In his collection of literary parodies, In Flagraenti, Armin Eichholz offers his version of a "Preface" for a Kafka text by "Max Brod, the Poet and Editor of the Literary Legacy":

The only way to understand my friend's lifework which is continuously bubbling on ["stetig weiterbrodelnd"] is by regarding as our daily bread the legacy that is skimmed off daily, together with my prefaces, notes, postscripts, supplements, and remarks. This legacy will cease to flow only after my own... decease, for only I am in a position to decipher Kafka's private shorthand, and to organize in as [kafkaesque] a manner as possible the manuscripts that had been burned, torn, repeatedly copied over, lost, found again, rewritten, and re-burned. In the puzzle edition published to date, I was able to treat poetically just one combination. A second edition, featuring a different arrangement of the manuscripts, is in preparation; it will contain the volumes "Wedding Preparations in the Penal Colony," "Letters to a Hunger Artist," and "Milei in America."...

The point of this parodistic exaggeration is significant. What Charles Neider said in connection with the theological interpretation of Kafka appears to describe the editorial history of Kafka's work as well: "In a curious sense Kafka is Max Brod's creation."² Certainly Brod deserves our gratitude for deciding not to honor his friend's request to burn all manuscripts left behind and, rather, to make available to us what we view today as Kafka's oeuvre. However, this also means that we know only Brod's versions—and to some extent revisions—of Kafka's writings. In a number of cases we even accept the editor's titles for some of the

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works. Perhaps the best-known example is the novel that Kafka himself usually referred to as Der Verschollene (The Man Who Disappeared) but that today even Kafka scholars call Amerika. And whereas Kafka, in a diary entry of 1915 (September 29), specifically mentioned the death of the hero of that novel, most readers are led to believe in a “happy ending” which takes place in the “Nature Theater of Oklahoma” because that is Brod’s interpretation of the author’s intentions, as outlined in his afterword to the first edition.3

The following discussion aims at outlining briefly and in very general terms the basic editorial uncertainty surrounding Kafka’s works, and The Trial is chosen here as an exemplary case in order to illustrate some of the problems that have to be solved before an attempt can be made to interpret Kafka.

Only two brief excerpts from this novel had appeared in print prior to the writer’s death: “Before the Law,” and the fragment “A Dream” (neither incorporated into the novel nor appended to it by the editor). In his postscript to the first edition Brod stated,

The division into chapters as well as the chapter headings are his work; but I had to rely on my own judgment for the order of the chapters. However, as my friend had read a great part of the novel to me, memory came to the aid of judgment. Franz regarded the novel as unfinished... My work on the great bundle of papers which at that time represented this novel was confined to separating the finished from the unfinished chapters. I am reserving the latter for the final volume of the posthumous edition; they contain nothing essential to the development of the novel.4

In the postscript to the second edition we read:

As the manuscript in its extant form was not intended for publication, and would therefore have undergone a final revision by the author, there is also some uncertainty about the passages deleted by him. Some of them would probably have been replaced after a further revision. Nevertheless, the intention of the author in the context of the novel has been rigorously respected. Those deletions which represent an enrichment of the work either in form or in content have been given in an appendix and completed by the chapters which had to be eliminated from the first edition as too fragmentary.5

And the afterword for the third edition reads as follows:

A further scrutiny of the manuscript undertaken recently makes it appear not impossible that Kafka intended the episode now designated as the fifth

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5 The Trial, p. 273.
chapter to be in fact the second. Although Kafka gave titles to the chapters, he did not number them. I put them in order on internal evidence; and I was also guided by special indications, for instance the repetition of the last words of one chapter on the first page of the next. This must have been the original form. Later Kafka separated the single chapters from each other, and each time he added the above-mentioned final words at the end of each chapter in a very abbreviated copy, often written in his personal shorthand. Such duplicate passages at least prove that the chapters marked in this way originally belonged together. Whether it was the author’s intention to retain this order or to relinquish it must forever remain doubtful.6

It should be appreciated that Brod himself confesses to some doubt here as to the absolute validity of his edition. And if we consider that the transposition of the fifth and second chapters as proposed here would appear illogical since in this case the punishment of the warders by the whipper would precede Joseph K.’s complaint to the Examining Magistrate, even though the penalty is clearly referred to as the result of his complaint,7 then we wonder about the reliability of Brod’s memory or his interpretation of the “intention of the author.”

