within the responsibilities of, an authority arises. Galtung and Scott posited that the fair and equitable provision of goods or services, employment opportunities, recognition of relationships and administration of justice form part of a compact between ruled and ruler. The participants in this study asserted their desire for justice that is administered equitably, and which would achieve a suitable system of checks and balances and a mechanism that provides remedies for discrimination and the resolution of other grievances.

3.3 Culture, Caste and Class

Participants spoke about the linkages between human rights, traditional values and caste. They also spoke about the tension that some perceive existed between the strictures of caste and its place in traditional values, on the one hand, with those of rights-based protections, on the other. One participant, Robert, a Sinhala-Buddhist heterosexual male, reflected upon a pre-colonial past during which time, he claimed, the vertical structures of

40 Ministry of National Language and Social Integration, "Action Plan Progress Report, 01 January 2010 to 30 September 2010," 2011, 1. See also report of Law and Society Trust, "Sri Lanka Atrophy and Subversion of the Human Rights Commission, ANNI Report on the Performance and Establishment of National Human Rights Institutions in Asia," 2010.

41 Donald Horne, *The Public Culture: The Triumph of Industrialism* (London: Pluto Press Ltd., 1986), 57–70.

42 Amartya A. Sen, *Identity and Violence: The Illusion of Destiny* (London: Allen Lane/Penguin Books, 2006), 19.

43 Johan Galtung, *Transcend & Transform: An Introduction to Conflict Work* (Boulder: Paradigm Publishers, 2004), 2.

44 Ife, *Human Rights from Below*, 48. See also Jamrozik, *The Chains of Colonial Inheritance: Searching for Identity in a Subservient Nation*, 86.

colonialism were not yet imposed. He blamed colonisers for creating conflicted spaces by banishing old systems of civil society that imported freedoms to people's lives. It is interesting to compare Robert's views about traditional culture with those held by another participant Hilol, who worked as a lawyer and was gay, Indian and Hindu. Hilol saw no incompatibility between traditional values and human rights. These claims linked current ideas about the causation of conflict with the mindset of those holding power; attributing contemporary circumstances to the legacy of imported culture, laws and governance, and not to human rights. Accordingly, several participants believed that the current tensions arose because of exploitative politics weaponising human rights for political gain in the eyes of constituents.

Much like Hilol, most participants did not consider there to be an incompatibility between traditional values and human rights. They believed that such a dichotomy caused the discussion to become simplistic. Rather, they sought to contextualise human rights within a framework that was adaptable in a local context. However, as one participant said, if there was incompatibility between traditional values and human rights, the latter should always take precedence.

Finally, the cyber-sphere was discussed in the context of a cross-cutting phenomenon and participants pointed to incipient online engagement, dialogue and discussion groups on social and political issues. This 'modernity' was not seen as impairing 'traditional culture or values', specifically amongst young Sri Lankans. The literature affirms that 'almost every younger Vedda member' is cyber-savvy. If Vedda youth were able to tailor their use of this resource towards a constructive politics, combining 'tradition and modernity', it might be used to the advantage of an ongoing Vedda culture.⁴⁵ Unlike the participants in the principal research, literature about young Vedda's use of the cyber-sphere suggests their preponderance towards disconnecting with the past in favour of the present and future.⁴⁶ Whilst the root cause of current conflicts may well be founded in impositions of the past, they nevertheless are also understood as contemporary expressions of frustration whose source is the island's governance. However, there is also a tension arising from the cyber-sphere itself, between those who desire reform from within and those who seek a cosmopolitan progressive politics from outside.

