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Scratches on our sovereignty?
*Analyzing conservation politics
in the Sundarbans*

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Abstract: The article critically examines the conservation politics in a transboundary protected area (TBPA) in South Asia, the Sundarbans mangrove forests in Bangladesh and India. It explores the reasons why, despite collaborative measures by the two states, conservation has largely tended to conform to sovereignty practices, making it top-down and exclusionary. This makes the very demarcation of territory for protected areas an intensely political act with significant implications for social equity. The article examines the cultural politics of conservation since contestations to state power have often entailed the articulation of popular sovereignty in the Sundarbans. It argues that the social sustainability of conservation will critically hinge on how issues of resource access and governance are framed, negotiated, and addressed.

Keywords: Bangladesh, conservation, India, resource governance, sovereignty, tiger habitat, transboundary protected area (TBPA)

When the Brazilian diplomat Marcus Azambuja remarked, on emerging from the Rio Summit in 1992, that “we came out of the negotiations without the slightest scratch to our sovereignty,” he was articulating the view widely held by state leaders that the imperatives of sustainable development, however legitimate, are to be guarded against (cited in Conca, 2015, p. 102). It is no surprise then that many states continue to see the abidance by international environmental standards, resulting from such negotiations, as scratches inflicted on their sovereignty. The article examines how the Sundarbans mangrove forests in South Asia, despite being steadily integrated into the global conservation discourse, continue to witness state assertions of sovereignty, translating into infrastructure development in the wetlands on either side of the Bangladesh–India border. In

what ways have such practices intervened to affect the conservation of this transboundary protected area (TBPA)? How has the growing global and national policy attention on protecting the tiger habitat and the endangered mangrove forests resulted in regulating access of the indigenous communities to forest resources? The article looks at, among other issues, discrepancies in the implementation of forest rights legislation that make the very demarcation of territory for protected areas an intensely political act with significant implications for social equity.

The Sundarbans makes for a befitting representative case to understand conservation politics because its history has been, in many ways, a microcosm of the identity politics and state building that unfolded in South Asia in the nineteenth and twentieth centuries. Its shifting encounters with the state were to leave an indelible impact on conservation practices in the region. As the habitat of the endangered Bengal tiger, it was to acquire the status of a protected area with conservation policies that further entrenched the socioeconomic vulnerabilities of the indigenous population. State-mandated practices begat social exclusion, as the state stepped in to regulate local access to land and its resources. Local narratives reflected this double dispossession caused by political action and environmental policies. The fate of the migrants and the privileging of the tiger in the conservation discourse, both intersected in local folklore in ways that signified angst and resistance. Therein lies the cultural politics of conservation in the Sundarbans. As the article goes on to argue, conservation reinforced, rather than reconfigured, sovereignty in the TBPA.

The article is accordingly organized around four thematic foci. It begins by analyzing the reasons behind the growing popularity of TBPAs around the world. There is a coalescing of expertise and political support because TBPAs have largely validated, rather than subverted, sovereignty practices of member states. As part two explains, the checkered history of the Sundarbans reflects attempts by the state to fix shifting identities in ways that conformed to the dominant understandings of territoriality and sovereignty. Part three examines conservation in the Sundarbans through the lens of identity politics, which offers a glimpse into how notions of territoriality and order are socially constructed in ways that lay state claims open to contestation. Conservation assumed managerial overtones in that it overlooked local expressions of popular sovereignty while regulating local access to forest resources. Finally, an assessment of policy initiatives seeking to diversify and devolve the governance of the TBPA is offered. While some experiments at making forest management participatory are promising, efforts to synchronize conservation are beset by an administrative mindset to ecological concerns.

The article argues that attentiveness to the historical and cultural context of the Sundarbans is key to arriving at a nuanced understanding of sovereignty practices in the TBPA. Discourse analysis is particularly suited to this endeavor, for it allows focus on the multiple narratives constructed by the state, specialized agencies, and the local communities situated in the Sundarbans. As articulations of power (and resistance), these narratives provide the crucial frames within which resource access has to be understood. The complex nature of the Sundarbans is reflected in its interdisciplinary scholarship, which the article taps into. The secondary literature on the area is a rich vein that offers a fine-grained analysis of the political, anthropological, and environmental crosscurrents that inform this complexity. Theoretical literature on sovereignty and conservation, especially on the interface between sovereignty and ecology, is mined extensively, besides comparative analyses of TBPA governance experiences in different regions across the world. In addition, historical and anthropological studies on Bengal, and Sundarbans in particular, are referred to. The article draws on an array of primary sources that include government reports and action plans, official statistical data, bilateral agreements and memoranda of understanding (MOUs), assessment reports by research and advocacy organizations, and those by regional and global intergovernmental bodies. The article also integrates popular narratives that bring out the socio-cultural politics around conservation in the wetlands. Such an engagement with different analytical levels, it is hoped, would succeed in highlighting some of the complexities of the Sundarbans that lie at the interstices of sovereignty and conservation politics.

