

Globalization and the *Human Right to Feed Oneself*. The impact of the Blue Revolution on the Food Security of Small-Scale Fisherpeople in Tamil Nadu, India

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Abstract: *On December 26, 2004 a tsunami triggered by an earthquake west of Sumatra caused serious damage in India, Indonesia, Thailand, Malaysia and Bangladesh. Almost 300,000 lives were lost and several million people put at risk of sliding into even deeper poverty. Particularly coastal fishing communities all over the region were severely affected. They suffered heavy losses in lives, and their means of production were destroyed and their sources of livelihood put at risk.*

This chapter takes the tsunami in the Indian Ocean as a starting point to reflect on social and economic change in fishing communities along the Coromandel Coast of Tamil Nadu, India. It argues that processes of globalization have made small-scale fishermen more vulnerable than they had been before. Forces triggered by globalization have taken away people's ability to control their destinies and adequately respond to challenges. Today they may be richer than a hundred years ago, but at the same time they are less resilient and less able to resist and recover from events that put their lives and livelihoods at risk.

Keywords: Fisheries, modernization, social vulnerability, human rights, India

1. INTRODUCTION

Now, in the second decade of the 21st century the economic and social well-being and maybe even the survival of large parts of humankind are threatened by

- the growing social marginalization and economic oppression of the poor,
- a high and unsustainable level of consumption of non-renewable natural resources in the industrialized and to a growing extent also in the so-called developing countries.

It is not necessary to analyze these challenges again and again. They are widely recognized – and largely ignored. The governments in the industrialized and the developing countries still preach the ideology of unlimited growth, maybe even more strictly than ever before. They preach that by globalization, by liberalizing the national economies of developing countries, and by pushing the state out of the economic sphere, the countries of the South have the chance to eradicate poverty and ensure a life in dignity for all their citizens. They don't realize that economic growth also creates poverty and prevents people from living in dignity. In 1996 the World Food Summit declared that all efforts should be made to reduce by half the number of hungry and malnourished people by 2015. In 1974, when the world community gathered for the first time to discuss how to abolish malnutrition and starvation, targets were set up to eradicate hunger within a decade: no child, no woman nor man should go to bed hungry after that. The targets of 1996 have little chance of being achieved in the remaining three years up to 2015. In 2010, 925 million undernourished people were in the world, 137 million more than in 1995 the year before the world started its effort to half hunger by 2015.

Looking at fisheries development in India over the past 100 years, one can distinguish four phases: before independence marine fisheries had been at a rather low technological level. Towards the end of the 19th century the colonial power considered fisheries to fight famine. During this time much groundwork was laid in marine science and a number of trials with modern fishing equipment were conducted. A second phase started right after independence when the modernization of India's fishing sector was started. A third phase began, when the export potential of marine products became evident. During this phase, which started in the late 1960s, the idea of a fishing sector providing high quality and cheap protein to India's poor was virtually given up. Marine fishing became a tool to provide good investment opportunities for private companies to make a quick buck exporting shrimps and other marine products. This phase is characterized by a growing conflict between small-scale fishermen and modernized mechanized fishing. In the later part of this stage, starting in the late 1980s and picking up pace during the 1990s, aquaculture came up concentrating on export-oriented shrimp culture.

At present we are in the fourth stage: a stage that started on December 26, 2004. Soon after this dreadful day hope was expressed that after all the destruction of the tsunami it would be possible to rectify mistakes of earlier decades. Hopes were high that more sustainable forms of resource use were possible, forms which consider small-scale fishermen as major actors and stakeholders and where private investment and operations are restricted to deeper waters. It was also hoped that it would become possible to show fishermen "a way out of fishing", reducing pressure on marine resources that resulted from far too many large- and small-scale users.

2. THE RIGHT TO FEED ONESELF IN AN INDIAN CONTEXT

At the World Food Summit in 1996 it was declared that every human being has a right to food. This declaration seems to be very progressive, but it is nothing new, as in the International Covenant on Economic, Social and Cultural Rights (ICESCR) the *Right To Feed Oneself* is one of the most important among the Economic Human Rights. Even if the *Right to Feed Oneself* can be considered as a soft law whose enforcement capacities are limited, it is more than a mere moral commitment, and the Indian Government, which signed the covenant, has certain obligations under this right.

