

Franz Kafka

The Trial



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THE TRIAL

Franz Kafka was born in Prague in 1883, the son of a rich Jewish Czech merchant. After studying literature and medicine for a short time, he turned to law, which he believed was the profession that would give him the greatest amount of free time for his private life and for his writing. He took his doctorate in law at Prague University, obtained a job with an insurance company, and later became a clerk in the semi-Governmental Workers' Insurance Office. In later years the necessity of earning his living by routine office work became an intolerable burden, and he broke away altogether, settling down in a Berlin suburb to devote himself to writing. In 1914 he became engaged, but broke it off, feeling unable to face marriage. He made one more attempt to marry, but it was discovered that he was suffering from tuberculosis and he went to a sanatorium. His unsatisfactory love affairs, his relationship with his father, a self-made man who cared nothing for his son's literary aspirations, and his own inflexible intellectual honesty and almost psychopathic sensitivity finally broke down his health, and the 'hunger years' of post-1918 Berlin added the finishing touches. He died in 1924. Although he was a Czech, Kafka's books were all written in German. Seven of them were published during his lifetime. *The Trial* first appeared after the author's death in 1925, *The Castle* in 1926, *America* in 1927, and *The Great Wall of China* in 1931.

THE TRIAL

Franz Kafka

WITH AN EPILOGUE BY
MAX BROD



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I

The Arrest – Conversation with Frau Grubach then Fräulein Bürstner

SOMEONE must have been telling lies about Joseph K., for without having done anything wrong he was arrested one fine morning. His landlady's cook, who always brought him his breakfast at eight o'clock, failed to appear on this occasion. That had never happened before. K. waited for a little while longer, watching from his pillow the old lady opposite, who seemed to be peering at him with a curiosity unusual even for her, but then, feeling both put out and hungry, he rang the bell. At once there was a knock at the door and a man entered whom he had never seen before in the house. He was slim and yet well knit, he wore a closely fitting black suit, which was furnished with all sorts of pleats, pockets, buckles, and buttons, as well as a belt, like a tourist's outfit, and in consequence looked eminently practical, though one could not quite tell what actual purpose it served. 'Who are you?' asked K., half raising himself in bed. But the man ignored the question, as though his appearance needed no explanation, and merely said: 'Did you ring?' 'Anna is to bring me my breakfast,' said K., and then with silent intensity studied the fellow, trying to make out who he could be. The man did not submit to this scrutiny for very long, but turned to the door and opened it slightly so as to report to someone who was evidently standing just behind it: 'He says Anna is to bring him his breakfast.' A short guffaw from the next room came in answer; one

could not tell from the sound whether it was produced by several individuals or merely by one. Although the strange man could not have learned anything from it that he did not know already, he now said to K., as if passing on a statement: 'It can't be done.' 'This is news indeed,' cried K., springing out of bed and quickly pulling on his trousers. 'I must see what people these are next door, and how Frau Grubach can account to me for such behaviour.' Yet it occurred to him at once that he should not have said this aloud and that by doing so he had in a way admitted the stranger's right to an interest in his actions; still, that did not seem important to him at the moment. The stranger, however, took his words in some such sense, for he asked: 'Hadn't you better stay here?' 'I shall neither stay here nor let you address me until you have introduced yourself.' 'I meant well enough,' said the stranger, and then of his own accord threw the door open. In the next room, which K. entered more slowly than he had intended, everything looked at first glance almost as it had done the evening before. It was Frau Grubach's living-room; perhaps among all the furniture, rugs, china, and photographs with which it was crammed there was a little more free space than usual, yet one did not perceive that at first, especially as the main change consisted in the presence of a man who was sitting at the open window reading a book, from which he now glanced up. 'You should have stayed in your room! Didn't Franz tell you that?' 'Yes, yes, but what are you doing here?' asked K., looking from his new acquaintance to the man called Franz, who was still standing by the door, and then back again. Through the open window he had another glimpse of the old woman, who with truly senile inquisitiveness had moved along to the window exactly opposite, in order

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to see all that could be seen. 'I'd better get Frau Grubach —' said K., as if wrenching himself away from the two men (though they were standing at quite a distance from him) and making as if to go out. 'No,' said the man at the window, flinging the book down on the table and getting up. 'You can't go out, you are arrested.' 'So it seems,' said K. 'But what for?' he added. 'We are not authorized to tell you that. Go to your room and wait there. Proceedings have been instituted against you, and you will be informed of everything in due course. I am exceeding my instructions in speaking freely to you like this. But I hope nobody hears me except Franz, and he himself has been too free with you, against his express instructions. If you continue to have as good luck as you have had in the choice of your warders, then you can be confident of the final result.' K. felt he must sit down, but now he saw that there was no seat in the whole room except the chair beside the window. 'You'll soon discover that we're telling you the truth,' said Franz, advancing towards him simultaneously with the other man. The latter overtopped K. enormously and kept clapping him on the shoulder. They both examined his nightshirt and said that he would have to wear a less fancy shirt now, but that they would take charge of this one and the rest of his underwear and, if his case turned out well, restore them to him later. 'Much better give these things to us than hand them over to the depot,' they said, 'for in the depot there's lots of thieving, and besides they sell everything there after a certain length of time, no matter whether your case is settled or not. And you never know how long these cases will last, especially these days. Of course you would get the money out of the depot in the long run, but in the first place the prices they pay you

