

CONSTRUCTIVIST INTERPRETATION OF THE INDIA-SRI LANKA FISHERMEN CRISIS

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INTRODUCTION

No discussion on South Asia's maritime disputes is complete without the India-Sri Lanka fishermen crisis around the Kachchatheevu Island in the Palk Bay, which has, over time, evolved from overlapping claims, livelihood pressures, and contested maritime boundaries.¹ The issue has been repeatedly analysed through the realist or economic lens, with urgent focus on territorial sovereignty and resources. However, the crisis also demonstrates an identity-based aspect that traditional approaches often sideline.²

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1. Diya Jose, "Resolving the India-Sri Lanka Fisheries Dispute," *International Affairs Review*, March 26, 2024, <https://internationalaffairsreview.com/2024/03/26/resolving-the-india-sri-lanka-fisheries-dispute/>. Accessed on November 24, 2025.
2. H.E. Niluka Priyadarshani, "Realism and Sri Lanka's Strategic Relevance in Indian Ocean Region: Analysis of Indo-Sri Lanka Relations," 2021, https://www.researchgate.net/publication/350726922_Realism_and_Sri_Lanka's_Strategic_Relevance_in_Indian_Ocean_Region_Analysis_of_Indo-Sri_Lanka_Relations. Accessed on November 23, 2025.

Both Sri Lanka and India formally demarcated their maritime boundary 50 years ago, yet the dispute persists. In fact, 11 fishermen from Tamil Nadu were apprehended off the coast of Neduntheevu on March 27, 2025, for alleged trespass into Sri Lankan waters, raising the number of Indian detainees in Sri Lanka to 97.³ Interestingly, fishermen on both sides share long linguistic, cultural and historical ties. However, their actions regarding fishery and the state's response to them are primarily analysed through a nationalistic, security-driven narrative. To get to the bottom of this localised issue that has prompted repeated diplomatic interventions, it is crucial to look at the social construction of identities, norms, and interactions.⁴

Reinterpreting the fishermen crisis through the constructivist International Relations theory presents an opportunity to analyse how shared ideas, norms, and identities shape state behaviour. The constructivist theoretical approach moves beyond the already established dimensions of borders and resources, and explores how India and Sri Lanka look at themselves and each other with regard to the ideas of morality, sovereignty, and legality, socially constructed and reinforced via discourse and practice.⁵ When we use this approach to analyse the fishermen crisis, it presents a picture in which the issue is not just about fish or maritime boundaries, it is also about narratives and identities that define how each side perceives issues of legitimacy, justice, and victimhood.

This paper uses a constructivist lens to analyse the India-Sri Lanka fishermen crisis, exploring how evolving national identities, historical memory, and norm-based politics contribute to the endurance of the dispute. The paper argues that to achieve empathetic and sustainable policy solutions, it is crucial to understand how the fishermen and states interpret each other's actions within the frameworks of meaning they construct. A constructivist approach,

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3. "Sri Lankan Navy Arrests Deepen India-Sri Lanka Tension over Tamil Fishermen Dispute," *Tamil Guardian*, March 31, 2025, <https://www.tamilguardian.com/content/tensions-rise-sri-lankan-navy-confiscates-boats-and-gear-tamil-nadu-fishermen>. Accessed on November 23, 2025.
 4. S.O. Bada, "Constructivism Learning Theory: A Paradigm of Teaching and Learning," *Journal of Research & Method in Education*, vol. 5, no. 6, 2015, pp. 66-70.
 5. Priyadarshini, n. 2.

focussed on discourse, identity, and norms, portrays a more cohesive understanding of the issue. One of the primary reasons for the crisis to persist is that all the actors—the Indian Tamil fishermen, the Sri Lankan state, the coastal communities and even the political stakeholders—in these countries look at the issue with divergent social meanings and normative frameworks. Concepts like “sovereign waters,” “traditional fishing rights,” “livelihood protection” are contested by all involved.

