

## Essential Kafka

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### In the Penal Colony

**“IT’S REALLY** quite a contraption...” the officer said to his guest, a traveler out doing a bit of research in the field—*“it’s something else altogether<sup>13</sup>...”*—and he stepped back and cast his eyes upon **THE APPARATUS**, a machine with which, indeed, he was intimately acquainted although he still experienced a certain amount of awe when he gazed upon it. It seemed that the traveler was only there due to his desire to please the commander who had suggested that he might attend the execution of one of the soldiers, someone who had been sentenced<sup>14</sup> for insubordination and for having insulted his superiors. As far as that goes, there wasn’t much interest in this execution from anyone else at the penal colony either. At least there wasn’t anyone else present there in this low lying valley—a rather small valley with sandy soil that was surrounded on all sides by bare cliffs—nobody else but this officer, the traveler, the convicted man (someone who appeared as being somewhat of a brute, a bear of a man having a small forehead, a large mouth and unruly black hair and, likewise, a forlorn and wasted look upon his countenance), and then the one soldier who was standing guard, holding on to the heavy chain, a chain from which numerous smaller chains were attached, a pair going to the prisoner’s hands and another for his feet, as well as one chain that was attached to his neck, and then all of these were interconnected by yet a third level of chains. Moreover, the condemned man had the stare of a well-trained dog so that it seemed that you could just as well set him loose and it would only be necessary to whistle at the start of the execution: he’d come at a trot.

The traveler—it was obvious—didn’t have much understanding for the apparatus and seemed to be keeping to himself, pacing back and forth behind the prisoner whilst the officer was taking care of all of the final preparations, at one time crawling beneath this machine that was built deep into the sandy soil but, then again, climbing up to the top upon a ladder so as to make a final check on the parts that were there, up high. You might think that these would be tasks that would better be left to a machinist but the officer was quite intent upon doing this work himself, indeed he seemed excessively eager in his diligence—whether, now, this would be due to his attachment to the contraption or simply because there wasn’t anybody else to whom the work could be entrusted, it wasn’t possible to say. “Now

it's all ready!"—he finally called out as he came down from off the ladder. He was quite out of breath and totally drenched in sweat, taking in great gulps of air through his open mouth; he had forced two petite handkerchiefs behind the collar of his uniform... were they his wife's? "These uniforms are way too heavy to be wearing in the tropics" the traveler remarked, something that surprised the officer as he was expecting to be questioned about the machine. "That's for sure," he responded, and then he went over to a bucket that stood to the ready so as to wash off the filth, the oil and grease that covered his hands—"but they're a sign of our homeland, we don't want to forget our homeland... — *Now*, just have a look at this apparatus" he added right away as he both dried his hands upon a small towel and started pointing at the machine. "Up until now it had to be prepped by hand but from here on out it runs all by itself." The traveler nodded his head and looked to where the officer was pointing. But, to insure that what he was saying was totally accurate the officer decided to modify his initial statement for all possible eventualities: "Naturally, sometimes problems do crop up, this or that interferes with the machine's interworkings, indeed I certainly hope that nothing like this happens today; all the same, one has to be ready and make one's calculations accordingly. The contraption, after all, takes up to twelve hours to complete its cycle, twelve long hours during which time it's continually in motion. But even if something should go awry, it's always just some small matter, we manage to overcome it without much difficulty.

Wouldn't you like to have a seat?" he finally asked, pulling out a chair from amongst a large pile of them and then offering it to the traveler who, of course, couldn't very well refuse. He sat down right by the edge of a ditch into which he cast a fleeting look. It wasn't very deep. On the one side the dirt had been piled up into a sort of wall, on the other side stood the apparatus. "I don't even know" the officer began—"as to whether the commander has already explained to you how this machine works..." The traveler made an indefinite motion with one of his hands; the officer didn't need anything more since this was enough to allow him to start into his own clarifications.

"This apparatus" he said, and he took hold of a lever which he used to support himself—"is a testimony to the inventiveness of our former commander. I was with him right from the beginning of the earliest prototypes and worked alongside him throughout the entirety of his endeavors, right up to its consummation. All the

same, the credit for the invention belongs to him and to him alone. Incidentally, have you heard tell of our former commander? No. Well, I wouldn't be overstating the truth if I were to say that the overall conception of the entirety of our penal system was set down by him, he put us upon our course, such is his legacy, his life work. Those of us who were his friends knew even at his death that the direction had been set and that this, his design *{Einrichtung}*, was so complete in itself that no matter who might be appointed to replace him, and despite his having thousands of grand schemes in his head, all the same, there wouldn't be a thing that might be changed for a considerable number of years after his taking charge. And our assessment of this matter has been borne out, our new commander has been forced to admit as much. — It's a shame that you never had a chance to get to know our former commander... But," the officer interrupted himself—"I'm just blathering away and all the while his apparatus is standing right here in front of us. It's made up, as you can see, from three parts. In the course of time each of these parts has been given a familiar appellation—to a certain extent our folk is quite clever in coming up with such home-spun names. This lower portion is called *the bed*, the upper has been nicknamed *the inscriber*,<sup>15</sup> and here, this middle section that swings, hovering in-between, this is called *the harrow*."

"*The harrow?*"—interjected the traveler. He hadn't been listening all that attentively, the sun was beating down all too fiercely in this valley which hadn't any shade at all; it was quite difficult to keep one's wits about one. The officer appeared that much the more astonishing, what with his tight-fitting, ceremonial uniform that was simply overbrimming with numerous medals and all sorts of braided insignia; and there he was, so energetically and eagerly explaining the ins and outs of this, his baby... and then at the same time he'd also be going about tightening a few screws here and there with a screwdriver. It seemed that the soldier standing guard found himself to be in a similar constitution as the traveler: he had wrapped the chain around his wrists a couple of turns and was supporting himself upon the butt end of his rifle, having let his head fall upon his chest and he seemed to be three-fourths of the way into dreamland. All of this didn't surprise the traveler in the least since they had been speaking in French and French was a language for which, certainly, neither the soldier nor the condemned man had any understanding. And this, indeed, this made it all the more remarkable that the prisoner was actually making every effort to follow the officer's explanations. With a certain sort of sleepy

tenacity he would always direct his gaze upon whatever it was at which the officer was pointing, and as now the traveler interrupted the officer with his question, so just like the officer he immediately directed his attention upon him.

“*Right*—the harrow,” the officer responded—“the name fits. The needles are organized somewhat like the spikes on a plow and, then too, this part of the contraption moves along kind of like a harrow, even if it is over the same area and, naturally, everything is done more artistically. Moreover, you’ll understand it right away, once we get started. Now then, it’s here upon the bed that we’re going to place the prisoner... that is, let me finish with my explanations first and then we’ll strap him in and put everything into action. That way you’ll be able to follow it all that much the better. Not even to mention that one of the gears in ‘the inscriber’ has slipped out of alignment, it makes an awful racket once the machine starts up and it’s almost impossible to talk to one another once the apparatus has been set into motion; unfortunately, spare parts are hard to come by, it’s hard to get much of anything these days. So, where was I: right—here’s the bed. It’s totally covered over by this cotton wadding, I’ll explain its purpose in due time. It’s upon this wadding that the prisoner lies, face down upon his stomach, naturally he’s first been stripped naked. The straps down there are for his feet, these are for his hands, and then the top one goes around his neck, he’s strapped in quite firmly. Now, up at the top there’s this little felt covered stub that’s easily adjusted so that it goes right into his mouth. Its purpose is to prevent the prisoner from screaming out and it also protects him from biting his tongue. Naturally, the prisoner doesn’t have any choice but to take it, otherwise the strap here would break his neck.”

“You say this wadding is made up of cotton?” the traveler interjected yet another question, and he bent over so that he could examine it. “Yes, it certainly is,” the officer responded with a smile— “just have a feel for yourself.” He took hold of the traveler’s hand and directed it over the surface of the bed. “But it’s a very special sort of cotton that requires a lot of processing, that’s why it seems so unusual and is difficult to recognize as even being cotton, but I haven’t yet gotten to that part of my explanation.” The traveler had already been impressed somewhat by the officer’s explanations, he raised up one of his hands to shield his eyes from the sun and stood there, looking up and admiring the apparatus. It was of a large and imposing stature. The bed and the inscriber were the larger parts, being about

the same size, they looked like two dark, humongous trunks. The inscriber was elevated about six feet above the bed and both of them were interconnected by four poles that, evidently, were made of brass; the sun was reflected off of these poles and practically blinded you. Between the two trunks the harrow was hovering, connected by a steel band.

