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Qualities of self-governance and wellbeing in the fishing communities of northern Tamil Nadu, India - the role of Pattinavarur panchayats

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Abstract

Despite non-recognition by state authorities, informal councils (Tamil: *ur panchayats*) are known to comprehensively govern the fishing villages of the Coromandel Coast, Tamil Nadu, India. These councils take charge of an amalgam of village affairs, including the management of fisheries in adjacent sea territories, the resolution of disputes, and interlocution with outside parties. In summary, their duty is to ensure the wellbeing of the fisher population. Arguing that *ur panchayats* constitute an institutionalized form of collective action, this article investigates their contemporary role in the districts of Nagapattinam and Karaikal. It makes use of interactive governance theory and the concept of self-governance. The article is based on ethnographic field research carried out in the fourth quarter of 2013.

Keywords: Collective action, India, Small-scale fisheries, Self-governance, Well-being

Introduction

The starting point of this article is the phenomenon of collective action, which is understood to take various forms, varying from spontaneous protests (Biekart and Fowler 2013) and organized social movements (Tilly 1978), to long-lasting, self-governance arrangements (Ostrom 1990). It is understood to emerge in the shadow of the State, as the expression of shared human needs and wants. Scholars and policy-makers alike give it attention for the societal contributions it is supposed to make.

In this article, we are interested in collective action that has emerged in order to 'protect' small-scale fishing populations against hardship – or poverty – of different kinds, and to enhance their wellbeing. Rather than making use of the terminology of poverty, we choose, however, a vocabulary of wellbeing (Coulthard et al. 2011). The wellbeing of 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.

The case of collective action we discuss here has achieved institutional shape over time, and can be regarded, according to the theoretical perspective of interactive governance that we employ, as an instance of 'self-governance' (Kooiman 2003). It has

been brought about by a population of fishers living and working in a specific zone along the south eastern Indian coast. We will note below that this social space has come to constitute a 'semi-autonomous field' (Moore 1973), separate but also overlapping with the realms of government. The interaction between collective self-governance and hierarchical, State governance is therefore an important area of enquiry.

In the pages below we are concerned with analysing the contribution of the self-governing, village councils of the Coromandel Coast – the so-called *ur panchayats* – to fisher wellbeing. We do so at the level of the region, or the collection of *ur panchayats* operating along a shoreline. Our enquiry is directed at the variation that occurs in *ur panchayat* performance, and at the challenges they face. Theoretically, we are interested in the coherence of the self-governance mode, and in explaining the incidence of variation mentioned above. We are also interested in how this mode of governance fits within the larger governance setting.

Agrawal (2003) has rightly pointed out that community-based organizations rarely meet standards of fairness and consensus (cf. Leach et al. 1999). We contend that although power differences inevitably play a role in fishing communities, 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.

The first author has carried out ethnographic research on fisher institutions in Tamil Nadu since the mid-1990s, and has continued to do so at regular intervals until the present day. The second author has a long history of involvement in the fisheries, first as director of an important fisher cooperative (South Indian Federation of Fishermen Societies - SIFFS), and later as consultant/activist and director of a NGO by the name of Fisheries Management Resource Centre (FishMARC). The two authors have worked together regularly on a variety of fisheries issues.

The present article draws particularly on a one-month study in Nagapattinam and Karaikal Districts on civil society organizations and fisheries that was conducted by FishMARC in the context of the implementation of FAO's Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (FAO 2015). The results of this study, that consisted of a number of sub-studies, were submitted to FAO in 2015 (Bavinck et al. 2015). Preliminary perspectives on the role of *ur panchayats* in this region have already been published elsewhere (Bavinck 2016; Bavinck In press).¹ The region was chosen for the density of civil society institutions and evidence of historical connectivity between fishing settlements.

In order to understand the possible variety of roles of *ur panchayats*, the first author, who headed this particular sub-study, made a random sample of every tenth fishing settlement along this coast, leading to a total of five villages. In addition, he added the traditional 'head village' (Tamil: *talai nagar*) of the region (see below) to the selection. A total of 24 to 30 h was spent in each village, observing activities at the landing site, and having informal conversations in Tamil with its inhabitants, including at least two members of each *ur panchayat*. A short survey of each *ur panchayat* included questions on structure, scope and activities. He also spoke to local dignitaries such as the

fisheries cooperative president, Gram Panchayat² president, and school headmasters. The final days of research were spent visiting key fisheries-related organizations³ in the region, attending a fisher meeting, and conducting interviews with government officials.

