

A Study of the Complex Interiors of the Conscious and the Unconscious in Franz Kafka's *The Trial*

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Abstract

*Born to respectable Jewish parents, Kafka received a thorough education in German schools. Soon after receiving a doctorate in law in 1906, Kafka worked for an insurance company and rose to the level of Vice Secretary in 1913- the year before he started writing his *The Trial*. In the novel, the protagonist, Josef K. is arrested for no apparent reason. His struggles are in vain because he does not know why he is being tried, when he will be tried and what he can do to untangle himself from the complex network of bureaucracy and judiciary. The aim of the paper is to highlight the condition of Josef. He is an epitome of the Modernist condition where the individual finds himself isolated and cut off from all traditional, conventional sources of support, the self that never grows up into conformity and cooperation with the established social order. Kafka employs nighttime logic in his writings and the condition of Josef is such that it resembles a nightmare from which it is impossible to awake.*

Keywords: Trial, Bureaucracy/Judiciary, Modern, Nightmare.

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“Block here?” he asked. This query delivered a virtual blow to Block...striking him in the chest and then in the back so that he stumbled, came to a stop with a deep bow, and said, ‘At your service.’ ‘What do you want?’ asked the lawyer; ‘you’ve come at an inopportune time.’ ‘Wasn’t I summoned?’ asked Block lifting his hands protectively and ready to retreat. ‘You were summoned,’ said the lawyer, ‘but you’ve still come at an inopportune time.’ And after a pause he continued. ‘You always come at inopportune times.’... ‘Do you wish me to leave?’ asked Block. ‘You’re here now,’ said the lawyer. ‘Stay’. One would have thought the lawyer had threatened to flog Block, not grant his wish, for now Block began to tremble in earnest. ‘Yesterday,’ said the lawyer, ‘I visited the third judge, my friend, and gradually brought the conversation around to you. Do you want to know what he said?’ ‘Oh please,’ said Block. Since the lawyer didn’t reply at once, Block repeated his entreaty, and stooped as if to kneel. But then K. lashed out at him. ‘What are you doing?’ he cried.”

Kafka, *The Trial*, 150-151

The man who lashes out at Block is Josef K., the doomed protagonist of Franz Kafka’s novel, *The Trial*, one of the most celebrated ones, published posthumously in 1925 by his friend Max Brod. Arrested one morning for reasons that are never explained to him, but allowed his freedom while his case is pending, Josef K has hired a lawyer named Huld, recommend by his uncle Albert, who has known the lawyer ever since they were school boys together. Though highly regarded as a defense council he suffers from a heart condition and stays in his bed in a dark gloomy room of his ground floor apartment in a suburb of an unnamed capital city where the plot of the novel is set. Huld has no office and in bed, he is attended by a nurse named Leni, who later turns out also to be his mistress.

By the time this scene takes place, the trial of Josef K. is six months old; but the English world *Trial* just roughly approximates the German word *Prozess* which can mean many things besides formal event in the court of law. In this context, it means, amongst other things, as a seemingly endless process of deepening bewilderment, a long ordeal of pseudo legal complication and a frustration leading finally to death. The translation of the term *Prozess* into *Trial* is partly correct however, the term is loaded with various meaning; the literal translation into English perhaps does not wholly capture the essence of the German term.

It’s already six months when Josef K. visits his lawyer. Realizing that the lawyer has done nothing for him, Josef K. decides to dismiss him because after all this time, Huld is still working under the first petition of the court. When he reveals his decision to the lawyer, Huld temporizes. He warns Josef K. not to be in haste. He complains that his labours in his special case has been misunderstood and offers to show Josef how he treats other defendants, such as a merchant named Block.

Before the lawyer summons Block for this purpose Josef K. has already learned certain things about him from the man himself. Block has been a grain dealer who has been on trial, awaiting justice for well over five years. Having drained his business and spent all of his money on his trial and having hired five shysters in addition to the lawyer he still has no firm date for formal proceedings. But he is so obsessed with his case that he has now practically taken up residence in Huld's apartment, where he sleeps in the maid's room, a tiny, low windless cube box, just to be ready for the lawyer's call at any hour of the day or night. So, when the lawyer tells Leny to get him, he comes immediately, even though its 10 O' clock at night. This minor instance shows the nature of helplessness of the common people at the hands of the all-powerful law.

