

# Place and Property in Post-*Mabo* Fiction by Dorothy Hewett, Alex Miller and Andrew McGahan

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‘My idea of Australia changed when I bought a few acres of it.’ With these words Martin Harrison introduces his essay of 2004, ‘Country and How to Get There’ (100). Becoming the owner of a small country property leads him to a new sense of place and nation, which he connects with the word ‘country.’ Harrison argues that ‘country’ has developed a distinctive Australian inflection through its usage by Aboriginal people in relation to their traditional lands, and has become a polyvalent term which makes history visible:

‘Country’ is a word which upsets the neat overlaps of meaning in terms like ‘land,’ ‘property,’ ‘farm,’ ‘home,’ ‘district,’ ‘landscape,’ separating these meanings out from each other and stressing how each brings with it its own slant of non-Indigenous colonial history. (101)

He suggests that this word draws readers, writers and owners into an enlarged and more self-conscious understanding of place, one that even affects their notions of property: ‘many of my neighbours (not all) see their tenure as temporary, and by their own lights, custodial.’ (107). My paper seeks to explore this proposed link between the affects of ownership and relationships to place, by examining the interplay between the language of law and discourses of topography. How do the experience of ownership and notions of property, especially the recognition of native title, inform representations of place and identity in contemporary white Australian fiction? I examine these questions through texts that explicitly engage with the challenge that native title presents to the culture of property, particularly Dorothy Hewett’s 1999 novel, *Neap Tide*, Alex Miller’s *Journey to the Stone Country* (2002) and Andrew McGahan’s *The White Earth* (2004).

Although he does not mention the changing legal context, Harrison clearly evinces a post-*Mabo* sensibility, especially when he argues that country ‘is something you are part of, something which changes your senses of self and placement and which requires a change in envisioning if you are to see it and understand it.’ Equally, he admits, ‘country does not easily offer back a comfortable image of white Western presence, neither in terms of colonial history nor in terms of . . . environmental degradation’ (54). Harrison therefore argues that a ‘disjunctive sense of place’ is revealed in white Australian poetry, ‘a fragmented sense of subject and land.’ Studies of property conducted within critical legal geography, cultural studies and the anthropology of law allow this disjunctiveness to be read in several ways: as evidence of a deep difference between traditions of ownership and those of custodianship (Davies 44); as the tension between ‘white belonging and rights’ and the ‘prior claims of traditional owners’ (Due); as the product of a structural alienation of owners from their land within modern Anglo-Australian property law (Abramson 4–5); and as an instance of the postcolonial uncanny (Gelder and Jacobs 16). In bringing these reflections on language and place into dialogue with legal-cultural approaches, I

am asking the question: To what extent have white Australian frameworks for ‘envisioning’ land changed?

Rights and relationships to land became a source of intense controversy between European and Indigenous Australians in the wake of the *Mabo* decision in 1992, a situation fomented by the actions of some governments and industry peak bodies (Ritter; Strang 107–10). That this national conflict was replicated at the local level is shown by an example adduced by anthropologist David Trigger. In a commentary on the work of George Seddon, Trigger cites white farmers testifying in the *Yorta Yorta* native title case as to their emotional investments in and understandings of their farmlands, in the course of opposing the Aboriginal claimants (Trigger 99). In this instance, the discourse of attachment to place has not modified the proprietors’ understanding of ownership. As Jackie Huggins, Rita Huggins and Jane M. Jacobs insist in an essay on their journey to Rita Huggins’ ‘born country,’ Kooramindanjie, it is ‘necessary to politicize the notion of a “sense of place,” to reveal the power relations which not only shape meanings of place, but also the very way in which we might dwell (or not dwell) in place’ (166). Their critique and their concern with ‘rightful dwelling’ (Withers 647) should be part of any historicised study of literary and legal representations of country.