The *Human Right To Feed Oneself* – like any other Human Right – endows every human being today and in the future with a legitimate claim against his/her state. Human Rights are rights a citizen has towards the state, and Human Rights violations therefore deal with oppression by the state and its authorities or through state authorities allowing Human Rights to be violated by others. The *Human Right to Feed Oneself* can be safeguarded in various ways. First of all it is achieved when people have access to resources like land, water, forests etc. so as to grow enough food, catch enough fish or collect enough forest products that they can meet their food requirements. The *Right To Feed Oneself* is also achieved when people receive for their work enough recompense, whether in kind or in cash, such that they don't have to go hungry. The *Right To Feed Oneself* also includes the Right To Social Security, for human beings have to be protected against old age, illness and unemployment, as these sources of insecurity are closely connected with malnutrition and hunger.

The *Right To Feed Oneself* refers generally to an adequate standard of living including food, housing, clothing and health. In its core content it refers to the right to be free from hunger and malnutrition through one's earning activities. The *Right To Feed Oneself* cannot be derived from the International Covenants on Economic, Social and Cultural Rights alone, for it is also among the Directive Principles of the Indian Constitution: in particular article 39 (a) (right to adequate means of livelihood), article 41 (right to work and social security), article 43 (right to a living wage) and article 47 (duty to raise the level of nutrition) (Constitution of India, 22-23). Concerning Human Rights the state has three obligations: to respect, to protect and to fulfill these

rights. The first obligation imposes a duty on states not to destroy people's livelihood, people's personal security or health, people's cultural identity etc. These obligations exist unconditionally in the sense that the state can always be expected to restrain its activities once they turn out to violate people's Human Rights. The second obligation requires the state to protect people against violation of Human Rights by a third party. In societies, groups are in conflict with each other. Often these conflicts are conflicts over access to natural resources by different user groups. Frequently the state is part of such conflicts in one way or another. In protecting economic human rights the state, for example, has to act in such a way that it protects the livelihoods of vulnerable sections in society against business interests. The third obligation imposes a duty on the state to fulfil human rights: this means to support deprived persons who are not in a position to realize their basic requirements by their own efforts. The *Right To Feed Oneself* is much more than the Right To Food, primarily because it aims to retain the ability of people to provide for their livelihood; and thus it is much more than charity.

In this paper I will look at processes in the fisheries sector of India during the last fifty years. I will show how the lives of people are influenced by events and decisions which take place outside their spheres of influence. I argue that marginalization and poverty are the consequence of external as well as internal power structures. In the development process those groups are able to prevail which can influence the process according to their interests. Groups with insufficient power are threatened with becoming marginalized. In such conflicts the state also takes a role. It backs the interests of outsiders entering the fisheries sector, and by this endangers the livelihoods of traditional fisher-people. On the other side state authorities come forward with social welfare programs which should soften the consequences of modernization.

3. THE STATE'S FAILURE TO RESPECT FISHERMEN'S RIGHT TO FEED THEMSELVES

In fisheries you find the situation the Indian Government aims to achieve also for its agricultural sector: to get high prices for commodities in international markets and to have unrestricted access to these markets. By exporting high value marine products India earns much foreign exchange. One would think that the aim of protecting fishermen's livelihood ought to be achieved easily as most of the 450,000-odd active fishermen working on traditional vessels should be in the position to earn quite a good income, as most of the economically important species are caught in coastal waters. They are easily within the reach of the small-scale fishermen. Changes within the Indian fisheries sector during the last five decades, however, are responsible for the fact that small-scale fishermen still belong to the poorest sections of Indian society, even though the fisheries sector has become a lucrative business. During the past 50 years quite a lot of catches have been made on boats which were unknown in India 50 years back.

The Blue Revolution, the modernization of fisheries, is more than the introduction of new technologies. It has also influenced the processing of fish and its distribution. As a result, poor regions as well as poor consumers are more and more excluded from this once cheap source of protein. In 1956 an Indian consumed about 14.5 kg fish on average. By 1982 this had decreased to 9.4 kg. At the beginning of the 1950s fish was one of the cheapest sources of protein; in 1985 it was the most expensive (Ibrahim 1992). In 1956 about 47 percent of oil sardines were marketed locally; 20 years later less than 30 per cent of this cheap fish reached local consumers (Galtung 1984). For small-scale fishermen modernization of fisheries had devastating consequences. Trawlers and purse-seiners that were introduced fish in a very unsustainable way and have caused overfishing in many places. The modern vessels depend on subsidies given by the Government. In Kerala net profits for capital invested, which were about 14 per cent in 1969, became negative in the 1980s (Kurien 1987). The *Kalavar-*

Committee in the middle of the 1980s found that about 56 per cent of the trawlers operating in Kerala were economically unnecessary (Choudhury 1986).

