

Developing Countries and Global Environmental Governance: From Contestation to Participation to Engagement

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Abstract. Developing countries did not start off as *demandeurs* of global environmental governance. Although they are still rather skeptical about the global environmental enterprise, they have come a long way from being the vigorous contestants that they were three decades ago. This fascinating evolution has not only changed the views of developing countries but has also transformed the shape of the global environmental discourse, most significantly by turning what used to be global environmental politics into what is now the global politics of sustainable development. This paper charts this evolution by using the twin conceptual lenses of effectiveness and legitimacy and the heuristic markers of the three key global conferences on the global environment (Stockholm 1972; Rio de Janeiro 1992; Johannesburg 2002). The paper argues that the pre-Stockholm era was exemplified by a politics of *contestation* by the South; the Stockholm-to-Rio period was a period of reluctant *participation* as a new global compact emerged around the notion of sustainable development; and the post-Rio years have seen the emergence of more meaningful, but still hesitant, *engagement* by the developing countries in the global environmental project but very much around the promise and potential of actualizing sustainable development.

Key words: development, governance, transformation

The collective of developing countries, usually referred to as ‘the South,’ did not start off as *demandeurs* of the complex system of global environmental governance that has emerged over the last half century. Although they are still rather skeptical about the global environmental enterprise, they have come a long way from being the vigorous contestants that they were three decades ago. This transformation – although slow, halting, reluctant, and still incomplete – has been a fascinating evolution which has not only changed the views of developing countries but has also transformed the shape of the global environmental discourse, most significantly by

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turning what used to be global environmental politics into what is now the global politics of sustainable development.

This paper charts the evolution of this transformation in the global environmental discourse by using the twin conceptual lenses of effectiveness and legitimacy. The analysis begins with the recognition that the South remains a key but reluctant actor in global environmental policy whose ability to influence global environmental processes has remained severely constrained by its self-perception of marginalization and its capacity-limitations. Using the heuristic markers of the three key global conferences on the global environment (Stockholm 1972; Rio de Janeiro 1992; Johannesburg 2002) we will trace how the Southern sense of legitimacy (or lack thereof) of the global environmental governance enterprise has evolved over the years.

Using the conceptual framework of effectiveness and legitimacy can help us distil not only the lingering divide between Northern and Southern conceptualizations of this global debate, but hopefully also highlight potential paths to bridging this divide. In the first section we will briefly review the concept of the 'South,' why developing countries that are otherwise a very disparate and heterogeneous group have consistently chosen to negotiate collectively on a number of (but not all) global issues, and particularly on environmental issues. This will be followed by three chronological sections that will look, respectively, at the years culminating in the 1972 Stockholm conference, the post-Stockholm period culminating in the Rio de Janeiro Earth Summit of 1992, and the post-Rio period including the 2004 Johannesburg Summit on Sustainable Development. In summary, the three sections will argue that the pre-Stockholm era was exemplified by a politics of *contestastion* by the South; the Stockholm-to-Rio period was a period of reluctant *participation* as a new global compact emerged around the notion of sustainable development; and the post-Rio years have seen the emergence of more meaningful, but still hesitant, *engagement* by the developing countries in the global environmental project but very much around the promise and potential of actualizing sustainable development.

1. Understanding the South

Global environmental debates are very much a subject of 'North-South' politics. While some in the industrialized countries of the 'North' may find the impulse for collective bargaining by the developing countries to be irksome, most developing countries continue to operate, at least in part, under the collective banner of the global 'South' in international environmental negotiations. The insistent choice to use the term 'South' is more than a matter of semantics and reflects a central aspect of their collective identity and their desire to negotiate as a collective.¹

Of course, individual developing countries – particularly the larger and more powerful ones – retain, and vigorously pursue, their specific national interests, either

within the collective or separately. Arguably, this tendency might even magnify as global environmental politics moves from its still declaratory stage to a more substantively regulatory phase. However, the more dominant presence of developing countries in global environmental politics has come through the collective voice of the South, articulated through the Group of 77 (G77). Let us, therefore, begin by understanding the nature of the collective 'South' and the G77.

The popular view of the North-South divide as a binary distinction between 'haves' and 'have nots' is a shorthand, and not untrue, way of understanding the concept.² However, one must remember that what the South wishes to 'have' is not simply economic development, but a say in the political decisions that affect its destiny (Thomas 1983; Krasner 1987). For example, the 1990 South Commission Report defined the term in a decidedly political context by talking not merely about economic poverty but about the 'poverty of influence' (South Commission 1990: 1). The self-definition of the South has always been a definition of exclusion: these are countries that believe that they have been 'bypassed' and view themselves as existing 'on the periphery.' Viewed as such, the South is not simply a raggedy bunch of poorer countries, it is a collective of countries that consider themselves to have been disempowered, marginalized and disenfranchised by the international system. *In the context of our defining framework, then*, 'Southness' stems not just from a sense that the international system is ineffective in responding to Southern concerns, it grows out of the belief that the system is less than legitimate in terms of its commitment to Southern interests. Indeed, the call from the South in the 1970s for a 'New International Economic Order' was not just a desire to make the international system more 'effective' it was very explicitly a call to make it more legitimate by redressing what they considered the imbalance of 'voice' in the international system (Hansen 1975; Murphy 1984; Krasner 1987). Understanding the limitations of their own options, the South has sought such systemic change from global negotiations, often referred to as North-South dialogue (Menon 1977; Ayoob 1995). The last three decades of global environmental negotiations are very much a part of this ongoing quest by the South for what they would consider a more legitimate global order (Williams 1993; Grant, 1995; Najam, 2004a). It is not surprising, then, that when those from the South speak of 'effectiveness' or 'legitimacy' they refer not just to the effectiveness and legitimacy of environmental instruments, but of the international system as a whole.

