

Chapter 8

Enhancing the Wellbeing of Tamil Fishing Communities (and Government Bureaucrats too): The role of *ur panchayats* along the Coromandel Coast, India

Maarten Bavinck

Abstract Legal pluralism is a prominent feature in the fisheries of Nagapattinam and Karaikal Districts, India, and it is with the role of customary village councils (*ur panchayat*) that this chapter is concerned. *Ur panchayats* still constitute a major force in protecting and facilitating the wellbeing of small-scale fishers in this region. The chapter considers the structure, scope and activities of *ur panchayats* and positions them on a scale running from ‘traditional’ to ‘modern’. It describes their functions with regard to social, economic and environmental dimensions of fisher wellbeing and looks into two contemporary hot issues: the incidence of pair trawling and ringseining. The chapter also examines the value of *ur panchayats* for their counterparts in government. It asserts that although *ur panchayats* engage in multiple wellbeing processes and produce important outcomes, they are independently not able to deal with all the challenges that face small-scale fisheries.

Keywords Wellbeing • Small-scale fishing • Village councils • Bureaucrats • Ringseining • South India

8.1 Introduction

The wellbeing of small-scale fishing populations depends on a combination of environmental, economic and social conditions. After all, if the fish on which livelihoods depend are unavailable, economic circumstances are defective, and social relations are disturbed, small-scale fishers and their households inevitably face hard times. It is the task of governors to prevent such disruption and, if it occurs nonetheless, to find solutions. This is one side of what is known as the ‘social contract’

M. Bavinck (✉)

Department of Geography, Planning and International Development Studies, University of Amsterdam, Amsterdam, The Netherlands

Norwegian College of Fisheries, University of Tromsø, Tromsø, Norway

e-mail: j.m.bavinck@uva.nl

between rulers and those who are ruled (Rousseau 1994). Social contract theory has a long history and is generally, but not only, applied to describe the ideal-typical relations between government and its citizens. In this chapter, I take it as starting point for analysing the role of community-based fisher institutions with regard to the wellbeing of ‘their’ members. I examine the latter from the perspective of well-being thinking, which distinguishes material, relational and subjective dimensions (Coulthard et al. 2011). I am interested in the wellbeing outcomes of *ur panchayat* work, and also in processes and structured relationships of local governance (ibid.: 458–9). My lens is necessarily partial, largely ignoring the role of national and global actors and processes in fisher wellbeing.

Agrawal (2003) has rightly pointed out that community-based organizations rarely meet standards of fairness and consensuality (cf. Leach et al. 1999). Instead, he notes the importance of understanding political relations of domination and resistance, arguing that: “a greater focus on how power works within communities and in the governance of common-pool resources can help strengthen greatly the force of writings on common property” (Agrawal 2003:258). I will contend that although power differences inevitably play a role in fishing communities too, the legitimacy of community organizations depends on the extent to which they are felt to address, if not resolve, general wellbeing issues. The activities of these organizations can thus be held to reflect, if imperfectly, the wellbeing concerns of their membership. A study of the interaction between community-organizations and the fishing population therefore throws light on values that are considered important.

My focus is on the fishing village councils, or *ur panchayats*, of the coast of Tamil Nadu. These organisations, which have roots in the caste-based structure of Indian society, are comprehensive and multi-faceted. *Ur panchayats* constitute a form of what Macaulay (1986) termed ‘private government’, and work with clear notions of territorial prerogative and citizenship. As such, they are partially in competition with government agencies, with which they make up a complicated arrangement of legal pluralism (Benda-Beckmann 2002). By studying the performance of *ur panchayats*, I hope to throw light on the range of their members’ well-being concerns and also highlight the variations that occur.

It is not only the wellbeing concerns of fishers that I will dwell upon, however. Government officials working at the interface with the fishing population have a singular appreciation of the workings of *ur panchayats*, and it is with a reflection on officials’ subjective wellbeing that this chapter concludes. This consideration is in line with the suggestion in Chap. 1 (this volume) that small-scale fisheries and its institutions have value for other parties in society too.

My ethnographic research on fisheries in Tamil Nadu commenced in the mid-1990s (Bavinck 2001) and has continued at regular intervals until the present day. The present chapter draws particularly on a one-month study in Nagapattinam and Karaikal districts that was conducted in the context of the implementation of FAO’s Voluntary Guidelines for Securing Sustainable Small-scale Fishing (FAO 2015; Jentoft 2014). This region was chosen for its institutional density and evidence of historical connectivity between fishing settlements. In order to understand the possible variety of roles of *ur panchayats*, about which very little prior information was

available,¹ I made a random sample of every tenth fishing settlement along this coast, leading to a total of five villages. In addition, I added the traditional head village of the region (see below) to the selection. A total of 24–30 h was spent in each village, observing activities on the landing site, and having informal conversations in Tamil with a variety of inhabitants,² including at least two members of each *ur panchayat*. I often (but not always) pencilled notes while talking, typing out a fuller report that same day. A short survey of each *ur panchayat* included questions on structure, scope and activities. I also spoke to local dignitaries such as the fisheries cooperative president, Gram Panchayat³ president, and school headmasters. The final days of research were spent visiting key fisher organizations in the region, attending a fisher meeting, and conducting interviews with government officials. I lastly made an analysis of the data according to topic, discussing results with my Indian colleagues in FishMARC.⁴

Two caveats are in order. Firstly, this study did not allow for a structured assessment of the subjective wellbeing of the fishers concerned or their individual opinions of the *ur panchayat*. I am assuming that the issues that come to the *ur panchayats*' notice are ones that are relevant for the wellbeing of their fisher constituencies. Whether the *ur panchayats* actually meet expectations is a different matter, however, and deserves separate study.

The second caveat is that the Nagapattinam and Karaikal region is characterized by fishing settlements that gather together small-scale as well as semi-industrial fishers. As *ur panchayats* are responsible for entire village populations, it is often difficult to distinguish their specific function for small-scale fishers.

¹I had carried out a brief survey of fishing villages along the entire Coromandel Coast in 1995–1996, selecting every tenth village for study (see Bavinck 2001: 372–5). The present survey included the five villages that were studied earlier in Karaikal and Nagapattinam districts. Some of these villages had additionally been studied in the context of a set of post-tsunami studies by Praxis. All these documents were useful in providing background material for the current study.

