India and international norms of climate governance: a constructivist analysis of normative congruence building

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Abstract. This article explores the process by which norms of international climate governance have diffused and evolved over time. The author develops a constructivist explanation for observed normative shifts in international climate governance. This explanation highlights the importance of building and maintaining congruence between domestic conditions and international norms. Due to the inherently fluid nature of both domestic conditions and international norms, it is argued that normative congruence building should be understood as an integral and iterative aspect of the norm diffusion process. This argument is substantiated through an analysis of the norm diffusion process in the context of India: a state commonly identified as an important player in international climate change politics, but one that has received surprisingly little scholarly attention in this area.

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Introduction

Increasing attention to the phenomenon of global warming during the 1980s produced consensus around the idea that the global climate system is the common concern of humankind and should be protected for present and future generations.[1] Since this time, international debate has focused on the normative structures of climate change governance. Two principal ideas established early dominance as appropriate norms of governance. These norms, defined as 'shared expectations about appropriate behavior held by a community of actors',[2] concerned *who* should take responsibility for mitigating climate change, and *how* such mitigation

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[1] UN (UN), 'Protection of global climate for present and future generations of mankind', A/RES/43/53 (1988), available at: {http://www.un.org/documents/ga/res/43/a43r053.htm}; UN, 'Protection of global climate for present and future generations of mankind', A/RES/44/207 (1989), available at: {http://www.un.org/documents/ga/res/44/a44r207.htm}.

[2] Martha Finnemore, *National interests in international society* (Ithaca: Cornell University Press, 1996), p. 22.

should be pursued.[3] Initially these norms focused on the historical greenhouse gas (GHG) emissions of developed countries and their domestic mitigation efforts; however, over time, climate governance has become increasingly focused on the future emissions of developing countries, and transnational carbon offsetting. In this article, I trace the process by which climate governance norms have diffused from the international level to the domestic level to develop an understanding of how this significant normative shift has occurred. It is widely assumed that successful norm diffusion requires a reasonable level of congruence between a norm and the domestic conditions of states. I argue that normative congruence is neither predetermined nor static, but rather a condition which may need to be continuously constructed given the inherent fluidity of both international norms and domestic conditions. It follows, then, that congruence-building should be understood as an integral and iterative aspect of the norm diffusion process. This article substantiates this argument through an analysis of the norm diffusion process in a single domestic context. The focus of my analysis is India: a state commonly identified as an important player in international climate change politics, but one that has received surprisingly little scholarly attention in this area.[4] The analysis here therefore contributes to an important and growing body of literature addressing different dimensions of international climate change politics, including the role of key states,[5] sub-state actors,[6] non-state actors,[7] and norms.[8]

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[3] These normative debates have also been analysed by Matthew J. Hoffmann and Loren Cass. See Matthew J. Hoffmann, *Ozone Depletion and Climate Change* (Albany: State University of New York Press, 2005); and Loren Cass, *The Failures of American and European Climate Policy: International Norms, Domestic Politics, and Unachievable Commitments* (Albany: State University of New York Press, 2006).

[4] Throughout the 1990s, a small number of analyses of India's position in international climate politics were published, see Sheila Jasanoff, 'India at the crossroads in global environmental policy', *Global Environmental Change*, 3:1 (1993), pp. 32–52; Chandrasekhar Dasgupta, 'The Climate Change Negotiations', in Irving M. Mintzer and J. Amber Leonard (eds), *Negotiating Climate Change: The Inside Story of the Rio Convention* (Cambridge: Cambridge University Press, 1994); Mukund Govind Rajan, *Global Environmental Politics: India and the North-South Politics of Global Environmental Issues* (Delhi: Oxford University Press, 1997); Susanne Jakobsen, *International relations theory and the environment: a study of Brazilian and Indian policy-making on climate change*, PhD Thesis (Denmark, Institute of Political Science, 1999); and Joyeeta Gupta, 'India and Climate Change Policy: Between Diplomatic Defensiveness and Industrial Transformation', *Energy and Environment*, 12:2 (2001), pp. 217–36.

[5] Joyeeta Gupta and Michael Grubb (eds), *Climate change and European leadership: a sustainable role for Europe?* (Dordrecht: Kluwer Academic Press, 2000); Dana Fisher, *National Governance and the Global Climate Change Regime* (Rowman & Littlefield Publishers, Lanham, 2004); Paul G. Harris (ed.), *Europe and Global Climate Change: Politics, Foreign Policy and Regional Cooperation* (Edward Elgar Publishing, Cheltenham, 2007); Paul G. Harris (ed.), *Global Warming and East Asia: The Domestic and International Politics of Climate Change* (London: Routledge, 2003); and Paul G. Harris, *Climate Change and American Foreign Policy* (New York: St. Martin's Press, 2000).

[6] Harriet Bulkeley and Michele Betsill, *Cities and climate change: urban sustainability and global environmental governance* (Routledge, London, 2003); Harriet Bulkeley and Michele Betsill, 'Transnational Networks and Global Environmental Governance: The Cities for Climate Protection Program', *International Studies Quarterly*, 48:2 (2004), pp. 471–93.

[7] Peter Newell, *Climate for Change: Non-state Actors and the Global Politics of the Greenhouse* (Cambridge: Cambridge University Press, 2000); David L. Levy and Peter Newell, *The business of global environmental governance* (Cambridge: MIT Press, 2005); and Lars H. Gulbrandsen and Steinar Andresen, 'NGO Influence in the Implementation of the Kyoto Protocol: Compliance, Flexibility Mechanisms, and Sinks', *Global Environmental Politics*, 4:4 (2004), pp. 54–75.

[8] Loren Cass, The Failures of American and European Climate Policy; and Mary E. Pettenger (ed.), *The Social Construction of Climate Change* (Aldershot: Ashgate, 2007).

The article proceeds as follows: in the first section, I present an overview of the normative structures of climate governance, defined by a norm stipulating *who* should take responsibility for mitigating climate change (common but differentiated responsibilities), and a norm stipulating *how* mitigation should be pursued (domestic emission reduction targets). I then offer a constructivist explanation for the important shifts observed in these norms; this explanation of norm diffusion highlights the importance of building and maintaining congruence between domestic conditions and international norms. The case of India's position in international climate governance then provides a useful context for exploring this congruence building process. The first part of this case study maps the domestic conditions that have had a constraining and enabling effect on India's environmental foreign policymakers in their response to international climate governance norms; this discussion focuses on the most important trends and developments in India's material conditions and the policy paradigms that define India's social structure. Particularly salient in this context is the shift from an economic paradigm traditionally characterised by economic nationalism and self-sufficiency to one which by the end of the 1990s was characterised by liberalisation and global integration. A similar shift of considerable importance also consolidated throughout the 1990s in the foreign policy domain, as India distanced itself from the Nehruvian tradition[9] of Third World Solidarity and multilateralism in favour of an approach based on commercial diplomacy and strategic coalition-building. It is argued that these shifts have had a significant effect on India's position in international climate governance. The second part of the case study presents an account of how India's environmental foreign policymakers have engaged with domestic and external non-state actors to build and maintain congruence between their domestic conditions and international norms in an environment where neither is fixed or stable. I argue that congruence was initially established by framing climate change as an inherently and exclusively political problem generated by excessive consumption patterns in the North, and as a reflection of globally inequitable patterns of development. But this initial perception of congruence was disrupted by two factors: the consolidation of a neo-liberal globalist turn in India's economic and foreign policy paradigms; and growing pressure from other states and non-state actors to institutionalise transnational mitigation measures into international climate governance. It is argued here that domestic paradigm shifts created the possibility for India's environmental foreign policymakers to understand climate change as a technical problem of emissions *per se*, rather than as an inherently and exclusively political problem reflecting excessive consumption in the North. This, in turn, created the scope for India to establish congruence between its domestic conditions and the transnationally-oriented norm of domestic emission reduction targets by grafting the norm onto nascent interests and objectives. While the earlier perception directs responsibility exclusively to the North, the latter creates a possibility for the South to contribute to mitigation efforts. Since the late 1990s, India has embraced transnational mitigation measures and sought to maximise the benefits offered by carbon offsetting while at the same time emphasising India's low *per capita* emissions to resist calls to limit domestic emissions growth. This present approach comes under scrutiny in the final section

[9] Inspired by India's first prime minister, Jawaharlal Nehru.

where I argue that the normative congruence secured by India in recent years is based on shaky foundations of competing and incompatible problem representations. Such conditions may help to explain the tensions that emerged within India's core negotiating group over the most appropriate strategy to employ in Copenhagen in 2009; this is an issue to which I briefly turn my attention in the conclusion.[10]

The normative structures of climate governance

Following several years of scientific attention to the threat of global warming, in the late 1980s a consensus emerged among many state and non-state actors around the idea that the global climate system is a common concern of humankind and requires protection for present and future generations.[11] During the ensuing debate over the appropriate means through which the atmosphere should be governed to protect the climate system, two ideas established dominance as appropriate norms of governance. These norms concerned *who* should take responsibility for mitigating climate change, and *how* such mitigation should be pursued. The first governance norm stipulated that international efforts to reduce GHG emissions should be based on universal participation but guided by the principle of common but differentiated responsibilities and respective capabilities (hereinafter referred to as CBDR).[12] This differentiated interpretation of universal participation was central to early climate change negotiations and was institutionalised in Article 3 of the UN Framework Convention on Climate Change (UNFCCC).[13] Nevertheless, the representation of climate change as a global problem rendered the idea of universal participation susceptible to reinterpretation; indeed, within months of the UNFCCC entering into force in March 1994, the meaning of CBDR began to be challenged. Germany and the US, for example, advocated further differentiation among the developing countries to limit GHG emissions in the 'more advanced developing countries'. Both countries justified this position on the grounds that stabilising GHG concentrations in the atmosphere at a 'safe' level would only be possible if future emissions in both the developed and developing countries were limited.[14] Despite persistent contestation from some states, the norm of CBDR was

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[10] The main period of analysis is from the late 1980s to late 2007. However, as noted, recent developments will be briefly considered in the conclusion to this article.