HISTORICAL AND POLITICAL BACKGROUND OF THE PALK BAY ISSUE

The coastal fishing communities from both sides have traditionally used the Palk Bay, which lies between India’s Tamil Nadu and Northern Sri Lanka, as a common fishing ground.⁶ The region has historically facilitated the cross-sea mobility of fishermen, and is marked by narrow water channels, shallow seas, reef-shoals and a chain of islands.⁷

Post-Independence, in the late 1940s, the region saw a surge in maritime claims and resource competition, which led to India and Sri Lanka signing a bilateral agreement in 1974 and then again in 1976, to clearly demarcate maritime boundaries and jurisdiction. As per the 1974 agreement, Katchatheevu and the adjacent seas, which were previously part of a traditional fishing ground, were ceded to Sri Lanka. However, a clause to accommodate visits by the Indian fishermen and pilgrims to the islet without visas or travel documents was also included in the treaty.⁸

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6. Sushim Mukul, “Why a 50-Year-Old Pact with Sri Lanka is Being Blamed for Arrests of Indians,” *India Today*, March 3, 2025, <https://www.tamilguardian.com/content/tensions-rise-sri-lankan-navy-confiscates-boats-and-gear-tamil-nadu-fishermen>. Accessed on November 25, 2025.
 7. Shubham Tiwari and Bidisha Saha, “Decoding India-Sri Lanka Fishermen Issue: A Visual Guide,” *India Today*, March 21, 2024, <https://www.tamilguardian.com/content/tensions-rise-sri-lankan-navy-confiscates-boats-and-gear-tamil-nadu-fishermen>. Accessed on November 25, 2025.
 8. United Nations, “Agreement Between Sri Lanka and India on the Boundary in the Waters of the Palk Strait and Palk Bay and Related Matters, June 26/28, 1974,” March 18, 2002, <https://www.tamilguardian.com/content/tensions-rise-sri-lankan-navy-confiscates-boats-and-gear-tamil-nadu-fishermen>. Accessed on November 25, 2025.

The 1976 agreement changed all that. It defined the maritime boundary further and established the International Maritime Boundary Line (IMBL), which granted both parties exclusive sovereignty and jurisdiction over the waters and resources on their respective sides.⁹

Although these agreements converted the historically shared maritime commons into a territorially divided sea, the near-shore fish stocks in the Indian coastal waters began depleting over time. Issues such as overfishing, environmental stress, extensive deployment of mechanical trawlers, and the persistent increase in demand contributed to the decline. However, the fishermen were still required to meet targets and earn a living, forcing them to venture beyond safe zones and, at times, cross the IMBL to catch more fish.¹⁰

Also, the civil war in Sri Lanka ended in 2009, making the northern waters accessible to civilians again. Fishing resumed in the area along with maritime governance and naval patrols, which led to marine resource competition around the IMBL. This heightened the risk of arrest for Indian fishermen venturing across invisible and contested boundaries.¹¹

Since then, the arrests and seizures have seen quite a surge. A 2024 report suggests that, in one year, 240 Indian fishermen were arrested, and 35 trawlers were seized.¹² At the beginning of 2025, eight Indian fishermen were detained by the Sri Lankan Navy, along with two trawlers in a “special operation” North of Mannar.¹³ Then on February 23, 2025, the Sri Lankan Navy seized five boats and arrested 32 Indian fishermen, which resulted in a large-scale protest by the

9. United Nations, “Agreement between Sri Lanka and India on the Maritime Boundary between the Two Countries in the Gulf of Mannar and Bay of Bengal and Related Matters,” March 22, 1976, <https://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/LKA-IND1976MB.PDF>. Accessed on November 25, 2025.

10. “Sri Lankan Navy Arrests 19 Indian Fishermen for Illegally Fishing in its Waters,” *Deccan Herald*, February 8, 2024, <https://www.deccanherald.com/world/sri-lankan-navy-arrests-19-indian-fishermen-for-illegally-fishing-in-its-waters-2886051>. Accessed on November 25, 2025.

