

Negotiations between formal law and cultural norms serve as a crucible for change in water governance frameworks, though in practice they are mutually exclusive. Despite imbalances in water resource practices, litigation avails a pathway towards the reconciliation of discursive clash and hegemonic improprieties.

Of Kuia's Garden

Hydroelectricity, Iwi, and Framing the War for Whanganui River Power

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Introduction



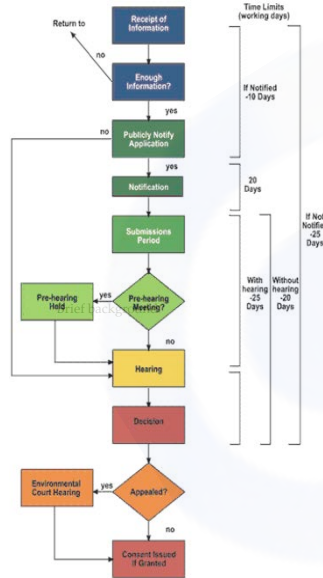
Whanganui River Basin (WRB) Kuia is literally translated as ancestress. It is the term used by tribal entities when acknowledging the River, which reflects the way a dynamic River creates spaces for a plethora of communities to thrive. As a queen tends her garden, the Whanganui River governs the basin through ebb and flow. Often, rivers are cohesive sites where relationships are created and fortified through the trade of goods as well as knowledge systems. On the other hand, they are also painted by the struggle for power and protest. Such a paradox frames the water war on Whanganui River where two discursive communities, Genesis Energy and Ngāti Rangi battled for ten years with the intentions of safeguarding their ideal landscape in the Environment Court, Court of Appeal, and the High Court. The principle policy that was utilized was the Resource Management Act of 1991, New Zealand's environmental legislation that requires resource consents to build all urban or rural planning projects, which allows citizens to contest those resource consents through litigation. In 2010, the two warring parties contracted a settlement to reconcile wounds from colonization and globalization.

Whanganui River's reign starts at its headwaters at Mt. Ruapehu (background).



The WRB is a prime example of a hybrid landscape where the Genesis Energy (TPS) left and Iwi (right) converge to form inclusive communities (middle).

Contextualizing Water Governance: Resource Management Act Process



Dominant Discursive Communities

In 2002, Ngāti Rāngi Trust, Whanganui River Maori Trust Board and Tamahaki Incorporated Society brought charges against Genesis Energy by disputing the renewal of resource consents for the Tongariro Power Scheme (TPS) in the Environment Court. Later in 2007, tribal organizations were unsuccessful in the High Court and continued to the Court of Appeal for further action. The case took a peculiar turn as Ngāti Rangi alongside other tribal entities entered into discussions with Genesis Energy and implemented an out of court settlement in 2010 that transformed River basin management frameworks from a market based mechanisms to a more integrated approach. Throughout oral arguments, one entity sought to safeguard their notions of sustenance, while the other defended their perception of property rights. Regional battles such as Ngāti Rangi v. Genesis Energy are flickering embers of a war for river power on the North Island of New Zealand. Though in 2010, parties were able to negotiate a settlement agreement that revolutionized water perceptions in the basin

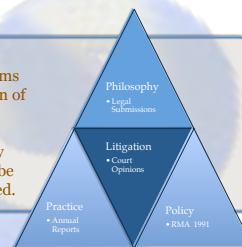
Results

DISCURSIVE FRAMES	Philosophy	Practice	Policy
Primary Frameworks	Hybrid		
Metaframes	Natural	Harmony with Nature	Hybrid
Issue Frames	Ethno- Nationalism	Liberal Individualism	Ecological Modernization
Framing, Dimension	Colonialism		

The figure above traces the development of 'water governance' through legal submissions, annual reports, and the RMA. A layout is derived that maps out interconnected but contrasting visions of 'Whanganui River power'.

Water War Dynamics

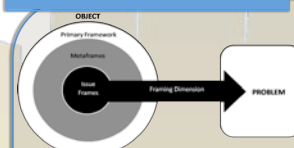
Fundamentally, philosophy is a theory or attitude held by an individual or collective that acts as a guiding principle for behavior. Practices are social norms are influenced by the values we hold and policy is formulated by a combination of values and politics that saturate the social landscape. Generally, "norms" are inherently philosophical in the sense that discourse plays an essential role in adjudicating the values expressed as cultural norms. Much to say the interplay between philosophy, practice, and policy manifest as a "culture war" that can be analyzed in trials and are sites where environmental change is acutely procured.



Conclusions

Although these discursive communities tell a starkly different story, each contributes to the macro-narrative of this dynamic system: an integrated tale of the human experience—how it was, how it is, and how it could be along the River. Ultimately, the battle has been settled, yet the war for river power in Whanganui is far from over. At some level, urban planners and managers are legally bound to an agreement to Maori preferences however they are still politically trumped by development prospects. Yet, this tribal entity made headway by engaging with their power company and therefore procuring environmental change when managing water resources. For the most part, the *Genesis Energy v. Ngāti Rāngi* serves as a beacon of light to guide us towards the formation of inclusive communities and resilient landscapes.

Methods



Primary frameworks: Basic level of understanding through two 'superframes' that situate a community's experiences: the 'biosphere' and the 'social'.
Metaframes: Overarching frames of a higher level of generality that can be operationalized as the normative aspects of issue frames
Issue frames: Central to the framing process and yield a coherent narrative in which problem specific predictions correspond to problem specific verdicts.
Framing dimension: Mechanism by which discursive communities define then complicate their problem in order to fulfill their political aims.

- Implored a narrative analysis of:**
 - Legal submissions made by Ngāti Rāngi and Genesis Energy in the Environment Court
 - Annual Reports 2004 - 2012
 - Court Opinions 2004 & 2006
 - Resource Management Act: articles 6, 7, 8: 'sustainable management' of water resources
- Frame analysis:** PhD Mat Hope, University of Bristol
 - investigates the way an 'issue' is characterized and compromised as well as the impact it has on the broader discussion of the problem.
 - framing process (Figure 1) as means to contextualize the inherent hierarchy within the framing process as each layer of meaning arose.

References

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