The most far-reaching proposal for a change in the sequence of the chapters can be found in an article, “Zur Struktur von Kafkas ‘Der Prozess’” (“On the Structure of Kafka’s Trial”), written by Herman Uyttersprot in 1953.8 While critic Klaus Wagenbach conceded that Uyttersprot’s findings had achieved “a certain esoteric fame,”9 Hans S. Reiss went so far as to suggest that our entire Kafka concept might be altered drastically by them if not invalidated altogether.10

As Charles Neider had done before him,11 Uyttersprot, too, demonstrated that Brod’s fourth chapter, “Fräulein Bürstner’s Friend,” constitutes a logical continuation of the first chapter whose last part deals with the ill-fated conversation with Fräulein Bürstner. Only in this way does the remark make any sense that Joseph K. had addressed his landlady “for the first time in five days”12 since more than a week had elapsed if

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6 The Trial, p. 274.
7 See The Trial, p. 84: “Sir! We’re to be flogged because you complained about us to the Examining Magistrate.”
11 Neider, pp. 105–07.
12 Franz Kafka, Der Prozess, Gesammelte Schriften, III, ed. Max Brod (Berlin: Schocken Verlag, 1935), p. 85 (emphasis added). This specific time reference is missing in the English translation; see The Trial, p.75.
we accept Brod’s order of the chapters. In addition, as early as the second chapter, K. uses the name of Frau Grubach’s nephew, Lanz, whom he meets only in the fourth chapter. (Incidentally, Neider feels that Brod’s third chapter should follow the “Whipper” chapter—that is, the fifth—since K. showed the sadistic influence of this scene in his attitude towards the accused man in the corridor.)

While many scholars appear ready at least to consider this change, the remainder of Uyttersprot’s proposals met with almost unanimous rejection. He had tried to demonstrate that the seasonal references in the various chapters made a relatively exact chronology of events possible. The fragments were used along with the finished chapters in this attempt. If the “Cathedral” chapter is moved from its penultimate position to a slot between the sixth and seventh chapters, the contradiction disappears which lies in the seasonal sequence fall-winter-fall and the very clear statements in the first and last chapters according to which all events in the novel take place within one year. Furthermore, Uyttersprot believed that this change would make for a more consistent psychological development in Joseph K., who appears to be more under the pressure of the trial in the seventh and eighth chapters than in the “Cathedral” chapter. This rearrangement then leads to the recognition, according to Uyttersprot, “that the individual who becomes more and more the central character is neither the lawyer, nor the tradesman, nor the priest, but rather Titorelli, the court painter.”

This seems to be the point where most scholars part company with Uyttersprot. The proposal to move the “Cathedral” chapter with Kafka’s most famous parable, “Before the Law,” away from the immediate vicinity of the execution scene is unacceptable to almost all critics. Furthermore, it has been pointed out that certain inconsistencies would still remain: there are two references to “winter morning” in the seventh chapter, but a little later in the same chapter the manufacturer remarks, “An awful autumn.” Uyttersprot tries to explain this discrepancy away by talking about “carelessness of the author . . . or a slip of the pen,” but in doing so he is weakening his own case for a relocation of the “Cathedral” scene which he has based on the one reference

13 Uyttersprot, p. 54
14 The Trial, pp. 113, 126.
15 The Trial, p. 134.
16 Uyttersprot, p. 31.
to season, "autumnal weather," at the beginning of the chapter.