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*. We are 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 regions are characterized by fishing settlements that gather together small-scale as well as semi-industrial fishers. As *ur panchayats* are responsible for entire village populations, an enquiry into their specific functions for, for example, small-scale fishers requires separate treatment.

An interactive governance perspective

Governance scholars are interested in forms and processes of societal steerage (Schuppert 2015; Peters and Pierre 2016), recognizing that this emanates from a number of sources, including, but not being limited to government. Interactive governance is one of the more comprehensive theoretical approaches in the field (Kooiman 2003). This theory focuses on understanding the governability of societal systems. The approach has been applied most extensively to capture fisheries and aquaculture (Kooiman et al. 2005; Bavinck et al. 2013; Jentoft and Chuenpagdee 2015).

Self-governance is distinguished as one of three ideal-typical governance modes. Kooiman describes such governance as “the capacity of social entities to govern themselves” (2003, 79). The origin of self-governance is located in the interactions taking place around primary societal processes (such as the production of food, welfare, care, etc.) that gradually, and voluntarily, evolve into rules and structuralized codes of conduct (ibid, 83–84), achieving organizational shape in the process. Forms of self-governance, Kooiman and Bavinck argue, “are found in all societies and to a much greater extent than is often realized” (2013, 21). In fisheries they are frequently described under labels of ‘customary management’ or ‘sea tenure’.

In modern societies self-governance is generally paralleled by, or nested in, other governance modes, such as hierarchical, or top-down governance. The latter is described as “the usual style in which governments interact with their citizens” (Kooiman and Bavinck 2013, 22). Self-governance and hierarchical governance structures and processes are often connected to each other (such as in forms in co-governance, which constitutes interactive governance’s third idea-typical mode). The consequences of such connections, for ordinary people and governors alike, are the subject of much scholarship, such as in the area of legal pluralism (Benda-Beckmann 2002).

However, self-governance can only take place where at least a ‘semi-autonomous field’ exists. Moore (1973), writing on law and social change, defines a semi-autonomous field as “the fact that it can generate rules and customs and symbols internally, but that it is also vulnerable to rules and decisions and other forces emanating from the larger world by which it is surrounded. The semi-autonomous social field has rule-making capacities, and the means to induce or coerce compliance; but it is simultaneously set

in a larger social matrix which can, and does, affect and invade it, sometimes at the invitation of persons inside it, sometimes at its own instance" (1973, 720). Our hypothesis is that the process of 'affectation' and 'invasion' of a semi-autonomous field by outside forces, such as government, may impact a set of related self-governance units in different ways. The variations that exist in the performance of fisher *ur panchayats* along the Tamil Nadu coast, might therefore be related to the extent to which such 'affectation' and 'invasion' takes place, for reasons of geographical location or otherwise.

Our second theoretical angle considers the governability or "governors' differential abilities to solve societal problems and to create societal opportunities" (Kooiman and Bavinck 2013, 12) from the perspective of 'fit' or 'representation'. Kooiman argues that the governability of any societal system "largely depends on the relationship between the system-to-be-governed, the governing system, and the governing interaction system" (2013, 368). Scholtens and Bavinck (2013) have investigated this relationship from the perspective of 'architectural compatibility' (spatial correspondence and linkages) and 'attunement' (or responsiveness of the GS to challenges from the SG). One question we raise in this paper relates to the scoring of fisher *ur panchayats* on the criterion of 'fit'. Can their continued relevance be explained by reference to: (a) effective maintenance of the boundaries of the semi-autonomous field, as well as by (b) a strong level of 'fit' between GS, SG and GI?

Fishing communities along the Coromandel Coast

Before turning to the fishing communities themselves, two comments on their context are in order. First, in the Indian sub-continent, fishing is one of a large set of occupations traditionally organized into what is known as a caste system (Desai and Dubey 2012). The caste system is a loosely organized, hierarchical social structure of status and identity, still coinciding to a large extent with class. Fishers occupy one of the lower echelons, and largely belong to what the government of India refers to as 'Most Backward Classes'. While caste mobility is not unknown, and some spectacular cases of collective, upward mobility exist, fishers in Tamil Nadu are very much aware of their structural marginality in society. As we shall argue below, self-organization plays an important role in protecting and striving to enhance the position of the group.

