Exploring Meanings of Environmental Justice in the Socio-political Realities of Bangladesh

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Abstract

Environmental Justice is a crucial concept of planning and policymaking in western societies. Various environmental human rights, justice to the environment and the moral standing of non-human species have been examined by researchers to define the term. Experiences of injustices are also investigated to understand environmental justice. In Bangladesh, however, environmental justice is understood under aspects of social justice. In this paper, the conception of environmental justice is examined as it has appeared in western literature. Experiences of environmental injustices are then assessed to understand the meaning of environmental justice in the socio-political realities of Bangladesh. It is argued that environmental justice is an inclusive term; and that creating capabilities, dignity, public participation, access to information, and recognition must be considered as core elements of environmental justice.

Key words: Environmental Justice, Recognition, Participation, Justice to environment, Moral standing of Non-human Species, Dignity

1.1 Introduction

Over time, the conception of environmental justice has evolved and acquired new meanings. Initially, environmental justice implied a fair distribution of environmental space among humans. Later it was seen more as an issue of the fair distribution of environmental quality (Bullard, 1990). This view has also changed over time and 'justice to the environment' has become an integral part of how environmental justice is conceived (Low & Gleeson, 1998). The notion of environmental justice also implies a recognition of moral standing, participation in decision making and distribution of political and environmental spaces, basic needs, various types of human rights, capabilities, and functioning (Eckersley, 1992, 2004; Fraser & Honnet, 2003;

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Schlosberg, 1999, 2003, 2004, 2013). Meanings of environmental justice have deep and profound implications for policymaking, planning and governance because it involves the fair distribution of environment among inhabitants. Therefore, in this paper, I explore the meanings of environmental justice available in the literature with a consideration of the social realities of Bangladesh. And I argue that environmental justice is an inclusive term which;

- affirms the promotion of dignity and recognises fair access to the environment for all species;

- recognises the right to participate in decision making irrespective of differences, for example, race, sex, class, poverty level, communication and capabilities (Sen, 1999), and

- is a commitment to fair access to information and justice to represent the interests of every living entity.

Methodology

This paper has been written with dependence on a review of literature and case study data. The first case study was conducted at Madhupur Sal Forest area in 2004. Then in 2008, respondents were further interviewed in their changed circumstances. Furthermore, most recently in 2018, respondents were contacted to gather data on the latest conditions of the eco-park project; conditions that had caused them to launch an environmental justice movement, popularly known as the 'eco-park movement'. I interviewed key persons of the environmental justice movement living in the forest of Madhupur National Park. They were selected after contacting the local churches, administrative units, and the Forest Department Officials of Bangladesh.

1.2 Justice in the Environment[2]

Conventionally, the term 'environment' refers to the place in which we live. This view also sees non-human species, lands, hills, rivers, and seas as part of the environment. The term 'environment' had acquired a new meaning though in the last half of the twentieth century where it referred to where we 'live, play, work, study, etc.' (Novotny, 2000). The conception of the environment, as stated above, has evolved even further. More recently, it has come to mean *the place* where all species live in. Justice is an inclusive and contested term (Low & Gleeson, 1998; Young, 1990), implying fairness (Rawls, 1971, 2001). It implies fairness in recognition and distribution of environmental space and decision-making power (Eckersley, 2004; Schlosberg, 2004; Young, 1990).

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[2] I borrow this term from Low and Gleeson (1998).

Environmental justice, defined as distributing environmental quality (Bullard, 1990), appeared initially as a movement led by people of colour and poor communities in the United States of America due to the increase of waste disposal sites within black neighbourhoods. The sustainable development literature explores another dimension of environmental justice which involves fair distribution of environmental goods and burdens. Therefore, environmental justice issues have acquired a certain momentum and have become a matter of global equity (Low & Gleeson, 1998). According to sustainable development thinking, environmental justice implies fair access to environmental space, considering the needs of future generations and accepting fairness to current generations across national boundaries where 'environment' is defined as spatial relationships within humanity (Low & Gleeson, 1998; Pepper, 2007). Considering the global context, Schlosberg (2004) regards environmental justice as "encompassing issues of recognition, distribution, and participation" (p. 518). Eckersley (2004) also identifies five dimensions of environmental justice which encompass recognition, participation and critical deliberation, precaution, fair distribution; and redress and compensation (p. 3)[3]. It is these dimensions of environmental justice that I will now discuss.

Recognition

Recognition has emerged as one of the fundamental aspects of justice. Arguing that 'recognition' is the key element of justice Schlosberg acknowledges only rights of humans. On the other hand, Dryzek (1995), Low and Gleeson (1998), Plumwood (1999) and Eckersley (2004) bring forth 'entitlement' of all species and their participation rights in decision making (Low & Gleeson, 1998, p. 156)[4].