²I am more than grateful to K. Subramanian for his companionship in this month of research. His help in translation was very useful, as were his insightful comments.

³This is the lowest tier in the political system of India. Panchayat Villages (or the geographical areas over which a Gram Panchayat has jurisdiction), often include several settlements and a mixed population. The Panchayat is thus to be distinguished from the *ur panchayat*, which is the topic of this study.

⁴FishMARC was responsible for FAO's study on civil society contributions to small-scale fishing in Nagapattinam and Karaikal districts (see Bavinck et al. 2015b). The team that carried out the various sub-studies consisted of approximately ten persons. The author was responsible for the *ur panchayat* study.

8.2 Fishing Communities along the Coromandel Coast

The Coromandel Coast of Tamil Nadu runs from Point Calimere in the south to the border with Andhra Pradesh in the north and has a length of approximately 400 km (see Fig. 8.1). This coastline contains 237 fishing settlements with a total fisher population of 300,000 (CMFRI 2012), almost all of which belongs to the Pattinavar group. The Pattinavar constitute a traditional ocean fishing caste (Bharati 1999; Bavinck 2001) that has occupied the Coromandel Coast for many generations and possesses a strong system of self-governance. Their settlements are relatively small (500–5000 persons) and homogeneous, with single-caste occupation being the norm. Fishing has traditionally been carried out with small, beach-landing craft

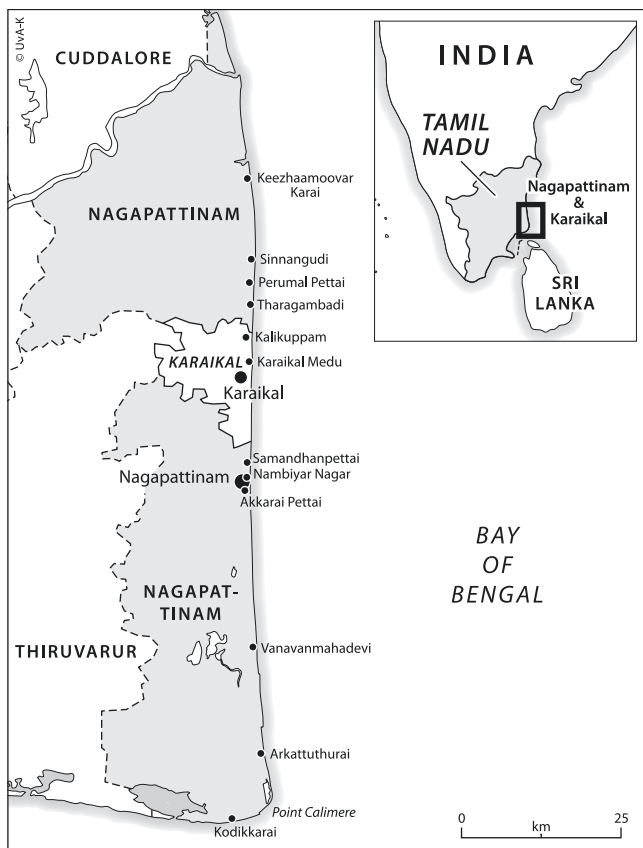


Fig. 8.1 Research locations in Nagapattinam and Karaikal Districts, Tamil Nadu

called *kattumaram* and a variety of small-scale fishing gears. Ever since the 1960s, however, the government of Tamil Nadu has promoted the use of semi-industrial fishing vessels, or mechanized boats, based in new harbour settings. Along the northern part of this coast, this has resulted in a segregation of small-scale and then semi-industrial fisheries. Along the southern section of the Coromandel coast, however, cohabitation of semi-industrial and small-scale fishers continues. The post-tsunami rehabilitation of fisheries along this coastline has also precipitated a replacement of *kattumarams* by small, motorized, fibre-glass boats.

Nagapattinam District covers the southern section of the Coromandel Coast and extends southward past Point Calimere into the Palk Bay. Karaikal District adjoins Nagapattinam District in the north and belongs not to Tamil Nadu but to the Union Territory of Pondicherry. Both districts were badly affected by the tsunami of 2004 (Salagrama 2006). Relief and rehabilitation organizations working in this region expressed surprise at the strength of *ur panchayats* and at their constructive role in the post-disaster phase (Gomathy 2006; Bavinck 2008; Bavinck et al. 2015a, b).

8.3 Ur Panchayats: Structures and Processes

Mandelbaum (1970) points out three meanings for the concept of ‘panchayat’ in India: it is (1) the village council, (2) the village meeting which makes decisions, and (3) the process of consensual decision-making that is followed. He notes that the village meeting is “a council of peers” (1970:291), hereby emphasizing the egalitarian ethos that permeates panchayat proceedings. This spirit of egalitarianism, that coincides with what is often found in fishing communities throughout the world (McGoodwin 2001), typifies village life in the geographical region under consideration. In the following, we use the term *panchayat* to refer primarily to the council that is ‘in charge’ of fisher affairs in each fishing village. It is to be noted that such councils are found in many other parts of the South Indian coastline too.

The *ur panchayats* of Nagapattinam-Karaikal have historically consisted of at least three levels, all of which have carried into the present. They are nowadays strongest at the base or settlement (Tamil: *ur*) level, and this is the aspect to which we will pay most attention. The next level nowadays coincides with the *taluk* (or sub-district). There are five such groupings in the Nagapattinam-Karaikal region, with one *ur panchayat* in each grouping playing the role of *talai gramam* (head village). The fisher population view villages that possess this status as having more power, either because of their population count, or because of their economic wealth and influence. In case of sub-regional issues that need addressing, it is the head village that calls (or is requested to call) a meeting.