Of course, there are those who tackle the 'problem' of the South by simply questioning its existence; or the desirability of its existence.³ Unwarranted obituaries have been, and remain, an enduring feature of the collective's decidedly rocky history. However, the resilience of the South has continued to confound these critics. At the simplest level, what Roger Hansen (1979: 2) had to say about why thinking in North-South terms was valid 25 years ago, seems equally valid today: "If over [130] developing countries time and again, in forum after forum, act as a diplomatic unit, they would seem to merit analysis as a potential actor of major importance in the international system."

Indeed, the last 10 years of global environmental diplomacy has only made the South, as a term as well as a negotiating reality, more visible on the global stage (see Najam 2004a). The reinvigoration that the South, especially the G77, seems to have enjoyed during and since the 1992 Rio Summit, and the prominence (re-)gained by the South as a relatively cohesive negotiating collective took many by surprise. After all, the long-standing economic, political and geographic differences within the South could only be compounded by the environmental differences between them. In fact, at many turns during the 1992 Earth Summit, and in global negotiations since then, differences within the developing countries of the G77 have led to apparent fractures and frictions in the collective. For example, in the climate change negotiations the influential oil-producing members of the G77 have had a significantly different agenda than the G77 members of the Alliance of Small Island States (AOSIS) and other coastal nations that are frontline states for possible sea-level rise (Miller 1995; Moomaw 1997). In the negotiations on desertification the dispute between African and non-African members on the priority for Africa within the Convention nearly brought the G77 to a halt (Agarwal, Narain and Sharma 1999; Corell 1999; Najam 2004b). Negotiations on the biosafety protocol within the biodiversity convention also saw the developing countries differing significantly based on their particular trade priorities (Cosbey and Burgiel 2000). Yet, in looking at the accumulated experience, these differences have been neither deep nor lasting. Indeed, they have been exceptions to an otherwise remarkable sense of collectivity. This is a weak unity, but a resilient collectivity.

The surprise is not that developing countries had different priorities on specific issues. It is that even when they chose to pursue their differentiated interests in global negotiations they nearly entirely did so within the framework of the G77 collective. True to form, the collective has remained remarkably resilient in the face of conditions that should have predicated disintegration. Porter, Brown and Chasek (2000) explain: "Despite growing disparities among the developing countries between rapidly industrializing countries such as China, India, Malaysia, and Brazil, and debt-ridden countries that have experienced little or no growth since the 1980s, such as most of sub-Saharan Africa, Vietnam, Myanmar, and Nicaragua, developing countries share a common view of the relationship between global environmental issues and North-South economic relations." It is this common view of the nature of the environmental problematique and its placement within a North-South framework which suggests that the collective South will continue to play an important role in future global environmental politics.

Institutionally, the South consists of two distinct organizations, the Non-Aligned Movement (NAM) and the Group of 77 (G77). The roles played by the two in furthering the Southern agenda have been distinct, but complimentary. According to Sauvart (1981: 5), "while the Non-Aligned Countries [have] played a key role in making the development issue a priority item of the international agenda, the Group of 77 has become the principal organ of the Third World through which the concrete actions are negotiated within the framework of the United Nations system." In terms

of actual negotiations in general, and environmental issues in particular, the *G77* remains the collective voice of the developing countries in global environmental politics. To the extent that there is a meaningful collective voice of the developing countries as a group, it is articulated by the *G77*.

The Group of 77 has been described by Julius Nyerere (1980: 7), former President of Tanzania, as the “trade union of the poor” and is functionally the negotiating arm of the developing countries’ collective. Although it emerged around the same time as NAM, *G77* has its own distinctive origins and, unlike NAM, was born within – and primarily as a result of – the changing composition of the United Nations in the 1960s. Starting as a temporary caucus of 77 developing countries, it has now grown into an ad hoc but quasi-permanent negotiating caucus of 134 members, plus China (which has, from the very beginning, had a special status as ‘Associate Member’ but plays an influential role in the collective). Annual Ministerial Meetings, convened at the beginning of the regular sessions of the UN General Assembly, serve as the major decision-making body. Special Ministerial Meetings are periodically called to focus on particular issues or to prepare for important global negotiations. *G77* ‘hubs’ have sprung up at New York, Geneva, Rome, Vienna, Paris, Nairobi, and Washington where various international organizations are based. In addition, *G77* caucuses are active in most international negotiations where they adopt joint bargaining positions and strategies, and the group’s Chair serves as the spokesperson for the entire caucus. The *G77* chairmanship rotates between its three regional sub-groups – Asia, Africa and Latin America – on an annual basis and the Chair’s delegation serves as a de facto secretariat assisted by a very small secretariat staff at the UN headquarters in New York.⁴