are always wretched, for they sell your things to the best briber, not the best bidder, and anyhow it's well known that money dwindles a lot if it passes from hand to hand from one year to another.' K. paid hardly any attention to this advice, any right to dispose of his own things which he might possess he did not prize very highly; far more important to him was the necessity to understand his situation clearly; but with these people beside him he could not even think, the belly of the second warder – for they could only be warders – kept butting against him in an almost friendly way, yet if he looked up he caught sight of a face which did not in the least suit that fat body, a dry, bony face with a great nose, twisted to one side, which seemed to be consulting over his head with the other warder. Who could these men be? What were they talking about? What authority could they represent? K. lived in a country with a legal constitution, there was universal peace, all the laws were in force; who dared seize him in his own dwelling? He had always been inclined to take things easily, to believe in the worst only when the worst happened, to take no care for the morrow even when the outlook was threatening. But that struck him as not being the right policy here, one could certainly regard the whole thing as a joke, a rude joke which his colleagues in the Bank had concocted for some unknown reason, perhaps because this was his thirtieth birthday, that was of course possible, perhaps he had only to laugh knowingly in these men's faces and they would laugh with him, perhaps they were merely porters from the street corner – they looked very like it – nevertheless his very first glance at the man Franz had decided him for the time being not to give away any advantage that he might possess over these people. There was a slight risk that

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later on his friends might possibly say he could not take a joke, but he had in mind – though it was not usual with him to learn from experience – several occasions, of no importance in themselves, when against all his friends' advice he had behaved with deliberate recklessness and without the slightest regard for possible consequences, and had had in the end to pay dearly for it. That must not happen again, at least not this time; if this was a comedy he would insist on playing it to the end.

But he was still free. 'Allow me,' he said, passing quickly between the warders to his room. 'He seems to have some sense,' he heard one of them saying behind him. When he reached his room he at once pulled out the drawer of his desk, everything lay there in perfect order, but in his agitation he could not find at first the identification papers for which he was looking. At last he found his bicycle licence and was about to start off with it to the warders, but then it seemed too trivial a thing, and he searched again until he found his birth certificate. As he was re-entering the next room the opposite door opened and Frau Grubach showed herself. He saw her only for an instant, for no sooner did she recognize him than she was obviously overcome by embarrassment, apologized for intruding, vanished, and shut the door again with the utmost care. 'Come in, do,' he would just have had time to say. But he merely stood holding his papers in the middle of the room, looking at the door, which did not open again, and was only recalled to attention by a shout from the warders, who were sitting at a table by the open window and, as he now saw, devouring his breakfast. 'Why didn't she come in?' he asked. 'She isn't allowed to,' said the tall warder, 'since you're under arrest.' 'But how can I be under arrest? And particularly in such a ridiculous

fashion?' 'So now you're beginning it all over again?' said the warder, dipping a slice of bread and butter into the honey-pot. 'We don't answer such questions.' 'You'll have to answer them,' said K. 'Here are my papers, now show me yours, and first of all your warrant for arresting me.' 'Oh, good Lord,' said the warder. 'If you would only realize your position, and if you wouldn't insist on uselessly annoying us two, who probably mean better by you and stand closer to you than any other people in the world.' 'That's so, you can believe that,' said Franz, not raising to his lips the coffee-cup he held in his hand, but instead giving K. a long, apparently significant, yet incomprehensible look. Without wishing it K. found himself decoyed into an exchange of speaking looks with Franz, none the less he tapped his papers and repeated: 'Here are my identification papers.' 'What are your papers to us?' cried the tall warder. 'You're behaving worse than a child. What are you after? Do you think you'll bring this fine case of yours to a speedier end by wrangling with us, your warders, over papers and warrants? We are humble subordinates who can scarcely find our way through a legal document and have nothing to do with your case except to stand guard over you for ten hours a day and draw our pay for it. That's all we are, but we're quite capable of grasping the fact that the high authorities we serve, before they would order such an arrest as this must be quite well informed about the reasons for the arrest and the person of the prisoner. There can be no mistake about that. Our officials, so far as I know them, and I know only the lowest grades among them, never go hunting for crime in the populace, but, as the Law decrees, are drawn towards the guilty and must then send out us warders. That is the Law. How could there be a mistake in that?'