Working at the intersection of law and critical geography, Nicholas Blomley has argued that property law is a form of symbolic power, that it has constitutive force in the transformation of space into place: ‘property may not only serve as a means by which a place is remade, but also as a powerful vocabulary by which places can be imbued with meaning, even if that means effacing prior memories and emplacements’ (213). Blomley exemplifies this process of remaking place through a reading of Kate Grenville’s *The Secret River*, which he argues ‘forces the all-too often implicit or unconsidered geographies of Western property to the fore’ (204). The novel’s imagining of the ‘boundary-work’ involved in William Thornhill’s assertions of ownership, the cuts he makes in the ground at the Hawkesbury, help to reveal the production of space and territory as well as the ethics of this bounded notion of property, an ethic of entitlement and, ultimately, of violent exclusion of the original inhabitants. For Blomley, these boundaries are always provisional, always liable to be contested: Thornhill discovers that ‘the “cuts” of property give way to entanglement’ as he becomes attached to the land where he has asserted ownership, and when his claim is contested by the Aboriginal people who enact their own, alternative understandings of property, which Blomley argues can be characterised by imagery of flow rather than of cuts. (213). For Blomley, *The Secret River* helps to illustrate the inner workings of modern Western property as a form of social life. Although he alludes to Indigenous understandings of land and law, he does not discuss them in detail. He also brackets off the specifics of the Australian context, past and present, though he cites Adam Gall’s study of how the ideology of white possession informs this novel. Nonetheless, Blomley’s project of opening up the concept of property to other disciplinary analyses is shared by a number of recent Australian works in legal theory (Davies; Graham) and legal history (Buck), a critical enquiry rendered all the more urgent in Australian legal culture by the recognition of native title as part of the common law.

In her study, *Landscape: Property, Environment, Law* Nicole Graham argues that in the Anglo-Australian legal tradition, property is primarily theorised in terms of rights, not in physical terms. Land, or ‘real property,’ as it is categorised, is viewed in very general terms, as defined parcels of space, as a commodity that can be exchanged, bought and sold. This theory of property took

definitive shape in the eighteenth century with the enclosure movement and the obliteration of local customary rights. Under this legal paradigm, ‘place is irrelevant’ to property law, Graham argues (205). Land is land; property rights are standardised; geometry rather than geography shapes the law’s understanding of space. This dispensation facilitated the imperial land rush (Weaver), and arguably promoted among colonists a concept of ownership envisaged as the control and use of land as ‘a resource for economic purposes, not a sustainable custodianship of the physical environment’ (Davies 44).

The recognition of native title as part of the common law of Australia in the *Mabo* case in 1992 brought this ‘dephysicalised’ notion of property into contact with another system of law centred on ‘the meaningfulness of place’ (‘Ec-Centric Places’ 245). Citing the Indigenous lawyer and writer Irene Watson, a member of the Tanganekald and Meintangk peoples, Graham describes ‘a traditional form of property whereby people are connected to place to the extent that they are, in fact, identified by and with place: [as Watson puts it] “we are not merely on and in the land; we are of it, and we speak from this place of Creation, of land, of law”’ (92). To represent this intimate relation between people, place and law, Graham uses the portmanteau word, ‘lawscape,’ a landscape fused with law, a law that attends to the particularities of the place. She argues that ‘nothing short of a paradigm shift is needed’ in Australian property law, to take account of both ‘the land claims of dispossessed Indigenous peoples and environmental critiques of property’ (Graham *Lawscape* 7). For modern property law to be meaningful and functional, to be capable of sustaining people-place relations, it must be cognisant of ‘the inevitable and necessary connection between law and place’ (8). Graham finds evidence of such an understanding of place and property in certain cultural texts, including the nineteenth-century poetry of John Clare, and the contemporary Indigenous writing of Bill Neidjie.<sup>1</sup> Clare’s writings, along with pre-enclosure legal cases, suggest, in the words of Margaret Davies, that:

The concept of ‘the law of the land,’ meaning not the law which belongs to the nation, but the law which emanates from local places in manifold forms, is within the Western legal consciousness, but superseded by the positivist notion that all law emanates from a singular human source and that localities are subordinated to national political sovereignty. (35)

As a consequence, the acknowledgement of physical place and the materiality of land as an element of Australian property law will involve a substantial reform. Although the recognition of native title in *Mabo* held out the hope of an engagement with Indigenous legal concepts (Sharp), and although some have seen signs of a ‘convergence’ of Aboriginal and European ways of evaluating land (Strang), in practice, Indigenous understandings of land as law have been translated and reduced to fit Western frameworks, and most decisions have been couched in terms of ‘bundles of rights.’ Davies and Graham both cite Irene Watson’s view that native title ‘is not a recognition of Nunga rights to land . . . [and] does nothing to help us care for country’ (Graham *Lawscape* 201; Davies 127). In an astute conclusion that takes in Blomley’s arguments as well as the current law, Davies observes that, ‘While over time the concept and legal form of native title may contribute to an altered understanding of land ownership more generally (for instance through the notion of co-existing rather than exclusive uses), this is, at present, a work in progress rather than a reality’ (127).

