Abstract  The relation between Australia’s First Nations peoples and settler-colonial Australians may be characterised as having “m miscarried” to the extent that colonial difference is unacknowledged, and Aboriginal peoples are expected to assimilate to white Australian culture. This paper brings Luce Irigaray’s feminist thought into dialogue with Indigenous philosophy and activism to think through this “relation” – or absence of relation. For Irigaray the miscarriage of relationality takes place between women and men when the sexual relation is mischaracterised as procreation, and thus reified as the concrete “child,” rather than conceived as a living, changing “interval” that is shared and maintained by each. Likewise, while coloniser Australians have – via appropriation of Aboriginal children – reduced the relation with Aboriginal peoples to one of absorption or assimilation, First Nations political action offers something akin to Irigaray’s “interval”: a third term co-produced by two different parties, through which they might negotiate equally the terms of their togetherness and autonomy. By creatively reworking Western conventions and concepts, Aboriginal activists and artists invite the coloniser to share a future grounded in acknowledgement of First Nations sovereignty and lore, whilst also challenging the authority of those Western conventions and concepts. As a case in point, I propose that, while the “interval” may certainly help forge a relation between two thought traditions, Aboriginal activism exposes the limitations of Irigaray’s philosophy with regard to thinking cultural difference, marked, as it is, by an absence of serious engagement with other traditions and perspectives.

Keywords  settler-colonialism; Australia; Aboriginal activism; Luce Irigaray; feminist philosophy

Australia’s national project of reconciliation with First Nations peoples has stalled. This impasse most recently turns on former Prime Minister Malcolm Turnbull’s rejection of the Uluru Statement from the Heart, which emerged from a national meeting of Aboriginal leaders in 2017 and called for, among other things, the formal inclusion of specifically Indigenous voices in government decision-making and nation-building. The Prime Minister’s response was in keeping with the dominant attitude in Australian politics and opinion: to privilege a particular sector of the community in parliament is not consistent with national values of fairness and equality, and would constitute what pundits on the right call “reverse racism.” Turnbull later stated that since Indigenous Members of Parliament already represent the views of Indigenous people, there is no need for dedicated representation. Turnbull’s statement issues a different message to each of two audiences. First, he reassures the mainstream (his intended audience) that “special interests” are not privileged and, implicitly, that Australia is a fair and egalitarian nation that was established (“settled”) peacefully and legitimately. Second, his message to First Nations peoples (who are addressed only incidentally) is that they have no special...
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claim to these lands and the processes that govern them and, further, that there is no appetite for resolution that cannot be achieved cheaply. Turnbull’s response effectively refuses a gesture towards reconciliation made by some Aboriginal leaders, instead carrying on as if things can and should proceed as usual. It refuses to acknowledge the profound harms that continue to be borne by Aboriginal people as a result of colonisation and the establishment of the current nation. I would contend that such refusal of attempts to acknowledge the colonial relation continues to stifle Australia’s capacity to function as a legitimate nation; and such legitimacy ultimately can only be founded on a reworked notion of postcolonial “relationality,” such as I seek to develop with Irigaray’s work.

This present moment epitomises this failure of relationality and legitimacy that characterises the Australian nation-state through the insufficiency of governmental responses to a series of overtures towards reconciliation made by Aboriginal people from the second half of the twentieth century. Following the Royal Commission into Aboriginal Deaths in Custody (1987–91), there has been increasing awareness that federal and state processes of justice and government do not accommodate the specific needs of Aboriginal people – indeed, are even killing them. These findings have failed to penetrate the relevant judicial and carceral systems, however, as Aboriginal people remain thirteen times more likely to be incarcerated than non-Indigenous Australians – often for traffic, unpaid fine, or drug offences.4 Australia’s legitimacy as a functioning nation is implicitly questioned by the United Nations Human Rights Commission, which reported the “tsunami” of imprisonment affecting First Nations peoples (OHCHR). Among the litany of accounts of wrongs to First Nations peoples, however, the episode that most affected the Australian public was Bringing them Home, the report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families (1997). Revelations of policies to remove Aboriginal children of mixed descent into state care for eugenic purposes provoked guilt and shame (Faulkner, “Compassion”; Faulkner, Young 85–108), and launched a reconciliation movement for which the image of the Aboriginal child, happily returned home, represented a relation between notionally reconciled Australians – just as the stolen Aboriginal child had earlier served as emblematic of assimilated (erased) Aboriginality.

Yet this figure of the Aboriginal child representing a “reconciled” Australia is a fetish, obscuring the material character of that relation, for more Aboriginal children are currently removed from kin than ever before in history. As Australia marks the tenth anniversary of the National Apology to the Stolen Generations, with self-congratulatory affirmations of national progress, the recommendations of Bringing them Home remain largely ignored. The refrain voiced by activists – “sorry means you don’t do it again!” – falls on deaf ears. And while the stolen child is a remnant of history in the consciousness of most Australians, for First Nations peoples it is a living monument to the brutal processes of colonisation. The Aboriginal child is the principal target of contemporary colonisation just as it was in previous years; the instruments of colonisation that capture “the child” now being Departments of Family and Community Services and the carceral system.

I have argued elsewhere that in Australia “the child” has come to represent the impossibility of authentic postcolonial relationality, precisely because through that figure one party (the coloniser – which is the party to which I belong) stereotypes, controls, and abuses the (colonised) other. Settler-Australians invest childhood with unresolved anxieties attached to the colony’s traumatic beginnings in dispossession and extermination of First Nations peoples (Faulkner, Young). This investment is
exhibited through cultural representations of white Australian childhood as at once carefree and imperilled, and leaves its keenest impact on forcibly removed Aboriginal children. Through “the child,” settler-Australians manage their fraught relation to Aboriginality, but in a manner that is symptomatic of a pathological relation rather than facilitating an equitable exchange between coloniser and colonised peoples that we might comprehend by the term “relationality.” “The child” obfuscates colonial difference by distracting from the constitutive relation between colonised and coloniser. Resort to the child figure instantiates a hierarchical relation between two by rendering “the other” as a mere reflection or negation of “the self,” thus displacing a potentially productive or edifying relation to otherness.

