REFEREED ARTICLE

Strengthening Peace with Justice in Sri Lanka: The struggle for agency to research

SCOTT ROBERT HEARNDEN

During six years in Sri Lanka, I sought to understand the struggle for peace with justice through the voices and experiences of marginalised communities. I researched democracy, human rights and the civil society space available for such voices to be heard as constitutive elements of peace.

Yet I also faced many structural barriers in my attempts to undertake the research. These barriers arose through my early attempts to engage people from within state and quasi-judicial authorities and my misplaced hope in their ability or willingness to participate. The institutional structural barriers I faced became instructive in creating the research journey. They served both as benchmarks and inflection points against and around which I learnt to navigate my way forward, to adequately prepare myself to listen to the participants' experiences, and to recount and interpret their own journeys. This article discusses those barriers and the construction of a set of methods enabling the research outcome.

KEY WORDS: Research agency, civil society, Sri Lanka, peace studies, LGBTIQ

Background

I first went to Sri Lanka in 2005 to begin the process of organising the 8th International Congress on AIDS in Asia and the Pacific (ICAAP). The Congress was a biennial HIV and AIDS conference facilitating international cooperation on prevention, care and treatment through engagement of cross-sectoral stakeholders across the region. The impact of the deadly tsunami of 2004 remained a powerful psychological presence. The word 'hope' was often articulated by people. With their gaze fixed firmly upon a future of renewal, the local organisers of the Colombo ICAAP named the conference 'Waves of Change – Waves of Hope'.

The conference brought together a large cross-section of Sri Lankans, many of whom made sense of their own lives through a diverse set of identities. Such diversity, I realised, went beyond the social, political, cultural and economic structures that ordinarily dictated their experiences. As I was to learn, the conference afforded the attendees extraordinary opportunities for openness and engagement. Many attendees, especially those whose identities were not widely recognised as falling within the normative boundaries of Sri Lankan structures, were eager to be seen, heard and engaged. New dialogues opened. I witnessed senior government leaders talking to people with diverse sexual and gender identities and politicians sitting on floors in corridors with civil society representatives listening to the concerns of women and youth. Whether at lecterns in the formality of conference halls, over luncheon tables or somewhere in the labyrinth of corridors between session rooms,

the democratising of space legitimised the kinds of expressive rights-based freedoms for which people yearned. The momentary breakdown of traditional hierarchical structures that dominated the world beyond the walls of the conference seemed to foster a purposive agency amongst the attendees consistent with the incipient stages of solution-based dialogue. They found the kinds of agency that permitted a spirit of not only hope, that change remained possible, but of advocacy, dialogue and negotiation, and performative resistance.

Outside the relative safety of the conference space, conflict raged and with it there were the well documented and researched public narratives, such as the civil war in the northern third of the island between the armed forces of the Sinhala-Buddhist majority government and the Tigers of Tamil Ealam. Of course, that *public conflict* was also ever-present in Colombo, through the multitude of military checkpoints, roadblocks, the ominous presence of white vans with forced disappearances, murders of journalists, the occasional torching of media outlets, and torture by uniformed services personnel. But there were also *latent conflicts* and violence that targeted and impacted upon other communities of people, some of whom attended the conference, but which remained unaddressed and unresolved.

Beyond the conference, these *latent conflicts* also became known to me through my own associations with a cross-section of community-based people. The juxtaposition

between the freedoms found by those attendees within the conference space, on the one hand, and the deep marginalisation of their experiences outside, on the other hand, raised serious questions for me. Why, for example, under the wider Sri Lankan structures of power, were peoples' experiences so limited? What spaces existed for them to articulate their concerns, conduct policy and research, or report matters of public interest?

I was drawn to the work of peace scholars Johan V. Galtung and Paul D Scott. Their definitions of positive peace (absence of both direct and structural violence) and negative peace (in which structural violence persists), provided avenues for greater knowledge acquisition and analysis of structural conflict, violence and the marginalisation of people whose lives existed beyond the representations found in contemporary normative research (Galtung 2012). Importantly, Galtung and Scott's work linked peace with structural forms of participatory democracy, human rights and the kinds of civil agency that conference attendees had demonstrated (2008: 23, 25, 35-45, 66-74, 79). I was also drawn to scholars of law, social and political science, such as Dennis Altman, Aditya Bondyopadhyay, Partha Chatterjee, Mark Gevisser and Shawna Tang. Their work on civil agency and marginalised communities in the Asia-Pacific and African regions have demonstrated that the production of marginality and oppression arises through structural inequity and unjust power relationships from above. In particular, both Bondyopadhyay (South Asia and Sri Lanka) (2011: 80-81), and Tang (Singapore) (2016, 63-64), have examined post-colonial legal and political legacies in Asia, including state constructions of sexual minority rights as neo-colonial impositions.