The idea of recognition is certainly a precondition for consideration in the realm of justice. However, according to Young (1990), recognition is not a thing that can be distributed. Rather, it is a kind of relationship that defines a moral

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[3] The five dimensions of environmental justice have been defined by Eckersley (2004: 4) in the following ways. For her,

1. 'Recognition of the expanded moral community that is affected by ecological risks (i.e. not just all citizens, but all peoples, future generations and nonhuman species)
2. Participation and critical deliberation by citizens and representatives of the larger community-at-risk in all environmental decision making.
3. Precaution to ensure the minimization of risks in relation to the larger community
4. Fair distribution of those risks that are reflectively acceptable via democratic processes that includes the standpoint of differently situated parties
5. Redress and compensation for those parties who suffer the effects of ecological problems.'

[4] The term "entitlement" is taken from Low and Gleeson's work on Justice, Society and Nature, an Exploration of Political Ecology

community and social norms. The idea of recognition as an element of justice is brought into politics by Young. Low and Gleeson (1998) also indirectly but forcefully brought this issue into environmental justice discussions. Later, Schlosberg (2004) applied the concept to redefine environmental justice as a precondition of the right to participate in decision-making. Eckersley (2004) further attempted to blend the best parts of Low and Gleeson's novel discovery with Young and Schlosberg's concern for recognition and then applied them to non-human species along with Plumwood (1999).

For Young 'recognition' as an aspect of justice implies that there are differences among groups, for example between men and women, poor and rich, literate, and illiterate, and these differences should be addressed when the fair distribution of power and goods occur. If such recognition is not affirmed, various types of injustices may occur. For example, an educated group of people can articulate their problems properly and represent themselves to achieve goals. On the other hand, non-human species, poor people, marginalized women and oppressed communities may not be able to explain their cases because of their lack of capabilities. In turn, an expert can articulate and represent the interests of these disadvantaged groups considerably in better ways. To exempify, environmental philosophers are more capable of representing the rights of non-human species. If environmental spaces or political spaces are distributed equally without affirming such differences in capabilities, then such equal distribution may not produce the expected outcome, i.e. fairness in distribution. Even, precaution and compensation may not be fair if any involved party is excluded. Therefore, I would suggest that recognition through the representation of non-human interests and disadvantaged groups' interests by the expert advocates should be one of the key aspects of environmental justice so that flourishing of life for every entity can be achieved. The basic environmental needs of every entity can have some hope of being fulfilled, and moral dignity of all can be respected (discussed later).

However, there are differences of opinion on whether recognition can be a distinct element of environmental justice. For example, Miller (1999) argues that respect and dignity are preconditions for distributive justice[5], but these values cannot be considered as a distinct element from the conception of justice. Schlosberg, however, refutes such claim and argues that,

> Justice, in theory, may happen in isolation, neutrality, or behind a veil of ignorance, but that is simply not the case in practice. If the interest is about attaining justice, rather than attaining a sound theory of justice, recognition is central to the question and the resolution- and is not simply to be assumed (Schlosberg, 2004, p. 520).

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[5] Quoted in Schlosberg (2004)

For him, it is not the case that "no one will argue for recognition even, for example, environmental goods and burdens are received equitably" (Schlosberg, 2004, p. 520). He sees a logical gap in distributive theories of justice, which assume that "recognition is an inherent trait of just relations, and it is something that should be distributed by the systems" (Schlosberg, 2004, p. 521). For him, if it (power or goods) is something to be distributed, then it is wrong to assume that it is already there in the system. For Schlosberg, recognition is not only a good but also a precondition of membership in the political community.

Schlosberg's (2004) position leads him to raise a serious complaint against Low and Gleeson (1998) for their failure to identify recognition as a core element of environmental justice. I argue that the complaint is not valid. When Low and Gleeson accept and argue that 'every entity is entitled to enjoy the fullness of its own form of life' (Low & Gleeson, 1998, p. 156), then they certainly imply that the rights of non-human species, besides human rights, are essential and should be recognised. The implications of the above principle are enormous. The principle itself is a clear recognition of the rights of all entities. And this is the principle that the ecologically sustainable development theorists should subscribe.

Participation

Initially, to deal with environmental injustice, researchers, affected communities, and governments of different nations engage in developing viable governance frameworks either by accepting or criticising classical theories of justice advanced over the years from Plato to Rawls in defining environmental justice. Young (1990, 2000) identifies serious limitations of such theories and argues that the study of justice should commence by framing different types of injustice, and the scope of justice should be broadened by including decision-making power, culture, and institutions beyond the distribution of environmental benefits and burdens. This view has been reflected in the environmental justice literature where environmental justice is argued for women, indigenous people and poor communities (Bullard, 1990; Roy, 1998; Schlosberg, 2004; Warren, 1999).

