"ABSENT FRIENDS": SCENES OF ADDRESS AND AN ETHIC OF SELF-MAKING

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Why friendship? In what ways does it provide a topic for philosophy or theory? Why friendship now? How might Judith Butler help us to address this question, why ever and from wherever it comes?

The title of this panel already suggests some of the reasons one might want or need to reflect on friendship. It appears conjoined there with "kinship" and "ethics of the self." Kinship as a theme has been problematized, compromised fatally perhaps, by its links to compulsory heterosexuality and to structuralist theories that reinscribe traditional marriage and gender hierarchy in a field of the symbolic that, it is said, is more a matter of culture than nature. This structure is not simply social but rather a transcendental condition of the possibility of language, of culture, even of intelligibility itself.[1] The critique of such notions has been advanced in the work of Judith Butler from *Gender Trouble* through *Antigone's Claim* and beyond in lectures, essays and books.[2] What alternatives may we find to systems of kinship that may be "always already heterosexual"? Hegel argued forcefully that family relations, although a necessary complement to civil society in configuring modern

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[1] GAYLE RUBIN, *The Traffic in Women*, *in* TOWARD AN ANTHROPOLOGY OF WOMEN 157–210 (Rayna Reiter ed., 1975).

[2] JUITH BUTLER, GENDER TROUBLE 47–58 (2006); JUDITH BUTLER, UNDOING GENDER 102–130 (2004); JUDITH BUTLER, ANTIGONE'S CLAIM 41–55 (2000).

ethical life, are transcended by the state—in particular, the modern constitutional state grounded in the recognition of freedom, equality and human rights. However, as Butler forcefully argues in *Antigone's Claim*, for Hegel, the ethical status of the state is realized in its capacity to wage war and to ask mothers to sacrifice their sons, wives their husbands, and sisters their brothers in defense of its superior right (and might).[3] By the end of the twentieth century, if not earlier, it had become almost impossible to embrace this alternative to "traditional family values" without buying into the totalizing claims of the national security state with its commitments to preemptive wars against foes with imaginary weapons of mass destruction and to a potentially endless war against nothing less than terror itself.

Of course, ethics need not end with Hegel's state, and the theorization of ethics as a care of the self, a domain of individual commitment and responsibility, may offer an attractive alternative to state-centered moralities. In 1933, the British novelist E.M. Forster famously, perhaps notoriously, wrote: " . . . if I had to choose between betraying my country and betraying my friend, I hope I should have the guts to betray my country."[4] He was not just reciting a familiar homily as in Aristotle's citations of the conventional wisdom about friendship in the polis.[5] Forster went on: "Such a choice may scandalize the modern reader, and he may stretch out his patriotic hand to the telephone at once and ring the police."[6] Despite the lightness of tone, Forster suspected that his own choices would not sit easily with those of his compatriots, and *they* command the police and the army. In a more somber spirit, he writes: "Love and loyalty to an individual may run counter to the claims of the State. When they do, down with the State say I, which means the state

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[3] *Id.* at 27–41.

[4] E. M. FORSTER, *What I Believe*, *in* TWO CHEERS FOR DEMOCRACY 67–76 (1962).

[5] ARISTOTLE, *Nicomachean Ethics*, *in* INTRODUCTION TO ARISTOTLE 502–552 (Richard McKeon ed., W.D. Ross, trans., Modern Library 1992).

[6] FORSTER, *supra* note 4, at 69.

would down me."[7] Focusing on personal freedom and voluntary association may even hold the promise of non-violence in a global society increasingly shaped by transnational institutions and affiliations. However, such individualism may itself be compromised by its imbrication in neo-liberal defenses of the free market and a late capitalist global economy of multinational corporations benefiting from massive social inequality. Furthermore, as communitarians, feminists and radical democrats have all argued, the fantasy of a free-floating sovereign subject, unencumbered by ties other than those it chooses, fails to do justice to the inter-subjective, social and political conditions of self-formation.[8] Kinship appears to some as the horizon within which one may overcome an insidious and abstract individualism. Perhaps friendship allows us to find that sociality elsewhere and imagine otherwise the ties that bind. However, as the debate about the merits and dangers of same-sex marriage has demonstrated, "families we choose" may fail to negotiate the straits between libertarian voluntarism and always already heterosexual models of kinship. Friendship cannot be merely asserted, but must be thought through and imagined, if it is to offer a genuine way of living differently. We have an ongoing need for intimate associations in a transnational world of increased mobility and longevity, where fewer and fewer people live their lives in the communities where they were born, neighbors come and go, and marriages, traditional or same-sex, may be dissolved as often as they endure. Friendships involve shared histories, mutual commitments that may be redefined over time, and that survive changes of location, vocation, erotic partnerships and family arrangements. They may also offer models of reciprocity and mutuality that embody the promise of democracy more fully than any constitutional regime.