Transboundary protected areas: “Conserving” sovereignty?

The Sundarbans, the world’s largest mangrove forest, is where land continues to be made and unmade still. It is also the only mangrove habitat in the world that is home to tigers, specifically to the Bengal tiger. About two hundred tigers inhabit the entire Sundarbans and straddle the border that divides their habitat in two (Jhala et al., 2020, p. 155). The 40,000-square-kilometer area of land and water that constitutes the Sundarbans sits at the deltaic confluence of three rivers: the Ganga, Brahmaputra, and Meghna. Forestland accounts for 55 percent, while the wetlands make up the rest. The Ganga–Brahmaputra river basin carries over a billion tons of sediment load annually, four times that of all the European rivers combined (Centre for Science and Environment, 2012, p. 34). One of the most biodiversity rich regions in Asia, the Sundarbans was recognized as a Ramsar site in 1971 and a UNESCO Biosphere Reserve in 2001. This

follows a growing international practice of designating ecological areas that straddle international boundaries as TBPAs. The International Union for Conservation of Nature (IUCN) defines TBPAs as:

areas of land and/or sea that straddle one or more boundaries between states, sub-national units such as provinces and regions, autonomous areas and/or areas beyond the limits of national sovereignty or jurisdiction, whose constituent parts are especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed co-operatively through legal or other effective means. (cited in Sepúlveda & Guyot, 2016, p. 779)

The validation of this model of conservation by prominent international agencies such as the United Nations Environment Programme (UNEP) and the IUCN explains the proliferation of TBPAs around the world. From the mid-1940s, 121 TBPAs were created over the next two decades, with their number doubling in the 1970s (Barquet et al., 2014, p. 2). According to UNEP, there were 227 TBPAs across the world by 2007 (Brenner & Davis, 2012, p. 500).

Their popularity is on account of not only the global conservation discourse but also the strategic interests of states these serve. TBPAs were promoted for their economic potential, particularly through tourism projects that were seen as significant sources of revenue (Duffy, 1997). Besides capitalizing on wildlife ventures, states undertook extractive activities, including timber logging, mining, and rubber tapping in forest areas, a widespread and well-documented phenomenon (Hecht & Cockburn, 2010). Furthermore, biodiversity hotspots accounted for 80 percent of the world's armed conflicts that occurred between 1950 and 2000 (Duffy, 2014, p. 820). TBPAs are also seen as facilitating regional cooperation through cross-border partnerships on a spectrum of issues such as trade, tourism, and water (Conca & Dabelko, 2002). In instances where bilateral relations were already cordial, TBPAs helped in further consolidating such ties. The Waterton Glacier International Peace Park, the first international peace park in the world to be set up in 1932, combined the national parks in Canada and the United States (<https://whc.unesco.org/en/list/354/>). In cases where bilateral relations were adversarial, peace parks were regarded as improving prospects for peace among states. The signing of the Krakow Protocols by Poland and Czechoslovakia in 1924 establishing three joint national parks came to be seen as an investment in peace. As was also the case with former militarized zones that were littered with landmines. For instance, the setting up of the Emerald Triangle Protected Forest Complex between Cambodia, Laos, and Thailand was expected to aid in clearing landmines in the forested area (Barquet et al., 2014, p. 2).

Given how closely aligned TBPA's are with state interests, the treaties creating these have largely conformed to, rather than challenged, the sovereignty of the participating states (Amerom, 2002, p. 265). To begin with, such agreements make clear that the creation of a TBPA does not amount to a redrawing of the territorial boundaries of member states. Which is to say that while states may consent to jointly conserve a bioregion, it would not come at the cost of their sovereign rights over their respective territories that constitute it.¹ Furthermore, states exert an overweening influence on the operationalization of TBPA's. From legislating a bioregion into being, which entails the synchronization of national laws, to patrolling in the name of controlling poaching and illegal activities within its precincts, TBPA's are designed to permit considerable state discretion (Amerom, 2002, p. 269). As William Wolmer notes, "In practice, by design or otherwise, . . . [TBPA's] have the effect of policing previously remote border areas and bringing them further under the arm of state control, enabling the state to cut down on such nefarious activities as illegal labour migration, poaching and smuggling, or rebel activity" (Wolmer, 2003, p. 265). Imposing curbs on poaching in protected areas is increasingly assuming militarized dimensions. Rosaleen Duffy refers to a veritable "war for biodiversity" that the frequent resort to coercion by international nongovernmental organizations (NGOs) and states has signaled (Duffy, 2014, p. 819, pp. 822–826).