4 Conclusion

Informed by peace and conflict studies, intersectionality, and employing an interpretative analysis to understand the experiences of marginalised peoples, the principal research examined the structural barriers that function to marginalise peoples' lives in Sri Lanka. In particular, it sought to comprehend these factors by reference to democracy, human rights and the civic space available. It examined the participants' experiences when seeking to exercise their democratic entitlements and purposive-selves. This paper presents some key findings and, presented by literature, examines the similar structural barriers faced by the Vedda people, descendants of Sri Lanka's first peoples. This paper explored how *their* marginalisations constrain, stigmatise and, in some instances, criminalise their lives. Whilst it was not possible to access the Vedda people for their direct participation in the research, this paper nevertheless draws on their experiences as discussed in the literature. It highlights the similarity of experiences and the effects of reported structural violence on the lives of indigenous peoples and of the apparent similarities with other marginalised peoples in Sri Lanka, such as the community of people who identify as LGBTIQ, Tamils, women and youth. In doing so, the paper highlights some of the ubiquitous social and political structures that oppress and marginalise many people in Sri Lanka, including indigenous peoples.

Despite attempts in the past to understand Sri Lanka as a plural society, the male heteronormative and Sinhala-centric patriarchy has acted to mythologise and homogenise social and political culture. It has created barriers that frustrate a progressive social and political agenda and functioned to constrain the freedoms that participants were seeking. The research demonstrated that the repeated mythologising of a manufactured homogenised popular political culture, propagated by political elites for majority consumption, has entrenched a narrative that, for marginalised communities, continues to stymie their realisation of human rights, including their own determinative-selves, often understood as the third-generational human rights. For non-indigenous people, many participants referenced their experiences to the violence arising from weak democratic and rights-based structures that enabled the marginalisation of genders and sexualities. The longevity of a highly militarised environment, for example, subjected Margaret and Ramaya to being investigated for their advocacy work. The unchanging leadership has left the political sphere stagnant and devoid of much needed policy and legal development. As Deepak demonstrated, marginalised participants who sought engagement with the political sphere were excluded. In Deepak's case, he was left not only having to justify his own existence but his entire

45 Dona, "Indigenous Voices Within the Majority-Minority Discourse in Sri Lanka," 216–17.

46 Dona, 217.

community's existence. Similarly, the literature affirms that the marginalisation of indigenous peoples in Sri Lanka is similarly existential.

Participants experienced entrenched hyper-masculinity in the country leading to what one participant called a 'masculine mindset', with negative impacts on people's mental health and, referenced by others, to the ongoing criminality of people within the LGBTIQ community. Weak legal systems that are vulnerable to interference, doubts about the credibility of human rights institutions, and the absence of right-based remedies have negatively impacted on many marginalised people and caused their civil society spaces to be denied in which their voices might be heard. Women participants, for example, spoke of their lack of confidence in their ability to seek protections against domestic violence, and many participants pointed, as indeed have scholars, to the inability or unwillingness of public officials to develop and translate policy into institutional action.⁴⁷

The literature suggests that marginalisation of indigenous people arises through the same structural barriers. They are experiencing ever-increasing estrangement from the social and political sphere, forced re-locations, denial of access to traditional lands, subject to punitive measure under criminal law by uniformed services and poor mental health leading to alcoholism. The absence of discussion about indigenous peoples' circumstances in key ministerial reports and governmental policy documents supports the research contention that insufficient is being done to address rights-based violations in Sri Lanka.

The corollary of Sri Lanka's unitary majoritarian system of democracy is translated into a lack of commitment to human rights and a closed civil society space in which marginalised people are unable to safely enjoy a voice. The situation has left Sri Lanka in need of significant structural reform.

