

# BLURRED BORDERS: COASTAL FISHERFOLK AND ENVIRONMENTAL CONFLICTS BETWEEN INDIA AND SRI LANKA

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## Introduction

“We’re Prisoners of War,” Chacko said. “Our dreams have been doctored. We belong nowhere. We sail unanchored on troubled seas. We may never be allowed ashore. Our sorrows will never be sad enough. Our joys never happy enough. Our dreams never big enough. Our lives never important enough. To matter.”

Arundhati Roy, *The God of Small Things*

In their troubled journeys and livelihood insecurities, the coastal fisherfolk of India and Sri Lanka are arrested, and sometimes even killed, for having entered each other’s arenas. These fisherfolk are victims of defined and undefined boundaries in the seas, and increasing coastal conflicts over renewable resources.

Most of the studies on marine coastal fisherfolk of South Asia have been ethnographic descriptions, concentrating on their social life and kinship patterns (Mathur 1978; Alexander 1995; Masakazu 1997). There have been some studies, which have reflected on the growing conflicts between traditional fishers and mechanised trawler owners (Qasim 2000; Menon 2003; Mujtaba 2003). On the other hand, studies regarding tensions between India and Sri Lanka have been largely focussed on ‘big’ and ‘visible’ points of conflict like LTTE, terrorism and ethnic conflicts (see for example Stanley Tambiah). There has been scant mention of the less spectacular, everyday conflicts, which perhaps are equally damaging. This paper probes not the high moments of conflict, but everyday arenas of it.

The study also highlights a dynamic interplay between ecology and conflict (Meyers 1993; Thomas and Thomas 1999; Mathew 1999). It argues that there is a need to rethink questions of security in the context of people, environment and resources. At the same time, it moves beyond looking at environmental crisis as the sole reason for this conflict. Rather, it links it to other arenas of society such as economics and politics and attempts to understand coastal conflicts from several overlapping but distinct standpoints including identity, nationalist anxieties, ecology, role of capital, fisherfolk, and growth of terrorism.

## Ambiguous Identities, Nationalist Anxieties and Abuses of Law

Date: 9 February 2001  
 Court: Judicial First Class Magistrate, Kochi, Kerala  
 Complainant: State Represented by the S.I. of Police  
 Accused: Sisira Fernando, Vieyna Mahadev, Sri Lanka  
 Stanly Reginol Fernando, Varuthanpolothoduwavu, Sri Lanka  
 Upply Hedson, Hilset Magono, Sri Lanka  
 Kjan Fernando, Thirukolombu, Sri Lanka  
 John Pauli Karp, Jayasuryavath Pahlle Ettanerya, Sri Lanka  
 Offence: Violation of Maritime Zone of India Act 1981  
 Plea: Not Guilty  
 Finding: Guilty  
 Sentence or Order: Sentenced to pay fine of Rs. One lack each and in default, to undergo sentence for six months each. The fishing vessels, fishing gear, equipment, cargo and sale proceeds of the fish found on the vessels are confiscated by the Government of India.

In early 2001, Sisira and four others were asked by the Magistrate in court to answer questions. They were furnished with copies of prosecution records, particulars of the offence were read and simultaneously explained to them with the help of an interpreter. Five fishing vessels with 29 crew members entered the Indian ocean on 12 February 2000 and poached fish from the Exclusive Economic Zone (EEZ) of India without any licence or permit. A ship of the Indian Coast Guard apprehended them and handed them over to the police. The Magistrate's court in Kochi, designated under the MZI Act, proceeded with the case. Today the Magistrate was eager to get in a word from the accused as they had not spoken.

The exchange between the Government lawyer and Sisira was as follows:

Lawyer: Which country are you from?

Sisira: I belong to the Tamil fishermen community.

Lawyer: Yes. But where do you belong – Sri Lanka or India?

Sisira: To the Tamil land.

Lawyer: Oh! Which country, which place?

Sisira: I live in Sri Lanka. My forefathers lived in India. Relatives are here and there. I go off and on to meet them. I work and live in the sea. India or Sri Lanka does not come to me.

Lawyer: What is your citizenship? What passport do you hold?

Sisira: What is citizenship? Passport? I have none.

Lawyer: But you came from the Sri Lankan side. Your vessel is licensed there. Thus, you are a Sri Lankan, trespassing into India.

The Magistrate saw that the public prosecutor was getting nowhere. He said, "You know there are many kinds of citizens and non-citizens under the state laws. You came from the Sri Lankan shores; you are not offering any mitigating proof to disapprove that." Thereafter he wrote, "Sri Lankan, trespassing into India – a fit case to invoke the benevolent provisions of the MZI Act" (Court proceedings in Kochi, 9 February 2001).