In the light of these legal critiques, we may return to Martin Harrison's reflections on 'country' as a 'core issue' for Australian poetry, and ask, to what extent can Australian writers 'build a bridge' to this new law of the land (Harrison 101; Davies 117)? Blomley and Graham's examples confirm the theoretical arguments of Julian Murphet, that literary works have the ability to mediate different understandings of space. I wish to pursue this argument through the dominant genre of contemporary literature, the novel, and specifically through texts that explicitly engage with white Australian responses to native title, namely Hewett's *Neap Tide*, Miller's *Journey to the Stone Country* and McGahan's *The White Earth*. All three of these novels were published in the years after the decision in the *Wik Peoples* case declaring that native title was not extinguished by pastoral leases, and the 1998 amendments to the Native Title Act passed by the Howard government to neutralise the effect of this decision. As such, they can be read as interventions in the conflicts over the ethics and politics of 'rightful dwelling' and the ambivalent mix of 'anxiety and longing' that *Mabo* and *Wik* prompted in white Australians (Johnston and Lawson).

*Neap Tide* is set in a fishing village, Zane, which is surrounded by sandalwood forest near Eden on the south coast of NSW.<sup>2</sup> Hewett represents this place as a site of political conflict over Indigenous and environmental justice, of mysterious appearances and disappearances, and of a landscape filled with stories and associations. Its plot pays more attention to transgression than law, but it nonetheless registers all the concerns raised by Graham: the local fishery has been exhausted, leading to unemployment; a proposal to log the forest is resisted by green groups and traditional Aboriginal owners; shifting interpersonal relationships create new demands on property relations. At a key point, the setting shifts to Canberra, to an anti-government protest against the 1998 legislation led by one of the main characters, Zac Mumbula, an Indigenous activist and author. At the conclusion of his rousing speech, 'They call us fringe dwellers, . . . but it's us that have lived forever in our country, in the shadow of her dreamin,' Zac collapses and dies (207). This death, the disappointed lives of the townspeople, and the bushfire that destroys his forest seem to condense a difficult history of place. This interpretation is underlined by another character, Max Greenlees, who reflects, 'some places are metaphors of our history' (157).

Because Hewett locates *Neap Tide* so firmly in the contemporary conflicts over land and property, several of her characters directly express their doubts over their depth of belonging in the landscape, and compare their sense of place to the experience of living and speaking from within what Irene Watson calls 'a place of Creation . . . and law,' which is exemplified by Zac. Max tells Jessica Sorenson that with its forest and waterways, and its history, Zane is 'the perfect place for any writer' (167), and yet accepts her observation that 'we don't really fit in, do we?' The novel thus raises the question of ethical dwelling, the 'right to be here' and the necessity of 'learn[ing] how to live with the land' (168). In other words, they avow that uneasy or doubled sense of being at home and not at home that Ken Gelder and Jane Jacobs recognised as a consequence of the *Mabo* case, the postcolonial uncanny. The village itself is described in the novel's opening as 'a mythical town that's lost its moorings,' and in the next scene the gothic overtones of the novel are revealed when newly arrived Jessica finds a dead body lying in the shallows, a body which has disappeared by the time she raises the alarm. The more she immerses herself in the place, forms relationships and learns about her neighbours, the more she comes to think of it as 'living in the ghost house' (213). Hewett establishes the novel's sense of place through a self-conscious gothic romanticism: 'The house was always full of sounds and presences, the whisper of the sea, the cries of passing birds, the light sliding like water up and

down the white fibro walls.’ What Gelder and Jacobs call ‘unsettlement-in-the midst-of-modernity’ (135) features in the most prominent aspect of this landscape, Dr Karl’s Mountain. This possessive place-name honours a Jewish refugee who served the local community as its medical practitioner, but the mountain is also recognized as having Indigenous sacred properties. It is associated with Percy Mumbula, the well-known Indigenous leader, poet and foster-father of Zac. He is ‘the spirit of the place’ (211), whose voice is heard thundering on stormy nights.