The traveler's earlier indifference was something that the officer had hardly noticed; now, on the other hand, he was quick to pick up on his increasing curiosity—hence, he paused for a little while in his explanations to give the traveler some time to take it all in undisturbed. The prisoner was imitating the traveler's actions but, since he couldn't raise his hand up to shield his eyes he had to squint and, even so, he kept blinking due to the rays of the sun that were reflected off the brass.

"All right, so now the man is strapped in" the traveler picked up the conversation where they had left off; he sat back upon his chair and crossed his legs. "Right," the officer resumed and at the same time he pushed his beret back and wiped his brow with his sleeve, indeed he mopped off his entire face with his hand—"now, listen up! Not only the bed but also the inscriber, each has its own battery; the bed needs it for its own movement, the inscriber uses its battery for controlling the harrow. Just as soon as the man is strapped in the bed begins doing its dance. It vibrates in miniscule motions, jerking very quickly both to the left and right as well as up and down. Perhaps you've seen similar gizmos at the doctor's office or in sanatoriums... only there's a big difference, with this one all of its motions have been calculated with painstaking precision, they're precisely aligned with the motion of the harrow. But it's the harrow that, really and truly, carries out the execution of the judgment."

"Just what is the judgment?" asked the traveler. "*You don't even know that?*" the officer was stunned and he bit himself upon his lips. "Please forgive me if my explanations are somewhat out of order, I'm really very sorry that nobody has informed you of this. That is, earlier on all of these matters were explained fully by the commander, but this newly appointed commander has backed off from even performing this sacred duty... but then, that he should be so remiss even with such a visitor, a man of your reputation"—the traveler attempted to ward off this display of respect using both of his hands but this didn't do him a bit of good, the officer held firm with his qualifications: "such an honored person, famous through-

out the world for his research... and you weren't even informed about what, essentially, the judgment pertains, this once again is an innovation for which..." obviously he was right on the verge of breaking out into some profanity but he held himself back and limited himself to saying—"I wasn't aware of this, nobody told me a thing, the guilt belongs elsewhere. Moreover, seeing how this is the way things are, well, I am the most competent person at explaining our judgments for, you see, I'm the one who carries"—and at this point he struck himself upon a pocket that was on his chest—"the handwritten renderings that pertain to all judgments, the actual renderings of our former commander."

"Handwritten renderings sketched by the commander himself?" the traveler asked: "Was he, then, so skillful at everything!—uniting such divergent fields into one: soldier, judge, architect, builder, chemist, artist?" "*Jawohl*" the officer replied, nodding at the same time, his eyes were set in a deeply reflective gaze. Then he took another look at his hands, they didn't seem clean enough so that he might take hold of the leather notebook and, so, he went back to the bucket and washed them yet again. Then he removed the small, leather case from out of his pocket and spoke: "Our judgments don't sound all that harsh, the prisoner is to have the rule against which he transgressed inscribed upon his body; the harrow carries out this function. For instance, as regards this prisoner"—the officer pointed at the man—"it shall be written upon his body: *Honor thy Superiors!*"

The traveler glanced over at the man as the officer had pointed at him; he had lowered his head and seemed to have all of his concentration focused upon listening most intently, that he might experience something particularly enlightening. All the same, the quivering of his bulging lips that were pressed tightly together, this made it quite obvious that he couldn't understand the least bit of it. The traveler had any number of questions that he wanted to ask but upon seeing the condemned man, with such a spectacle before him he simply asked: "He's been informed about this judgment?" "No" replied the officer, and he wanted to get right back to his explanations but the traveler interrupted him immediately: "He doesn't even know his own judgment?" "No" the officer repeated yet again and seemed to be at an impasse, as if he needed the traveler to provide the reason why this question had so much importance for him... then he spoke up: "It would be useless, just a complete waste of time that we inform him, he'll experience it upon his body—don't

you know.” The traveler suddenly lost all interest in asking any more questions, but then he perceived a feeling coming over him as ‘the judged man’ was staring at him, somehow imploring him as to whether he could accept whatever it was that was about to transpire. For this reason he bent himself forward from out of his reclining posture and asked yet again: “But *that* he’s been judged at all, certainly he knows this?” “Not even that” the officer replied, and he smiled upon the traveler as if he were expecting to be entertained by some other odd paths of inquiry... “No,” the traveler said and wiped his hand over his brow—“then he doesn’t even know how his defense has been received?” “He hasn’t had any opportunity to defend himself” the officer said and looked off to one side as if he would be speaking to himself and didn’t want to offend the traveler because of his total lack of insight into these matters, matters that were all too self-apparent. “But *surely*, he must have had an opportunity to defend himself!”—the traveler protested—and at the same time he rose from out of his chair. The officer suddenly became aware that he was in danger of being diverted for a long while from his explanations and so he walked right over to the traveler, taking his arm within his own and using his other hand to point at the condemned man who meanwhile had become very aware that their attention was directed solely upon him, he stood up as erect as at all possible, the soldier also tightened his grip upon the chain, jerking it taunt—and the officer resumed: “Let me tell you exactly the way things are. I’ve been appointed judge here in the penal colony... and this despite my youth. That’s because I was always at the side of our earlier commander in all of the issues pertaining to punishment and, moreover, I also have the best understanding of the apparatus. The fundamental premise that guides me in all of my rulings is quite simple: *Guilt is never in question*—there’s never any doubt, none at all. Now, of course I know that there are other courts that are not able to follow this principle, they are composed from any number of competing intellects, a multi-headed hydra, and then they’re also subservient to courts that stand above them. Here this simply isn’t the case, or at least it wasn’t the case by our earlier commander. Indeed, this new commander has already displayed some fondness for becoming enmeshed into my judicial responsibilities, it seems he likes to stir up trouble; but I’ve managed to keep him at bay so far and I certainly have no intentions of ever giving him an opening. — Perhaps you’d like to have the current case clarified, it’s as simple as pie, just like they all are. A major filed his brief earlier on, this very morning. In it he stated that this man who had been assigned to him as his underling, that he had been caught sleeping rather than

performing his duty. His duty, namely, consisted in this: that every hour upon the stroke of the clock he'd stand in front of the major's door and salute him. Now, certainly, *that* isn't such a difficult assignment and, indeed, it's quite necessary since he's been posted there both for the purpose of guarding the entrance as well as being available for performing any tasks that the major might give him—hence, he needs to remain alert. Now, the major wanted to verify that he was actually performing his assigned duty and so last night he opened up his door right as the clock struck two AM... and there he found him crumbled up into a heap and sleeping quite soundly. He went and got his horsewhip and struck him a good blow across his face. Now, rather than standing up and begging for forgiveness what does our prisoner do?... he grabs the major around his ankles, shakes him and screams out: Throw down that whip or I'll tear you limb from limb! — That's all fact, everything that is pertinent to the case. The major came to me a little over an hour ago, I wrote down his statement and then, right away, I also wrote down the judgment. Then I had this man put in chains. All of this is simple, just as simple as simple can be. Now, if I would have called the man before me and would I first have questioned him, nothing but confusion would have resulted. He would have started lying and even then, even if I would have refuted his lies he'd just think up a new set of lies and all sorts of mitigating circumstances, and so it would go, *ad infinitum*. But now I'm holding him firmly, there's just no way that he's going to escape. So, does this satisfy you?—have I clarified the matter sufficiently? But the clock is still ticking, the execution is scheduled to begin and I still haven't even finished with my explanation of the apparatus.” He insisted that the traveler sit back down in his chair and then went back in front of the contraption and began: “As you see, the harrow itself is shaped just like a human body, this part here is for the main torso and these two portions are for the legs. And then for the head there's just this one small ‘stinger’ {*Stichel*}... Are you following?” He leaned over a little in the direction of the traveler in a friendly manner, obviously ready to explain everything as fully and as extensively as at all possible.

The traveler looked at the harrow with a wrinkled forehead. What he had heard earlier about their judicial process didn't really satisfy him. All the same he had to admit this much, that what he was observing here was a penal colony, that it was only natural that a different set of rules was necessary, a particular standard of justice that went along with everything else that pertained to the military and that one had to accept this right down to its last consequences.