The few words of Sisira, subsumed completely in the Magistrate's ruling, reveal the sheer domination of the State's claim to the seas, borders and citizenship. It has been pointed out that borders have played a role in this century in making national identity the pre-eminent political identity of the modern state (Anderson 1996). The case of the coastal fisherfolk particularly proves the point, even sea

territories are considered ‘sacrosanct’ by the nations. Territoriality provides a means of reifying power of the nation (Sack 1996). Legal institutions and processes reveal similar anxieties and strengthen the state further.

The law can be used against the fisherfolk in hundreds of ways. Here the discourse of law is a discourse of power, where the fish worker is denied any recognition as a subject of concern in his own right. The Indian and Sri Lankan states have become the natural custodians of the seas. India and Sri Lanka share a maritime border of more than 400 kilometres, which cuts across three different seas. The maritime boundary is close to the shores of both countries in the Palk Bay region, where the maximum distance separating them is around 45 km, and the minimum 16 km (Vivekanandan 2001) Even before the Law of the Sea was negotiated at the United Nations, India and Sri Lanka already had the maritime agreements of 1974 and 1976. The 1974 Agreement demarcated the maritime boundary in the Palk Strait and ceded Kachchativua, a small, uninhabited island in the region, to Sri Lanka. The 1976 Agreement barred either country’s fishermen from fishing in the other’s waters.

Article 5 of the 1974 agreement further said: “Subject to the foregoing, Indian fishermen and pilgrims will enjoy access to visit Kachchativu as hitherto, and will not be required by Sri Lanka to obtain travel documents or visas for these purposes.” And Article 6 said: “The vessels of India and Sri Lanka will enjoy in each other’s waters such rights as they have traditionally enjoyed therein” (The full text of the agreement and the discussion are included in the Lok Sabha Debates, 23 July 1974.) On the basis of this, Prof. V. Suryanarayan, a well-known Indian academician on this subject, argued, “Article 5... clearly provided for the continuation of the rights of Indian fishermen to fish even round about Kachchativu (Suryanarayan 1994: 24). But the Government of Sri Lanka rejected this standpoint, claiming that it gave only the right to dry the fishing nets and the right of the pilgrims to visit Kachchativu for religious purposes (Suryanarayan 1994: 4).

In the 1976 Agreement there was an exchange of letters. Paragraph I of the Exchange of Letters reads:

The fishing vessels and fishermen of India shall not engage in fishing in the historic waters, the territorial sea and the exclusive economic zone of Sri Lanka, nor shall the fishing vessels and fishermen of Sri Lanka engage in fishing in the historic waters, the territorial sea and the exclusive economic zone of India.

There were other dominant considerations discussed among the then heads of state working on these agreements.<sup>1</sup> However, it was the different interpretations of the Exchange of Letters and of Article 5 in the 1974 Agreement that led to the controversy over whether or not Indian fishermen had the right to fish in and around Kachchativu.

Though the issue of rights of fisherfolk has been commented upon, the fact remains that the State dictates the domain and the character of fisherfolk problems. Both Sri Lanka and India want to claim their sovereign territories in the seas, and the maritime laws and legal processes become critical tools for this purpose. There are innumerable cases where genuine fishermen have been convicted as common smugglers.<sup>2</sup> “It is extremely unfortunate that fishermen are held up to a year in prison on remand for offences, which are not punishable with imprisonment,” comments V. Vivekanandan, Convenor, Alliance for the Release of Innocent Fishermen (ARIF).

## Suffering Fisherfolk, Ecological Crisis and Impact of Capital

And the death of the people was as it has always been:  
 as if no one, nothing had died,  
 as if they were stones falling  
 on the ground, or water on the water

Pablo Neruda, Canto General<sup>3</sup>

The experiences of pain and human violation are not just events; they are tied here with complex issues of nation-states, boundaries, state rivalries and ecological malaise. As recently as 4 December 2003, the Sri Lankan Navy arrested 77 Indian fishermen. Another group of 11 fishermen was arrested on 8 December at the islet of Kayts off Jaffna. Such arrests have been an ongoing phenomenon. Pathinathan, S. P. Royappan, Susha Raj, John, Sebastian, M. Sahayam and Pandi, among thousands of other men who fished in the sea border in the Palk Bay off Tamil Nadu, were arrested, injured, harassed and even killed at sea. Their boats were sunk or captured. K. S. Nicholas, W. Wilbert, K. S. Joseph Washington, Sirinimal Fernando, Wijendra Waduge Chandra and many more fishermen of Sri Lanka met the same fate in the hands of the Indian navy and coast guard (S. Gautama Dasa, interview, 1998). Fishermen from both sides go through brutal experiences, which are created and distributed by the sea order itself. Their bodies bear the stamp of authority of the nation-states. In the Palk Bay region, in which the island of Kachchativu is located, the shooting and detention of fishermen is a regular happening.