The sovereignty-conforming nature of TBPA's is evident in how explicitly the limits of joint conservation are stated. For instance, the Kailash Sacred Landscape Conservation and Development Initiative (KSLCDI), a UNEP-supported transboundary Himalayan collaboration, which brings together China, India, and Nepal, clearly stresses on "respecting sovereignty" and "following the laws and regulations of the respective member country" (ICIMOD and UNEP, 2010, p. 33). The international treaty establishing the Great Limpopo Transfrontier Park (GLTP) by Mozambique, South Africa, and Zimbabwe similarly emphasizes that "the sovereign rights of each party shall be respected, and no Party shall impose decisions on another" (cited in Amerom, 2002, p. 269). In some instances, TBPA's emerged from the bottom up, through the cooperation of local level officials, as in the case of the Kgalagadi Transfrontier Park (KTP). The operational collaboration between the South African and Botswanan rangers was subsequently formalized by their countries in 1999 when the two national parks were officially recognized as constituting the transfrontier park. Indeed, the GLTP and the KTP, given their contrasting institutional origins, have had different levels of success in addressing operational concerns (Schoon, 2013, p. 422).

Where are the indigenous communities placed vis-à-vis the state and its sovereign claim over resources? In many instances, indigenous rights

take long to be legislated, and where they are recognized under law, their implementation is often tardy. In Venezuela, constitutional recognition does not protect these rights from being repeatedly violated due to mining in areas that fall within indigenous territories (Alès, 2018, p. 50). Despite frequent protests by indigenous groups, their right to prior consultation over development projects planned in their area is oftentimes not respected. The state's power to dismiss indigenous right claims was evident in President Hugo Chávez's curt rebuke in 2005, "Do not ask me for the moon" (cited in Alès, 2018, p. 58). Elsewhere too, communities suffered dispossession and the fragmentation of their lands as a result of territorial reconfigurations. The Mapuche territory in Northern Patagonia straddles Chile and Argentina in the Andean region and, before the states came into being, was an open frontier. The three protected areas created in the early twentieth century became the means to demarcate the international border between the two countries, in the process hiving off the Mapuche lands. Argentina went on to proclaim six "border parks" from 1934 to 1954, all located along its international borders with Brazil, Chile, and Paraguay (Sepúlveda & Guyot, 2016, p. 770). That Argentina and Chile have begun experimenting with participatory management mechanisms is in no small measure due to the efforts of Mapuche organizations at forging cross-border linkages. Mapuche representatives and intellectuals leveraged various strategies, including the creation of a national flag and the use of inverted maps to highlight the subversion of indigenous sovereignty and to push for the co-management of their customary lands that fall within protected areas (Sepúlveda & Guyot, 2016, pp. 774–775).

It is then not surprising that political patronage, funding, and expertise have cohered to make transboundary conservation an acceptable conservation model (Vivekanandan, 2020). However, this recent coalescing of priorities belies the complex sociopolitical histories of these borderlands, where conservation politics cannot be understood sans this historical context. South Asia bears the anxieties of the colonial and the postcolonial moment(s), as it were. States asserted their newly won sovereignty in ways that sought to rupture, even negate, much longer histories of mobility (Samaddar, 1999). Such assertions were, as a result, subject to contestations from both, within and without. The postcolonial state in South Asia, wary of any attempts at diluting the norms of sovereignty, responded through renewed spatial claims. This wariness was also manifest in its reluctance to fully espouse the cause of regional institutionalism. Regional institutions in Asia served to embed norms of non-interference, equality, and independence, which meant that they tended to be conservative rather than transformative, unlike in Europe (Acharya, 2003/2004, p. 159). Hence, the trading away of autonomy that

“sovereignty bargains” partly entails (Litfin, 1997) does not become apparent in the Asian context.

This conformist nature of regional diplomatic practice in Asia is reflected in how TBPAs such as the Sundarbans are managed in South Asia. The post-partition border as a geopolitical reality impinges on the management of the ecologically connected wetlands and on its inhabitants. The question as to “whose territory was being partitioned in 1947?” (Chaturvedi, 2005, p. 106) may well be asked by the islanders of the Sundarbans who have borne the brunt of shifting geopolitical realities. The Bangladesh–India border itself, the world’s fifth longest land border, has been the site of a mammoth fencing project, even as the two countries exchanged enclaves located on either side of the border in 2015. The following section contextualizes the discourse on conserving the Sundarbans within the state building processes that unfolded in the twentieth century and the sovereignty claims on the region this entailed. A brief outline of the ecology of the Sundarbans prefaces this discussion.