[11] UN, 'Protection of global climate for present and future generations of mankind' (1988); UN, 'Protection of global climate for present and future generations of mankind' (1989).

[12] Daniel Bodansky, 'The UN Framework Convention on Climate Change: A Commentary', *Yale Journal of International Law*, 18 (1993), p. 503.

[13] UN, 'UN Framework Convention on Climate Change' (1992), available at: {http://unfccc.int/resource/docs/convkp/conveng.pdf}.

[14] German Federal Ministry for the Environment, 'Elements for a Comprehensive Protocol to the FCCC'. A/AC.237/L.23/Add.1 (1994), available at: {http://www.ccsr.u-tokyo.ac.jp/unfccc1/pdfs/unfccc.int/resource/docs/a/l23add1.pdf}, p. 3; UN, 'Matters relating to commitments: Review of the Adequacy of Article 4 Paras 2(A) and (B)', FCCC/CP/1995/Misc.1 (1995), available at: {http://unfccc.int/resource/docs/cop1/misc01.pdf}, p. 183.

reinstitutionalised in the Kyoto Protocol in 1997, and again more recently in the Bali Action Plan and the Copenhagen Accord.[15]

The normative structures of climate governance also define *how* mitigation should be pursued; in this context, the idea that mitigation should be pursued through domestic emission reduction targets attracted widespread legitimacy in the late 1980s and early 1990s. Perhaps as a consequence of its institutionalisation in two existing international atmospheric agreements (the Montreal Protocol and the European Community's Large Combustion Plant Directive), this norm was reflected in numerous declarations and policies in the lead up to the creation of the UNFCCC in 1992.[16] An international conference convened by the Canadian Government in 1988, in Toronto, called for a reduction in global CO_2 emissions of twenty per cent by the year 2005. While this conference was not an official intergovernmental meeting, the expression of this target as an appropriate way of responding to the threat of climate change certainly bolstered the emerging norm of domestic emission reduction targets. Illustrative is the fact that the 'Toronto Target', or a similar version, was subsequently adopted by a number of states, including Denmark, Norway, the Netherlands, Japan, Australia, and EU member states.[17] Nevertheless, the appropriate interpretation of this norm shifted throughout the 1990s as global environmental governance came to be more broadly dominated by a discourse of 'liberal environmentalism'.[18] As Bernstein explains, the 'compromise of liberal environmentalism' mitigates the economic disruptions that environmental protection may cause by absorbing environmental concerns into the liberal economic order itself; environmental protection has thus become seemingly dependent on securing continued economic growth and accumulation.[19]

The growing salience of liberal environmentalism had a significant impact on understandings of how climate change mitigation should be pursued by the international community; while many states continued to promote domestic emission reduction targets as the most appropriate means of mitigation, this norm assumed a more liberal character throughout the 1990s. Due to intense pressure from the US, the UNFCCC featured only *qualitative* commitments for Annex I (industrialised) countries; *quantitative* commitments had appeared in an earlier draft of the convention text but all such references were excised in the final text.[20] Instead, it was agreed that such specific matters should be negotiated later as part of a legal instrument to supplement the Convention. Accordingly, the 1997 Kyoto Protocol reinstitutionalised the idea that mitigation should be pursued via domestic targets, albeit in a rather compromised form that reflects the discourse of 'liberal

[15] UN, 'Kyoto Protocol to the UN Framework Convention on Climate Change' (1997), available at: {http://unfccc.int/resource/docs/convkp/kpeng.pdf}, p. 9; UN, 'Report of the Conference of the Parties on its thirteenth session, held in Bali from 3 to 15 December 2007', FCCC/CP/2007/6 (2007), available at: {http://unfccc.int/resource/docs/2007/cop13/eng/06.pdf}, p. 14; UN, 'Copenhagen Accord', FCCC/CP/2009/11/Add.1 (2009), available at: http://unfccc.int/resource/docs/2009/cop15/eng/11a01.pdf}, p. 5.

[16] Bodansky, 'The UN Framework Convention on Climate Change', p. 462.

[17] IEA (International Energy Agency), *Climate Change Policy Initiatives* (Paris: IEA, 1992), pp. 24–5.

[18] Steven Bernstein, *The Compromise of Liberal Environmentalism* (New York: Colombia University Press, 2001).

[19] Ibid.

[20] Bodansky, 'The UN Framework Convention on Climate Change', p. 478; and Anil Agarwal, Sunita Narain, and Anju Sharma, *Green Politics* (New Delhi: Centre for Science and Environment, 1999), pp. 38–9.

environmentalism'. In contrast to earlier environmental and atmospheric agreements, the Kyoto Protocol tied domestic targets to a set of 'flexible mechanisms' which would enable states to meet their commitments in the most cost-efficient manner by investing in GHG mitigation in less-developed countries, or buying emissions credits through a trading system.[21]

In the absence of appropriate legal codes, the norms of climate governance initially established the boundaries of appropriate conduct for responding to climate change. Defining *who* should take responsibility for mitigating climate change, and *how* such mitigation should be pursued, the norms outlined above guided state behaviour and shaped the agendas of the preliminary negotiations. Of course, norms are not fixed and immutable; instead, they are fluid and open to contestation and reinterpretation. As these norms have diffused throughout the international system they have gradually lost much of their original focus on historical emissions and domestic mitigation, and instead have increasingly directed attention to future emissions and transnational mitigation options, such as emissions off-setting. The following sections of this article provide an explanation of how this shift has materialised throughout the norm diffusion process by analysing this process in the context of India.

Norm diffusion: domestic and international dynamics

The case of India is useful for exploring the diffusion of international climate governance norms. With a vast population, growing middle class, and an increasingly prominent role in the global economy, India has not gone unnoticed in international climate change negotiations. While some smaller developing states may have avoided engaging in normative debates about climate governance, this option has not been available to India: the weight of international expectations has given rise to normative congruence-building.[22] Understanding how India has positioned itself within normative debates on climate change requires looking beyond conventional conceptualisations of the relationship between domestic and international politics.[23] An influential contribution to this literature has been Gourevitch's metaphor of the 'second image reversed', which is often evoked to describe how the international system shapes domestic institutions and interests (rather than merely being shaped by them as suggested by the 'second image' metaphor).[24] Putnam's widely cited two-level game built on these metaphors by highlighting the 'entanglement' of domestic and international politics; in his two-level game, domestic political elites must simultaneously respond to pressure

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[21] UN, 'Kyoto Protocol'.

[22] Acharya proposes a range of other motivations for engaging in congruence-building, including economic and security crises, systemic change in the global order, domestic political changes, emulation and imitation. Acharya, 'How Ideas Spread', p. 247.

[23] For a comprehensive discussion of this literature, see Peter Gourevitch, 'Domestic Politics and International Relations', in Walter Carlsnaes, Thomas Risse, and Beth A. Simmons (eds), *Handbook of International Relations* (London: Sage Publications, 2002), pp. 309–28.