11. Mukul, n. 6.

12. Tiwari and Saha, n. 7.

13. Prateek Chakraborty, “8 Indian Fishermen Arrested for Alleged Poaching in Sri Lankan Waters,” *India Today*, January 12, 2025, <https://www.deccanherald.com/world/sri-lankan-navy-arrests-19-indian-fishermen-for-illegally-fishing-in-its-waters-2886051>. Accessed on November 25, 2025.

fishermen in Tamil Nadu's Rameswaram harbour.¹⁴ The following month, 14 more fishermen were detained, and then again, on March 27, 2025, 11 fishermen were arrested, bringing the total number of Indian detainees to 97.¹⁵

Despite many diplomatic interventions, including a statement from India's Ministry of External Affairs (MEA), reaffirming that there was no discussion underway for new agreements on fishing rights, and repeated calls for the release of the detained fishermen, the Sri Lankan Navy continued with the arrests.¹⁶

THEORETICAL FRAMEWORK: A CONSTRUCTIVIST LENS

This paper attempts to look at the issue beyond its material and legal perspectives. It looks at the crisis through a constructivist lens, and understands that state behaviour and social conflict are shaped by identities, norms, and discourses, along with the obvious resources and interests.¹⁷ Constructivism argues that actors act in accordance with meanings they attach to objects and practices, i.e., identities shape interests; discourses lead to social reality; and norms influence legitimacy. These interpretive frameworks help look at, and explain, issues that traditional liberal and realist perspectives find hard to rationalise.¹⁸

The Palk Bay issue, when contextualised, shows that communal, ethnic, and historical identities that fishermen from both sides have to the sea is important. Also, inherited rights, sovereign jurisdiction, and ecological responsibilities coexist and cannot be ignored. Media narratives, political speeches, and institutional communications surrounding fishing, arrests, and marine space vocabularies of

14. Pramod Mahadev, "Tamil Nadu Fishermen go on Indefinite Strike After Sri Lankan Navy Arrests 32," *India Today*, February 24, 2025, <https://www.deccanherald.com/world/sri-lankan-navy-arrests-19-indian-fishermen-for-illegally-fishing-in-its-waters-2886051>. Accessed on November 25, 2025.

15. Tamil Guardia, n. 3.

16. "No Proposal for New Agreement on Fishing Rights in Palk Strait under Discussion: Government," *The Print*, March 28, 2025, <https://theprint.in/india/no-proposal-for-new-agreement-on-fishing-rights-in-palk-strait-under-discussion-govt/2570017/>. Accessed on November 25, 2025.

17. Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), pp. 175-177.

18. *Ibid.*, pp. 178-179.

victimhood, sovereignty, livelihood rights, and resource protection are also crucial.¹⁹ When these aspects are studied, it becomes evident that despite legal delimitations, the dispute persists, the material incentives fail to fix the issue, and repeated enforcement reproduces rather than abates the crisis.

TAMIL NADU FISHERMEN: IDENTITY AND POLITICS

When attempting to understand the Tamil fishermen from India, it is important to recognise that fishermen from coastal districts like Rameswaram, Pudukottai, and Thoothukudi consider fishing in the Palk Bay as more than an economic activity. For them, it is an inherited way of life, rooted in inter-generational memory, communal identity, and, most importantly, tradition. For these fishermen, the Palk Strait and the surrounding islets such as Katchatheevu and Neduntheevu, are part of a shared Tamil maritime space that exists beyond modern political boundaries.²⁰ This can be understood by what a fisherman-association representative has to say about the issue, "Our forefathers enjoyed rights to fish in Katchatheevu and across the Palk Straits. The sea does not have a boundary, and fishermen go wherever there is fish."²¹ Within the political discourse too, the ceding of Katchatheevu is seen as a grave sin, an act which has deprived Indian fishermen of their traditional fishing rights.²² Furthermore, the vocation of fishing isn't just a profession for many fishing families; it is intertwined with identity, communal honour, dignity, and livelihood across generations. So, when their boats are seized and people from their community are arrested and detained, the community sees it not just as a loss of income but also as an attack on its heritage and identity.²³

