

# Environmental justice dialogues and the struggle for human dignity in the deciduous forest of Bangladesh

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## Abstract

The article presents environmental justice dialogues in, and affecting, the Madhupur Garo community in Bangladesh. The Garo community, which identifies itself as *adivasi* meaning 'indigenous', has occupied the deciduous forest of Madhupur in Bangladesh for centuries, developing a symbiotic relationship with nature. An environmental justice movement, called the "Eco-park Movement" has long protested a government development plan to establishing an 'eco-park' in the Madhupur deciduous forest. The eco-park plan interfered with the Garo's right to life and livelihood as well as threatening them with possible eviction from their traditional land. From their protest movement, the concept of environmental justice has acquired a meaning with emphasis on human dignity. The Garo community not only defines environmental *injustice* as a lack of access to the decision-making process, information and the judiciary, but includes other elements: obstruction to fair access to environmental resources for livelihood, as threat to the economy, health, trade, education, security, privacy and right to life. Finally, the Garo connect all these environmental human rights issues with rights to self-determination and human dignity.

**Key words:** Sustainable development, environmental justice, political ecology, capabilities and conflicts, human dignity, eco-park movement, right to life

## Résumé

L'article présente des dialogues sur la justice environnementale dans, et affectant, la communauté de Madhupur Garo au Bangladesh. La communauté Garo s'identifie comme Adivasi, signifiant «indigène». Il occupe la forêt de feuillus de Madhupur au Bangladesh depuis des siècles, développant une relation symbiotique avec la nature. Un mouvement pour la justice environnementale, appelé le "mouvement de l'éco-parc", a longtemps protesté contre un plan de développement du gouvernement visant à établir un "éco-parc" dans la forêt de feuillus de Madhupur. Le plan de l'éco-parc a porté atteinte au droit de Garo à la vie et aux moyens de subsistance. Il les a également menacés d'expulsion de leurs terres traditionnelles. De leur mouvement de protestation, le concept de justice environnementale a acquis un sens en mettant l'accent sur la dignité humaine. La communauté Garo définit non seulement l'injustice environnementale comme un manque d'accès au processus décisionnel, à l'information et au système judiciaire, mais comprend d'autres éléments: l'obstruction à un accès équitable aux ressources environnementales pour la subsistance, comme une menace pour l'économie, la santé, le commerce, l'éducation, sécurité, vie privée et droit à la vie. Enfin, le Garo relie tous ces problèmes environnementaux liés aux droits humains aux droits à l'autodétermination et à la dignité humaine.

**Mots clés:** développement durable, justice environnementale, écologie politique, capacités et conflits, dignité humaine, mouvement éco-parc, droit à la vie.

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## Resumen

Este artículo presenta diálogos de justicia ambiental acerca de, y que afectan a la comunidad Madhupur Garo, en Bangladesh. La comunidad garo, que se auto identifica como *adivasi* que significa 'indígena', ha ocupado por siglos el bosque caducifolio de Madhupur, en Bangladesh, en donde ha desarrollado una relación simbiótica con la naturaleza. Un movimiento de justicia ambiental llamado el "Movimiento Eco-parque" ha protestado por mucho tiempo contra el plan de un desarrollo gubernamental para establecer un eco-parque en el bosque caducifolio de Madhupur. El eco-parque interfiere con el derecho a la vida y subsistencia garo, además de representar una amenaza de posible desalojo de sus tierras tradicionales. Desde su movimiento de protesta, el concepto de justicia ambiental ha adquirido un significado que enfatiza la dignidad humana. La comunidad garo no solamente define injusticia ambiental como la falta de acceso al proceso de la toma de decisiones, información y lo jurídico, sino que incluye otros elementos: la obstrucción de un acceso justo a los recursos ambientales para su subsistencia, y la amenaza a la economía, salud, comercio, educación, seguridad, privacidad y el derecho a la vida. Finalmente, los garo vinculan todos estos asuntos de derechos humanos ambientales, con derechos a la autodeterminación y la dignidad humana.

**Palabras clave:** Desarrollo sustentable, justicia ambiental, ecología política, capacidades y conflictos, dignidad humana, movimiento eco-parque, derecho a la vida

## 1. Introduction

The idea of environmental justice is a moral principle for the regulation of human behavior and encourages the development of a socio-economic environmental political culture to achieve "*just sustainabilities*" (Agyeman *et al.* 2003). In this article we present a concept of environmental justice and injustice that has emerged through the protests of an indigenous community in Bangladesh. The people of Bangladesh perceive environmental justice to encompass a symbiotic relationship between the environment and humans. The Garo community founds their idea of environmental justice on the principle of 'human dignity.' This principle relates to 'human rights' but with a different cultural nuance. The Garo also see environmental justice as addressing ecological citizenship (Dobson 2007; Hayward 2006) and protection of environmental human rights (Hayward 2006) that many communities across the globe are struggling to articulate (for instance, Bullard 1990; Goldman 1996).

The Garo people of Bangladesh claim that they have been systematically marginalized since colonial times and are further marginalized by the Atia Conservation Act 1982<sup>2</sup> which imposed sanctions that prevent their fair access to adequate territory to pursue their livelihoods. The current environmental justice movement, led by the Madhupur Garo community, was sparked in 2000 after they learned of the decision of the government that an eco-park project would be implemented in their locality. The Garo community claimed that this project would undermine their dignity as human beings by threatening their lives and livelihoods. They immediately protested by staging a protest march in their locality. They marched in the forest and on the streets chanting the slogan 'scrap eco-park plan' (Interview with Ajoy Mree 2008).

The eco-park movement of the Garo community in Bangladesh drew a great deal of attention from the media, civil society, and political organizations in Bangladesh (see for instance *The [Bangladesh] Daily Star* 2004, 2007, 2008). The Bangladesh Forest Department (FDB) later suspended the project for an indefinite period considering the gravity of community resistance and social and media criticisms. Fieldwork was conducted (by author 1) to investigate the movement in 2004 and a further two studies were made in 2008, attempting to understand the meaning of environmental justice as articulated by the indigenous people of Bangladesh, with a particular focus on the Garo community living in the deciduous forest of Madhupur. Most recently (2017, 2018), respondents were contacted to find out the current status of the eco-park project and the movement of the Garo community. They reported that the eco-park project of Madhupur is neither implemented as it was proposed by Forest Department nor fully scrapped as the Garo community demanded. "We still passing days without any recognition of our land rights" (personal interviews with Mree 2017, Nokrek1 2018).

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<sup>2</sup> The ATIA Conservation Act 1982 is an Act declared by the President of Bangladesh to preserve the natural forest land of Madhupur, Tangail District. This Act was passed by Bangladesh Parliament in 1986.