“Silting over its past”²: The shifting significance of the Sundarbans

The Sundarbans has been the site of many partitions; the border region did not escape the vicissitudes of remapping that Bengal witnessed in the twentieth century. The contours were drawn early. The administrative division of Bengal into East and West in 1905 became a political reality in 1947 when the eastern flank became East Pakistan and the western half remained a part of India as West Bengal. In the political churning that dislocated 10–12 million people in the subcontinent—the largest migration in human history—the Sundarbans did not remain unaffected. The painful imposition by its post-partition bifurcation between India and Pakistan was to transmute yet again in 1971 when East Pakistan seceded to become the independent state of Bangladesh. Sundarbans now lay straddled across a newly created political border, with 60 percent of the mangrove forests in Bangladesh and the remaining area in India. However, the chronology of definitive dates belies the almost constant state of flux Bengal found itself in from the 1930s onward. Over five million people crossed into India till 1970. The liberation struggle for Bangladesh brought another 10 million refugees from across the border in 1971, two million of which subsequently chose to remain in India. Their numbers were such that they came to constitute 15 percent of the total population in West Bengal by 1973 (Chatterji, 2007, p. 151).

As against the regimen of state-mandated settlements such as in the distant Dandakaranya, the Sundarbans held out as the land of refuge,

prompting 30,000 refugees to migrate to Marichjhapi, an island on the Indian portion of the mangrove forests, in 1978 (Chatterji, 2007, p. 137). The refugees who made Marichjhapi their home worked hard to improve the living conditions there in the absence of government relief. From setting up schools and a health center to starting a thriving fishing industry, they strove to make their settlement in Sundarbans a fully functional one. To the government, these efforts on the part of refugees had an alarming sense of permanence about them, prompting its Refugee Relief and Rehabilitation Department to declare in 1979 the refugees to be “in unauthorised occupation of Marichjhapi which is a part of the Sundarbans Government Reserve Forest” (cited in Mallick, 1999, p. 107). Restrictions on all movement in and out of the island soon followed; interestingly, invoked under the Forest Preservation Act. Resistance from the refugees was met with forcible evictions that resulted in hundreds being killed. The brutal state action and forcible eviction of the rest is engrained in the memory of the Sundarbans islanders as the “Marichjhapi massacre” (Jalais, 2007, p. 4; Mallick, 1999). The history of the Sundarbans was, hence, inextricably linked to state building practices and discourses in the region.

Today, of the 104 islands that fall on the Indian side, 54 are inhabited by 4.5 million people. At over one thousand persons per square kilometer, Sundarbans is among the most densely populated parts of India, perhaps worldwide as well ³ (Noguchi et al., 2012, p. 72). The land, particularly to the south, is marshy and has yielded to the ingresses of saline water. The high saline content has meant a chronic shortage of locally grown crops and fresh drinking water. Eighty-five percent of the people in the Indian Sundarbans survive on the only paddy crop that can be harvested in a year. The islanders depend on the city for essential items, such as grain, vegetables, and oil, which have to be ferried to the island villages (Jalais, 2010). In this tidal belt, it is on the 5,363-square-kilometer area of the reclaimed land that all of human habitation is. Across the border, 7.5 million Bangladeshis are dependent on the mangrove forests for their living. With two-thirds of Bangladesh lying at an altitude of less than five meters above sea level, it is little surprise that a quarter of the country is flooded each year. The world’s first inhabited island to succumb to rising sea levels was in the Sundarbans with the permanent flooding of the Lohachara island on the Indian side in 2006 (Lean, 2006).

The islands, swept by daily tides and often ravaged by cyclones such as the Aila, have not seen much development. The per capita income in the Indian side of the region is less than half of the average of West Bengal (Chakraborty, 2010, p. 47). Over 43 percent of the households in the Indian Sundarbans fall below the poverty line, almost double the figures for the remaining blocks in the two districts of North and South 24 Parganas

in West Bengal (Centre for Science and Environment, 2012, p. 16). Per capita land holding in the Sundarbans is among the lowest in India at 0.084 hectare as compared to the national level figure of 1.33 hectare (Centre for Science and Environment, 2012, p. 39). Only 17 percent of the population in the Indian Sundarbans has access to electricity and 1 in 10 persons to banking facilities. The 1:50,000 doctor–patient ratio in certain areas is a far cry from the government-mandated ratio of 1:1,000 (Centre for Science and Environment, 2012, p. 54, p. 61). It is evident that the forested districts of West Bengal fare poorly by most development indicators as compared to the rest of the state. The state is home to several protected areas, including national parks and sanctuaries that account for over one-third of its total forested area. The Sundarbans is not an isolated phenomenon of policy-induced deprivation among forest populations. From the (still operational) Forest Act of 1865, whereby forest areas were brought under the control of the Colonial Forestry Service, to the West Bengal Estate Acquisition Act of 1953, customary rights of the people were systematically overrun and outlawed.