The final layer includes the fishing population of the region as a whole, and is known as the Fisher Organization of Nagapattinam (*Nagapattinam Miinavar*

Amaippu). Its jurisdiction coincides more or less with a remembered coastal unit of 64-villages, which is held to derive from Chola times (XIIth century). Nowadays, however, it unites all 58 fishing settlements along this coastline (including those from Karaikal). The traditional head of this organization is the *ur panchayat* of Nambiarnagar. More recently, however, this position has been usurped by nearby Akkaraipettai. Although the transition is contested, the underlying causes are clear: Akkaraipettai hosts the largest, and richest, mechanized boat fisher population of the region; the fact that the Tamil Nadu Minister of Animal Husbandry, Dairying and Fisheries at the time of research came from Akkaraipettai provided its *ur panchayat* with additional power and authority.

The sub-regional and regional organizations come to life only upon necessity, and their powers are limited. In Sect. 8.6, I discuss how these organizations struggle to deal with some of the larger challenges affecting the fishing population of the region.

The *ur panchayats* in our sample range in size from 5 to 22 men, with an average age of 41 years. Although all members belong to the Pattinavar fishing caste and live in their respective villages, not all of them are active fishers – some have in fact during their lifetimes diversified into other occupations. In the past, many of the fishing villages of this region possessed hereditary leaders called *naaddaar*, but these have almost ubiquitously been pushed aside; it is now the undifferentiated council that rules. None of the *ur panchayats* under study have functions such as president or secretary; the only exception is the appointment of one or two members to take charge of money matters.

Ur panchayats form the pinnacle of a village society that is made up of various family groupings and residential units (Bavinck 2001). In fact, it is these groupings and units that appoint representatives into the *ur panchayat*, with various qualities guiding selection: level of education, experience in fishing, ability to articulate ideas well, size of following, and connections to the outside world. For purposes of taxation, *ur panchayats* make use of a variety of membership lists. Traditionally these lists include the names of all adult fishers; in some of the case study villages this list has been broadened to include all male income-earners (*aal vari*), whereas in others the *ur panchayat* has taken recourse to the government's list of ration-card holders, the membership of fisheries cooperative societies, a list of vessel owners, the number of houses in the settlement (*viidduvari*), the types of nets owned, or a combination of all these. Some councils auction the right to tax villagers to the highest bidding local businessman. The timing of taxes on individuals or households nowadays generally coincides with the government's distribution of welfare benefits (such as the savings-cum-relief scheme and the off-season relief scheme), when households all have cash at hand. Such taxation provides *ur panchayats* with a financial base – a prerequisite for any kind of self-government.

Although the hereditary system of *naaddaar* has generally disappeared, it has not been replaced by open elections. Rather, most *ur panchayats* opt for a system of nomination, in which past members play a major role. It is important to note that women are universally excluded from participation in *ur panchayats*, despite recent urgings by NGOs and – in rare cases – village women themselves. Women are generally also not allowed to participate in village meetings, but are represented through their menfolk. This is not always, however, appreciated. In Kalikuppam, for example, fisher women complained that *ur panchayat* members did not show interest in the things which bothered women most, such as the solid waste that collects in village streets. Women in Vanavanmahadevi also grumbled that *ur panchayat* members were not listening to them sufficiently.

Counsellors' (*panchayataar*) terms of office vary substantially, with some villages setting maximum terms of 2 or 3 years, while others allow for continuation, depending on public support and the candidate's individual disposition. All villages, however, allow for the instant dismissal of *panchayataar*, which sometimes occurs even within months of appointment. Improper financial management is one of the most common reasons for dismissal. All *ur panchayats* provide for the public scrutiny of accounts at least once a year.

Ur panchayats rely largely on 'voluntary labour' for carrying out their tasks. Thus the members of these councils are officially not paid (although they can profit from secondary benefits). Moreover, many of their decisions are implemented not by specialized staff, but by the village population itself. Still all *ur panchayats* employ at least one person: a village crier, known as *kudipillai*, who conveys messages to the population by word of mouth or by modern (loudspeaker) means. Many *ur panchayats* also pay a priest to take care of temple rituals. In addition, each village traditionally has people who play a role in rituals of marriage, coming of age and death. Some *ur panchayats* employ additional staff for cleaning the landing site, or even public space in the settlement as a whole.

The array of sanctions in the *ur panchayat* toolbox has changed over the years, with corporal punishment largely having been replaced by monetary fines. These fines can be quite substantial, depending on the transgression at hand. In addition, the *ur panchayats* possess means of 'public shaming' and, in extreme cases, excommunication from village society. *Ur panchayats* also have the option of proclaiming a stop on fishing, such as for the purpose of village meetings and other important events.

In the end, *ur panchayats*' influence depends firstly on their jurisdiction over the fishing population. The legitimacy of their authority rests largely on a shared, historical identity of belonging to the same caste and community. It is in this perspective that the *ur panchayat* is an expression of social contract, with authority delegated to its council for the common good. The increasing integration of villages in larger

societal wholes and the corresponding decline of their homogeneity obviously puts pressure on the ability of *ur panchayats* to exercise social control— the decline of their authority is most clear in urbanizing environments. In these contexts *ur panchayats* are gradually losing influence to other actors, such as political parties, government agencies, etc. But even those living in urbanized settings understand that *ur panchayats* have a crucial role to play, if only for their protection against outside forces.

Ur panchayats' authority also depends on their continued control over coastal and marine space. Thus village lands are generally still held collectively under *ur panchayat* jurisdiction.⁵ Other coastal lands, officially registered as *porombookku* (waste lands), are part of their unofficial sphere of influence, with new users of coastal space having to take account of *panchayat* claims. *Ur panchayats* also control beaches adjoining fishing settlements, and adjacent marine waters too. Although no *ur panchayat* in a right frame of mind would think of excluding other fishers from what they see as 'their waters' (as this would also lock their own fishers in), all *ur panchayats* in this region claim the right – in principle – to regulate whatever fishing goes on in contiguous waters. Many current frustrations derive from this right being violated. I return to this situation below.

Until now I have assumed the legitimacy of *ur panchayats* amongst their settlement populations, and their authority over local affairs. Although other research along this coastline (Bavinck 2001) has demonstrated the possibility of crisis in such self-governed entities, none of the sample villages in this study was severely factionalized.⁶ There is evidence, however, of *ur panchayats* in the region being dominated by individuals (or groupings thereof), and of the presence of cliques with different priorities.