Beyond this he was laying his hopes upon this new commander who quite obviously, even if ever so slowly, had intentions of bringing about some fundamental changes, changes that this narrow-minded officer wasn't capable of appreciating. As a result of this train of thought he put another question to the officer: "Is the commander going to be present at the execution?" "That's not certain" the officer replied; this question coming from out of the blue irritated him and his friendly countenance started to show signs of cracking: "It's precisely for this reason that we need to hurry up and get on with it. Indeed, despite how much I hate doing so I'm going to have to shorten my explanations. But, don't let that worry you, I'd be more than happy to go through everything in detail early tomorrow morning, the machine should be all cleaned up by then... that it gets to be so fouled, this is the only thing that's wrong about the whole affair. So, for now I'll have to limit myself to just what's absolutely necessary. Once the man has been placed upon the bed and it has been set into motion, that's when the harrow sinks down upon his body. It has been constructed so that it just barely touches his skin, that is it self-adjusts so that the points of the needles just graze upon him, once everything's been set into motion then these steel cables tighten up and this forces the commencement of the punishment by the needles. That's when things become interesting, the play begins! Someone who hasn't been initiated doesn't notice any difference in the outward execution of the penalty, it appears as if the harrow works just the same for everyone. It vibrates simultaneously piercing the body with all of the needles and, of course, the bed is vibrating right along too. So that it's possible for everyone to observe what's happening and to verify that the judgment is being inflicted properly the harrow has been constructed out of glass. This brought about any number of technical challenges—particularly getting the needles embedded within the glass—but after numerous attempts success was achieved. We didn't spare any effort but worked on this both day and night. And now everyone is able to see the process right through the glass, just how the writing is inscribed upon the prisoner's body. Would you care to step over here for a closer examination of the needles?"

The traveler slowly got himself up and out of his chair and walked over to the harrow, leaning over it to see. "You'll note" the officer spoke—"the needles come in pairs with a rather complex ordering, every long one has a short one right next to it. That's because the long ones do all of the writing while the short ones spray water so that the blood gets washed away and the script, thus, is always

clearly visible. The diluted blood runs along these smaller channels that finally empty into one of these major channels that, in turn, empty into this ditch." The officer used his finger to point out the precise path in which the blood had to flow. As, now, he was taking pains to make everything as obvious as possible and he came to the point where the two major channels came together before emptying into the ditch, so he essentially brought his two hands together as if he were to be catching it—the traveler straightened himself up and wanted to go back to his chair, he put one hand out behind himself to feel his way to the chair. As he turned himself about he had quite a shock, the prisoner had followed along behind him when the officer had invited him forward for the inspection of the harrow. He had even pulled the sleeping soldier along with him for a short distance and, like the traveler, he too had bent over the glass, inspecting the needle work. One could see how he was searching after the explanation for what the officer had been saying, searching all about with his eyes—and yet it was clear that he couldn't make heads or tails about any of it since he didn't understand a word. He bent himself this way and that, his eyes continually returning to peer through the glass. The traveler wanted to drive him back for what he was doing was very likely punishable. But the officer took hold of the traveler with one of his hands and with the other he scooped up a clod of earth from the wall and then threw it at the soldier. With such a rude awakening the soldier shook himself back to consciousness, opening his eyes fully he immediately saw what the prisoner had dared do; he let his rifle fall and placing his heels firmly into the ground he jerked violently upon the chain so that the condemned man fell headlong upon the ground where he writhed about with all of the chains clinking. "*Pick him up!*" the officer screamed out—and then he noticed that the traveler had been all too taken in by the prisoner's calamity. Indeed, the traveler had forgotten all about the harrow and his full attention was riveted upon the prisoner—it seemed that his only interest now was as regards what would happen next to this man who was writhing there on the ground. "*Handle him with care!*" the officer screamed out yet again. He ran around the apparatus, grabbed the prisoner himself underneath his arms and stood him upright—and did so despite the fact that the prisoner's feet kept sliding out from underneath himself; the soldier did all he could to assist him in this endeavor.

"Now I already know everything I need" the traveler announced to the officer as the officer made his way back to him. "Except for the most important thing of all" he responded, and taking him by the

arm he used his other hand to point up into the heights. "Up there in the inscriber is where all of the inner workings take place—it's from there that the harrow's motions are determined; and then the precise movements of the gears are programmed by the renderings of our former commander. Here they are," and he pulled a few pages from out of his leather case—"but unfortunately I can't ever let them be handled by anyone but myself. These are the most precious of documents that have been entrusted to me. Why don't you have a seat and I'll show them to you from here, you'll be able to see everything perfectly well." He then held up the top page. The traveler would have been more than happy to express some recognition of what was being shown to him but all that he saw was a labyrinth of lines that crisscrossed one another to such an extent that it was barely possible to make out a bit of white space in a few areas on the page. "*Read it*" said the officer. "I can't" replied the traveler. "But it's just as clear as day" the officer responded. "It's certainly done very artistically," said the traveler, attempting to avoid saying anything of substance—"but I can't decipher it." "Yes," the officer replied and he chuckled to himself as he put the pages back into their leather case—"this isn't the beautiful script that's presented to first graders. You have to study it diligently over a longer period of time. I don't have any doubts that you'd understand it too, eventually. It's just not allowable that it would be a simpler sort of writing... after all, it's not supposed to kill right off, rather on the average it takes somewhere around twelve hours, but then it's during the sixth hour when the turning point becomes evident, it's all been calculated. There have to be many layers of ornamental writing that surround the core, the essential letters making up this script. The actual writing encompasses just a small area around the midsection, all of the rest of the body is simply used for various ornate embellishments. Are you there yet?—do you admire the dignity of the work that the harrow and, indeed, the whole of this apparatus performs? *Now watch this!*" He sprung up upon the ladder, turned one of the gears and called down: "*Heads up!*—step back to the side"—and everything started up into motion. If it hadn't been for the grating noise of the misaligned gear it would have been magnificent {*herrlich*}. As if the officer would still have been surprised by this noise he raised up his fist and shook it... but then by way of apology he spread his arms out toward the traveler and hurriedly made his way down so that he too might observe the motion of the contraption from ground level. But still, there was something else that wasn't quite right, something that only he could notice—he climbed up the ladder once more, grabbed something

within the innards of the inscriber with both of his hands and then finally, so that he might get down as expeditiously as possible, rather than using the ladder he made use of one of the brass poles to slide down—down he slid and so that he might be heard above the grating noise and greatly animated he screamed out right into the traveler's ear: *“Do you see what's happening?—the harrow has begun its process of writing, once it has made its first pass over the back of the man so the cotton wadding rolls the man slowly over a little to the side so that another portion of his back becomes accessible... and at the same time the places where the script was inscribed come into contact with the wadding which, due to the especial preparation of the cotton the bleeding is curbed and the area is prepared for the next pass when the writing will go deeper still. And watch the edge of the harrow, these scrappers on the edge have the function of removing any cotton that might remain in the wounds, it automatically cleans itself, tossing all of the fragments right into the ditch. This all happens in concert so that the harrow is continuously given another spot upon which it performs its work—the waltz of ever deepening chastening. And so it goes, the script is slowly inscribed ever and ever deeper over the course of twelve long hours. For the first six hours the prisoner lives pretty much as he did before, only he suffers from the pain of the needles. After two hours the felt stub is removed since the man hasn't the strength left that he might cry out. Here at the topside of the bed there's a specially heated bowl into which a warm porridge is placed, the prisoner is able to feed himself by extending his tongue, this is completely at his own discretion. There hasn't been a single instance of anyone refusing his porridge—and I've seen scores of executions, they all scoop it right up—an example of the humane measures that typify our former commander. Only during the sixth hour does the prisoner lose all desire for food. Normally I kneel down here in the front to observe this phenomenon. Hardly anyone swallows their last bite, they simply turn it in their mouths once or twice and then spit it into the ditch. That's when I have to be especially quick on my toes, otherwise it hits me right in the face. A deep stillness descends upon the man during this sixth hour—the turning point! Understanding never fails to dawn, and even upon the dumbest of the dumb. It starts with his eyes and then broadens out over the entire face. It's a spectacle that might well seduce you, enticing you to place yourself beneath the harrow. But there's nothing else happening other than this dawning realization of what's encoded in the writing, the prisoner puckers up his lips as if he would be listening as intently as possible. You saw the writing*

*yourself, it's not very easy to decipher even if you can examine it with your eyes, but our man is decoding it through his wounds. Indeed, it's a great deal of work, it requires a full six hours before reaching its climax. At that point the harrow finally spears him right through and then ejects him into the ditch where he lands splat upon the bloody water and the mess of wadding. And then, that's the end of the judicial proceedings; it only remains for the soldier and me to scrape up the mess and dispose it."*