The politics of conservation

The fate of the Sundarbans is often determined by factors located in distant settings and by policies informed by larger agendas. It has been the site of concerted efforts by state and private capital, which in their bid to develop it as a tourist hub, project it as “virgin islands” offering spaces of “pristine glory.”⁴ The complexities involved in conserving the Sundarbans have to be understood in light of sovereign claims over both natural and human resources. The conservation of the mangrove forests has tended to be managerial overlooking the socio-cultural nuances that define relations of local communities with their habitat. Together, these have set in motion a series of processes that regulated and restricted access to the Sundarbans, which made them fraught with contestation.

“Waterlogged wealth”

Wetlands have historically been regarded as repositories of natural resources and states have sought to bring this “waterlogged wealth” under their control for the purposes of infrastructure development (Maltby, 1986). Once the state moved in to tap the abundant timber reserves in the Sundarbans to feed its rail- and ship-building projects in the nineteenth century, forest legislation placing the forests under its purview soon followed. Through the Forest Act of 1878 and the National Forest Policy of

1894, the Sundarbans was designated as a Protected Forest. Its reserved status meant that the mangrove forests became the property of the state, and local communities were denied any entitlement to forest produce unless permitted by the government. The swelling of reserved forest lands from 2,292 square kilometers in 1875 to 4,879 square kilometers in less than a century (i.e., by 1943), appeared to execute the colonial resolve to monopolize, evident in the Forest Department's Report of 1867 that regarded these lands as "a permanent source of revenue" (cited in Chakraborty, 2010, p. 45).

Pakistan's forest policy of 1955 mandated the continued extraction of the Sundarbans' natural resources, while its policy of 1962 allowed for their commercial and industrial use. (Roy et al., 2012, p. 48) As global debates on environmental concerns gathered pace in the 1970s, governments in South Asia responded with a rash of measures. Newly independent Bangladesh issued the Bangladesh Wildlife (Preservation) Order in 1973 and subsequently the National Forest Policy in 1979 that imposed restrictions on the commercial extraction of the forests. India, on its part, passed the Wildlife Protection Act in 1972 and flagged off the much-touted Project Tiger the very next year with a mission to protect the dwindling tiger population in nine identified reserves. The Bengal tiger's status as the national animal of both India and Bangladesh is indicative of how tiger protection captured the political imagination of the ruling elite in both countries.

Conservation as exclusion

Be it the right to residence or the prerogative to utilize resources, the status of indigenous communities living in protected spaces tends to be markedly distinct from the rest of the population. By regulating access to land and resources and by enforcing sedentarisation policies, national parks have become disturbing metaphors of social exclusion. The implementation of Project Tiger had profound implications not only for the equation of local communities with their environment but for cross-border conservation as well. Predictably prioritizing the tiger, the Tiger Task Force mandated the delineation of a core area that lay beyond human access, girdled by a surrounding buffer zone in which villagers would be allowed restricted entry. That tiger conservation and the sustainability of the Sundarbans were seen to be operating in mutually exclusive spheres was evident from the two MOUs that India and Bangladesh inked in 2011. "The protocol on conservation of the Royal Bengal tiger of the Sundarban" between India and Bangladesh acknowledges their "shared and common concern" to conserve the endangered species. However, people are conspicuous by their absence, save for the mention of "human casualties that take place

in the Sundarban by tiger attacks” in Article III (Government of India and Government of Bangladesh, 2011b, p. 2). In the same vein, the “MOU on conservation of the Sundarban” recognizes the Sundarbans as “a single ecosystem divided between the two countries” (Government of India and Government of Bangladesh, 2011a, p. 1). Its acknowledgment that “the Sundarban ecosystem is greatly influenced by human use” comes with a passing mention of the commitment to “organise joint tiger estimation at regular intervals” (Article VI, p. 3). Bangladesh’s Forestry Sector Master Plan (1993–2012) also sought the preservation of the Sundarbans but without making adequate provisions to secure the rights of the local communities. Although subsequent national forest policies sought to allow them greater access rights, conservation has remained decoupled from issues of subsistence and displacement-induced uncertainties.

The Sundarbans continue to suffer from lopsided development priorities. Ironically, Bangladesh and India have chosen to collaborate more for development projects in the region than for cross-border conservation. The Bangladesh-India Friendship Power Company Limited was established in 2012 with the purpose of setting up the Rampal thermal power plant in the Bagerhat district of Bangladesh. The coal power project, planned at a mere four kilometers from the ecologically critical area (ECA) girdling the Sundarbans, has drawn widespread domestic and international criticism, including from UNESCO and IUCN, for the polluting impact it would have on the Sundarbans ecosystem. Local and international civil society actors contend that not only has land acquisition for the project compromised with standard environmental procedures, it also threatens to displace 3,500 landowning families in the area (Pisharoty, 2018). Besides the Rampal power plant, 190 industrial plants, including cement factories, oil refineries, and brick kilns, have been permitted by the Bangladesh government to operate within the ECA (Roy, 2018). Although eventually shelved, the INR 5.4 billion-worth Integrated Sahara Tourism Circuit Project had caused the eviction of the fishing community from the island of Jambudwip in 2002, meant to make way for a “world class city-centre spread over 250 km² of water surface” (cited in Jalais, 2007, p. 2). This gradual industrialization and commercialization that imperils the fragile ecology raises troubling questions about resource prioritization and its impact on conservation.