In order to theorise this hypostatisation of relation in the form of “the child,” I turn here to what may appear an unlikely source: feminist philosopher Luce Irigaray. I say unlikely, because Irigaray has been criticised for her theorisation of cultural difference as an afterthought to sexual difference, which for her is ontologically privileged as the difference that structures all other differences. In this way it might be said that Irigaray is a pre-intersectional feminist, whose approach to various kinds of oppression (or difference) is to subordinate them to her own. While this element of Irigaray’s thought is problematic, I argue that her effort to theorise structures of difference may be useful to an analysis of the colonial situation in Australia (and perhaps other settler-colonial states), particularly where she proposes what she variously calls the “interval,” “intermediary,” or “third term.” I will first outline Irigaray’s attempt to approach cultural difference in order to prospect the limits of her use for this kind of inquiry, before turning to “the interval” through which postcolonial relationality might be better understood. Finally, I illustrate how her concept of the interval or third term resonates with some existing critical practices and politics of Aboriginal people, and may help to shed light on their operation not only as forms of protest but rather as critical artefacts to develop a productive relation between coloniser and colonised peoples, so that both traditions may together forge a postcolonial future.

irigaray’s feminism and cultural difference

In An Ethics of Sexual Difference, Irigaray wrote that “sexual difference is one of the major philosophical issues, if not the issue, of our age” (7), and thus laid down, in wry allusion to Heidegger, the first co-ordinates of an ontology of “sexuate” difference that would prefigure her later forays into cultural and spiritual human diversity. Since Speculum of the Other Woman – her second book, but the first to be translated into English – Irigaray’s work has performed an important critique of Western metaphysics, exposing its tendency at once to co-opt and exclude women’s bodies through the creation of concepts that are ostensibly sexually neutral. Her critique addresses Western philosophy’s fundamental incapacity to conceptualise difference as such, conceiving diversity instead only in terms of deficit relative to a norm of masculinility.

However, insisting that there are two distinct sexes and focusing on the fruitfulness of the relation between them, Irigaray’s emphasis on the ontological and ethical priority of sexual difference involuntarily risks silencing questions of Western philosophy’s racism. This emphasis on sexual difference echoes well-rehearsed assurances – refuted so eloquently by the likes of bell hooks, Aileen Moreton-Robinson, and Audre Lorde – that if we attend to sex, then racial equality will take
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care of itself. Irigaray would need to attend to the ways in which racial oppression and colonial violence are articulated through gender and sexual difference is elaborated according to presumed racial hierarchies, to appreciate the extent to which sexual and racial difference each bear upon social ontology. In the context of fundamental ethics – an ethics that may be said, no less, to precede ontology – colonialism’s influence upon the emergence of modern forms of inter-subjectivity should not be underestimated and surely is a major philosophical issue, if not the issue, of our age.

In her later work, Irigaray attempts to broaden her critique to engage with questions of intercultural relation. I want to consider here the limits of her later approach as a heuristic through which to think colonial difference. These limits also give pause for the use of her approach to think about sexual difference, given her emphasis on “the two,” and its attendant implication that she privileges a heterosexual matrix to comprehend sex, gender, and sexuality. The correlative qualm regarding what we might call cultural difference is that her thought is inadequate to theorise multiculturalism of the kind that guides policy decisions and national rhetorics of [post]colonial states such as Australia and Canada. Irigaray’s focus on difference between “two” may be useful, however, to a consideration of a more fundamental biculturalism that characterises settler-colonial states in so far as precedence of Indigenous peoples has not yet been brought into the national reckoning.6

Irigaray’s consideration of cultural difference is most directly expounded in Between East and West (but see also “Spiritual Tasks”). Here she addresses the Western spiritual crisis of alienation by self-consciously turning herself “toward the East in order to find guides and basic principles of method” (East and West 6). In so doing, she distances herself from the “Western masters” who “incorporate the knowledge of Eastern masters” in vampiric or colonising fashion. As she will also do in her most recent monograph, To Be Born, Irigaray emphasises the primal experience of “breath” as a dimension of corporeal experience and as the infant’s first autonomous act. But what interests her here is breath trained through the bodily practice of yoga. Through this discipline, she imagines she will develop the kind of attention to the body’s rhythms and sensory-perceptive capacities that will lead to enlightenment: “The practice of respiration, the practice of diverse kinds of breathing certainly reduces the darkness or the shadows of Western consciousness” (East and West 7). Of interest for Irigaray is the connection between body and spirit implicit in this attention to breath, as distinct from the separation of body from consciousness that marks Western philosophy. This resistance to binary hierarchy that Irigaray finds in Eastern thought and practice extends to the relation between self and world and between human and nature, which, according to the Eastern paradigm she invokes, is one of co-extension and co-operation rather than mastery. In the East she finds “a culture where spirit is constituted without dominating nature or moving away from it in order to appropriate it, whether nature be the pre-given environment, one’s own body, or that of other beings” (12). Furthermore, breath is situated for Irigaray as an intermediary, as “what can be shared by all men and by all women on this side and beyond differences of culture” (12–13). Yet, importantly, for Irigaray, the question of sexual difference necessarily precedes questions of culture: “Drawing inspiration from pre-Aryan civilizations, I attempted to find the places of articulation between man and woman, and even between all men and all women, in particular through breathing” (15).

Irigaray’s interest in cultural difference is thus strongly aligned with her notion of sexual difference. Indeed, her approach suggests that “man” and “woman” are irreducible terms encountered as such regardless of cultural context. It would seem
that for her “all men and all women” exist in the same way across cultures. And an attention to breath helps bring these differences into relation, as what is shared in common by all.

Yet, while undoubtedly much may be learned from engaging with South Asian accounts of the philosophy associated with Vedic practice, Irigaray’s understanding of culture as developed through corporeal or material practices that outsiders might access and cultivate reveals a difficulty with her philosophy: what might be called her corporeal positivism. This “corporeal positivism” has been a feature of her work from its beginnings and led to early criticisms of her feminism as a form of “biological essentialism” (Barnes; Moi). While there have been credible defences of her use of the figures of feminine and masculine as a form of “strategic essentialism” (Fuss; Whitford; Schor),7 her later work is more simplistic in its assertions regarding the part of sexed bodies (as irreducible duality) in determining experience and styles of thought. Even, as Alison Stone urges, where the notion that sexed bodies are irreducibly different is read only as a phenomenological claim about the experience of encountering the world and others, this still belies a surprising freight of assumptions regarding the cultural meaning of sex organs, let alone a lack of curiosity about the influence of cultural markers of bodily difference upon one’s potential lived relations to others in the world.