8.4 A Typology of Ur Panchayats

All of the fishing settlements in our sample currently possess a well-functioning (in contrast to a conflict-ridden) *ur panchayat*. These *ur panchayats* vary from each other, however, on dimensions of structure, scope, and activity, and can loosely be positioned on a scale ranging from 'traditional' to 'modern' (see Fig. 8.2).⁷ 'Structure' refers to counsellors' background in fishing or in newer occupations. 'Scope' pertains to the evident breadth of *ur panchayats*' concerns: the level of their

⁵The villages that were substantially rebuilt in the post-tsunami era have, however, undergone an important change with government insisting that individual titles be provided to houses (see Bavinck et al. 2014).

⁶Factionalism is not a permanent condition but a setback that can affect any *ur panchayat* in the course of time. As time moves on, however, such divisions may be overcome, resulting in renewed legitimacy and performance.

⁷My typology is inductive and based on a personal assessment of the data collected.

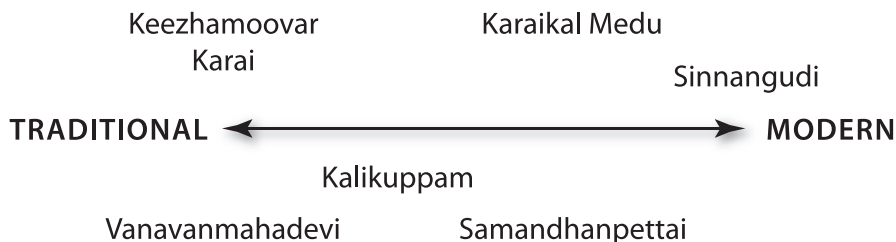


Fig. 8.2 Position of research locations on a scale from ‘traditional’ to ‘modern’

involvement in internal social matters and fisheries issues and the availability of an orientation toward the outside world. ‘Activity’ distinguishes more traditional roles (such as interference with inter-caste marriage) with modern tasks (such as accessing government programmes).

On the left side of the scale we find the *ur panchayats* of Vanavanmahadevi and Keezhmoovarkarai. The composition of their councils is ‘traditional’ in the sense that they consist almost completely of fishers. These *ur panchayats* take upon themselves a wide range of tasks and play a strong role in community affairs. Their traditional concerns emerge from examples of interference in marriage relations. They are also heavily involved in fisher dispute regulation and rule-making.

The *ur panchayat* of Chinnangudi is on the other side of the spectrum. The leaders here are well-educated and have largely moved out of fishing. Their interests have shifted to handling the relations between the village and the outside world, and in accessing relevant governmental programmes. The concerns of fishing concomitantly receive less attention. Still this *ur panchayat* assumes prime authority over local affairs. It implements a public sanitation programme, one of only a few *ur panchayats* to do so.

Other *ur panchayats* occupy middle positions on the scale from traditional to modern, thereby confirming their institutional dynamism and a very local centre of gravity. Whereas more remote settlements tend to have more traditional *ur panchayats*, and settlements located close to urban centres have more ‘modern’ *ur panchayats*, this pattern does not, however, always run true. Other factors – which lie, however, beyond the scope of this chapter - seem to play an intermediary role.

8.5 Changing Wellbeing Functions

Ur panchayat activities can be categorized in various ways, none of which are infallible or exclusive. I divide their internal wellbeing functions into three realms: social, economic and environmental. Each realm has material and relational dimensions (Coulthard et al. 2011). As mentioned above, I do not explicitly study the subjective dimension of wellbeing in this chapter, although I believe that it shows

through repeatedly in statements made to *ur panchayats* (see Boxes 8.1 and 8.2) as well as to myself. Ur panchayats also play an important role with regard to the outside world, connecting with, or defending against, government. This then is the fourth realm to be discussed.

8.5.1 *Social Realm of Wellbeing*

Ur panchayats' prime responsibility – and the ultimate justification for their work – is social in nature and can be formulated generally as 'care for the settlement's population'. This concern expresses itself in various ways. From a financial viewpoint, the largest outlay any *ur panchayat* in the region makes is for the annual village temple festival, which lasts several days and draws crowds from the wider environs. The costs of these festivals in the sample villages vary from Rs 500,000 to 2 million per year (US\$ 8–32,000). Festivals are partly a matter of status and identity. They also follow, however, from the conviction that the local female deity is to be suitably propitiated if she is to take care of the village population. Neglect can have harmful consequences, whereas lavish celebration is expected to have real economic and social benefits. Besides a local deity, each settlement also counts supernatural beings relevant for fishing (Bavinck 2015b). Attention for these beings promotes safety at sea as well as the possibility of good catches. It is for all these reasons that the religious activities of *ur panchayats* cannot be dissociated from the inhabitants' sense of wellbeing, and from the hope and expectation of continued wealth from the sea.

Traditionally, as Mandelbaum (1970) points out, the caste-related *panchayats* of India have a role to play in protecting the purity of their caste and its members. Thus the more traditional *ur panchayats* of Nagapattinam-Karaikal continue to discourage inter-caste and so-called love marriages, and watch carefully over the integrity of their womenfolk. For example, in a recent case involving three young men from Poombuhar who were accused of intimidating a woman from Keezhmoovarkarai, the *ur panchayat* imposed a fine on each of Rs 50,000 (US\$ 800).

Ur panchayats can also encourage or discourage rural-rural migration of fisherfolk by imposing demands on those wishing to settle in a fishing village. The *ur panchayat* in Vanavanmahadevi thus has the habit of questioning any would-be immigrant severely, afraid that they might introduce unwanted habits and behaviours.

Dispute-resolution is one of the *ur panchayats*' main responsibilities. In the fishing settlements of the study region it is generally understood that – with the exception of serious offences like murder – disputes are preferably handled by the *ur panchayat* and not by the police (which is felt to bring about serious losses in terms of money and time). Fines are actually imposed on those who, without prior consent, do lodge a case at the police station. Here the function of defending the village population against the interference of state agencies – and of maintaining the authority of the *ur panchayat* – comes to the fore. It is interesting to note that the police

often revert cases back to the *ur panchayats*, thereby acknowledging the latter's role in dispute management. Of importance are also the cases where *ur panchayats* act to discourage violence between inhabitants. In Keezhmoovarkarai, for example, the *ur panchayat* recently fined a drunken man severely for having drawn a knife in a quarrel.