Regulating access

Nowhere are the discrepancies more evident than in the selective implementation of India’s Forest Rights Act of 2006. The Act, a landmark legislation that recognizes the rights of forest communities and their role in forest management, was widely regarded as a long overdue corrective measure

intended to reverse centuries of exclusionary ecological practices. Yet, the West Bengal Forest Department issued a notification in 2011 that the Forest Rights Act will not be applicable to the Sundarbans. This meant that the indigenous communities were banned from collecting honey and fishing in the Sundarban Tiger Reserve. The unilateral decision to increase the ambit of the critical tiger habitat from 985 to almost 1,700 square kilometers adversely hit the livelihood prospects as all human activities within the demarcated area were outlawed.

Furthermore, wetlands in India fall under different jurisdictions, with those within protected areas being regulated by the Wildlife Protection Act (1972) and the rest by the Environment Protection Act (1986) (D'Souza et al., 2017, p. 576). Needless to say, this has compounded the lack of inter-ministerial coordination when it comes to wetlands conservation. This is further exacerbated by hierarchical institutional structures that tend to induce a cycle of dependency. For instance, forest management in Bangladesh is still largely state-controlled, evident from the fact that major development activities by the Bangladesh Forest Department intended for the Sundarbans are channeled through its Annual Development Programme (ADP). The budgetary allocations of the ADP toward the Sundarbans constituted a mere 19 percent of the total funds allotted for forestry in 2008–2009, none of which was directed toward building local capacity or improving standards of living (Roy et al., 2012, p. 47).

The cultural politics of the Sundarbans

The locals, on their part, acknowledge the dangerous and treacherous terrain Sundarbans presented. Well aware that they are venturing into the tiger's domain, the villagers' dependence on the forests is unavoidable and, in many cases, fatal. However, the forest was regarded as a common pool resource, reflected in the folklore about the Sundarbans. The benign and restraining influence of *Bonbibi*, the deity believed to oversee the Sundarbans and its inhabitants, is central to understanding the web of interconnectedness that binds the tiger and the human together in an organic whole. As a mother to both, she exhorts them to share "forest food" and respect each other's space within the forest (Jalais, 2010, p. 74). Local perspectives on the tiger's realm and the sanctity of *Bonbibi's* domain emphasize how territory is socially constructed in ways that repeatedly challenge the state's resource-centric perspective. Myth-making imbues territory with multiple registers of meaning that make it open to constant contestation and negotiation. Local populations, having created and sustained a center of authority distinct from the state, act as agents in their own right in the way they cognize the environment. This is akin to the Rautes, the Himalayan community in Nepal who regard themselves as

“the political subjects of the trees” (*Bot Praja*), thereby elevating the forest to the position of a ruler (*raja*) (Fortier, 2010, p. 105). To the extent that *Bonbibibi* is invested with the authority to regulate the human–environment interface, she becomes a manifestation of popular sovereignty.

The politics of conservation in the Sundarbans needs to be contextualized within this set of cultural moorings. Perhaps there cannot be a more telling instance of human–environment entanglement than the metaphorical significance of the Bengal tiger. The tiger occupies a central position in the socio-cultural history of the Sundarbans; its fate has come to symbolize the upheavals that the Sundarbans and its people have endured. Annu Jalais chronicles the construction of their parallel histories in the popular narrative and finds remarkable similarities between them. The portrayal of the tiger is significant in understanding how the Sundarbans came to be regarded as a land of migrants from both, across the border and within the state. Local beliefs hold that the tiger migrated from Java and Bali to the Sundarbans to escape extensive hunting. The tiger’s search for refuge that led it to eventually settle in the islands is an articulation of the ordeals that the migrants endured before making the Sundarbans their home (Jalais, 2010, p. 147). Cohabiting a shared mythical space led each to empathize with the other. This understanding, borne out of a shared sense of dispossession, the settlers believe, defines the dynamic balance in the mangrove forests. However, for the locals, the entire tiger conservation campaign amounted to fetishizing the animal and its subsequent alienation from the people (Jalais, 2010, p. 172). Tiger tourism has further transformed and packaged this fetishized animal into a commodity (Vasan, 2018, p. 487). The official recognition extended to the tiger by both India and Bangladesh was to them an unequivocal indication that, on either side of the border, the Sundarbans mattered solely as tiger habitat.