From the moment he arrives, the lawyer twists him like a prick. Huld does everything possible to intimidate Block and exploit his own pathological dependence on the lawyer's goodwill. Instead of thanking Block for coming so promptly, the lawyer tells him that he has come at a bad time, *as always*. When Block offers to leave, the lawyer courtly tells him to stay and then tantalizes him with the news that the day before he discussed Block's case with a judge. When the lawyer asks Block if he wants to know what the judge said, Block, of course, begs him repeatedly to tell and nearly goes down on his knees. At this point, Josef K. lashes out at Block for his canine servility. Josef can't imagine how the lawyer would think that this little performance would impress him. Block, he thought, was no longer a client. He was the *lawyer's dog*.

To clinch this point the lawyer's account of what the judge said about Block's case hits a fawning merchant like a brick on the head. After desperately waiting to hear what the judge said, Block learns only that his remarks were not at all favourable for him or his trial. According to the judge, the bell that opens the trial still hasn't rung. Before Block could ask for an explanation the lawyer tells him that he is disgusted with Block's anxiety for it betrays a lack of faith in the lawyer's wisdom. The judge, he says, could be wrong, of what the ringing of the bell signifies. That teasing possibility is the only bone that Huld finally throws at Block who has no other choice but to chew on it, while literally groveling on the floor of the lawyer's bedroom.

This story of the total humiliation of a merchant whose life has become one endless trial is just one episode of the story of Josef K. who wakes up one morning to find himself suddenly under arrest. And then spends one full year in a futile effort to find out why.

"Someone must have slandered Josef K., for one morning, without having done anything truly wrong, he was arrested." (Kafka: *The Trial*, 17)

Background

When Kafka started writing this novel, it was August 1914; he was 31 years old well established in business, known for a few published articles and already the author of several short stories, including "The Metamorphosis", which would shortly be published. Born in Prague, he was the eldest son of an upwardly mobile Jewish couple. His ambitious father, one

time village peddler who managed to marry above him owned a fancy goods shop in the Jewish quarter of the city and as the business prospered they moved to better locations, such as Wenceslas Square, in the heart of the city. Though the Kafkas spoke Czech at home, they wanted their children to be educated in German. A young Franz was rigorously taught in the select, demanding Old City Secondary School of Prague, where he excelled. He then studied Law at German University in Prague, gained a Doctor of Law degree in 1906 and soon thereafter went to work for the Workers Accident Insurance Company for the Kingdom of Bohemia in Prague, where he was promoted to Vice Secretary of the company in 1913, the year before he started writing *The Trial* (Brod: 1960).

What does it all mean? It means that by 30, Franz Kafka seemed already to follow the script written for him by his upwardly striving parents to take his place among the gentiles, German speaking thoroughly respectable bourgeoisie of Prague. But Kafka simply could not play the conventional role assigned to him by his parents. For one thing, he could never entirely forget his Jewishness (Ningkang: 2016). Even though his parent did their best to ensure his assimilation, Kafka never became purely German.

The German he wrote was tainted, salted, one can say, not only by Czech idioms but also by Yiddish, a language that he knew well enough to give a lecture on. One such significant lecture he delivered was in 1912. Secondly, even as he rose through the ranks of the Workers Accidents Insurance Company, Kafka was pursuing his ambition to write. At age 21, in a story called "Description of a Struggle" he had already begun to forge a dream like language that could mediate between the conscious objective mind and the subjective unconscious even as he struggled for the conflict between his urge to create and his compulsion to succeed in conventional terms (Rolleston: 2002). In 1912, at the age of 29, he wrote two short stories: "The Judgement" and "The Metamorphosis" and thereafter, he started his first novel called *The Man Who Disappeared*, later christened as *Amerika*, when it was published in 1927. These three works could be considered examples of "fictive autobiography". A term generally referred to such works where the elements of personal life of the author are partially part of that particular work. Some examples of this genre can be Charles Dickens' *Great Expectations* and Emily Bronte's *Wuthering Heights* where the authors experience in their personal life found their way into their creative work.

The Modern Kafka and His Contemporaries

In other words, the kind of fictive autobiography that Kafka inherits from the 19th century narrates the story of rebellion and accommodation, disruption and restoration of the social order. But Kafka's first attempt at autobiography shows how this traditional formula broke down in the face of modernism (Glatzer & Updike: 1983).