[24] Peter Gourevitch, 'The Second Image Reversed: The International Sources of Domestic Politics', *International Organization*, 32:4 (1978), pp. 881–912. On the 'second image', see Kenneth Waltz, *Man, the state, and war* (New York: Columbia University Press, 1959), chap. 4.

from domestic groups and interest coalitions, while maximising their bargaining power against their foreign counterparts in international negotiations. The complexity of this game, according to Putnam, lies in the fact that the rational choices available to political elites at the domestic level may conflict with the rational choices available to them at the international level.[25] While looking beyond the negotiating context to the diffusion of international policies more broadly, Keohane and Milner are also concerned with the dynamics of political-economic incentives and constraints at the domestic and international levels.[26] These works have generated important insights into the relationship between domestic and international politics, as well as into the strategic challenges that confront domestic actors in international negotiations. However, I argue that the explanatory value of these approaches is limited by their neglect of an important dimension of international and domestic politics, namely the ideational dimension.[27] Constructivism is an alternative approach that prompts consideration of the ideational dimension in shaping domestic/global political dynamics. From a constructivist perspective, observed outcomes are the product of underlying norms, identities, and policy paradigms that have been institutionalised over time at both the domestic and international levels. Material conditions are not necessarily overlooked by scholars working within this tradition; indeed, material and ideational phenomena are considered to be intimately connected, but often the former are socially and politically consequential only by virtue of the meaning that is socially attached to them.[28]

Constructivist scholars including Checkel, Risse-Kappen, Cortell and Davis, Finnemore and Sikkink, and Bernstein have persuasively explained cross-national variation in the diffusion of international norms by emphasising the conditioning influence of domestic actors, institutions, norms, and political culture.[29] This scholarship suggests that the successful diffusion of a particular international norm requires a reasonable degree of congruence between the norm and the domestic conditions of states. The perceived absence of congruence will prompt domestic

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[25] Robert D. Putnam, 'Diplomacy and domestic politics: the logic of two-level games', *International Organization*, 43:2 (1988), pp. 427–60.

[26] Robert O. Keohane and Helen V. Milner (eds), *Internationalization and Domestic Politics* (Cambridge: Cambridge University Press, 1996).

[27] For his part, Gourevitch did acknowledge that ideas 'relate intimately to the critical functions any regime must perform' and thus require 'careful consideration', but nevertheless chose to limit his analysis to material phenomena. Gourevitch, 'The Second Image Reversed', p. 883. For recent efforts to integrate ideational considerations into Putnam's two-level game, see Stephen Deets, 'Constituting Interests and Identities in a Two-Level Game: Understanding the Gabcikovo-Nagymaros Dam Conflict', *Foreign Policy Analysis*, 5 (2009), pp. 37–56; and Carsten Daugbjerg, 'Ideas in Two-Level Games: The EC US Dispute Over Agriculture in the GATT Uruguay Round', *Comparative Political Studies*, 41:9 (2008), pp. 1266–89.

[28] For a more comprehensive discussion of this matter, see John G. Ruggie, *Constructing the World Polity: Essays on international institutionalization* (London: Routledge, 1998).

[29] Jeffrey, T. Checkel, 'Why Comply? Social Learning and European Identity Change';. Arena Working Paper, No. 99/24, *Arena Centre for European Studies* (1999). available at: {http://www.arena.uio.no/publications/wp99_24.htm}; Thomas Risse-Kappen, 'Ideas do not Float Freely: Transnational Coalitions, Domestic Structures, and the End of the Cold War', *International Organization*, 48:2 (1994), pp. 185–294; Andrew P. Cortell and James W. Davis, 'How Do International Institutions Matter? The Domestic Impact of International Rules and Norms', *International Studies Quarterly*, 40 (1996), pp. 451–78; Martha Finnemore and Kathryn Sikkink, 'International Norm Dynamics and Political Change', *International Organization*, 52:4 (1998), pp. 887–917; Steven Bernstein, 'International institutions and the framing of domestic policies: The Kyoto Protocol and Canada's response to climate change', *Policy Sciences*, 35:2 (2002), pp. 203–36.

actors to either reject an international norm or actively 'localise' the norm through an iterative process of congruence-building.[30] As the case of India demonstrates below, this process is not necessarily or exclusively led by state-based actors themselves; instead, normative congruence may be achieved or maintained in cooperation with domestic and external non-state actors. Here I am attentive to two particular means by which congruence between a state's domestic conditions and international norms may be established: 'framing' and 'grafting'.[31] Entman's definition of framing is useful here; he writes: 'To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation [. . .]'.[32] Framing or 'pruning' an issue in a particular way can therefore render it congruent with the existing domestic conditions.[33] 'Grafting', meanwhile, is defined as 'institutionaliz(ing) a new norm by associating it with a preexisting norm in the same issue area, which makes a similar prohibition or injunction'.[34] In a recent contribution to the literature, van Kersbergen and Verbeek have urged scholars to consider the possibility that the meaning of international norms may alter during the diffusion process. This possibility is reflected in their study of the norm of subsidiarity and its diffusion throughout the EU: once the member states accepted this norm, a political contest over its appropriate meaning emerged as state actors began institutionalising the norm within their domestic jurisdictions; the result was a reformulation of the original norm.[35] Given the inherent fluidity of norms and ideational structures at both the domestic and international levels, congruence building should be understood as an integral and iterative aspect of the norm diffusion process;[36] as the case study of India in this article demonstrates, domestic perceptions of normative congruence may be disrupted as either international norms or domestic conditions evolve. This case further suggests that contestation and compromise may be recurring features of the norm diffusion and congruence-building processes; as India's perceptions of normative congruence were disrupted, a period of contestation and compromise ensued as actors faced the challenge of rebuilding congruence between their domestic conditions and the international norms of climate governance.

[30] Amitav Acharya, 'How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism', *International Organization*, 58 (2004), pp. 239–75. Acharya attributes the motivation for localisation to local actors rather than external actors. By contrast, the process of congruence-building apparent in the case of India is performed by both local and external actors. A related (but non-constructivist) concept to norm 'localisation' is Newell's 'domestication' of international policy commitments, see Peter Newell, 'Lost in Translation? Domesticating Global Policy on Genetically Modified Organisms: Comparing India and China', *Global Society*, 22:1 (2008), pp. 115–36.

[31] Acharya, 'How Ideas Spread'.

[32] Robert Entman, 'Framing: Toward Clarification of a Fractured Paradigm', *Journal of Communi-cation*, 43:4 (1993), pp. 51–2.

[33] Acharya, 'How Ideas Spread', p. 250.

[34] Ibid., p. 244.

[35] Kees van Kersbergen and Bertjan Verbeek, 'The Politics of International Norms: Subsidiarity and the Imperfect Competence Regime of the EU', *European Journal of International Relations*, 13:2 (2007), pp. 217–38.

[36] This is not to say that shared ideas are in a constant state of flux. As the case discussed in this article suggests, the broad prescription of a norm may remain stable even as actors interpret and reinterpret its specific meaning and application differently across time and space.

Successful norm diffusion may depend on states reconciling international expectations with domestic conditions, but a question that remains is what determines the likelihood of success of such normative congruence building efforts? One perspective emphasises the importance of external pressure. Farrell, for example, suggests that in the absence of an instant match between domestic culture and international norms, 'diffusion only occurs following a process of political mobilization whereby the target community is pressured into adopting new ways of thinking and doing'.[37] Acharya, by contrast, outlines a trajectory of 'localisation' and identifies a set of domestic conditions for progressing from contestation to the institutionalisation of an eventual 'syncretic normative framework'. These conditions comprise the prior recognition that aspects of the domestic normative order are inadequate; the presence of credible insider proponents of the international norm; scope for grafting the international norm onto some aspects of the existing normative order; and scope for legitimising those aspects of the existing normative order onto which the international norm has been grafted.[38] The case of India discussed in this article reflects elements of these different perspectives. Certainly, there was a degree of pressure placed on India to engage with the normative debates of international climate change governance. As the focus of debates shifted increasingly towards future emissions and transnational mitigation measures, the need to reconcile international expectations with domestic conditions became more acute. In addition, as we will see in the following discussion, elements of India's domestic conditions were undergoing significant transformation during the 1990s. This transformation enabled, and was in turn strengthened by, the institutionalisation of a new liberal norm of transnational mitigation. The conditions for successful congruence-building were thus quite strong in India. But, as I will argue in the concluding section of this article, in seeking to build and maintain congruence with both the norm of CBDR and that of transnational mitigation, India has been forced to straddle competing and incompatible problem representations. This ultimately serves to undermine this state's position in international climate governance.

An account of how the international norms of climate governance have evolved is presented in the previous section of this article, but before exploring how India has positioned itself within these normative developments it is necessary to understand the domestic conditions which have affected India's position. A constructivist conceptualisation of the domestic conditions directs attention to three constitutive parts: the material conditions; the social structure; and the key actors which have authority to represent the state in international climate change negotiations, namely the environmental foreign policymakers. These constitutive parts of the domestic conditions are discussed in the following section before considering how they have interacted with the international normative structures to shape India's role in international climate change governance.

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[37] Theo Farrell, 'Transnational Norms and Military Development: Constructing Ireland's Professional Army', *European Journal of International Relations*, 7:1 (2001), p. 65.
[38] Acharya, 'How Ideas Spread', p. 251.