The traveler had turned his ear toward the officer and was standing there with his hands in his pockets observing the contraption doing its work. The condemned man was watching too, only he lacked any understanding for what was happening. He had bent himself slightly forward so as to be better able to follow the needles in their fluctuating dance—that's when the soldier, having been given a sign by the officer, took out a knife that he then used to cut through the back of the prisoner's shirt and pants, his clothes fell off entirely leaving him almost completely naked, he attempted to cover up his nakedness but the soldier raised the chains up high and finished by removing every last stitch of clothing. The officer halted the machine and in the returning stillness of the morning the two of them laid the man gently upon the bed beneath the harrow. His chains were loosened and then replaced by the straps that held him fast; at first all of this had the appearance of being—at least momentarily—an easing of his predicament, he seemed a lot more comfortable lying there upon the wadding. And now the harrow sank down a few inches lower than before, for in actuality this man was of a meager build. As the points of the needles touched upon his back you could see the goose bumps rising up all over his skin; he stretched out his left hand while the soldier was occupied in strapping down his right one, he didn't even know whither it was going but it was in the traveler's direction. In the meantime the officer was completely occupied in studying the expression upon the traveler's face—he wanted to figure out what impression his explanations had made upon him, these explanations that had provided at least a rudimentary clarification of the execution that was imminent. The strap that was intended to go around the prisoner's wrist ripped, most likely the soldier had over-tightened it. The soldier turned to the officer for help, showing him the broken pieces. The officer walked over toward the soldier but still had his attention focused upon the traveler, he said: "The machine has seen better days, it's not at all like it used to be, there's always something that's breaking on it but you really shouldn't let that confuse you,

it doesn't have any effect upon the execution of the judgment, not when you consider it as a whole. This strap here, for instance, it's easily replaced by using a bit of chain—indeed, the delicacy of the needlework upon the right arm may be compromised slightly but this can't be helped.” And as he fastened the chain around the prisoner's wrist he added on: “The budget for the maintenance of this apparatus has been slashed severely as of late. When the earlier commander was in charge there was a special fund, monies were freely available to me for just this purpose. We even used to have a storehouse in which all kinds of replacement parts were stockpiled. I'd be the first to admit it, that I was overly generous in the way that I'd maintain the machine, practically throwing away perfectly good parts upon the slightest conjecture—I mean earlier on, not any more since this new commander has taken charge, for him everything is simply a pretext, all he wants to do is to destroy the old ways. Now that he's taken control over all of the finances so even if I'm only requesting a new strap I'm required to include the pieces of the broken one right along with my request... and then the new one doesn't even come for ten days and, moreover, it's of an inferior quality and doesn't do the job nearly as well nor hold up very long. Now, how am I supposed to get by in the meantime?... that the apparatus doesn't just sit here idle?—nobody even thinks about this, that's the least of their worries.”

The traveler was taking counsel with himself: It's always quite questionable for someone to step in and make radical proposals to change relationships within a society over against which he's totally foreign. He was, after all, neither a member of the penal colony nor of the state to which it belonged. If he were to make any judgment about this execution or, indeed, that he'd attempt to abolish it, well, it was quite clear that he'd be told: Keep quiet, you're just an outsider, don't get yourself enmeshed in matters that don't concern you. To this he didn't have any response, even more, he'd have to be in total agreement for he couldn't comprehend why any of this had any bearing on him—he was traveling about doing his research only with the intention of observing different customs, not that he'd actually have any desire in suggesting changes to the way that justice was administered. Now, it was quite obvious that the process he was observing here had degenerated; the abysmal deficiencies in the judicial proceedings and the complete inhumanity of this execution, these things were far too obvious. Nobody could accuse the traveler of having any partiality in this matter: the condemned man was a total stranger, a foreigner and, indeed, hardly even someone who

seemed worthy of pity. The traveler was here upon the recommendation of higher officials, he had been received with the greatest amount of good will and hospitality and, when you think about it, simply *that* it had been suggested that he attend this execution, this itself seemed to indicate that his judgment regarding it was something that may well be desired. This was made all the more likely since the commander, as had even just been stated with a clarity that was unmistakable, this new commander was no friend of the judicial process as it was practiced here and, indeed, he seemed to act in ways that were downright hostile to the officer. Suddenly, his thoughts were interrupted by an angry scream coming from the officer. He had just succeeded, though not without it having cost him a great deal of effort, in shoving the man's face down upon the felt stub—that's when the prisoner involuntarily closed his eyes and threw up like a fire hydrant spewing forth. The officer had wanted to lift his head back up again and direct the vomit into the ditch but he hadn't been quick enough, it flowed all over the machine. "*It's all the fault of the commander!*" he screamed out and in a fit of anger he shook the entire frame of the apparatus having grabbed two of the brass poles—"the machine has been fouled worse than a pigsty!" His hands were still shaking as he used them to gesture at the mess. "Haven't I spent hours on end, trying and trying to get it through this commander's head that he might grasp the utterly simple precept that the prisoner shouldn't be fed for at least twenty-four hours before the execution! But this newfangled pretension toward leniency, that mildness even toward convicts somehow is necessary—it's all those ladies who surround him and fill his head with such claptrap, and then they go stuff the prisoner full of their delicacies: sweet cakes and chocolate! For his whole life the man has lived off of stinking cod fish and now on his last day he's crammed full of whipped cream and cookies! But, all the same, things might still work out alright, I wouldn't so much as raise a peep, I'm not one to complain unnecessarily but why can't they at least get me a replacement stub for the mouth?... after all, this isn't rocket science. How is anyone supposed to bite down upon a stub upon which more than a hundred people have died, sucking and chewing upon it during their final hours, how might anyone take it without getting sick?"

The prisoner had turned his head to one side and seemed to be at peace with the world; the soldier, meanwhile, had picked up the prisoner's shirt and was using it to clean up the mess from the machine. The officer walked over to the traveler who due to some sort of premonition had taken a step backwards; all the same he

took him by the hand and led him off to the side. "I'd like to have a word with you in private" he said—"You don't mind, do you?" "Certainly not" the traveler replied and he listened to him with his head sunk down upon his chest. "The judicial process and execution that you now have an opportunity to admire first hand, it's no great secret that these proceedings have fallen into disrepute in our colony as of late, there's nobody who openly supports such things any more. I'm the only adherent who's left; I'm also the last remnant of this heritage, the legacy of our former commander. As far as any further extension of these methods, the founding of any new penal colonies, this is something about which I wouldn't even dream; indeed it takes all of my energy that I simply keep up what has been entrusted to me. Back in the days of our former commander the colony was simply full of his backers; to be sure, I still have some of the power of persuasion that typified our former leader but I don't have any *real* power, not a shred of what they call executive privilege. It's simply because of this that his supporters have all crept away {*verkrochen*} into hiding; but you can believe me, there's still a very large contingent of them even if there isn't a one who'll stand up and admit as much. If you were to visit the tea house today, that is on a day on which someone is being executed, you'd probably hear all kinds of ambivalent statements, these are the silent majority speaking their minds... But then with this newly appointed commander who sports such newfangled ideas these supporters have become totally useless. And now I'd like to ask you quite sincerely: due to this new commander and the ladies who surround him is it right that such a legacy—and he pointed to the machine—should simply be left to bite the dust? Can one simply stand by and allow this to happen? And even so, even if it is the case that you are only a stranger who finds himself for a couple of days sojourn upon our little island? But now, there's just no time to lose, people are making plans behind my back, they're deriding me and my *modus operandi*, there's already been some meetings of the higher echelon to which I wasn't invited; indeed even your visit here today seems to me to be an indication that there's some foul plot afoot; they're all a bunch of wussies, cowards who have sent you here, and you a perfect stranger, instead of coming themselves. — *How different* things were in the good ol' days! Already a day before the execution the valley would be overbrimming with people, all of whom came so that they might witness it themselves. Early on the morning of the execution the commander would appear with his entourage of ladies, the fanfare of the trumpets would ring out, awakening the crowd; I'd be the one who made the announcement