2. The Road to Stockholm: Contestation

Our story begins in Stockholm, Sweden, which hosted the 1972 United Nations Conference on the Human Environment (UNCHE). It is striking that the vast literature on the history of the North–South conflict and the equally vast scholarship on international environmental politics treat the role of developing countries at the Stockholm conference as a mere footnote. This may be because soon after the Stockholm conference the world was hit by the oil crisis of 1973, which is popularly depicted as the ‘official’ beginning of the North–South tussle. While the oil crisis was certainly the event that brought Southern concerns to the forefront of global attention, in fact, UNCHE was one of the first major global forums (outside of the UNCTAD – the United Nations Conference on Trade and Development) where the South consciously negotiated as a unified collective and adopted many of the very same substantive arguments and negotiation strategies which were soon to become the hallmark of its call for a New International Economic Order (Rowland 1973).

Developing countries came to Stockholm quite reluctantly and after much cajoling by the conference secretary general, Maurice Strong. They questioned the need for such a conference and viewed it not just as a distraction but as a threat to their

interests; indeed, at one point before Stockholm there was the real fear that the developing countries might decide not to show up for the conference (Kay and Skolnikoff 1972; Rowland 1973). Some developing countries distrusted Stockholm as an attempt to “ratify and even enhance existing unequal economic relations and technical dependence, miring them in poverty forever” (Hecht and Cockburn 1992: 849). Others argued that having created comfortable standards of living for themselves, the industrialized countries wanted to “pull the ladder up behind them” (Rowland 1973: 47) to “slow planetary industrialization in order to replenish the spoiled ecosphere” (Pirages 1978: 64). Exemplifying this mind-set was the famous statement from Ivory Coast, which announced that it would prefer more pollution problems [in comparison to poverty problems], “in so far as they are evidence of industrialization” (Rowland 1978: 50). But what is most important to recall is that they were contesting not the conference as much as its very purpose – that is, the importance of environmental issues as a global priority. (*Also see* Founnex 1972; Pell and Case 1972; Kay and Skolnikoff 1972; Rowland 1973; Clarke and Timberlake 1982; UNEP 1982).

To their own surprise, however, Stockholm provided the developing countries an unanticipated and unprecedented opportunity to craft and present a Southern position on global environmental issues. Just like the Rio Earth Summit would do twenty years later with the fall of the Berlin Wall, it was the coincidental Soviet bloc boycott (except Romania and Yugoslavia) of the Stockholm conference that allowed the developing countries to assume an importance at Stockholm that would nearly certainly have been replaced with Cold War bickering had the Soviet bloc countries actually been present.⁵ The position that the South adopted – that “poverty is the worst form of pollution” in the words of Indian Prime Minister Indira Gandhi – was not new, but the prominence it gained at Stockholm was. Many in the developing world saw environmental concerns in the North as an effort to sabotage the South’s developmental aspirations; for most environmentalists at the time, development (especially industrialization) was the most important cause of environmental problems, for developing countries this meant that a focus on the environment not only distracted attention from what they considered to be more important problems, it actually questioned the very means (i.e., development) of solving those problems (Mahbub-ul-Haq 1976). What the developing countries were questioning, throughout the 1970s, was not just the relative importance of environmental policies but the very legitimacy of how the environmental discussions were framed. *The question of seeking* ‘effective’ global environmental governance at Stockholm was rather moot, because the South simply did not consider the construction of the global environmental problematique to be ‘legitimate’. In contesting the very framing of the issue, the intellectual leadership of the South very poignantly set out to redefine the environmental problematique. The most telling example was the so-called ‘Founex Report’ (Founnex 1972) produced by a distinguished group of Southern intellectuals as part of the UNCHE preparatory process, which defined the Southern position at the conference.⁶ Some excerpts:

The developing countries would clearly wish to avoid, as far as feasible, the [environmental] mistakes and distortions that have characterized the patterns of development of the industrialized societies. However, the major environmental problems of the developing countries are essentially of a different kind. They are predominantly problems that reflect the poverty and very lack of development in their societies. . . These are problems, no less than those of industrial pollution, that clamor for attention in the context of the concern with human environment. They are problems which affect the greater mass of mankind. . . In [industrialized] countries, it is appropriate to view development as a cause of environmental problems. . . In [the Southern] context, development becomes essentially a cure for their major environmental problems. (Founex 1972: 5–6).