The rights-based theories, therefore, argue that not only environmental quality and the rights of fair access to environmental resources as a means for livelihood must be considered as core elements of environmental justice, but also the following issues such as rights of participation in decision-making processes to develop a framework for fair distribution of environmental goods and burdens, rights of fair access to formal and informal institutions

for resolving environmental conflicts, and rights of fair access to information on such environmental matters, and rights to represent non-human species to be included in the list (Aarhus Convention, 1998; Agyeman, 2003, 2005; Eckersley, 1996, 2004; Hayward, 1994, 2005).

Meaningful participation of communities and citizens in decision-making processes, at all levels, creates conditions for fair access to environmental and political spaces. It is thus not only a necessary condition for environmental justice, but it is also an imperative of sustainable development (World Commission on Environment and Development, 1987, p. 8) because it is a condition of good governance (Leftwich, 1993, p. 610) and makes our environmental decisions moral (Sachs, 1996).

Many developed nations felt such an understanding that participation rights in governance should be respected. For example, in the USA, meaningful public participation has been considered to be the fundamental aspect of frameworks for *fair* distribution of environmental goods and burdens, i.e., environmental justice (The United States Environmental Protection Authority, 2015). Denial of such participation is also treated as a violation of human rights (Roy, 1998), and it overlooks environmental needs (Low & Gleeson, 1998, p. 67). Arguably, human rights movements which once focused on the right of access to environmental spaces (Bosselmann & Richardson, 1999) have now been transformed into environmental justice movements (Cohen, 2002).

Environmental justice can be articulated by defining environmental injustice or in Bullard's (1990) term 'environmental discrimination' (p. 9)[6]. An example of injustice is when,

- the right to use the land, water and environmental space for the fulfilment of basic needs is denied, or

- participation of communities in decisions affecting their welfare are obstructed, or

- people are denied access to systems that protect them from injustices by decisions that pose a threat to their livelihood, damage their workplace and ultimately affect their health, and

- people are forced to live in conditions that are unacceptable from a health perspective, and when people have limited access to information that liberates their mind from ignorance, adopting preventive measures to avoid environmental harm and fulfilment of their environmental needs.

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[6] According to Bullard, environmental discrimination is a fact of life. Here, environmental discrimination is defined as disparate treatment of a group or community based on race, class, or some distinguishing characteristics (Bullard, 1990, p. 9).

Many communities are struggling for environmental justice across the globe (Claudio, 2007). An essential feature is that indigenous people of different nations are in the leading positions in these movements (Horowitz, 1998). Denial of their traditional land rights has deepened the crisis of justice and leads them to organise self-determination movements (Kirsch, 1997). These movements claim that national development projects that attempt to address global environmental issues such as biodiversity conservation, reduction of environmental risk, mitigation of suffering and improvements of the quality of life of the mainstream population are seriously affecting the everyday life of indigenous people (Adams, 2001; Ekins, 2000). For them, self-determination is the best way to resolve conflicts ethically. The notion of self-determination is thus also embedded in the discourse of environmental justice.

The above understanding gives us the insight that environmental justice is about fair treatment (Fritz, 1999, p. 184) of people to ensure fair access to the environment, to information, to decision making systems, and both to formal and informal dispute resolution institutions. An obstruction to these systems is tantamount to a violation of human rights and disregard to human dignity or non-recognition of their distinct identity.

1.3 Justice to Environment[7] and Reconstruction of Moral Standing

Beyond the above conception of environmental justice, an alternative view has been developed by eco-philosophers. These philosophers, for example, Plumwood (1999, 2002), Naess (1999), Singer (1975), Regan (1983, 1997) argue that most of the discussions on sustainability approach to defining environmental justice approach from an anthropocentric perspective that encompasses the environment as a resource. Primarily interconnected relationships between species, geographical structures and secure continued existence of the planetary life, biodiversity conservation, responsible use of forests, and careful use of lands and natural resources including reduction of carbon emission into atmosphere form the conceptual background. Here, a sense of security as an unpinning principle of justice places human interest at the heart of all decisions. This view is based on the conventional wisdom that non-human species are valuable because these are made available to us for human welfare. Here, an instrumental view of nature acts as a background to all human activities. The techno-centric ideas of sustainable development are based on such environmental values and attempt to address the fair distribution of environmental values amongst global people and their future generations. These views do not recognise any share of the environment for non-human

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[7] I borrow the term "justice to environment" from Low and Gleeson (1998).

species and fail to consider the intrinsic value of other species. Most of the advocates of this view treat human beings as moral agents and seek justice only for humans. It is believed that conventional religion-based philosophical views of the world here played a crucial role in the development of such theories.