Given this background, in the sections that follow, we first discuss the idea of human dignity as it appears in the discourse of environmental justice, followed by a succinct description of the methods used in the research. We then provide a brief historical background to the eco-park plan analyzing policy documents of the Bangladesh government and other information obtained by interviewing government officials and Garo community leaders. In interviews Garo leaders revealed the timeline of the events that took place around their protest movement, gave reasons for their opposition to the implementation of the park, and tried to identify the factors that influenced the government to adopt the eco-park plan. Interviews with government officials broadly confirmed the Garo's understanding of these factors. In the following sections we discuss the outcomes of the interviews and focus group discussions. Then, finally we conclude with some observations about the kind of environmental injustice perceived to occur.

## 2. Environmental justice and human dignity

Environmental justice is something of an intellectual concept, while environmental injustice, on the other hand, is a felt (experienced) harm. Why should planners concern themselves with environmental justice? The answer is that one important reason for planning in a market society is the correction of injustice. The philosopher Michael Sandel has said "The simplest way of understanding justice, in this case environmental justice, is giving people what they deserve. This idea goes back to Aristotle." But, as Sandel continues, "The real difficulty begins with figuring out who deserves what and why."<sup>3</sup> But we want to suggest that the whole thousand-year philosophical puzzling over justice stems from the visceral experience of *injustice* when we first cry as a child, "It's not fair." The way to understand *environmental injustice* is people getting what they do *not* deserve. So, the negative pole of the construct *environmental justice* is *environmental injustice*. And of course, this brings us back to the kind of society in which the harm that we call injustice is experienced. Both injustice and justice are features of human societies, and what humans, individually and collectively aspire to be. Without being able to justify the claim empirically, we strongly suspect that while *justice* is understood in many ways, the human experience of *injustice*, what is unfair, transcends different cultures and societies.<sup>4</sup>

It has been proposed that environmental justice bifurcates into 'justice within the environment' and 'justice to the environment' (Low and Gleeson 1998). There are distinct categories of the **first** discourse, emphasizing fair distribution and access to environmental benefits and burdens for humans (Bullard 1990; Lake and Disch 1992; Dobson 1998). This focus on the human use of the environment extends to the political processes and institutions by means of which societies distribute environmental benefits and burdens, and the underlying assumptions and outcomes of these processes (Dobson 2007; Dryzek 1992; Eckersley 1996). 'Benefits and burdens' are also interpreted in terms of risks, especially their distribution among developed and developing nations (Fagan and Webber 1994; Smith and Blowers 1992) and between present and future human generations (Eckersley 2004; Mills 1996; Saward 1996).

The **second** category, captured in the term 'ecological justice', situates humanity within the planetary ecological web, extending ethical recognition to non-human species (Dobson 2007; Plumwood 2002). Whereas the first fits quite comfortably within familiar conceptions of justice, especially social or distributional justice, the latter raises the question of whether a humanly conceived idea such as justice can apply beyond the human realm. There have been considerable difference of opinion here, not only about whether a justice ethic can apply at all, but if it can, how far it can apply to Earthly inhabitants in general and to other entities specifically (Benton 1993; Singer 1975).

Human dignity as a concept in environmental justice discourse has been quite closely associated with the discourse of rights for instance in Kant's *Metaphysics of morals*, and the *United Nations Declarations on the Rights of Indigenous People*<sup>5</sup>, and in the *Universal Declaration of Human Rights*.<sup>6</sup> According to Meyer

<sup>3</sup> [https://www.brainyquote.com/quotes/michael\\_sandel\\_550828](https://www.brainyquote.com/quotes/michael_sandel_550828)

<sup>4</sup> (first author) I have found in supervising students from an Islamic culture, for instance, that the sense of injustice expressed as an assault on human dignity can be found in Islamic and Western philosophy.

<sup>5</sup> Article 43. The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

<sup>6</sup> Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

(2017: 549), "human dignity names two-tiers of political ecology." This implies that "one moral community" often bears special status. In contrast, the Others (Plumwood 2002) possess a subordinate status. The Others include non-human species and inanimate materials. This conception of dignity has links with Semitic religions.<sup>78</sup> Human dignity was employed by Hayward (1994) who wrote that "the imperatives of human dignity are incompatible with inhumane treatment of other living beings or irresponsible treatment of our common environment" (and see Hayward 2006). Indeed Muzaffar (1999) views human dignity as the soul of all religion-based values systems. Ahmed (2009) agreed, arguing that human dignity as the basis of justice can be found in the teachings of the Quran.<sup>9</sup>

Recent work in environmental justice discourses, however, brings the matter of justice firmly back as a human construct but perhaps within more of an ontological perspective than is usually applied. That is to say, justice has to do with what the human *is*, and how the human construes the world, rather than a universal abstraction or 'imperative' above and beyond the human (Schulz 2017; Sullivan 2017). One strand of this thinking can be found in the concept of 'recognition' which unites both the above-mentioned areas of discourse (as in Tully 1995). A constitutional state, Tully remarks, possesses identity as an imaginary community "to which all nationals belong and in which they enjoy equal dignity as citizens" (*ibid*, p. 68). Low and Gleeson (1998: 188) argue that, "recognition means finding a place for the traditions of the other within the world created by one's own political language." If we direct attention away from what or who *should* be 'recognized' to the human *capacity* for recognition, we may avoid becoming fixated on the boundary between what deserves recognition and what does not. The boundary becomes unfixed, fluid and open to question. We might say that people have the capacity for recognizing intrinsic value in entities different from themselves. This idea of human capacities, or "capabilities" brings Nussbaum (2011) to provide a central place for human dignity within justice ethics, especially when viewed from the vantage point of the developing world.

Nussbaum's conception is both ontological in approach and potentially capable of bridging between justice *within* and justice *to* the environment. She writes of 'capabilities', "I call these states of the person (not fixed, but fluid and dynamic) *internal capabilities*" (Nussbaum 2011: 21). Among the ten 'central capabilities' (in no lexical order) she lists "being able to live with concern for and in relation to animals, plants and the world of nature", but equally and importantly among the ten are also are the capability to live a full natural life with bodily health, without the threat of violence and with freedom of senses, imagination and thought, being able to have a full emotional life, being able to form a conception of the good, being able to live with and towards others, being able to play, and being able to exercise control over one's environment. To be truly human in full possession of dignity, all these capabilities will be realized at some threshold level. Sometimes, however, as will be shown in the Garo case study described here, there are environmental conflicts in which there is a struggle to realize some capabilities for some people at the expense of other's capabilities.

According to Nussbaum, "being able to exercise control over one's environment" is, more specifically, a form of capability to determine one's own affairs through community participation. In political ecology discourses, it is the right of self-determination that the Garo people lacked and demanded from the government, as highlighted by respondents of this study and as stated in the interviews. The Garos also believe in their indigenous identity, as it is defined in the UN's *Declaration of Indigenous Rights* of 2007. The Garos also believe in indigenous knowledge and argued for applying it in forest resource management. However, the eco-park decision was taken by government officials without consulting the Madhupur Garo community. This hurt their dignity as human beings. We assume it is a kind of injustice to X by Y if Y does not respect the rights of X. This is also a kind of indignity for that person who is not recognized and is excluded without reason from their natural participation rights in decision making processes. The case study reflects that the government

<sup>7</sup> For example The Bible says, Then God said, "Let us make mankind in our image, in our likeness, so that they may rule over the fish in the sea and the birds in the sky, over the livestock and all the wild animals, and over all the creatures that move along the ground" Genesis 1: 26. <https://biblehub.com/genesis/1-26.htm>.