SRI LANKAN STATE AND FISHERMEN

The post-war context has shaped Sri Lanka's understanding of the sea space as an amalgam of state sovereignty, ecological stewardship,

19. Peter J. Katzenstein, "Culture of National Security: Norms and Identity in World Politics," *Foreign Affairs*, vol. 76, 1997, p. 124.

20. Sitara Srinivas, "The Palk Bay Dispute—Trawling, Livelihoods and Opportunities for Resolution," *Social and Political Research Foundation*, November, p. 5.

21. Tiwari, and Saha, n. 7.

22. Ibid.

23. Srinivas, n. 20.

and state jurisdiction. The Sri Lankan state and its navy consider the IMBL sacrosanct, establishing legitimate territorial waters, and see crossing it as a violation, irrespective of historical claims. In 2025, in a press release, the Sri Lankan Navy, described its operations as enforcement against “poaching” and illegal fishing, aimed at protecting national marine resources.²⁴ This approach to the issue reinforces a normative identity of the Sri Lankan state as sovereign protector and resource guardian.

For the fishermen of the northern province of Sri Lanka, access to their traditional waters, after 2009, feels like reclamation, a sense of normalcy after decades of disruption. However, they often feel that Indian trawlers cause depletion of marine resources and affect their livelihoods. In their case, the normative identity also merges with ecological responsibility, post-war reclamation and even territorial sovereignty.

This presents an interesting contrast, as the Palk Bay is simultaneously perceived as a shared communal heritage, a sovereign territory, an ecological resource and also a contested economic space. These contested identities lead to persistent conflict.

TRADITIONAL RIGHTS, SOVEREIGNTY AND MORAL POLITICISATION

The constructivist analysis of the issue comes back to one normative dilemma: who has the legitimate claim to fish in the Palk Bay: the historically present fishing communities on either side, or the young sovereign states controlling the waters?

The fishermen in Tamil Nadu, in their collective memory, see the sea as a place where their ancestors fished, long before the existence of the IMBL. Their argument is based on concerns around continuity, community, heritage, and inherited rights. These fishermen believe that the sea has no political boundary, and they should be free to fish wherever fish is available.²⁵

The political actors in Tamil Nadu see the 1974 agreement as a grave injustice, and the 1976 maritime delimitation as responsible for establishing a new normative order, with exclusive jurisdiction

24. Chakraborty, n. 13.

25. K. M. de Silva, *A History of Sri Lanka* (New Delhi: Penguin, 2005), p. 32.

for each country on either side of the IMBL. As per this, the waters are sovereign territory, and the Sri Lankan Navy's repeated arrests and seizures reinforce this notion and underscore the internalisation of this norm, dismissing historical usage.²⁶ This leads to a normative conflict that includes the traditional use norm vs the sovereign jurisdiction norm, and as these norms stem from different social and value systems of tradition and state sovereignty, they continue to be difficult to reconcile.

It is also important to look at the ecological aspect of the crisis, as it forms a strong basis for normative contestation. As the fish stock exhausts, and mechanical fishing practices cause harm to the seabed, and contribute to environmental degradation, the Sri Lankan Navy uses them as a credible basis to take action and enforce its policies on the basis of protecting marine resources and the livelihood of the northern fishermen whose lives are sustained through fishing.²⁷ When this ecological framing is used with the claims of sovereignty, it provides a moral justification that supersedes territoriality, as it encompasses issues of resource preservation, prevention of environmental harm, and ensuring long-term sustainability. It entangles the normative framework as the disagreement becomes more than about rights; it becomes an issue of ethics and ecological responsibilities.