The range of disputes handled by *ur panchayats* is wide and reflects the variety of conflicts that characterize closely-knit rural communities. Box 8.1 provides an example of the cases that I was able to observe on the day that I attended an *ur panchayat* meeting. The majority of cases are local in nature. Others, however, involve parties outside the local settlement and are addressed in alliance with other *ur panchayats*. In some cases, an *ur panchayat* goes no further than writing a letter to colleagues in another village drawing their attention and requesting action on a particular case (such as assuring that so-and-so repays his debt). Other matters have broader implications and require joint *panchayat* sessions or the involvement of the so-called head village of the taluk. Where issues have a bearing on the region as a whole, leaders may actually request a meeting of the Fisher Organization of Nagapattinam. The introduction of ringseines is one such instance, which I discuss below.

Box 8.1 Examples of *Ur Panchayat* Case Deliberations

I paid a visit to the *ur panchayat* of Nambiarnagar, that congregates in a community hall on the main street, on the morning of November 5th, 2013. The *ur panchayat* of this village officially consists of 17 members, representing each of the five streets. This morning, however, only seven members have gathered to hear whatever cases are brought forward. The hall has been arranged by the *kudipillai*, who otherwise plays a supportive role. A number of chairs are positioned at the front for the councillors, with petitioners coming forward to present their cases. Decisions are noted in a leather-bound record book. Jeyabal, a man of approximately 50 years, plays the lead role, with younger men sitting to the side. In the hour that I spend with them, the following cases are brought forward:

1. A well-dressed woman, who turns out not to be the complainant but an intermediary, comes forward and states that a loan that was given for taking a share in a ringseine net has not been repaid. The councillors discuss but there are different accounts of to whom the money should go, so they decide to postpone a decision and do more investigation.
2. A man comes forward to complain that he is not on the list of recipients of the Fisheries Department's subsidy scheme. He is scolded by one of the younger councillors: "How dare you go to the Fisheries Department without first coming here?" "The *ur panchayat* decides to have the *kudipillai* make an announcement: tomorrow at 10 am everyone who has not received money should visit the *ur panchayat* bringing relevant documents.

(continued)

Box 8.1 (continued)

3. A woman grumbles that an earlier decision by the *ur panchayat* about the location of a garden wall is not being accepted by her neighbour. The *ur panchayat* decides to send the *kudipillai* to inform the neighbour to cooperate. If he doesn't, the *ur panchayat* suggests that it will personally oversee the construction of the wall.
4. A man complains that a loan which he gave to a person not living in the village has not been returned. One of the councillors reproaches him: "Why have you gone to ask for repayment again, while I myself promised to go after this! I hereby give you a Rs 3000 (US\$48) fine!" But Jeyabal intervenes: "let him apologize instead." The man stands, folds his arms before him in a gesture of obedience and asks for forgiveness.
5. A man comes forward. He represents a group of four trawl owners who have given catches worth Rs 520,000 (US\$ 8320) to an outside trader, who has not paid up. He is questioned: "Why did you give so much fish to the man without asking for a down payment?" The man: "We have worked with him previously, and he has always paid up." A councillor: "What do you expect us to do? If we send a letter to the trader's panchayat it will take time to get a response!" The man: "Please do send a letter."

Most of the functions discussed above belong to *ur panchayats'* traditional array of tasks. To this set have been added a number of new ones. The fishing population of the region has now recognized the value of education for children's ability to diversify into other employment sectors. Education levels are therefore rising for boys and girls alike. *Ur panchayats'* role in this process is, however, sometimes remarkable. Thus in Kalikuppam the *ur panchayat* has committed itself firmly to supporting the government-funded, elementary school in the village. Not only is it obliging parents to send their children to this and not to other schools in the vicinity; it pays the salary of a supplementary teacher, contributes additional school materials, and helps make public events a success. This *ur panchayat* is exceptional in its promotion of education, but there is evidence that other *ur panchayats* too respond to needs as they emerge in the context of parent-teacher relations.

Sanitation is the other field in which *ur panchayats* are making a mark. While post-tsunami housing programmes tried to address the sanitation needs of individual households by providing toilets and drainage facilities, solid waste management has remained a problem in many fishing villages. Following pilot projects initiated by NGOs in the post-tsunami period, two of the case study *ur panchayats* are now organizing (and paying for) the collection and disposal of solid waste, obviously contributing to public health. But such involvement is not universal, such as reflected in the attitude of women in Kalikuppam mentioned above.

8.5.2 *Economic and Environmental Realms of Wellbeing*

With the majority of their populations depending on fishing and fish trading for a livelihood, the *ur panchayats* of the Nagapattinam-Karaikal coast naturally involve themselves in fisheries matters. Dispute management was already discussed in Sect. 8.5.1. Every person I spoke to in the region, including government officers, agrees that the disputes that take place over fishing matters – the quarrels over nets getting entangled or vessels damaged, the fish that has been bought but not paid for, the loans that are not settled – are brought to *ur panchayats* for resolution and nowhere else. Here again, if such disputes involve parties outside the village, other *ur panchayats* are involved.

The rule-setting behaviour of *ur panchayats* is structurally significant. Bavinck and Karunaharan (2006) have noted that *ur panchayats* along the Coromandel Coast have a strong history of regulating gears that they feel are harmful to the profession. Although this tradition appears to have declined in the Nagapattinam-Karaikal region with the emergence of semi-industrial fishing in the midst of small-scale fishing populations, it is still practiced. Thus four of the six sample villages have banned the use of the snail net (*sanguvalai*, or *kachaavalai*), which is also prohibited along the northern Coromandel Coast (cf. Bavinck 1996, 2014). The use of this net is felt to interfere with the marine food chain and causes the disappearance of species that are important for fisher livelihoods. Additionally this net is expected to have a negative effect on elderly fishers who depend the most inshore on fishing grounds. As the snail net is always set close to shore, elderly fishers will suffer most from its environmental impact.

The most significant evidence of *ur panchayats*' concern for regulating harmful fishing gear derives, however, from the current debate on the prohibition of pair trawls and ring seines. Some villages have actually prohibited these gears, while others are more permissive. The discussion that takes place over these matters at the regional scale is fierce and still undecided.