that everything was ready; the whole company, *everybody*—and not a single official of any standing would be allowed to be missing—they'd all fall into groups circling around the machine; this great heap of chairs is a dismal reminder of what things were like in those times. The machine was sparkling in its magnificence, freshly polished for the occasion; for practically every execution I would have replaced any number of parts. Before hundreds of eyes, all of the spectators would be perched up on their toes right back to the furthest row in the back, and then the condemned man would be placed beneath the harrow, placed there by the commander himself. That which a common soldier gets to do today, back then this was deemed as being my job, me—the presiding judge—and it was a source of honor. That's how the execution began! There wasn't the slightest disturbance in the quiet operation of the machine. More than a few people couldn't bear the sight of it and so they'd lie down in the sand, their eyes shut tight; everybody knew it: that now justice was being administered! In the perfect stillness nothing could be heard except for the sighs of the prisoner, dampened by the felt. Today the machine is no longer able to achieve such an intense sighing, one that the stub doesn't just choke back; back then the needles had a special sort of acid that would actually eat into the wounds; today we're no longer allowed to use such adjuncts. *Now!*—and then the sixth hour arrives! It wasn't possible that everyone who had requested a closer view could be given one; there was only so much space available. The commander using his exemplary insight gave the order that above all the needs of the children had to be taken into consideration; indeed due to my position I always got one of the best spots, there I'd be crouching down with two little kids, one perched upon either arm. How we'd take in the look of transcendence upon the tortured face, how we'd pinch our own cheeks in the splendor of the righteousness that finally had arrived and, indeed, it would be over all too soon. What a time to be alive, comrade!" Evidently the officer had forgotten to whom he was speaking, he placed his arms around him and laid his head upon his shoulder. The traveler was totally confused, he didn't have a clue as to what he should do—with a look of impatience he turned his head to one side. The soldier had finished cleaning up the machine and now he was pouring some rice porridge out of a tin into the bowl *{Napf}*. The condemned man had hardly noticed the porridge and already he seemed to have recovered his appetite, his tongue began darting out of his mouth in an attempt to lap up a bit of porridge. But the soldier would always push his head away from the bowl, the porridge was probably intended for a later stage in the

drama. Be this as it may, it certainly wasn't a part of the script that the soldier kept sticking his dirty hands into the bowl and then licking his fingers clean, and that he'd be doing so right in front of this insatiable prisoner. It didn't take the officer all that long to pull himself back together. "I didn't intend to throw myself upon you like that" he remarked—"I know that it's really quite impossible for me to make our earlier times comprehensible to you. For the rest the machine is still doing its work all on its own, it continues along doing so even though it stands all alone here in this valley. And at the end the corpse still flies through the air in an indescribably tender arc, landing in the ditch even if there aren't hundreds of spectators buzzing about like flies just like there were in times past. Back then we had to install safety rails around the ditch, it's been quite a while since they rotted out." The traveler wanted to turn his face away from the officer's and he stared out into the distance, having nothing upon which he might focus. The officer was thinking that he was studying the desolateness of this valley and for this reason he grasped his hands with his own, turning himself so that he'd be right in front of him and asked: "Do you note how shameful it is?" But the traveler's only response was silence.

The officer released him, letting him be to himself for awhile; he spread his legs out, his hands set upon his hips, just standing there with his eyes looking down upon the ground. Then he looked up, his face breaking into an encouraging smile and he resumed: "Yesterday I was standing close-by when the commander gave you the invitation. I heard it all. I know how this commander thinks. I knew right away what he had in mind, what his real purpose was. Despite that his power is sufficient in itself, that he could do with me just as he pleases, still he doesn't want to take any chances on his own, but that doesn't stop him from letting you do his dirty work, using you, a foreigner, to advance his own interests: that your respected judgment might be of some aid in advancing his designs. There's no doubt about it, he's carefully considered this matter from all different sides: you've only been on our island now for two days; you never knew our previous commander nor are you acquainted with the society within which his thoughts took shape; you're limited to seeing the world through the eyes of a well-educated European, all caught up within the web of liberal democratic ideology; perhaps you're even fundamentally opposed to the death penalty no matter what the circumstances; and then you're particularly adverse to executions that are implemented using machines. Then, on top of all of this you can see how the verdict

is being carried out, what without any high-ranking officials being present, the sadness, using a machine that's somewhat worse for wear... Now, wouldn't it be, taking all of this together—this is how the commander is thinking: wouldn't it be quite likely that you don't consider our methods as being right? And then, if you do have reservations—I'm still speaking in the sense of the commander—isn't it quite likely that you'll speak your mind, that you won't remain mute on this subject as you do have some trust in your convictions, convictions that have been examined in great detail. Indeed, it's to be expected that you've observed all sorts of unique customs in different societies since you've traveled extensively throughout the world, that you have learned to respect other cultures; thus, it's most probable that you won't come out full force as perhaps you would were this to be some penal colony in your own backyard!—you wouldn't be so daring as to throw the full horror right in the face of those who are listening to your well-considered opinion.

*But*, that's not even something that our commander needs; he's just looking for some passing remark, some indiscreet innuendo, a careless word that managed to slip in... It doesn't even have to truly reflect your convictions if only it appears to support his position on this matter. Take my word for it: he'll use every bit of his cleverness in doctoring things up, the way that he frames his inquiries—this is something of which I am quite certain. And then there are all of his ladies sitting around with their ears pricked up and you'll simply say something that's totally innocuous, something like: 'In our country the court system works a bit differently' or 'We always allow the accused to defend himself' or 'Naturally, he's been informed of all of the evidence that is being used against him' or 'The principle of *habeas corpus* dates all the way back to the thirteenth century' or 'Of course the convicted man gets to know what his sentence is and has a right to appeal' or 'Naturally, there are other penalties other than being sentenced to death' or: *'Torture simply doesn't become a people who have advanced beyond the middle ages.'*

All of these remarks are no less right than, for you, seemingly self-apparent, perfectly innocent remarks that don't even touch upon the situation as it exists here. But then, how well the commander knows how to read things into them! I can just see him now, the good man, how he doesn't hesitate to push himself out of his chair and rush off onto the balcony; I see his lady friends rushing out behind him; I can even hear his voice—the ladies call it a voice like thunder—and

now he speaks: 'A great intellect, someone who is most respected in European countries, someone who has taken on the task of judging the idea of justice in all of its instances throughout the world—has just stated that our *modus operandi*, our particular way of conducting military tribunals in such an antiquated form, that this is unworthy of being called "*humane*." Naturally, after hearing such a statement from this expert it's no longer possible that I might tolerate that this practice continues. From this day hence I hereby order that... etc, etc.' You simply wanted to have your say; you didn't really say *that*, not at all what he announced that you would have said; you never came out and declared my ways as being inhumane, quite the opposite!—in accordance with your deeper insight you consider it as being humane, the most humane and, then too, you also stand in awe of the machinery. But now it's already too late; there's no way for you to move forward onto the balcony that's already crammed full of these ladies; you'd like to make some remarks, you'd like to cry out but one of the ladies places her hand over your mouth... and so, so my fate and the fate of this machine, the old commander's legacy, are sealed."

The traveler had to suppress his happiness: it was so easy, so easy this task that he had considered as being so difficult. He steered the conversation upon a different tack: "You are overestimating my influence, the commander has read my letters of recommendation, he knows that I'm no expert in judicial matters. If I were to express my opinion it would simply be my personal opinion, nothing more than this and no more worthy than the opinion of anybody else and, in any event, certainly less important than this new commander's opinion who, as I take it, has broad ranging powers in this colony. If it really is the case that his convictions are so diametrically opposed to yours and to those of the former commander, well, I'm afraid that the end is already in sight without there being any need for me offering up my two cents."

Does the officer get it? No, he still hasn't comprehended what was said. He shook his head vigorously and took a quick look over at the prisoner and the soldier who both suddenly left off from their attempts at snarfing up the rice porridge. Then he went quite close to the traveler but wouldn't look him in the face, rather he stared somewhere in his jacket and spoke with a softer voice: "You just don't know how our commander thinks, you're really far removed and—please excuse me my expression—to a certain extent it's simply a sign of your innocence, this believing to be harmless... The extent

of your influence, you can take my word for it, can *not* be overestimated. I was overjoyed when I heard that you and you alone would be present at this execution. This arrangement was meant to be detrimental to me but now I'm planning upon turning the tables, that it might prove to be most advantageous for me. You've been able to listen attentively to my clarifications without the disturbance of the petty lies that, otherwise, would have been whispered all about; and without any of the contemptuous looks being cast over toward us as these are always unavoidable whenever there's a greater number of on-lookers present. You've heard me out and, moreover, have had an overview of the machine, and now the execution itself is imminent. Certainly, your judgment is already firm; if there should be any doubts remaining, though I wouldn't think that there are, but if there should be any then the spectacle of the execution shall certainly resolve them. And now allow me to make my petition: *Help me in my struggle against the commander!"*