In fact, friendship was a central topic for classical Greek philosophy. Just think of Plato's *Lysis* (not to mention the *Symposium* and *Phaedrus*) and Books VIII and IX of Aristotle's *Nicomachean Ethics* (and the *Eudemian Ethics* too, as Derrida

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[7] *Id.*

[8] *See* CHARLES SANDEL, LIBERALISM AND THE LIMITS OF JUSTICE (2nd ed. 1998); CAROL GILLIGAN, IN A DIFFERENT VOICE (1993); SEYLA BENHABIB, SITUATING THE SELF (1992); SHANE PHELAN, GETTING SPECIFIC (1994); WENDY BROWN, STATES OF INJURY (1995).

reminds us).[9] It is the subject of essays by Cicero, Bacon and Montaigne, but fades as a central theme in European ethics and political thought in the modern period. Partly as a result of his intense engagement with the ancient Greeks, Nietzsche reintroduces the topic with a distinctive turn, interrogating the distinction between friends and enemies, setting the binary opposition in motion.[10] Thoreau, too, wonders whether the best friend may not be an enemy to one's own complacency, and the enemy a true friend to one's ongoing development.[11] In twentieth-century Europe, Carl Schmitt locates the distinction between friend and foe at the heart of the political and makes the ability to say which is which an incident of sovereignty.[12] (George W. Bush acted in a thoroughly Schmittian fashion when he declared, "You are either for us or against us" and made the definition of "enemy combatants" a Presidential prerogative.) There is also a brief and very enigmatic reference by Heidegger in *Being and Time* to "the friend who is always with us".[13] In a more salutary vein, Derrida undertook to map a *Politics of Friendship,* engaging most of the thinkers already mentioned, while trying to disentangle friendship from gendered and racial implications of "fraternity" and to salvage something for the promise of "democracy to come"—"perhaps."[14] Foucault, too, found his way back to the Greeks in his turn to the ethics of the

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[9] PLATO, COMPLETE WORKS (John M. Cooper & D.S. Hutchinson eds., 1997); ARISTOTLE, *supra* note 5; CICERO, ON FRIENDSHIP (F.O. Copley trans., Hackett Publ'g Co. 1971); FRANCIS BACON, THE ESSAYS 138–44 (John Pitcher ed., Penguin Classics 1986) (1601); MONTAIGNE, *Of Friendship*, *in* THE COMPLETE ESSAYS OF MONTAIGNE 135–44 (Donald M. Frame trans., Stanford Univ. Press 1958) (1572); JACQUES DERRIDA, POLITICS OF FRIENDSHIP (George Collins trans., 1997) (1994).

[10] FRIEDERICH NIETZSCHE, ON THE GENEALOGY OF MORALS AND ECCE HOMO 57–96 (Walter Kaufmann & RJ Hollingdale trans., 1989) (1887); DERRIDA, *supra* note 9, at 28–66.

[11] Henry David Thoreau, *Friendship* (Elibron 2004) (1906).

[12] CARL SCHMITT, THE CONCEPT OF THE POLITICAL (George Schwab trans., Univ. of Chicago Press 1976) (1932).

[13] MARTIN HEIDEGGER, BEING AND TIME (John Macquarrie & Edward Robinson, trans., 1962) (1927).

[14] DERRIDA, *supra* note 9.

self and the aesthetics of existence. However, the best thing we find in one of his late interviews may turn out to be its title: "Friendship as a Way of Life."[15]

When we turn to the recent work of Judith Butler, we may be surprised at the apparent absence of friendship as a theme. I have found two explicit references to the topic, to which I shall return. However, her turn to ethics and her engagement especially with Levinas, but also with Foucault and psychoanalysis, resonates with possibilities for our imagining friendship as a crucial scene of address in the ethical life of the self. Not only that, there are hints of the importance of friendship for Butler at the margins of her texts and in her *practice* as a writer and thinker, in dedications and acknowledgements, in her numerous endorsements of the books of other scholars, both young and not so young. More centrally, perhaps, there are interviews and dialogues with other thinkers: e.g., such as the exchange with Gayle Rubin to which Joan Scott refers; the remarkable public conversations with psychoanalyst Ken Corbett and with philosopher Catherine Malabou; and published collaborations with Gayatri Spivak, Adam Philips, Ernesto Laclau and Slavoj Zizek.[16]