The Indian fishermen in Tamil Nadu claim that economic necessity supersedes all issues. For them, the topic of livelihood and survival is essential, and either the depleting numbers of fish in the Indian waters or the rising demands compel them to venture into waters beyond territorial boundaries.²⁸

FISHERMEN: SECURITY, AND STATE BEHAVIOUR

The argument presented by constructivists proposes that language, narrative, and discourse shape social reality, instead of just material

26. "Fishing Conflict in Indo-Sri Lankan Water," *Economic and Political Weekly*, vol. 46, no. 7, February 12, 2011, <https://www.epw.in/journal/2011/07/editorials/fishing-conflict-indo-sri-lankan-waters.html>. Accessed on November 27, 2025.

27. Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics," *International Organization*, vol. 52, no. 4, 1998, pp. 888-889.

28. n. 26.

structures.²⁹ The fishermen crisis aptly demonstrates how discursive framing influences perception, behaviour, and policy.

The Sri Lankan Navy's operations to seize, detain, and arrest Indian fishermen are often justified by citing violations of national maritime laws by Indian fishermen. Such framing helps categorise Indian fishermen as trespassers and lawbreakers instead of livelihood seekers. Their concerns are parroted by the Sri Lankan media and civil society, promptly citing resource protection and national jurisdiction.³⁰ In contrast, political and media narratives in Tamil Nadu, in particular, and India, in general, project the issue as one of injustice, livelihood loss, and humanitarian crisis. Fishermen at Rameswaram staged a strike after the February 2025 arrests: 700 boats anchored ashore and refused to fish until the arrested fishermen were released.³¹ Politicians in Tamil Nadu used the opportunity to remind everyone that the maritime agreement of 1974 was a betrayal and that the 1974-76 pact was the root cause of suffering across generations.³² This presents us with two divergent yet powerful aspects of the issue: one that portrays fishermen as illegal intruders threatening the ecology, and the other as a community deprived of livelihood and ancestral rights.

For the Sri Lankan state, the issue of cross-border fishing is a security issue. The constant patrols by the Sri Lankan Navy, fast attack operations and frequent arrests all signal towards a securitised approach to maritime governance.³³ When they merge sovereignty with ecological claims over jurisdiction, the sea transforms from a shared livelihood space into a militarised border zone. On the other hand, securitisation is generally contested by the Indian side. They project the issue as humanitarian, economic, and even diplomatic. However, this asymmetrical perception of the issue complicates the

29. Ted Hopf, "The Promise of Constructivism in International Relations Theory," *International Security*, vol. 23, no. 1, 1998, p. 172.

30. n. 3.

31. K.A. Shaji, "Tamil Nadu: Protests against Lankan Navy's Arrest of Indian Fishermen Escalate," *Hindustan Times*, February 24, 2025, <https://www.hindustantimes.com/india-news/tamil-nadu-protests-against-lankan-navy-s-arrest-of-indian-fishermen-escalate-101740384301084.html>. Accessed on November 27, 2025.

32. Mahadev, n. 14.

33. n. 3.

process of reaching a compromise. Another example of the hurdle in the path of compromise is the way the 1974 and 1976 agreements are perceived on both sides. On the Indian side, they are perceived as a sign of historical injustice, and create the identity of dispossessed fishermen. Meanwhile, for the Sri Lankan side, these agreements are the basis for sovereign legitimacy and authority. This creates a political discourse that sustains the conflict.

When we club all these issues together, the image is full of identity, norms and discourse clashes, which only make the fishermen crisis persistent. The overlap of these social constructs leads to an identity-norm shutdown situation, which results in a loop of enforcement, resistance, and violations.

The arrests by the Sri Lankan authorities in 2025 indicate that they continue to enforce the IMBL diligently. It indicates that even sustained conflict does not stop the Sri Lankan authorities from being dedicated to sovereign jurisdiction and resource protection norms. When the state internalises sovereign jurisdiction as non-negotiable and legitimate, the outcome is persistent enforcement. This leads to any fishing activity near the boundary being risky and leading to detention. This persistence also sheds light on why enforcement has endured, despite diplomatic overtures.