Hewett’s narration includes the journal of a local working-class writer, a beekeeper and ex-prisoner, Lenny. After the funeral of Zac Mumbula, Lenny drives up the mountain and memorialises ‘all the men and women who’d made Zane what it is, starting with the Djiringanj [the original inhabitants],’ and others who had lived and died there (210–11). His act of remembering signals another strand in the history of this place, a strand that includes mutual aid, the sharing of goods, the nurturing of others’ talents, and a realisation of the value of co-existence rather than exclusive possession. As an apiarist and storyteller, Lenny is permitted to set up his camp and hives on other people’s land. Dr Karl’s daughter bequeathed their house and land to the State Parks and Wildlife Department. Through such details Hewett represents a small supplement to the dominant regime of private property, to emphasise the interests of the environment and the community. Nonetheless, apart from Zac, the local Aboriginal people remain at a settlement outside of town.

Alex Miller’s *Journey to the Stone Country* narrates a Melbourne academic’s return to the landscape of her childhood in Central Queensland, a journey that leads to a romantic relationship with an Aboriginal man who had been a childhood neighbour, and through him, to a deeper knowledge of the country and, ultimately, to revelations about her grandfather’s involvement in frontier violence. The personal journey home is combined with an archaeological trip in search of Aboriginal artifacts in a landscape that is the subject of various development applications. Consequently, the action takes place within a legal framework in which cultural heritage, environmental protection and native title applications are modifying inherited concepts of property rights (Strang). The conflicting interests are acknowledged early in the novel when archaeologist Susan Bassett describes her work to her visitor from Melbourne, Annabelle Beck: ‘Every development up here has to have an approved cultural survey before it can go ahead these days. That’s what I do. . . . That’s me! The meat in the sandwich between the traditional owners and the multinationals’ (14–15). In practice, however, the novel depicts all parties as accepting this process, and by centring the plot on the survey journey conducted by Annabelle and the Indigenous field officer Bo Rennie, it favours conciliation over conflict. Introducing a collection of essays on Alex Miller, Robert Dixon argued that *Journey to the Stone Country* and its companion novel, *Landscape of Farewell* form a ‘complex ethical meditation that reflect[s] upon both the wish for Aboriginal reconciliation, and the series of barriers and recuperations’ that retard its fulfillment (Dixon 20–21). Other contributors to that volume, including Miller, Frank Budby and Elizabeth Hatte, reveal how much of the story is based on their experience. Although it is not mentioned in the novel, which opens in mid-1995, the land through which Bo, Annabel and the other characters journey was the subject of a native title claim brought by the Jangga people in 1998. The claim was successfully concluded in October 2012 after the parties reached agreement. In making the final determination in the case, the presiding judge, Justice Steven Rares of the Federal Court, visited the stone country to see it for himself. During the course of the claim, Col MacLennan, the model for Bo Rennie and the named applicant in the case, gave the

judge a copy of *Journey to the Stone Country* (Dalton). His thoughts on the novel have not been reported.

In its representation of landscape and its recovered history of Indigenous possession and dispossession, Miller's novel registers the different attitudes to property, law and place that Blomley, Davies and Graham outline. Julie Mullaney, in the course of a study focusing on the representation of animals in *Journey to the Stone Country* and J. M. Coetzee's *Disgrace*, identifies a contrast between the unsustainable, aggrandising model of property represented by Ranna Station, owned by the now-defunct Bigges family, and the more tentative model of pastoralism being practised by the recently arrived Hearn. In the central family's story, a hybrid notion of property was developed: Grandma Rennie regularly took Bo and Dougal to a swimming hole on the Becks' property, defying Grandfather Beck and the boundary created by white law, because the place was their traditional country. More importantly, Bo tells Annabelle how Grandma Rennie led him on journeys throughout their country, teaching him the stories associated with particular places and how to read the land and learn from it, including the heartland of their people, the place of the stones. Throughout this novel, whether the characters are on foot or in a car, Miller represents landscape with a sensitivity to both geographic detail and the impressions of an observer in the scene:

They ascended the incline of the ridge through a tract of country where prehistoric grasstrees and cycads stood in isolation among bloodwoods and stunted hickory, petrified sentinels from the age before man, their shaggy topknots and skirts trembling in the mountain breeze as if they would flee at the sight of the oncoming vehicles. (125)