India's domestic conditions

Material conditions: The first feature of the domestic conditions that have affected India's role in international climate change governance is the material conditions. Two aspects are particularly salient in this context, India's national GHG emissions profile, and its 'energy culture', a term which refers to the domestic relationship between fossil fuels and development.[39]

In accordance with India's responsibilities under the UNFCCC, a national communication was submitted in June 2004; this report provided a detailed inventory of India's emissions for the year 1994 and, at the time of writing, remains the most recent official data available.[40] At this time, India annually emitted approximately 1228.54 million tonnes (Mt) of GHGs, which equated to less than one tonne of CO_2 per person.[41] Consequently, although India is one of the largest emitters of GHGs, in *per capita* terms India's emissions were very small and amounted to just 28 per cent of the global average, and 4 per cent of the US' level.[42] More recent estimates of present and projected emissions reflect little change in these comparisons. In the year 2000, for example, India emitted approximately 1484.62 Mt of GHGs, which in *per capita* terms equates to approximately 6.5 per cent of the US' emissions.[43] In accordance with India's projected trends in economic development and population growth, the country's emissions are projected to rise by almost 300 per cent by 2020, relative to 1990 emissions levels. This estimate takes into account various expected mitigation measures, including improved energy efficiency, promotion of renewable energy sources, and reforestation.[44] Despite such high projected growth, India's *per capita* emissions level will remain half of the global average, and just 7 per cent of the US' level.[45]

The majority (61 per cent) of India's emissions are produced by the energy sector, including transport, industry, and residential consumption; followed by the agricultural sector (28 per cent); industrial processes (8 per cent); waste disposal (2 per cent); and land use, land-use change and forestry sector (1 per cent).[46]

Given that the energy sector is the greatest source of emissions in India, the domestic 'energy culture' is a highly relevant aspect of India's material conditions. India's *per capita* energy consumption remains one of the lowest in the world, but this fact masks the reality of large inequalities in energy consumption. Less than half of rural households have access to electricity; and even in urban areas 12 per cent of households are still deprived of electricity.[47] Cooking is the main energy-based activity in rural subsistence-based households, and this is fuelled

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[39] Matthew Paterson, *Global Warming and Global Politics* (London: Routledge, 1996), pp. 77–80.
[40] Government of India, *India's National Communication to the UNFCCC* (2004).
[41] Ibid., chap. 2, p. 32.
[42] Ibid., p. 32.
[43] Subodh Sharma, Sumana Bhattacharya and Amit Garg, 'Greenhouse gas emissions from India: A perspective', *Current Science*, 90:3 (10 February 2006),p. 328.
[44] Ibid., pp. 331–2.
[45] Pew Center on Global Climate Change, 'Climate Change 101: International Action', available at: {http://www.pewcenteronthestates.org/uploadedFiles/Climate%20Change%20101,%20International%20Action.pdf}, p. 2.
[46] Ibid., pp. 32–3.
[47] Government of India, Planning Commission, *Draft Report on the Expert Committee on Integrated Energy Policy* (December 2005), available at: {http://planningcommission.nic.in/reports/genrep/

primarily by biomass, including dung, firewood, and agricultural wastes.[48] Meanwhile, almost all coal- and gas-generated power is consumed by industry, and transport accounts for approximately half of India's total oil consumption.[49] The expansion of industry and transportation since liberalisation in 1991 has intensified the demand for energy in India and has exacerbated the existing demand-supply gap in the country's energy sector.[50] With 17 per cent of the world's population, India has just 0.8 per cent of the world's oil and gas reserves; hence, a large proportion of the country's commercial energy demand is met through its reasonably vast indigenous coal resources, as well as imported coal.[51] Given the cost competitiveness of coal relative to gas, the government assumes that it will remain the most important energy source until at least 2032.[52] However the high ash content and low calorific value of India's coal makes it highly polluting and GHG-intensive.[53] Despite the dominance of hydrocarbons, efforts have been made in recent decades to diversify the energy mix by developing hydro and nuclear power, yet renewable energy still accounts for only 5.5 per cent of grid connected electricity.[54]

Domestic social structure: The second feature of the domestic conditions is the social structure, which can be understood as the range of policy paradigms that orient governance within a state. This understanding of the social structure draws on Hall's widely cited concept of 'policy paradigm', which he defines as the interpretive 'framework of ideas and standards that specifies not only the goals of policy and the kinds of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing'.[55] While these paradigms tend to remain stable as taken-for-granted lenses through which the world and one's place in it is understood, they may occasionally undergo incremental changes or displacement via more radical 'paradigm shifts'.[56]

Attending to the social structure in constructivist-informed research requires identifying those policy paradigms most relevant to the issue of interest.[57] In the context of international climate change governance, three specific policy paradigms are relevant: the environmental, economic, and foreign policy paradigms. In the first instance, the environmental policy domain is governed by a paradigm of weak 'sustainable development'. At the sub-state level, environmental concerns are quite salient as reflected in the strength of the environmentalist movement (according to

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intengpol.pdf}, p. 3; see also, Bani P. Banerjee, *Handbook of Energy and Environment in India* (New Delhi Oxford University Press, 2005), p. 273.

[48] Government of India, Planning Commission, *Draft Report on the Expert Committee on Integrated Energy Policy*, p. 7.

[49] Shebonti Ray-Dadwal, *Rethinking Energy Security in India* (New Delhi: Knowledge World, 2002), p. 110.

[50] Ibid., p. 11.

[51] Government of India, *India's National Communication to the UNFCCC* (2004), chap. 1, p. 20.

[52] Government of India, Planning Commission, *Draft Report on the Expert Committee on Integrated Energy Policy*, p. ii.

[53] Ibid., p. 13.

[54] Sharma, 'India and Energy Security', p. 167.

[55] Peter A. Hall, 'Policy Paradigms, Social Learning, and the State: The Case of Economic Policymaking in Britain', *Comparative Politics*, 25:3 (1993), p. 279.

[56] Ibid.

[57] While these ideas are most appropriately associated with the constructivist tradition, even Grieco, working within the realist tradition, concedes their relevance when he writes: '[...] the cognitive frameworks and ideological values of officials who set national policy importantly influence and constrain the latter's perceived range of options in the international political economy'. Joseph M. Grieco, *Cooperation among Nations* (Ithaca: Cornell University Press, 1990), p. 24.

one estimate, there are over 7000 environmentalist NGOs in India).[58] However, the impact of this movement on India's role in international climate change governance has been limited by the fact that these NGOs tend to be exclusively concerned with local environmental issues: the issues which preoccupy international environmental negotiations rarely attract the attention of Indian environmentalist NGOs.[59] Two exceptions are the Centre for Science and Environment (CSE) and The Energy Research Institute (TERI), which have been influential in defining India's priorities and positions in international negotiations on climate change.[60] At the state level, the norm of 'sustainable development' has become increasingly salient in India over the past two decades. This is reflected in a number of publications from government and industry. In 2002, the Ministry of Environment and Forests (MOEF) released a report outlining India's strategy for pursuing sustainable development; this strategy revolved around four key objectives: poverty reduction, empowering village-level governance, drawing on competences in science and technology, and improving environmental standards.[61] The 2006 National Environment Policy also recognises poverty alleviation as the dominant development imperative while acknowledging that natural resources must be sustained to secure the livelihoods of the Indian people.[62] The Confederation of Indian Industry (CII)'s treatment of sustainable development provides what is perhaps a more realistic representation of the dominant interpretation of sustainable development in India. The CII's 'Mission on "Sustainable Growth"' suggests that India will need to increase its use of natural resources to accelerate the national rate of economic growth to, in turn, achieve the status of 'developed country' by the year 2020; to ensure this growth is sustainable, these resources should be used as efficiently as possible. The core purpose of this mission is defined as: '(t)o promote and champion sustainable growth in Indian Industry, without compromising on high and accelerated growth'.[63] This subordination of sustainability to the economy is undoubtedly widely supported throughout government and business circles in India, as reflected in the United Front Government's decision in the late 1990s to exempt small businesses (comprising approximately 90 per cent of all Indian businesses) from environmental regulations to prevent expensive monitoring and a disruption to economic growth.[64] Hence, despite the rhetorical salience of

[58] Ronald J. Herring and Erach Bharucha, 'Embedded Capacities: India's Compliance with International Environmental Accords', in Edith Brown Weiss and Harold K. Jacobson (eds), *Engaging Countries: Strengthening Compliance with International Environmental Accords* (Cambridge: MIT Press, 1998), p. 398.

[59] Susanne Jakobsen, 'India's Position on Climate Change from Rio to Kyoto: A Policy Analysis', CDR Working Paper 98.11 (1998), available at: {http://www.diis.dk/graphics/CDR_Publications/cdr_publications/working_papers/wp-98–11.htm}.

[60] Other smaller domestic research institutes and rural development organisations are also known to have advised the Indian Government on climate related matters over the years, largely through personal contacts. For more detailed discussion on this, see Susanne Jakobsen, *International relations theory and the environment*, pp. 230–3.

[61] Government of India, *Empowering People for Sustainable Development* (2002), available at: {http://www.envfor.nic.in/divisions/ic/wssd/doc1/home.htm}, p. 8.

[62] Government of India, *National Environment Policy 2006*, approved by the Union Cabinet on 18th May 2006, available at: {http://envfor.nic.in/nep/nep2006.html}, p. 2.