Earning foreign exchange was not the only reason for protecting the interests of an industry which could not survive without support of the State. Small-scale fishermen can easily catch prawns in a much more sustainable way than trawlers. The reason for the expansion of the mechanized fishing sector is deeply rooted in the political economy of the country. In contrast to the business interests entering the fishing sector, small-scale fishermen do not have much power. Exporting marine products has become a good business, and powerful companies became aware of this sector. For companies, investing in fisheries is not different from investing in any other trade. They try to get as much profit as possible and when the marine resources are depleted companies shift to other sectors. That's the logic of capitalism. Small-scale fishermen follow a different kind of logic. They are not able to shift to other fields. They have to take care that the resource they depend on for their livelihood will not become devastated. Johan Galtung summarizes his experience with the modernization of the Indian fisheries sector:

“My evaluation is that it is a scandal, and not a partial scandal but a total scandal. [...] the INP project failed in four ways: less protein became available to the population, the level of living of the fishermen decreased, partly violent conflict between the traditional and modern sectors emerged, and depletion of the raw material, particularly the shrimps, set in. Still, however, the project was a success in the sense of being a major source of foreign currency“ (Galtung 1984: 259).

During the past fifty years the Indian Government and governments of coastal states have failed to respect *fishermen's right to feed themselves*. They followed policies that have threatened fishermen's livelihoods.

4. THE STATE'S FAILURE TO PROTECT FISHERMEN'S RIGHT TO FEED THEMSELVES

Trawlers and purse-seiners are fishing technologies which were introduced into Indian fisheries during the last 50 years. These technologies were invented in industrialized countries, where they were banned long before the same nations started to promote them in India. Bottom trawling causes great damage to the marine environment. It destroys the habitat of fishes and their breeding grounds. As the mesh-size of the trawl-nets is very small, juvenile fishes are caught and the reproduction of fishes is affected in a negative way. In the long run excessive trawling leads to overfishing. This was known to the authorities long before trawlers were introduced into India. In 1908, F.A. Nicholson, director of the Department of Fisheries in Madras, warned “[...] *that Madras did not need steam trawlers and that to jump from the catamaran to the steamer was impossible and would be unwise even if it were possible, because revolutionary methods here as elsewhere were a mistake*“ (Anugraham 1940, 208).

Already in 1940 Anugraham saw the threat of overfishing and competition between small-scale fishermen and industrialized fisheries. „*If steam trawling is undertaken, it will certainly revolutionise fishing in India and give rise to an intense competition between the poor fishermen and the rich capitalists. [...] The fishermen are likely to complain of a depletion of stock in the fishing grounds because of the activities of a trawler anywhere near their fishing limits*“ (Anugraham 1940: 210).

To prevent conflicts Anugraham suggested creating fishing zones where only small-scale fishermen should fish, and from which trawlers would be banned entirely. It took more than 40 years before state governments introduced Marine Fisheries Regulation Acts which banned trawlers and purse-seiners from coastal waters. Still today the implementation of these laws to protect small-scale fishermen is very poor. Restrictions imposed on the operation of modern

vessels don't work, as about 80 - 90 per cent of the high value marine products live in coastal waters. If trawlers and purse-seiners were really to fish in areas assigned to them, most would be bankrupt soon. It seems that state Governments enacted laws they never meant to enforce. There is a contradiction in promoting modern fishing techniques like trawling by providing subsidies and restricting the operations of trawlers to areas where few prawns are available. It becomes obvious that the State is not only not able to protect the *fishermen's right to feed themselves*, but it is also not willing.

5. THE STATE'S FAILURE TO FULFIL FISHERMEN'S RIGHT TO FEED THEMSELVES

The third obligation of the state under the *Human Right to Feed Oneself* is to fulfill this right when people are not able to do so by own efforts. Here Social Security plays an important role. Did the state at least establish effective social security measure for the needy, when it was not able to respect and protect their rights?