This disjuncture offers insights into how conservation policies were transforming relations between the land and its people. Poaching as a local practice in the Sundarbans has to be seen in this context. It is justified as an act of defiance and protest against the criminalization of tiger-related human casualties, which the administration saw as clear instances of trespassing (Jalais, 2010, p. 147). In the absence of a strategy to tackle man-eaters that preyed on villagers and their cattle in the neighboring villages with alarming regularity, locals invite the government’s ire if they were to kill a tiger on a rampage. The Bangladesh Sundarbans witnesses the highest number of tiger-caused human casualties in the world, averaging 20 to 30 people each year as per the Forest Department reports (1984–2006), and the retribution tiger killings are symptomatic of the tiger–human conflict (Ahmad et al., 2009, p. 18). The alienation of indigenous communities is palpable in local narratives in which both the state and the tiger

are transformed into embodiments of oppression. Locals believed that their protected status made the tigers arrogant and transformed them into creatures the islanders no longer identified with (Jalais, 2010, p. 172). The narrative reflected a deep sense of disconnect the locals felt with the state given that its intervention privileged the wellbeing of the tiger over theirs.

Conservation as sustainable transboundary governance

The Sundarbans figures in the World Heritage Convention's list of sites with Outstanding Universal Value. World Heritage sites sit at the apex of the pyramidal structure that arrays subnational sites, national systems, and subregional and regional networks along with other international sites in an increasing order of international recognition. Module 8 of the Secretariat of the Convention on Biological Diversity (2011) likewise asserts that "[s]ub-national and local authorities are critical policy-makers, especially with regards to biodiversity conservation, restoration, and sustainable use." However, an administrative mindset to ecological concerns in India and Bangladesh has informed much of conservation efforts in the Sundarbans. A 2020 report by the Indian government acknowledged, "It is important that this transboundary [tiger] population is managed as a single population. Despite efforts by forest departments of both countries, joint patrolling and joint management activities have yet to commence" (Jhala et al., 2020, p. 155).

Streamlining governance structures in both countries would entail doing away with the institutional deadwood that makes administration in the Sundarbans intractable. On the Indian side, a bewildering array of departments, often working at cross-purposes, has reduced the Sundarbans Development Board to duplicating responsibilities despite its clear mandate to be the nodal agency. The Bangladesh Tiger Action Plan (2009–2017) acknowledged that tiger conservation has to be synchronized with both Bangladesh's own national development plans and India's conservation strategy through transboundary initiatives (Ahmad et al., 2009, p. 32).⁵ India too, in recognizing that "the entire Sundarbans region is one ecosystem" had mooted the idea of a joint initiative, the Indo-Bangladesh Sundarbans Ecosystem Forum in 2011 (MOEF, 2010, p.4). The mandate of the proposed forum, to preserve the shared heritage of the Sundarbans, was to be effected not only by the two governments but also by local communities and civil society actors active in the area. Although the initiative was to be formalized during the Indian Prime Minister's visit to Bangladesh in 2012, the proposal is yet to see the light of day.

Civil society groups have been instrumental in the past in providing the impetus for transboundary conservation initiatives and effectively influenced governmental forestry practices (Stefanick, 2009). Joint Mangrove Management programs were initiated in the Sundarbans as part of efforts to increase community management of mangrove wetlands. Local NGOs have been instrumental in bringing deaths caused by human-wildlife conflicts to the attention of the Forest Department so that the requisite compensation can be provided to the bereaved families (D'Souza et al., 2017, p. 585). Further, instances such as Bangladesh's experiment with community radio are indicative of new spaces opening up for non-state actors and development agencies. The initiative, operating as an early warning system in cyclone and flood prone areas, offers innovative takeaways for the Indian district administration to work with. West Bengal is the first state to initiate one of the earliest experiments in multilevel governance of natural resource management in India.⁶ The successful regeneration of forest cover that followed prompted the central government to launch the Joint Forest Management program (JFM) in 1990 modeled on West Bengal's participatory forestry model. In the two decades of its existence, JFM-run forests have come to comprise over one-third of the total forest cover.⁷

An important step toward recognizing the significance of local communities in natural resource management is the project of compiling biodiversity registers undertaken by the Indian state. Mandated by the National Biodiversity Act in 2002, the documentation is aimed at bringing indigenous knowledge systems within the fold in ways that address deficiencies in the existing body of scientific knowledge. With much of this traditional wisdom remaining undocumented, the exercise acknowledges communities as the repositories of knowledge and their engagement with the environment at a granular level. As with social and development theory, conservation theory too has come to recognize that the complexities of ecosystem management necessitate local community participation. The assertion by native leaders from across Latin America in 2007 that "[i]ndigenous peoples do not live within Protected Areas. Protected Areas are within indigenous territories" was a demand for recognition and an assertion of indigenous sovereignty (cited in Sepúlveda & Guyot, 2016, p. 774).