The author has earlier made the argument that the Southern position at Stockholm, so forcefully articulated in the Founex Report (1972), has remained consistent and unchanged in the last three decades (Najam 1995, 2003a, 2004a).⁷ The point that needs to be added here is that the Southern position at Stockholm – which was essentially a position of contestation, questioning the very legitimacy of the global environmental agenda as it was then conceived – not only had a deep impact on the 1972 Stockholm conference but has had a lasting impact on the global environmental discourse since then, including at Rio in 1992 and Johannesburg in 2002. Arguably, it was this position that triggered the subsequent discussions on what eventually became ‘sustainable development’ and, therefore, the Southern contestations at Stockholm may well be one of the most meaningful legacy of that conference.

With the South still contesting the very idea of global environmental governance, it was not surprising that the developing countries were not particularly supportive of creating a new formal institution for global environmental governance. The United Nations Environmental Program (UNEP) was created as a result of the Stockholm conference of 1972 not because of, but despite, Southern support (Rowland 1973). However, once it became evident that it would be headquartered in a developing country (Kenya), the rest of the South rallied behind Kenya and UNEP not because they were supportive of environmental governance, but as an act of Southern solidarity (since UNEP would become the first and only UN agency headquartered in a developing country) and also in an attempt to ‘developmentalize’ this fledgling United Nations organization (Agarwal, Narain and Sharma 1999). In retrospect it has been argued that the decision to house UNEP in Kenya has not only allowed developing countries to exert influence on this organization but, in fact, it has also helped move developing countries from their politics of contestation towards greater participation in the global environmental agenda (Clark and Timberlake 1982; Najam 2003b).

3. Onwards to Rio: Participation

Twenty years down the road from Stockholm, the Southern position had not really changed in any significant way but the paradigm of the discourse on global environmental problematique had begun to shift, most importantly with the advent of

the language of 'sustainable development' (Adede 1992). The fact that this was now the United Nations Conference on Environment *and* Development (UNCED) meant that the link between environment and development had been formally accepted in the very nomenclature of the conference, that the South's contestation at Stockholm had paid off, and that the developing countries came to Rio relatively more willing to participate in the process of global environmental policymaking than they had at Rio. The job, however, was far from done and much of the South's rhetoric in and around UNCED still mirrored the concerns it had been articulating at Stockholm (Najam 1995).

With two decades of experience in global environmental policy behind them, a key concern for many Northern environmentalists was designing effective environmental institutions and instruments. For most in the South, however, the key concerns were still those that related to the legitimacy of these institutions and instruments. Thus, for example, as one follows the debates around the Global Environment Facility (GEF) or around the Framework Convention on Climate Change – both of which were negotiated at or around UNCED – one finds that the North's primary concerns tended to be about whether these institutions and instruments would work and result in demonstrable improvements to the global environment, while the cardinal concerns of Southern governments, scholars and nongovernmental organizations (NGOs) tended to ask questions about the fairness and justice of the proposals, especially in terms of their focus on developmental aspects (*see* Peng 1991; Adede 1992; Banuri 1992; Mensah 1994; Grant 1995; Najam 1995; Agarwal, Narain and Sharma 1999). The case of the Commission on Sustainable Development (CSD), which came out of the Rio process is interesting because developing countries became proponents of this organization precisely because it had a development mandate and was seen as a means of addressing the legitimacy deficit in the global environmental governance system by creating a body that was specifically designed to highlight and monitor the implementation of the sustainable development agenda (Banuri 2002; Porter, Brown and Chasek 2000). The discussions that went into the structure of the Global Environment Facility (GEF) at the Rio Earth Summit shows a similar set of priorities by the developing countries who, on the one hand, were resisting the control of the World Bank over this Facility by raising concerns about the legitimacy of the governance structure of the World Bank and, on the other hand, were seeking a more expansive mandate for the GEF by wanting it to focus not only on narrower ecological concerns but also broader developmental priorities (Peng 1991; Agarwal, Narain and Sharma 1999).

Yet, what was new and palpably different at Rio was that the developing countries had moved – hesitantly, but visibly – from the politics of contestation that had defined their positions at Stockholm to participation, even if hesitantly so. The price that the South sought for this participation was an assurance that the global environmental enterprise would itself become 'legitimate' in the South's eyes by internalizing the longstanding development concerns of the South. This dynamic is evident in the discussions that surrounded the institutions (GEF and CSD) and the

finely crafted texts that came out of the Rio negotiations but even more striking in the key document that went *into* the Rio process. The document that most clearly lays out the terms of this new environmental participation by the developing countries is Resolution 44/228 (1999) of the United National Economic and Social Council (ECOSOC) which was the enabling resolution for the Rio process and which, very importantly, ensured (at Southern insistence) that the Rio Earth Summit was a conference on Environment *and* Development rather than the 'Second United Nations Conference on the Human Environment.'