Arrested fisherfolks and their families face many problems. The boat owners come to know about the arrest, but usually the families of the crew members do not get any immediate information. Most of the time, the boat owners do not provide any assistance to the crew's families. The government provides some support, but there are frequent complaints of delay and irregularities in payment. The women have a difficult time and wives of the arrested fisherfolk are often harassed. The arrested Sri Lankan fisherfolk also suffer because of language barriers; most of them can understand only the Sinhala language and only a few speak Tamil, which is spoken in India (Herman Kumara, interview, 2003). The narratives of the arrested fisherfolk and their families hide innumerable stories of pain and agony. Their stories are indescribably tragic. Their livelihood is regarded as a crime. They are harassed by the coast guard and jail authorities, weakened economically and excluded from their only source of livelihood. It takes its toll on their families who live in constant uncertainty and anxiety. There is also the tragedy of gross violation of basic human rights. Finally, there is the tragedy of a loss of self. Suffering here is intrinsically linked to political power and rivalries of the states. The personal here is very much political.<sup>4</sup>

There are deeper reasons for these arrests and conflict. It has been argued effectively that traditional analyses of conflict, which rely primarily on religious and cultural explanations, are not enough since these do not take into account links between the growing scarcity of renewable resources and violent conflict (Homer-Dixon and Thomas 1999). Furthermore, security is being shaped on an anvil of environmental edifice, where it is asserted that large-scale human-induced environmental pressure may seriously affect national and international security (Gleick 1991; Meyers 1993; Homer-Dixon and Blitt 1998). The crisis in marine resources and the decline of fisheries is critical in any analysis of coastal conflicts between India and Sri Lanka. However, it is not enough to understand the plight of coastal fisherfolk merely in environmental terms. A more nuanced approach would be that insofar as security is premised on maintaining the status quo, it runs counter to the changes needed to alleviate many environmental problems.

The decline in marine resources in both India and Sri Lanka is linked with a complex matrix of unequal economic distribution of wealth and capitalist relations in the coastal areas (Suliman 1999). Policy-making in the coastal areas of the Indian Ocean has led to a marginalisation of the traditional systems, and the transplantation of ‘modern technology’ to their areas. A subsistence-based, livelihood activity has been transformed into a commercial, business venture (Salagrama 2001). The earlier undemarcated community of fisherfolk has been overtaken by a capitalist growth that is simultaneous with an increasing ecological crisis.

There is a widespread community of suffering fisherfolk on the sea borders of India and Sri Lanka. In earlier times till the beginning of the 20<sup>th</sup> century, fisherfolk communities and their life experiences were unbounded, therefore making co-existence possible. Around Kachchativu island, there was an annual feast which people from both countries attended. Until the time it was discontinued in 1982, the Kachchativu feast was not just a religious meeting ground, it was also an occasion for informal trade. Though the fishers of the two countries used to fish in the same waters, their fishing practices differed and they caught different species of fish, hence there were no clashes.<sup>5</sup> Fishers who migrated to the island and settled there during the past 50 years mainly belonged to four castes, namely, the Parava, Kadayar, Valayar and Karayar. The Paravas who formed the major group migrated from the Gulf of Mannar coast south of the island while most of the others were originally from the Palk Bay coast.<sup>6</sup> V. Vivekanandan terms this as ‘historic contacts’ and states:

The fishermen communities on either side of the Palk Bay are Tamil-speaking and have common origins. Further, the Bay is a common fishing ground for fishermen of both countries. It is therefore not surprising that there has been close contact between the fishermen of both countries for centuries. (Vivekanandan 2001)<sup>7</sup>

However, since the early 1970s, there has been a gradual disappearance of the earlier fluid identity of the fisherfolk community, and a conflicting community has emerged, increasingly driven by capital and technology. Plural communities have given way to singular entities, with fixed and protected boundaries, caught in their differences and incapable of working together. The role of capital in the marine sector has been to create a profitable market, subjugating all other modes of production. This has also increased the annihilation of ecological and social spaces.