I hope to do three things in this essay: to sketch the outlines of an engagement between Butler's recent writings on the ethics of the self and some of Aristotle's comments on friendship; to say something about one of her few explicit references to friendship in a relatively recent piece; and finally to note the very brief appearance of an absent and perhaps imaginary friend in one of her own readings. Despite the absence of an explicit theorization of friendship, Butler's call for an ethics grounded in the mutual interaction of vulnerable and

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[15] MICHEL FOUCAULT, *Friendship as a Way of Life*, *in* ETHICS (Paul Rabinow ed., 2006), 135–40. Foucault's later work on the "care of the self" and on "the hermeneutics of subjectivity" develops a conception of ethics as self-making. *See* MICHEL FOUCAULT, THE USES OF PLEASURE (Robert Hurley trans., 2002); MICHEL FOUCAULT, THE CARE OF THE SELF (Robert Hurley trans., 1988); MICHEL FOUCAULT, FEARLESS SPEECH (Joseph Pearson, ed., 2001).

[16] JUIDTH BUTLER & GAYATRI CHAKRAVORTY SPIVAK, WHO SINGS THE NATION-STATE? (2007); JUDITH BUTLER, THE PSYCHIC LIFE OF POWER 132–66 (1997); JUDITH BUTLER, ERNESTO LACLAU & SLAVOJ ZIZEK, CONTINGENCY HEGEMONY, UNIVERSALITY (2000).

precariously positioned selves and others opens a space for rearticulating friendship as an alternative scene of address for an ethic of self-making. At the same time, her essay in memory of Jacques Derrida points to the inevitable involvement of friendship with loss and mourning, while her reading of Kafka's "The Judgment" suggests just how difficult it may be to disentangle friends from the punitive drama of Oedipalized kinship.

I. Friendship as a Scene of Address

Friendship conjures a perhaps utopian vision of a space with its own complex temporalities where each of us may answer the question "who are you?" in ongoing and mutual interrogation. In the first chapter of *Giving An Account of Oneself*, Judith Butler begins to chart the contours of an ethic of responsibility grounded in our capacity to be addressed by and to respond to an Other. From Levinas she takes the notion of a face-to-face encounter through which humans are addressed and may address others in return.[17] From Foucault, she takes this scene as a crucial arena of self-formation, the precondition of ethics and self-making.[18] In the name of this ethical turn, she engages and questions Nietzsche's account of the emergence of the self through interpellation by morality and the agencies of blame and punishment, crucially lodged in the modern state. The Nietzschean subject emerges as an effect of "bad conscience", through which our resentment and aggression towards the other is recycled as self-accusation and berating.[19] She writes:

> Nietzsche does not consider other linguistic dimensions of this situation. If I am held accountable through a framework of morality, that framework is first addressed to me, first starts to act upon me, through the address and query of another. If I give an account of

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[17] EMMANUEL LEVINAS, TIME AND THE OTHER (Richard Cohen trans., 1990); EMMANUEL LEVINAS, TOTALITY AND INFINITY (Alphonse Lingis trans., 1969).

[18] *See* works cited *supra* note 15.

[19] NIETZSCHE, *supra* note 10.

> myself in response to such a query, I am implicated in a relation to the other before whom I speak and to whom I speak. Thus, I come into being as a reflexive subject in the context of establishing a narrative account of myself when I am spoken to by someone and prompted to address myself to the one who addresses me.[20]

Butler recognizes the need to expand this account of subject formation beyond "this punitive scene of the inauguration of the subject."[21] She concludes: "This view of subject formation depends upon an account of a subject who internalizes the law or, minimally, the causal tethering of the subject to the deed for which the institution of punishment seeks compensation."[22] Michel Foucault further develops such a view in his Nietzschean account of disciplinary power.[23] However, in later work, pursuing further his crucial insights into the productive capacities of power, he imagines a scene within which the emergent subject recognized by a context of linguistic and social norms may take upon herself the project of crafting her own version of selfhood: "Foucault turns increasingly to codes of morality, understood as codes of conduct—and not primarily as codes of punishment—to consider how subjects are constituted in relation to such codes, which do not always rely on the violence of prohibition and its internalizing effects."[24] The model for such an aspirational and perfectionist ethic derives from Foucault's reading of ancient Greek and Roman technologies of the self in *The Uses of Pleasure*, *The Care of the Self* and *Fearless Speech*.[25] Importantly, such a subject is not

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[20] JUDITH BUTLER, GIVING AN ACCOUNT OF ONESELF 15 (2005).

[21] *Id.* at 15.

[22] *Id.*

[23] MICHEL FOUCAULT, DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON (Alan Sheridan trans., 2nd ed. 1995).

[24] *Id.* at 16.