These, and other studies, led to the creation of a purposive and emancipatory research agenda that was inclusive and participatory of marginalised peoples. I was influenced by the methods of scholar Norman Denzin (2009a, b). Like Gayathri Lokuge and Dorothea Hilhorst, whose research in north-east Sri Lanka applied intersectionality 'to capture people's agency and power' (Lokuge and Hilhorst: 2017, 473-497), I also sought a similar approach by giving voice to members of marginalised and oppressed communities. As Altman has asserted, 'For those who are oppressed always know more of what is above them than *vice versa*' (1973, 24-25). Indeed, this became an underlying principle in the methods I developed, as part of the larger research agenda.

At first, I was unaware of the extent of similar barriers that I too might experience in the conduct of my research. I was conscious of both my own privilege and vulnerabilities as a non-Sri Lankan. I was, for example: an educated, trans-nationally mobile, English speaking white gay male with a Western background. However, over the course of six years, I became intimately aware of the ubiquitous social and political barriers that existed; not only barriers faced by Sri Lankans, but those frustrating my research.

This article examines my struggle to find agency in the early development of a peace and conflict studies research agenda. It is not, in and of itself, a complete academic study of that struggle. It does however provide a hypothesis for future research on 'agency' and the broadening of research agendas that might otherwise be constrained by social, political or even academic hegemony. What follows is a historical reflection of barriers which I encountered in formulating the larger research agenda (explained above) and which impeded my 'agency'. It explains a suite of experiences that corroborates, and allows empathy for the parallel struggle of Sri Lankan people generally, and participants, specifically, who ultimately contributed through interviews to the larger questions in the research, concerning *their* agency in an uncertain civil society and civic space.

Searching for Agency: Developing a Peace Research Agenda

Following the conference, I remained in Sri Lanka and continued to engage across civil society, with members of marginalised communities, including women, youth, Tamils, Christians, Hindus and people of diverse sexuality and gender identity, and with those people who I had initially met through the conference. Many people demonstrated levels of marginalisation, beyond the normative frameworks of race, ethnicity, religion and language (Lokuge and Hilhorst 2017: 473-474). Not surprisingly, I found that those people from communities of diverse genders or sexualities experienced even greater marginalisation, and my research paid particular attention to their vulnerabilities. Not only were they often denied access to ordinary areas of public life, such as employment, accommodation, or goods and services, but their oppression arose from unjust laws. Most poignantly, they were denied the fundamental right to choose who they wished to love.

Incipient Engagement with Civil Society Organisations

During the developmental stages of the research, I visited many civil society organisations, including those focussing on 'peace' whom I perceived would be interested in participating in the research. I initially cast a wide net, seeking a broad cohort of people. My ambit included organisations focussing on: a) peace and conflict resolution; b) policy and law development; and/ or c) policy and advocacy development for marginalised groups; in particular, women and girls, the lesbian gay bisexual transgender intersex and/or queer (LGBTIQ)

community, the community of people with disabilities and those associated with ethnicity or religion. I also wrote to key ministries and quasi-judicial authorities. In doing so, I recognised the limitations that can be imposed upon the scope of research activities in conflict environments. I was influenced by several scholars and independent organisations (Gerharz 2017: 1-18; Kingsolver 2010: 1 -9; ICAC 1994).

Notwithstanding these anticipated shortcomings, I was welcomed warmly by various chief executives within civil society; but was also met with questions about how such research might proceed in the restricted social and political climate of the country. All wished me well. They initially spoke about engagement, however always with tempered terms that left me with a sense of unease as to the limits of possibility. None sought any continuity of engagement, and I noted their hesitancies.

From those early meetings, I assessed each discussion and identified organisations I believed might best fit the research agenda. I sent invitations but was disappointed, and remained curious, when so few replied. Follow-up actions proved limiting. However, a few organisations furnished me with confirmation of their agreement or, at least, interest in participating. This was also consistent with the University of Sydney (USyd) Human Research Ethics Committee's (HREC) requests. I sent follow-up letters, emails and made telephone calls to those NGOs who had intimated their interest. Unfortunately, most responses did not lead to concrete engagement. Ultimately, I concluded that the social and political climate dissuaded most from meaningful engagement with the research and with me. I then turned my mind to broader institutional engagement not realising initially that by redirecting my attention I was stepping closer to the political centre and the source of frustrations.

I also decided to talk to people with whom I had had an earlier acquaintance in Sri Lanka, such as through the ICAAP conference and other community contacts, to explore alternative research avenues. On the recommendation of a retired senior government bureaucrat, I approached several institutions, including the University of Colombo (UoC) which we agreed might both help facilitate and legitimise the research.