A passage from To Be Born illustrates the disregard for the complex intertwining of nature and culture in Irigaray’s later work. Notably, by conjuring the image of “the child,” Irigaray distils human experience to what she sees as its most elementary structure. She begins by establishing the body as the site of experience, before specifying the sexuate nature of all human experience:

It is still with its body that the child goes in search of the world. This body is the frame from which it perceives, moves towards, apprehends. It is the mediator between itself and the world, and the first which provides it with a view of the world […] There is its body which gives meaning to this first spatialization, and this body is not reduced to its eyes and its hands.

[…] The little girl and the little boy do not experience space in the same way. The former, more than the latter, attempts to establish a link between the external world and her inner spaces; she already knows that if the world exists outside herself, it also takes place in herself; she also moves more discreetly; she seizes things less, aims at subjecting them to herself less in order to construct or deconstruct the world. The little boy, more than the girl, projects himself towards and onto the world; he tries to find himself in this way: through his explorations, his interventions, his fabrications. He runs more, and his gestures are more brusque and inspired by the desire to appropriate; he externalizes more than the girl. The little boy is more daring and more dependent. It also seems that he makes a more important use of his legs than the little girl, who uses her arms more – to touch gently, to take care of dolls or living beings. (29)

Irigaray’s effort to situate the beginnings of a child’s construction of sense in a body innocent of cultural commerce arguably betrays the subtlety of her earlier strategic essentialism. Instead, by drawing on the supposed simplicity and directness of infantile experience, her argument falls into unmitigated biological essentialism. Unlike more socially imbricated phenomenological approaches to sexual difference, such as Iris Marion Young’s classic “Throwing Like a Girl,” Irigaray here hangs her
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privileging of sexual difference, as opposed to racial or cultural difference, upon a purported primacy of the “natural” body. The girl child is naturally more discrete and gentler, whereas the yet-to-be-socialised boy child is daring and independent. Binary sexual difference is now “real” rather than only strategic.

Irigaray’s representation of “the Oriental” other in Between East and West can be read as similarly under-theorised. As Penelope Deutscher points out, Irigaray’s account of cultural difference is not as fundamental as her account of sexual difference in that the former difference is not seen as impossible – that is, as an impasse that structures conceptions of difference in general – in the manner that Irigaray positions sexual difference. Irigaray’s approach to the East situates it instead in relation to a deficient Western norm. Indian spirituality, posed as a remedy to the limitations of Western thought, leads to a problematic idealisation of Eastern traditions. What Deutscher calls Irigaray’s “reluctance to consider the possible problems of pollution, noise, technology, and ecological failure in what she deems the orient” (166) here produces the effect of the kind of “action at a distance” that Nietzsche famously attributed to men’s conceptions of women, construed as “quiet, magical beings” who “glide past,” unaffected by the concerns that trouble men (§60, 124). Indeed, Irigaray renders this cultural other as a kind of “childhood” of humanity, fantasised as simpler and more carefree than the life experience of Europeans. Ironically, then, through this comparison, Irigaray generates an image of “the other” as a distorted reflection of “the same,” just as her critique of Western philosophy had shown male thinkers do to “woman.” As Deutscher observes,

Nowhere are the limitations of this approach more apparent than in the Irigarayan writings on cultural difference, where she draws upon the east as the figure that serves as ground to depict the limitations of the west, and the utopian aspect of the depiction of the east precludes an engagement with the inevitably appropriative stance underlying that depiction. (171)

Further, once we drill down more specifically into the model of difference that Irigaray takes as fundamental to all other analyses of difference, fresh problems arise. As indicated already, Irigaray’s account of sexual difference as irreducibly dual is antagonistic to more fluid or multitudinous understanding of sex, gender, and sexuality. Rebecca Hill nuances this account by pointing out that “Irigaray insists that sexual difference is always at least two,” meaning that “there is multiplicity within women’s sexuality or within men’s sexuality”; however, “the difference of sexual difference takes priority over multiplicity within a sex” (“Multiple Readings” 393; emphasis added). It is doubtful that this caveat would satisfy non-binary, queer, or trans-theorists. Indeed, Irigaray’s pronouncements on transgender individuals have been interpreted as transphobic (Murphy 89). And while Irigaray’s conception of the two sexes is specifically supposed to represent a non-hierarchical, non-exploitative paradigm of difference precisely as difference, the explicit exclusion of sexes that fall outside the two would seem to risk reinstating a form of binary difference.

However, if Irigaray’s own explicit formulation of the relation between sexual and cultural difference comes up wanting, certain tendencies within her work remain ready to be put to use in a more productive direction. As Hill suggests, a more expansive conception of sexual difference may be retrieved through Irigaray’s figure of the interval (or relation), which is generative of mutual change and growth – “space and time and matter and form” (Interval 145). An attention to the interval, rather than to Irigaray’s more programmatic statements about sexed identity, would potentially
address the pitfalls of her theoretical commitment to binary gender. Indeed, the concept of the interval furnishes an immanent and powerful critique of that binary structure. By undoing the binary logic that takes “woman” to be a negative reflection of “man,” Irigaray’s method opens the way to thinking “difference” as whatever exists in genuine alterity to the phallic “one.” If we were to take our cue from Elizabeth Grosz, who reads Irigaray most charitably in this regard, perhaps interpreting sexual difference as “at least two” potentially could open out to possible identities beyond the binary structure that positions “woman” as the negation of masculinity (Grosz 176 qtd in Hill, “Multiple Readings” 394). By posing the question of how to imagine “the feminine,” Irigaray begins to place into question the regime of two (whether sexes, genders, or sexualities). This deconstruction of binary sex is achieved by reappraising the relation between, that is, the interval through which difference is comprehended.