Second, while material poverty used to be endemic amongst the fishing population of Tamil Nadu, the so-called Blue Revolution and the rising prices of seafood, in combination with the social welfare programmes of the state government, have brought about important changes. Bavinck (2011) thus argues that the opportunities prevailing in the contemporary fishing sector have induced a net inflow mainly of labour. This can be connected to the stagnation of the agricultural economy in Tamil Nadu, and India more generally. While fishing communities can thus be considered relatively well-off, in comparison with others at the bottom of the socio-economic pyramid, small-scale, rural fishing communities face a variety of challenges, which are associated with poverty.

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. 1). This coastline contains 237 fishing settlements with a total fisher population of 300,000 (CMFRI 2012), almost all of whom belong to the Pattinavar group. The Pattinavar constitute a traditional ocean fishing caste (Bharathi 1999; Bavinck 2001)

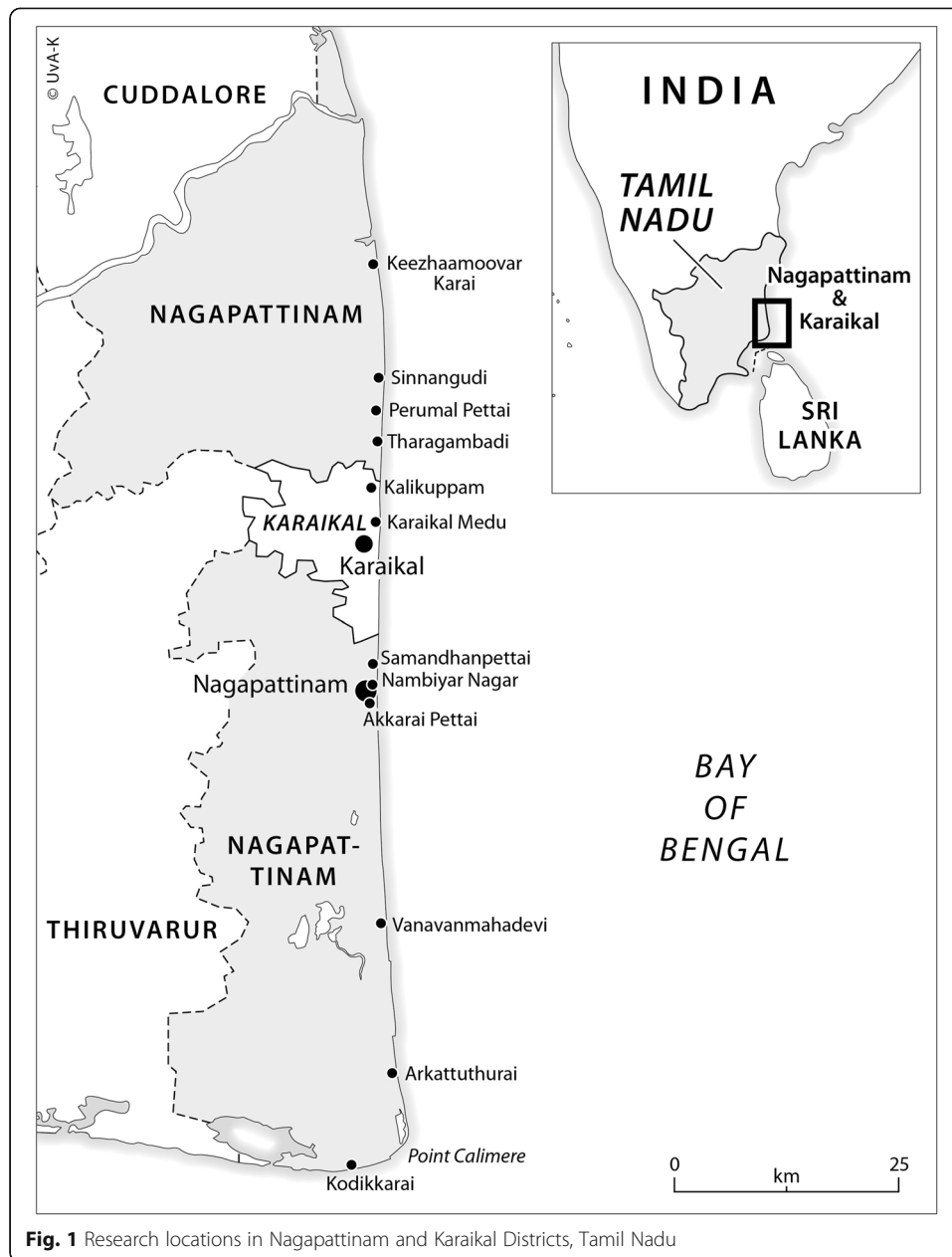


Fig. 1 Research locations in Nagapattinam and Karaikal Districts, Tamil Nadu

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 crafts 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 southern section of the Coromandel Coast, 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 et al. 2015).

