The Trial

Franz Kafka

Definitive Edition
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All Franz Kafka's utterances about life were profound and original, and so too was his attitude toward his own work and to the question of publication altogether. It would be impossible to overrate the gravity of the problems with which he wrestled in this connection, and which for that reason must serve as a guide for any publication of his posthumous works. The following indications may help to give at least an approximate idea of his attitude.

I wrested from Kafka nearly everything he published either by persuasion or by guile. This is not inconsistent with the fact that he frequently during long periods of his life experienced great happiness in writing, although he never dignified it by any other name than "scribbling." Anyone who was ever privileged to hear him read his own prose out loud to a small circle of intimates with an intoxicating fervor and a rhythmic verve beyond any actor's power was made directly aware of the genuine irrepres-sible joy in creation and of the passion behind his work.

If he nevertheless repudiated it, this was firstly because certain unhappy experiences had driven him in the direction of a kind of self-sabotage and therefore also toward nihilism as far as his own work was concerned; but also independently of that because, admittedly without ever saying so, he applied the highest religious standard to his art; and since this was wrung from manifold doubts and difficulties, that standard was too high. It was probably immaterial to him that his work might nevertheless greatly help many others who were striving after faith, nature, and wholeness of soul; for in his inexorable search for his own salvation, his first need was to counsel, not others, but himself.

That is how I personally interpret Kafka's negative attitude toward his own work. He often spoke of "false hands" beckoning to him while he was writing; and he also maintained that what he had already written, let alone published, interfered with his further work. There were many obstacles to be overcome before a volume of his saw the light of day. All the same, the sight of the books in print gave him real pleasure, and occasionally, too, the impression they made. In fact there were times when he surveyed both himself and his works with a more benevolent eye, never quite without irony, but with friendly irony; with an irony which concealed the infinite pathos of a man who admitted of no compromise in his striving for perfection.

No will was found among Kafka's literary remains. In his desk among a mass of papers lay a folded note written in ink and addressed to me. This is how it runs:

Dearest Max, my last request: Everything I leave behind me (in my bookcase, linen-cupboard, and my desk both at home and in the office, or anywhere else where anything may have got to and meets your eye), in the way of diaries, manuscripts, letters (my own and others'),
sketches, and so on, to be burned unread; also all writings and sketches which you or others may possess; and ask those others for them in my name. Letters which they do not want to hand over to you, they should at least promise faithfully to burn themselves.

Yours,

Franz Kafka

A closer search produced an obviously earlier note written in pencil on yellowed paper, which said:

Dear Max, perhaps this time I shan’t recover after all. Pneumonia after a whole month’s pulmonary fever is all too likely; and not even writing this down can avert it, although there is a certain power in that.

For this eventuality therefore, here is my last will concerning everything I have written:

Of all my writings the only books that can stand are these: The Judgment, The Stoker, Metamorphosis, Penal Colony, Country Doctor and the short story: Hunger Artist. (The few copies of Meditation can remain. I do not want to give anyone the trouble of pulping them; but nothing in that volume must be printed again.) When I say that those five books and the short story can stand, I do not mean that I wish them to be reprinted and handed down to posterity. On the contrary, should they disappear altogether that would please me best. Only, since they do exist, I do not wish to hinder anyone who may want to, from keeping them.

But everything else of mine which is extant (whether in journals, in manuscript, or letters), everything without exception in so far as it is discoverable or obtainable from the addressees by request (you know most of them yourself; it is chiefly . . . and whatever happens don’t forget the couple of notebooks in . . .’s possession)—all these things, without exception and preferably unread (I won’t absolutely forbid you to look at them, though I’d far rather you didn’t and in any case no one else is to do so)—all these things without exception are to be burned, and I beg you to do this as soon as possible.

Franz

If, in spite of these categorical instructions, I nevertheless refuse to perform the holocaust demanded of me by my friend, I have good and sufficient reasons for that.

Some of them do not admit of public discussion; but in my opinion those which I can communicate are themselves amply sufficient to explain my decision.