In contrast to the above view of the environment and its relationship with humans, there is another view that argues that the conception of environmental justice applies to non-human species (Low & Gleeson, 1998; Plumwood, 1999; Regan, 1983; Singer, 1975). This alternative conception of environmental justice germinates in the philosophies of Singer and Regan and has evolved through the eco-centric philosophies of Naess and Plumwood. Ancient philosophers such as Gutum Buddha has seen the world and its relationship with humanity in a different way, that also suggests that the moral implication of environmental justice be extended to include all species of the earth. The conception of self, as explained by Benedict Spinoza and the Indian thinker Samkara also help us to rethink and rebuild the boundary of the moral sphere and encourages to apply justice to nature. The Darwinian Theory also in a different way helps us to develop an environmental culture that supports the view that the world is an organic whole and the human self is a manifestation of the 'self' in nature. Application of this view of environment adds new meaning to the conception of environmental justice as this has been developed by Low and Gleeson (1998) within the notion of 'ecological justice'. In this paper, I argue that justice to the environment should be an integral part of the values pursued in environmental planning and the decision-making process. Besides, for redress and remedy environmental injustice, institutions such as constitutions, parliaments, and courts should recognise this conception of environmental justice for fairness.

This view suggests that we do not see non-human species as merely a resource but treat them as valuable in their own right, and regard 'development' as balancing the needs of some (Regan, 1983; Singer, 1975) or all (Plumwood, 1999) species. From this perspective, Singer (1975) argues for the 'liberation' of animals that have similarities with humans, in that, through their behaviour, we see that they suffer pain. This view extends the moral boundary to animals and urges moral reform. This view has been modified from a 'rights' perspective by Regan (1983) ascribing rights to certain animals as claimants of justice. Plumwood (1999) sees serious gaps among these systems of ethics. She wants to abolish moral boundaries between species and include all creatures in an ethic of respect and recognition. So, for Plumwood, environmental justice implies recognition of flourishing life for all species and distribution of environmental values or spaces accordingly.

According to Plumwood, 'the human-centred framework is insensitive to the Other's needs and ignores the limit they impose, aggressively pursuing self-maximisation' (Plumwood, 2002, p. 119). For example, in agricultural business, people produce chickens and calves with very short life spans for human consumption. They are placed in cages and such is tantamount to 'torture' (Plumwood, 2002, p. 119). Placing animals in the cages is an injustice to non-human species. If justice implies 'giving others their due' then the treatment, we human beings give to the non-human is an "important kind of injustice" (Plumwood, 2002, p. 115). Plumwood emphasises that;

> Interspecies distributive justice principles should stress the need to share the earth with other species (including difficult and inconvenient ones like snakes, crocodiles and bears- animals that are predators of humans or animals under human protection) and provide adequate habitat for species life and reproduction…. assigning more land to earth others, whether in the form of areas exclusively for their use (as in some wilderness areas and national parks), their welfare in many multiple-use areas and requiring human behaviour to adjust and encouraging more non-human use of exclusively human areas like cities and suburbs are examples (Plumwood, 2002, p. 117)

However, she does not say what to do when a mosquito bears dengue virus. She explains that dominant rationalistic philosophies develop a hierarchical order taking reasoning power as their basis and extending the moral sphere according to this ability. As a result, all species of the planet become divided into 'we' and 'Others'. This Cartesian dogma wedges a barrier between species so that neither 'animal liberationist' nor 'animal rights' advocates allow space for species that do not belong to animal categories decided by humans. This view also argues that justice involves self-realisation. However, this view of self-realisation is quite different from that of deep ecology.

Plumwood (2002) also stands against the views that treat nature as a resource (p. 190). She argues that the views that treatment of non-human 'Others' as a resource is a kind of human supremacism and incompatible with justice to other species. However, I would argue that not all human supremacism is incompatible with justice to the non-human world. I think treating other species as resources does not necessarily mean that those entities are not ethically valuable and do not deserve moral consideration. We can do justice to them by valuing them as resources. The critics of human supremacism misunderstand the conception of 'resource'. We are dependent on nature as our children

are dependent on us. So, we must protect nature's interest and recognise the vital role of nature. Those who misuse their right to access to nature lacks the knowledge to value nature. A child gets milk from its mother's breast, but the child does not mistreat the mother. A sensible person always recognises how the mother is important to life. Mother's love and milk are resources to the child. So, nature is also taken as a resource in the same sense.