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, which 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 *ur 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 sections of the South Indian coastline as well.

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 first or settlement (Tamil: *ur*) level, and this is the aspect to which we will pay most attention. The second institutional 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* (Tamil: head village). The fisher population views 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 ancient times. At present, 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 and the fact that the Tamil Nadu Minister of Animal Husbandry, Dairying and Fisheries at the time of research derived 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. Below we 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 caste and live in their

respective villages, not all of them are active fishers – some have diversified into other occupations during their lifetimes though mostly within the fishing sector. 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 monetary 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 (Tamil: *viidduvari*), the types of nets owned, or a combination of all these. Some councils auction the right to tax villagers to a highest bidding local businessman. The timing of taxes on individuals or households generally coincides with the government's distribution of welfare benefits (such as the saving-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 – arguably 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 said to be 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' (Tamil: *panchayataar*) terms of office varies substantially, with some villages setting maximum terms of two or three 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 (see below).

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.⁴ 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. We return to this situation below.

Up until now we 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.⁵ 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.

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’. ‘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 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 beyond the scope of this article, seem to play an intermediary role.

Changing wellbeing functions

Ur panchayat activities can be categorized in various ways, none of which are infallible or exclusive. We 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, we do not explicitly study the subjective dimension of wellbeing in this chapter, although we believe that it demonstrates itself repeatedly in villagers’ statements (see Tables 1 and 2). *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.

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 surroundings. The costs of these festivals in the sample villages vary from Rs 500,000 to Rs 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

Table 1 Examples of *ur panchayat* case deliberations

We paid a visit to the *ur panchayat* of Nambiarnagar, that congregates in a community hall on the main street, on the morning of November 5, 2013. The *ur panchayat* of this village officially consists of seventeen members, representing each of the five streets. That morning, however, only seven members had gathered to hear whatever cases were being brought forward. The hall had 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 we spent with them, the following cases were 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 ring seine 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 have gone to the Fisheries Department without first coming here?" The *ur panchayat* decides to have the *kudipillai* make an announcement that the following day at 10 am everyone who has not received money should visit the *ur panchayat*, bringing relevant documents.
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 still fails to cooperate, the *ur panchayat* suggests that it will 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 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 that has given catches worth Rs 520,000 (US\$ 8320) to an outside trader, who has, however, 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."

Table 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 loudspeaker system to inform villagers of important matters. On the evening of November 4, 2013, we 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 that 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 iceboxes 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 distributed. 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*.

benefits. Besides a local deity, each settlement also counts supernatural beings relevant for fishing (Bavinck, 2015). 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). They can also encourage or discourage rural-rural migration of fisherfolk by imposing demands on those wishing to settle in a different 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 *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. Table 1 provides an example of the cases that we were able to observe on the day that we 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 ring seine nets⁶ is one such instance, which we discuss below.

Most of the functions discussed above belong to *ur panchayats'* traditional array of tasks. To this set there have also been added a number of new activities. 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 also pays the salary of a supplementary teacher, contributes additional school materials, and helps make public school events a success. This *ur panchayat* is exceptional in its promotion of education, but there is evidence that other *ur panchayats* also 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.

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 above. Every person we 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 (Tamil: *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 particularly negative effect on elderly fishers who depend on the most inshore fishing grounds.

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. In addition, in the 26 village *ur panchayat* meeting that took

place in Tharangambadi on November 8, 2013, the same village negotiated a clause that limits ring seine 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 an 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, unfortunately, was unsuccessful. It then rented three trawlers for a total of Rs 30,000 (US\$ 480) to continue the search at longer distances. The corpses of the two fishers were eventually located many kilometres to the south.

Promoting wellbeing through interventions with government

We 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 speak with officials (Gomathy 2006; Bavinck et al. 2015).

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 is one expression hereof. *Ur panchayats* similarly guard their autonomy vis-à-vis other government agencies, such as the Fisheries Department, as noted when the 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. Table 2 provides evidence of the range of mediations that *ur panchayats* carry out with regard to government departments.