[63] Confederation of Indian Industry, 'Mission on Sustainable Growth' (updated on 27 September 2007). Available at: {http://cii.in/menu_content.php?menu_id=170}.

[64] David Stuligross, 'The Political Economy of Environmental Regulation in India', *Pacific Affairs*, 72:3 (1999), pp. 395–6.

sustainable development within India, in practice sustainability is often compromised in the pursuit of greater economic development.

India's economic policy arena is one which has witnessed a 'paradigm shift' in the 1990s from what may be termed 'Nehruvian developmentalism' to 'neoliberal globalism'.[65] The economic policy paradigm that emerged in India's post-independence era reflected the political elites' commitment to the self-reliance principle of *swadeshi* (literally, 'of one's own country').[66] Throughout the nationalist campaign for independence, this principle had been articulated to agrarian values and Gandhi's vision of India as a 'village utopia';[67] yet, in spite of the high level of influence Gandhi commanded over the nationalist movement, his economic vision did not inspire the minds of those men who formed the Planning Commission, a body established in 1937 as a 'neutral' and 'depoliticised' group of scientific and economic experts to plan for the future independent state's development, and later to advise the state's civil service.[68] These men instead shared the belief of India's first prime minister, Jawaharlal Nehru, that agriculture was a backward vocation which 'fragmented the country, confined man's vision to the narrow limits of his village, and was a breeding ground of ignorance, traditionalism, passivity, narrow-mindedness and superstition'.[69] In the post-independence era, *swadeshi* was articulated to self-reliant modernisation and large-scale industrialisation; any reliance on foreign capital should be strictly limited to the short term and have no influence on the orientation of development.[70] As Guha notes, 'self-reliance became *the* index of development and progress. From soap to steel and cashews to cars, Indians would meet their material requirements by using Indian land, Indian labour, Indian materials, and above all Indian technology'.[71] This policy paradigm persisted until the early 1990s when it was displaced by an emerging consensus among governing elites that liberalisation provided the most promising means of development. Whereas post-independence Nehruvian developmentalism sought to harness national wealth and the economy to produce a modern, industrialised, and self-reliant nation, the post-liberalisation model of development ties India's national progress to economic competitiveness and integration with the global market.[72] The economic reforms initiated by the Rao Government in 1991, and intensified by successive governments throughout the 1990s, were designed to '[. . .] accelerate technological change and modernise the Indian economy in order to make it efficient and internationally

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[65] The former is a term used by Desphande. Satish Deshpande, *Contemporary India: a sociological view* (New Delhi: Penguin Books, 2003), p. 69.

[66] Rob Jenkins, 'International development institutions and national – economic contexts: neoliberalism encounters India's indigenous political traditions', *Economy and Society*, 32:4 (2003), p. 597.

[67] Sagarika Dutt, 'India Unmasked: The Construction of a (Nation)-State (Review Article)', *Contemporary Politics*, 8:3 (2002), p. 241; Sunil Khilnani, *The Idea of India* (London: Hamish Hamilton, 1997), pp. 69–70; Patrick Peritore, *Third World Environmentalism: Case Studies from the Global South* (Gainesville: University Press of Florida, 1997), pp. 61–2.

[68] Partha Chatterjee, 'Development Planning and the Indian State', in Partha Chatterjee (ed.), *State and Politics in India* (New Delhi: Oxford University Press, 1997), p. 274.

[69] Bhikhu Parekh, 'Nehru and the National Philosophy of India', *Economic and Political Weekly* (5–12 January 1991), p. 37.

[70] Himadeep Muppidi, *The Politics of the Global* (Minneapolis: University of Minnesota Press, 2004), pp. 44–8.

[71] Ramachandra Guha, *India After Gandhi* (New York: Harper Collins Publishers, 2007), p. 217.

[72] Deshpande, *Contemporary India*, pp. 72–3.

competitive'.[73] While it is beyond the scope of this article to discuss these reforms and their impacts in any detail,[74] it is important to note here that the shift from Nehruvian developmentalism to neo-liberal globalism has fundamentally altered the interpretive 'framework of ideas and standards' that defines goals, problems, and policy instruments in the economic domain. The neo-liberal globalist paradigm also serves to empower new actors in this domain: the 'producer-patriot' which was privileged by the former paradigm has been displaced in favour of the affluent 'cosmopolitan consumer' and the export-oriented producer – identities exclusively reserved for those who are able and willing to engage with India's new role in the global market.[75] The neo-liberal globalist paradigm is reflected and reinforced internally through local media, Hindi cinema, and political party campaigns (for example, Bharatiya Janata Party's 'India Shining'), as well as externally through international marketing campaigns like those of the India Brand Equity Foundation (IBEF).[76] These campaigns reflect that fact that the 'gross domestic product' (GDP) has come to define the wellbeing of the Indian economy, which, in the process, has contributed to the privileging of the globally-oriented producer over other economic actors.

This paradigm shift in economic policy has been accompanied by a significant shift in the foreign policy domain. India's approach to environmental foreign policy has been influenced by an important speech made by Indira Gandhi (then India's prime minister) at UNCED in 1972, in which she established a connection between the environment and the concerns of the Third World; the key message of this speech was that '(t)he environment cannot be improved in conditions of poverty'.[77] The influence of this discourse on India's environmental foreign policymakers has been tempered in recent years by a shift in India's foreign policy orientation away from the Nehruvian tradition to a paradigm that is increasingly characterised by neo-liberal globalism.[78] The Nehruvian foreign policy tradition, which was dominant throughout the first four-and-a-half decades of India's independence, may be understood as broadly reflecting liberal internationalism, and was characterised by a commitment to non-alignment, multilateralism, and Third World Solidarity.[79] While the notion of non-alignment was originally conceived as providing a compass for India's own foreign policy, in the years

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[73] PM Narasimha Rao quoted in Muppidi, *The Politics of the Global*, p. 33.

[74] For such discussion see, for example, Atul Kholi, 'Politics of Economic Growth in India, 1980–2005', Part II: The 1990s and Beyond, *Economic and Political Weekly* (8 April 2006), p. 1361; and Salim Lakha, 'From Swadeshi to globalisation: The Bharatiya Janata Party's shifting economic agenda', *South Asia: Journal of South Asian Studies*, 25:3 (2002), pp. 83–103.

[75] Deshpande, *Contemporary India*, pp. 72–3.

[76] Sheena Malhotra and Tavishi Alagh, 'Dreaming the Nation: Domestic Dramas in Hindi Films Post-1990', *South Asian Popular Culture*, 2:1 (2004), pp. 19–37; Arun Kumar, 'Growth Scenario: Is the Common Man in the Picture?', in Alternative Survey Group, *Disequalising Growth: The Achilles' Heel of Liberalisation'*, Alternative Economic Survey, India 2004–05 (Delhi: Daanish Books, 2005), pp. 41–50; P. Sainath, 'India Shining meets the Great Depression', *India Together* (2 April 2006), available at: {http://www.indiatogether.org/2006/apr/psa-depress.htm>}.

[77] Indira Gandhi quoted in Rajan, *Global Environmental Politics*, pp. 25–6.

[78] A. K. Ramakrishnan, 'Neoliberal Globalism and India's Foreign Policy: Towards Critical Rethinking', in R. Harshe and K. M. Seethi (eds), *Engaging with the World: Critical Reflections on India's Foreign Policy* (New Delhi,: Orient Longman 2005), pp. 25–40.

[79] Rajan, *Global Environmental Politics*, pp. 37–9; Stephen P. Cohen, *India: Emerging Power* (Oxford: Oxford University Press, 2001), p. 38; C. Raja Mohan, *Crossing the Rubicon: The Shaping of India's New Foreign Policy* (New York: Palgrave Macmillan, 2004), p. xv.

following independence, Nehru also showed leadership in forming the Non-Aligned Movement (NAM) as a forum focused on non-alignment with the superpowers as well as such principles as human rights, sovereignty, equality of nations, international justice and responsibility, and the rejection of war.[80] The relative continuity in India's foreign policy paradigm from independence until the early 1990s is explained by the continuity in India's foreign policy environment, chiefly the bipolar international order, and tensions with China and Pakistan; as well as the fact that Nehru's successors were either unskilled in foreign policy or already committed to his principles.[81] The end of the Cold War, and the subsequent liberalisation of India's economy, catalysed a major reconsideration of the orientation of India's foreign policy.[82] In the absence of bipolarity, non-alignment was widely considered to have no relevance for India or the rest of the world; furthermore, as the economic policy paradigm began to shift, India's commitments to Third World Solidarity and multilateral diplomacy were increasingly perceived as a handicap. Although the legacy of Nehru's foreign policy continued to intermittently influence India's foreign policy during the 1990s and into the new century, this tradition has been increasingly displaced by a new tradition characterised by closer relations with the West (particularly with the US); greater emphasis on 'pragmatism' and strategic alliances, and greater emphasis on commercial diplomacy.[83] Some scholars suggest that this new tradition is characterised by the adoption of an ideologically-neutral 'pragmatism' as a new foreign policy compass; this is reflected in India's increasing preference for strategic alliances in place of broad support for inclusive multilateralism and Third World Solidarity; illustrative is India's participation in the G-4, G-15, G-20, the India-Brazil-South Africa grouping, and the Asia Pacific Partnership on Clean Development and Climate.[84] In contrast to those who characterise this position as pragmatic, Ramakrishnan suggests that pragmatism simply masks the ideological commitment to neo-liberal globalism, which is characterised by subordinating people's political interests and aspirations to the interests of the economy and accumulation, and limiting state involvement in the economy to promoting accumulation opportunities.[85] Ramakrishnan's view is supported by the growing emphasis on commercial diplomacy in India's foreign policy; as Jakobsen notes, liberalisation in India saw primacy in foreign affairs '[. . .] given to economic diplomacy in order to convey the message to the world that the Indian economy was poised for massive and unprecedented modernisation'.[86] The heightened salience of India's globally-oriented economy in the economic policy paradigm has prompted India's foreign policymakers to promote India as an aspiring major economic power and an attractive environment for investment.