Social security refers to protecting people against risks like illness, unemployment, old age, accidents, maternity, disability etc. which make people unable to secure their livelihoods. To achieve social security the state can use *promotional measures* aiming at averting insecure conditions and contingencies such as low incomes/unemployment/sickness through special programs or *protective measures* which are to (re)establish social security whenever the *promotional measures* have failed or are not sufficient (Burges and Stern 1991; Osmani 1991). As mentioned above the Indian Constitution mentions important aspects of social security in articles. 36 – 51 (*Constitution of India 2007:21-25*), particularly in article 39 which says:

„The State shall, in particular, direct its policy towards securing

(a) that the citizen, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment“ (Constitution of India 2007:21-22).

Establishing social security falls under the obligation of the State as well as Central Government. The system for the formal sector of the economy in India is quite modern. Since independence many laws have been introduced which protect a small minority of Indian citizens against all sorts of risks (e.g. *Workmen's Compensation Act (1923)*, *Bombay Maternity Act (1929)*, *Maternity Benefit Act (1961)*, *Employees' State Insurance Act (1948)*, *Provident Fund Act (1925)*, *Employees' Provident Fund Act (1952)*, *Employees' Family Pension Scheme(1971)*).

This social security system is highly subsidized as the State gives contributions to most of the different schemes and also allows deductions from the income tax for private contributions to provident funds, life insurance policies, loans from housing societies, etc. For the informal sector protection is far less (Table 1).

Table 1: Social Security Initiatives for the informal sector in Tamil Nadu

Program	year of introduction	target group	benefit	before										
				1979	1979	1982	1989	1990	1992	1995	1996	1998	2000	2006
Old Age Pensions														
(1) general	1962	for needy persons above 65 years	monthly pension	20	25	35	50		75	100		150	200	400
(2) for destitute agricult. Labourers	1981	above 60 years				35	50		75	100		150	200	400
(3) for destitute widows	1975	above 40 years		20	25	35	50		75	100		150	200	400
(4) for destitute, deserted women	1984	above 20 years				50		75	100			150	200	400
(5) for handicapped	1974	above 45 years		20	25	35	50		75	100		150	200	400
For surviving dependents														
	1989	death of the Head of Household agricult. Labourer, marginal farmer	lump sum	----	----	----	2000	3000	5000	8000	7500	7500	10000	10000
		HH-income less than		----	----	----	5000	5000	6000		6000	6000	7200	7200
Survivor's pension for handloom weavers														
	1991	deceased has to be member of the co-operative society	monthly for 10 yrs							250				350
Maternity Benefit														
	1989	HH-income below 5,000 Rs p.a. given only for the first two children and wife's age at amritmarg more than 18 years.	2 months before / after delivery							4*75			4*125	
Marriage grants for females														
(a) general	1989	HH-income below 12,000 Rs p.a. wife's marriage age above 18 years passed eighth standard	lump sum							5000				10000
(b) for female orphans	?	HH-income below 12,000 Rs p.a. wife's marriage age above 18 years	lump sum							2000				10000
(c) Widow Remarriage	?	HH-income below 12,000 Rs p.a. wife's marriage age between 20 - 30 years	lump sum											10000
Accident insurance for certain professions														
	1977	fishermen, scavengers, pesticides-sprayers, agricultural / construction coolies, Rickshaw-drivers, etc.	lump sum (in case of death)							21000			35000	50000
Saving Scheme														
	1982	fishermen	yearly			90			720					600

In the informal sector there is no comprehensive system of social security. People who are most vulnerable against a number of uncertainties are protected worst. They belong to the poorer sections of Indian society; they often have to live under unhygienic conditions and are more vulnerable to diseases. Many of them cannot afford a balanced diet and the risk of becoming ill due to under- and/or malnutrition is high. Unskilled labourers without fixed employment are more vulnerable to economic exploitation than those working in the organized sector of the economy, where trade unions take care that labour laws are respected. For a huge section of India's society, at least 70 per cent of the country's population, there is no system of social security. There are different schemes which try to protect people in the informal sector against some contingencies, but they usually are far too weak to achieve this.