<sup>8</sup> In *The notion of human dignity in Jewish tradition*, Morgan (2014) writes "the notion of dignity (in Hebrew, *kavod*) is deeply embedded in the Jewish view of human and divine-human relationships." <https://leocontent.acu.edu.au/file/44acd9ef-4eb7-44cb-b081-98da4d4dc095/6/docs/m2-Fred-Morgan.pdf>

<sup>9</sup> "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted." 49: 13. <http://corpus.quran.com/translation.jsp?chapter=49&verse=13>

agencies of Bangladesh do not recognize the Garo's ownership of forest land, and did not consult them, while the planners were making their decisions and the administration was implementing the eco-park project. The Forest Department of Bangladesh tried to create an Eco-park to teach eco-living via eco-tourism, but also to protect the gene pool of forest resources for future generations (Interview with Rashid 2004). A visit to the proposed eco-park was supposed to inspire an adult or child to live in harmony with nature, and to also develop sustainable thinking for sustainable living patterns – the strength and inspiration to live more sustainably in the cities.

The planners, however, did not recognize that enhancing the capabilities of the mainstream population would pose a threat to the livelihood of ethnic minorities already living in the forest. They did not consider how and whether the local community would be affected from their unilateral decision to construct a park in the forest where the Garo community lives in peace. Moral philosophies teach us to strike a balance between interests as part of environmental justice requirements. Nussbaum's *Creating capabilities* also suggests the host community must be consulted and empowered to make informed decisions. For her, if freedom from ignorance, i.e., lack of knowledge is unaddressed by government agencies who are involved in decision making, or is affected by any government decision (in our case the eco-park decision which posed a threat to the livelihood of the Garos), then people's dignity is undermined by disregarding freedom from meaningful participation. If the Garo community have to make decisions under the threat of eviction from their traditional land, without recognition of their land rights, then not only is their freedom disregarded but also their human dignity is violated. The study demonstrates that on various occasions the Garos were forced to accept government decisions, and development of the local community was neglected. The FDB took for granted that the land is owned by them via the Aita Forest Act 1982. Therefore, the Garo community has no control over rights to their own environment, which is considered part of dignity by Nussbaum. The eco-park proposal would force them to imagine a possible eviction threat, and cultural barrier to live a normal life meaning living with people who have similar cultural pattern of living.

The Garos want to live a dignified life, as Nussbaum argues more generally in *Creating capabilities* (2011). But their experience of injustice tells us that their desire for living harmoniously with nature is threatened by the eco-park plan. This was through its threats to livelihood, control, ability to enjoy a full emotional life, and capability to form a conception of good life, individually and collectively. The study corroborates the theoretical insight that environmental injustices, i.e., unequal distribution of environmental goods and burdens, can result from planning, and in turn affect human dignity – living a decent life.

### 3. Methods

In the following sections we draw on primary data. Key respondents were selected from the Garo leadership, the media, wider civil society, the local administration and forest department staff, and university faculty members. During the study 17 respondents were interviewed from the Garo community living in the Madhupur Forest, nine officials of the Bangladesh Forest Department, eleven other government officials, and 34 academics, lawyers and journalists.<sup>10</sup> Only a few, mainly Garo community leaders and members, are cited in this article. Their identities (provided separately to the editor) are concealed here for reasons of confidentiality. Below, GCL means Garo Community Leader. GCM means Garo Community Member.

Informal group discussions and focus group discussions were conducted to obtain information and opinions. Analysis of the content of the primary data obtained through fieldwork and subsequent reflection was further verified by re-contacting key respondents. To reduce potential sources of bias, data and ideas were shared and discussed with independent academics, keeping in mind the research principle of triangulation. The case study we present in this article validates our initial belief that environmental injustice exists in Bangladesh based on foundations distinctive to the Bangladesh Islamic culture and somewhat distinct from purely 'rights-based' notions of justice found in Judeo-Christian cultures.

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<sup>10</sup> Original translated texts of the interviews and audiocassettes can be obtained from the Faculty of Architecture, Building and Planning, The University of Melbourne.

#### 4. The environmental justice movement in Bangladesh

To address the ecological crisis recognized in the 1980s and 1990s in publications and at international conferences<sup>11</sup>, in 1999 the Forest Department of Bangladesh developed a strategy to construct 'eco-parks' in different parts of the country. One of these eco-parks was planned in the Madhupur forest (Figure 1).<sup>12</sup> In this forest the Garo community has been "settled for several hundred years" (Burling 1997). The proposed park would occupy approximately 3,000 acres (approximately 1,214 ha.) of forestland (Figure 2). As part of the plan, the FDB would construct a boundary wall to protect the animals and forest resources of the eco-park. There would be picnic spots, lakes, ponds and guesthouses to provide recreational facilities with the aim of promoting eco-tourism. A road would be built along the boundary wall so that visitors could walk around the forest (FDB Project Proposal 2000).