[80] Mohan, *Crossing the Rubicon*, pp. 29–30.
[81] Cohen, *India*, p. 37.
[82] Sanjaya Baru, *Strategic Consequences of India's Economic Performance* (New Delhi: Academic Foundation, 2006), p. 136.
[83] Kamal Mitra Chenoy and Anuradha M. Chenoy, 'India's Foreign Policy Shifts and the Calculus of Power', *Economic and Political Weekly* (1–7 September 2007), pp. 3547–54.
[84] Ibid; Mohan, *Crossing the Rubicon*, pp. 47–8; Praful Bidwai, 'India's clumsy balancing act', *Inter Press Service* (26 June 2007), available at: {http://www.tni.org}.
[85] Ramakrishnan, 'Neoliberal Globalism'.
[86] Susanne Jakobsen, 'India's Position on Climate Change from Rio to Kyoto'.

India's role in international climate change governance

The emergence of the issue of climate change onto the international political agenda coincided with this period of significant transition in India's economic and foreign policies. It is unsurprising then that climate change did not attract the levels of concern in India that it did in some other countries. In fact, given these circumstances, it is perhaps surprising that the issue attracted the level of attention that it did. Perhaps influenced by the speed with which the Montreal Protocol negotiations had proceeded, India's then prime minister, Rajiv Gandhi, assumed a pro-active position in early climate change discussions. Reflecting a persistent allegiance to the Nehruvian tradition of foreign policymaking, Gandhi interpreted the problem of climate change through a North-South lens and actively sought to integrate the interests of the South into the climate change agenda.[87] In 1990, the Indian government organised the 'New Delhi Conference of Select Developing Countries on Global Environmental Issues' to exchange knowledge, highlight the links between disparate global environmental problems, and to mobilise cooperation among developing countries ahead of the first official climate change negotiations in late 1990.[88] The most salient points presented at this meeting were the North's responsibility for generating the threat of climate change, and the importance of enabling the South to access the necessary resources for economic development and poverty alleviation.[89] The North-South lens through which India's foreign policymakers interpreted the issue of climate change created the space for a loose 'discourse coalition' to emerge between these elites and India's grassroots environmentalist organisation, the Centre for Science and Environment (CSE).[90] By 1991, the CSE had already established a case for basing climate governance on the principle of *per capita* shares of atmospheric space; this was intended to ensure that the countries of the North would greatly reduce their domestic emissions to allow those of the South to increase theirs as necessary for alleviating poverty.[91] Drawing on the CSE's line of reasoning, India's environmental foreign policymakers were able to establish congruence between their domestic conditions and the emerging norms of climate governance by framing the problem of climate change as one of globally inequitable development. Framing the problem in this way directed responsibility for mitigation primarily to the North and thus allowed India to actively participate in international climate negotiations without jeopardising the state's coal-dependent development trajectory. During early intergovernmental negotiations, India's chief negotiator, Chandrashekhar Dasgupta, presented the CSE's original case for *per capita* shares of atmospheric space as the nation's formal position by proposing an 'equitable formula' for reducing global emissions, based on the convergence of CO_2 emissions at a

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[87] Joyeeta Gupta, *The Climate Change Convention and Developing Countries: From Conflict to Consensus?* (Dordrecht: Kluwer Academic Publishers, 1997), pp. 280–7.

[88] Rajan, *Global Environmental Politics*, p. 103.

[89] Ibid., pp. 103–4.

[90] Gupta, *The Climate Change Convention and Developing Countries*, p. 87; Sheila Jasanoff, 'India at the crossroads in global environmental policy', pp. 34–6.

[91] Anil Agarwal and Sunita Narain, *Global Warming in an Unequal World* (New Delhi: Centre for Science and Environment, 1991).

common *per capita* level and taking into consideration historical emissions.[92] Such a formula would clearly promote India's development aspirations given this country's very small *per capita* emissions, relative to the global average. This position was also consistent with India's favoured representation of climate change as an inherently and exclusively political problem which reflected the global imbalance of GHG emissions and historically inequitable patterns of development. This representation is particularly salient in Dasgupta's statement at an early intergovernmental meeting in June 1991:

global warming is caused not by emissions of greenhouse gases as such but by excessive levels of *per capita* emissions of these gases. If *per capita* emissions of all countries had been on the same levels as that of the developing countries, the world would not today have faced the threat of global warming. It follows, therefore, that developed countries with high *per capita* emission levels of greenhouse gases are responsible for incremental global warming.[93]

Although India's environmental foreign policymakers were unsuccessful in institutionalising *per capita* rights in the Climate Change Convention, the norms of CBDR and domestic emission reduction targets resonated with their understanding of climate change as an inherently and exclusively *political* problem and were consequently defended against attempts by some developed countries to dilute them. This defence was most prominent against the Norwegian proposal of Joint Implementation (JI), which was based on the premise that cost effectiveness and economic efficiency could be assured by allowing developed countries to claim credit towards their emission reduction targets by implementing mitigation projects in developing countries.[94] India perceived JI as a violation of the CBDR norm by allowing the developed countries to dilute their responsibilities for limiting their own GHG emissions; it was also feared that JI would become a form of 'neo-colonialism', through which the North would appropriate more of the resources of the South and thereby exacerbate existing global inequalities.[95]

Between 1994 and 2001, when international debates were focused on the Kyoto Protocol and its flexible mechanisms, India's environmental foreign policymaking entered a phase of cautious compromise on some aspects of the climate change negotiations. On the norm of CBDR, India remained resolute and continued to frame the problem as one of globally inequitable development; this framing directed responsibility exclusively to the North and deflected attention away from India's own coal-dependent development strategies. The proposal to further differentiate the developing countries to negotiate commitments for 'more advanced developing countries' was described by India's environment minister, Kamal Nath, as an 'insidious' move which sought to conflate 'luxury' and

[92] India, 'Non-paper'. Draft Framework Convention on Climate Change. INC, Second session, Geneva, 19028, Item 2 of the provisional agenda. A/AC.237/Misc.1./Add.3 (June 1991). The CSE's case has since become more commonly associated with the Global Commons Institute (GCI)'s concept of 'contraction and convergence', but the development of this concept followed the publication of the CSE's *Global Warming in an Unequal World* and it is unlikely that India's environmental foreign policymakers were directly influenced by the GCI at this early stage.
[93] Chandrashekhar Dasgupta, 'The Climate Change Negotiations', in Irving M. Mintzer and J. Amber Leonard (eds), *Negotiating Climate Change: The Inside Story of the Rio Convention* (Cambridge: Cambridge University Press, 1994), pp. 133–4.
[94] Bodansky, 'The UN Framework Convention on Climate Change', pp. 520–1.
[95] Gupta, *The Climate Change Convention and Developing Countries*, p. 118.

'survival' emissions.[96] Buoyed by the growing support and influence that the Global Commons Institute's concept of 'contraction and convergence' was enjoying within the South and environmentalist networks, Nath continued to stress the importance of basing international climate change policies firmly on the principle of global equity.[97]

The role of an expanding equity-based discourse coalition in maintaining India's preferred framing of climate change was particularly evident at the first Conference of the Parties (COP-1) in 1995. With their confidence and authority undermined by the absence of Kamal Nath, the Indian delegation maintained a low profile throughout most of the meeting. However, Nath's arrival in the final days saw India reassume its leadership position within the South by convening a group of seventy-two 'like-minded countries' from the G77 to cooperate with the CSE and the Climate Action Network[98] in drafting a 'Green Paper'.[99] This paper called for negotiations on a climate protocol to be finalised at COP-2, and for Annex I parties to adopt legally-binding emission reduction targets within the context of this protocol. To maintain the integrity of the CBDR norm, no further commitments for non-Annex parties were specified in the Green Paper.[100] This proposal, described by Nath as 'a rare example of cooperation between government representatives and non-governmental organizations',[101] eventually formed the basis of the Berlin Mandate, which laid out a negotiating process to produce a protocol by 1997.