The idea of 'justice to the environment' has come under attack from several directions. For example, Fienberg argues that 'without awareness, expectation, belief, desire, aim and purpose, a being can have no interests; he cannot be benefitted, without the capacity to be beneficiary, he has no rights' (Fienberg, 1973). Accepting those qualities as necessary, Feinberg excludes plants from the morally considerable community. For him, plants have insufficient "cognitive equipment" to be aware of their wants, needs, and interests. So, plants are not 'entitled to the fullness of its own form of life', and therefore we need not regret plant species extinction. Lack of mental capacity as a determinant of moral standing is further emphasised by Nash (1989). According to him, 'ethical norms are human constructs. Other forms of life might be subjects of ethics, but they lack the mental capacity to think of their behaviour in terms of right and wrong to enter into a reciprocal ethical relationship with humans'. The lack of mental capacity is one of the common grounds of excluding non-human species from the justice community. The rights of Others and representation of their interests are debatable and beyond the scope of this paper. At this point, I agree with Low and Gleeson that every entity is entitled to a flourishing life. Recognition of Others' right to life is related to human dignity. Therefore, whether they have any cognitive equipment or interest of their own should not be taken as the basis for excluding them from the justice community. To understand this proposition, the idea of self-realisation is helpful. Therefore, in the next section, I discuss self-realisation.

There is a link between framing injustice and self-realisation. In the economic conception of 'sustainable development,' the identity of the self is related not only to global people but also related to future generations. In this sense, the relational self admits justice as universal that includes human flourishing *ad infinitum*. Self-realisation, in this sense, implies becoming an altruistic self for human welfare. On the other hand, self-realisation involves developing 'ecological consciousness' (Low & Gleeson, 1998, p. 155) that helps the egoistic self to be present in a moral community that includes non-human species (Plumwood, 2002). In this sense of self-realisation, the individual self-processes ecological consciousness and defines its relationship with the environment as the principle that 'every natural entity is entitled to enjoy the fullness of its own form of life' (Low & Gleeson, 1998, p. 156). Such a

realisation becomes a principle motive of decision-making, and non-human species become moral agents and claimants of justice. Low and Gleeson's view is very similar to that of Paul Taylor's biocentrism. By saying that every natural entity is entitled, it seems, Low and Gleeson support Taylor's proposition that 'We are morally bound (other things being equal) to protect or promote their good for *their* sake' (Taylor, 1981, p. 198). This view of nature gives rise to questions of representation and communication with non-human species. How it helps us to abandon an anthropocentric view of nature is another important question. Whether all species should be treated alike is another crucial question. If there is a difference, are we ready to accommodate that difference? These ethical questions are beyond the scope of the paper.

The principle of ecological justice that has been proposed by Low and Gleeson (1998) raises another question: does each entity have equal entitlement? The term 'entitlement' has a historical link with the idea of rights. Are they going to save the same rights-based view which they have reformulated under 'environmental needs'? Given these philosophical questions, it seems this is no doubt a valuable discovery in the environmental justice field that every entity is entitled to flourish. Neither deep ecologists nor environmentalists before them discovered such a sound justice principle to shape human activity. It seems this principle can serve as the basis of ecologically sustainable development replacing the classical definition of sustainable development advanced by the United Nations.

Their second principle that all life forms are mutually dependent and dependent on non-life forms is the self-realisation that helps us to understand why every entity is entitled to enjoy the fullness of its particular form of life. However, another question can be asked, what about the non-living things? Whether a stone has a desire and is entitled to enjoy its life? What is the implication of their theory for abortion, stem cell research and other scientific investigations? If we have to respect their principle, then are we entitled or not to destroy viruses and bacteria that cause our suffering? Should we allow the snake to move on to a baby who is sleeping? Low and Gleeson try to answer these questions by taking help from Mathew's argument for moral precedence[8]. The idea of moral precedence embraces the rationalist tradition, which has been criticised by Plumwood (2002). Their views are again assuming a hierarchical order of entities and life choices in particular circumstances. Therefore, we require to set other conditions to overcome such problems.

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[8] That life has moral precedence over non-life. Individualised life forms have moral precedence over life forms which only exist as communities. Individualised life forms with human consciousness have moral precedence over other life forms (Mathews, 1996, pp. 156-157).

It seems to be a more critical deliberation on the self that helps us to embrace 'stewardship theory' might be helpful to overcome the above condition. If we admit that the world has a creator, or if we admit that it is our dignity that we must preserve and do justice to non-human species and must not proceed beyond a point that reduces the chances of 'Others' flourishing and do not pose a question mark on our character, then the achievement of environmental justice can be more manageable. I think environmentalists can also agree with John Barry (1999) that environmental protection should be considered as a virtuous act. Nevertheless, such a conception depends on access to information. If people have no information about the earth system, do not have information about how to view Others, and what the relationship should be with Others, then they cannot act to promote environmental justice, meaning fair access to the environment for all species.