The chief reason is this: when in 1921 I embarked on a new profession, I told Kafka that I had made my will in which I had asked him to destroy this and that, to look through some other things, and so forth. Kafka thereupon showed me the outside of the note written in ink which was later found in his desk, and said: “My last testament will be quite simple—a request to you to burn everything.” I can still remember the exact wording of the answer I gave him: “If you seriously think me capable of such a thing, let me tell you here and now that I shall not carry out your wishes.” The whole conversation was conducted in the jesting tone we generally used together, but with the underlying seriousness which each of us always took for granted in the other. Convinced as he was that I meant what I said, Franz should have appointed another executor if he had been absolutely and finally determined that his instructions should stand.

I am far from grateful to him for having precipitated me into this difficult conflict of conscience, which he must have foreseen, for he knew with what fanatical veneration I listened to his every word. Among other things, this was the reason why, during the whole twenty-two years of our
unclouded friendship, I never once threw away the smallest scrap of paper that came from him, no, not even a post card. Nor would I wish the words “I am far from grateful” to be misunderstood. What does a conflict of conscience, be it ever so acute, signify when weighed in the balance against the inestimable blessing I owe to his friendship which has been the mainstay of my whole existence!

Other reasons are: the instructions in the penciled note were not followed by Franz himself; for later he gave the explicit permission to reprint parts of Meditation in a journal; and he also agreed to the publication of three further short stories which he himself brought out, together with Hunger Artist, with the firm Die Schmiede. Besides, both sets of instructions to me were the product of a period when Kafka's self-critical tendency was at its height. But during the last year of his life his whole existence took an unforeseen turn for the better, a new, happy, and positive turn which did away with his self-hatred and nihilism. Then, too, my decision to publish his posthumous work is made easier by the memory of all the embittered struggles preceding every single publication of Kafka's which I extorted from him by force and often by begging. And yet afterwards he was reconciled with these publications and relatively satisfied with them. Finally in a posthumous publication a whole series of objections no longer applies; as, for instance, that present publication might hinder future work and recall the dark shadows of personal grief and pain. How closely nonpublication was bound up for Kafka with the problem of how to conduct his life (a problem which, to our immeasurable grief, no longer obtains) could be gathered from many of his conversations and can be seen in this letter to me:

... I am not enclosing the novels. Why rake up old efforts? Only because I have not burned them yet...
The most valuable part of the legacy consists in those works which were removed before the author’s grim intentions could be fulfilled and conveyed to a place of safety. These are three novels. “The Stoker,” a story already published, forms the first chapter of a novel whose scene is laid in America; and, as the concluding chapter is extant, there is probably no essential gap in the story. This novel is in the keeping of a woman-friend of the author. I obtained possession of the two others, *The Trial* and *The Castle*, in 1920 and 1923; and this is a great consolation to me now. For these works will reveal the fact that Kafka’s real significance, which has been thought until now with some reason to lie in his specialized mastery of the short story, is in reality that of a great epic writer.

These works will probably fill about four volumes of the posthumous edition; but they are far indeed from rendering the whole magic of Kafka’s personality. The time has not yet come for the publication of his letters, each single one of which shows the same truth to nature and intensity of feeling as his literary work; but meanwhile a small circle of Kafka’s friends will see to it that all the utterances of this incomparable human being which remain in their memory shall be collected forthwith. To give only one instance: how many of the works which, to my bitter disappointment, were not to be found in his lodgings, were read out to me by my friend, or read at least in part, and their plots sketched in part. And what unforgettable, entirely original, and profound thoughts he communicated to me! As far as my memory and my strength permit, nothing of all this shall be lost.