The overview of the marine fisheries and fishers in and around Rameswaram, which is the most affected place in India, shows how the expansion of capital and technology has the capacity to transform the whole sector. According to A. J. Vijayan, editor of *Waves*, a fortnightly publication on fishermen, there are 1,000-odd trawling boats and 1,500 canoes, large mechanised, small mechanised and small non-mechanised, and small non-motorised catamarans operating from the island. A mechanised trawling boat with many gears will require a capital investment of Rs. 1 million, which is unaffordable for the traditional fishing community cannot afford. Thus many merchant capitalists have entered this sector.

But what forces fishermen from Rameswaram to go to the Sri Lankan waters beyond Kachchativu, even at the risk of being killed? What compels the Assistant Director of Fisheries for Rameswaram region to say, “If fishermen do not cross the border today, tomorrow there will be no fishing in the region!” The answer lies in the massive capitalist growth of fishing activity in the region. Fisherfolk become wage earners, deprived of other rights in the seas. Unlike other places in the country,

where the net income is shared between the boat owner and the crew in a ratio of 60:40, in Rameswaram the boat owners pay daily wages, dependent on the catch. The crew thus want to catch more fish, even in dangerous waters. What has happened along the shoreline of the Gulf of Mannar is alarming. Over the last few years, the catch has declined sharply here, owing to the exploitation and degradation of critical ecosystems. The fishing families have been caught in a vicious cycle: a degraded ecosystem, fall in fish catch and hence income levels, exploitation of resources, and further degradation of the ecosystem.<sup>8</sup> According to the 1993 Marine Fishing Regulation Act, trawlers can only fish beyond a distance of three nautical miles from the shore. The allegation from the traditional fishing sector is that trawlers routinely violate this rule, as the best fish catch is found within that range.<sup>9</sup>

Looking at the development of the fisheries sector in Sri Lanka, it can be said that capital, technology and market are tearing down spatial barriers to intercourse, i.e. expanding and conquering the whole surrounding environment for its profit and market. 1,050 fishing villages and about 87,808 households comprise the marine sector. The marine sector accounts for 85 percent of the employment in the fisheries sector. About 98,444 people are actively engaged in fishing and thousands more are employed in marketing and other ancillary services (Ministry of Fisheries and Aquatic Resources Development 1995). The Ministry of Fisheries and Aquatic Resources Development has estimated the total fishery associated population to be around one million (Ministry of Fisheries and Aquatic Resources Development 1999). The marine resources in Sri Lanka are divided into two sub-sectors: coastal fishery, and offshore and deep-sea fishery (Ministry of Fisheries and Aquatic Resources Development 1999). Studies by NARA (National Aquatic Resources Research and Development Agency 1998) recommended the discontinuance of subsidies for the construction of offshore gillnet vessels because this had already achieved the maximum economic profit, but this has not been done. Deep-sea fishery is of fairly recent origin in Sri Lanka and because of it and multi-day boats, the situation has worsened.

Oscar Amarasinghe of the University of Ruhuna, Sri Lanka cites the fact that about 75 per cent of the owners of multi-day fishing craft today are non-fishing owners, of whom a sizeable number represent a class of businessmen who have no history of fishing (Amarisinghe 2001). With the entry of 'outsiders' into fishing communities, the traditional pattern of labour recruitment, employer-employee relations, and work conditions of labour, has undergone tremendous changes (Creech and Subasinghe 1999). Analysing the connection between the processes of globalisation and Sri Lanka's fisheries, Oscar Amarasinghe and Herman Kumara (2002) state that the process of globalisation took off after 1977 and led to a considerable expansion of Sri Lanka's modern mechanised fishing fleet, but due to its heavy cost, most of it is owned by non-fishing owners, who are under no obligation to abide by the local community's customary laws (Amarasinghe and Kumara 2002). Steve Creech, a persistent researcher on Sri Lankan fisheries, poses the question of the arrest and killing of Sri Lankan fisherfolk more pointedly:

Sri Lanka is the only South Asian nation.... to have developed a multi-day deep sea fishery, which currently boasts a fleet of around 1800 vessels.... One of the key problems perpetuating the arrest of Sri Lankan fisherfolk is that the people engaged in the debate are refusing to face up to a number of simple, though unpalatable truths. Really addressing the issue would require tackling Sri Lanka's over-capacity and developed dependency on gill nets. It would require the withdrawal of government subsidies for more multi day boats and fixing terms and conditions for employment of fisherfolk in the multi-day fishing sector, therefore reducing the owner's profits (Creech, interview, 2004).