The narrator's poetic realism conveys an informed concern for the environment and the impact of human activities upon it. Through the voice of Bo, he reveals a further level of belonging in and to the landscape, for Bo has an encyclopaedic memory of the country drawn from journeys long past, and speaks about it like an old friend. Crucially, part of his deep knowledge derives from his experience as a cattle drover, expertise which allows Miller to position him as a cultural intermediary, but also as a representative of the reality recognised in the *Wik* judgment, namely the co-existence of native title and pastoral leases. As native title lawyer Maureen Tehan pointed out in a commentary on *Wik*, 'the notion of native title co-existing with both private and public interests is not new' (3). In the 1940s and 1950s, land in central and north Queensland was used jointly by Aboriginal people and pastoralists. In Veronica Strang's summary, 'Aboriginal people found cattle work relatively easy to encompass, as it drew on their knowledge about the environment and permitted regular interactions with their own "country"' (97).<sup>3</sup> Bo represents and recalls this accommodation of interests. Crucially, Strang points out, this arrangement involved no change to their legal world-view: 'Though involved in the economic structures of the settlers, Aboriginal people continued to "hold" their own law, which in their terms gave them inalienable land ownership' (97). Further, Bo's relationship to country includes an ethical responsibility to care for the land, and he feels acutely the damage caused by pastoral and mining practices: the boxtree forest poisoned by station owners, and the subsidence cracks in the surface of the earth caused by longwall coal mining. These become stark images of an approach to property based purely on ownership and resources, not places.

Miller connects that exploitative attitude to the history of dispossession, particularly in the story of Grandma Rennie. As the Aboriginal wife of a white station owner, Grandma Rennie became owner of Verbena Station under the terms of his will, along with her sister May. She ran the cattle and paid May half the profits, until May's son fraudulently sold the property from under them to a white couple. Rudely evicted, Grandma Rennie told the new owners, 'this occupation of yours is nothing more than a shifting shadow over the land and has nothing enduring in it' (258). Here, legal title is distinguished from the full sense of property that involves identity, and knowledge and love of place. Sure enough, they build their house in an area prone to flooding, and generally ruin the property. Grandma Rennie's prediction that their tenure will be temporary, and that her grandson will return is coming true in the journey Bo makes with Annabelle. They find the homestead wilfully destroyed. In order to restore the family's legal title, Bo will have to take legal action against his own cousin as well as whoever is the current owner. As this admittedly incomplete account suggests, Miller's plot attempts to encompass the complex actions and reactions around the law and politics of land ownership which follow violent dispossession. In the novel's penultimate scene, Annabelle reflects on whether she could contribute financially to re-establishing Verbena as a cattle station. Brigid Rooney has argued that through an emphasis on 'inwardness and reflection,' particularly the use of Annabelle as a focaliser and 'the implied but not broached interiorities' of Bo and other Indigenous characters, this novel gives readers a sense of 'character *in place*,' from which we may infer Miller's 'insistence on dwelling alongside or with the other' (208). Woven into this narrative of negotiation is an idealised, even romantic, imagining of what Anna Johnston and Alan Lawson have called the cultural import of *Wik*, namely, 'ethical and legal co-existence,' or in the discourse of law, a sharing of spaces through the 'co-existence of rights' (Johnston and Lawson 373; Reilly 279).<sup>4</sup>

*Journey to the Stone Country* is, as Rebecca Dorgelo has suggested, an allegory of future national reconciliation. She argues that the focus of the narrative moves away from 'specific, material sites or objects' to a more abstract, spiritualised discourse of the sacred (134), which in turn becomes another sphere for appropriation by whites. It is true that the focus of this novel is largely deflected from political conflict towards ethical judgment, to a greater extent than in *Neap Tide*, but questions of rightful ownership of property do obtrude into the plot. Dorgelo rightly questions the apparent dismissal of cultural property rights in Indigenous designs in the case of the Indian who makes traditional wooden artefacts. Bo's pragmatic defence of entrepreneurial craftsmanship sits oddly with his involvement in conservation of the land and of archaeological remains. Under the ambit of this latter project, some debatable situations are raised: whether Ranna Station homestead should be preserved, and whether Annabelle should retain the archaic stone 'cyclon' she discovers on her first morning in the field (57). The novel often seems to unfold dialectically, by bringing conflicting considerations into relationship and forcing some resolution. This is most clearly seen near the end of the narrative, when the journey of reconciliation is temporarily derailed by the unforgiving voice of Panya, who bears witness to past white violence and its traumatic legacy. In that light, Bo's offer to show Annabelle the heartland of the stone country appears premature and over-generous. In response, Annabelle decides not to go to the stones, but to stay at Verbena, and to hand back the cyclon. This double relinquishment suggests an awareness of her privileged position as a white woman in the property economy, a questioning of the assumption of entitlement inscribed in the ideology of property by settler colonialism. It is a small, perhaps temporary correction within a narrative exploring the grounds of co-existence.