University of Colombo

I first approached the UoC because I perceived it to be an institutional structure through which the research could appropriately be grounded, both substantively and administratively, in conjunction with the University of Sydney. This seemed a plausible solution to legitimately undertaking research in-country and meet both the USyd's HREC requirements whilst further building

upon an already established relationship between the two universities: a project between the Department of Democracy and Human Rights at the USyd and the Faculty of Law at the UoC was underway. Finally, the UoC was advertising for students (international and domestic).

I approached several academics at the UoC by randomly visiting their faculties. Each showed varying degrees of interest, or disinterest. One told me he had commenced a similar project with northern European funding two years earlier but that it had been stopped by university authorities. He warned me that my research may meet the same fate. Whilst pessimistic, he remained encouraging of my efforts. I considered that advice in the design and future approach to the research.

I found a younger academic in the Department of Social and Political Science who was interested in forming an association with me. My application to the university with his support took approximately 18 months to complete. The application was approved through school, department, faculty and University Senate committees. Ultimately however, the Vice Chancellor (VC) refused to act on the recommendations of each of the four committees. I visited the VC's office to find an explanation but was refused an interview. Following several visits to the VC's waiting room, I was instead granted an interview with the UoC's registrar, who informed me that I would have to return to the school level and begin my application again.
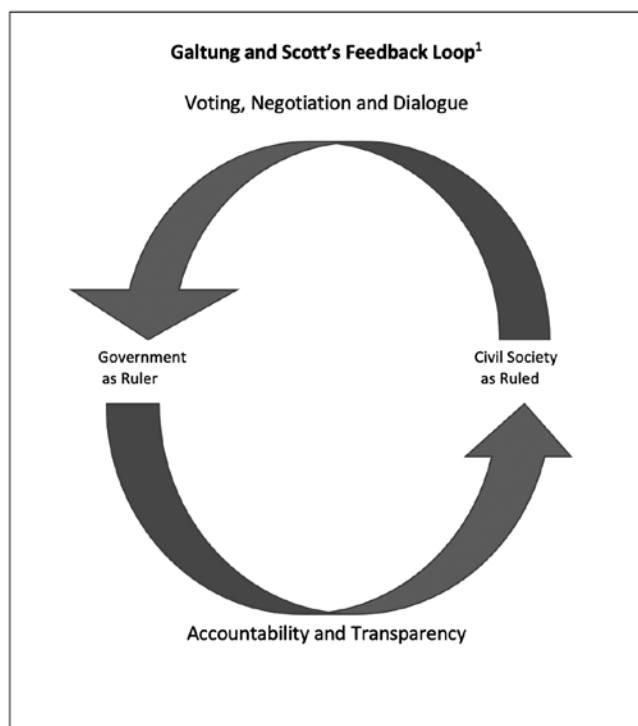
Frustrated, I returned to the USyd. I met with one of the Deputy VCs. She saw no reason why the UoC ought not support my application; although she recognised the possible political structural constraints that framed behaviours in alternative institutions. She wrote to the VC of the UoC on my behalf requesting steps be taken to enrol me. I returned to Sri Lanka and hand delivered the letter to the UoC's VC's office in June 2012. However, to my knowledge, no response was ever received at USyd. The exercise proved fruitful in so far as it offered an insight into the limitations of leadership and the structural barriers that existed, even within so-called democracies, when politically compromised.

Ministry of Higher Education

Much like so many of the experiences of Sri Lankans known to me, I too had begun a real Sri Lankan journey. Their experiences and frustrations with the social and political contract within the state seemed now to be confronting me. Unilateral decision-making in the upper echelons of power with little or no recourse to remedies, became more apparent. I decided to challenge the UoC's VC decision by lodging a complaint with the Ministry of Higher Education (MHE).

I continued to wrestle with the idea that there must be an avenue along which solutions existed. In a properly functioning democracy, recourse to discussion, debate and solutions is anticipated. Galtung and Scott's work provided a theoretical basis for moving forward, helping me to understand the structural barriers I faced (2008: 16). Moreover, their scholarship encouraged me to explore alternative solutions to overcoming barriers, such as through their dialogue-dependent democratic feedback loop.

Figure 1: Democracy Feedback Loop

Galtung and Scott's Feedback Loop[1]

Voting, Negotiation and Dialogue

Government as Ruler

Civil Society as Ruled

Accountability and Transparency

Developed in consultation with Professor Paul D Scott by email correspondence dated 22 and 23 February 2020

I therefore pursued my complaint with the MHE throughout 2012 and 2013 only to learn that that organisation was directed by the VC's husband. Here I met with a ministry representative over several occasions, each visit providing the secretary with additional information about my application to the UoC. On 17 September 2012 I furnished the representative with a copy of the USyd VC's letter. That complaint was investigated over a period of a further 12-18 months and led to no result. What became apparent to me again and again, through my own experiences, was twofold: that enormous difficulties existed in accessing institutions that were in any way associated with the State; and, that there was no recourse to appeal nor pursue remedies in the wake of institutional decision-making. I was devoid of the democratic entitlements that one anticipated as a citizen of a Western liberal democracy. Moreover, from my readings I also realised that when benchmarked against the work of democracy scholars, the Sri Lankan experience not only fell short of the entitlements anticipated in rights-based

democracies, but it fell even shorter of the participatory mode of 'strong' democratic form to which the democracy scholar Benjamin Barber aspired (2003: 8).