intermediation: love/placenta/wonder

Putting to one side for the moment Irigaray’s more dogmatic statements about gender and cultural difference, let us not discard the most persuasive element of her critique for thinking colonial difference: the interval. In Ethics, Irigaray attempts to rethink the sexual relation in terms of difference rather than according to what she calls a binary logic of sameness, whereby the other is construed only as negative image of the self. Her emphasis on sexual difference thereby addresses a concern that, rather than there being a relation between two substantial sexes, “woman” has traditionally been conceived as “other” only in so far as she enables “man’s” relation to himself. Irigaray contends that traditional metaphysics obliquely articulates philosophers’ anxieties about the maternal relation in particular – or the paradox of man’s origin in the body of a woman. She demonstrates philosophers’ unconscious return to the maternal relation as the unexamined ground of philosophical discourse. In Speculum, for instance, she shows Plato’s cave analogy to refer to the “hystera” or womb from which the philosopher ascends to receive the true forms in the light of day. The cave, as a place that supports the production of representations, is abjured as such, just as the womb is the site of a gestation that masculine subjectivity repudiates (243–318). In Ethics, this principle of repudiation is elaborated further in relation to Plato, Aristotle, Descartes, Spinoza, Merleau-Ponty, and Levinas. As Deutscher puts it, “Irigaray interprets their texts as biographies of an excluded sexual difference lurking in their conceptual schemas. Sexual difference lurks as the major issue of these authors, and yet the issue to which they will not attend” (109). As long as this significance of the feminine remains unexamined, masculine expressions of subjectivity and autonomy continue to disavow the feminine (which is instead conceived merely as maternal container for “man’s” becoming). According to this masculinist logic, the burgeoning subject separates himself from the undifferentiated matter of the maternal to emerge as a self, autonomous and complete. Western philosophy reduces “woman” to a maternity that at once is conspicuously discarded through “man’s” emergence as differentiated and is discreetly kept close, as the matrix that renders his image.

Irigaray therefore attempts to recuperate from philosophy a counter-discourse in which difference may be glimpsed and through which a relation that nurtures each sex may be enabled. Diotima’s speech about love, reported by Socrates in The Symposium, is, she says, such a counter-discourse, also furnishing the basis for a
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relation between two. Irigaray reconstructs Diotima’s perspective on love from Socrates’ words. The woman philosopher is excluded from the Symposium, just as female musicians and dancers had been banished from festivities, in order for the serious discussion of the nature of love to take place between the men assembled. As Socrates informs his party, Diotima characterises love as the intermediary par excellence: a third term that both allows an exchange to take place between two and maintains the difference between them, thus enabling change and growth to take place. Importantly, for Irigaray, “the function of love [is] as an intermediary that remains an intermediary, a daimon” (Ethics 28). Love’s daimonic capacity thus consists in its resolute ambiguity. Eros, she reminds Socrates, “is the child of Plenty […] and of Poverty” and as such embodies the midway between them. Characterising love as “an intermediary between two pairs of opposites,” Diotima’s dialectic, Irigaray suggests, “doesn’t use opposition to make the first term pass into the second in order to achieve a synthesis of the two, as Hegel’s does.” Rather, she says, “from the outset, [Diotima] establishes an intermediary that will never be abandoned as a means or a path” (Ethics 20). Importantly, love is not to be thought of as an unworldly ideal and so also resists Plato’s theory of forms.

Irigaray further observes the non-verbal character of Diotima’s interaction with Socrates in so far as it advances this dialectical approach. In this respect, laughter comprises for Diotima’s methodology the proper affective component of intermediation, destabilising contradictions and certainties. Through her laughter at Socrates’ arguments, Diotima “ceaselessly dismantles the assurance of closure of opposing terms [and] undoes all sets of units reduced to sameness in order to constitute a whole” (21). I will return to this role of laughter below, with respect to activists’ use of political comedy to dismantle the key conceits of settler-colonial claims to sovereignty. Suffice it to say here that, through laughter and ridicule, Diotima lifts Socrates from his comfortable milieu into an intermediate terrain where they may meet as equals. Her irreverence disarms his metaphysic of its capacity to capture and fix her. Her difference from him emerges in the interstices opened by this excessive enjoyment: laughter.

Yet Diotima’s methodology “miscarries,” according to Irigaray – her counter-discourse becomes absorbed into Socrates’ metaphysic of sameness – in so far as she is said to argue that in nature procreation forms the basis of love. This new claim betrays the intermediary nature of love by rendering it teleological: love becomes a means to the goal of species reproduction rather than enabling connection and separation between lovers. The child, as the “embodiment” of a relation between two, does not constitute a purely intermediary space in which their relation may be negotiated. Rather, the child becomes a site in which each lover’s hopes and possibilities are abandoned. Far from enabling change, this figure leaves the two as unchanging entities who no longer explore one another’s difference through love. Each is instead relegated to the child’s prehistory – especially the mother, construed as she is as matter that is transcended. While the relation between sexes is represented by the figure of “the child,” intermediation between “masculinity” and “femininity” is blocked. In Lacan’s terms, the sexual relation becomes impossible: “man” and “woman” become names for functions of narcissistic desire – the one that protects and the other that feeds (see Lacan 132); and “the child” comes to play the part of a means by which “man” overcomes and assimilates “woman.”

Irigaray continues to develop the necessary part of intermediation later through the role of the placenta. With feminist biologist Hélène Rouch, she situates the placenta, like love, as a third term enabling mutual change and growth. This
account of the placenta rebuts the assumption of “patriarchal imagination” that mother and infant exist “in a state of fusion” or characterisation of the foetus as parasitic upon the mother (“Maternal Order” 38). Rather, the placenta forms a relation between two separate beings who would otherwise destroy each other through absorption or infection. It is able to achieve this intermediation as it is formed through a co-operation between the two that retains their separation whilst enabling and regulating an exchange. The placenta allows the mother to pass food to the foetus and the foetus to pass excrement to the mother without contamination. The placenta also protects the embryo from the mother’s immune system, by minimising “maternal activity leading to rejection” (40). Importantly, then, this organ is not a point of fusion between mother and child; rather, it is formed by the embryo and built into the uterine mucous membrane, thereby remaining independent of each party. This reciprocal production and support makes the placenta’s performance as intermediary possible. Unlike “the child,” the placenta remains, in its being, an intermediary. It enables a separate existence for each, whilst keeping them connected. It allows each to change and grow and protects against absorption of one into the other. And while it must be said that it is the mother who ultimately nurtures the growing foetus and gives her body over to its needs, the placenta – as a third term – protects her from becoming a mere resource for the foetus’s growth.

In *To Be Born* Irigaray returns to consider the child as intermediary. Here she grounds a phenomenology of human existence in the neonate’s capacity to apprehend and struggle for its own existence, which it does in initiating its passage towards self-regulating life by precipitating the mother’s labour and in taking its first breath. Yet human life itself is “ecstatic,” meaning that it differentiates itself from the vegetal, animal, and divine. For Irigaray, human life begins as such through an appropriation of the negativity generated between self and other by their difference. As she puts this,

> Human being only exists by taking on the not-being of a continuum – a break, a void, a nothing – with regard to its provenance and its environment. A human must give itself a being with faithfulness to the living that it is. In a way it must create its human being through relating to the world and the other(s) – be they plants, animals, or humans – thus a being in relation which requires us not to be what they are while being able to be in relation to and with what they are, that is, capable of taking on the negative that the difference represents. (vi–vii)

“The child” begins as the riddle of the one being emerging from two separate and sexually different beings. As such, it represents the copula or long-forgotten sexual difference that, for Irigaray, constitutes the issue of our age. Yet, when they confine children to this figurative role as interval between the parents or proxy for sexual difference, adults fail to take charge of their own existence as being-in-the-interval or becoming-other:

> Instead of endeavouring to perceive in everything and everyone their own being, we impose on them the not-being of a difference that we refuse to assume. We run the world in a sort of gallery of our projective embodiments, the only master of which is death.