In his response to Uyttersprot, Klaus Wagenbach advances basically two arguments. He emphasizes the fact that seasons or nature play almost no role in the urban landscape of Kafka's works. And by using Amerika as an example, Wagenbach shows how unreliable factual statements in Kafka's writings can be. Indeed it is possible to show other factual discrepancies in The Trial. Thus K.'s uncle first appears as "Karl," but later refers to himself as "Albert." (It might be possible, however, to motivate etymologically in this case. From the urban nephew's point of view the uncle from the country is seen as a simple "man" whereas he considers himself as "distinguished through his nobility." In view of Kafka's penchant for playing with names, this interpretation does not seem totally absurd.) Several critics of Uyttersprot's thesis point out that if his proposed rearrangement were adopted, K. would tell the priest that his "petition isn't finished yet," and only in the next chapter would we hear about his decision to draft such a petition. Uyttersprot tries to refute that argument in a footnote that fails to convince the critical reader.

Probably the most extensive response to Uyttersprot comes from Ronald Gray who deals with the psychological argument in particular. With reference to the fragment "Kampf mit dem Direktor-Stellvertreter" ("Conflict with the Assistant Manager") which Uyttersprot would place in the "great gap" between the eighth chapter and the end, Gray states, "... the fragment does suggest that K.'s deterioration is not necessarily to be thought of as relentlessly progressive. The possibility of a wavering determination to work, which is reasserted in Chapter 9 and again in the 'Kampf' fragment, after its near-collapse in Chapter 7, cannot be ruled out. Nevertheless, this comparison of K.'s state in the two chapters

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17 The Trial, p. 198.
18 See Uyttersprot, p. 33.
19 Wagenbach, p. 645.
20 See Wagenbach, pp. 646-47.
21 The Trial, p. 91.
22 The Trial, p. 100.
23 Among others, Wagenbach (p. 646) and Ronald Gray, "The Structure of Kafka's Works: A Reply to Professor Uyttersprot," German Life and Letters, XIII (October 1959), 1-17.
25 The Trial, pp. 113-14.
26 Uyttersprot, p. 40.
provides the strongest point in favour of Professor Uyttersprot’s arguments.”

Even though Emrich, too, emphasizes the importance of Titorelli in his interpretation, most students of Kafka see the conversation with the priest and the legend of the doorkeeper as the real climax (and as the key to the novel, perhaps even as a key to Kafka’s work in general). Most critics stress the internal necessity of having this conversation immediately precede the execution. (In doing so, they overlook, however, that Brod himself, whose proposed order of chapters is followed here, suggests a gap between these two parts of the novel: “Before the final chapter given here a few more stages of the mysterious trial were to have been described. But as the trial, according to the author’s own statement made by word of mouth, was never to get as far as the highest Court, in a certain sense the novel could never be terminated—that is to say, it could be prolonged into infinity.”) Ingeborg Henel, Beda Allemann, Walter Sokel, Gerhard Kaiser, Theodore Ziolkowski, Heinz Politzer—all make a plea to leave the chapter in its present place. Perhaps Politzer’s approach is a little too simple when he rejects Uyttersprot’s proposal with geographic or even parochial arguments. In the German edition of his book, Politzer points out that Uyttersprot who ascribed greater importance to K.’s visit to Titorelli’s studio than to the scene in the Cathedral had never visited Prague. Otherwise his judgment would have been different. Joseph K.’s city is dominated by its Cathedral the same way Prague is, and the scene in the Cathedral is both thematically and topographically the high point of the story.

Coming from a man who went to school in Prague, that sounds a little like Brod’s reference to Kafka’s “personal shorthand”!