To understand a writer or his/her idea, it is very important to understand the situation and the surrounding. In what age and in which socio-cultural background one comes from, speaks volumes about that person. So, it is also essential to briefly describe Modernism because Kafka wrote in that period. But before that, it is necessary to note that *Modernism* needs to be

distinguished from *Modernity*. Modernity is an historical condition largely defined and exemplified by advances in technology and fashion. The modern era, we can say, began with the invention of the automobile in the late 19th century or the invention of the airplane in the beginning of the 20th century.

Modernity can also be seen in the plunging necklines that irritate middle-aged Jon Forsytes in John Galsworthy's novel *To Let* (1921); or in the spectacle of young women making themselves up in public, something that bothers the middle aged Peter Walsh in Virginia Woolf's *Mrs Dalloway* (1925).

Chronologically, these markers of modernity coincide with the advent of *Modernism*, but modernism is not an historical condition. It is rather a way of thinking and feeling collectively defined by leading writers, critics and artists of the first part of the 20th century; amongst them Kafka ranks as one of the best and most influential figures. Essentially, modernism spotlights the isolated self: the self cut off from all traditional, conventional sources of support, the self that never grows up into conformity and cooperation with the established social order (Childs: 2000).

It thus focuses the isolated self. We see in *The Trial* that the protagonist gets no help whatsoever. There is hardly any progress in his case and Josef K. feels helpless and impotent. Modernism recalls romanticism, which reinvented autobiography in works such as Wordsworth's *Prelude* and also celebrated the defiant individualism of figures like Byron's Childe Harold and Melville's Captain Ahab making the romantic individual empowered by heroic self-confidence or at least by the intensity of his vision. The modernist self feels drained of power; he feels helpless and vulnerable and therefore, entirely strips off all the ties. He is also pathetic and ridiculous like the title figure of T. S. Eliot's poem, *The Love Song of J. Alfred Prufrock* who worries that people will notice his baldness and who won't even try to pose overwhelming question at a tea party because he foresees that it will be simply dismissed.

Since the modernist self is isolated in this way, the modernist novel highlights radical subjectivity by using techniques such as the interior monologue and it challenges the conventional realism of time and space by making the present repeatedly giving way to memories of the past or with Kafka's Josef K. to a wrenching sense of disorientation. With or without the predictable security or realistic time and space, modernist hero is lonely. Some of the novels take the route to anti-novels, not in the sense of being against novel but in the sense of taking a different and new route that challenges the conventional authority. The protagonist or the hero is altered and has actually anti-hero characteristics.

In Joseph Conrad's *Heart of Darkness*, which first appeared in 1899, Marlowe says, what Kafka might have said about his own story:

"It seems to me I am trying to tell you a dream- making vain attempt, because no relation of a dream can convey the dream-sensation, that commingling of absurdity, surprise, and bewilderment in a tremor of struggling revolt, that notion of being captured by the incredible which is the very essence of dreams." (Conrad: *Heart of Darkness*, 172)

We notice that almost all the canonical writers of the age had the same sense of displacement and disorientation. It was the situation and the surrounding that led to the development of such kinds of state of mind. Be it Kafka, Joyce, Woolf, Conrad, Eliot etc., they all felt a sort of helplessness and a kind of existential crisis and that is why this particular aspect is reflected in their new kind of writing, which totally challenged the conventional modes of literature writing. Bound up with that essence is the sense of radical displacement. As has been stated earlier, the modernist self exemplified by Josef K. is a man radically deracinated, cut off from the reference points that traditionally define us. In some ways the story of Josef K. is the literary counterpart of abstract art which blanks out the realistic escapes that bind traditional art to the world we know, which plunge us into the world of colour and form, cut loose from the ground we tread on and from any object we might recognize.