> If we assume our destiny as ecstatic regarding our origin, then we have no longer to project something of it onto the real. (vii)
This passage addresses the mechanism that Irigaray counsels leads to an unethical conduct of life, wherein the other’s difference is mischaracterised as a state of non-being, representing a negated or repudiated aspect of oneself. This psychological mechanism applies equally to the [post]colonial context, where the colonised “Other” is represented in terms of deficit in relation to the coloniser. In Irigaray’s analysis above, where the sexed other is reduced to a reproductive function, the interval is objectified in the image of the child. This amounts to an evasion of responsibility for the sometimes discomfiting existential condition of being-in-between: an evasion summarised in psychoanalytic terms as projective identification. And we find this mechanism at work, too, where the ambiguous existential condition of becoming postcolonial is repudiated, thus signalling a failure of relationality.

“The child” remains emblematic of this in-between condition for Irigaray, however, even if she refrains from fetishising childhood, as the congealed effigy of relations of (re)production. While for Irigaray the child begins as/in the interval, it then articulates its specificity as ecstatic being through an embrace of its own becoming. By connecting with, making sense of, and working on its environment – particularly the natural environment in which it is always already immersed – the infant discovers its “own ‘to be’ and the path towards a possible conjunction with the other as other” (ibid.). Moreover, by having taken its first breath and thereby exercised its desire to live, the child demands respect for its autonomy and specificity: its right to share the world with others and thus to demonstrate its self-determination relationally (2–3). This sense of the child as a burgeoning autonomy emerging from its relations with others is, for Irigaray, paradigmatic of human being – forming a basis to conceptualise non-alienated human being – without falling into the stopgap as interval between apparently “fully-formed” adult humans.

Irigaray draws out a third expression of “difference” or relation where she discusses the role of wonder in the work of Descartes, as the passion that attends the encounter with entities that are truly different and surprising. It is through an apprehension of wonder – which Descartes designates “the first of all the passions” (Descartes 358 qtd in Irigaray, Ethics 63) – that we come to comprehend an experience of otherness as irreducibility to the self. Wonder thus signals an appropriate ethical disposition towards the world, such that otherness may be taken into account, as what attracts “me toward, wonder keeps me from taking and assimilating directly to myself” (64). As an affirmation that “difference attracts,” however, wonder not only signals an ethical but also an epistemic attitude. Wonder signals that an experience cannot be assimilated to whatever has come before it, thus marking the need for a heightened attention to the specificity of what is encountered: “wonder is the appetite for knowledge of who or what awakens our appetite” and so indicates intellectual curiosity (67). Those who wonder insufficiently – without a curiosity towards whatever is different – are, accordingly, ignorant (68); and the capacity to encounter otherness epistemically, to know of the other, is correspondingly an ethical concern. For Irigaray, sexual difference is most significant (“the major philosophical issue of our age”). Descartes’s insight into the pivotal role of wonder is thus belied by his failure to recognise the significance of sexual difference: that women’s difference cannot be reduced to their exclusion from masculine subjectivity.

This specific failure of wonder returns Descartes to the array of philosophers from Socrates to Levinas whose philosophical insights are limited by a systemic forgetfulness of sexual difference. If an attitude of wonder were operative in these
philosophers’ respect of their relations with sexed others, not only would this improve their capacity to relate to others but the subject that their thought engenders would also be better able to relate to change, growth, and vulnerability, to withhold the urge to control their environment, and to learn from failure. This attitude pertains to cultural and colonial difference and not only – or even primarily – to sexual difference. The capacity to encounter others without reducing them to an aspect of oneself requires a third term or interval: in this case “wonder,” but as we have already seen, love and the placenta also provide models for the relation that both connects and sets apart, enabling an encounter but preserving difference between two.9

the interval and postcolonial relationality

Irigaray’s accounts of love, the placenta, and wonder as intermediary forms may be thought alongside what is known as the “relational turn” in theory. Wesley Wildman describes relational ontology as the contention “that the relations between entities are ontologically more fundamental than the entities themselves. This contrasts,” he says, “with substantivist ontology in which entities are ontologically primary and relations ontologically derivative” (55). According to this view, entities emerge through their relations to other relata, which in turn are characterised relative to others in their field. The being of subjects and objects is continuously negotiated and renegotiated as a becoming, through a relationality that is primary and formative, rather than in isolation, as discrete essences. Andrew Benjamin goes further, arguing that not only are relations always primary but that this possibility of doing philosophy has always operated in the background of the major thinkers’ work, to be recovered there through careful reading. Relationality is thus philosophy’s “other possibility” – a possibility that tends to be forgotten, much like Irigaray’s account of sexual difference and Heidegger’s ontological difference.

We can see this commitment at work in Irigaray’s writing to the extent that, first, she prioritises the relation between sexes, conceived of as “difference.” Irigaray discusses “difference” primarily in terms of a relation between two – specifically two sexes: a feature of her work that has attracted criticism in view of its cis-gender implications. Arguably, however, the introduction of “difference” enables critique of the heterosexist matrix that may open the way to the production of multiple genders. By conceiving of difference as a form of relationality – that is, as problematising the notion of distinct and mutually exclusive essences – we can understand Irigaray’s work to place under pressure the dualistic terms of sexual difference, even while she insists on duality. Second, Irigaray’s emphasis on the relation as an engine of change and growth resonates with the idea that entities exist in and through their relations with others – and this is exemplified by the figures of love, placenta, and wonder she privileges. Where Irigaray departs from relational ontology is in her insistence upon the need for the autonomy of each term and the intermediary’s role in preserving the difference between them.