While prohibition of gears constitutes one form of regulation, the prevention of negative interactions with other gear types is another. Thus the small-scale fishers of Keezhmoovarkarai, who depend on longlining, have successfully intervened with nearby trawl centres to limit trawl fishing in the inshore zone. And in the 26-village *ur panchayat* meeting that took place in Tharangambadi on November 8, 2013, the same village negotiated a clause that limits ringseine fishing in the areas in which longlining is also taking place.

Keezhmoovarkarai presents the clearest example of *ur panchayats* regulating the market at the landing site. After a marketing cooperative run by a NGO was put on hold over a financial matter, the *ur panchayat* appointed a supervisor to structure the sales process and make sure that traders pay their suppliers within 24 h. In addition it employed some men and women to clean the marketing hall on a daily basis. For these services the *ur panchayat* charges traders 5% of the sales value.

Safety at sea is an issue of key concern for small-scale fishers: what if an engine fails or the men – for whatever reason – do not return to shore as expected? In these circumstances, *ur panchayats* take charge of organizing the rescue operations. An example of this is an event in where rough weather caused two crew members in a fibreglass boat from Vanavanmahadevi to be thrown overboard in February 2013. The *ur panchayat* immediately organized a search party of local fishers, which, however, was unsuccessful. It then rented three trawlers for a total of Rs 30,000 (US\$ 480) to continue the search. The corpses of the two fishers were eventually located many kilometres to the south.

8.5.3 Promoting Wellbeing Through Interventions with Government

I have described in previous sections how *ur panchayats* manage their own affairs. With the development of state power and influence in the coastal zone, other qualities have, however, come to the fore. The relevance of the outside world for fisher affairs manifested itself most clearly in the post-tsunami period, when relief and rehabilitation were important concerns. It was then that *ur panchayats* realized the relevance of having representatives capable of negotiating with outside agencies, and replaced older, illiterate leaders with younger men who had been to school and knew how to talk to officials (Gomathy 2006; Bavinck et al. 2015a).

Interventions of *ur panchayats* with government can be divided into two types. The first type is directed towards maintaining village autonomy and protecting villagers from untoward interference. The rule of discouraging the involvement of the police in village matters – mentioned above - is one expression hereof. *Ur panchayats* similarly guard their autonomy vis-à-vis other government agencies, such as the Fisheries Department. I noted in Box 8.1 that a counsellor in Nambiarnagar scolded a fisher for having approached the Fisheries Department directly, rather than having done so through the *ur panchayat*.

The other intervention type is aimed at obtaining access to crucial government services. The Fisheries Department is currently the key agency for a variety of fisher welfare schemes, as well as for the distribution of fishing material and the realization of projects such as harbour sites. It is important also for matters such as the registration and licensing of boats. *Ur panchayats* are therefore well aware of the persons who occupy positions such as of Fisheries Inspector and Assistant-Director, and approach them directly or indirectly if needed. Box 8.2 provides evidence of the range of mediations that *ur panchayats* carry out with regard to government departments.

Box 8.2 Example of *Ur Panchayat* Mediations with Government

The *ur panchayat* of Karaikalmedu, a large fishing village on the outskirts of the town of Karaikal, is well-organized. Its office, located on the temple square, contains an orderly set of files and a blackboard noting the prescribed fisher holidays of the year. The *kudipillai* also makes use of an advanced loud-speaker system to inform villagers of important matters. On the evening of November 4th, 2013, I visited the office and noted the following engagements with government departments. Four council members, including two elder men, were present.

1. Two villagers come forward to ask for a recommendation letter for the Electricity Board. The Electricity Board apparently requires proof of identity and residence in the village. The *ur panchayat* asks the *kudipillai* to draw up a letter that is immediately signed and dispatched.
2. A young man has bought a small-scale fishing boat from his brother, but it has not been officially registered in his name. The Fisheries Department is now handing out ice boxes free of cost, but only to official owners. Could the *ur panchayat* provide him with a letter testifying to his ownership? The councillors verify whether the young man is registered with the village cooperative society, and then issue a letter immediately.
3. A man requests a letter testifying to his residence, so that he can apply as a member of the village cooperative society. This would make him eligible for various schemes of the Fisheries Department.
4. A group of men come in to complain about the delayed allocation of governmental relief funds regarding the 45-day closed season in April/May. One of the councillors explains that there has been some mix-up at the Fisheries Department, and that they should now re-apply for these funds. He promises that they will receive the money.
5. Another group of residents complains that the money due under the Fisheries Department's saving-cum-relief scheme of 2011 has not yet been distributed. The *ur panchayat* orders the *kudipillai* to make a public announcement asking all eligible villagers to resubmit their documents. The *kudipillai* is then to ascertain who has not received the stipulated fund; the *ur panchayat* will then make sure that it is obtained. However, a councillor warns those who have gone directly to the Fisheries Department to complain about this matter not to do so ever again; in that case they would be fined by the *ur panchayat*.

Other government agencies provide a range of supplementary services. Gram Panchayats are responsible for local roads, provision of water, and street lights. They also coordinate government schemes such as the National Rural Employment Guarantee Act. Members of the Legislative Assembly (MLA) and Members of Parliament (MP) are useful for tabling a variety of bigger village needs, whether it is a health facility, a school, solid waste collection, or a solution for the rising price of fuel. *Ur panchayats* constitute the prime fisher platform for deciding on and instigating such action.

8.6 Engaging with ‘Hot’ Fisheries Issues

In this section I sketch the role of *ur panchayats* with regard to two hot small-scale fishing issues. The first is pair trawling. The government of Tamil Nadu introduced pair trawling for schools of pelagic fish in the late 1980s but prohibited it again in the year 2000, following vehement protests from small-scale fishers throughout the state. In the meantime, however, it had been adopted by a limited number of trawl owners in harbour towns like Nagapattinam. These owners enjoy the patronage of politicians and administrators and have continued operations despite the ban. Small-scale fishers have protested vehemently, arguing that pair trawling depletes the marine environment and is moreover very unfair, providing benefits to only a limited category of fishers. The second hot issue is the practice of ringseining. Ringseining has come to this coastline from Kerala, where it has been carried out since the 1980s. Although ringseining too is officially banned, a growing number of small-scale fishers (in collectives) and some trawl operators are taking it up.