While resisting efforts by some parties to reinterpret the norm of CBDR, India demonstrated a willingness to compromise on the norm of domestic emission reduction targets. This new phase of cautious compromise resonated with the domestic shits in economic and foreign policy paradigms outlined earlier. The phase of cautious compromise was marked by a shift away from strict Third World Solidarity, which characterised the Nehruvian tradition of foreign policymaking, to a willingness to compromise with developed country Parties on the norm of domestic emission reduction targets. While the original interpretation of this norm resonated with India's long-standing assumption that domestic objectives and goals ought to be pursued within the strict parameters of the nation-state (an assumption reflected in the principle of *swadeshi*), the neo-liberal globalist consensus that strengthened throughout the 1990s provided the necessary economic and foreign

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[96] Quoted in IISD (International Institute for Sustainable Development), *'Earth Negotiations Bulletin'*, 12:20 (1995), available at: {http://www.iisd.ca/download/asc/enb1220e.txt}.

[97] This is reflected, for example, in Kamal Nath's plenary statement at the first Conference of the Parties, in 1995. Available at: {http://www.gci.org.uk/papers/Nairobi3b.pdf}. See also, Nath's statement of support for the position of GCI on climate change. Available at: {http://www.gci.org.uk/papers//Nairobi3b.pdf}. Nath explicitly acknowledges the affinity between the positions of the GCI and India in relation to climate change in a statement provided on the GCI's website.

[98] The Climate Action Network (CAN) is an international network of more than 450 environmentalist organisations.

[99] The Green Paper was a revision of the earlier AOSIS Protocol which had divided the G77; while many G77 states supported the proposal, others remained cautiously non-committal, and the oil-producing states rejected it outright. Agarwal et al., *Green Politics*, p. 45; IISD, *'Earth Negotiations Bulletin'*, 12:21 (1995). Available at: {http://www.iisd.ca/vol12/1221013e.html}; Susanne Jakobsen, *International relations theory and the environment*, p. 201.

[100] Agarwal et al., *Green Politics*, p. 45.

[101] Report of the Conference of the Parties on its first session, held at Berlin from 28 March to 7 April 1995. Part one: Proceedings. FCCC/CP/1995/7 (1995), p. 23. Available at: {http://unfccc.int/resource/docs/cop1/07.pdf}.

policy paradigms for gradually accepting the broader and more flexible under-standing of the norm of domestic emission reduction targets that was emerging internationally.

The first compromise took the form of a pilot phase of Activities Implemented Jointly (AIJ): a bilateral mechanism through which all Parties could voluntarily cooperate on GHG abatement projects. At the insistence of India and other developing countries, AIJ would be purely experimental and not generate any credits towards meeting the emissions targets of the developed country Parties;[102] moreover, India's environment minister, Kamal Nath, insisted that voluntary transnational mitigation programs should not be 'used as an excuse by the North to continue with their present profligate consumption patterns which are at the root of the unsustainable mess we find ourselves in'.[103] Despite conceding to an international pilot phase of AIJ, India resisted pressure from the US, Japan, and others to accept proposals for mitigation projects in India.[104] Despite its limited success in terms of project numbers and partners, the negotiation of the AIJ effectively legitimised transnational mitigation as an adjunct to domestic mitigation for meeting domestic emission reduction targets; this in turn provided an opportunity for institutionalising a set of 'flexible mechanisms' in the Kyoto Protocol in 1997.[105] One of these mechanisms is the Clean Development Mechanism (CDM), which allows developed countries to finance emission mitiga-tion projects in developing countries in exchange for claiming the averted emissions as credits towards their own domestic targets.[106] Initially, India's foreign policy-makers expressed dismay at this transnational turn in climate governance with one delegate conceding that 'unsustainable patterns of living seem to be the dominating approach' in international climate governance.[107] Such assessments point to a perceived incongruence between the transnationalised norm of domestic emission reduction targets and India's domestic conditions; however, within a short period of time India's foreign policymakers had begun to engage with domestic and external non-state actors in such a way that secured normative congruence once again. Two specific conditions enabled this engagement. In the first instance, the increasing consolidation of a new economic paradigm characterised by neo-liberal globalism endowed the global market with a degree of domestic importance that hadn't been seen throughout the post-independence era. This, together with economic liberalisation, had empowered a new group of internationally- and competitively-minded industry actors (chiefly the Confederation of Indian Indus-tries – CII) who were interested in engaging with global market actors.[108]

[102] IISD, 'Earth Negotiations Bulletin', 12:15 (1995). Available at: {http://www.iisd.ca/download/asc/enb1215e.txt}.
[103] Kamal Nath, 'Statement by Kamal Nath, Minister for Environment and Forests, India, to the Conference of the Parties to the Climate Change Convention, Berlin, Germany, 6 April 1995'. Available at: {http://www.gci.org.uk/papers/Nairobi3b.pdf}.
[104] Michael Grubb with Christiaan Vrolijk and Duncan Brack, *The Kyoto protocol: a guide and assessment* (Washington, DC: Royal Institute of International Affairs, 1999), p. 101.
[105] IISD, 'Earth Negotiations Bulletin', 12:76 (1997), Available at: {http://www.iisd.ca/download/asc/enb1276e.txt}; Joyeeta Gupta, 'India and Climate Change Policy', p. 221.
[106] UN, 'Clean Development Mechanism'. Available at: {http://unfccc.int/kyoto_protocol/mechanisms/clean_development_mechanism/items/2718.php}.
[107] Quoted in Gupta, 'India and Climate Change Policy', p. 222.
[108] Atul Kholi, 'Politics of Economic Growth in India, 1980–2005'.

The second enabling condition was the pragmatic/globalist turn in foreign policy and the rapprochement in Indo-American relations, which in turn enabled state and industry actors in the US to form an economically-oriented discourse coalition with industry and other non-state actors within India.[109] Throughout 1999, two US climate policy officials, Kathleen McGinty and Karl Hausker, were based at The Energy Research Institute (TERI) in New Delhi as senior visiting fellows with the objective of 'develop(ing) more common ground between the US and India on climate change'.[110] McGinty and Hausker have recounted how the MOEF was initially quite hostile to the idea of the CDM, which one official likened to '[. . .] a dying man (an industrialised nation) asking for a blood transfusion from a friend (a developing country)'.[111] Yet by the end of their twelve-month fellowships, a significant shift in the attitude of the MOEF and other ministries and industry stakeholders had been secured through formal and informal means. Some of the more prominent initiatives instigated by McGinty and Hausker included the Indo-US Dialogue on the Clean Development Mechanism, which brought together Indian and US business leaders to discuss the profitable opportunities presented by the CDM; and a ministerial meeting between India's Minister of External Affairs, Jaswant Singh, and US Energy Secretary Bill Richardson, which produced a 'Joint Statement on Cooperation in Energy and Related Environmental Aspects'. This statement included a resolution to work closely together to achieve an early agreement in the UNFCCC on the elements of the flexible mechanisms, as well as a resolution to 'work closely together with other countries to develop [. . .] international rules and procedures for the Kyoto Mechanisms, including the Clean Development Mechanism'.[112] By establishing alliances with non-state actors and grafting the transnationalised norm of domestic emission reduction targets onto India's emerging economic policies and objectives, these US non-state actors were able to produce a perception of normative congruence among India's environmental foreign policymakers. This in turn has catalysed a significant change in India's position on international climate governance. But the actions of McGinty and Hausker were only consequential by virtue of the wider ideational shifts that occurred within India's economic and foreign policy domains. These shifts enabled the problem of climate change to be perceived differently by India's environmental foreign policymakers; rather than understanding climate change strictly as a political problem reflecting excessive consumption in the North, these domestic shifts created the possibility for understanding climate

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[109] Prior to this time, the private sector had taken little interest (and in many cases, no interest) in the issue of climate change. As Rajan, Gupta, and Jakobsen all attest, India's environmental foreign policymakers made no effort to involve business and industry actors in developing their negotiating position, and these actors made no effort to pressure the government. Rajan, *Global Environmental Politics*, pp. 246–8; Gupta, *The Climate change convention and developing countries*, p. 53; and Jakobsen, *International relations theory and the environment* p. 210–14.

[110] Karl Hausker and Kathleen McGinty, 'India's Reappraisal of the Clean Development Mechanism', *Resources for the Future* (January 2001), p. 11. Available at: {http://www.weathervane.rff.org/solutions_and_actions/Developing_Countries/Feature_IndiaReappraisalCDM.pdf}.

[111] Ibid., pp. 11–2.

[112] Embassy of India, 'Joint Statement on Cooperation in Energy and Related Environmental Aspects' (26 October 1999), available at: {http://www.indianembassy.org/pic/PR_1999/October_99/PR_Oct_26_1999.html}.

change as a technical problem of emissions *per se*. While the earlier perception directs responsibility exclusively to the North, the latter creates a possibility for the South to contribute to mitigation efforts.