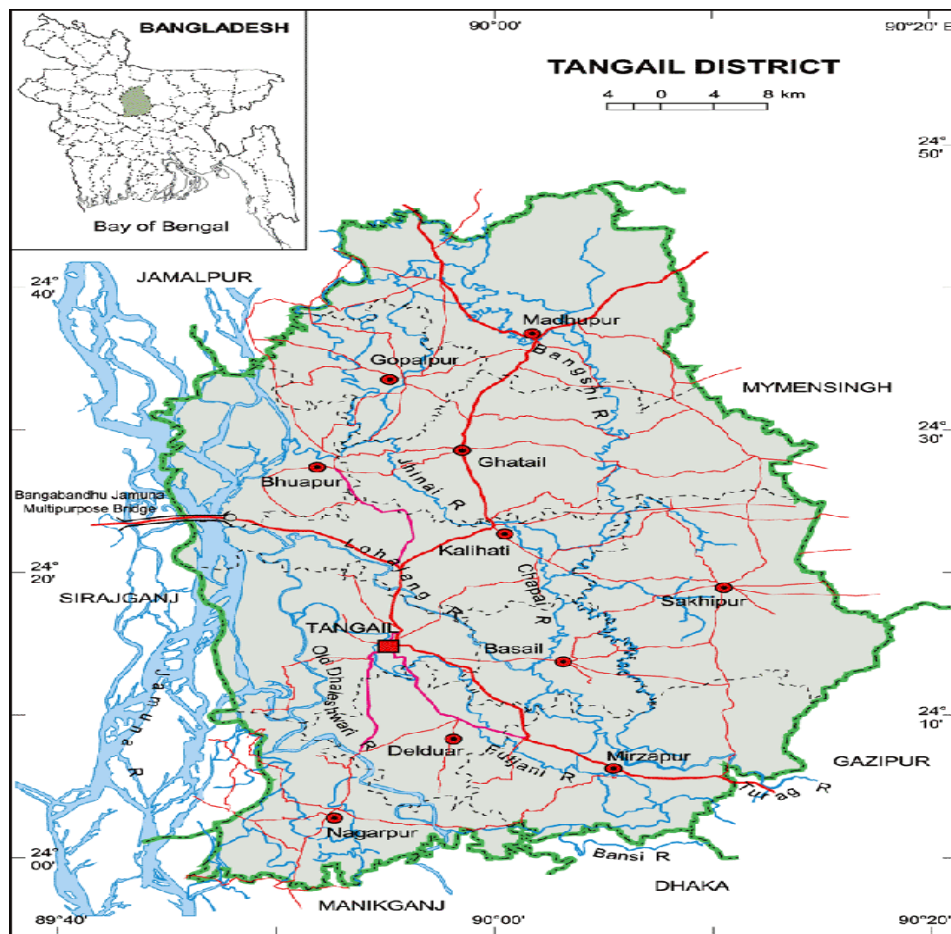


Figure 1: Location map, Madhupur Area. Source: Tangail District Information. Source: Tangailamardesh.com

<sup>11</sup> The U.N World Conference on Environment and Development (*The Brundtland Report*), *Agenda 21*, and *Limits to growth* (Meadows *et al.* 1972) were taken into consideration for the development of the eco-park plan, and later the U.N. *Millennium Development Goals*.

<sup>12</sup> In 1984 the Government designated most of the Madhupur region as Government Forest Land, without local consultation (Muhammed *et al.* 2011).

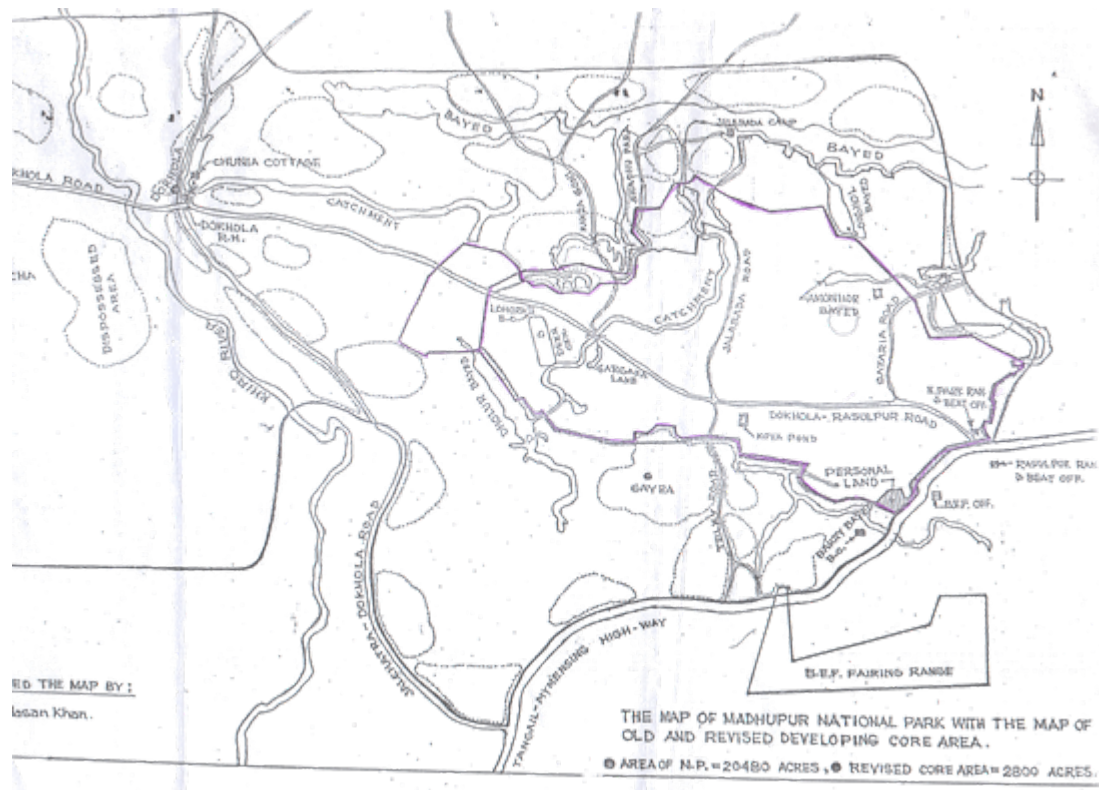


Figure 2: The official map of the Madhupur National Park (Eco-park section) provided by the Forest Department, Ministry of Environment and Forest, Dhaka, Bangladesh.

### *The Madhupur Eco-park planning process*

The planning process for the Madhupur National Park Development, popularly known as the Madhupur Eco-park, started in mid-1999. According to the FDB officials, a range of issues were brought to bear on them to adopt this forest conservation project: daily and weekly stories in the Bangladesh press reported that forests were rapidly disappearing, and that the environment of Bangladesh was in a critical condition and threatened by anthropogenic climate change. Concerns were expressed by the local administration that national forests were being destroyed by local people. These concerns were confirmed in case notes of the local forest officers in Madhupur National Park (Interviews with Planning Officer 2004, 2008).

A concept paper was forwarded to the Planning Division of the Ministry of Environment and Forest that reviewed it and forwarded it to the Ministry of Planning. On advice from the Agriculture Division of the Planning Commission, the Ministry of Environment and Forest formed an inter-ministerial committee to carry out a survey prior to approval (Interviews with Planning Officer 2004, 2008). The committee members visited the project area on 10 September 1999 and submitted their report on 26 September 1999. The report was forwarded to the National Planning Commission which then approved the project on 23 January 2000.

The project was then included on the agenda of the Planning Division of the Ministry of Environment and Forest for final approval. The emphasis of the report presented to the Ministry was geared rather strongly to the human concern for 'ecological justice' as described above, with a global and a national dimension. The planning officer conveyed to the meeting that there were threats to forest environments from population growth, the presence of privately-owned agricultural land within the Madhupur forest, a critical lack of firewood, and illegal occupation by some Garos and Bengalis. The project would address these existing problems. The project aims were to save the remaining forest, to contribute to the ecological balance, to create a safe place for wild animals and birds, and to provide facilities for education and research. In reply to the question of how to

compensate affected people, the FDB official argued that, since the land belongs to the FDB, there was no legal requirement for compensation to be paid (Interviews with Planning Officer 2004, 2008).<sup>13</sup> There was, therefore, little concern for the dignity of the forest's human occupants. The project was recommended to the Minister on 8 May 2000 with some modifications and received Ministerial approval on 27 June 2000. The Ministry of Environment and Forest subsequently empowered the FDB to implement the eco-park.