A significant aspect that deserves focus, particularly in the South Asian context, is that of state capacity. Conservation and environmental practices crucially turn on the capacity of states to translate intent into practice. Karen Litfin's discussion of "quasi states" is pertinent in this regard (Litfin, 1998, p. 7). While states sign on to international agreements as sovereign entities, they might lack the wherewithal to oversee and implement treaties and standards. Quasi states, by drawing attention to limits

of “operational sovereignty,” underline the futility of taking constitutional freedom as a definitive interpretation of sovereignty. It remains to be seen how, and if at all, transboundary cooperation can put back together the splintered self of the Sundarbans. This may certainly not end with the effective erasure of a boundary that cleaves it in two, but it could begin with an enquiry into whether its dispersed residents on either side can be regarded as a community with its own identity claims. It is evident that governance in the Sundarbans is refracted through citizenship, although exclusion politics have found other modes of articulation too in the past. The bordering practices by the two states have meant that the Sundarbans ecosystem is viewed through fractured frames. Indeed, the easy recourse to national policy making has stymied cross-border initiatives that are more difficult to achieve, given the need for sustained investment of political capital from both sides and its attendant uncertainties. Bangladesh and India have considerable ground to cover before governance in the Sundarbans takes precedence over sovereignty.

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NOTES

1. According to the World Resources Institute, a bioregion is “a geographic space that contains one or several nested ecosystems. It is characterized by its land forms, vegetative cover, human culture, and history, as identified by local communities, governments, and scientists” (cited in Barquet, 2015, p. 266).
2. Ghosh, *The Hungry Tide*, 2005, p. 59.
3. According to the Government of India Census 2011, South 24 Parganas has a population density of 819, while North 24 Parganas has 2,463. The national average is 382.

4. Cited in Jalais, 2007, p. 2.
5. In 2004, both countries conducted a joint tiger census with financial assistance from UNDP.
6. Four decades ago, the state forest department launched a pilot project enlisting the help of local communities to revive the degraded forest resources. For their assistance with planting and maintaining the saplings, the villagers were offered a quarter share of the revenue generated from timber sale and access to minor forest produce.
7. The promised revenue shares have been calibrated by the forest department to the disadvantage of local communities. It has caused disillusioned members to resort to illegal felling, undermining the very program they had ventured to promote.

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¿Arañazos a nuestra soberanía?: Analizando la política de conservación en los Sundarbans

Jayashree Vivekanandan

Resumen: El artículo examina críticamente la política de conservación en el Área Protegida Transfronteriza (APT): los Sundarbans en Bangladesh e India. Explora por qué, a pesar de la colaboración bilateral, la conservación ha tendido en gran medida a ajustarse a prácticas de soberanía vertical y excluyente. La sola demarcación territorial de las APT, se convierte en un fuerte acto político con implicaciones significativas en la equidad social. El artículo examina la política cultural de la conservación, ya que las protestas al poder del Estado a menudo tienen implicaciones en la articulación de la soberanía popular en los Sundarbans. Argumenta que la sostenibilidad social de la conservación dependerá fundamentalmente de cómo se enmarquen, negocien y aborden las cuestiones de acceso a los recursos y su gobernanza.

Keywords: Área Protegida Transfronteriza (APT), Bangladesh, conservación, gobernanza de recursos, hábitat del tigre, India, soberanía

Des égratignures sur notre souveraineté? Une analyse de la politique de conservation dans les Sundarbans

Jayashree Vivekanandan

Résumé: L'article analyse de manière critique la politique de conservation dans une aire protégée transfrontalière (APT) en Asie du sud, la forêt des mangroves des Sundarbans au Bangladesh et en Inde. Il explore les raisons pour lesquelles, malgré les instruments de coopération entre les deux États, la conservation a adopté des pratiques de souveraineté étatique qui l'ont rendue verticale et exclusive. La démarcation du territoire des aires protégées est un acte profondément politique qui a des implications en matière d'égalité sociale. L'article examine la politique de conservation à travers des actes contestaires vis-à-vis du pouvoir étatique qui ont souvent favorisé une articulation de la souveraineté populaire dans les Sundarbans. Il met en évidence que la durabilité sociale de la conservation dépend de l'encadrement, de la négociation et de la promotion des thèmes d'accès aux ressources et de la gouvernance.

Mots-clés: Bangladesh, conservation, Inde, gouvernance des ressources, souveraineté, habitat du tigre, aire protégée transfrontalière (APT).

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