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.

Engaging with 'hot' fisheries issues

In this section we sketch the role of *ur panchayats* with regard to two hot, small-scale fishing issues. The first is pair trawling. Pair trawling for schools of pelagic fish was introduced in Tamil Nadu in the late 1980s but was prohibited by government in 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 ring seining. Ring seining has come to this coastline from Kerala, where it has been carried out since the 1980s. Although ring seining too is officially banned, a growing number of small-scale fishers (in collectives) and some trawl operators are taking it up (Bavinck et al., forthcoming).

The nature of the dispute differs importantly from one gear to the other. Pair trawling in this region is practiced by only a small group of large trawl owners with political support: its locus lies in harbor towns. Ring seining, 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, ring seining tends to be a divisive issue within the small-scale fishing population itself. Table 3 contains provisional figures on the current scale of ring seining in Nagapattinam-Karaikal.

Table 3 demonstrates that although the number of settlements in which ring seining was occurring at the time of research still made up a sizeable minority, it could soon develop into a majority. The reason for this is that the technique of ring seining 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 ring seining, 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 number of *ur panchayats*

Table 3 Ringseine (RS) activity in Nagapattinam-Karaikal ($N = 58$)

	Number of settlements
Settlements with RS	19 (33%)
Settlements without RS	39 (67%)
- Settlements that officially banned RS	5
- Settlements that are now planning to introduce RS	11
Total settlements	58

Source: Summary of oral information from key respondents

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

For instance, a 64-village *ur panchayat* meeting was held in Nagapattinam in May 2013 to discuss the future of pair trawling and ring seining in the region. While the gathering decided to prohibit pair trawling with immediate effect, ring seiners were given three years to phase out their operations. These decisions were put to paper, with all delegations adding a signature to the agreement. However, implementation of both measures is proving difficult. As far as ring seining is concerned, there is significant momentum for actually increasing 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 ring seines in 2014. This meeting was attended by representatives of the constituent *ur panchayats*; it decided to allow the new ring seines for two 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 ring seining would actually be eliminated in 2016 as planned. In fact, at the time of writing, it has not.⁷

Conclusion

This paper has considered a case of institutionalized collective action by small-scale fishers along the coast of Tamil Nadu, India. Although basic structures of *ur panchayat* have been established over a long period of time, they are continuously reproduced in order to address contemporary challenges.

We have chosen to analyse these institutions as a form of 'self-governance' (Kooiman 2003) initiated within a 'semi-autonomous field' (Moore 1973). The 'field' governed by *ur panchayats* is positioned in a larger realm in which other governing agents, including government, play important roles. We have noted out that *ur panchayats* define their domains through claims of territorial and social jurisdiction. Each *ur panchayat* thus governs over a specific territory (terrestrial and marine) and a particular social group, constituted through a combination of caste, kinship and residence. It maintains the boundaries by enforcing authority and monopolizing connections with the outside world.

Ur panchayats legitimize their existence and their activities with reference to their responsibility for the wellbeing of their village populations. We pointed out four realms in which *ur panchayats* realize wellbeing outcomes: social affairs, economic affairs, environmental affairs, and relations with government. Their environmental role emerges primarily in their fisheries rule-making activities, with particular issues (pair trawling and ring seining) being contentious and difficult to resolve. In all this, we have pointed out the mix of interests that result from the mingling of small-scale with semi-industrial fisher populations in the region.

The performance of *ur panchayats* builds on structured relationships between family groupings and male-gendered representation. The *ur panchayat* structure achieves solidity from a long and shared maritime profession and a common social identity. In terms of interactive governance theory, the GS can be said to reside close – both socially and geographically – to the SG, and is thereby able to respond quickly to wellbeing needs that emerge. With the GS reacting immediately in form and substance, the

'fit' between GS, SG and GI, and the legitimacy of the *ur panchayats* along this coastline, can generally be said to be high.