This is not the place to deal with all the arguments for and against

27 Gray, pp. 5-6.
29 The Trial, p. 271.
Uyttersprot's thesis. In his doctoral dissertation, Martin Walser pointed out that the sequence of chapters as proposed by Charles Neider is clearly as justified as Brod's order.32 Certainly the same could be said about the sequence discussed here which at least offers a clearer chronological scheme and a more plausible psychological development than the version by Brod. A final decision seems hardly possible at this point. Equally uncertain is the role of the fragments and unfinished chapters. Helmut Richter has shown how questionable it is to distinguish between "finished" and "unfinished" chapters.33

It seems rather meaningless, then, to attempt the discussion and comparison of structural features, given the uncertainty as to the author's intent. Unless and until it can be established clearly how the separate parts of the novel fit together, it is mere speculation, for instance, to compare the Brunelda chapter in Amerika and the Block chapter in The Trial, and to point out, as Sokel does, that the relative positions of the two chapters in the respective novels, too, make them parallel phenomena.34

Wagenbach, who had a chance to examine Brod's manuscript, confirms that the "Prosecuting Counsel" fragment would have come immediately after the seventh chapter, as had been claimed by the editor.35 But this merely proves what the study of the diaries reveals as well: that Kafka did not at all proceed in a rectilinear fashion when working on a novel, but rather in leaps and curves. This fragment would make no sense in the spot suggested by Brod, since it is not connected with the trial at all, but rather depicts K.'s completely undisturbed social relationship with Hasterer to which K. refers at the time of his arrest.

Commentators (and editors) might be well advised to take a look at the many diary passages which could tie in with various episodes in the novel. Perhaps the entry of December 20, 1910, could be mentioned here: "I have continually an invocation in my ear: 'Were you to come, invisible judgment!'",36 or that of November 2, 1911: "This morning, for the first time in a long time, the joy again of imagining a knife twisted

34 Sokel, p. 196.
35 Wagenbach, p. 646; see The Trial, Brod's note on p. 239.
in my heart." The well-known passages in connection with Kafka's engagement (June 6, 1914, July 23, 1914, and several others) should be considered in their bearing on the novel. Also the often overlooked juxtaposition of the texts of July 29, 1914, belongs in this context, where the name "Joseph K." is used for the first time and where immediately afterwards we read about the discovery of a theft in an office. The thief in this first-person narrative tries to present himself as innocent in spite of obvious and demonstrated guilt.

In his interpretation of the novel, Gerhard Kaiser, who generally rejects Uyttersprot's proposal, stresses a fact that most critics appear to have ignored: the central importance of the ninth chapter is independent of its position. The Cathedral scene would retain that importance even if the final chapter were not to follow immediately. Indeed it could be argued that K.'s blindness, as shown symbolically at the conclusion of the Cathedral scene, would become even more pronounced if he were to continue to look for an intermediary, in this case Titorelli, despite the clear warning of the priest: "You cast about too much for outside help... especially from women." In this light, the painter would be just one of the several doorkkeepers, no more important and no less important than, for instance, the wife of the usher or Huld, the lawyer. Joseph K., the urbanized "man from the country," the "Amhoretz" in Politzer's interpretation, does not realize until the very end that access to the law would have been possible for him, had he acknowledged his own guilt instead of turning to others again and again.

Strangely enough, most students of Kafka seem to overlook in their interpretations of "Before the Law" the little fragment from the volume Wedding Preparations in the Country which illustrates this opportunity that K. does not recognize or does not use: "I ran past the first watchman. Then I was horrified, ran back again and said to the watchman: 'I ran through here while you were looking the other way.' The watchman gazed ahead of him and said nothing. 'I suppose I really oughtn't to have done it,' I said. The watchman still said nothing. 'Does

37 The Diaries 1910–1913, p. 129.
40 The Trial, p. 211.
your silence indicate permission to pass? . . . ." 42

The controversy surrounding Uyttersprot emphasizes, if nothing else, at least how important an historical-critical edition of Kafka's collected works would be in order to provide firmer grounds for interpretations.43 Until we can be reasonably sure about the accuracy of the texts with which we work, the title of Stanley Corngold's bibliographical book on Kafka's Metamorphosis will continue to describe our reactions: The Commentator's Despair.44 We will continue our discussions "On Not Understanding Kafka" as Peter Heller phrased it provocatively in a recent article.45 Or, to borrow a title from Kafka himself, our attempts at literary analysis will continue to be "An Everyday Confusion."