The nature of the dispute differs importantly from one gear to the other. Pair trawling in this region is practised by only a small group of large trawl owners with political support: its locus lies in harbour towns. Ringseining, however, is largely carried out by groups of small-scale fishermen, and results in social conflicts within the small-scale fishing population. Whereas pair trawling fishers blame ringseiners for the problems occurring in fishing and the other way around, ringseining tends to be a divisive issue within the small-scale fishing population itself. Table 8.1 contains provisional figures on the current scale of ringseining in Nagapattinam-Karaikal.

Table 8.1 demonstrates that although the number of settlements in which ringseining was occurring at the time of research still made up a sizeable minority, it might well develop soon into a majority. The reason for this is that the technique of ringseining is extremely popular among small-scale fishers due to the promise of large economic returns. These stand in contrast to the decline of earnings from most other kinds of fishing in the region. Still, many fishers, and their *ur panchayats*, have serious reservations about ringseining, arguing that it results in a decline of total biomass and benefits a few to the exclusion of many. It is for this reason that a num-

Table 8.1 Ringseine (RS) activity in Nagapattinam-Karaikal (N = 58)

	Nr of settlements	% of total
Settlements with RS	19	33%
Settlements without RS	39	67%
Settlements that banned RS	5	9%
Settlements planning RS	11	19%
Total settlements	58	

Source: Summary of oral information from key respondents

ber of *ur panchayats* have actually banned the use of the gear. But *ur panchayats* are also gathering at higher institutional levels to discuss the matter.

A 64-village *ur panchayat* meeting was, for example, held in Nagapattinam in May 2013 to discuss the future of pair trawling and ringseining in the region. While the gathering decided to prohibit pair trawling with immediate effect, ringseiners were given 3 years to phase out their operations. These decisions were put to paper, with all delegations adding a signature to the agreement. Implementation of both measures is proving hard, however. As far as ringseining is concerned, there is significant momentum for actually increasing – not decreasing – the number of operations. The *ur panchayat* of the head village of Tarangambadi Taluk, a village of the same name, thus organized a meeting on November 8, 2013, about the fact that its fishers would like to commence eight new ringseines in 2014. This meeting was attended by representatives of the constituent *ur panchayats*; it decided to allow the new ringseines for 2 years (until the deadline stipulated by the 64-village agreement), but only in locations where it would not interfere with the operation of other fishing gears. This compromise is indicative of the manifold dilemmas involved. Various respondents voiced serious reservations about the likelihood that ringseining would actually be eliminated in 2016 as planned.

8.7 Ur Panchayats' Value for Government Bureaucrats

In the previous pages I concentrated attention on the role of *ur panchayats* for village fishers, highlighting where possible their relevance for the small-scale sector in particular. I have also noted how these institutions stand at the interface with government, defending and enhancing village interests. Section 8.3 referred to the fact that in the wake of the 2004 tsunami, relief and rehabilitation organizations expressed open admiration for the performance of *ur panchayats*. But in normal life too, *ur panchayats* have significance for the outside world.

Bavinck (2015a) discusses a case of fisher conflict along the northern Coromandel Coast, which brought in the Fisheries Department and the Police Department too. In this publication I argue that:

Fisheries Department officers have bad memories of times they have tried to steer events in fishing communities, only to find that their often well-intended efforts generated waves of resistance. Time and time again, Department officers stress with experience that fisheries regulations must emanate from the fishers themselves if they are to be successful. Otherwise, the officers explained, regulations would likely be dead on arrival. Introducing measures that lacked fishers' support was overplaying one's hand (Bavinck 2015a: 119).

This tactical reasoning seems to hold true for government officials in the Nagapattinam-Karaikal region too. Besides being considered generally more effective, the relegation of many village affairs to *ur panchayats* also reduces the burden of officers tremendously. By leaving fisheries disputes to *ur panchayats* to handle, the police and the government courts are relieved of unwanted responsibilities. The same holds true for the delegation of many Fisheries Department affairs. The fact that the always over-burdened officials of this department rarely visit the coast, but rather let *ur panchayat* leaders visit them, is an expression of the entrusting of many practical matters to these institutions.

8.8 Concluding Remarks

I have situated this case study on the role of community-based fisher organizations, or *ur panchayats*, in the Nagapattinam-Karaikal region within the parameters of social contract and wellbeing theory. My argument has been that these organizations, like ideal-typical state governments, have an obligation to guard over and promote the collective wellbeing of their village populations. Indeed, I have noted that councillors are easily replaced when they are felt to be lacking.

I pointed out four realms in which *ur panchayats* realize wellbeing outcomes: social affairs, economic affairs, environmental affairs, and relations with government. Box 8.1 provides examples of occurrences addressed by *ur panchayats* in the social and economic realms. Box 8.2 illustrates the variegated functions *ur panchayats* play in mediating between villagers and a variety of government agencies. Their environmental role emerged primarily in their fisheries rule-making activities, with particular issues (pair trawling and ringseining) being contentious and difficult to resolve. In all this, I have pointed out the mix of interests that result from the mingling of small-scale with semi-industrial fisher populations in this region.

The performance of *ur panchayats* builds on structured relationships between family groupings and their gendered representation in a localized governance structure. This structure achieves solidity from a long and shared maritime profession and a common social identity. *Ur panchayats* also entertain complementary relations with government agencies, with regular expectations. It is striking to observe the extent to which *ur panchayats* guard their prerogatives toward government agencies such as the police and the fisheries department.

But *ur panchayats* are not identical. One of the conspicuous outcomes of this study is the diversity of *ur panchayats* in terms of structure, scope and activities. I have attempted to bring order to this variety by organizing them on a scale from

traditional to modern. The assumption is that their respective village populations will occupy corresponding positions on the same scale. A heterogeneity of values, however, is more than likely with some persons' wellbeing under a certain *ur panchayat* being more pronounced than others.