Ur panchayats are, however, not identical. One of the conspicuous outcomes of this study is the diversity of *ur panchayats* along this coastline in terms of structure, scope and activities. The diversity of *ur panchayats* begs a question of causation: why are some *ur panchayats* more 'modern' and others more 'traditional', and how does this pattern distribute itself spatially? It is obvious that in the period since India's Independence, fishing populations have become more integrated into larger societal processes and events. The isolation of fishing villages, which prevailed along many parts of the Coromandel Coast in the past, has gradually broken down. This has gradually shifted the role of *ur panchayats* from being a provider of wellbeing to a mediator (*vis-à-vis* outside agencies) thereof. In line with this shift, we signal the rise of a new kind of *ur panchayat* leadership, with other sources of legitimacy (elections), and other types of knowledge and skills. These 'modern' *ur panchayats* co-exist, however, with more 'traditional' institutions. Although more research needs to be done on the geographical distribution of *ur panchayat* types, one contributing factor emerges. The further villages are removed from urban centres, the more chance that the *ur panchayat* will have a traditional character and carry out a more traditional range of activities. The reverse too is true: villages located closer to urban centres have a larger chance of having a more 'modern' *ur panchayat*.

It must be emphasized that 'modern' does not necessarily mean 'better'. While 'modern' *ur panchayats* may be better adjusted to interacting with outside parties, such as government, their responsiveness with regard to the wellbeing needs of their populations is possibly of a lesser intensity. 'Traditional' *ur panchayats* probably have more classical and, from a contemporary point of view, disquieting concerns, such as with regard to gender roles and caste. They also possess stronger mechanisms of social control, which are not always appreciated in the context of a world motivated by individual choice. However, these features may well correspond with a greater concern for the wellbeing needs of local populations.

To what extent is the *ur panchayat* form of collective action replicable in other parts of the world? Many self-governance arrangements of pre-colonial origin are known to prevail in fisheries. Often these escape detection. Sometimes they have declined, or been wilfully destroyed, rather than the constructive use has been made of their capacities. While collective action cannot be created from above, it can certainly be facilitated. One way of doing so is by creating semi-autonomous fields in which self-governance activity can flourish. The recognition of tenure rights – such as recommended by the SSF Guidelines – is one way of doing so.

Such positive action is likely to be initiated only by governments that recognize and respect the contribution of self-governance institutions like *ur panchayats*. In this connection we have noted the pragmatic use of the *ur panchayat* at lower levels of bureaucracy in Tamil Nadu, India. At higher, more official levels, however, there is greater reluctance, if not hostility, of recognizing customary institutions of this kind. The condition of semi-autonomy that prevails, is therefore probably less the result of government tolerance than of *ur panchayat* resistance.

Governance pluralism characterizes the realm of fisheries in many parts of the world. The scholarship on legal pluralism teaches that relations between various socio-legal

systems is frequently marred by dissonance (Bavinck and Gupta 2014). The same is often true in relations of governance pluralism (Jentoft 2014). But self-governance on the basis of collective action is not necessarily threatening to government authority. As Reyntjens (2016) points out, “it may well be in the interest of states, strong and weak alike, to allow the devolution of certain roles to non-state, sub-state or supra-state fields, certainly if these offer cheaper, faster, more accessible and understandable, and even – albeit not always – more legitimate ways of ordering society” (2016, 362). As we have argued in this article, this is relevant also where the provision of well-being to fishing communities is concerned.

Endnotes

¹The present article, while introducing a new, and more elaborate theoretical angle, makes use of some of the same empirical material that was employed in earlier publications (cf. Bavinck 2016, Bavinck in press).

²This is the lowest tier in the political system of India. Panchayat villages (or the geographical areas over which a Gram Panchayat has jurisdiction), often includes several settlements and a mixed population. The Panchayat is thus to be distinguished from the *ur panchayat*, which is the topic of this study.

³Nagai District Fishermen Sangams Federation (affiliated to SIFFS); Social Needs Education and Health Action (SNEHA); and Building and Enhancing Disaster Resilience on the Coast (BEDROC).

⁴The 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. 2015).

⁵Factionalism 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.

⁶A further discussion of conflicts over ring seine fishing in Tamil Nadu is provided in Bavinck et al. (in press).

⁷Ciara Phelan, a master student at the University of Amsterdam, who studied the distribution of ring seine fishing in Nagapattinam and Karaikal districts in the summer of 2016, concludes that the number of ring seines has actually increased.

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Authors' contributions

MB was the principal researcher and responsible for drafting the text, which was then supplemented and adjusted by Mr. VV. Both authors were responsible for structuring the research, its methodology, and for interpreting the outcomes. Both authors read and approved the final manuscript.

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This is an original manuscript that has not been submitted elsewhere. The authors declare that they have no competing interests.

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