Ministry of Official Languages and Social Integration

I continued to explore alternative participant options for the research. Although its mandate was limited to issues of race, ethnicity and religion, I visited the Ministry of National Languages and Social Integration (MNLSI) during 2013-14. It was divided into two divisions: languages, and social integration. The Social Integration Division, 'is committed towards the creation of a "Society for All" in which every individual, each with rights and responsibilities, has an active role to play' (MNLSI 2011: 1, 8). It seemed to me that within this ministry's mandate existed a potential interest in the wider social and cultural worlds of people in Sri Lanka.

I met with the minister's personal secretary periodically. We discussed the work of the ministry, the minister's engagement with communities and his preparedness for interview. I explained how the research was developing. On each occasion, the secretary requested more information and always sought more time to allow him the opportunity to discuss the minister's participation in the research. Ultimately, following a lengthy pattern of meetings, I pushed the secretary to secure an appointment with the minister for interview. Predictably, once I moved our discussions to dates and commitments, our engagement began to unravel. Citing the minister's view that 'the research was not of value to Sri Lanka', I was referred on to another department to commence alternative discussions. Again, like the UoC, my participation was thwarted. I found an environment that superficially appeared to be engaged but that ultimately harboured, at best, disinterest, and at worst, a deep fear about the study.

Sri Lankan Human Rights Commission

In addition to the UoC and the MNLSI, I wrote to and visited the Sri Lankan Human Rights Commission (SLHRC) during 2012-13. The strength of local authorities, such as the SLHRC, plays an important role when seeking to impart local people with new knowledge and values that might sometimes be viewed as imposed cultural logic from outside (Guneratne 2008: 101). I met with two Commissioners and explained the research. They talked to me about their work. However, their commitments to participate did not materialise when I followed-up at later dates. Commissioners became unavailable and SLHRC staff, who were also unable to formally commit to interviews, anecdotally told me that at least one senior SLHRC staff member was reporting back to the president's office, the result being that a culture of fear

permeated the organisation into inaction on politically sensitive issues.

Much later, when I had established interviews with participants from marginalised communities, interviewees were particularly critical of the SLHRC believing it was not independent and unable to fulfill its administration of justice mandate. Participants believed that it was internally compromised, furnishing me with examples of violence directed at its staff by state authorities. Those people who identified with the LGBTIQ community were particularly critical. For example, some said they had approached the SLHRC to investigate complaints of injustice based upon sexuality, but their requests were denied. One participant, Gloria, challenged the Commission's effectiveness as an institution of justice because she said, '*I think their ability to carry out their mission was so constrained by the political environment that they were operating in...*'. Another participant, Hilol, questioned the legitimacy, and appropriateness, of Commissioner appointments as well as their commitment to human rights. Others drew parallels between the conflicted relationship the SLHRC had with the government and the antagonism that had developed towards the Supreme Court, and the then Chief Justice who was ultimately impeached (The Gazette of the Democratic Socialist Republic of Sri Lanka 2012: 1796).

United Nations Country Team

During six years in-country, through the conference and civil society, I was also engaged with staff and heads of United Nations (UN) agencies. I wrote to and visited various UN agencies at the Colombo compound. None of the heads of agencies replied to my letters. None were prepared to be interviewed as representatives of the UN. However, three research participants attached to the UN (one head of agency) were ultimately interviewed, their identities protected by pseudonyms.

Amongst the civil society participants, one articulated their concerns about the conflicted responses of UN agencies. Self-censorship was central to this discussion. One participant of Focus Group 2, Nigel, spoke of two UN agencies, UNFPA and ILO, with whom his non-governmental organisation had worked on LGBTIQ, HIV/AIDS and sex worker issues. He said that both agencies had subjugated themselves to government demands, modifying or withdrawing from civil society support. These observations were anecdotally confirmed elsewhere during data collection, poignantly illustrated by the intermittent refusal of the government to re-validate visas of UN employees seen as troublesome.

What became clear was that the space in which the UN itself worked was conflicted by government demands, and possibly corrupted. Whether the UN system was adequately upholding its international mandate in accordance with the Charter and the rights-based order, framed within the Universal Declaration of Human Rights or associated Covenants, was not directly addressed within the research; however, these collective experiences point towards a pattern of institutional behaviours which may have diminished civic agency.