The traveler didn't give him a chance to say another word: "*How could I possibly do that!*"—he shouted out—"That's just not possible. It's not any more possible for me to be useful to you than it is for me to do you any harm." "Yes you can" the officer responded. With a bit of trepidation the traveler noticed that the officer had balled up his fists. "*You certainly can*" he repeated even more forcefully. "I have a plan, a plan that simply has to succeed. You think that your influence is insufficient but I know that it suffices totally. But, even if we were to suppose that you'd be right about this, isn't it still necessary that we do absolutely everything that's at all possible, that we even make attempts that appear as being hopeless—in short, that we do all we can to retain the legacy of the former commander? Just hear me out, listen to my plan. It is imperative for its success that you refrain from saying anything that's definite. If anybody should come up to you and question you about your opinion of what you've seen you have to avoid saying anything that could be interpreted one way or the other, your statements should be short and indeterminate. People should take note that it's difficult for you even to talk about it, that it's left a bad taste in your mouth, that you're really quite upset and if you ever actually would have to speak your mind openly that you'd have to break out into swearing. But I'm not asking that you should say anything dishonest, not by any stretch, just that you should keep your statements short, something like: 'Yes, I saw the execution' or: 'Yes, I heard the officer's explanations.' That's all, not a word more.<sup>16</sup> As regards

your bitterness that everyone would have noticed, well there's certainly been sufficient cause even though it may not be in the particular sense that the commander will presume. Naturally, he's going to misunderstand things entirely and interpret your reticence according to his own lights. It's upon this that my whole plan is grounded. Tomorrow morning there's going to be an executive session, a big meeting that includes all of the higher officials. Naturally, the new commander understands quite well how to go about making a complete circus out of such an assemblage. There's even been a balcony that's newly been added on, the hall is always overbrimming with on-lookers. I've been forced to take part in these monthly meetings but the whole thing generally turns my stomach, I'd rather go to the dentist and get my teeth drilled. Now, in any event, you're practically guaranteed to get an invitation to this assembly and if you comport yourself as I have suggested then the invitation shall be all the more certain. Should it be possible that due to some inexplicable oversight you haven't been invited, so you only need to request an invitation and there's no doubt about it, you'll get one. So, now there you are sitting up high in the commander's box along with his entourage of ladies. He keeps glancing up at the box to insure himself that you're there. After all sorts of unnecessary, laughable, inane bureaucratic nonsense, topics that have been carefully chosen, calculated for the impression that they'll make upon the audience—for the most part it's the construction of harbors,<sup>17</sup> always something having to do either with the building of piers and walls, or it's about port security—then the topic of our judicial system comes up. And if the commander shouldn't bring the topic up himself or even if he's too slow in getting to this, you needn't worry yourself, I'll be there and I'll make sure that it comes up. I'll just stand up and make a short announcement regarding today's execution. Very short, nothing specific, just that it has taken place. Such a report isn't normally given but I'll do so all the same. The commander thanks me, like he always does—with that contemptuous smile of his—and now, seeing as how he won't be able to hold himself back any longer, now he takes the bull by the horns. 'It has just been reported' thus or something along these lines is what he'll say—that an execution has taken place. I'd only like to add on that this particular execution was attended by a highly respected visitor, a man who's conducting research here, and of course you're all well aware of the extra-ordinary honor that his presence here bestows upon us. And our assembly here this morning is likewise graced by his honored presence, its relevance is heightened by his having taken a couple of hours of his time to

attend our meeting. Now, wouldn't we like to inquire of him just how he might judge this execution that's been carried out in accordance with our long-standing customs and, then too, the judicial process that preceded it?' Naturally, there's applause from all sides, everybody agrees and, indeed, I'm the one who's clapping the loudest of all. The commander makes a respectful bow before you and he says: 'Then allow me to put this question to you.' And now you rise up and approach the balustrade. I would advise you to place your hands upon the balcony as otherwise the ladies are likely to grab hold of them and start playing with your fingers. — And now finally, *finally* you get to have a word, that you might speak your mind. I don't know how I'm going to be able to bear the intensity of the hours preceding your speech. You mustn't set any limits as to what you have to say; you need not have any reservations about raising your voice, that you practically scream the truth... and don't hesitate to lean out over the balcony and survey the motley crowd, roaring out like a lion, that's right—like a lion—roar your convictions out and direct them to the commander, *your unshakable convictions!*

But, perhaps this isn't at all your way of doing things, perhaps you prefer a more cultivated approach, something a little more in line with your character, people don't comport themselves in such a way in your homeland; well, that's all right too, even so it will be more than enough, you don't even need to rise up onto your feet, just a couple of words are all that's required, you might even whisper them so that only the officials seated next to you would hear them, that too would suffice, and you wouldn't even have to bring up this matter of the utter lack in participation, the desolateness of the location, the loud grating noise coming from the misaligned gear, the broken strap, the disgusting felt stub. No, I'd pick up on all of the rest and you can believe it: if my speech doesn't drive our new commander right out of the assembly hall so at least it will force him down upon his knees, that he too has to become a convert: to thee, O former Commander, before thee and the ways of old I prostrate myself! — That's my plan, don't you want to assist me in implementing it? But it's only natural that you'd want to help me out, more than that, you see the necessity, you *have to* help." And the officer grabbed hold of the traveler by his arms and breathing heavily he looked him right in the face. He had cried out the final sentences with such vehemence that even the soldier and the prisoner couldn't help but notice that something had come to a head even though they couldn't understand a word of what it was all

about; they kept to themselves having left off from the porridge, still chewing they looked over at the traveler.

As regards his response to such a query the traveler didn't have even the slightest doubt, he knew precisely where he stood right from the outset, his life was far too rich in experience for him to have any indecisiveness in regards to this. His sense of honor was deep-seated and he didn't have any fear. Yet, despite all of this he hesitated for a moment, just the length of time needed to breathe in and out, then, finally, he spoke as he must: "No." The officer blinked his eyes any number of times but never let up from staring into his face. "Would you like me to explain myself?" the traveler asked. The officer nodded his head without speaking one word. "I'm against capital punishment" the traveler spoke: "I was against it even before you opened yourself up to me—naturally I have absolutely no intentions of taking any advantage of your confidential statements. Right from the start I've been asking myself as to whether it would be right for me to make a stand against these methods and whether doing so might have the smallest possibility of success. It was clear to me from the beginning that the person to whom I should address my concerns would be the commander, naturally he's the one who bears the ultimate responsibility,<sup>18</sup> you've only intensified my appraisal of the situation, heightened my clarity; and you've done so without first having asked me about my convictions on this matter. Despite appearances, the earnestness with which you pursue your objectives is something that I can admire, even though I'm not going to let it confuse me."

The officer remained mute, he turned himself toward the machine and taking hold of one of the brass poles he leaned back a bit, looking up at the inscriber as if he would be checking whether or not everything was still in order.

It seemed as if the soldier and the prisoner had become good friends; the prisoner, and despite the difficulties he had in doing so since he was strapped in firmly, made signs to the soldier who apparently understood as he bent over right next to him; the prisoner whispered something in his ear and the soldier nodded.

The traveler followed after the officer and said to him: "But you don't even know yet what my intentions are. Indeed, I am going to tell the commander what my views are as regards these proceedings but I'm certainly not going to do so during some assembly, rather in



private, eye to eye. I'm also not planning upon staying here any longer than absolutely necessary, I don't plan upon even being around when this meeting convenes, I'll be shipping out tomorrow quite early or at least that's when I'll be boarding the transport vessel." It didn't seem that the officer had even heard him. "So our methods haven't made a believer out of you" he said as if he were talking to himself and he smiled, like an adult smiles when he observes some child who's talking nonsense, smiling but at the same time keeping his thoughts to himself.

"Then it's high time" he finally announced, and suddenly his eyes were sparkling upon the traveler, as if there would be some design, that they held some hidden call for partaking in whatever it might be. "Time for what?" the traveler asked, he had become unsettled. He didn't, however, receive any reply.

"You're free to go" the officer spoke to the condemned man in his own language. The latter didn't believe him at first. "Well, I said that you're free" he repeated his injunction. For the first time that day the prisoner's face looked like it was really alive. Was it true?—or was this just a mood swing of this officer, something that might pass? Had the traveler intervened and requested a pardon? What did it mean?—that's what his face seemed to be asking. But not for long. Whatever may well lay behind it he wanted, if this were permissible, to be really free and he began to shake himself, naturally only within the narrow confines that the harrow allowed. "*You're going to rip the straps*" the officer screamed out—"Lie still!—we'll release you." And he immediately went to work on loosening the straps, he and the soldier to whom he had given a sign {*Zeichen*}. The prisoner was all smiles: first to the officer on his left, then to the soldier on the right, needless to say he also didn't forget the traveler but smiled over to him as well. "Pull him out" the officer commanded the soldier. Due to the harrow this was an operation that required a good deal of care. The prisoner got some minor scratches on his back due to his impatience.