#### *The social and economic situation of the Garo people*

Research has suggested, and the Garo respondents admit, that they were originally settled in Torua of Tibet, the North Western part of China (Muhammed *et. al.* 2011; Sangma 2012). Starting about 400 years ago they migrated to Madhupur and settled in the forest. Though they are popularly known as Garo, they identify themselves as Mandi, which means "human being" in the Garo language (Bal 2007: 6). The number of Garo in Bangladesh is around one hundred thousand. In the Madhupur forest area, there are approximately 20,000 Garo.

The Garo people lacked formal education before the arrival of Christian missionaries in their locality. The Christian Church changed their life, providing nutrition, education, different life skills, medical treatment and medicine (Uttom and Rozario 2019). Some well-educated Garos moved into the capital city and abroad. However, most of the Garos are very poor and remained living in the forest. Thus, their livelihoods are substantially dependent on forest resources. Most of them live in houses made of mud and wood, and they are involved in making bags, clothes and other household materials. They also undertake limited agricultural activities, growing seasonal crops and grazing cattle. For example, they plant banana, lemon and pineapple around their homes and cultivate rice and vegetables on the vacant land.

In the past, the Garo practiced 'swidden' agriculture (sometimes called 'shifting cultivation'), using the land for one season before clearing a new section of forest in a pattern of agriculture known locally as *Jhum* (Bal 2007). According to government officials, this practice has damaged extensive forest resources over time and particularly during the last century, such that the government tried to persuade the Garos to accept a new cultivation system in order to protect forest resources. This discourse against swidden farming is replicated across Asia, and its scientific basis is disputed (Dressler *et al.* 2017). However, clearing the forest (as witnessed by Author 1) for growing pineapple and banana has remained a lucrative business for many Garos. The eco-park project aimed to protect the remaining forest resources and to create employment for local people (Interview with Union Council Member 2008).

#### **4. The Garo environmental justice movement**

Hearing of the decision to establish the eco-park, the Garo community started to protest, in the belief that the government had empowered the FDB to evacuate them forcefully from their traditional land in order to begin work on the park (Interviews with GCL1, GCL2, GCM1, 2008). The movement against the eco-park plan followed the Garos' historical struggle for fair access to environmental resources, access to the decision-making process, to information, and to the legal mechanisms for resolving disputes over environmental matters. The present phase gained a public profile in March 2002 when some affected Garo families of the Sataria-Beribaid area and their community leaders protested the initial construction work of the FDB aiming to implement the Madhupur eco-park.

Subsequently the Garos formed small groups in each village to discuss the issue, exchange views and attempt to find out what was planned for their locality. They also decided to collect information from different channels to uncover the intentions of the government, contacting FDB officials, the local administration, some NGOs, the Priest of St Paul's Church at Prigacha, journalists and many others (Interviews with GCL1, GCL2, and GCL3, 2008).

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<sup>13</sup> According to the Planning Officer interviewed in 2008, the purposes for the creation of such parks are many. Other than the economic reasons and the creation of recreational facilities, implementation of these projects would help Bangladesh establish a global reputation for tackling environmental problems and taking preventive measures to address desertification, deforestation, land degradation, threats to biodiversity, and the extinction of species, and for improving the quality of the environment to reduce ecological risk and protect human health.



As the protest grew, the Garos formed a committee of thirty members: The Committee for Indigenous Peoples' Land Rights and Environmental Preservation with Mr. Ajoy M. Mree nominated as the convener. Some members of the Committee went to the office of the Thana Nirbahi (sub-district executive) Officer (TNO) of Muktagacha and requested that the TNO halt the construction of the wall of the proposed eco-park. They argued that the Garo were aggrieved at the construction of the boundary wall and they were not informed prior to the start of construction. The TNO told the committee members that he had to follow government orders and could not stop the development process. The Committee was not satisfied with this response.

The TNO asked to meet the committee again to resolve the issue, and so a follow-up meeting was held on 10 April 2003 at the TNO office. The committee members now told the TNO of the community's concern that they were worried about the government's motivations and construction of the boundary wall. They argued that the TNO should stop the construction of the wall immediately. However, the TNO would not agree to this.

Later, on 16 April 2003, the committee met with the District Forest Officer (DFO), of Tangail to convey the decision of the Garo community. On 19 May 2003 the committee members also met with the Minister for Environment and Forest, Mr. Sajahan Siraj. The Garo submitted an application that described the impacts of the eco-park on the Garo community and demanded immediate cancellation of the park's construction. However, the Minister ordered them to concur with the government decision, while assuring them that no-one would be evicted from the forestland, and that they would continue to enjoy the same benefits from the forest and its produce. The meeting failed to reach any agreement.

On 2 June 2003 the Garo leaders organized a successful meeting of Garos at Jalchatra Corpus School; some 5,000 people attended. At that meeting, many leaders from different political parties and cultural groups expressed their concern and supported the cause of the Garo, demanding an immediate response from the government to resolve the issue. But on 19 June 2003 it was discovered that the contractors of the FDB had accelerated construction work. In response, the community members, along with the villagers this time, moved to obstructing it. Consequently, the government filed a case against nine leaders of the Garo movement claiming that they had looted and damaged public and private property. On 26 June 2003, these leaders appeared in court for a bail hearing. The administration detained community leader Mr. Ajoy M. Mree. Hearing the news, the Garo community reacted by forming a human chain on the Dhaka-Maymansingh Highway and demanded the immediate release of their leader. The Administration responded by releasing Ajoy Mree, whereupon the Garo halted their protest and returned home.

On 4 July 2003, the Minister again met with the Garo community leaders. He accepted in principle their ten-point demands, except for the cancellation of the project. The Minister again advised the leaders to abide by the government decision. In this meeting, the Minister and his political associates insisted that the leaders of the protest movement accept the formation of a committee to implement the demands of the Garo community. However, against the demand that Garos form a majority on the Committee, the government drew members from among government collaborators who were not personally affected by the eco-park. On 1 September 2003 the FDB contractors again started to construct the wall and were resisted by the villagers. The government once again responded by filing a case of looting and property damage against the seven Garo leaders.

The leaders of the movement then organized a protest meeting on 24 December 2003 at Jalchatra High School, followed by a peaceful rally. The rally marched down the Dhaka-Maymansingh Road and went to the police station located at Arankhola. The meeting was full of Garos, and they expressed their solidarity with the environmental justice movement. At this meeting, the committee announced that they would protest against the government's actions in relation to the eco-park by raising black flags above their houses on Christmas Day 2003.