With this growth of capital and technology in the sea borders of India and Sri Lanka, we see the emergence of a new working order. The universalistic reach of capital and commerce on both sides of the divide demonstrates its power, striving towards extensive exploitation and profit. At the same time however, the multilayered deep tensions making dents over it also show the weaknesses of this capital.

### Caught in a Conflict Wrap: Fisherfolk, Nationalist Identity and Ethnic Conflict

It is not only the crushing capital that reorders the fishing sector. Alongside this, a new sense of identity is now being created among fisherfolk. They are becoming aware that their existence is 'different' and 'distant' from others, expressed not in terms of the differentials of caste or class, but in terms of national sovereignty and exclusivity. Caught in a conflict wrap, adherence to borders is now being regarded by the border fisherfolk as almost a natural condition. The nation-state created the very same border to dispossess the fisherfolk. Ironically, at present, the fisherfolk derive much of their strength from the very same language. Of late, the conflict has manifested itself in the form of violence directed by the fisherfolk of one country against the other, indicating their attempt to appropriate for themselves the same methods by which the State has been suppressing them.

The ethnic conflicts in Sri Lanka had resulted in the seas being closed to the fishermen, while their counterparts from India could poach in these waters. All the four northern districts of Sri Lanka – Jaffna, Mannar, Kilinochchi and Mullaithivu – had a dismal contribution of an average annual marine production of 6,300 tonnes between 1994 and 2000, to the national average of 2.30 lakh tonnes. With the peace process under way in Sri Lanka, these areas have once again been opened to the Sri Lankan fishermen who perceive the Indian fishermen encroaching on their waters as their main enemies. Hundreds of fishermen in the northern districts of Sri Lanka held protest marches against what they termed as the Sri Lankan Government's lack of action against the encroachment by Indian fishermen. Angry marchers shouted slogans and carried banners that said: "Save our resources," "Sri Lanka is our land, its seas our home."<sup>10</sup> On 3 and 5 March 2003, Sri Lankan Tamil fishermen from Pesalai and Neduntheevu attacked 154 fishermen from Rameswaram and Mandapam and seized 21 boats, because they were fishing beyond Kachchativu. Two fishermen suffered fractures in their hands.<sup>11</sup> Emotions ran high at Rameswaram and other areas of the Ramanathapuram district of India. About 1,200 mechanised trawlers and around one lakh fishermen struck work. N. Devadass, secretary of the Rameswaram Port Mechanised Boat Owners' Association, demanded the traditional right to fish in the waters around Kachchativu.<sup>12</sup> All the forces of the ruling establishment also pander to such 'nationalism.' The political and social atmosphere could be thus induced to look upon 'their' fisherfolk as the fighter and the others as the aggressor. After the March incidents, some Indian leaders urged the Government to intervene and deal firmly with this issue, even to the extent of suggesting that a permanent solution can be achieved only if the Centre took steps to get back Kachchativu from Sri Lanka.<sup>13</sup>

It is quite disturbing that the conflicts are going beyond their local boundaries and are becoming a common habitat. It has been observed that Indian fishermen, particularly of Rameswaram, are depending more and more on fishing in Sri Lankan waters (Kumara 2001). And if they strictly follow the rules and do not cross the boundary, then the crew will also be fired since they will not be able to bring any catch. "It is the Indian fishermen who intrude into the Sri Lankan waters because the fish are there. All the shootings happen there. The fishermen who claim that they were shot in Indian waters might not be

telling the whole truth,” comments Coast Guard Director General, Vice-Admiral R. N. Ganesh (Ganesh, interview, 1997). Even organisations like ARIF, which is an alliance of trade unions and non governmental organisations for the release of innocent fishermen arrested on the Indo-Sri Lanka maritime border, see the situation as going nowhere (Memorandum submitted to Minister of External Affairs, 2001).

The contagion effects of political conflicts make the fisherfolk more vulnerable to the violence and domination of the armed forces. Sri Lanka's ethnic conflict, the presence of LTTE militants in coastal Tamil Nadu, and the killing of the Indian Prime Minister Rajiv Gandhi have all taken a heavy toll on their livelihood. Sri Lanka's navy has been given *carte blanche* to open fire on all unauthorised boats in its territorial waters. The Indian government has also adopted tough measures to prevent infiltration and movement of LTTE guerrillas. In these situations, nobody makes a distinction between militants and fishermen.