From this point onward the officer didn't have any concerns about the prisoner. He walked over to the traveler and pulled out his leather case, shuffling through the papers and finally finding the page that he was looking for he showed it to the traveler. "Read it" he said. "I can't," the traveler responded—"I already told you that I can't make out anything of this writing." "But take a good look, right here" and he moved over next to the traveler so that they'd

be examining it together. As this too didn't help, so he used his little finger to trace out the letters from a few inches above the sheet since he didn't want to take any chances of actually touching it. He did everything he might to make it obvious, that reading the letters would be made as easy as possible. The traveler also didn't hold back from making every effort to follow, he didn't want to disappoint the officer and desired nothing more than to please him; still, it wasn't possible. Now the officer began to spell it out, letter by letter, and finally he read it all together: "*Be Just!* — That's what it says," he said, "now you can read it for sure." The traveler bent over the paper and got closer and closer to it, so close, indeed, that the officer pulled it away due to his fear that it might be touched; the traveler didn't say anything at all but it was clear that he couldn't read it, not one bit. "*Be Just!* — That's what it says" the officer repeated yet again. "That may well be" the traveler replied—"I believe it, that that's what's written." "Well, good" said the officer, he seemed to be at least partially satisfied, and then he took the page with him and climbed back up the ladder; he placed the page carefully inside the inscriber and then it seemed he was going about the process of resetting all of the mechanisms; it was obviously a great deal of work and rather tedious work at that—there must have been a great number of smaller gears that needed to be finely adjusted—from time to time the officer's head would disappear into this great trunk entirely, so painstakingly he went about inspecting the settings.

The traveler watched him without any interruption from down below, his neck became stiff and his eyes began paining him due to the intense brightness of the sun that filled the entire sky. The soldier and the prisoner kept to themselves, they were busily occupied. First the soldier used the bayonet end of his rifle to retrieve the prisoner's shirt and pants from out of the ditch. The shirt was an awful mess and the prisoner took it over to the bucket to clean it. As, then, he put his clothes back on the two of them couldn't repress their laughter for his clothes had been sliced into two in the back and their coverage now was minimal. Perhaps the prisoner felt to be obliged that he entertain his friend for he kept turning himself about in circles in front of the soldier who was laughing so hard that he had to lie upon the ground—there he lay, slapping his thigh with one of his hands. All the same, they didn't allow their mirth to get out of hand, they kept it within bounds due to the presence of the two gentlemen.

As, finally, the officer finished up his work he made one last inspection of everything from above, smiling all the while—this time around he slammed the cover down, until now it had always been left open. Climbing down he first looked into the empty ditch and then over at the prisoner, noting with some satisfaction that he had put his clothes back on; then he went over to the bucket so that he might wash his hands again, but it was only after it was already too late that he noticed the horrid mess that now was floating in it, this saddened him, now he wouldn't be able to clean his hands as he had intended; finally he simply bent down and washed them as best he could in the sand; this obviously didn't meet his standards but he had resolved himself to making do; he then stood up and began to unbutton the coat of his uniform. Having loosened the collar the two petite handkerchiefs fell out right into his hands. "Here, take your neckerchiefs" he spoke gently<sup>19</sup> to the prisoner and tossed them over toward him. In way of clarification he spoke to the traveler: "Gifts from—the ladies" and he raised his voice two octaves as he pronounced the last two words.

Despite his obvious hurry in getting undressed—after removing his coat he proceeded on until he had disrobed fully—he handled each of his garments with a great deal of care, indeed he even went so far as to even out the silver cords that hung in some profusion upon his dress uniform, flicking the tassels so that they'd hang properly. All the more incongruous was the impression he then made as, after having folded each article carefully he'd then throw it with an involuntary jerking motion right into the ditch. The last article that remained was his short sword that had a leather strap. He pulled the sword out from its scabbard, broke it, picked up all of the pieces and threw the whole lot into the ditch with such vehemence that they clanged together upon striking the ground. Now he was standing there totally naked. The traveler bit his lips but didn't say a word. Indeed, he knew exactly what was going to happen next but he didn't have any right to interfere, he allowed the officer to do just as he pleased. If the judicial methods that the officer held so dear were really this close to their demise—and their ultimate undoing might well be because of the traveler having stepped in in accordance to his convictions, convictions that he felt honor bound to uphold—then the officer was acting in a manner that was totally just, indeed, were they to exchange roles the traveler wouldn't have acted any differently.

The soldier and the prisoner didn't understand at first what was happening, they didn't even bother looking over toward the officer. The prisoner was overjoyed in having gotten the handkerchiefs back, but his happiness wasn't destined to last all that long since the soldier managed to snatch them away in a quick maneuver that couldn't have been foreseen. Now it was the prisoner's turn to figure out some way of getting them back... but the soldier was alert and he had stashed them safely under his belt. Such was their squabbling, but it was done half in jest. It wasn't until the officer was completely naked that they noticed him. The condemned man appeared as being the quickest in having a premonition of the full gravity of this turning of the tables, it hit him full force. What had happened to him was now happening to the officer. Perhaps matters would proceed on to their culmination. Probably the traveler was the one giving the orders now. It was all a matter of revenge. Without having suffered all the way to the end, still his revenge would proceed along its full course. A broad smile appeared upon his face and now seemed a permanent feature.

But the officer had turned himself toward the machine. Even though it had been quite apparent right from the outset how well he understood this apparatus, now it could almost be a cause of dismay how intimately he went about adjusting this or that and how precisely the machine obeyed him. He only had to lift up his hand and the harrow would start bobbing up and down until it found the adjustment that was perfectly suited for receiving him; just as soon as he placed his hands upon the edges of the bed it started into a gentle purr; as his mouth approached the felt stub it was apparent that he didn't truly want to take it, but his indecisiveness lasted only one moment, he immediately managed to overcome his aversion and took it in. Everything was ready in no time, only the straps were still hanging loose, off to each side, but it was obvious that they weren't even needed. The prisoner noticed the straps hanging there right away; in his opinion the execution wouldn't be according to the book unless these were fastened; he winked hurriedly over to the soldier and the two of them didn't waste any time in fastening them and pulling them tight. The officer had already started to use one of his feet so as to kick the lever to the ON position but since he noticed the two of them coming to strap him down, so he let his foot be fastened. Now, indeed, there was no way for him to reach the lever and neither the soldier nor the prisoner had any idea as to which lever needed to be pressed, and as for the traveler, he wasn't about to do anything, he was quite determined to do nothing but watch.

It wasn't necessary. Hardly had the straps been tightened than the machine began doing its work, moving all on its own: the bed quivered, the needles began their dance over the officer's skin, the harrow hovered back and forth. The traveler was fully taken up in observing all of this before he even remembered that one of the gears in the inscriber was supposed to be making a grating noise... but everything was still, perfectly still, there wasn't even the slightest hum to be heard.

Because of the stillness, the absolute quiet in which the machine performed its functions it had, for all essential purposes, become practically invisible. The traveler looked over at the prisoner and the soldier. It was the condemned man who had become the livelier of the twosome, everything about the machine simply fascinated him, at one moment he was bent down, the next moment he had stretched himself to watch the harrow, and he always had his index finger out pointing at something and conversing with the soldier about it. This irritated the traveler exceedingly. For himself, he was quite resolved to remain here until the bitter end but there just wasn't any way that he could tolerate their presence any longer. "Go home" he said. The soldier was probably willing to do as asked but the prisoner interpreted this order to leave as if it were some sort of punishment. He pleaded that he be allowed to stay with his hands held out together and as the traveler held firm, shaking his head *no*, he even went so far as to go down upon his knees, begging that he might be allowed to remain. The traveler became cognizant that giving orders didn't particularly help him all that much here, he decided to take matters into his own hands and simply drive them away. Just then he heard a noise coming from the inscriber. He looked up... was the misaligned gear finally beginning to grate? But this seemed to be something else. Slowly the lid on the contraption raised itself into its open position, indeed it even managed to lock itself into place with a smart 'clap.' Then the teeth of one of the gears began to show themselves, the gear rose higher and higher, soon it was fully visible—it was as if some great power would be pressing the contraption together so that there wasn't any space for the gear any more; the gear rolled along the edge of the inscriber and tumbled over it, falling upon the ground but still retaining its upright position, it rolled over the ground a few feet before coming to a stop. *But now* there's already another one being squeezed out, and so it went, each would be followed by yet another—big ones, small ones and all different sizes in-between—and with each one the same thing happened, one started to wonder