Kafka wipes out most of Josef K.'s family name. We get just the first letter. Furthermore unlike Joyce's *Ulysses* and Woolf's *Mrs Dalloway*, both of which appeared around the same time and both of which are set in capital cities, Kafka's novel names only its characters. It never names the city where Josef lives, works; it never names anything in that city: not a building, not a monument, not a single street. The absence of such localizing information reinforces the sense of displacement and disorientation that we persistently get from this novel. Where courts of inquiry and legal consultations are held in places totally unsuitable for them like cramped bedrooms, and stuffy attics. The sense of dislocation begins with the opening sentence of the book:

"Someone must have slandered Josef K., for one morning, without having done anything truly wrong, he was arrested." (Kafka: *The Trial*, 17)

In another instance of dislocation, displacement and disorientation one can site Leopold Bloom, the protagonist of James Joyce's *Ulysses* who neither has father nor has son; his father committed suicide, his only son died in infancy. He feels so traumatized by that death that he has had no sexual intercourse with his wife for more than ten years. Bloom himself is a resilient survivor but the modernist self often is suicidal. In *Mrs Dalloway*, another defining work of Modernism, Septimus Smith takes a fatal leap out of a window because he feels irredeemably guilty; guilty of the incapacity to feel anything for any other human being. He has been psychically shattered by the First World War, which literally destroyed many of the institutions that once gave individuals their place in society, including the Austro-Hungarian Empire which started breaking up at the same time Kafka started writing *The Trial*.

So, the war and its outcome simply accentuated Kafka's sense of isolation and alienation as a misfit in society, masquerading as a promising young professional man. Though he never went to war, Kafka resembles in some ways to Septimus Smith. Like that 29 year old war veteran, who is highly regarded by the company that employed him, the 31 year old Kafka was steadily climbing the ladder of corporate bureaucracy. But in 1912, responsibility to take charge of running a family business prompted him to consider suicide. He also felt an aversion to the institution of marriage which was forced upon him by his parents.

Under pressure from them and especially from his overbearing father, he got himself engaged to a young lady from Berlin named Felice Bauer in June 1914. But the engagement soon fizzled. Just as Septimus Smith took no real solace from marriage that he made by simple reflex from the war, Kafka too could not bind himself to anyone and broke the engagement after just one month. Though, he corresponded with Felice for five years, was briefly re-engaged to her in 1917 and considered her a great friend he could not help but seeing this practical unimaginative woman as an enemy to his work. He could neither marry her nor any other woman to whom he got engaged two years later. And though he lived with a young woman in Berlin for a few months during the last years of his life, he never married. To some extent Josef K. reflects and expresses Kafka's profoundly ambivalent response to Felice Bauer as well as Kafka's general condition in 1914 (Frederick: 1991).

So, in the summer of 1914, when the war broke out, Kafka wanted to join the Austrian army, but with tuberculosis and a practical skeleton of 6 foot frame and bare minimum weight, he could scarcely qualify. Even if he had, he could have scarcely found his identity by fighting for Austria and Germany against Russia and the Serbs. Politically, Jewish Czechs had no place to go. On one hand, even if they spoke German like Kafka, they were considered anti-German; modernist enemies of the German people and homeland. On the other hand, they got small comfort from the Czech nationalists who sought to break away from Austria and who identified with Russia. When the Czechs first formed their first Republic in 1918, with the help of the US, they bound themselves to Slovaks who were virulently anti-Semitic.

Exploring the Sensual Kafka

While these social and political conditions prevalent in those times constituted the major part of his writing concern, the analysis of complex interiors of the conscious and the unconscious is incomplete without exploring the sensual side of Kafka. As he started to work on *The Trial* in August of that year, he had just turned 31 and was already Vice Secretary of the Insurance Company. His protagonist in this context is the chief financial officer of a large bank, who turns 30 on the day the novel begins. In some of the fragments of the book we find that Josef K has no real concern for any women in his life. He is indifferent towards them. Utmost he feels sexually aroused for the opposite sex, especially since some of the women that he meets such as Leni in the lawyer's apartment are openly erotic and even promiscuous. There are several illustrations in the novel that can underscore what might gel well with the Freudian theme, an important parameter of the sensual exploration.

In 1900, Sigmund Freud published his *Interpretation of Dreams* which argued that dreams express *desires* and wishes that we typically repress in our conscious well-behaved waking lives. In our dreams we can imagine whatever we like; especially the things that we want to do in our day to day lives but can't do because of the constraints of the society around us. So, when we are unable to satisfy our desires in the waking stage, we have our *wish fulfillment* in our dreams. Whether or not Kafka deliberately drew on Freud's theory of dreams, he could scarcely avoid his influence and the strange life of Josef K. sometimes seems to exemplify the same.