Even though the principal proponents of UNCED were from the North, UN resolution 44/228 was a creature of Southern interests and of lingering Southern apprehensions about the global environmental discourse. Crafted, after heated debate, in ECOSOC committees where developing countries have historically had a greater influence, the South was better able to influence its final shape than it was able to affect final UNCED documents. The South's concerns about the development-environment linkage is evident from resolution 44/228's stress "that poverty and environmental degradation are closely interrelated." Resolution 44/228 also affirmed "that the promotion of economic growth in developing countries is essential to address problems of environmental degradation;" reaffirmed that "States have the sovereign right to exploit their own natural resources;" noted that the industrialized countries were the largest polluters and therefore had the main responsibility of combating pollution; stressed the "specific responsibilities" of transnational corporations; and reaffirmed that "the serious external indebtedness of developing countries and other countries with serious debt-servicing problems has to be addressed." In short, Resolution 44/228 laid out an agenda and a mandate that made Rio a much more legitimate exercise for the developing countries.

All of this, of course, came in the context of the notion of 'sustainable development' which had been given credence by the report of the World Commission on Environment and Development (WCED), also known as the Brundtland Report (WCED 1987) in honor of the former Norwegian Prime Minister who chaired the Commission. Developing countries had originally greeted the report as well as the concept with some skepticism but grew fonder of it during the Rio process as they saw within it the opportunity to highlight the primacy of their developmental aspirations. They did so by seeking assurances and principles from the Rio process that responded to what had been their recurrent and strongly felt concerns about the evolving shape of global environmental governance. In particular, these included the additionality principle, the common but differentiated responsibility principle and the polluter pays principle (Adede 1992; Banuri 1992; Peng 1992; Susskind 1994; Najam 2002a). Note how each of these principles, and in fact the very concept of sustainable development, relate more to establishing the legitimacy of global environmental governance in Southern eyes rather than ensuring its effectiveness. It was the acceptance, at least at the level of discourse, of these principles at Rio that had allowed the South to become more engaged in global environmental governance than it had been before that. And it is for this reason that developing countries find

the subsequent lack of attention to these principles by the North to be so deeply disturbing (Najam 2002a, Najam et al. 2002). While this difference in the focus of analysis caused much wonderment and some angst in both North and South, it can be explained by the fact that *the Northern sensibility was focusing on questions of effectiveness (especially environmental effectiveness), while the Southern view was still mired in skepticism and questioned the legitimacy (especially developmental legitimacy) of what was being proposed.*

One of the rather interesting findings of a recent survey about the legacy of the Rio conference (of over 250 environmentally informed respondents from 71 different countries) was that developing country respondents look back at the Rio Earth Summit as an overwhelmingly positive event even though they consider its implementation to have been a dismal failure (Najam et al. 2002). The argument presented in this section suggests that this may not be as big a contradiction as it seems because the great achievement of Rio was not the documents it produced but the ways in which it changed the very purpose and nature of the global environmental discourse (especially with the concept of sustainable development), thereby making global environmental governance a more legitimate enterprise from a Southern perspective.

Looking back at things, the timing of the 1992 Rio Summit was opportune for the South. The preparatory process for the Earth Summit coincided with the withering away of Cold War politics. While the latter instilled a sense of new vulnerabilities in the developing world and provided the motivation for revitalizing the collective South, the former offered an opportunity to engage the North in a new dialogue. Ultimately, the achievements of Rio did not match the South's exaggerated hopes (Banuri 1992; Najam 1995) and the South might justifiably feel frustrated at the lost promise of what then seemed like the "next generation" of North-South dialogue (Najam 1994; Sandbrook 1997). However, it is also true that Rio provided the South with opportunities to reshape the emerging global environmental discourse. In particular, developing countries have attempted to do this by molding global environmental politics into the global politics of sustainable development.

4. Johannesburg and Beyond: Engagement

If the Rio Earth Summit marked the beginning of meaningful participation by the South in the global environmental governance enterprise, the post-Rio period has seen developing countries becoming ever more actively engaged in the environmental discourse (Miller 1995; Porter Brown and Chasek 2000; Chasek 2001; Gupta 2001). Despite the fact that a lot of the hopes that the South had invested in the Rio process have been less than fruitful, the participation in the environmental discourse – and the attendant epistemic communities of activists, experts, and environmental ministries that have sprung up across the South in preparation of or as a result of the Rio process – has created a momentum that has transcended post-Rio disappointments (Banuri and Najam 2002). The move from an earlier politics of contestation and then

the politics of hesitant participation, to this new phase of active engagement has also meant that even though the questions of legitimacy still remain relevant for the South, the issues of effectiveness are now finally beginning to assume a more prominent role in the Southern discourse. This shift was quite evident at the 2002 World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa where the focus (by the Summit's mandate as well as by the South's choice) was clearly on issues of implementation and, therefore, on effectiveness of that implementation. Even as Southern commentators acknowledged the advances that had been made in the global environmental discourse, their concern had now begun to shift towards the assessment that the focus on sustainable development in the discourse, although welcomed, had not translated into demonstrated impact on the actions and outcomes on the ground (Gutman 2003; Wilson and Munnik 2003; Sachs et al. 2002; Najam et al. 2002).