how many gears there could possibly be inside, surely this would have to be the last... and then a whole array of them would rise up in tandem, they all came clattering down upon the sandy ground and rolled off to form some sort of modern sculpture work. Once this started happening the prisoner forgot all about the order to leave, he was totally amazed and taken up in watching these rolling gears, indeed, he wanted to get his hands upon one of them and had convinced the soldier to help him in retrieving one of the largest, but each time as he went over to grab it another gear came crashing down and he took fright, if only for a moment. For his part the traveler had become extremely distressed, the machine—it was all too obvious—had started to self-destruct; its quiet operation had been nothing but a great deceit; he had the feeling that now he had become responsible for the officer's fate since he obviously couldn't do a thing for himself any more. But during this outpouring of cogs and wheels his whole attention had been riveted up at the inscriber, he hadn't bothered about watching the rest of the machine; as finally now the very last gear rolled off the top and came to a standstill he bent himself forward over the harrow where he had yet another surprise awaiting him, something that was even more distressing: the harrow wasn't writing anymore, you could only describe its action as a jabbing. And then the bed's motion wasn't the gentle waltz that it had been earlier, now it just raised the officer right up into the piercing needles! The traveler suddenly wanted to do something decisive, if possible he wanted to bring the whole contraption to a full stop—this wasn't merely the torture that the officer had desired, this was murder pure and simple! He reached out his hands... but it was too late, the harrow had already begun doing its tossing motion that normally didn't happen until the twelfth hour. Blood was flowing in hundreds of streams and this time around the water jets failed to work completely, it was a bloody sight. And now the last artistic flair likewise failed to work as programmed, rather than tossing the body into the ditch the officer had been impaled upon the longer needles and so he just hung there above the ditch without falling in any sort of arc whatsoever. It seemed that the harrow wanted to return back to its home position but as if it had itself detected the problem with its load, that the load had not released properly, so it came to a dead stop right over the ditch. "*Help me!*"—the traveler screamed out to the soldier and the prisoner, he grabbed hold of the officer's feet himself. He wanted to push the feet and legs from the needles and that the other two might take the officer's head and pull him loose from that side—thus, he'd slowly become disengaged from the harrow. But now the two of

them couldn't resolve themselves to come over and help, indeed the judged man went so far as to turn his back on him entirely. The traveler had to go over and drive them to approach the officer's head. At this juncture it was practically against his will that he looked upon the face of the corpse. It was just as it had been in life, there was no sign of the transfiguration that was promised, that which all of the others had discovered during the sixth hour wasn't something that this officer had experienced. His lips were pressed tightly together, his eyes open and they still had the expression that they had when he was living—his look was calm, it was one of conviction—the point of the iron stinger could be seen protruding from out of his forehead, it had penetrated all the way through.

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As the traveler approached the first few houses of the colony with the prisoner and the soldier walking along behind him, the soldier pointed at one of them and said: "There's the tea house." On the ground floor of one of the houses there was a dank, low set, somewhat cave-like room that would have to have a penetrating smell of cigarettes: the associated discoloration from the smoke covered the walls and ceiling. On the side facing the street it was completely open for its entire length. Despite the fact that all of the buildings in the colony, even including the majestic structure that housed the commander, had basically similar features and they all, likewise, were dismally in need of repair, all the same this tea house exercised a certain pull upon the traveler: he had the distinct feeling of earlier times, a memory of the great power of the former age. He walked up close to the structure, made a path through the unoccupied tables that stood along this side facing the street and took in a few breaths of the cool, musty air that the place exuded. "The *old one* is buried here" the soldier spoke up—"The priest wouldn't allow him to be buried in the cemetery. For awhile nobody could decide where he should be interred, finally they decided to bury him here. It's quite certain that the officer didn't tell you anything about this since this was something about which, more than anything, he was ashamed. He even made a few attempts to dig him up during the middle of the night but each time he was driven off by the dogs." "Where's the grave?" the traveler asked—he simply couldn't believe his ears. Immediately the two of them ran ahead in front of him and pointed it out with their arms out-stretched: *that's* where it should be. They had led the traveler all the way in to the back where a few guests were seated. These were probably

construction workers for the port, strong men with close cropped, gleaming black beards that practically covered their faces. None of them wore a jacket, their shirts were torn, these were people from the lowest rung, downtrodden in their misery. As the traveler approached them they all stood up and put their backs to the wall, they gazed over at him. "It's a foreigner" he could hear the whispers going around—"He wants to see the grave." They shoved one of the tables off to the side and beneath it there actually was a gravestone. It was a simple stone, set low enough so that it could easily be hidden beneath a table. It had an inscription but in order to read it the traveler had to kneel down. It ran as follows:

**HERE RESTS THE COMMANDER OF OLD.**

**HIS SUPPORTERS — WHO ARE NOT ALLOWED TO BE NAMED — HAVE DUG HIS GRAVE FOR HIM AND PLACED THE STONE. THERE IS A PROPHECY WHICH STATES THAT AFTER A CERTAIN NUMBER OF YEARS HE WILL RISE AGAIN AND THEN FROM OUT OF THIS VERY HOUSE WILL UNITE WITH HIS FOLLOWERS AND LEAD THEM ON TO VICTORY, THAT THEY TAKE BACK THEIR COLONY.**

**BELIEVE IT, AWAIT THE DAY!**

As the traveler finished reading the inscription and stood up he saw that everyone standing round had smiles upon their faces as if they had been reading along too and had found it utterly comic, now they were encouraging him to laugh at it with them. The traveler acted as if he hadn't noticed anything, he distributed a few coins amongst them, waiting only for the length of time that it took to place the table back over the grave and then left the tea house and went straight to the harbor.

The soldier and the prisoner had met some of their acquaintances who happened to be present in the tea house, these had delayed their departure. But they must have pulled themselves away from them rather quickly since it was only when the traveler was halfway down the long stairway that led onto the boat's deck, this is when they re-appeared: they came running down the stairs after him. It had every appearance that they wanted to force him to take them along. While the traveler conferred with the ship's authorities regarding his transport over to the great steamship the two of them raced down the stairs, they came in silence as they didn't have the nerve to cry out. They finally arrived just as the transport ship was pushing off from the pier. They would have just been able to spring over on board anyway had it not been for the traveler who picked up



a massive rope—it was a part of the ship's tackle—he raised it up and threatened to strike them with it, this was enough to stop them in their tracks.

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<sup>13</sup> “*Es ist ein eigentümlicher Apparat*” – See, once again, endnote #41 on p. 216.

<sup>14</sup> “*verurteilt*” – judged, the substantiative for this verb, “*der Verurteilte*” that is generally translated as “**the prisoner**,” and also as “the condemned man” or as “the convicted man,” should, if only it were proper English, always be translated as “**the judged**” – Kafka’s first story in this book, in German, is: *Das Urteil*.

<sup>15</sup> “*der Zeichner*” – later in the story what I have translated as the “handwritten renderings” is “*Handzeichnungen*” – the verb “*zeichnen*” may mean to draw, to point to, to indicate, to mark, or to give a sign.

<sup>16</sup> Or: ‘Yes, I’ve done a bit of research into what goes on at Guantanamo’ or ‘Yes, I did hear the Vice-President’s response about the “*No Brainer*,” something about “dunking” [*alleged*] terrorists into water.’ Such a comment, *simply*, is too telling: how might one designate someone who, it seems, still doesn’t know that more accurate information would be obtained by **not** using torture and, thus, if lives really are to be saved *that you would get a double return by making a point of always acting in a manner that is morally acceptable*. Or: ‘To be sure, the interrogation techniques used at Abu Ghraib certainly weren’t according to the book, you might wonder just who came up with such methods, just who *really* was in charge?’

<sup>17</sup> “*Hafenbauten, immer wider Hafenbauten*” – a favorite topic of Plato’s too, particularly when used in a sarcastic manner: see his dialogues: *Gorgias* 455b and 519a; or *Protagoras* 319c. Note, Max Brod’s biography of Kafka states that: “We decided that we wouldn’t let our knowledge of Greek ‘evaporate,’ we read Plato’s *Protagoras* together with some help from a translation as well as a Greek dictionary” – p. 53, *Über Franz Kafka*, Fischer Bücherei, May 1966.

<sup>18</sup> Cf. Plato’s *Gorgias*: 525d-526b.

<sup>19</sup> “*Hier hast du deine Taschentücher*” – that he addresses the judged man as “*du*” shows that the officer doesn’t have any real animosity toward him. That he had also stolen his ‘neckerchiefs’ is, likewise, rather interesting.