1.4 Environmental Injustices experienced in Bangladesh

Bangladesh is an impoverished developing nation in Asia, where the environmental justice situation is critical. The total population of this country is about 160 million, whereas available land is usually $1,44000\,km^2$. Here large numbers of people have inadequate access to basic necessities such as freshwater, clean air, health systems and information, and there is no safety net to protect them. The poor of Bangladesh eat genetically modified food without knowing its impacts on health, drink water contaminated by arsenic and other poisonous chemicals, breathe polluted air, and suffer from deadly diseases such as malaria, whooping cough, hepatitis, and dengue fever (Alam et al. 2002; UN, 2000). Lack of access to these basic needs relates to procedural environmental injustices meaning lack of participation. The poor of Bangladesh not only lack access to essential goods/necessities but are also deprived of the knowledge needed to resolve these problems equitably. They also lack institutions such as an accountable and independent judiciary, an essential element of good governance (Kamal, 1999; Sobhan, 1998).

Besides inadequate access to environmental resources and lack of good governance, the people of Bangladesh have started to experience various levels of environmental injustice. For example, due to the rise of sea level, agriculture has been affected by saline water in the coastal area (Rahman et al., 1994, pp. 109-133). In the years 1991 and 2007, two devastating cyclones damaged lives and properties in the coastal areas (Ahmed, 2010; Rahman, Huq, Haider & Jansen, 1994, pp. 13-181). The supply of groundwater reaches a critical stage in the dry season (Rahman et al., 1994, p. 230). The overuse of pesticides and fertilisers in agriculture has reached dangerous levels (Rahman et al., 1994b, pp. 60-65). Forests are disappearing at an alarming rate (Forest Department,

1999). Extinction of forest is also contributing to the loss of biodiversity and eventual extinction of species. Scientists are predicting that such irresponsible use of land, water and forest might make densely populated Bangladesh a desert (Rahman et al., 1994, pp. 217-239). In 2019 due to climate change, people of Bangladesh had experienced dengue fever at a frightening level. In the light of capability approach to justice, which originates in Amayrta Sen's *Development As Freedom* (1999) and that matured in Nussbaum's *Creating Capabilities* (2012), these experiences of environmental injustice have extended the meaning and spheres of environmental justice as these environmental and climate issues are reducing capabilities of affected people, obstructing living a dignified life and functioning well (Nussbaum, 2012; Schlosberg, 2013).

In the recent past, many policies have been developed to increase access to basic goods/necessities, reduce suffering from deadly diseases, and improve environmental amenity. In Bangladesh, successive governments of this country have taken decisions, passed laws, and developed regulations to respond to environmental concerns (Mahfuzullah, 1999; United Nations Environmental Programme, 2001). For example, as part of the process, recently plans for eleven eco-parks plan have been drawn up for different regions of the country (Forest Department, 1999; The Daily Star, 2001). Other than the economic factors, these parks help Bangladesh argue in the world forums that the government is concerned about the public interest and that the nation is contributing to the resolution of global environmental problems. The governments of Bangladesh are accustomed to arguing that Bangladesh is taking preventive measures for addressing desertification, deforestation, land degradation, biodiversity conservation, extinction of species, and improving the quality of the environment to reduce ecological risk and protect human health. All these policies indicate that environmental justice is perceived from an anthropocentric perspective. The protection of non-human species is considered for human welfare. There is no evidence that protection of non-human species is considered for their own sake- an injustice to non-human species.

Generally, in Bangladesh development plans and policies are gathered under the banner of human and economic development projects, and many of them are internationally sponsored. However, as a result, some new types of environmental injustices have emerged which complicate the situation further. For example, the Madhupur National Park Development Project, Madhobkundu-Murichara Eco-parks and Sitakundu Eco-park developed by the planning division of the Forest Department of Bangladesh government have posed a potential threat to the livelihood of the local community (Interview with Mree, 2008, see Ahmed, 2010). It was feared that the implementation of these plans would displace thousands of families from their traditional

land if they are implemented (Timm, 2002). Furthermore, visiting the sites, I have seen that the prediction was right and already many people have been displaced. The project planners have not only undermined the rights of access to environmental resources but have also overlooked the participation rights of the community by making choices unilaterally (Interview with Nokrek, 2008. See Ahmed, 2010)

Furthermore, they have blamed the Garo community for spoiling the forest (Forest Department, 1999). Also, the government has denied the Garo community's right to know what is happening (Interview with Mankhin, 2008, see Ahmed, 2010). Furthermore, non-recognition of the traditional land tenure of the ethnic minorities has obstructed the due process of law. The ethnic minorities' tenure system is utterly different from the state system. Under this system, landowners have no paper to produce in the court as proof of ownership (Interview with Mankhin, 2008, see Ahmed, 2010). Above all, the Bangladesh government does not recognise that ethnic minorities are *adivasi*[9].