Ministry of Defence

Under the first Rajapaksa administration (2005-2015), the Ministry of Defence (MoD) was given additional oversight functions. A Criminal Investigation Division (CID) was established to monitor the activities of civil society. In 2011, the UN Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka warned against the role. It found 'disturbing...reports of human rights organisations being investigated' and, given their 'concern' over the 'pressures on human rights defenders' noted the importance that defenders have 'unrestricted freedom of movement...and be able to monitor and report on human rights issues' (Report of Secretary-General Panel of Experts 2011: 113) The sub-case study within the research of two lesbians, Ramaya and Margaret, highlighted the difficulties people faced under such scrutiny. They worked in women's, gay men's health and sexual rights-based NGOs and said they made '*conscious efforts to stay under the radar so that they wouldn't get adverse media publicity*'. Despite this they both found themselves under investigation and closed-down their work on several occasions. During interview for the research Ramaya reported that they were, '*called by the NGO Secretariat and Ministry of Defence… to the 4th Floor of the CID and taken in for questioning…this made us very fearful*'. Dilshan, another participant, who ran an LGBTIQ NGO reported similar concerns and registered his NGO as a business to avoid the perception that they were involved in community-based work.

Similar stories had been known to me anecdotally and, when cross-referenced against my own experiences, helped me to interpret the environment in which I found myself more carefully. Like others' experiences, my participation, and hence agency, was limited by top-down institutional structural barriers whose own shortcomings arose due to the conflicted spaces they occupied within the political sphere.

Barber's strong democracy model aspires to a self-governing community of citizens who enjoy a common purpose and engage in mutual action 'by virtue of their civic attitudes and participatory institutions' (2003: 117). Beyond the importance of a purposively civic 'attitude', Barber recognised the mutually necessary structural imperatives that institutions ought to promote, such as allowing and enabling civic action to which I include

academic freedom and research agency. Unlike the quashing of agency demonstrated by the UoC, the MHE, the SLHRC and even parts of the UN system, the MoD had not yet refused my engagement. But its top-down mandate, of control and constraint, and its authority to arbitrarily prosecute those without, or with little, power under the criminal code created an environment that suffocated civic participation and agency.

Like the other institutional structures discussed above, I initially formed the view that the MoD should be afforded the opportunity to participate in the research and respond to questions about why a military institution ought to have oversight over the activities of civil society. I visited the offices of the MoD and spoke with one of the uniformed staff. They were reluctant to allow me to interview anyone formally but were interested in knowing who I was, who I had spoken to for the research and requested I remain in contact. However, as my discussion with the officer appeared not to demonstrate any level of genuine reciprocity and given the necessity to ensure there was no harm done to any of my own contacts or potential participant interviewees, I too, although somewhat prescient of the experiences of Ramaya, Margaret and Dilshan, decided not to engage the MoD further.

Discovering Agency and Theoretical Framing

I interpreted the lack of state-related participation as a denial of my agency. Whilst in democratic theory an individual may enjoy greater latitude in declining to participate in their civic duties, a state agency, or quasi-judicial body, owes its citizenry a mandated suite of goods and services furnished accountably and transparently. I returned to my observations made at the ICAAP conference to guide me. Present was the willingness and meaningfulness of marginalised people's agency amplified by the enabling provision of a democratically constructed space. My readings, and these personal experiences, further grounded my research within a peace and conflict studies framework and deepened my desire to explore the nature of peace, agency and participatory potential of a rights-based democratic space and whether any such space existed within Sri Lanka.

Galtung and Scott define the imposition of majority will against a minority as a form of 'cultural violence'. The participants' experiences, in particular those from the LGBTIQ community, demonstrated that, beyond the ordinary narratives of race, religion and language, a powerful heteronormative hegemony exists in Sri Lanka. They demonstrated that the ambit of Galtung and Scott's arguments concerning majoritarianism's violence is broad and extends to myopic applications of democratic forms. 'The imposition of one form of democracy on societies rather than develop some mix', Galtung and Scott argue,

is inconsistent with a peace whose 'mandate from the people' is respectful of culture, steered by human rights and encouraging of participatory practices (2008: 22, 29).

I searched for the kind of democratic mélange, that seemed absent in the Sri Lankan experience, but which might enable peace in a manner that was consistent with Galtung and Scott's theories. I discovered part of that mix in the form of Barber's 'distinctly modern form of participatory democracy' or 'strong democracy'. It is 'sympathetic to the civic ideal that treats human beings as inherently political' promoting participatory practices, inclusive of actors and stakeholders from within civil society. In the face of deprived agency, strong participatory democracy seemed to hold at least part of an answer to the methodological framing of the study, and I resolved that the creation of such a space was necessary in order that I establish agency for participants.