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REFERENCES

- Altman, Dennis. *Homosexual: Oppression and Liberation*. Revised Edn. Ringwood, Victoria: Penguin Books Australia, 1973.
- Attanapola, Chamila T., and Ragnhild Lund. "Contested Identities of Indigenous People: Indigenization or Integration of the Veddas in Sri Lanka." *Singapore Journal of Tropical Geography* 34, no. 2 (July 2013): 172–87. <https://doi.org/10.1111/sjtg.12022>.
- Barber, Benjamin R. *Strong Democracy: Participatory Politics for a New Age*. London: University of California Press, Ltd., 2003.
- Bauer, Joanne R., and Daniel A. Bell. *The East Asian Challenge for Human Rights*. Cambridge: Cambridge University Press, 1999.
- Brow, James. "The Incorporation of a Marginal Community within the Sinhalese Nation." *Anthropological Quarterly* 63, no. 1 (January 1990): 7–17. <https://doi.org/10.2307/3317956>.
- Chatterjee, Partha. "Nationalism Today." *Rethinking Marxism: A Journal of Economics, Culture & Society* 24, no. 1 (January 2012): 9–25. <https://doi.org/10.1080/08935696.2012.635023>.
- Collins, Patricia Hill, and Sirma Bilge. *Intersectionality*. Cambridge: Polity Press, 2016.
- Connell, R.W. *Gender and Power: Society, the Person, and Sexual Politics*. Cambridge: Polity Press/Blackwell Publishers, 1987.
- Denzin, Norman K. *The Research Act: A Theoretical Introduction to Sociological Methods*. 1st ed. London: Aldine Transaction/Transaction Publishers, 2009. <https://doi.org/10.4324/9781315134543>.
- Dona, Lasanthi Manaranjanie Kalinga. "Indigenous Voices Within the Majority-Minority Discourse in Sri Lanka." *Musicological Annual* 55, no. 2 (December 13, 2019): 201–24. <https://doi.org/10.4312/mz.55.2.201-224>.
- Galtung, Johan. *Transcend & Transform: An Introduction to Conflict Work*. Boulder: Paradigm Publishers, 2004.
- Galtung, Johan V., and Daisaku Ikeda. "The Feasibility of Non-Violence." In *Choose Peace: A Dialogue Between Johan Galtung and Daisaku Ikeda*. Londong: Pluto Press, 1995. <https://books.google.co.id/books?id=2TMNAQAAMAAJ>.
- Galtung, Johan V., and Paul D. Scott. *Democracy, Peace, Development*. Kolofon Press, 2008.

⁴⁷ Horne, *The Public Culture: The Triumph of Industrialism*.

- Hearnden, Scott. "Strengthening Peace with Justice in Sri Lanka: Exploring the Space Available for Civil Society to Function - Interpreting Voices from Marginalised, Vulnerable and Oppressed Communities." PhD Thesis, University of Sydney, 2020. <https://ses.library.usyd.edu.au/handle/2123/24000>.
- Hearnden, Scott Robert. "Strengthening Peace with Justice in Sri Lanka: The Struggle for Agency to Research." *Social Alternatives: A Sustainable Peace* 42, no. 1 (April 1, 2023): 31–39.
- Horne, Donald. *The Public Culture: The Triumph of Industrialism*. London: Pluto Press Ltd., 1986.
- Human Rights Watch. "All Five Fingers Are Not the Same": Discrimination on Grounds of Gender Identity and Sexual Orientation in Sri Lanka. Human Rights Watch Short Reports, Sri Lanka. New York: Human Rights Watch, 2016. <https://www.hrw.org/report/2016/08/16/all-five-fingers-are-not-same/discrimination-grounds-gender-identity-and-sexual>.
- Ife, Jim. *Human Rights from Below: Achieving Rights through Community Development*. 1st ed. Port Melbourne: Cambridge University Press, 2009. <https://doi.org/10.1017/CBO9780511808340>.
- Jamrozik, Adam. *The Chains of Colonial Inheritance: Searching for Identity in a Subservient Nation*. Sydney: University of New South Wales Press, 2004.
- Kumar, Shashi. "Indigenous People in South Asia and International Law." In *Shifting Horizons of Public International Law: A South Asian Perspective*, edited by J.L. Kaul and Anupam Jha, 61–83. New Delhi: Springer (India) Pvt. Ltd., 2018. https://doi.org/10.1007/978-81-322-3724-2_4.
- Law and Society Trust. "Sri Lanka Atrophy and Subversion of the Human Rights Commission, ANNI Report on the Performance and Establishment of National Human Rights Institutions in Asia," 2010.
- Ministry of National Language and Social Integration. "Action Plan Progress Report, 01 January 2010 to 30 September 2010," 2011.
- Ministry of Policy, Planning and Economic Affairs, Department of Census and Statistics. "Sri Lanka Population and Housing Census 2012." GHDx Health Data, 2012. statistics.gov.lk.
- Nussbaum, Martha. "Compassion: The Basic Social Emotion." *Social Philosophy and Policy* 13, no. 1 (1996): 27–58. <https://doi.org/10.1017/S0265052500001515>.
- Paul, Erik. "On the Geopolitical Economy of Violence in Southeast Asia." University of Sydney, Centre for Peace and Conflict Studies (CPACS) Working Paper, No. 13/1, Sydney, September 2010.
- Pereira, W. *Inhuman Rights: The Western System and Global Human Rights Abuse*. Penang/Goa: The Other India Press, 1997.
- Rae, Heather. *State Identities and the Homogenisation of Peoples*. 1st ed. United Kingdom: Cambridge University Press, 2002. <https://doi.org/10.1017/CBO9780511491627>.
- Rees, S. *Passion for Peace: Exercising Power Creatively*. Sydney: University of New South Wales Press Ltd., 2003.
- Romero, M. *Introducing Intersectionality*. Short Introductions. Cambridge: Polity Press, 2018.
- Sen, Amartya A. *Identity and Violence: The Illusion of Destiny*. London: Allen Lane/Penguin Books, 2006.
- Smith, Jonathan A, Paul Flowers, and Michael Larkin. *Interpretative Phenomenological Analysis: Theory, Method and Research*. London: SAGE Publications, 2009.
- Smith, R. *Doing Social Work Research*. UK Higher Education OUP Humanities & Social Sciences Health & Social Welfare. Maidenhead, Berkshire, England: McGraw Hill/Open University Press, 2009.
- "Tendentious Revisions of the Past in the Construction of Community." The George Washington University Institute for Ethnographic Research, January 1990.