Turning now to colonial relations, we can draw from both of these tendencies. In line with relational ontology, colonisation – as an event, an ongoing process, and as constitutive of forms of life – determines each relatum coloniser and colonised; in turn, each is formed in proportion to the other. Just as the “native” is colonised – stripped of their own form of life, invaded by the other’s prejudices, and deprived of self-determination – so, too, colonisers’ psychology, identity, and possibilities are determined with respect to those whom they displace. Yet Irigaray’s emphasis on the
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capacity to be separate picks up on a priority consistently articulated by Indigenous political movements, that is, a sovereignty reimagined in terms of a fundamental connection to land that mediates all relations, mortal and divine, rather than according to the social contract tradition that sees land as alienable. In the next section I explore ways in which the colonial relation is figured and consider alternative understandings of that relation. Just as Diotima’s account of love as a truly generative relation “miscarries” in the figure of the child (or procreation), in Australia, relations between coloniser and colonised are mediated through a commerce of children – specifically, stolen children – through acts of parliament that asserted state guardianship of Aboriginal children of mixed descent. While this stealing of children continues to damage Aboriginal autonomy and the capacity for generative postcolonial relations, there need to be new ways of conceiving that relation that, rather than perpetuating colonisation, redress the unequal footing upon which colonialism rests. Following Irigaray’s emphasis on an intermediary as a site of both connection and distance between two, I will now consider how the interval may be reworked in that context.

settler-colonial love?

As with Diotima’s conception of love, the relation between Australian settlers and Indigenous peoples has been reified in the child figure: through anxieties about lost and abducted white children, through the forced removal of Aboriginal children, and, more recently, through a moral panic precipitating the Northern Territory Emergency Response. The relationship between settlers and the people their arrival displaced is thereby played out pathologically in the fate of a child, which in turn symptomatises a tragic failure to relate: a miscarriage of relationality.

In Aotearoa New Zealand, the double meaning of the Māori word whenua as both land and placenta fortuitously connects it to Irigaray’s reflections, in ways that may deepen insight into Indigenous ontologies. For Māori, the divine mother, Papatūānuku, gives birth to all life from under the sea, and the islands that breach its surface are placentas from her womb. The land, as placenta, connects the people to her; and connection to land is thereby integral to an entire knowledge system. Relationships to land are reinforced every generation through burial of newborns’ placentas and umbilical cords in the land that binds them to Papatūānuku. The double meaning of whenua is thus more than fortuitous: it suggests a connection to land that is both formative and inalienable. For Aboriginal peoples in Australia, too, the connection to land is integral, and this relationship is similarly embodied through the return of the placenta and first menstrual blood to the earth (Mountford and Harvey 155–62; see also Best and Fredericks). This explicit and central place of the maternal body to these Indigenous knowledge systems sits in contrast with a European metaphysics that, Irigaray persistently argues, is founded upon repudiation of the maternal relation. This is one respect in which we might view Irigaray’s feminist critique as potentially allied to struggles against colonialism.

In what remains of this paper I would like to sketch some other ways in which Irigaray’s figure of the intermediary may help us to reimagine postcolonial relations and to access other cultural ways of knowing and experiencing land. While love provides a metaphor through which to imagine the relation between sexes and the placenta for the relation between mother and infant or a people and their land, neither provides a way to imagining a mutually beneficial relation between settler-colonials and colonised peoples, for that relation is already fundamentally exploitative and
unethical, riven with anger, resentment, denial, and hate. Before the one-sidedness of this relation has been addressed, there cannot be “reconciliation” or celebration of the relatedness of each to the other on equal terms. A new form of intermediation must take place, generated in the historical and material distinctiveness of that interval and through a shared effort not to reduce the other to a resource for self-representation.

In what follows I will consider a number of ways already offered by Aboriginal groups and people that, pending appropriate responsiveness on the colonisers’ part, could constitute such a third term. Each of these “ways” already speaks to settler/invader traditions as counter-discourses that require an attentiveness if they are not to be assimilated back into the dominant culture. Reflecting on these practices through Irigaray’s strategy not only brings to light First Nations approaches to relationality in terms more readily available to coloniser subjects, although this, reservedly, could in itself be seen as a gain. Rather, connecting Aboriginal strategies to Irigaray’s thought builds a potential solidarity between diverse “counter-discourses” to an oppressive Western discourse that reduces the other to the same or to nothing – responses that enable the development of a relationality capable of preserving the autonomy of each party. My aim in bringing First Nations responses into dialogue with Irigaray’s thought is to proliferate the resources available to counter relations of oppression and to develop a relationality that supports those who are historically oppressed. Drawing this connection potentially builds a bridge between thought traditions that may even be understood in terms of relationality, as enabling both co-existence and autonomy between them. In developing this connection, however, I also hope to provoke critique of Irigaray’s thought, in so far as she limits its priority to sexual difference and in so doing neglects a consideration of colonial difference. The failure of relationality endemic to settler-colonial Australian society is itself even symptomatised by the limits Irigaray places on her own thought.

In addition I will attempt to read First Nations responses to coloniser culture as Irigaray reads the suppressed tendencies of Socrates’ Diotima, as reported speech that reaches settler/invader ears through the interface of colonial assumptions and ontologies, mediated as it is by settler-colonial cultural forms. The first path to intermediation returns us to the non-verbal, affective dimension of Diotima’s dialectic: destabilising laughter, which undoes the security of the more powerful. Comic theatre formed an important component of a rebirth of Aboriginal activism that took place in the early 1970s and in the context of a long campaign having taken place to secure recognition of First Nations peoples that culminated in the 1967 referendum but which had failed materially to improve the quality of life of Aboriginal people.14 Through productions such as Basically Black (ABC television, 1973) and later BabaKiueria (Barbeque Area) (ABC television, 1986) and Black Comedy (ABC television, 2014–present),15 First Nations actors, writers, and directors responded to colonialism through laughter by ridiculing its articles of faith: particularly white sovereignty and the notion of terra nullius (that there was no claim to land prior to the colony). By comically dramatising colonisers’ stereotypes of Aboriginality, the players hold up a mirror to settler-Australians, making visible colonialism’s racist structures and investments. The National Black Theatre was established for the Redfern Aboriginal community by Bob Maza and Bindi Williams, and it involved as actors and writers the political activists Gary Foley, Paul Coe, and Marcia Langton. Some of its material was finally adapted for television as Basically Black and in that format can be read as an ambivalent “gift” to the settler-Australian public: a third term fashioned by one to be received by the other, forging a relation between them. Such a “gift” thus makes demands upon its recipient to work on this relation through the
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gift’s reception. As Irigaray emphasises, each party must work on the relation if it is truly to perform the function of interval: maintaining a connection, whilst also keeping each separate or autonomous.