Ostensibly Josef is a proper and professionally diligent young man. He normally works at his office till 9 pm, takes a walk and sits in a tavern with a group of mostly older men till 11 pm. However, in the second chapter of *The Trial*, one finds him waking up at nearly midnight for Fraulein Burstner, the young typist who occupies a room next to his own in the boarding house where he lives. Waiting until she comes back from the night of the theatre, he wants to apologize for the disturbance made in her room by the men who used it to interrogate him in the morning and mixed up her collection of photographs. But instead of just quickly apologizing for the disturbance, or leaving her a note, Josef gets himself invited into the young lady's room. When he tells her that he's been interrogated by a commission of enquiry, she laughs at the idea that this gentleman could be guilty of anything.

Nevertheless, she doesn't believe that he is totally guiltless and settles with a thought that perhaps he could not have committed any *serious* crime. She does well to hatch her bet, for Josef eventually proves to be a pest. Late as it is, he keeps her up while he re-enacts the enquiry, showing her how the inspector moved her nightstand away from her bed so that it could be used as a desk and then shouted his name *Josef K.* Fraulein Burstner laughs at this theatrical performance. But when it provokes a loud set of knocks at the door from the next room where the landlady's nephew is staying she is so alarmed that she wants Josef to leave at once. "Go go... You're tormenting me". But Josef stays. "I'm not going," said K. (Kafka: *The Trial*, 37)

Seeing that she is alarmed by what the man next door can hear Josef says that she can tell everyone that he has assaulted her because he feels quite sure that nothing he does will change the good opinion of his landlady about him. When she calmly rejects the idea of spreading this insulting story around and tells him again to leave, he finally does so but only after assaulting her. Rushing out, he seized and kissed her on the mouth then all over the face like a thirsty animal lapping greedily like a spring found at last. Then he kissed her on the neck, right on her throat and left his lips there for a long time. Like in Robert Louis Stevenson's *Dr. Jekyll and Mr Hyde* where Dr. Jekyll turns into Mr. Hyde, from a proper young financial officer to a monster of sexual voracity, a vampire.

Such instances lack a logical explanation for they cannot be explained by the logic of daytime, like the whole experience of being rested and put on trial for a crime that is never spoken or specified. They make sense only if we envision Josef K. as caught up in a dream of his own making, a dream that liberates his deepest longings and anxieties and fears. On August 6 1914, as Kafka started work on *The Trial* he wrote in his diary:

"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 satisfy me." (Leavitt:2012)

Therefore, Kafka's story of Josef K., a story of a man caught in a network of laws that he will never understand from which he will never escape. Kafka's story resembles a nightmare from which it is impossible to wake up.

Exploring Kafka's conscious self and law

Like so much else in this novel Josef K.'s crime or would be crime is never specified, it is never named. Since there is no moral place for Josef's guilt the reader is left to speculate about it. What has he done and why is the law against him? Is he in some sense having the trait of the original sin that we all inherit from Adam that the Bible teaches us? Is it something like the protagonists in Wordsworth's *The Prelude* and Dickens' *Great Expectations*, both of whom vividly recall feelings of guilt from their childhood? The answer is perhaps NO to all these conjectures.

Josef K. shows no consciousness of original sin and unlike Wordsworth and Pip in *Great Expectations*; he remembers absolutely nothing of any wrong that he has ever done. To the very first inspector who comes to interrogate him, he says "I've been accused of something but can't think of the slightest offense of which I might be accused"(Kafka: *The Trial*, 24).

Josef also has a habit of sounding self righteous, which is in fact, one of his faults in the long run. The very first sentence of the book portrays him as a victim of slander, but he himself comes near slandering Fraulein Burstner when he complains to the landlady about the late hour she keeps, thus prompting the landlady to cry her misconduct. Even though Josef angrily defends her against the landlady's suspicion he himself assaults her, and then walks off, pleased with his conduct. So, part of the novel shows Josef not entirely as innocent as he claims to be, especially when he flings accusations at others. While speaking to the examining magistrate at the attic court he complains that he was assaulted in the morning in bed by two guards who prove to be corrupt ruffians.