Through my own experiences, I became more convinced that whilst the research needed to focus on the structures of power it did not need to rely upon approval from within those structures. Nor, I resolved, should I allow the unwillingness of those located within such structures of power to frustrate my search for answers to the research questions. Rather, I decided I needed to rely upon the voices of those most marginalised and silenced. Accordingly, I approached the development of the research methods with particular care, grounding myself in the emancipatory and social justice visions of the methods scholar Norman Denzin (2009a, 2009b).

I hoped that the macro-framing of the research around these scholars would better meet both the substantive and methodological challenges that lay ahead. On the one hand, I was interested in why peace had been so elusive for so long in Sri Lanka. But I was also interested in what peace meant for people in different communities and how peace might offer them agency. I discovered a link between the real emancipatory desires of marginalised people and the emancipatory visions of methodology scholars. This intersection of desires and thought helped the methods evolve. It also helped me to focus on the study's overall substantive research question about the space available for civil society to function in the country. Of course, my own broad and long history working in human rights, civil society and with communities caused me to pause and consider how my own experiences were a conduit towards empathising with the experiences of others, to examining the multi-dimensional conflicted spaces in Sri Lanka and to interpret how power was being used.

The research was informed by symbolic and interpretative interactionism. According to Denzin, 'interactionism best

fits the empirical nature of the social world' (2009b: 5). Denzin also calls for a 'repositioned critical qualitative studies project'; an 'activist project'; and, a renewed 'public intellectualism' from which an emergent ideological and dissident urgency in scientific approach to method might be gleaned (2009a: 26-37). This approach fits well with the emancipatory and dissident visions of the academy of peace.

I was also conscious of my shared identity characteristics with some participants, for example, the members of the minority LGBTIQ community, which helped to enhance interactionism. I recognised that this doorway allowed me to reposition myself ethically and with a proximity to the participants that fostered common insights. As Martha Nussbaum has argued in her research on empathy, pity and compassion, 'the pain of another will be an object of my concern only if I acknowledge some sort of community between myself and the other, understanding what it might be for me to face such pain' (1996: 35). In an environment in which I could be perceived as *not belonging*, symbolic and interpretative interactionism and Nussbaum's insistence on the importance of deeper relational inter-subjectivities helped to bridge our relationships.

As I was interested in examining the broader scope of injustice across communities, I turned towards an intersectional methodological approach. It became an analytic tool that allowed me to focus on social inequality (Romero 2018: 1). It not only helped me examine how power is distorted but also helped to highlight the particular experiences of people whose intersecting marginalities arose from such distortions. Intersectionality allowed participants to portray themselves through multiple identities and other social divisions such as through their race, religion, age, sexual minority, or diverse gender status (Collins and Bilge 2016: 7). At the same time, I recognised that some participants harboured identity markers which could be understood as privileged as well as disadvantaged. For example, not unlike my own levels of privilege and disadvantage, participants presented with multiple and mixed characteristics. Dilshan, for example, was both a young gay man as well as being from the majority Sinhala Buddhist community. Throughout the analysis, each participant presented in terms of their particular combination of marginalised and non-marginalised identities, and in so doing, I recognised how those intersecting identities produced a particular experience for each individual.

The experiences of people with diverse sexuality and gender who identified as members of the LGBTIQ community served as a threshold marker that encapsulated the experiences of many others who are also disadvantaged by the systems of hegemonic power in Sri Lanka. The body of theoretical work on intersectionality helped to highlight the relationships between these systems of power, including patriarchy, heteronormativity, and other issues of social division, such as race, gender or sexuality (Collins and Bilge 2016: 2). As Patricia Hill Collins and Sirma Bilge suggest, there is a nexus of power within institutional hegemonies, such as patriarchy, capitalism, white supremist movements, racism and religion, amongst other structures, whose interdependence forces the location and social divisions of marginalised people based upon, for example, race, gender and sexuality (2016: 2, 66-67, 73, 76-77, 130-131). My attempts to establish the research project through various institutional structures and the consistency of barriers frustrating my ability to proceed highlighted the antagonisms that the participants themselves faced when trying to manage upwards from grassroots positions.

In conjunction with my own knowledge gleaned from my own experiences in Sri Lanka as well as my proximity and positionality with respect to the participants, I employed Interpretative Phenomenological Analysis (IPA) to interpret each participant's particular set of experiences. Whilst a common interview structure was used to commence discussions around peace, democracy, human rights and civil society, the open-ended component of interviews, consistent with principles of IPA, meant that each participant was free to explore new ideas and related concepts. Upon thematically codifying the interviews, new themes of common concern began to emerge, such as leadership, heteronormativity, patriarchy, culture and caste, the re-emergence of civil society and questions concerning the future. The employment of interpretative methods to analyse interviews enabled phenomena to not only be treated idiographically but, as Karl Popper argues, as part of a complex labyrinth of place, of past and present practices (Popper 2002: 4).