Like *Journey to the Stone Country*, Andrew McGahan's novel, *The White Earth*, explores the legacy of rapacious land acquisition in Queensland. While the romance of Miller's novel retrieves an older formation of co-existence, McGahan explores the 'outback backlash' against *Mabo* (Strang). The 'white earth' of the title is Kuran Station, the decaying remnant of the first and largest squatters' property on the Darling Downs, originally occupied by the White family, and now owned by John McIvor, the son of the Whites' former station manager. Though the novel was published in the post-*Wik* period, the action takes place in 1993, the year after the *Mabo* decision, while the Native Title Act is before parliament, and McIvor is promoting a popular movement to resist it. *The White Earth* therefore explores the ideology of pastoralism, including the 'deeply ironic' situation in which the group most reliant on Aboriginal people's relationship with the land were the most 'virulently opposed' to their efforts to reclaim it (Strang 101). McGahan contextualises the hysterical reactions of the pastoral lobby groups and conservative politicians to the altered landscape of property law by imagining the mental and emotional structures of possession.

John McIvor was born on Kuran, and imbibed his father's plan to obtain the station through marriage. Displaced after the sacking of his father, he devotes his adult life to acquiring Kuran for himself, using his wife's inheritance and his best friend's money to do so. Estranged from everyone, including his daughter, he initiates his eight year-old great-nephew into his mythology of Kuran, promising to bequeath him the property should he prove an apt pupil: 'This is a piece of country. It's not just about heads of cattle per acre. This place is alive in its own right.' However, he immediately redefines this love of place as a function of ownership: 'The truth is, land has to belong to someone to really come alive' (85). The development of this belief is traced in chapters nine and twelve of the novel, which retrospectively narrate McIvor's experiences after leaving Kuran. Looking for work in various regions of depression-era Queensland, McIvor routinely deploys the word 'country' to describe the land by reference to its economic potential: 'arid country' and 'mining country' for example (73). This accords with an established Australian usage recorded by the *Macquarie Dictionary* ('land, especially with reference to its character, quality or use'). Later, working as a logger in the mountainous rain forest, he begins to doubt the adequacy of this definition, discovering through its abundant life a completely different sense of place: 'the more time John spent in the hills, the more he seemed to perceive the land around him as something powerful in its own right—to hear a voice in it, meant specifically for human ears. And yet the sensation would slip away again, just as soon as he thought he had grasped it' (100). In contrast to the deprivations of the road, McGahan renders John's time in the forest as a scene of intense experience and heightened perception, of sensory joy and discovery, and of communality in work. Yet there remain disjunctive elements, phenomena that cannot be explained, intimations of a spirit or 'voice' that is briefly sensed then disappears. In this part of the narrative McGahan employs a Romantic discourse of the power of nature to influence human feeling and action, coupled with a melancholy negativity, glimpses of dimensions that cannot be grasped, desires for communion with nature that cannot be fulfilled. Included among these gropings towards the sublime are the perception of 'a long human presence' and a curiosity about the vanished Aboriginal people who had cut footholds into the bunya pines. Although unconcerned for them, he aspires to knowledge about their world that would strengthen his relationship to the place. Thus, dialectically, the novel builds up his understanding of 'country,' mediating between a model of use and one of attachment as McIvor experiences different landscapes.