I took the manuscript of *The Trial* into my keeping in June 1920 and immediately put it in order. The manuscript has no title; but Kafka always called it *The Trial* in conversation. The division into chapters as well as the chapter headings are his work; but I had to rely on my own judgment for the order of the chapters. However, as my friend had read a great part of the novel to me, memory came to the aid of judgment. Franz regarded the novel as unfinished. Before the final chapter given here a few more stages of the mysterious trial were to have been described. But as the trial, according to the author’s own statement made by word of mouth, was never to get as far as the highest Court, in a certain sense the novel could never be terminated—that is to say, it could be prolonged into infinity. At all events, the completed chapters taken in conjunction with the final chapter which rounds them off, reveal both the meaning and the form with the most convincing clarity; and anyone ignorant of the fact that the author himself intended to go on working at it (he omitted to do so because his life entered another phase) would hardly be aware of gaps. My work on the great bundle of papers which at that time represented this novel was confined to separating the finished from the unfinished chapters. I am reserving the latter for the final volume of the posthumous edition; they contain nothing essential to the development of the action. One of these fragments, under the title “A Dream,” was included by the author himself in the volume called *A Country Doctor*. The completed chapters have been united here and arranged in order. Only one of the unfinished chapters, which was obviously very nearly complete, has been inserted as Chapter VIII with a slight transposition of four lines. I have of course altered nothing in the text. I have only expanded the numerous contractions (for instance, “Fraulein Bürstner” for “F. B.” and “Titorelli” for “T.”), and I have corrected a few little slips which had obviously only been left in the manuscript because the author had never subjected it to a final revision.

Max Brod
Postscript to the Second Edition

(1935)

This, the second edition of Kafka's great novel-fragments, has a different aim and is guided by different laws from the first (now historical) edition. The overriding purpose then was to render accessible an autonomous poetical world, baffling in its nature and not a perfect whole. Everything which might have accentuated its fragmentary character and made it more difficult of approach was therefore avoided. Today, when Kafka's work is gaining in appeal year by year and has also arrested the attention of theologians, psychologists, and philosophers, it is now desirable to work as far as possible toward a critical edition with variant readings.

The difficulty facing Kafka philologists is unusually great. For, although his style is only comparable with J. P. Hebel's or Kleist's, still its unique charm is heightened by the presence of Prague and generally speaking Austrian elements in the run of the sentence and its cadence. In the present edition an effort has therefore been made to approximate the punctuation, style, and syntax to the accepted German usage; but only so far as seemed compatible with the distinctive melody of the author's speech. The guiding rule of this method therefore was not grammatical; it was based on a repeated recital of the sentences and paragraphs in question until evidence of correctness had been obtained. As the manuscript in its extant form was not intended for publication, and would therefore have undergone a final revision by the author, there is also some uncertainty about the passages deleted by him. Some of them would probably have been replaced after a further revision. Nevertheless, the intention of the author in the context of the novel has been rigorously respected. Those deletions which represent an enrichment of the work either in form or in content have been given in an appendix and completed by the chapters which had to be eliminated from the first edition as too fragmentary.

Contrary to the practice of the first edition, the order of the words as well as the repetition of the same word two or three times in the same sentence have been faithfully adhered to on principle throughout, except when a slip of the author's could be established with absolute certainty. Only quite obvious mistakes in the manuscript have been corrected.

In the first edition the eighth chapter was brought to a conclusion by means of a slight change of position of four lines. These have been replaced in their original context, and the chapter appears, as in the original, incomplete.

Max Brod
A further scrutiny of the manuscript undertaken recently makes it appear not impossible that Kafka intended the episode now designated as the fifth chapter to be in fact the second. Although Kafka gave titles to the chapters, he did not number them. I put them in order on internal evidence; and I was also guided by special indications, as for instance the repetition of the last words of one chapter on the first page of the next. This must have been the original form. Later Kafka separated the single chapters from each other, and each time he added the above-mentioned final words at the end of each chapter in a very abbreviated copy, often written in his personal shorthand. Such duplicate passages at least prove that chapters marked in this way originally belonged together. Whether it was the author's intention to retain this order or to relinquish it must forever remain doubtful.

MAX BROD

APPENDIX IV

Excerpts from Kafka's Diaries

The following passages are taken from Kafka's diaries between August, 1914, and April, 1915. They refer to The Trial and to Kafka's writing in general during this period.

August 6 [1914]. What will be my fate as a writer is very simple. My talent for portraying my dreamlike inner life has thrust all other matters into the background; my life has dwindled dreadfully, nor will it cease to dwindle. Nothing else will ever satisfy me. But the strength I can muster for that portrayal is not to be counted upon: perhaps it has already vanished forever, perhaps it will come back to me again, although the circumstances of my life don't favor its return. Thus I waver, continually fly to the summit of the mountain, but then fall back in a moment. Others waver too, but in lower regions, with greater strength; if they are in danger of falling, they are caught