This shift is also evident in the dynamics that resulted in WSSD being called WSSD. The nomenclature of these mega-conferences is not just of semantic importance, it demonstrates a significant evolution in the very content of what constitutes the substance of global environmental governance. More importantly, it is an evolution that was largely pushed by Southern sensibilities and validates the legitimacy of the concerns that had been so central to the South's protestations at Stockholm and had been the price of its participation at Rio. It is not an accident that the Stockholm summit was a United Nations Conference on the *Human Environment*, an emphasis very reflective of its substantive focus on a pollution-centric understanding of the environmental challenge. The development argument made by the South before and at Stockholm did, in fact, bear fruit and resulted first in the World Commission on Environment *and* Development (WCED) and later in the Rio conference being called the United Nations Conference on *Environment and Development* rather than the second UNCHE. The replacement of what had largely been an 'or' between environment and development at Stockholm with this 'and' was a significant achievement in itself. Indeed, one could argue that ultimately the greatest achievement of UNCED from the South's perspective was the placement of the 'and' between the 'environment' and 'development.' Similarly, the official nomenclature of the World Summit on *Sustainable Development* was a reflection of the fact that, at least rhetorically – and largely as a means of accommodating Southern concerns – the politics of environment had now morphed into the politics of sustainable development; or, at the very least, that the developing countries would now accept no less than this. In retrospect, the Southern argument has had considerable, even remarkable, influence on this transformation of the *environmental agenda* into a *sustainable development agenda* not only in the titles of these mega-conferences but even in the mission statements of global institutions like the World Bank and the World Trade Organization. (Najam 2005).

A cause as well as an effect of this transformation of the global environmental discourse was the fact that the cadre of environmental professionals – including government ministries, civil society activities, technical experts, analysts, and

academics – has steadily grown in the three decades between Stockholm and Johannesburg; but particularly in the period immediately prior to and following the Rio Earth Summit. On the one hand, these Southern professionals have brought a deeper developmental sensibility to the global discourse. On the other hand, it should also be noted that the mindset of these swelling epistemic communities have been largely molded in Northern universities, by Northern environmental NGOs, and by North-inspired ‘capacity building’ (much of which can be thinly veiled environmental advocacy) in the South (Najam 2002b). This has spurred an increase in the active participation of Southern professionals and has meant that there is now a large and growing constituency of professionals in the developing world who are far less inclined to question the legitimacy of the global environmental discourse than their predecessors because their own conceptual training and professional interests are now deeply tied to it. The net result of these dynamics is that protestations about the legitimacy of this enterprise have begun to recede and the pangs that come with engagement have become more apparent, including in terms of concerns about effectiveness.

By the time Johannesburg came along, Southern voices were relatively less concerned about whether there is a need for global environmental governance (i.e., legitimacy concerns) and more preoccupied by whether developing countries would be able to meaningfully participate in this governance (i.e., effectiveness concerns). Having fought hard to incorporate their concerns and developmental priorities into the documents and decisions coming out of Rio, the developing countries were beginning to get impatient with what they saw as a lack of implementation, particularly in the areas dearest to them (Najam, 2002a; Najam et al. 2002; Sachs, et al. 2002; Wilson and Munnik 2003). Similarly, new concerns were getting voiced, for example, in the worries about the negotiation overload that had characterized the world of global environmental policy since the Rio Earth Summit. The proliferation of global environmental agreements, it has begun to be argued, is leading to a negotiation fatigue amongst all countries but particularly amongst developing countries because the limited and already stretched human resources available to these countries are further thinned by ever increasing demands of ever more complex and ever more demanding environmental negotiations (Gupta 2000; Chasek 2001; Najam 2002b, 2003b; Fisher and Green 2004).

The net result of all these dynamics was that the South came to Johannesburg quite eager to discuss how global environmental governance could be made more effective; hence their insistence on giving priority to implementation issues (Najam et al. 2002; Wilson and Munnik 2003). This, it should be stressed yet again, was different from the attitude that the developing countries had demonstrated at either Stockholm or Rio, where they were mostly preoccupied with whether global environmental governance was needed and, if so, for what purpose. What is also important to note, however, is that in general the effectiveness concerns of the South remained qualitatively and substantively different from those from the North. Even to the extent that both have tended to agree that sustainable development is the

ultimate goal of global environmental governance, those from the North tend to highlight the ecological aspects of this compact while those from the South tend to be far more concerned about the developmental aspects (Najam 2002a; Sachs et al. 2002). Given that it has been the inclusion of this developmental dimension that has made the global environmental governance project legitimate in Southern eyes, it should not come as a surprise that developing countries at WSSD were focusing most vigorously on the implementation effectiveness of the developmental aspects of sustainable development (for example, issues related to development assistance, trade barriers, poverty, etc.) much more than the ecological aspects.

5. Legitimacy and Effectiveness: As Viewed from the South

We need to restate here that the focus on this paper has been the evolution of the global environmental *discourse*, which is very different from global environmental action, where the evolution has been slower and where Southern frustration has tended to grow rather than recede over time. In terms of the South's view of legitimacy and effectiveness of global environmental governance discourse, three key propositions emerge from the sections above.