[25] *See* works cited *supra* note 15.

autonomous in the Kantian sense, making itself out of nothing more than the commands of abstract and universalizing reason, but rather is deeply imbedded in the normative codes through which it is shaped and enabled to become self-shaping: "This work on the self, this act of delimiting, takes place within the context of a set of norms that precede and exceed the subject."[26] Butler links such ethical self-formation to the practice of critique that "exposes the limits of the historical scheme of things, the epistemological and ontological horizon within subjects come to be at all. To make oneself in such a way that one exposes those limits is precisely to engage in an aesthetics of the self that maintains a critical relation to existing norms."[27] This self-stylization is a creative appropriation and revision of one's normative context. But one does not create oneself ex nihilo, and one cannot do it alone.

Butler goes on to engage Levinas, Hannah Arendt (through Adriana Cavarerro), T. W. Adorno, Melanie Klein and others in charting the possibilities of accounting for the emergence of a responsible and responsive self from scenes of address outside the interpellation of a guilt-ridden subject. Since we are not self-grounding and each of us emerges belatedly against a background of norms and practices that we did not invent and may not fully comprehend, the project of self-formation is somewhat vexed. Achieving a measure of aesthetic individualization requires a vigilant and persistent critical distancing of the very norms by which we are constituted. I cannot do justice here to Butler's full and nuanced account. However, there are few attempts to describe concretely these alternative scenes of address. Perhaps the fullest account is her discussion of the transference relations in the psychoanalytic situation.[28] The discussion of Derrida, addressed in detail below in Part II, nevertheless invites us to consider the role that friendship may play in creating intersubjective spaces of self-formation that are sensitive to the complex temporalities of our belatedness. One might imagine (and I did, for a moment)

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[26] BUTLER, *supra* note 20, at 17.

[27] *Id.*

[28] *Id.* at 50–82.

rewriting Books VIII and IX of Aristotle's *Nicomachean Ethics* through the prism of Butler's rendering of an ethics of responsibility. Let me just mention here some of the items that would appear in such translation and revision.

Butler recognizes a necessary opacity of the self: although asked to give an account of our selves, we were not present at the creation and can only imagine what might have moved us to emerge from an antecedent normative and relational context. Any attempt to tell the story will necessarily involve us in narrative fictions, with no prospect of independent access to the "truth" of the matter. These accounts may well change over time and in relation to our interlocutors. After all, the story we tell will always depend in part on who's asking, what the consequences of our telling might be, and what answers we receive to our own questioning of others. If, as Aristotle reiterates, the friend is "another self," each of us will be opaque to herself as well as to the other.[29] There is no expectation of the mutual achievement of a reflexive transparency, rather an ongoing process of self-revelation, misprision and revision. If, as Aristotle insists, "perfect" friendship is a virtue, or implies virtue, we must recall that Aristotle himself recognizes that moral virtue or excellence is a habit.[30] It is realized through repetition within a social context of praise and blame, success and failure. So any account of friendship must be performative: both the friendship itself and the subjects who are friends, become who and what they are through iteration. There is no friend-in-himself and no friendship-in-itself but only what emerges as a result of a history of interaction against the background of norms that have their history too, albeit on a different scale from that of individual friends. If, as Aristotle also maintains, friends have all things in common, our interactions and the self-making of each are shaped in part by what we care about, what we desire, what and who we want to become.[31]

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[29] ARISTOTLE, *supra* note 5, at 534–37, 542–45.

[30] *Id.* at 338, 351.

[31] *Id.* at 503.

Butler's envisioning of an ethic of responsibility continues through the essays collected in *Precarious Life* and, most recently, *Frames of War*.[32] The most important thing to note here is her analysis of the precariousness of self-making and our shared vulnerability to all the ills to which flesh is heir. The title essay of *Precarious Life* asks us to imagine an alternative form of political life grounded not in individual liberties or human rights alone but in the recognition of a shared vulnerability, of "the powers of mourning and violence."[33] One might observe, in a darker vein, that the modern philosopher most attuned to the precariousness of creatures vulnerable to death by violence is Thomas Hobbes, who helped construct the insidious image of an all-powerful sovereign that promises to protect us each from the others. But Hobbes cannot quite deliver on this fantasy of security. His political sovereigns remain in a condition of war with each other, and must always be ready to demand of their subjects that they risk life and limb in defense of the very institution that is supposed to protect them. Hobbes knows also that the sovereign cannot rely on obligation alone but must *enforce* the social contract, even with the death penalty, in the face of which all bets are off.[34] He was relentless enough in his honesty to recognize that no one condemned to death remained tied to the sovereign but had a right to defend himself even against legally authorized punishment. However, he insisted also on the duty of fellow citizens to assist in the execution. Recognition of precariousness and vulnerability is no guarantor of peace and security. It is not so far from Hobbes to Hegel, who grounds the ethical status of the state in its right to call on citizens to sacrifice themselves, and to Schmitt's identification of the political with warfare and of sovereignty with the right, not only to carve out states of exception, but also to decide who is a friend and who an enemy.