The Eco-parks of Bangladesh have attracted the attention of the national and international media, and the issue has become a prominent one in Bangladesh. The Bangladesh government argues that the project will (a) create opportunities for recreation, research and education, (b) promote eco-tourism, (c) preserve the natural forest, and (d) preserve biodiversity for the maintenance of ecological balance. For example, the then Prime Minister said that the eco-parks aim is not only to 'preserve biodiversity and different species of wildlife but also to make arrangements for eco-friendly tourism' (United News of Bangladesh, 2001). The government believes that the project will create further economic benefits as well as 'create a gene pool' (United News of Bangladesh, 2001, p. 1). The Divisional Forest Officer argues that local people, including indigenous people, have already encroached on over 20,000 acres of the forest out of a total 45,565 acres in Madhupur. So, the Eco Park is essential to save the forest and its biodiversity (Roy & Sakil, 2007).

Meanwhile, environmentalists, intellectuals, and certain political parties of Bangladesh have extended their support for the cause of the Garos and Khasis[10]. However, at the same time, the affected community is further blamed by the government for spoiling the forest, obstructing development plans, and damaging public property. The government of Bangladesh has taken even more oppressive action to compel the community to accept the construction of the park by harassing movement leaders with false legal cases and killing protesters (Roy and Sakil, 2007, p. 1).

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[9] By Adivasi the ethnic minority in Bangladesh argue that they are the first settlers of the land that they at present occupy.

[10] Garo and Khasi are two ethnic minority communities living in Bangladesh mostly in the Forest areas. Their ancestors are found in Meghalaya, Asham, Tripura, Nagaland and Manipur of India.

Initially, Garos and Khasis launched a protest movement for two reasons. First, they wanted to refute the argument that they were spoiling the forest. Second, the Madhupur Garos opposed the construction of the boundary wall as proposed in the project plan since it would obstruct their fair access to environmental resources and free movement within their lands. The Garo community vowed to fight until their demands were fulfilled, and the project is scrapped (Interview with Mree, 2007, see Ahmed, 2010). Another Garo leader said that "[t]he indigenous people of Madhupur never accepted the boundary wall in the forest and never gave up their demand" (Mankhin, 2007, p. 2).

On the other hand, the Forest Department Officer said that 'conceding to the demand of the Garo the forest department already curtailed some of its elaborate plans including picnic spots from the eco-park design' (Mankhin, 2007, p. 2). A movement started with an immediate protest in 2001 on hearing of the decision of the Forest Department. Over time the protest movement has turned into a struggle for environmental justice. At the time of writing, the government of Bangladesh is trying to implement the project which was suspended in 2004. Two NGOs have filed a case in the High Court seeking remedial action arguing that critical human rights have been violated (Bangladesh Environmental Lawyer Association, 2004). The eco-park issue has turned into a movement for recognition, and distribution of political and environmental spaces.

External advisors of Bangladesh development programs have identified an absence of good governance, lack of political will, corruption, low accountability, and lack of judicial independence as the fundamental obstacles to development and also sources of environmental injustices (World Bank, 2002). International development partners such as the World Bank have attached conditionality to aid and loan packages to encourage the reform of governance and to pave the way for justice. On the other hand, the Bangladesh situation requires addressing environmental values and conserving biodiversity for public welfare. In these circumstances, the reform of governance in Bangladesh requires the identification of factors contributing to injustices in detail, setting in place basic justice principles, developing strategies, fixing national goals, and developing a clear understanding about the people and their social values and practices. All these indicate that planners, international development partners and community in general either lack a clear understanding of the notion of environmental justice or overlook rights of non-human species.

The above ethical perspectives, as discussed in the previous sections (1.2, 1.3 and 1.4), suggested different notions of environmental protection and protection of the rights to life of non-human species. These perspectives conflict with

indigenous culture concerning their land-use practices. For example, indigenous people of Bangladesh live in the forest and mountain; apply the Jhum (slash and burn) method of agriculture for their livelihood, clearing forests and cutting into mountains and mining rocks. Now they apply extensively such methods for their economic development as I witnessed visiting Garo and Khasi communities settled in different parts of the country. As a result, forests are disappearing very fast. In this regard, like Perrett Roy (1998) a vital question can be asked, 'Can the environmental attitudes of an indigenous culture be accommodated within environmental justice and to what degree should the recognition of indigenous rights consider environmental justice?' Like Roy, many researchers see that global environmental justice and ecological justice are conflicting with local indigenous rights (Alan, 1999; Cohen, 2002; Gupta, 1999; Holley, 1997). If indigenous people can practice their traditional ancestors' method of economic activities, this will undermine the rights of the non-human species as well as pose a threat to the greater human community. How to strike a balance between environmental protection agenda and economic needs of the local communities is a critical environmental justice question.