Although *Basically Black* enjoyed a large viewership, its non-Indigenous audience did not live up to their part as recipient with respect to this connotation of the gift as formative of a productive and supportive, mutually constitutive relation. As Maryrose Casey notes, white audiences did not like to see “blacks talking up” and could not receive the series of “allegations” that this form of comedy represented to them. The audiences who bought tickets to view National Black Theatre performances were, however, more receptive, representing a potential to build this relation in future decades (Casey 61).

More squarely within the political idiom, the Tent Embassy movement may also be understood in the above terms and issues from the same community. As the Black Theatre Company emerged, Redfern activists travelled to Canberra to protest against Prime Minister McMahon’s disparagement of Aboriginal land rights claims. Exploiting a loophole in local camping laws, they were able to erect tents on the lawn of Parliament House and, in wry allusion to Canberra’s diplomatic quarter, named it the Aboriginal Embassy. The Tent Embassy continues to exert a presence today, and while it may have been construed as an occupation, an act of provocation, and a practical joke that is frequently represented by the media with derision, it may also be read as a reinterpretation of settler concepts that reflects back to the dominant culture its own operative conditions, namely, a sovereignty revealed finally through that lens to be arbitrary and illegitimate. While the Tent Embassy in Canberra has stood more or less continuously since “Australia Day” 1972, other embassies have recently been erected in response to the forced closure of Aboriginal communities. The Redfern Aboriginal Tent Embassy, for instance, occupied “The Block” in Redfern for thirteen months until the resolution of a dispute with the leadership of the Aboriginal Housing Corporation in late 2015. In protest against the redevelopment of Aboriginal land and what Embassy organisers called an “ethnic cleansing” of Redfern (an Aboriginal urban stronghold from the mid-twentieth century), Aboriginal activists and allies established the Tent Embassy on National Sorry Day, 26 May 2014. The Embassy successfully connected its own struggle to maintain affordable housing for Aboriginal people in inner-city Sydney to the closure of remote communities and, more broadly, to the dispossession of Indigenous people in Australia since first colonisation. Other embassies have been established in Brisbane, Queensland, and in Portland, Victoria.

Each of these sites offers to settler-Australians a means through which to relate to the situation of Aboriginal people and to understand their own part in it, as individuals who alienate land as property on the back of Indigenous dispossession. Like the gift of Black Theatre, the Tent Embassy demands to be received and responded to. It constitutes a relation in similar fashion to the placenta by drawing on “Australian” law and diplomatic convention in order to produce a third term through which each party may negotiate their connection and difference. It is a form of protest, certainly, but one that potentially initiates change and growth in each part through the relation it creates. The Embassy today forms a significant place of meeting for Indigenous and non-Indigenous peoples, as the site of protests for land rights and against Aboriginal deaths in custody. Some non-Indigenous voyagers have begun to visit embassies in order to seek welcome, and a tradition of carrying “Aboriginal Passports” is emerging (Jackson; Pugliese 2015 and 2017; Perera and Pugliese). This form of Aboriginal diplomacy formed through protest has thereby
continued as a conscious development of relationality between colonised and coloniser.

There is one final suggestion for a third term for which Aboriginal groups have called from the beginning of last century, that is, a treaty. There is currently talk of a referendum to recognise prior custodianship of the land by Aboriginal people. However, the process of drafting this text excluded the participation of Aboriginal people on their own terms, and there is growing opposition within that diverse cohort to constitutional change before a treaty has been negotiated (Grieves). A treaty is preferred to constitutional recognition because where the constitution already assumes the propriety of white sovereignty and law, a treaty subverts the terms of such sovereignty by acknowledging a prior sovereignty that was never extinguished over the diverse countries that comprise “Australia.” A treaty whose authorship was led by Indigenous people and which was received and supported by Australian law could – like Irigaray’s figure of the placenta – become a site through which equality may be negotiated. It would need to take into account that Aboriginal sovereignty was never ceded and that “settlers” have now built lives on Aboriginal land. Its terms would need to be mutually agreed upon – addressing both settlers’ fears of expulsion and systemic injustice to Aboriginal people over centuries that has rendered them refugees on their own land. In order to play the part of a third term in Irigaray’s sense, a treaty would also need to be maintained by each party in order truly to constitute a healthy relation. That is, it would need to be a living document – in the manner, for instance, of the Treaty of Waitangi in Aotearoa New Zealand17 – continually reflected upon and brought into Australian life and policy-making as an organ that enables ongoing change and growth in a community that contains multitudes. The treaty – like the placenta, love, and wonder – makes its own demands upon us and thereby brings into being a relation.

What this means is that non-Indigenous Australians, such as me, will need to finally “get the joke” shared by Black Theatre, to allow this joke to work upon us and unsettle the certitudes that support settler-colonial identity – and to do so by remaining in conversation with Aboriginal people. As a joyous, disquieting corollary to love, the laughter that black comedy elicits is a kind of wonder: the passion that precipitates an apprehension of substantial difference and thereby enables an ethical relation through which something new comes to be learned and experienced. For if we do not learn to laugh at the “unsettling” humour produced by black comedy, the account that settler-Australians produce of discourse with Indigenous Australians will remain reductive and unfaithful to that relation, depicting Aboriginal people as whatever settlers need them to be rather than in their difference, as sovereign peoples.

Finally, as noted early in this paper, the settler-colonial focus on the child as a figure for reconciliation and as a target of ongoing colonisation also serves to block a postcolonial relationality worthy of the name. This blockage of relationality may be understood conceptually, as Irigaray shows, as a repudiation, into the figure of the child, of the ambiguity and uncertainty that attends being-in-relation with others in the world. A refusal of one’s own vulnerability to others leads to investing that vulnerability into the other. More concretely, relationality is blocked when settler-Australians infantilise Aboriginal people and remove and imprison their children, in violation of International covenants such as the Convention on the Rights of the Child and the United Nations Declaration on the Rights of Indigenous Peoples. Settler-colonialism’s “miscarriage” – its failure to conceptualise relationality – thus bears directly on Australia’s legitimacy as a postcolonial nation able to ensure the safety and flourishing of both First Nations and settler citizens. Current discussions of
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Aboriginal people’s involvement in national decision-making are stymied by the coloniser’s unwillingness to regard the other party’s autonomy, let alone to nourish such autonomy through a relation of equals. A postcolonial relationality will only begin to operate once First Nations’ contributions to relation are received and a response is formed to them: once colonisers learn to laugh at themselves, to take themselves less seriously, and to accept First Nations sovereign peoples as integral to Australian nationhood rather than as its discomfiting remainder.