The concluding essay in *Frames of War*, "The Claim of Non-Violence," may provisionally complete a trajectory initiated

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[32] JUDITH BUTLER, FRAMES OF WAR (2009); JUDITH BUTLER, PRECARIOUS LIFE (2004).

[33] BUTLER, FRAMES OF WAR, *supra* note 32, at 128–51.

[34] THOMAS HOBBES, LEVIATHAN 86–100, 117–28 (Richard Tuck ed., 1996) (1651).

in *Giving an Account of Oneself*, the second chapter of which is entitled "Against Ethical Violence".[35] Butler there emphasizes that non-violence for her cannot be established as an abstract principle but is rather best understood as a practice by which subjects seek to transform the sometimes violent conditions of their formation without repeating and perpetuating the cycle of violence. She argues: "Non-violence arrives as an address or an appeal." Further:

> Violence and non-violence are not only strategies or tactics but form the subject and become its constitutive possibilities and so an ongoing struggle. To say this is to suggest that non-violence is the struggle of a single subject, but also that the norms that act upon the subject are social in nature and the bonds that are AT stake in the practice of non-violence are social bonds.[36]

The conditions within which violence emerges as a possibility and temptation are precisely linked to the implicit violence of self-formation itself:

> We are at least partially formed through violence. We are given genders or social categories against our will, and these categories confer intelligibility or recognizability, which means that they also communicate what the social risks of unintelligibility or partial intelligibility might be. But even if this is true . . . it should still be possible to claim that a certain breakage can take place between the violence with which we are formed and the violence with which, once formed, we conduct ourselves. Indeed, it may be that precisely because one is formed through violence, the responsibility not to

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[35] BUTLER, FRAMES OF WAR, *supra* note 32, at 164–84.

[36] *Id.* at 165–66.

> repeat the violence of one's formation is all the more pressing and important.[37]

What about the political dimensions of non-violence? "This may be a personal struggle, but the parameters of that struggle clearly pervade political situations of conflict in which the move to retribution is made quickly and with full moral certitude."[38] The scene of punishment and condemnation is not so easy to avoid. As Nietzsche forcefully showed, it is constantly being recreated in the struggles through which the victims of violence seek to overcome their subjugation and visit punishment on their former oppressors. Within each of us is a potential aggressor seeking the mastery that allows him to visit vengeance on his enemies. The violence at work in forming the guilty conscience may be once again directed outwards, especially when cloaked in the authority of supposed moral justification. The arrogation to oneself of the moral high ground may be predicated on a denial of all implication in the social conditions through which we are shaped, in the erection of a fantasy of moral purity and sovereign independence awaiting only a social reversal to repeat the cycle from the position of mastery.

I am quite persuaded by Judith Butler's analysis and commitments here. I would add that the call to non-violence may be heard not only in the face of a vulnerable potential victim or a disembodied individual conscience but perhaps more frequently in the voices of one's friends, whether by one's side or from a distance, imagined or incarnate. Veterans of movements for social change often emerge with strong ties of friendship that survive the dissolving solidarity of old struggles. As Joan Scott has suggested, some of the power of these ties may well derive from facing a common enemy. Although it is sometimes hard to admit, these feelings are surely akin to the "camaraderie of the trenches" that draws men to war and may offer memories of violence a passionate, perhaps erotic, as well as moralizing gloss. Butler recognizes the risk of moralization in any struggle, however ethical its aims, and the temptations to violence that the assumption of moral superiority brings. These

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[37] *Id.* at 167.

[38] *Id.* at 172.

temptations are probably better faced together; our friends may keep us honest, carrying the call to non-violence. Of course, our comrades in struggle may also invite us to frenzies of recrimination and revenge.

II. Absence, Loss and the Work of Mourning

In November 2004, Judith Butler published a tribute to the then recently deceased Jacques Derrida. She refers there to the philosopher's last interview in *Le Monde* where he turns to Socrates as model of the thinker's relation to his own life: " . .he [Derrida, Socrates too] still did not quite know how best to live. One cannot, he remarks, come to terms with one's life without trying to apprehend one's death, asking, in effect, how a human learns to live and to die." Butler then turns to Derrida's many "public acts of mourning", posthumous tributes to fellow thinkers, published together in *The Work of Mourning:* "their writing exists as the precondition of his own; their writing constitutes the means through which his own writing voice is animated and secured, a voice that emerges, importantly, as an address." Recalling an earlier private exchange between herself and the Frenchman in which linguistic misprision entangles a question about his "debts" with one about his "death", Butler recognizes a link between the two that Derrida would make explicit in an essay for Jean-Francois Lyotard. Butler quotes: "There come moments when as mourning demands, one feels obligated to declare one's debts. We feel it our duty to say what we owe to friends." In her own voice she writes:

> The act of mourning then becomes a continued way of 'speaking to' the other who is gone, even though he is gone, precisely because that other is gone. We now must say 'Jacques' to name the one we have lost, and, in that sense 'Jacques Derrida' becomes the name of our loss. Yet we must continue to say his name, not only to mark his passing, but because he is the one we continue to address in what we write; because it is, for many of us, impossible to write without relying on him, without thinking with and through him. 'Jacques

> Derrida', then, is the name for the future of what we write.[39]

Butler goes on to pay tribute to Derrida as "one of the greatest philosophers of the 20th century", citing in particular, the connection between his conception of "*différance*" and "an ethical relation, the relation of sexual difference and the relation to the Other"; his engagements with Levinas, a friend whom he also addresses in *The Work of Mourning* and *Adieu to Emmanuel Levinas*; and with Walter Benjamin, whom he cannot have known "in person" but only through his writing. Thus, Butler writes in mourning and in friendship of a writer and thinker for whom reading, writing and thinking were inextricably entangled with mourning, with death (of oneself or another), with questioning the best way to live and to die, *and with friendship.* Reflection on mourning and the loss of a beloved "other" is not a new theme for Judith Butler. Recall her recurrent reading of Freud's "Mourning and Melancholia", and her brilliant adoption of melancholy as a key to the formation of a gendered and desiring self in *Gender Trouble.* The "other" there is easily projected on an Oedipal scene, but the reach of the analysis extends beyond the family romance to suggest an inherent link between loving (and losing) another and becoming a subject. As the vicissitudes of this process begin early in life, "mourning and melancholy" come to figure the incorporation of lost and beloved others into the very fabric of the emerging self. In her tribute to Derrida, Butler makes clear the intimate connection between this process and the life work of thinkers and scholars, writers and readers, teachers and students. The borders between oneself and another, established and reworked over time, are permeable. Butler speaks to, in and through Derrida as he speaks to, in and through Lyotard and others, all the way back to Socrates. She writes, "Derrida relies perhaps most assiduously on Socrates, on a mode of philosophical inquiry that took the question as the most honest and assiduous form of thought."[40] And one of the names of this conversation among the living and the dead is "friendship."

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[39] Judith Butler, *Jacques Derrida*, 26 LONDON REV. BOOKS 32 (2004).

[40] *Id.*

Later in the essay for Lyotard, and not long after the passage that Butler quotes, Derrida writes of his debt and their friendship: "I will thus not even begin to give an account of this debt, to give an accounting of it, whether with respect to friendship or to philosophy, or to that which, linking friendship to philosophy, will have *kept us* together, Jean-Francois and me, kept us together without synchrony, symmetry or reciprocity, according to a reaffirmed dispersion, in so many places and in so many times that I cannot even begin to circumscribe them."[41] Friendship determines its own spaces and times, has its own history with its own distances and distancings, and perhaps its own deaths and rebirths. Derrida wants at once to affirm and interrogate the "we" that friendship invokes as an effect of the interactions between "I" and "you", "you" and "me". (He offers an extended meditation on the practice he shared with Lyotard of addressing the other as "vous" rather than "tu" despite years of association and affection in contexts where the intimate form of address was taken for granted. It is worth a look, although it does not translate easily into American English without the grammatical distinction and in a culture where first names are adopted by complete strangers calling on the telephone in an effort to sell things.[42]) However, Derrida's linguistic reminiscence indicates an ambiguous play of proximity and distance between friends that brings to mind one of Kant's few comments on friendship in *The Metaphysic of Morals*: 'Friendship (considered in its perfection) is the union of two persons through mutual love and respect . . . it will be difficult for both to bring love and respect subjectively into that equal balance required for friendship[.]—For love can be regarded as attraction and respect as repulsion, and if the principle of love bids friends to draw closer, the principle of respect requires them to stay at a proper distance from each other."[43] Kant describes a human need for self-expression that risks compromising our dignity if we say too much to our friends. Acknowledging the philosophical and historical distance that separates Derrida from

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[41] JACQUES DERRIDA, *All-out Friendship, in* THE WORK OF MOURNING 224 (Pascale-Anne Brault & Michael Naas eds., 2001).

[42] *Id.* at 227–28.

[43] IMMANUEL KANT, THE METAPHYSICS OF MORALS 215 (Mary Gregor trans., 1996).