In Tamil Nadu for example there is an old-age pension scheme which entitles different groups to a monthly pension of 75 Rs. In the early 1990s about 515,000 persons received such a pension, about 12 per cent of the elderly poor. As the Tamil Nadu Government didn't provide sufficient funds those who missed out were put on waiting-lists (Guhan 1992). The program is hardly more than charity as nobody has a legal right to get a pension. The schemes are prone to corruption as it is more or less left to the authorities to whom they give a pension and to whom they don't.

For small-scale fishermen there are two schemes: a group insurance scheme and a saving scheme. The insurance scheme was introduced in 1984. In the early 1990s dependants of a fisherman who died at sea received a compensation of 21,000 Rs. The premium of 20 Rs annually was shared by the Tamil Nadu and the Central Government. Since 1982 a saving scheme for fishermen had been introduced to balance seasonal income fluctuations. First fishermen contributed 10 Rs per month for a period of 9 months. The Tamil Nadu Government gave the same amount (90 Rs), In October, November and December fishermen then received 60 Rs monthly. In 1992 the program was changed. Now fishermen contribute a monthly installment of 45 Rs, and the State as well as the Central Government each added the same amount. 1080 Rs came together in 8 months and each fisherman now gets 270 Rs during the four months of the monsoon season (Weber 1995).

There are a few more social security initiatives for the informal sector in Tamil Nadu. However most of them are insufficient to provide meaningful protection. The monthly old-age pensions are far too low to enable pensioners to cross the poverty line. The disparities in comparison with the formal sector are striking. An annual pension in the informal sector is much lower than the

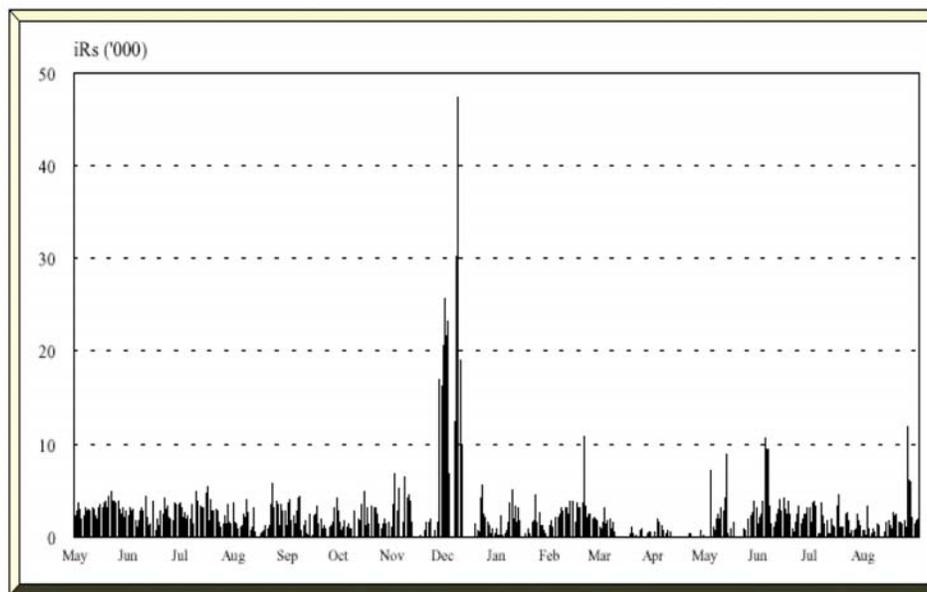
monthly pension of an employee of the Tamil Nadu Government. Just to protect State pensioners against inflation their monthly pensions were increased by 270 Rs on average between November 1991 and May 1993. In comparison a monthly pension of 75 Rs given to a few in the informal sector looks quite modest.

The biggest constraint of these programs is that people do not have a **right** to benefit from a scheme. Among the people of a fishing-village in Madras not a single one was found who received a pension.

To sum up: the State also failed to fulfil *fishermen's right to feed themselves* by failing to establish a comprehensive social security system. It is much more difficult to establish such a system for the informal sector as many in this sector are not able to contribute to such schemes, as their income is too low. Many in the informal sector are self-employed. Contributions by an employer (as is the case in the formal sector) are missing. This makes financing such schemes difficult. On the other hand the state is subsidizing social security highly for the formal sector. Why not cut or reduce subsidies for employees whose salaries allow them to take care of their social security needs by their own efforts? The money then could be used to establish systems of social security which at least give a minimum protection to members of the informal sector.