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notes

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2 While this request was construed as radical by political elites, the attempt to include Aboriginal voices in a national constitution certainly is more conservative than some leaders’ position that, as sovereignty was never ceded, there is no “nation,” and it is incumbent upon the illegitimate Australian state to negotiate a Makarrata (a treaty forged through a peace-making ceremony to reconcile past struggles) with the ~200 nations with prior sovereignty to the continent. The statement of the breakaway group from the Uluru talks can be found at <https://www.sbs.com.au/nitv/nitv-news/article/2017/05/25/breaking-delegates-walk-out-constitutional-recognition-forum-protest> (accessed 22 Feb. 2018).

3 This statement is an equivocation, of course. These MPs are supposed to represent the people who vote in their electorate, not “Aboriginal people.”


5 A number of commentators have noted Irigaray’s race blindness and essentialism. See especially Sabrina L. Hom and Anne McClintock. Marita Ryan, conversely, uses Irigaray’s work on sexuate difference to theorise cultural difference.

6 Whether a multicultural or bicultural emphasis is favoured depends on the strategic interests and historical context of cultural groups in situ. For instance, according to David Pearson and Patrick Ongley,
whereas Australian and Canadian aboriginal peoples are demanding a “citizen-plus” status within multicultural models originally designed to encompass immigrant and Québécois interests respectively; in New Zealand immigrant minorities are seeking entitlements to social citizenship within a bi-cultural ideology and policy framework that still appears to have an ascendency over multiculturalism as the major New Zealand state unifying motif. (19)

It would seem, in this way, that whichever structure of difference is first recognised constitutes how cultural difference is henceforth conceptualised and how claims by excluded parties are likely to proceed.

7 In a survey essay on interpretations of Irigaray on sexual difference, Rebecca Hill argues that to characterise Irigaray as either essentialist or anti-essentialist is reductive and that she is best read as both at once (“Multiple Readings,” 392–93). Likewise, Penelope Deutscher suggests that feminist arguments regarding the ontological status of sexual difference tend to miss the point:

Isn’t something wrong when the very possibility of sexual difference is systematically disallowed by male thinkers? Shouldn’t a culture that is deeply disturbed by the very possibility of such difference be questioned by feminists, whatever their own views about its ontological status or the question of whether or not there is sexual difference? […] Her point is that western culture has rendered sexual difference impossible and that this should concern us, regardless. (30)

8 For Lacan, “man” and “woman” are effects of narcissism to the extent that each plays a part for the other in his or her own project of self-love. That is, each term is a function of that desire.

9 In her excellent book Wonder and Generosity: Their Role in Ethics and Politics, Marguerite La Caze draws on Irigaray’s interpretation of Descartes’s conception of wonder as a passion we ought to cultivate in order to encounter difference ethically. La Caze holds, however, that wonder on its own is insufficient to motivate such an ethical encounter and that generosity is also required to produce a disposition that welcomes otherness. For the purpose of the present article, I would like to suspend for the moment the question of ethical motivation and focus primarily on the conceptual work that needs to be done to think through relations with different others in non-exploitative ways.

10 Popularly known as the NT intervention, the Northern Territory Emergency Response (NTER, 2007) was an omnibus of legislation passed in the federal parliament after a moral panic had been initiated in the media regarding allegations of widespread child abuse in remote Aboriginal communities. The legislation authorised the deployment of military, police, health workers, and social workers in these communities as well as changes to land tenure and access arrangements, quarantining of welfare payments, and banning of alcohol and pornography. The legislation could only be passed in virtue of the Anti-Racial Discrimination Act having been suspended so that these laws could be applied on the basis of race. Notwithstanding the magnitude of these measures, no charges were prosecuted concerning child abuse – the ostensible motivation for the intervention. While the law remains in place and has
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even been extended, it is widely speculated among Aboriginal and activist communities that it was a pretext for renegotiating by stealth land rights to be more permissive of access by mining companies.


12 My thanks to Campbell Jones for suggesting this connection in the earliest reading of the paper that was to become this article. My heartfelt thanks also to Simone Drichel for organising the workshop that precipitated the writing of this piece and to Simone and the anonymous reviewers for the valuable advice that led to its improvement.

13 Hill argues that the figures Irigaray suggests as a third term or interval to mediate non-hierarchical relations of difference are situational – emerging from the context of the specific relation – and thus are not reducible to one another (“Multiple Readings” 395). Rather, she says, the interval is “the difference from which thinking emerges” (Interval 114).

14 The referendum changed the constitution so that governance of Aboriginal people was brought into the scope of the Commonwealth rather than state governments or former colonies, thus allowing them to be counted in the census.

15 The National Black Theatre (NBT) productions at Nimrod Theatre in Redfern and the television series that developed from it, Basically Black, pioneered the strategy of addressing the colonial relation through comedy and were explicitly activist in origin and intention (see Potts). The mockumentary BabaKiueria came later, in the lead-up to Australia’s bicentenary celebrations, and is more satirical, now enjoying a cult following. Black Comedy is a contemporary revival of this tradition of satirising the colonial relation and rendering visible the unacknowledged assumptions of racism that structure the lives of First Nations peoples. See the programme website at <https://www.abc.net.au/tv/programs/black-comedy/> (accessed 4 Jan. 2019).

16 While “Australia Day” is the “official” designation for 26 January each year, as the anniversary of the arrival of the First Fleet at Sydney Cove, Aboriginal people and their allies refer to it as “Survival Day” or “Invasion Day.” For more reading on the history and significance of the Aboriginal Tent Embassy, see Foley, Schaap, and Howell. For a political philosophical approach to the phenomenon, see Muldoon and Schaap. For a reading of the Aboriginal Tent Embassy as an “event,” in Alain Badiou’s sense, see Feltham. See also Faulkner (Young 191–97).

17 The Treaty of Waitangi is often described as a “living document,” meaning that its significance is not restricted to the historical context of its original signing in 1840, and it exists to protect “the salience and ongoing development of Māori principles and values in perpetuity” (Henare 52), being continually reinterpreted and reinscribed into Māori (and settler-colonial) life. The 2014 ruling of the Waitangi Tribunal, that Māori did not forfeit their sovereignty in signing the Waitangi Treaty, particularly opens up its contemporary significance as a living document that signifies a relationship between equal parties rather than the signing away of land from one person to another.
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