The turning point for the protest movement came on 3 January 2004. The Garo leaders organized a rally at the Jalabaid construction site. Thousands of Garo marched on the roads of the Madhupur forest chanting slogans and urging the authorities to stop construction of the wall. At some point during the protest armed police and FDB guards opened fire on the rally, allegedly without provocation. The protesters were astonished, and dispersed in panic to save their lives. A Garo activist named Piren died instantaneously and many others escaped with bullet injuries. Utpol Nokrek, a high school student who was wounded by a bullet, became permanently disabled due to his injuries (Uttom and Rozario 2019).

The repressive actions of the government continued. The next day a large proportion of the Garo community gathered on the Dhaka-Maymansigh Highway. In response, the District Commissioner of Tangail appealed to them to return home, promising the protesters that no further action would be taken against any of them. The Garo left with the dead body of Piren. However, it was a hollow promise, for the government filed another case against the demonstrators, and even the deceased Piren, for damaging public property.

The incidents of 3 January 2004 attracted the attention of political parties, educated professionals and the media, as the Madhupur killing received widespread coverage in the national dailies. In this coverage, different newspaper columnists, cultural activists and politicians affirmed the legitimacy of the issues raised by the Garo (See Ahmed 2010 for full references). Even the members of the former government took up the cause and on 27 January 2004, the leader of the opposition and past Prime Minister Shaikh Hasina and her party expressed solidarity with the movement leaders when they visited her office. More recently, she was re-elected as Prime Minister of the country in 2009, 2014 and 2018, and has employed a Garo leader during her terms as a Deputy Minister in recognition of the indigenous community's demands.

The environmental justice movement of the Garo community reached a climax. The Garo leaders expressed their desire to negotiate with the then Prime Minister Khaleda Zia. They waited for a response but none was received. In the meantime, following an incomplete parliamentary election in 2006, a new caretaker government came into power and declared a state of emergency on 11 January 2007. Later in 2007, on 13 and 14 February, the FDB took drastic action under cover of the declared emergency by cutting down banana trees in the back and front yards of the Garo residents in Madhupur. The FDB argues that the community was given notice several times that it was occupying land and must not cultivate bananas in the forest because such crops are not part of the natural ecosystem (Interview with GCL1, 2008).

A government official argued that, in the past, governments were unable to take any action to remove banana trees because of pressure from local influential Bengalis associated with different political parties who were involved in illegal logging and banana cultivation. The main beneficiary of the banana cultivation is not the Garo but those political leaders who use the Garo as pawns (Interview with Bangladesh Forest Department Official2, 2008). The Garo, on the other hand, argue that the FDB did not give them any notice, and previously did not take any action against those who were cultivating banana by cutting large portions of forest (Interview with GCL1, 2008).

On 22 February and 7 March 2007, the FDB again approached the Jagalia, Getchuna and Beribaid areas intending further destruction of illegal banana plantations. However, following an order from a top-level official responding to the Garo community, local authorities stopped the uprooting of the trees. The Secretary of the Environment and Forest then visited the location and promised the Garo community that no further action would be taken, provided the Garo agreed that they would not extend their banana cultivation in future (Interview with GCL1, 2008). Later on 9 March 2007 the Garo community met with the Forest and Environment Advisor Dr. C.S. Karim and formed part of a twelve-member committee to come up with suggestions regarding the eco-park, protection of Sal forest, and local land use practices.

On 18 March 2007, the first day of the meeting of the committee, another shocking incident took place. A Garo leader named Choles Ritchil was captured and brutally tortured by a joint force comprising army, navy, police and air force personnel. Later he died in hospital (*The Daily Star* 2007: 1). Then another brutal incident took place on 21 August 2008 when a Garo woman named Sicilia Anal was injured by forest guards who opened fired on her. She suffers poor health, as one of her kidneys was damaged due to the bullet injury (Interview with GCL3, 2008).

The killing of Piren in 2004 and of Richil in 2007 boosted the determination of the Garo community. They were now ready to sacrifice everything for their cause. The community leaders took to reading the life sketches of past leaders to strengthen their morale. When interviewed, respondent GCL1 mentioned that in Bangladesh all political problems are resolved 'in the street.' The Garo, therefore, remained on the street until their demands were fulfilled. They mapped out a plan of action, which in their view would lead to success. The Garos of Madhupur now see light at the end of the tunnel even though thirteen years have passed since the events of 2007 and many repressive actions of the Administration have been faced.

## 5. The Garo dialogs

The Madhupur forest dwellers regard themselves as legitimate stakeholders in the Madhupur eco-park for the following reasons. According to the Garo community, they obtained the right of access to the benefits of the forest land for the fulfillment of their environmental needs from the Hindu Raja (King). The Garo of Madhupur argue that the Raja also empowered them to protect the forest. Accordingly, they were paying taxes to the then Raja for the benefits they received from the forest land (Burling 1997). In the colonial period (1757-1947), the Garo had similar unrestricted right of access, greater freedom and autonomy to manage the forestland according to their customary law. At that time, they were allowed to exploit the forest for *Jhum* cultivation. Under colonial rule the Garo were paying taxes to the Zamindar (landlord) for the use of the land. In this process, the Garo obtained tenure and, therefore, possessed the right to manage the forest resources as well. Thus, the Garos' customary rights have a long history.

However, in 1982 the then military government passed the Atia Forest Conservation Act [AFC] requesting that local residents evacuate the land within the Madhupur region. To protect the land rights of the Garo community, and its right of access to a common resource base, a movement was launched that year (GCL2, 2008). In response to their protest, the then government agreed to reconsider its plans and assured the Garo community that they would enjoy right of access to environmental resources without any obstruction, and that nobody would be displaced from traditional land. However, the 1982 Act has remained in force and it became part of the Bangladesh Constitution when the Acts of the 1982 military government were passed in the first sitting of the newly elected parliament in 1986. As a result, Madhupur Garo people have been living under great pressure for three decades. After the promulgation the AFC Act 1982, and subsequent gazette notification of Protection Ordinance XXXIII, the forest dwellers are not allowed to pay land taxes, which would have ascribed to them some claim to the land. In this way, "the environmental rights of the Garos were ignored willfully" (GCL2, 2008).

Today, the Garo believe that the eco-park project, if it is revived, will directly and indirectly affect their livelihood and ability to "live a dignified life" (Interview with Mree, 2008). For example, it would restrict customary rights of access to common resources, destroy their security, and create major access problems in their daily lives. Additionally, the boundary wall of the proposed park will obstruct their free movement and precipitate new conflicts and risks. They will not receive any benefits from the park (Interview with GCL3, GCL1, GCL2, and GCM1, 2008).

While the Garo are blamed for spoiling the richness of the forest, they argue that this is false. The Garo point to evidence that deforestation, extinction of flora and fauna and loss of biodiversity is the result of the policies and illegal activities of the FDB staff and other government agencies as well as influential individuals and Bengali migrants (GCL1, 2008). One respondent, GCM1, argued that the livelihood of the Garo is dependent on the forest and that they have acquired knowledge over time about how to use forest resources without spoiling its future prospects. They respect wild animals as part of the local ecology and are eager to protect them from extinction. Their active role in protecting forest resources, however, is not respected by the FDB, which files false cases, adopts repressive action, spoils their crops and threatens to evict them (GCL1, 2008).