Conclusions

My time in Sri Lanka enabled me to better understand the struggle for peace with justice that ordinary Sri Lankans face. Recognising that the attainment of positive peace requires a much broader suite of considerations than the popular public narrative addresses, I set myself upon a journey that I hoped would reveal that hidden canvas. I discovered, through my own struggle for research agency, that what was not easily seen was made invisible by those in power and through the institutional structures that support them.

In attempting to answer the central research question relating to the civic space available for marginalised people to express their voices in Sri Lanka, my own agency became an issue of concern. It helped frame the methods I selected, their construction, and execution.

But it also provided me with greater insight during the collection of data more generally and from which my final analyses developed. As an emancipatory exercise too, the successful application of the methods, the results achieved and conclusions reached, the research fosters new opportunities for further investigations about peace with justice for marginalised communities to be developed, and for new questions to be asked in the future. Why, for example, despite the Aragalaya (Struggle) movement of 2022 have the same group of politicians returned to power? Why are peaceful protests still being subjected to 'heavy-handed' governmental responses? What will be the impact of these events on democracy, human rights and the agency of marginalised communities?

In a rights-based participatory democracy it is anticipated that certain fundamental rights, freedoms and responsibilities co-exist within the social and political contract. I discovered these anticipated practices and entitlements are unavailable to the Sri Lankan participants in this research. Those most marginalised, such as the LGBTIQ community, who also remain criminalised, had the greatest difficulty in finding agency and oxygen for voice. State-related structures were closed to them and, as I discuss above, to me.

In the construction of this research, I discovered the same institutional structures frustrated *my* journey and that the acquisition of knowledge about Sri Lanka which I sought to understand through the experiences of ordinary Sri Lankans could only be heard and analysed if *their* voices could be heard. I also realised that those most marginalised were the most dependent upon change and that such change relied upon these structural barriers opening. It was therefore the marginalised people in Sri Lanka to whom I turned in order to best understand the barriers and the prerequisite circumstances necessary for peace in the country.

The research contributes to contemporary scholarship by applying a multi-disciplinary peace and conflict lens to the circumstances in Sri Lanka. It does so by an examination of the experiences of marginalised communities in relation to democracy, human rights and civil society. By listening to the voices of people from marginalised communities the research broadens the normative narrative concerning conflict within the country and provides insight into the hopes of Sri Lankans and their desire for change.

The barriers I faced at the commencement of the research became instructive in the creation of the research journey, and in particular the construction of the methods. They served as invaluable pre-requisite experiences enhancing my abilities to listen, empathise and interpret the participants' experiences, *their own* journeys, into

meaningful knowledge. This article discusses my struggle for agency, in the face of entrenched structural barriers, and in so doing constructs a set of methods that gave agency to the participants, enabling the research to move forward.

References

Altman, D. 1973 *Homosexual: Oppression and liberation*, (Revised Edn.), Penguin Books Australia: Ringwood, Victoria.

Altman, D. and Symons, J. 2016 'Queer rights as human rights', *Queer Wars: The new global polarisation over gay rights*, Polity Press: Cambridge.

Barber, B. R. 2003 *Strong Democracy – Participatory politics for a new age*, London: University California Press Ltd.

Bondyopadhyay, A. 2011 'Sri Lanka' *Laws Affecting LGBT Persons in South Asia: A desk review*, RFSU & SIDA.

Collins, P. H. and Bilge, S. 2016 *Intersectionality*, Polity Press: Cambridge.

Denzin, N. K. 2009a *Qualitative Inquiry Under Fire: Towards a new paradigm dialogue*, Left Coast Press: Walnut Creek, California.

Denzin, N. K. 2009b *The Research Act: A theoretical introduction to sociological methods*, Aldine Transaction/Transaction Publishers: London.

Galtung, J. 2012 *A Theory of Peace: Building direct-structural-cultural-peace*, Transcend University Press: Grenzach-Whylen.

Galtung, J. V. and Scott P. D. 2008 *Democracy, Peace, Development*, Kolofon Press: Oslo.

Gerharz, E. 2017 'Navigating unpredictable sites: methodological implications of positioning during and after fieldwork in conflict societies', *Social Analysis*, Autumn, 6, 3: 1-18.

Guneratne, A. 2008 'The cosmopolitanism of environmental activists in Sri Lanka', *Nature and Culture*, Spring, 3, 1: 98-114.

International Centre Against Censorship 1994 *Censorship Reports, An Agenda for Change: The Right to Freedom of Expression in Sri Lanka*, Article 19, Document ID: 118, 25 October.