"They wanted bribes...they wanted money, supposedly to bring me breakfast, after they'd shamelessly eaten my own breakfast before my very (own) eyes."(Kafka: *The Trial*, 48)

Many times, he overstates the facts. One of the guards enters his bedroom after knocking, but no one assaulted him there or anywhere else. The guards did eat his breakfast but their demand for bribes amounted simply to offer him to buy him a breakfast from a coffee house if he would put up the money. One evening later on, when Josef looks at a junk row at the bank where he works, he finds the two guards, Franz and Willem with a flogger. Because of Josef's complaints against these two guards, they will not only be flogged but will also lose all prospects for advancement. Distressed by this news and convinced that only the high officials of the court are truly guilty, Josef offers to bribe the flogger which he has negated to the examining magistrate. He says, "I will reward you well if you let them go", however, the flogger is a man of principle and he replies, "I can't be bribed", "I have been hired to flog and flog I will" (Kafka: *The Trial*, 73). One can also bring in a kind of parallel nature in which when The Holocaust was carried out, the perpetrators who did this inhumane act responded by saying that they were merely following commands.

The whole scene bristles with irony. Though Josef K. believes that he has already begun to fight corruption and the judicial system, he himself tries to corrupt the flogger so as to thwart the consequences of his own complaints against the system. But before he can raise his offer, the flogger takes the rod to Franz, and Franz's inhuman scream makes Josef fear that other people in the building will come and find this dealing with the scummy trio in the mud room. So when Franz screams, Josef tells him not to do so; pushes him to the floor, steps out of the flogging room and slams the door. Josef is obviously flawed. No matter how self-righteously he tries to proclaim his innocence to fight the corruption of the legal system, he cannot avoid the taint of corruption himself. In Kafka's vision of the world, guilt is inescapably part of the human condition and certainly of his own life. And no matter how you try to protect yourself from corruption, the system is such that one is forced to get involved in corrupt activities, even minor ones, in order to thrive in the world.

Several months after starting work on *The Trial*, Kafka wrote in his diary "in the consciousness that my guilt is beyond question" (Leavitt: 2007). Does he feel guilty for failing to fight with the Austrian army or for breaking his engagement with Felice Bauer or for disappointing his father's expectation or for failing to write at more than what he calls "a miserable crawl"? Kafka does not answer this question any more for he tells specifically just what crime Josef K. has committed or whether he is guilty of anything at all.

But whatever he is, Josef is someone more than a spotless victim. He thrashes about in response to his flight and in the process, he hurts other people. And yet Josef hurts others, he himself is hurt most of all, relentlessly victimized by a legal system that makes him a defendant but indefinitely defers any chance of acquittal, or be even of a fair trial faced on specific charges.

As Josef is told by a painter named Tintorelli, who has learned about the law from the judges that he paints, there are just three possible way of settling the case against defendant: Actual Acquittal, Apparent Acquittal, and Protraction. After admitting that he has never seen a single case of Actual Acquittal the painter defines Apparent Acquittal as a merely temporary finding of innocence yielding a freedom that may end at any time. Such an acquittal may be followed by an immediate arrest, and even if the defendant gains a second acquittal, that too may be followed by an arrest and so it goes on endlessly. The only alternative is Protraction whereby the defendant keeps his case at the lowest stage by regularly visiting the judge and responding to interrogation. But whether the defendant gets Apparent Acquittal or Protraction he is sentenced to a life of paralyzing suspense. This is one reason why Josef K. decides to dismiss his lawyer and accept his execution. One can quote Judge Richard Posner to sum it up who writes, "Law in Kafka's fiction is, for the most part, not law as we think of it, a system of rules; it is a malevolent whimsy." (Posner: 1986)

Conclusion

In spite of the novel being titled as *The Trial*, the discourse of the trial never takes place in the novel. *The Trial* is not a trial, nor is it about due process, criminal procedure, or law at all; for Judge Posner-

“the heart of *The Trial* lies elsewhere...in K’s futile efforts to find a human meaning in a universe, symbolized by the court, that has not been created to be accommodating or intelligible to man but is arbitrary, impersonal, cruel, deceiving and elusive.” (Posner: 1998)

Legal delays in fiction have been dealt before Kafka wrote *The Trial*; as in Charles Dickens’ *Bleak House* (1851-52) to cite particularly. The case of John Jarndyce takes so many years to resolve it that it consumes all the money in dispute. Forty years after Dickens’ novel appeared, the real world furnished a celebrated instance of justice delayed in a criminal case. In 1894, a French Army captain named Alfred Dreyfus was convicted of espionage in a secret military court marshal that ignored his military protestations of innocence, and gave him no access to the evidence against him. Stripped of his rank and sentenced to life imprisonment he was vilified by anti-Semitic voices that all too readily identified his Jewishness with treachery, and then he had to wait 12 years for exoneration.