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'I don't know this Law,' said K. 'All the worse for you,' replied the warder. 'And it probably exists nowhere but in your own head,' said K.; he wanted in some way to enter into the thoughts of the warders and twist them to his own advantage or else try to acclimatize himself to them. But the warder merely said in a discouraging voice: 'You'll come up against it yet.' Franz interrupted: 'See, Willem, he admits that he doesn't know the Law and yet he claims he's innocent.' 'You're quite right, but you'll never make a man like that see reason,' replied the other. K. gave no further answer; 'Must I,' he thought, 'let myself be confused still worse by the gabble of those wretched hirelings? — they admit themselves that's all they are. They're talking of things, in any case, which they don't understand. Plain stupidity is the only thing that can give them such assurance. A few words with a man on my own level of intelligence would make everything far clearer than hours of talk with these two.' He walked up and down a few times in the free part of the room; at the other side of the street he could still see the old woman, who had now dragged to the window an even older man, whom she was holding round the waist. K. felt he must put an end to this farce. 'Take me to your superior officer,' he said. 'When he orders me, not before,' retorted the warder called Willem. 'And now I advise you,' he went on, 'to go to your room, stay quietly there, and wait for what may be decided about you. Our advice to you is not to let yourself be distracted by vain thoughts, but to collect yourself, for great demands will be made upon you. You haven't treated us as our kind advances to you deserved, you have forgotten that we, no matter who we may be, are at least free men compared to you; that is no small advantage. All the same, we are prepared, if you have any

money, to bring you a little breakfast from the coffee-house across the street.'

Without replying to this offer K. remained standing where he was for a moment. If he were to open the door of the next room or even the door leading to the hall, perhaps the two of them would not dare to hinder him, perhaps that would be the simplest solution of the whole business, to bring it to a head. But perhaps they might seize him after all, and if he were once down, all the superiority would be lost which in a certain sense he still retained. Accordingly, instead of a quick solution he chose that certainty which the natural course of things would be bound to bring, and went back to his room without another word having been said by him or by the warders.

He flung himself on his bed and took from the washstand a fine apple which he had laid out the night before for his breakfast. Now it was all the breakfast he would have, but in any case, as the first few bites assured him, much better than the breakfast from the filthy night café would have been, which the grace of his warders might have secured him. He felt fit and confident, he would miss his work in the Bank that morning, it was true, but that would be easily overlooked, considering the comparatively high post he held there. Should he give the real reason for his absence? He considered doing so. If they did not believe him, which in the circumstances would be understandable, he could produce Frau Grubach as a witness, or even the two odd creatures over the way, who were now probably meandering back again to the window opposite his room. K. was surprised, at least he was surprised considering the warders' point of view, that they had sent him to his room and left him alone there, where

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he had abundant opportunities to take his life. Though at the same time he also asked himself, looking at it from his own point of view, what possible ground he could have to do so. Because two warders were sitting next door and had intercepted his breakfast? To take his life would be such a senseless act that, even if he wished, he could not bring himself to do it because of its very senselessness. If the intellectual poverty of the warders were not so manifest, he might almost assume that they too saw no danger in leaving him alone, for the very same reason. They were quite at liberty to watch him now while he went to a wall-cupboard where he kept a bottle of good brandy, while he filled a glass and drank it down to make up for his breakfast, and then drank a second to give him courage, the last one only as a precaution, for the improbable contingency that it might be needed.

Then a shout came from the next room which made him start so violently that his teeth rattled against the glass. 'The Inspector wants you,' was its tenor. It was merely the tone of it that startled him, a curt, military bark with which he would never have credited the warder Franz. The command itself was actually welcome to him. 'At last,' he shouted back, closing the cupboard and hurrying at once into the next room. There the two warders were standing, and, as if that were a matter of course, immediately drove him back into his room again. 'What are you thinking of?' they cried. 'Do you imagine you can appear before the Inspector in your shirt? He'll have you well thrashed, and us too.' 'Let me alone, damn you,' cried K., who by now had been forced back to his wardrobe. 'If you grab me out of bed, you can't expect to find me all dressed up in my best suit.' 'This doesn't help you any,' said the warders, who as soon as K. raised his voice

always grew quite calm, indeed almost rueful, and thus contrived either to confuse him or to some extent bring him to his senses. 'Silly formalities!' he growled, but immediately lifted a coat from a chair and held it up for a little while in both hands, as if displaying it to the warders for their approval. They shook their heads. 'It must be a black coat,' they said. Thereupon K. flung the coat on the floor and said – he did not himself know in what sense he meant the words – 'But this isn't the capital charge yet.' The warders smiled, but stuck to their: 'It must be a black coat.' 'If it's to dispatch my case any quicker, I don't mind,' replied K., opening the wardrobe, where he searched for a long time among his many suits, chose his best black one, a lounge suit which had caused almost a sensation among his acquaintances because of its elegance, then selected another shirt and began to dress with great care. In his secret heart he thought he had managed after all to speed up the proceedings, for the warders had forgotten to make him take a bath. He kept an eye on them to see if they would remember the ducking, but of course it never occurred to them, yet on the other hand Willem did not forget to send Franz to the Inspector with the information that K. was dressing.

When he was fully dressed he had to walk, with Willem treading on his heels, through the next room, which was now empty, into the adjoining one, whose double doors were flung open. This room, as K. knew quite well, had recently been taken by a Fräulein Bürstner, a typist, who went very early to work, came home late, and with whom he had exchanged little more than a few words in passing. Now the night-table beside her bed had been pushed into the middle of the floor to serve as a desk, and the Inspec-