Since 2001, India's environmental foreign policymakers have focused on maximising the opportunities that transnational mitigation can offer the country and its major industry interests. In stark contrast to the early to mid 1990s, in recent years India's environmental foreign policymakers have used their interventions in meetings of the UNFCCC to encourage more extensive use of the CDM. In the first session of the Ad Hoc Working Group on Further Commitments for Annex I Parties Under the Kyoto Protocol (AWG-KP), in 2006, India urged the developed countries to adopt more ambitious targets while allowing certain Annex I parties to make greater use of the CDM to fulfil these targets. Whereas India had formerly interpreted equity exclusively in North-South terms, now it was suggesting that 'equitable burden sharing' could involve the differentiation of developed countries to allow those countries that will incur higher compliance costs to meet a larger share of this target with credits generated through the CDM.[113] This argument was also repeated the following year at the fourth session of the AWG-KP, where the Indian delegation stated that one of the 'building blocks for action' should be 'an expanded CDM that will enable Annex I Parties to take more ambitious QELROs (Quantified Emission Limitation and Reduction Objectives) and allow for enhanced mitigation in developing countries'.[114] Meanwhile, the Government has focused internally on developing the necessary institutional apparatus for operationalising and expanding the CDM.[115] The Government also plays an important role in 'aggressive international marketing' to maximise CDM investment against 'competitors' in the developing world.[116] This market discourse marks a significant departure from the Nehruvian tradition of foreign policy; indeed, it closely reflects the new prioritisation of 'commercial diplomacy' over nonalignment and Third World Solidarity.

The new commitment to 'strategic partnerships', which is characteristic of India's post-liberalisation foreign policy paradigm, is reflected in the country's decision to join the Asia Pacific Partnership on Clean Development and Climate (APP), in July 2005. This exclusive arrangement bypasses the norms of climate governance established by the UNFCCC: the commitments and responsibilities of the member parties are not formally differentiated, and domestic emission reduction targets are rejected. The focus is instead on cooperation to develop and implement technologies that will avoid disruption to the economic growth trajectories of all member parties, while potentially reducing the greenhouse gas

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[113] UNFCCC, 'Views regarding Article 3, paragraph 9, of the Kyoto Protocol', Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol, First session, Bonn (17–25 May 2006, 4 April 2006), FCCC/KP/AWG/2006/MISC.1, available at: {http://unfccc.int/resource/docs/2006/awg1/eng/misc01.pdf}, p. 15.

[114] Government of India, 'Indian delegate's address to the Vienna Climate Change Talks' (2007), AWG 4 and the Dialogue 4, Vienna, Austria, Plenary (27 August 2007, 15:00), available on UNFCC Webcast: {http://www.unfccc.webstream.at/}.

[115] Ibid., 'National CDM Authority' (no date), available at: {http://cdmindia.nic.in/cdm_india.htm}.

[116] Planning Commission, Government of India, 'Report of the Working Group on National Action Plan For Operationalising the Clean Development Mechanism in India' (December 2003), available at: {www.planningcommission.nic.in}, p. vi.

intensity of their economies.[117] Although India and other Kyoto signatories within the APP were careful to emphasise that the initiative was designed to *complement* the Kyoto Protocol rather than compete with it, the norms of the APP clearly stand in opposition to those institutionalised in the UNFCCC.[118]

Conclusion

The original interpretations of the norms of climate governance resonated with India's interpretation of climate change as a problem generated by excessive consumption patterns in the North, and as a reflection of globally inequitable patterns of development. Throughout recent years, India's environmental foreign policymakers have continued to reinforce this representation of the problem by consistently emphasising the importance of the CBDR norm in international negotiations and agreements, and arguing that countries with low *per capita* emissions have a right to pursue convergence with more highly developed countries' emissions levels.[119] However, India's continued capacity to promote this political representation of the problem and deflect attention away from its own coal-dependent development path has been undermined by its participation in the APP and its active acceptance of transnational carbon offsetting as an appropriate mode of climate governance. In the process of building congruence with the transnationally-oriented norm of domestic emission reduction targets, India's environmental foreign policymakers have legitimised a technical representation of the problem which directly conflicts with the political representation embedded in the CBDR norm. The technical representation of the problem reflected in the Clean Development Mechanism and the agenda of the APP treats emissions as purely material phenomena: the different value of the human activities associated with emissions is denied and luxury and subsistence emissions are conflated. The pursuit of a globally equitable balance between the excessive emissions of a global minority and the minimal emissions of a global majority is marginalised by this representation of the problem. While India has seemingly successfully established congruence between its domestic conditions and the two norms of climate governance, this congruence rests on shaky foundations of competing and incompatible problem representations. Indeed, there are now signs that the position and legitimacy of India's environmental foreign policymakers are being subjected to closer domestic scrutiny. Critics have drawn attention to the fact that India's support of these competing problem representations can only be accommodated by its willingness to 'hide behind the poor'. Praful Bidwai, for example, has labelled

[117] APP (Asia Pacific Partnership of Clean Development and Climate) 'Communiqué', Asia Pacific Partnership of Clean Development and Climate (2006), available at: {http://www.asiapacificpartnership.org/Communique.pdf}.

[118] Jeffrey McGee and Ros Taplin, 'The Asia-Pacific Partnership on Clean Development and Climate: A Complement or Competitor to the Kyoto Protocol?', *Global Change, Peace & Security*, 18:3 (2006), pp. 174–7; see also, Jeffrey McGee and Ros Taplin, 'The role of the Asia Pacific Partnership in discursive contestation of the international climate regime', *International Environmental Agreements*, 9 (2009), pp. 213–38.

[119] See, for example, Manmohan Singh, 'PM's Inaugural address at the Delhi Sustainable Development Summit', New Delhi (7 February 2008), available at: {http://www.pmindia.nic.in/speech/content.asp?id=649}.

his government's position as 'utterly hypocritical' and one designed to protect the interests of India's consuming elite.[120] Greenpeace India appears to support this assessment and notes that the *per capita* emissions of this minority elite are only slightly lower than the global average.[121]

Under these conditions of normative inconsistency and domestic criticism, it is perhaps unsurprising that tensions emerged within India's core negotiating group in 2009. This became apparent in the lead up to the fifteenth Conference of the Parties, in Copenhagen, when India's environment minister, Jairam Ramesh, sought to develop a more flexible negotiating strategy dubbed 'per capita plus'. Ramesh argued that insisting on *per capita* emission entitlements while refusing to discuss reduction targets was an unsustainable negotiating strategy.[122] This move was criticised by opposition parties and long-serving negotiators who saw it as a step closer towards the positions of developed countries. India did manage to present a unified position at the Copenhagen negotiations and pledged to 'endeavour to reduce the emissions intensity of its GDP by 20–25% by 2020 in comparison with 2005 levels' (excluding the agriculture sector).[123] In fact, India played a key role in drafting the Copenhagen Accord with the US, China, Brazil, and South Africa after wider negotiations failed to produce agreement on the future climate regime. While disagreements may have been publicly patched up during this important meeting, tensions within the core negotiating group have proved to be irreconcilable. As a result, three senior negotiators (Shyam Saran, Chandrashekhar Dasgupta, and Prodipto Ghosh) will no longer represent India in continuing international negotiations on the future of the UNFCCC and Kyoto Protocol.[124]

It has been argued in this article that the fluid nature of both international norms and states' domestic conditions means that congruence building is an integral and iterative aspect of norm diffusion. While the norms of common but differentiated responsibilities and domestic emission reduction targets continue to enjoy broad legitimacy, the appropriate interpretation of these norms for future climate change governance remains a contentious point in the UNFCCC negotiating processes. Irrespective of the shape and substance of agreements that may eventually be reached in Mexico this year or South Africa in 2011, the norms they embody should not be expected to diffuse easily to the domestic level. Instead, these agreements will catalyse a renewed process of normative congruence-building within the international community of states.

[120] Bidwai, 'Changing Mind on Climate Change'.
[121] G. Ananthapadmanabhan, K. Srinivas, and Vinuta Gopal, 'Hiding Behind the Poor', Greenpeace India (2007), available at: {http://www.greenpeace.org/raw/content/india/press/reports/hiding-behind-the-poor.pdf}, p. 2.
[122] 'Jairam for shift, not surrender', *Hindustan Times* (20 October, 2009); 'Congress distances itself from shift on climate stand', *The Times of India* (20 October, 2009). See also, 'Discussion regarding impact of climate change', XV Lok Sabha (3 December, 2009), available at: {http://164.100.47.132/debatestext/15/III/0312.pdf}.
[123] Government of India, Letter to the UNFCCC Executive Secretariat (30 January 2010), available at: {http://unfccc.int/files/meetings/application/pdf/indiacphaccord_app2.pdf}.
[124] 'Dasgupta attacks Jairam for 'reversing' national consensus', *United News of India* (25 February, 2010); Nitin Sethi, 'Govt rejigs climate talks team', *The Times of India* (21 May 2010).