Kant, one can still hear echoes of Konigsberg in the perhaps surprising conclusion of the Frenchman's lyrical evocation of being-together with his friend:

> But sure of being together outside any nameable *ensemble*, we were so, even before having decided upon it, and sure of it with a faith [*foi*], a sort of faith, over which we were perhaps together in accord, and in accordance with which we went well together. Yes, a faith, because Jean-Francois, like all those I like to call my best friends, also remains for me, in a certain way, forever unknown and infinitely secret.[44]

III. The Scene of Judgment and an Ethic of Self-making

Let us return to *Giving and Account of Oneself,* where I found Judith Butler's other brief provocative explicit reference to friendship. Kafka's tale "The Judgment" plays an important role in Butler's exposition of the complex dynamic of interpellation at a punitive scene of address. She describes Kafka's portrayal of an encounter between father and son that culminates in the father's pronouncing a sentence of death upon his son and the son's own execution of that sentence. Before offering a rich and nuanced interpretation of that scene, she writes:

> It is unclear in Kafka's story whether the characters are separate entities or function as porously partitioned parts of a self that is no entity, bears no core, constituted only in a field of fragmentation. The son claims to have a friend who turns out to be, perhaps, no more than a mirror fragment of himself. The father claims to have written to this friend, and it is finally unclear whether the friend even exists or whether he is the point of struggle between what belongs to the father

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[44] DERRIDA, *supra* note 41, at 225.

> and what to the son. The friend is the name for a boundary that is never fully clear.[45]

Butler's analysis displays the complicated interaction between father and son that characterizes this scene of judgment. It is a punitive scene of address, apparently in the most literal terms, but she finds agency in the play of active and passive verbs by which Kafka portrays the son's execution of his father's sentence of death by drowning. This iteration of the paternal law is also complicated by Kafka's announcement that after passing sentence, the father himself collapses upon his bed. This scene, redolent of Oedipal conflict, at the same time problematizes the boundaries between father and son, outside and inside, command and obedience.

I confess I had not read the Kafka story, not even when last I taught Butler's book. When my search for the friend in Butler's text led me back to this discussion, I was moved to read it, and read it again. It is a remarkable and profoundly discomfiting tale.[46] In the time remaining, I can only suggest some of the ways that a reading may inform one's reflections about friendship as a scene of address. Although a short tale, it takes its time in getting to the dramatic event with which it concludes and which is the heart of Butler's analysis. We meet the son Georg as he reflects on writing a letter to a friend who has left the country to settle in St Petersburg and try his hand at business there. He is portrayed as a long-term friend whom Georg perhaps has been neglecting. Georg has prospered since the recent death of his mother. Now living in the house alone with his father, he works at his side daily at the business, which the son now directs. Georg feels his success in comparison with his friend's failure and isolation in a distant city still experiencing the aftershocks of revolution. The friends have not met in three years. Georg shoulders a burden of guilt in the relationship. His uncertainty about the way in which his friend would react to Georg's success in business has led him to write letters taken up with only the most trivial gossip. Georg has not

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[45] BUTLER, *supra* note 20, at 47.

[46] FRANZ KAFKA, *The Judgement*, *in* THE COMPLETE STORIES 77–88 (Nahum N. Glatzer ed., 1971).

even informed the friend (who remains without a name) that he is engaged, and he wishes not to invite him to the impending wedding. He worries that the good news will only make his friend unhappier in his bachelor state. However, his fiancée has intervened, expressing her own desire to meet and befriend the friend of her affianced. Now, it seems, Georg has changed his mind. He writes sharing the news of his engagement and urging his friend to travel home for the wedding. He even promises that his wife-to-be will become a much-needed female friend to his friend. Somehow the writing of the letter may resolve three years of guilt and uncertainty in Georg's friendship. The two had been very close. Georg has felt guilty about his inability to respond, unsure whether to urge the friend to return to his homeland and take up business there. Georg is troubled about the possible consequences of such an invitation. If the friend does not return, would Georg have reinforced the notion that he and other friends, whom Georg imagines share his concern, regard the friend as a failure? And if the friend does return but does not prosper, would Georg not have made the situation much worse?

Apparently pleased that he has resolved the matter, Georg goes to tell his father the news. Although they share the house and a common living room, Georg has not seen his father in his own bedroom. Now he sees his senior as weak, unkempt, neglected in a darkened room. Georg feels bad for his father and begins to express his care, proposing that they exchange bedrooms, carefully preparing the old man for bed, covering him up for sleep. Suddenly the situation is reversed. His father sits "erect" in the bed and throws off Georg's solicitude. Instead, he announces that there is no friend in St. Petersburg, that Georg has invented him and that this is just one more indication of the secretiveness and deception that the son displays towards his father. Georg reacts initially by taking this declaration as yet another lapse in the old man's grasp of reality. However, the balance between the two has shifted. The father becomes larger, stronger more frightening. He denounces Georg's engagement in forceful and misogynist terms, treating it as yet another betrayal. Georg, who had thought he and his bride would leave the father in the family house, now decides his must take him along and care for him better in the future if it is not too late.