UN Documents Consulted

- Declaration on the Rights of Indigenous Peoples 2007
- Indigenous and Tribal People's Convention 1989
- International Convention on the Elimination of All Forms of Racial Discrimination (ICRD) 1969
- International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979
- S/RES/109, marked 109 (1955) S/3509, 14 December 1955
- A/RES/995 (X), 14 December 1955

Websites

- www.amnesty.org
- www.asianewsnet.net/print_template.php?news_id=50290&13sec=2
- www.franke.uchicago.edu/Final_Communique_Bandung_1955.pdf
- Sri Lanka Population and Housing Census 2012 | GHDx (healthdata.org)
- www.groundviews.org/2010/08/03/a-homophobic-editorial-professional-negligence-or-genuinebelief/

- www.groundviews.org/2017/07/04/disinformation-in-sri-lanka-an-overview
- www.hrcsl.lk/english/
- www.hrw.org
- www.humanrights.asia
- www.ieu.com
- www.informaworld.com/smpp/title-content=t713636290
- www.kolofon.com
- www.lanintegmin.gov.lk
- www.lawandsocietytrust.org
- www.peace-srilanka.org
- [www.performance-report-ministry-of-national-integration-2018.pdf](#) (parliament.lk) and, www.lanintegmin.gov.lk
- www.sbs.com.au/topics/sexuality/agenda/article/2017/01/19/sri-lanka-rejects-move-legalisehomosexuality
- www.scholarship.law.umn.edu/faculty_articles/241
- www.securitycouncilreport.org/un-documents/sri-lanka
- www.ses.library.usyd.edu.au/handle/2123/24000 or Strengthening Peace with Justice in Sri Lanka: Exploring the Space Available for Civil Society to Function - Interpreting Voices from Marginalised, Vulnerable and Oppressed Communities (usyd.edu.au)
- www.socialalternatives.com
- www.sodomylaws.org/world/sri_lanka/slnews006.htm
- Census of Population and Housing - 2012 (statistics.gov.lk)
- www.statistics.gov.lk/PopHouSat/CPH2011/Pages/Activities/Reports/FinalReport/FinalReportE.pdf
- www.statistics.gov.lk/PopHouSat/PDF/Population/p9p8%20Ethnicity.pdf
- www.stigmaindex.org

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