The repercussions have been severe. Between 1983 and August 1991, there were 236 incidents of attack by the Sri Lankan Navy on Tamil Nadu fishermen. 303 boats were attacked and 486 fishermen affected. Over 50 fishermen were killed (*Indian Express*, 4 October 1991).<sup>14</sup> In the last three years, 25 Tamil Nadu fishermen have been fired at and killed by the Sri Lankan Navy. In addition, 109 have been injured (*Indian Express*, 8 November 2003). Indian fishermen have been a regular target of attack by the LTTE ever since the ceasefire between the Sri Lankan government and the Tigers was declared in February 2002. In November 2003, the LTTE abducted 32 fishermen from Ramanathapuram in Tamil Nadu and released them only on the intervention of the Norwegian peace facilitators. Some years ago, a number of Indian fishermen were injured when the LTTE attacked a Sri Lankan naval camp in northern Talaimannar, using Indian fishing vessels as cover. The military has become integral to the sea borders, influencing the entire landscape. It justifies its action in the name of anti-terrorism and national security. There is a state of continuous low-intensity warfare with cumulative impact on fisherfolk. At Kankesanthurai (Jaffna), J.H.U. Ranaweera, Commanding Officer (North) of the Sri Lankan Navy sees trespassing Indian fishermen as “one of the biggest security problems.”

In such an atmosphere, concern for fishermen largely stems from the vantage point of security, developed within a discourse of conflict. The security issue is a power and war word, a State act that is paving the way for State monopolisation of responses to a multi-faceted situation. Both countries no longer see this issue as one to be dealt with through mainstream institutions, but one that requires extraordinary measures. Thus we see that a confidential document on this issue reads like a military paper:

Since 1983, with the escalation of terrorist activities in the North and the East and the ferrying into Sri Lanka of terrorist cadres, arms and equipment from bases in Tamil Nadu, the incidents of violations by Indian fishermen assumed a new dimension, as they now constituted a serious security problem to the Government of Sri Lanka.... any future violations of Sri Lankan waters by Indian vessels would be dealt with firmly under the laws of Sri Lanka and if necessary, Sri Lankan naval craft will open fire on any boats violating Sri Lankan waters (Legal Advisor, “Confidential Discussion Paper,” page 15).

Labelling a particular challenge as a security issue makes it a threat to the country, consequently excusing the State from normal checks on its behaviour, and justifying drastic actions against fisherfolk.

## Conclusion

The political and social issues herein are complex and resistant to easy solutions. However, what can be broadly said is that the need of the times is to transcend the unfettered processes of capital accumulation as the development metaphor. We need to simultaneously contest, interrogate and reverse state anxieties. We need to rethink the very terms in which we converse about security, the very language we use to articulate our ‘realities,’ problems and dreams (Behra 2002). India and Sri Lanka both appear to have ignored two major questions involved – first, the fisherfolk’s right to resources and livelihood and second, the incompatibility of their national laws with regard to the seas on the one hand, and internal laws and conventions on the other. Should not questions of livelihood, of human dignity and the right to live feature in any discussion of national security, terrorism and the drawing of borders? This requires a fundamental shift in the basis of political legitimacy – from efficacy to the active consent of the governed. The need of the times is to have a region of productive ambiguity, to be adopted by both countries, in which there is a decentralisation of settled conventions. Institutionalisation of the rights of these coastal fisherfolk is not only needed to protect their interests; it can lead to a reduction in cross-border tensions and be a step towards peace and democracy. Coastal fisherfolk provide us with spaces for constructive interactions between peoples across boundaries, reducing constructs of exclusivist identities.

## Endnotes

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<sup>1</sup> For details see S. D. Muni, “Kachchativu Settlement: Befriending Neighbouring Regimes,” *Economic and Political Weekly*, Vol. 9, No. 28, 13 July 1974, p. 1121.

<sup>2</sup> See “India-Sri Lankan Fishermen’s Problems: A Report,” *Trade Union Record*, 20 June 1998, pp. 14-15.

<sup>3</sup> These verses refer to the massacre of Chilean workers in 1946.

<sup>4</sup> For theoretical inputs on this, see Arthur Kleinman, Veena Dass and Margaret Lock (eds), *Social Suffering*, OUP, Delhi, 1998.

<sup>5</sup> Kachchativu festival was revived after 20 years on 11 March 2002. Devotees from the Jaffna Peninsula and India flocked to it. For details, see Nirupama Subramanian, “To Nowhere Land,” *Frontline*, 2

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August 2002, pp. 68-70. Also, “Kachchathivu Festival After 20 Years,” *The Hindu*, 12 March 2002, p. 12.

<sup>6</sup> For a detailed account, see A. J. Vijayan, “An Overview of the Marine Fisheries and Fishers In and Around Rameswaram, Tamil Nadu,” Unpublished Draft Report, pp. 3-9.