As for the friend, the father now declares that he has been in touch with him for all these three years, that he knows of the son's betrayal of the friendship, and the "lying" letters he has written. The friend, it seems, has fulfilled the old man's dreams of a son in ways that Georg has failed to do. These maneuvers lend credibility to Butler's speculation that the friend may indeed be imaginary. A projection of the son, and of the father, that becomes a weapon in the struggle between them. The friend is the name of the uncertain boundary not only between father and son, but also between social reality, family romance and personal fantasy. Is he the good son in the father's fantasy? A paternal dream of what Georg might have become? Would Georg have been a better, more faithful son if he had left home, gone abroad, failed, rather than remaining at home to survive the death of his mother and displace his father in the business and the household? The complex resonance of this version of the Oedipal triangle is reinforced by the father's repeated references to his late wife as "our mother." But perhaps we can read the story of the friend as a complex version of Georg's own personal fantasy and a symptom of his anxiety. He may imagine *himself* as freed from the proximal hold of paternal authority, leaving the home(land), taking his chances on making a way for himself outside his native country and the family business. Of course that fantasy is tinged with a fear of failure. The friend is imagined as alone and lonely, a failure isolated from all support. Condemning one to penury and bachelorhood, leaving home may exact too high a price.

But Kafka's tale may suggest another scenario. The friend had urged Georg to join him in St Petersburg, there to share in the effort to succeed in business away from home, perhaps to live together with the other in a bachelor household. Georg's father suspects something queer in the friendship, but that suspicion seems only to strengthen his own desire to appropriate the friend for himself. If friendship offers an alternative scene of address, where friends may live and share "all things in common", perhaps as brothers, or lovers, but no longer as sons, it is still not safely secured from Oedipal incursions. The father claims the friend, the brother, for himself, adopting the position of rival to his son, imagining himself the friend of this friend. Clearly there is much more to see and to say in this very dark, but somehow also humorous, parable. At the

very least it strikes a cautionary note in treating friendship itself as an unambiguous and life-affirming alternative to the death grip of the paternal law. In the end, Georg has betrayed the promise of friendship as much as he is seen by his father to have betrayed his filial duties. If this is so, however, it may result from love, not fear. As Butler emphasizes in reading "The Judgment", it concludes with the son, as he executes his own death sentence, calling, in a low voice, "Dear parents, I have always loved you all the same."[47] Though Georg may have died of an excess of filial devotion, he has sacrificed his fiancée and his friend as well. The intimate ties between father and son recall Abraham and Isaac as much as Laius and Oedipus. Invoking friendship as an alternative scene of address may reflect a utopian longing, itself available for conscription in the service of the law. As Butler has emphasized in her reading of Nietzsche, the punitive scene of address has itself been taken over by the modern state. Finding the space for authentic self-making may require departure from the family business and from one's homeland. But that exodus may lead to self-exile rather than to the promised land, to a life of failure, loneliness and the absence of love.

Kafka's fable is a modern urban myth in which archaic forms of kinship still hold sway. I hope it is not the final word. It will not be mine. Recall E.M.Forster's embrace, quoted at the outset of this essay, of a personal ethic of friendship that invokes an alternative scene of address. It is life-affirming and implicitly queer. But it also puts him and those of us who share his commitments at odds with some very powerful forces. Although I hope avidly for a happy ending here, I cannot quite overcome the specter of Kafka's parable and its vision of a paternal law that deploys the search for love to sentence one to death.

IV. Coda

Occasions like this, for which I thank the organizers, and academic practices such as the *festschrift*, sometimes allow

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[47] *Id.* at 88.

us to acknowledge debts to our friends while they are still around to hear us. I first encountered Judith Butler when I heard her speak at a conference just over twenty years ago, also in a law school classroom at a university to the north and east of here, where we had both done time, at different times. Since then I have had many occasions to feel grateful for the gift of her friendship and for the continuing inspiration of her work. I recall only one occasion on which I myself tendered her a gift. It was some time ago, fifteen years perhaps. She seemed pleased by my choice. The scene was in Prague, where we were both attending a conference. The gift was a black T-shirt I had bought at one of the city's foremost tourist attractions. Vividly inscribed in white on the front was a line drawing of the tormented face of Franz Kafka. Thank you again, Judith Butler.