5.1. LEGITIMACY

The very legitimacy of the global environmental enterprise has been, and remains, the South's primary concern, much more than effectiveness. However, the legitimacy of the global environmental project has progressively increased in the eyes of the developing countries over the last thirty years, which have seen them move from contesting the very need for global environmental governance at Stockholm, to beginning a hesitant participation in Rio, and moving to deeper engagement by Johannesburg. Importantly, this change has occurred not just because the South's view of environment has undergone fundamental change, but because the global environmental discourse has itself changed by incorporating the South's critical concerns, especially through the organizing principles of sustainable development, which have now become the dominant motif of global environmental discussions. Arguably, it has also happened because of the emergence of an environmental epistemic community within the South that is partly a result of the blitz of North-inspired educational and capacity programs that have had the effect of co-opting an entire generation of Southern environmental intelligencia to a more Northern view of the environmental challenge. However, given their enduring interests, developing countries still measure – and are likely to continue measuring – the legitimacy of the international environmental system in terms of how meaningfully it integrates development priorities into the global environmental priorities. Thanks to the concept of sustainable development, this integration has been quite remarkable at the level of discourse; however, the test for the future is whether it can be done equally well at the level of policy action and implementation.

5.2. EFFECTIVENESS

Given that the South has spent much of the last three decades questioning the very legitimacy of global environmental governance, it is not surprising that it has focused less on questions about its effectiveness. After all, there is little point in seeking to enhance the effectiveness of something that you consider less than fully legitimate. However, as the developing countries have begun to get relatively more comfortable with the concerns about legitimacy, they are also beginning to pay more attention to questions about effectiveness. This concern tends to come up most often as a lamentation about the lack of implementation, particularly about the lack of implementation of the sustainable development promises that are now imbedded in every environmental treaty and institution. A key aspect here is that when the dominant scholarship on global environmental governance discuss the issue of effectiveness they have tended to focus mostly on the ecological aspects of effectiveness; for example, by focusing on which ecological issues have been tackled, how and how well (Victor et al. 1998; Young 1999; Helm and Sprinz 2000; Miles et al. 2002; Mitchell, 2003). The focus of the emerging Southern concerns about implementation and effectiveness is significantly different and possibly at odds with this dominant approach because its principal thrust is focused on the developmental aspects of the global environmental governance, or more precisely what the South views as global sustainable development governance (Agarwal, Narain and Sharma 1999; Gutman 2003). This is not to say that developing countries do not give importance to the ecological aspects, it is to say that they give even more attention to the development aspects. One might posit that as the developing countries becomes ever more actively involved, this issue of just what do we mean by the effectiveness of global environmental governance is going to become every more prominent and not simply in terms of methodological challenges for researchers but in terms of political tradeoffs for policymakers.

5.3. INSTITUTIONS

While this paper has focused on the evolution of the global environmental discourse and the global environmental governance system as a whole, it is proposed that a similar analysis could also shed valuable light on how developing countries have tended to respond to particular institutions that make up this system (Najam et al. 2004). Although the South was not initially keen on creating an environmental institution in 1972, it became a major supporter and proponent of UNEP not because of its environmental mission but because the placement of UNEP's headquarters in a developing country gave it legitimacy from a Southern perspective (Clark and Timberlake 1982). In the case of the GEF and the CSD, developing countries again constructed their arguments more in relation to the developmental legitimacy of these institutions than on their expected environmental effectiveness (Agarwal, Narain and Sharma 1999; Banuri 2002). The pattern that seems to emerge

(which needs further empirical investigation) is that developing countries have consistently measured the legitimacy as well as effectiveness of environmental institutions in terms of their commitment to the broad developmental parameters contained in what is now called sustainable development rather than to how well they respond to particular ecological concerns. For example, in the UNEP Governing Council there is a near-perpetual debate between developing country delegates that want UNEP to take on a greater focus on sustainable development while industrialized countries, led by the USA, call for a stricter focus on environmental issues only (Agarwal, Narain and Sharma 1999). Similarly, developing countries continue to seek greater legitimacy in the GEF not only by calling its governance structure into question but also by trying to expand its mandate to more developmental issues; such as, for example, desertification and land degradation (Corell 1999).

6. Conclusion

This paper has argued that over the last thirty years, there has been a perceptible transformation in both the substance of the global environmental discourse and in how the developing countries of the South have responded to the global environmental discourse. It is both that the *developing countries have become more engaged in this discourse* over the years and also that *the discourse itself has changed*. Arguably, the South has become engaged *because* the discourse has changed and, equally, the discourse has changed at least partly *because* of Southern involvement in this discourse over these years. At a minimum, the two dynamics are correlated and the cyclical interaction between the two signify a noteworthy transformation of the global environmental discourse. It is, of course, difficult to draw neat and precise causal inferences about how the South has influenced this transformation of the global 'environmental' agenda into a global 'sustainable development' agenda. Other influences (including intellectual epistemic contributions and the efforts of some industrialized countries) have also helped prod this transformation but our focus here has been restricted to the collective South. What is clear, however, from the textual analysis of the global environmental discourse as seen through the lens of the Stockholm, Rio and Johannesburg conferences is that as a principal and persistent *demandeur* of such a transformation, the South has had an important role to play.