Boxes 8.1 and 8.2, as well as other details in the text point out that wellbeing is, as Coulthard et al. (2011) suggest, a continuously emerging process: a quality that is being realized in interaction between villagers of different kinds and between them and their councillors. To what extent *ur panchayats* in the Nagapattinam-Karaikal regions are successful in generating subjective wellbeing amongst their village populations is to be investigated further. Preliminary results indicate that their performance is at least appreciated by government officers charged with fisheries affairs.

All this is not to suggest that *ur panchayats* provide solutions to all of the many challenges facing small-scale fishers in this part of South Asia. Not only has the Blue Revolution that has taken place since the 1950s resulted in a seriously divided and conflictual fishing sector, with important issues of environmental justice arising (Bavinck and Johnson 2008). Environmental degradation and overfishing are important challenges that cannot be addressed by *ur panchayats* in isolation. Governments perhaps have the lion's share to take care of. But *ur panchayats* are definitely playing their part and will hopefully continue to do so in future.

References

- Agrawal A (2003) Sustainable governance of common-pool resources: context, methods, and politics. *Annu Rev Anthropol* 32:243–263
- Bavinck M (1996) Fisher regulations along the Coromandel coast: a case of collective control of common pool resources. *Mar Policy* 20(6):475–482
- Bavinck M (2001) Marine resource management. Conflict and regulation in the fisheries of the Coromandel coast. Sage, New Delhi
- Bavinck M (2008) Collective strategies and windfall catches: fisher responses to tsunami relief efforts in South India. *Transforming Cultures* 3(2):76–92
- Bavinck M (2014) Handling fishery conflicts in the context of legal pluralism – a case-study analysis of street-level bureaucracy in Tamil Nadu, India. In: Bavinck M, Jyotishi A (eds) Conflict, negotiations and natural resource management – a legal pluralism perspective from India. Routledge, London, pp 111–127
- Bavinck M (2015a) Handling fishery conflicts in the context of legal pluralism – a case-study analysis of street-level bureaucracy in Tamil Nadu, India. In: Bavinck M, Jyotishi A (eds) Conflict, negotiations and natural resource management – a legal pluralism perspective from India. Routledge, London, pp 111–127
- Bavinck M (2015b) Placating the sea goddess: analysis of a fisher ritual in Tamil Nadu, India. *Etnofoor* 27(1):89–100
- Bavinck M, Johnson D (2008) Handling the legacy of the blue revolution in India – social justice and small-scale fisheries in a negative growth scenario. *Am Fish Soc Symp* 49:585–599
- Bavinck M, Karunaharan K (2006) A history of nets and bans: restrictions on technical innovation along the Coromandel coast of India. *Maritime Studies –MAST* 5(1):45–59

- Bavinck M, de Klerk L, van der Plaats F, Ravesteijn J, Angel D et al (2015a) Post-tsunami relocation of fisher settlements – evidence from the Coromandel coast. *India Disasters*. doi:[10.1111/disa.12113](https://doi.org/10.1111/disa.12113)
- Bavinck M, Vivekanandan V, Sajith S (2015b) Contribution of civil society organizations to small-scale fisheries in Nagapattinam/Karaikal, India. Unpublished report. FAO/FishMARC, Rome
- Benda-Beckmann F (2002) Who's afraid of legal pluralism? *J Leg Pluralism* 47:37–82
- Bharati BS (1999) Coromandel fishermen – ethnography of Pattanavar sub-caste. Pondicherry Institute of Linguistics and Culture, Pondicherry
- Central Marine Fisheries Research Institute (2012) Marine Fisheries Census 2010 Part II. 4 Tamil Nadu. CMFRI, Kochi
- Coulthard S, Johnson D, McGregor JA (2011) Poverty, sustainability and human wellbeing: a social wellbeing approach to the global fisheries crisis. *Glob Environ Chang* 21:453–463
- Food and Agriculture Organization (2015) Voluntary guidelines for securing sustainable small-scale fisheries. FAO, Rome
- Gomathy NB (2006) The role of traditional panchayats in coastal fishing communities in Tamil Nadu, with special reference to their role in mediating tsunami relief and rehabilitation. In: Proceedings regional workshop on post-tsunami rehabilitation of fishing communities and fisheries-based livelihoods, 18–19 January 2006, Chennai, India. International Collective in Support of Fish-workers, Chennai, pp 211–244
- Jentoft S (2014) Walking the talk: implementing the international voluntary guidelines for securing sustainable small-scale fisheries. *Marit Stud* 14(13):16
- Leach M, Mearns R, Scoones I (1999) Environmental entitlements: dynamics and institutions in community-based natural resource management. *World Dev* 27(2):225–247
- Mandelbaum DG (1970) *Society in India*. Two volumes. Popular Prakashan, Bombay
- Macaulay S (1986) Private government. In: Lipson L, Wheeler S (eds) *Law and the social sciences*. Russel Sage Foundation, New York, pp 445–518
- McGoodwin JR (2001) Understanding the cultures of fishing communities: a key to fisheries management and food security. Fisheries technical paper 401. FAO, Rome
- Rousseau JJ (1994 [1755/1762]) *Discourse on political economy and the social contract*. Introduction and notes by C. Betts. Oxford University Press, Oxford
- Salagrama V (2006) 'Post-tsunami rehabilitation of fishing communities and fisheries-based livelihoods in Tamil Nadu, Kerala and Andhra Pradesh, India'. In: International Collective in Support of Fishworkers (eds) Regional workshop on post-tsunami rehabilitation of fishing communities and fisheries-based livelihoods, 18–19 January 2006, Chennai, India. International Collective in Support of Fishworkers, Chennai, pp 159–210

Maarten Bavinck is Professor of Coastal Resource Governance at the University of Amsterdam as well as at UIT – The Arctic University of Norway. He is a founding member and director of the Centre for Maritime Research (MARE), a social science institute for the study of the human use of coasts and oceans. Maarten focuses his field research on the fisheries of South Asia (India and Sri Lanka), and makes use of legal pluralism, interactive governance, and political ecology approaches. He has authored two monographs, a number of edited volumes and special issues, and many peer-reviewed articles and book chapters. He is particularly concerned with the predicament of small-scale fishers and their fisheries governance arrangements.