

LEX LOCI'S TRAVELS

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An irregular one-pager from The Public Land Consultancy

Lex talks to the River Yarra but does it talk back?

Lex is standing on Princes Bridge, loudly offering his opinions to the water below. No, he is not suffering from Tourette's syndrome and no, he's not talking on some hidden mobile. He thinks the Yarra is a person.

This is not as crazy as it might sound. Various rivers elsewhere in the world have been granted the status of legal persons. They include the Whanganui River in New Zealand, and the Ganga and Yamuna Rivers in India.

The basic idea is not new. For centuries we've recognised legal persons other than normal human beings – companies and incorporated associations, for example. But what about a river?

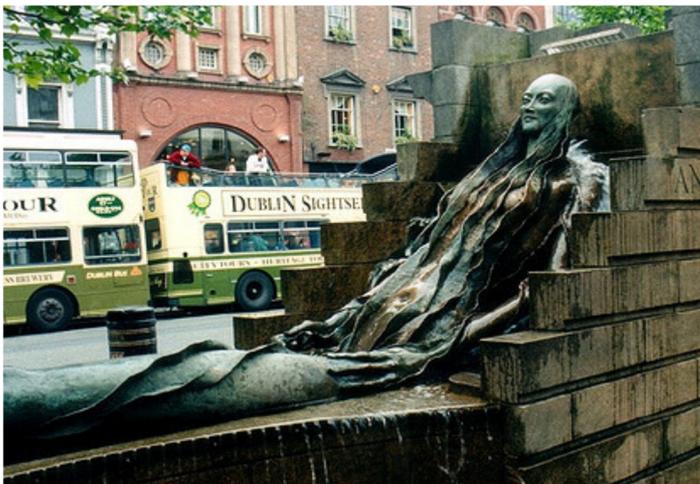
In New Zealand, this personification has been put in place by legislation; in India by a court decision.

Lex wants to know what it all means. The Ganges can now complain about being polluted – but only through a designated officer of the relevant State Government. The Whanganui River (or *Te Awa Tupua*) can apparently exercise the legal rights of a natural person, acting through a 17-member board.

Can these rivers buy and sell, sue and be sued, enter into contracts? Open a bank account? Sorry, we don't know.

Anyway, back to the Yarra. Perhaps we should we say Birrarung. Since 2017 it's had its [own Act of Parliament](#), and is on the way to having an advisory Council – but that Council's principal function is to advise the Water Minister, not to act on behalf of the river as a legal person.

So Lex can yell and bellow all he likes: he'll get no response. Except perhaps from that passing police officer.



Waters personified: *The Spirit of the Liffey*, Dublin

If you find yourself talking to a river, speak to it in its own language. It's a matter of courtesy.

The river we call the Ganges is, in Urdu and Hindi, the *Ganga*

The Whanganui River is, in the Maori language, *Te Awa Tupua*

Dublin's Liffey is, in Irish Gaelic, *An Life*

And the Yarra, in the local Woiwurrung language, is (as we all know) *Birrarung*.

See you there! *Lex Loci*