The projected eco-park is situated in the core area of the Madhupur Sal forest (Figure 2). There are many cluster villages surrounding this core area. Some villages, whose residents are mainly Garo or poor Bengalis, are also situated within the wider forest. Their livelihoods largely depend on forest resources. There are a number of other government sponsored projects which have displaced many Garo families from their land and restricted their access to environmental resources, for example, social forestry, woodlots, rubber plantations, an Air Force firing range, picnic spots, and research centers (Muhammed *et al.* 2011).

Due to rapid population growth, the scarcity of agricultural land, and extreme poverty, some distressed, landless Bengali Muslim and Hindu families have settled in the region (Interview with FDB Official, 2008). According to the Garo community, these migrants have also cleared some portions of forestland in the Madhupur forest tract. As a result, the Garo community believes that a significant portion of their traditional land has been 'grabbed' by Bengalis and government departments (Interviews with GCL2 and GCL1, 2008).

In summary, the Garo argue that there is a real threat to their social and economic security, to their personal privacy, to their health, to their social communication and commercial activities, and to their access to information and procedural justice. These threats, together, amount to a threat to their dignity as persons.

#### *Threat to social security*

The Garo say that the forest protects them and gives them a sense of 'natural' social security. The projected wall, as described by the FDB would be 60,000 feet (18,300 m) long and 6 feet (1.8m) high. As a result, the Garo villages inside and outside the wall would become isolated from one another.

For example, a Garo leader argued that at present outsiders do not feel comfortable visiting the vast forest tract without the assistance of the Garo community members. The community has valuable information about the forest and quick escape routes. They are also known to one another, so there are few instances of theft or other criminal activity. As a result, their home, assets, household items and domestic animals, as well as the inhabitants themselves, remain protected. In reality, they are exposed to many types of risks that do not affect the mainstream population. For example, in Bangladesh some extreme Islamic groups are very active, and avenge anti-Muslim activity in other countries<sup>14</sup>, a threat felt also by many Garo. In moments of crisis, they hide in the forest for survival (Interview with GCL1, 2008).

Garo women do not feel safe when working alone in the forest areas they cultivate because of threats to their personal safety from visitors. (GCM2, 2008). Children now go to school, the market and hospital, passing through the forest. The project proposal stated that there would be thirteen picnic spots in the Park. As a result, many outsiders would be visiting the park all year round. The Garo people suspect that these visitors would behave in an inappropriate way for their culture and in the presence of their children (GCL1 and GCL2, 2008).

#### *Threat to economic security*

Respondent GCM3 (2008) told us that the Garo are mostly poor day-laborers who have very small parcels of land for cultivation. There is no industry in the local region to provide work, and so they mostly depend on forest resources. They collect different types of vegetables and fruit from the forest adjacent to their villages and hunt wild chickens and rabbits. During the summer, the poorer people collect wild potatoes from the forest and collect honey throughout the year (GCM3, 2008). The first author witnessed these activities during fieldwork.

They also collect firewood for cooking by cutting dried branches and leaves from the forest. Some of the Garo people sell the dried branches of the trees in the local market to buy food, clothes, medicine, and oil for lighting the house and educational materials for children. They cannot buy all these materials nor provide adequate clothing for women and children if there is an eco-park, because their gathering activities will no longer be possible. This will also lead to reduction in collection of firewood. Additionally, children's educational opportunities would suffer because of the effect on future economic security. In sum, there will be no space or resources for the Garos' economic survival (GCM1, 2008).

The Garo community has no money or power to acquire lease of the forestland under the Social Forestry Program.<sup>15</sup> Thus, it will be the influential individuals of the dominant social groups who will obtain leases. Yet, there is no guarantee that the lessees of the forestland will even employ the Garo as laborers. If there is no forest, then the community has to move somewhere else for its survival (GCL2, GCL3, and GCL1, 2008).

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<sup>14</sup> For example, the Indian people demolished *Babri* mosques. In response, the Bangladeshi people smashed many *Mandir* in 1991.

<sup>15</sup> The Government of Bangladesh has set up a reforestation program in the vacant areas where the community can plant trees, and sell some or profit from them according to their investment. The program started in the early 1980s in the Sal forests, ostensibly to assist landless people, with benefit-sharing from tree crops. The replanted area is looked after by the community groups who are entitled to lease the land for reforestation, but surveys in 2010 found a dominance of elite groups, and men (Muhammed *et al.* 2011).

*Threat to privacy*

The Garos fear that the eco-park will lead to an invasion of their private lives. To explain this, we can note that the prescribed texts in the national primary and secondary school curricula of Bangladesh project a particularly disparaging image of the Garo. The physical description of the Garo in the texts gives the impression that their noses are turned down, their ears are long and that they "eat rabbits, though cat is prohibited in Garo religion" (GCL2, 2008). This makes readers extremely curious to see with their own eyes these 'exotic' people in their villages. According to the Garo leaders, such visitors are mostly 'uncivilized.' For example, they will enter a Garo house without permission at any time to observe their daily living habits, curious as to what they eat, and whether they drink wine.

Popular belief also has it that Garo women wear short dresses, bathe without clothing, and drink wine frequently. These are stereotypes, but *purdah* is absent and there is less gender segregation than in the dominant Bengali Bangladeshi society (Bal 2007: 14). Respondent GCL1 suggested (2008) that visitors may become curious to see Garo women. 'Uncivilized' visitors could be eager to be offered alcohol, and may take photographs, using them to consolidate stereotypes as 'facts.' As a result of any invasive activities, Garo women will suffer a severe infringement of their freedom, privacy and their public image. This ultimately undermines the dignity of Garo women (GCL1, 2008).

*Threat to community health*

As noted above, the Garo forest dwellers are poor, and many do not have enough money to buy medicine, and so in most cases, they depend on medicinal plants for the treatment of diseases. The eco-park and its boundary wall would, it was thought, limit their access to these medicinal plants. There is a hospital beyond the proposed (incomplete) wall, but the villagers would need to use roads that cross through the forest to reach it. As a result, they would have to depend on the good will of the FDB if they want to cross the eco-park area in an emergency. For example, even hospitalization of serious cases may have to wait for security guards to open the eco-park gate. Yet there is no guarantee that there will be guards on duty at all times, and without guards the local residents will have to choose alternative paths which are longer than the road through the forest.

According to GCL1 (2008), future visitors of the park and their unrestricted movement in the locality "may pollute and spread some dangerous virus like AIDS and hepatitis", although this was completely unproven. There are other impacts associated with tourism. For example, visitors may use technology such as loudspeakers for entertainment, creating noise pollution to disturb Garo school sessions, funeral and prayer ceremonies, not to mention the sick and elderly (GCM1, 2008).

