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## Introduction

Katherine M. Franke  
*Columbia Law School*, [kfranke@law.columbia.edu](mailto:kfranke@law.columbia.edu)

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## INTRODUCTION

### KATHERINE FRANKE\*

Each year Columbia Law School's Center for Gender Sexuality Law selects a scholar whose work has made an important impact on the study and practice of gender and/or sexuality law. For 2010 we selected Judith Butler, the Maxine Elliot Professor in the Departments of Rhetoric and Comparative Literature at the University of California, Berkeley. In March of 2010, we held a Symposium recognizing the multiple domains of theory and activism in which Butler's mark has been profound, and oft times paradigm shifting.

Columbia Law School has the great fortune of having developed one of the deepest and most diverse faculties engaged in the study of the law of gender and sexuality. In turn, this has drawn a most magnificent body of students to our law school, many of who were involved in making this Symposium a success. I want to acknowledge and thank them for their hard work. Our students, no less than those of us who work in the academy, are the beneficiaries over and again of the creativity and sheer courage of Butler's ideas.

The contributors to this Symposium come together to appreciate a body of work, and to take stock of the influence of that work on a discipline not typically hospitable to the insights and critiques of a scholar whose training and intellectual archive lie beyond the traditional pickets of law. Yet starting with *Gender Trouble*, and continuing through the more recent work on war, humanitarianism and grievable lives, Judith Butler has distinguished herself as among the most important contemporary scholars of law. Having pledged no fidelity to any of law's sacred dominions, Butler's writing has unmasked, disarmed and disassembled many of the foundational truths of law with tools more precise and devastating than those that any scholar from within the legal academy has been able to generate. Yet unlike the analytic *cul-de-sac* in which we found ourselves after

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\* Katherine Franke is a Professor of Law and Director of the Center for Gender Sexuality Law at Columbia University.

reading the legal realists and their progeny, the Critical Legal Studies scholars, Butler's work does much more than merely point out law's internal contradictions, essentially political nature, or ways in which the rule of law, in the end, serves the powerful and privileged.

Her scholarship offers a new place from which to undertake legal studies altogether. Once set free from the antonymous structure of the law of male and female, homo and hetero, or kinship and politics, we find ourselves in a kind of trouble, adrift in the domain of contingency and performance where the idea of a viable life is predicated not on the stable ground of a shared humanity that must be both recognized and defended by law, but rather on something far more precarious. After mourning the loss of immutability, self-sovereignty, and a liberal account of freedom, we find ourselves absolutely exhilarated by the new ways we have come to understand the bodies of law we study. This is not a zone of great comfort for most lawyers and legal scholars, but the contributions to this volume provide witness to its importance, and indeed its necessity.

Who familiar with the work of Judith Butler does not remember reading *Gender Trouble* for the first time? It changed entirely how we took up what it means to have a gender, or better yet, of how gender had us. The same can be said of Butler's work on kinship, on ethics, and on the idea of the human that animates her analysis of the law of war and humanitarianism. In so many ways, it's hard for me to remember what and how I thought before I encountered Butler's work.

I want to thank the nine scholars who have contributed to this Symposium for generously offering diverse reflections on the corpus of Butler's scholarship, and for modeling for us the kind of critical intellectual practice and courage that her work inspires. As we draw Judith Butler closer to the Columbia community, this Symposium offers an opportunity to reflect on the contributions of one of the most influential scholars of gender and sexuality.