6. THE IMPACT OF MECHANIZATION ON SMALL-SCALE FISHERMEN

Mechanization of fisheries has had a negative impact on the socio-economic conditions of small-scale fishermen. A study in a fishing settlement of Madras city indicates that small-scale fishermen's vulnerability has increased a lot as a result of modernization and conflicts over fishing resources, particularly prawns, the Pink Gold. A substantial part of fishermen's income is earned in a very short period of the year, the prawn season. Then even small-scale fishermen can earn a lot.



Madras, May 1991 - Aug 1992; E. Weber

Figure 1: Value of marketable catches of 37 fishing-teams

Figure 1 shows that there is a distinct seasonality in the incomes from fishing. A big share of the income is earned in only one month, for example, during December 1991. If we have a look on the composition of the catches (Figure 2) it becomes obvious that this seasonality of incomes is due to prawn catches.

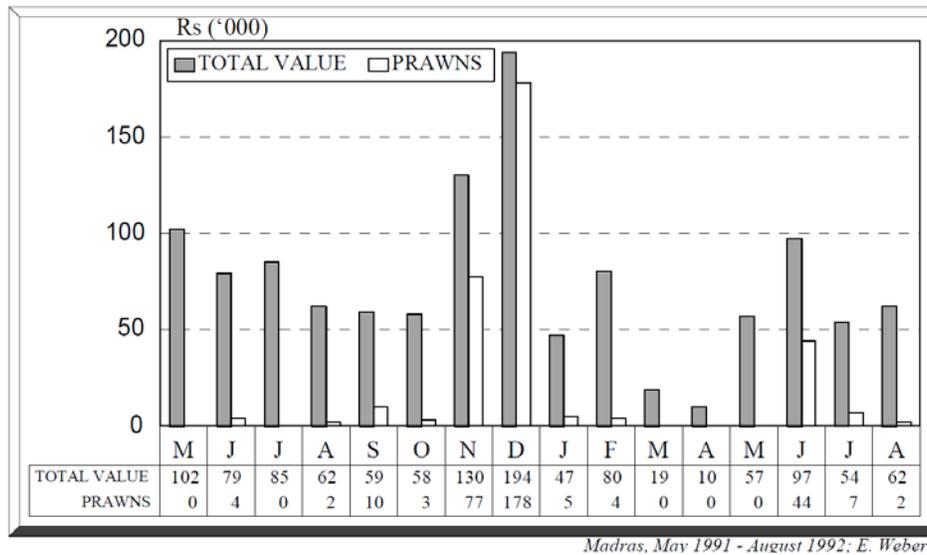


Figure 2: Composition of Fish landings

In Tamil Nadu November and particularly December are by far the most important months for catching prawns. During the 16 months of investigation, prawns were the source of about 30 percent of the income of 37 fishing-teams. But there are only a few days in the year when prawns can be caught by fishermen. During these days fishermen earn a big part of their income. During 12 fishing-days in December 1991 more than 20 percent of the income from 16 months was earned. Some boats earned even more than 30 per cent of their income of 16 months (Weber 1995). One can easily imagine what would happen if this income cannot be realized. During the period when fishermen can earn a fortune, weather conditions are worst. Mechanized boats do not depend so much on favourable weather conditions. They can go on fishing when small-scale fishermen have to stay on the shore. The risk that mechanized boats catch most of the prawns during those days is very high. If the income from prawn fisheries decreases, the economic and social basis of the small-scale fishermen is at risk. Most of the fishermen are in danger of being caught in a debt-trap. As Figure 3 indicates, the fishermen repay the loans which have been accumulated throughout the year during the prawn-season. If the income from prawn catches decreases, the fishermen might also become unable to raise the necessary capital for investments. Thus, it is no exaggeration to say that their socio-economic status is at risk.