*Threat to communication and commerce*

The boundary wall for the proposed eco-park would have obstructed free movement for the transportation of commodities and raw materials, leaving the Garo to depend on the good will of the guards of the FDB. There are schools, and shopping centers beyond the partially-completed wall, while centuries-old roads cross through the proposed eco-park area. At night, the gates of the park would have remained closed.

The roads are used for transporting Garo products to markets. The Garo also bring in fertilizers, implements and other necessary materials by using these roads. Traders use the roads to visit the Garo villages to buy their goods. Currently, there is a tollgate at Rasulpur that is administered by the FDB and where users of this road have to pay a toll. The Garo fear that if there are more gates, then the FDB will impose a toll for crossing through these gates that will ultimately increase the production cost of all agricultural products. This additional cost will ultimately be borne by the Garo community. The guards of the FDB may unnecessarily check their bags, and there is no guarantee that eco-park visitors will not steal or damage their property while they are working in the fields or passing through the forest (GCL1, GCL2, GCM1, 2008).

Recently, some NGOs began financing Garo women to make handicrafts. A Garo woman argued that the NGO workers will not come to collect the bags that she prepares if free movement is obstructed, and this would severely affect her income (GCM4, 2008).

*Threat to culture*

The Garo community organizes many cultural festivals, marriage ceremonies, funerals and religious gatherings. Through these religious and cultural activities, the Garo maintain social ties with different villages and families. The cultural festivals create the opportunity for Garo children to learn the culture of their community. Additionally, these cultural activities nourish the community and provide spiritual and intercultural inspiration. The Garo community is concerned for its cultural integrity and wants to preserve and promote, through education, values that have been traditionally transmitted from generation to generation.

The Garo visit their relatives at specific times. These visits represent an important means of recreation for men, women and children. According to GCM5 (2008), "The park will affect the visit to my mother." Instead of attending traditional events or visiting relatives they will stick to the usual domestic activities because of the considerable difficulties in organizing and participating in programs, festivals and gatherings. This would have a negative impact on the social life of the community and may result in dysfunctional relationships developing.

Garo community members collect leaves from the forest for religious functions. The construction of a wall would have hindered the collection of these leaves and as a result affect the proper organization of religious rituals. This may increase resentment towards the government and will ultimately affect the Garo lifestyle in different ways, one example being the social and intellectual motivation of children and youth.

*Lack of access to information and the eco-park decision making process*

The Garo respondents were asked how they came to know about the eco-park. All of them said that they only learned of it when the FDB started to construct a wall. They were asked whether they were ever consulted before the construction work began on the eco-park. They said, 'No' (GCL1, GCL2, GCL3, GCM1, and GCM4, 2008). They also said that they have very limited access to any relevant government papers. Moreover, project reports are written in English and therefore they need to contact others who can understand English.

*Lack of access to justice*

According to GCL2, GCL1, and GCM1, the Garo community has very limited political and economic power to obtain access to justice via the courts. There are many false cases in the courts. The Bangladesh Environmental Lawyers Association (BELA) is fighting for the Garo. However, the case has been pending for several years. When the High Court gives bail to a person, the Supreme Court withholds the decision and refers to the emergency situation of the country. Therefore, "you can imagine our situation" (Interview with GCM1, 2008).

In this respect, Author 1 contacted a judge of the local court who is responsible for hearing the cases. She said that it is true that some cases lack merit. For example, the Forest Department has accused a minor (child) of forest clearance. Describing people's opportunity and level of access to the justice system for resolving environmental matters, she told Author 1 that the High Court of Bangladesh has extended the meaning of the term *locus standi*. Therefore, the judiciary has widened opportunities for appealing and hearing environmental cases by third parties. "Now anyone can go to the court for the protection of environment and environmental human rights" (Judge anon., 2008). It seems to us that the BELA involvement is an outcome of this innovative decision of the High Court of Bangladesh. This also implies that access to the justice system in Bangladesh is better than in earlier times. However, access is severely limited because of poverty and non-availability of expert lawyers and judges in the courts.

The judge stated, however, that the Forest Department had sound arguments for the adoption of the eco-park plan in the forest of Madhupur. And, it is true that some Garos use their children to help clear the forest. As an eyewitness, she told me that the Madhupur forest was by 2008, in a critical condition. The local people should help the government with the protection of the forest for their own wellbeing. On the other hand, the Forest Department should consider the environmental needs of the local people. The judge also believed that the Bangladesh environment is under threat of catastrophic disaster because of the irresponsible economic activities of vested interest groups (Judge, anon., 2008).

Author 1 recently contacted the Garo leaders. They report that they are still facing various threats, although the Forest Department has apparently scrapped the stalled eco-park plan. However in 2016, a forest

rezoning of 3,700 ha. took place to create a new forest reserve, ostensibly to preserve Sal (*Shorea robusta*) habitat, making it illegal to operate or dwell there without government permission (Uttom and Rozario 2019). Muhammed *et al.* (2011) reported that around 90% of the local population was already landless. The struggle for justice continues.

## 6. Conclusions

The issues described above are complex. National economic interests conflict with local livelihoods, and national approaches to environmental conservation with local traditional methods of cultivation and conservation. Local cultural traditions conflict with national cultures. Even care for the global and national environment appears to be in conflict with care for humans: two aspects of the capacity for *recognition* inherent in human dignity. There are misunderstandings and fears on both sides. Perhaps some of these conflicts cannot be resolved without losses on one side or the other. Perhaps equally, however, some and perhaps all of the conflicts can be resolved with gains to both sides. But if there is one thing that appears certain, it is that the process of establishment of the park has exacerbated conflict by the way the government officials have treated the Garo of Madhupur.

The Garo wish to be treated as human beings in possession of dignity. The violence meted out to them is an affront to their rights and dignity as humans, as are the lies and manipulations perpetrated by government officials seeking to subdue their protests. The Garo community identifies itself as *adivasi* meaning 'indigenous people.' However, the Garo rejected the proposition that locating the eco-park on their land was influenced by their racial identity. In their opinion, the rights of access to information and meaningful participation in decision-making emerge as key principles of environmental justice as founded on human dignity. They successfully argued over many years that the eco-park posed a threat to life and livelihood by obstructing their free movement and traditional lifestyle. Lack of access to decision-making, information and processes of justice (as enshrined in the Aarhus Convention: UNECE 1998) suffered by the Garo community are considered to be a denial of human dignity.

By neglecting environmental human rights, the government departments have undermined their own dignity as human beings. The Garo believe that environmental sustainability can be achieved only if their indigenous knowledge and symbiotic relationships with nature are recognized as important for environmental protection. Meaningful consultation with the Garo community, making use of its forest management expertise, is consistent with the idea of ecologically sustainable development in which the rights of non-human species are respected as part of human dignity. Thus, the case study supports and corroborates our contention that the experience of environmental *injustice* as articulated by the Garo community means that "respect for human dignity" is the ultimate value underlying planning and development decisions.

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