Interestingly and importantly, it is not just that the developing countries are now more willing to consider environmental issues a more 'legitimate' subject for global policy, it is also that this new (and still rickety) sense of legitimacy has been brought about through a new global transaction between 'North' and 'South' whereby the very meaning of 'global environmental policy' has changed to incorporate the concept of sustainable development. While sustainable development has allowed developing countries to 'buy into' the global environmental enterprise, it also means that they measure the effectiveness of global policy not simply in terms of the state of the global environment but in terms of the realization of sustainable development.

What this implies, of course, is that although the concept of sustainable development has allowed for a valuable dialogue between North and South, it has not (yet) resolved the chasm between the two which is still generally exemplified by the relatively greater emphasis on *environmental* effectiveness by many in the North and the relatively greater interest in *developmental* effectiveness by many in the South. While this paper has focused primarily on the global environmental discourse, it is recognized that discourse does not equal outcomes.⁸ Indeed, our analysis suggests that as Southern countries become more focused on questions of implementation they will increasingly demand that effectiveness be measured not simply in terms of ecological and environmental variables but also in terms of the development and equity variables imbedded within the concept of sustainable development.

By way of conclusion, then, it is the contention of this paper that developing countries have, and will, view the legitimacy and effectiveness of global environmental governance through the lens of sustainable development. While they consider ecological concerns to be a necessary part of sustainable development they do not view these to be sufficient in and of themselves unless due attention is also paid to developmental and equity concerns. In an age where the global environmental politics has transformed itself into the global politics of sustainable development, a discourse of legitimacy and effectiveness that is centered only (or even primarily) around ecological concerns will not only be rejected by developing countries but is likely to breed a frustration within the South that cannot be good for the future of global environmental governance.

Notes

1. For a more elaborate treatment of the argument see, Najam (2003a, 2004a).
2. Throughout this paper we will use the term 'North' to designate industrialized countries. While clearly distinct from the South, and with many commonalities, the North is not a monolithic and homogenous entity. There are different opinions (including on the centrality of development and/or environmental concerns) within the North, just as there are within the South. However, just as developing countries within the South tend to be more similar to each other than to the more industrialized countries of the North, the industrialized countries of the North tend to be more similar to each other than to the countries we are describing as the South. It is beyond the mandate of this paper to open up the 'black box' of the North, but that is certainly a task well worth doing.
3. Oddly, there is surprisingly little written (particularly in the environmental context) that explicitly questions the validity of the South as an analytical construct. However, from the author's own experience, one can hardly ever use the word with even remotely analytical connotations without a host of objections being raised about the validity of the term or whether it is a 'real' concept.
4. For more information on the G77 see www.g77.org. Also see Najam (2003a), Sauvart (1991) and Geldart and Lyon (1980).
5. The Soviet-led boycott of the Stockholm conference came in response to the West's refusal to let the German Democratic Republic (East Germany) participate. In response to a joint proposal from USA and Great Britain, the UN General Assembly, through its resolution

2850 (XXVI), decided to apply the 26-year-old 'Vienna formula' allowing full participation at Stockholm only to "State members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency." This meant that West Germany, as member of UNESCO and WHO, could attend, but East Germany could not. Ironically, the 'Big Four Accord,' that paved the way for the simultaneous entry of the two Germany's into the UN, was signed in Berlin of June 4, 1972, at about the same time as the UN secretary general, Kurt Waldheim, opened UNCHE. It would be a mistake, however, to believe that the Soviet absence from the UNCHE conference halls amounted to a total lack of influence on conference outcomes. The USSR and its allies had been active participants during the UNCHE preparatory process and during the conference itself the UNCHE secretary general, Maurice Strong, held daily secret meetings with the Soviet Ambassador to keep him abreast of events. Hopes of a last minute arrival by USSR and East Germany were kept alive. In fact, 30 Volvos and Saabs, 220 hotel beds and one vice chairmanship was left open during the first couple of days in anticipation of a compromise. At one point, a compromise acceptable to the West Germans was reached which would have given East Germany working participation without the right to vote. However, an unfortunately worded New York Times story prompted the Soviet bloc to break off the talks. (Rowland 1973; Pell and Case 1972; Clarke and Timberlake 1982).

6. The report was the result of a meeting organized by UNCHE Secretary-General Maurice Strong to elicit Southern views on issues related to conference agenda. The meeting was attended by some of the leading intellectuals of the South including Shridath Ramphal, Gamani Corea, Mahbub ul Haq, Raul Prebisch, etc. The report of the meeting made a detailed and strongly argued case for why developing countries view environment only through the lens of their development priorities.
7. Marc Williams (1993: 18) has similarly argued that "the Founex report marked the turning point in the definition of the international environmental problem."
8. The author is grateful to an anonymous reviewer for this insight and for the language of discourse not being equal to outcome.

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