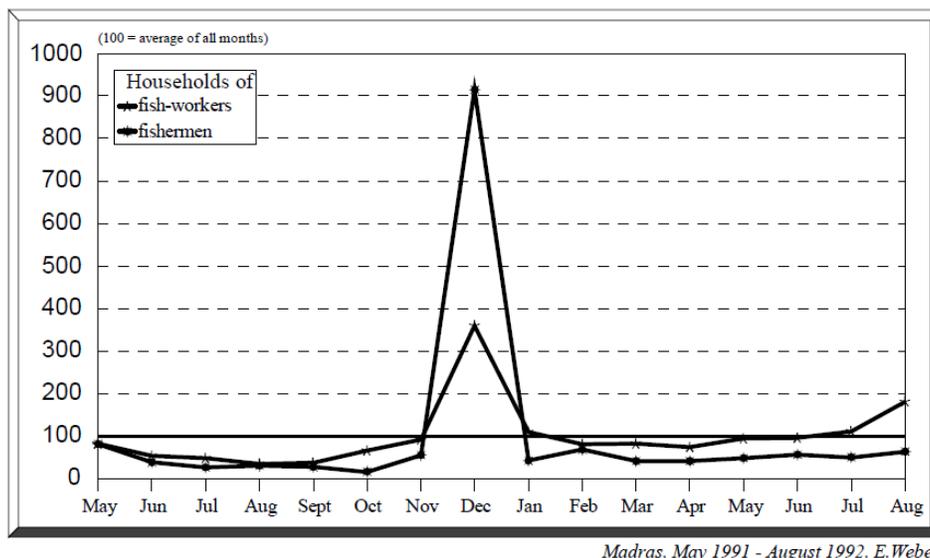


Figure 3: Repayment of loans

7. CONCLUSION

Despite high prices for prawns in the international market and few entry restrictions to the markets of industrialized countries, the vast majority of small-scale fishermen in India are still living in poverty. Because of the highly profitable business of prawn exports, big business has entered the marine sector, shrinking income opportunities of small-scale fishermen considerably. The state actively promoted the mechanization of fisheries and thereby played a crucial role in the marginalization of small-scale fishermen. Protecting the small-scale fishermen against the mechanized trawlers however is not enough to help to improve the socio-economic status of the fishermen. What is needed is a policy that creates employment outside fisheries, so that the fishermen can shift to attractive alternatives. However in the present economic scenario this seems to be impossible, as much emphasis is given to capital intensive investment and only slight emphasis to employment generation.

When on December 26, 2004 the Indian Ocean tsunami fell as another blow on fisher-people in Tamil Nadu, the worst damage had already been done: marginalized and deprived of their sources of livelihood, the fishermen and their families had little remaining resilience against the damage caused by this natural hazard. The disaster however consisted not in the waves of the tsunami, but in the marginalization that happened in the decades beforehand.

8. ANNEX

Obligations of States under the International Covenant on Economic, Social and Cultural Rights								
	National obligations							
	Respect	Protect			Fulfill			
		Enact Laws, acts and regulations	Monitor	Enforce	Macro Policy	Hierarchized System of state support	Monitoring and Analysis	Identification of especially disadvantaged groups in society
Access to Legally protected interest	No discrimination / reasonable without adequate compensation	Granting of land titles and rights, security of tenure and reforming aspects of traditional fish rights and user rights	and register abolition, limit of size and conflicts, and zoning	Independent labor protection in case of red conflicts	Land reform			
	No restrictions without social gains	Fulfillment of minimum wage in subsistence economy of smallholder and family fishers who are unable to safeguard more technological, social, safety, and occupational health and safety regulations	Monitoring the employers regarding compliance of minimum wage and safety regulations	Industrial tribunals and actions against employers who violate employees' rights and labor laws	Full employment policy			
	Regard self-help potentials when designing development programs and investments, etc.	Fulfillment of equipment, services and maintenance of public health systems			Establishment of social security systems, the reduction of tax charges, etc.			
sufficient in a. Quality and b. Quantity	No fixation of subsistence level				Provision that large self-reliance in fish stocks, agriculture, and other sectors			
	consumers law, Occupational health regulations, fair wages, environmental standards,	Food safety, monitoring, production, transport, log, Environmental and health services	Sanctions against companies that violate occupational health standards, environmental standards, and fair wage					
culturally accepted	Consideration of cultural values, food habits or case of public programs							
sustainable	Consideration of importance of traditional forms of fishing and agricultural / non development programs	Environmental standards to protect productive fish stocks, ...	Monitoring compliance with environmental regulations	Sanctions against companies that violate environmental regulations	Ecologically sustainable fisheries, forests and others			

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