<sup>7</sup> Also see Legal Advisor, “Confidential Discussion Paper on Outstanding Fisheries Issues Between Sri Lanka and India,” Ministry of Fisheries, Government of Sri Lanka, 2 July 1996, p. 2.

<sup>8</sup> For details, see Asha Krishnakumar, “Rebuilding an Ecosystem,” *Frontline*, 14 March 2003, pp. 80-81.

<sup>9</sup> For details, see Menon, “A Conflict on the Waves.”

<sup>10</sup> For details, see V.S. Sambandan, “Mannar Fishermen Protest their Government ‘Inaction’.” *The Hindu*, 11 March 2003.

<sup>11</sup> Attacks on each other by fisherfolk and making them captive or detained are a regular happening between sea borders of India and Sri Lanka. See “Lankans Attacked 6 Tamil Fishermen,” *Indian Express*, 12 March 2002; “103 Fishermen Detained,” *The Hindu*, 20 September 2002.

<sup>12</sup> For details, see T. S. Subramanian, “Troubled Waters,” *Frontline*, 11 2003, pp. 40-42.

<sup>13</sup> For details, see “Colombo Arrests 75 Indian Fishermen for Encroaching,” *The Hindu*, 5 March 2003; “Fishermen Issue: Jayalalitha Seeks PM’s Intervention,” *The Hindu*, 6 March 2003; “Fishermen Issue: T. N. MPs’ Plea,” *The Hindu*, 7 March 2003; “TN Protests Against Killing of Fishermen,” *The Hindustan Times*, 29 July 1997.

<sup>14</sup> *Indian Express*, 4 October 1991. For more such incidents, see Mukul Sharma, “In Risky Waters,” *Frontline*, 24 September 1999, pp. 65-70.

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 References

Alexander, Paul. 1995. *Sri Lankan Fishermen: Rural Capitalism and Peasant Society*. New Delhi: Sterling.

Amaringsinghe, Oscar. "Economic and Social Implications of Multi-Day Fishing in Sri Lanka." Paper presented at the Conference "Forging Unity: Coastal Communities and the Indian Ocean's Future" at IIT, Madras, Chennai, India, 9-13 October 2001.

\_\_\_\_\_ and Herman Kumara. "The Process of Globalisation and Sri Lanka's Fisheries." Paper presented at the Conference "The Asian Fisherfolk Conference: Cut Away the Net of Globalisation" at Prince of Songkla University, Songkla Province, Thailand, 25-29 January 2002.

Anderson, Malcolm. 1996. *Frontiers: Territory and State Formation in the Modern World*. Oxford: n.p.

Behra, Navnita Chadha. 2002. "Discourses on Security: A Contested Terrain" in Navnita Chadha Behra (ed). *State, People and Security: The South Asian Context*. New Delhi: Har-Anand Publications.

Creech, Steve and Wasantha Subasinghe. 1999. *The Labour Conditions of Sri Lanka's Deep-sea Fishworkers*. Sri Lanka: United Fishermen's and Fishworkers' Congress.

Creech, Steve. Interview. Colombo, 21 March 2004.

"Colombo Arrests 75 Indian Fishermen for Encroaching." *The Hindu*, 5 March 2003.

Dasa, S. Gautama, Deputy High Commissioner of Sri Lanka. Interview. Chennai, 22 May 1998.

Deudney, Daniel H. and Richard A. Mathew (eds). 1999. *Contested Grounds: Security and Conflict in the New Environmental Politics*. New York: State University of New York Press.

"Fishermen Issue: Jayalitha Seeks PM's Intervention." *The Hindu*, 6 March 2003.

"Fishermen Issue: T.N. MP's Plea." *The Hindu*, 7 March 2003.

"103 Fishermen Detained." *The Hindu*, 20 September 2002.

Ganesh, R. N. Interview. Chennai, 4 August 1997.

Gleick, Peter. "Environment and Security: The Clear Connections." *Bulletin of the Atomic Scientists*, April 1991.

Homer-Dixon, Thomas and Jessica Blitt (eds.) 1998. *Links among Environment, Population and Security*. Maryland: n.p.

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Homer-Dixon, Thomas and F. Thomas. 1999. *Environment, Scarcity and Conflict*. Princeton: Princeton University Press.

“India-Sri Lankan Fishermen’s Problems: A Report.” *Trade Union Record*, 20 June 1998: 14-15.

*Indian Express*, 4 October 1991.

*Indian Express*, 8 November 2003.