The other dimension of the crisis is the perspective of the fishermen. For most of them, economic necessity and historical identity often trump the very real risk of arrest. For them, the crossing of the IMBL is justified due to their economic realities and competition. Hence, the act becomes rational and morally justifiable when paired with their livelihood and traditions. Their heritage justifies their fishing in the Palk Bay, and their identity as fishermen is so overpowering that the threat of arrest doesn't stop them from crossing the IMBL. This act of crossing the boundary clearly explains why deterrence fails, as the threat of punishment does not supersede their identity-based motivations. Routine arrests feed collective grievances and result in transforming the fishermen's crisis from unrelated arrests to a structural problem, rooted in memory, identity and politics. Here, diplomatic and legal solutions also struggle to make a difference, as they often overlook identity and norms when seeking a resolution.

A loop of arrest, protest, diplomacy, and release has been created because of the misalignment of identity and institutional logic. This has resulted in the conflict becoming self-reinforcing. The Sri Lankan state continues to reinforce its sovereignty and legitimacy norms. The Indian fishermen continue to justify crossing the boundary due to their historical connections and livelihood needs. So, a constructivist analysis of the issue leads to the understanding that the crisis persists because of the competing social realities on the issues of sea, fishing and rights.

WAY FORWARD

The two nations across the strait and the fishermen have more similarities than differences. Initiatives to reestablish cross-strait Tamil cultural linkages can contribute to strengthening ties and eventually lead to a reduction in identity-driven antagonism. The governments, media, and civil society of the two nations share the burden of peace. They need to actively shift the narrative from illegal poacher vs sovereign state to shared responsibilities and resources. These institutions need to understand that their handling of the crisis shapes public perception and legitimacy. They need to transition to an inclusive approach and discerning language, which may eventually help in eroding hostilities and creating space for dialogue and cooperation.

The authorities on both sides need to work towards creating a bilateral organisation that platforms the concerns of the authorities, fishermen, and scientific experts, and can help with managing the fishing sectors, allocating access rights, and ensuring marine resource preservation. They should also jointly work towards phasing out the use of heavy machinery that contributes to the constant depletion of the fish stock in the sea, at least in the ecologically sensitive zones. The constant breaching of the boundary and the arrests have caused a major trust deficit. The governments should work to create a transnational platform that can facilitate dialogue, idea exchange, and organise community-level dialogue to rebuild trust between the fishing communities on both ends, with the hope of a shared maritime identity in the future.

Both governments can also come together to establish and run a marine research institution which can monitor the fish stock, ecological parameters and depletion. A shared scientific project can help build trust, reduce zero-sum competition, and set up the basis for collective management. Also, it is crucial for the authorities on both sides to understand that fishing is more than a source of livelihood for fishermen on both sides. It is a testament to their shared heritage and identity. Creating diverse avenues like social safety nets, alternate employment, and livelihood diversification can discourage the fishermen from opting for risky ventures like boundary crossing. On the surface, these might look unattainable. However, persistence and understanding of the ground realities may eventually change the maritime dispute into a cooperative model that incorporates identity, ecology and sovereignty.

It is fair to say that to reach an effective solution to the crisis, the underlying social constructs must be addressed. The crisis cannot be reduced to issues of resource scarcity, legalities and geographical proximities. Both sides must understand that the dispute persists due to competing identities, an asymmetrical normative framework, and digressive regimes.

The Palk Bay symbolises ancestral connection, livelihood and identity for the Tamil Nadu fishermen. To the Sri Lankan regime and northern fishermen, it embodies sovereignty, post-war reclamation, territory, and ecological preservation. The only way forward is to address these varying social realities through shared institutions, building shared identities, responsibilities, and norms, refraining from discursion, creating community-level dialogue, and providing avenues for environmental cooperation.