For this brief interlude, McIvor experiences the possibility of a deeper relationship with the land, and questions his vow to reclaim Kuran. However, what issues from this experience is a desire to convert those intimations into a permanent state: ‘Maybe it took a lifetime to get a piece of country into your bones; and maybe other lifetimes as well, your father’s and grandfather’s’ (100). On his return to the plains near Kuran, that insight crystallises into an overwhelming desire for possession, a conviction of belonging, to produce in McIvor a state of avidity that McGahan glosses as the ‘joy of ownership’ (146). This desire manifests itself in a hunger for sexual as well as landed property. Thus, although McIvor espouses an intimate love and knowledge of the land, what the boy learns is the power and elation that comes with possessing it: ‘as if ownership was something that enlarged the veins and enriched the blood. . . . If it was his, he would be able to walk the hills just as his uncle did, knowing them, having learnt all the stories and secrets that there were to learn . . . The power of that! The certainty of that!’ (117) These emotions and beliefs are the lived extension of the law of property. McIvor exercises his proprietary rights by withholding his knowledge of place from the PhD student who is researching a history of the Hoops national park, excluding him from the land of Kuran as well as its stories and sites (92). Even though the old homestead is dilapidated, it retains for McIvor the aura of its original status; his fetishising of the house together with his individualistic understanding of property have led him to reject National Trust funding to restore it. McGahan’s complex narrative of the ideology of ownership shows it to be more about the assertion of rights against others than the development of a connection with the land.

In the final movement of the plot, McIvor’s disinherited daughter, Ruth, returns to contest his vision of history and law, and to advocate the justice of native title. Her father’s myth of place only works by the concealment and erasure of all Indigenous presence. However, spectral figures seen at a sacred site, and the rediscovered skeletal remains of Aboriginal people, murdered by McIvor’s father, suggest a return of the excluded other. *The White Earth* represents the desire for landed property as a gothic inheritance of guilt and obsession, founded on an act of violence against the original custodians as they performed the ceremonies of the place. Kuran House is destroyed by fire on the very night that the Native Title Act passes through parliament, accidentally set alight by McIvor as he attempts to burn their resurfaced bones. By the end of the novel, the ‘white earth’ refers not only to the racialised property system, but also to the burnt, drought-affected landscape. Ken Gelder and Paul Salzman note the ‘apocalyptic’ overtones of this ending, and they identify the mix of ‘white panic’ and ‘white mimicry’ in McIvor’s ideology as a representative, not an idiosyncratic, response. I would only add that the convergence of guilt and destruction in this ending suggests a type of poetic justice, a fictional form rare in modern literature, and a moral imagining beyond the achievements of the law or parliament.<sup>5</sup>

In the preface to *Landscape* Nicole Graham recalls the origin of her study: ‘Not long into my research, author and historian, Bundjalung woman, Ruby Langford Ginibi said to me that it seemed to her that while white researchers were curious about blackfellas’ laws about country, too often they were ignorant of the relationship between law and land *in their own culture*’ (xii). This paper has sought to follow Ginibi and Graham’s lead by exploring how ideas of property inflect relationships to place, opening up to analysis the unexamined phenomenon noted by Martin Harrison, that his sense of the country changed when he ‘bought a few acres of it’ (100). *Neap Tide*, *Journey to the Stone Country* and *The White Earth* all foreground symbols of change in their titles, and reinforce their critiques of the settler colonial regime of property by incorporating an abandoned or decaying great house into their settings, while decentring it as the

privileged space of the narrative in favour of a sacred site. Each of these novels registers the paradigm shift in property law, and imagines an alternative way of understanding the land. In *The White Earth*, that more receptive mode of living is defeated by the vision of exclusive control that property promises, and McGahan portrays the single-minded investment in an ideal of absolute ownership as destructive of both self and place. *Journey to the Stone Country* imagines the factual co-existence of the mid-twentieth century cattle industry translated into a ‘co-existence of rights,’ a new relationship in which justice is figured through love of place and the other. By contrast, *Neap Tide* dwells on the uncertainties that attend interpersonal and spatial relationships in contemporary Australia, its characters working towards their own new understandings of what is ‘proper’ to themselves, to others and to the land (Davies 25–27).<sup>6</sup>

## NOTES

<sup>1</sup> Graham also includes a less persuasive reference here to the Australian film, *The Castle*.

<sup>2</sup> The name of this town commemorates a visit by the American writer, Zane Grey. Grey actually stayed at Bermagui, where a museum is named after him. I thank Brigid Rooney for suggesting its possible geographical location, and for other comments on an earlier draft of this paper.

<sup>3</sup> For a full-length history that supports Strang’s reading, see McGrath.

<sup>4</sup> The limits of this ‘co-existence’ at law are discussed in Strelein, 24–37.

<sup>5</sup> Russell West-Pavlov presents a detailed reading of *The White Earth* as a modern Australian national allegory, in what is the most developed account of the representativeness of this novel.

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