The idea of justice to environment through the protection of the habitat of non-human species involves involuntary displacement of poor and indigenous communities across the world (Alan, 1999; Gupta, 1999; Holley, 1997; Roy, 1998). As a result, these communities suffer a lot. For example, Cernea argues that when people are forcibly displaced, production systems are dismantled. Many jobs, much valuable land, and other income-generating assets are lost. Health care tends to deteriorate. Kinship groups and informal social networks for mutual help are scattered. Links between producers and their consumers often are severed, and local labour markets are disrupted. Ancestral shrines and graves must sometimes be abandoned, breaking links with the past and with people's cultural identity. And not only are the affected people worse off, when the displacement is massive, it also weakens the local and regional economy (Cernea, 1994, p. 1).

The above oppositions between justice to the environment and the vulnerability of poor and indigenous communities have drawn the attention of sustainable development advocates (Roger et al. 2005). Thus, in the Rio Declaration, indigenous human rights have been strongly acknowledged in principle 22[11].

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[11] Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development (UN, 1992).

Before this the International Labour Office's ILO Convention 169 Concerning Indigenous and Tribal peoples in Independent Countries 1991, Article 15, also affirms the right to participate in the use, management and conservation of natural resources on their traditional lands (O'Faircheallaigh & Corbett, 2005). The World Bank (2005) also recognised the rights of indigenous people in their operational procedure OD 4.20. The bank policy categorically affirms that reduction of poverty and sustainable development should not undermine human dignity, human rights, economies, and cultures of Indigenous Peoples. The bank should '(a) avoid potentially adverse effects on the Indigenous community; or (b) when avoidance is not feasible, minimise, mitigate, or compensate for such effects' (World Bank, 2005).

Such principles and operational procedures have been used to negotiate development projects in Australia, Canada and the USA (O'Faircheallaigh & Corbett, 2005). In this way, compensation has become another aspect of environmental justice.

However, principles and operational procedures that attempt to address indigenous human rights have remained in the indeterminate state due to the attitude of the dominating policymakers in developing nations. The traditional land rights of indigenous people have posed a severe problem for the government of Bangladesh implementation of justice to the environment (this has been discussed above and argued in Ahmed, 2010). A more salient point about the earlier discussion is that most eco-philosophers who argue for justice to Others do not provide any suggestion on how to address indigenous claims. In this regard, Low and Gleeson (1998) break the silence and first argue for ensuring environmental needs of all living entities and subsequently provide a supplementary principle that gives preference flourishing human life. Therefore, I agree and argue, along with them that environmental justice should mean fair access to the environment for every entity for flourishing their life. In addition to that, I shall argue that there should be fair access to decision making for every entity. This approach will create a scope for critical deliberation among all participants. Such deliberation would contribute to developing an altruistic view to achieve environmental justice and to develop principles for ordering conflict of interest among the participants.

However, the idea of fair access to the decision making process for every entity poses a serious question. How can we communicate with non-human species? In this regard, I would like to argue along with Robyn Eckersley allocation of political space to the people who are sensitive to non-human species and interested to represent interests of non-human species can be a solution. This issue can be debated further. However, it is beyond the scope of the paper.

Conclusion

The above discussion indicates that for ecological modernisation of planning and governance in Bangladesh addressing environmental injustice is both necessary and challenging for several reasons. For example, the new conception of environmental justice, meaning recognition of fair access to the environment for every entity, demands that development plans should address the environmental needs of Others. On the other hand, many human rights groups in Bangladesh put pressure to place basic human needs meaning fair access to the environment for livelihood before environmental protection. The ecological modernisation of planning becomes further complicated as environmentalists take a stand for the integration of the local communities into decision-making and recognition of representation rights of Others. In this complicated situation, how to make plans and take decisions which create the optimal conditions for environmental justice is a critical question. It seems the principle advanced by Low and Gleeson (1998) *that every entity is entitled to flourishing life* can be accepted as principles of development and planning in the above-described context of Bangladesh. In addition to that, the planners of Bangladesh need to consider various political values such as recognition, meaningful participation, deliberation and creating capabilities as elements of environmental justice.

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