Kingsolver, A. E. 2010 'Like a Frog in a Well: Young People's Views of the Future Expressed in Two Collaborative Research Projects in Sri Lanka', *Human Organization*, Spring, 69, 1: 1-9.

Lokuge, G. and Hilhorst, D. 2017 'Outside the net: intersectionality and inequality in the fisheries of Trincomalee, Sri Lanka', *Asian Journal of Women's Studies*, 23, 4: 473-497.

Ministry of National Language and Social Integration 2011 *Action Plan Progress Report* 01 January 2010 to 30 September 2010, Colombo.

Nussbaum, M. 1996 'Compassion: the basic social emotion', *Gifford Lectures - Social Philosophy and Policy Foundation*, Cambridge University Press: Cambridge.

Popper, K. 2002 'The anti-naturalistic doctrines of historicism', *The Poverty of Historicism*, Routledge Classics: New York.

Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka 2011 Part VI: Further Obstacles to Accountability, Paragraph 338, New York, 31 March.

Romero, M. 2018 *Introducing Intersectionality*, Polity Press: Cambridge.

Tang, S. 2016 *Post-Colonial Lesbian Identities in Singapore: Re-thinking global sexualities*, Routledge: London.

'Town and Country Planning (Amendment) A Bill to amend the Town and Country Planning Ordinance (Chapter 269)' 2012 *The Gazette of the Democratic Socialist Republic of Sri Lanka*, 1796, 27 July.

The Sri Lanka Gazette, 2021, Government of Sri Lanka, Department of Government Printing.

United Nations *Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka* 2011 Part VI: Further Obstacles to Accountability, Paragraph 338, New York, 31 March.

United Nations General Assembly, Human Rights Council 2011 *Human Rights, Sexual Orientation and Gender Identity*, A/HRC/17/L.9/Rev.1, 15 June.

United Nations [1948] 2015 *Universal Declaration of Human Rights*, United Nations, New York https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf (accessed 13/03/2023).

Author
Scott Hearnden's Doctorate is in peace studies, and his Master's degree is in International Relations. He is currently an honorary affiliate with the University of Sydney. Scott was the President of the AIDS Society of Asia and the Pacific (ASAP) (2014-15), which was the custodian of the International Congress on AIDS in Asia and the Pacific (ICAAP). He served as a member of ASAP's Executive Committee (2011-15) and was the Executive Director (2002-2009) working on regional conferencing in Kobe-Japan (2005), Colombo-Sri Lanka (2007), Bali-Indonesia (2009), Bangkok-Thailand (2013) and Dhaka-Bangladesh (2014-15). He served as an Executive Member of the Regional Advisory Group for the Asia Pacific Coalition on Men's Sexual Health, Bangkok Thailand (2017-2020). He has worked as a consultant for regional civil society and UN organisations. Previously, in Australia, Scott was the Registrar – New South Wales Equal Opportunity Tribunal, Conciliation and Investigation Officer – Australian Human Rights Commission and whilst working as a pilot he co-founded and co-convened the Australasian Gay & Lesbian Pilots' Network.

Nostos*

My pa escaped a war. He escaped a war,
only to spend his life trying to return.

He could not have imagined how restless domestic life would be,
And we could not have imagined how the violence would change him.

He reminds my ma & I often of his sacrifices, of the horrors endured
But the truth, much worse
He misses the violence,
Wishes the fates would keep turning
Him around & around.

On our island one night, the light goes out
In the violet, blue dark no one but the gods
See the blood shed
And they will not intervene

For the gods already know:
There is no home for any of us now,
A long sigh is all there will ever be.[1]
.

TINA HUANG

1. I have borrowed and adapted this line from *A River in the Sky* by Clive James.

Commended entry from the 2022 Seeking Asylum Poetry prize

In the Waiting Room

I don't recognise her at first.
She is round and flushed
with new life – has three children
and one on the way.

The oldest, a willowy girl
is asked to watch the toddler
who bolts this way and that
and has everyone's heart by the throat
when he dashes out to the car park.

The mother rescues him,
resumes her place at the counter
where the middle child – an elfin princess
in a long emerald gown swings on her legs as if
they are sturdy trunks in a forest.

The waiting room vibrates
with their energy, their drama,
their effervescence.

They hold my gaze and smile these girls
 because I am drawn to them.
And then I am drawn away.
Back in time. Almost three years.

I was travelling from Pompoota
with two tiny girls.
The youngest flushed with fever and flu.
The oldest chattered indecipherably.
Her speech fractured.

They howled and howled when
I delivered them to the foster home.

Later, I supervised their access visit.
The mother, thin and toothless, gave them
her undivided, energetic attention.
She explained, apologised, promised.

And here they are now –
the mother, drug-free and smiling
with her new teeth,
the children laughing
with confidence and gusto
because the world belongs to them.

SHARON KERNOT