Kleinman, Arthur, Veena Dass and Margaret Lock (eds). 1998. *Social Suffering*. Delhi: OUP.

Krishnakumar, Asha. “Rebuilding an Ecosystem.” *Frontline*, 14 March 2003.

Kumara, Herman, National Convenor, National Fisheries Solidarity, Sri Lanka. Interview. Negombo, Sri Lanka, 19-20 December 2003.

Kumara, Herman. “Issues Related to Deep Sea Fishermen and Their Families Due to Detention in Foreign Countries.” Paper presented at the Conference “Forging Unity: Coastal Communities and the Indian Ocean’s Future” at IIT, Madras, Chennai, India, 9-13 October 2001.

“Lankans Attacked 6 Tamil Fishermen.” *Indian Express*, 12 March 2002.

Legal Advisor. “Confidential Discussion Paper on Outstanding Fisheries Issues Between Sri Lanka and India.” Ministry of Fisheries, Government of Sri Lanka, 2 July 1996.

Mathur, P.R.G. 1978. *Mapilla Fisherfolk of Kerala: A Study in Interrelationship between Habitat, Technology, Economy, Society and Culture*. Kerala: Kerala Historical Society, Trivandrum.

Mathew, Richard. “Introduction: Mapping Contested Grounds” in Daniel Deudney and Richard Mathew (eds). *Contested Grounds: Security and Conflict in the New Environmental Politics*. New York: State University of New York Press.

Masakazu Tanaka. 1997. *Patrons, Devotees and Goddesses: Ritual and Power Among the Tamil Fishermen of Sri Lanka*. New Delhi: Manohar.

Memorandum submitted to the Minister of External Affairs, Government of India by ARIF. 21 February 2001.

Menon, Parvathi. “A Conflict on the Waves.” *Frontline*, Vol. 20, No. 6, March 15-28, 2003.

Meyers, Norman. 1993. *Ultimate Security: The Environmental Basis of Political Stability*. New York: Norton.

---

Ministry of Fisheries and Aquatic Resources Development. 1995. *National Fisheries Development Plan 1995-2000*. Colombo.

Ministry of Fisheries and Aquatic Resources Development. 1999. *Six Year Fisheries Development Programme, 1999-2004*. Colombo.

Mujtaba, Syed Ali. "Fishing for Trouble." *Himal South Asia*, October 2003.

Muni, S. D. "Kachchativu Settlement: Befriending Neighbouring Regimes." *Economic and Political Weekly*, Vol. 9, No. 28, 13 July 1974.

National Aquatic Resources Research and Development Agency (NARA). 1998. *Report on the Offshore Pelagic Fishery Resource Survey 1995-1997*. Colombo.

Qasim, S. Z. (ed). 2000. *Indian Ocean in the 21<sup>st</sup> Century: Linkages and Networking*. Delhi: Sai Publication.

Sack, R. D. 1986. *Human Territoriality: Its Theory and History*. Oxford: OUP.

Salagrama, Vekatesh. "Coastal Area Degradation on the East Coast of India: Impact on Fishworkers." Paper presented at the Conference "Forging Unity: Coastal Communities and the Indian Ocean's Future" at IIT Madras, Chennai, India, 9-13 October 2001.

Sambandan, V.S. "Mannar Fishermen Protest their Government 'Inaction'." *The Hindu*, 11 March 2003.

Sharma, Mukul. "In Risky Waters." *Frontline*, 24 September 1999.

Subramanian, Nirupama. "To Nowhere Land." *Frontline*, 2 August 2002.

Subramanian, T. S. "Island of Contention: Kachchativu and Fishermen's Rights." *Frontline*, 22 April 1994.

Suliman, Mohammed (ed.). 1999. *Ecology, Politics and Violent Conflict*. London: Zed Books.

Suryanarayan, V. 1994. *Kachchativu and the Problems of Indian Fishermen in the Palk Bay Region*. Madras: T. R. Publications.

Tambiah, Stanley. *Levelling Crowds: Ethnonationalist Conflicts and Collective Violence in Southeast Asia*.

"T.N. Protests Against Killing of Fishermen." *The Hindustan Times*, 29 July 1997.

Vijayan, A.J. "An Overview of the Marine Fisheries and Fishers in and around Rameswaran, Tamil Nadu." Unpublished Draft Report, pp. 3-9.

---

Vivekanandan, V. "Crossing Maritime Borders: The Problem and Solution in the Indo-Sri Lankan Context." Paper presented at the Conference "Forging Unity: Coastal Communities and the Indian Ocean's Future" at IIT Madras, Chennai, India, 9-13 October 2001.