Josef K. is nowhere called Jewish but he was conceived by a Jewish writer and the burden of unspecified guilt that he is made to bear might be construed as signifying all the guilt that he’s been placed for centuries at the backs of the Jewish people. In any case, Josef K. is punished far beyond what he deserves and in a dream like world of Kafka’s novel his fate reveals how enigmatic, how illogical and how merciless the law may be. The function of *law* in Kafka’s works does not actually lead to justice, which actually should be the end of the Legal process; rather it leads to a sense of alienation. Hence, the individual feels totally drained of any kind of physical or emotional support. (Glen: accessed from Internet).

“Alienation refers to ‘man-alone’ in the world of the Other, a cry for freedom as an impotent act in a meaningless human world and the cry for the greatness, and dignity of the authentic self which is confined by the world of man. Kafka in *The Trial* shows this state of alienation in the darkest form, the alienation of an existential man like Josef K. is accosted by the invisible Other.” (Azizmohammadi et.al: 2012)

Kafka’s writing forecasts the Holocaust and Hiroshima. He gives us the world in which the law does not restrain absolute power in people, say for example in a person like Hitler, rather it sanctions it and even reinforces it by legalizing it. This is an uncomfortable condition which Kafka constructs in his works and unfortunately the world saw the fulfillment of his prophetic works when the world witnessed and suffered two horrifying World Wars and also saw the (ab)use of power because of the legal sanction of it. Therefore, the novel, *The Trial* forces the readers to think about the nature of law and its liaison with the system of bureaucracy. Theoretically, the law and the bureaucracy are for the benefit of the people, but in practice it has several deviations. The labyrinthine set of structures and procedures makes it almost impossible to access the law in its purest form. One is left wondering if law is really for the benefit of the common people or is it a tool to maintain the status quo of the haves and the have nots?

References

- Azizmohammadi, Fatemah; Kohzadi, Hamedreza; Makki, Seyed Abolfazl. *Journal of Basic and Applied Scientific Research*. 2012, 2(2), 1262-1266
- Brod, Max. *Franz Kafka: A Biography*; Schocken Books: New York, 1960 (translated by G. Humphreys and Richard Winston)
- Conrad, Josef. *Heart of Darkness and Other Tales*; Oxford University Press: United Kingdom, 1990
- Childs, Peter. *Modernism*; Routledge Taylor and Francis Group: London, 2000
- Glen, Patrick J. *Southern California Interdisciplinary Law Journal*. No. 17, 23
- Kafka, Franz. *The Trial*; Schocken Books: New York, 1998. (Translated by Breon Mitchell)
- Kafka, Franz. *The Complete Stories*; Schocken Books: New York, 1983. (Edited by Nathan N. Glatzer and forward by John Updike)
- Karl, Frederick. *Franz Kafka: Representative Man*; Ticknor and Fields: New York, 1991
- Leavitt, Juno O. *The Mystical Life of Franz Kafka: Theosophy, Cabala, and the Modern Spiritual Revival*; Oxford University Press: New York, 2012
- Leavitt, June. *Esoteric Symbols: The Tarots in Yeats, Eliot and Kafka*; University Press of America: United Kingdom, 2007
- Ningkang, Jiang. Jewishness: the Coordinate of Cultural Identification and Rejection. In *The 1st International Conference on Jewish Studies (2016)*, pp 17-18
- Posner, Richard A. *The Ethical Significance of Free Choice: A Reply to Professor West*, 99 *Harv. L. Rev.* 1431, 1432 (accessed from *Southern California Interdisciplinary Law Journal* Vol 21:47)
- Posner, Richard A. *Law and Literature*, *Supra* note 7, at 135 (accessed from *Southern California Interdisciplinary Law Journal* Vol 21:47)
- Rolleston, James. *A Companion to the Works of Franz Kafka*; Camden House: New York, 2002