

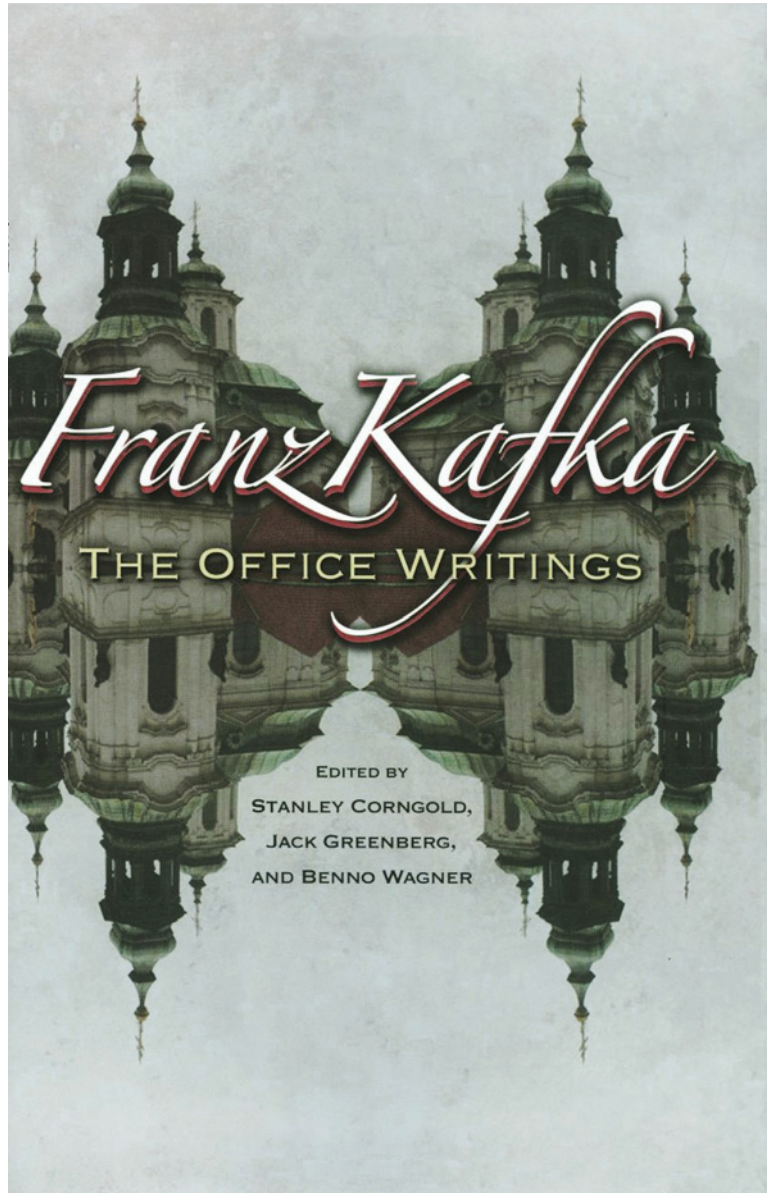
# Franz Kafka: The Office Writings

reviewed by Walter H. Sokel

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On the future of aesthetics



**Franz Kafka: The Office Writings**

**Ed. by Stanley Corngold, Jack Greenberg, and Benno Wagner**

**Princeton University Press, 2009**

**reviewed by Walter H. Sokel**

**F**ollowing the publication of Klaus Hermsdorf and Benno Wagner's monumental collection of "Amtliche Schriften" (2004), the present volume consists of a selection of Kafka's office writings, ably translated into English, with illuminating commentaries by the editors following each document.

Each of the three editors contributes an essay to the volume. Stanley Corngold's poetological and socio-biographical essay, "The Ministry of Writing," which opens the volume, discusses the relationship between Kafka's idea of his creative writing and his bureaucrat's position. It is followed by Benno Wagner's richly informative history of the Prague Workmen's Accident Insurance Institute and Kafka's important role in it, shedding important new light on Kafka's many-sided personality. Jack Greenberg's essay on "Kafka and the Kafkaesque" concludes the volume.

Legal documents, petitions, commentaries, newspaper articles written by Kafka for the Prague Institute form the bulk of the volume. The editors' commentaries following each document shed valuable light on its background and fate. The commentaries frequently try to establish relationships between the documents and Kafka's creative texts, of which I shall have more to say below. The bulk of my remarks which follow here is based on my reading of Kafka's office documents and their historical and biographical context as gathered from Benno Wagner's introductory essay and the commentaries following each document.

Kafka was employed as a lawyer or legal clerk by the Workmen's Accident Insurance Institute of the Kingdom of Bohemia, and later of its Czech successor, from 1908 until his early retirement, for reasons of ill health, in 1922. As the editors of the volume emphasize, Kafka played a very important role in the institute.

The Workmen's Accident Insurance Law of 1889 exemplified the Dual Monarchy's imitation of the social welfare legislation that Chancellor Bismarck had introduced in Germany. The Austro-Hungarian accident

insurance was organized according to regions with individual Institutes located in major cities of the Empire. Because of the highly advanced industrialization of Bohemia, the Prague Institute, where Kafka worked, enjoyed a particularly important role among the Insurance Institutes. Kafka's tasks at the Institute ranked high in importance. They consisted of two major responsibilities. He served as appeals officer for risk classification and was in charge of accident prevention.

According to the founding law of 1889, the insurance premiums employers were to pay depended on a firm's risk classification. The greater the risks of accidents the higher the premium to be paid by the employer, and the smaller the risks of accidents, the lower the premium to be paid. The chronic problem with this law was the lack of reliable statistics that would determine a given enterprise's degree of risk of accidents occurring. As Kafka saw very clearly and emphasized repeatedly, the result of inadequate statistics was arbitrariness and unfairness. Employers felt encouraged to aim for as low a risk classification as possible, which led to influence peddling, fraudulence, and overcharging of the few honest employers. Disastrous deficits arose for the Institute. That was the situation Kafka found when he began his work there. However, Kafka had entered the Institute at an opportune moment. Shortly after he joined, Robert Marschner, a renowned Goethe scholar and highly respected writer, took over as the Institute's managing director, with the firm intention of rescuing the Institute, by a radical reorganization, from its seemingly hopeless situation. Marschner liked and respected Kafka, even though that respect failed to result in satisfactory financial remuneration, and Kafka became the new Director's right-hand man in the reform of the Institute. He was involved in path-breaking decisions, and some important texts attributed to the Director, were actually written by Kafka. In April 1910, Kafka obtained the permanent rank of "Concipient," law clerk in charge of composing official declarations, commentaries, petitions, newspaper articles, and, was installed as head of the new appeals department. The fact that Kafka was chosen to accompany Marschner to the International Congress of Workmen's Insurance held in Vienna in 1913, highlighted his importance. The fact that the conference was held at the same place and time as the first world congress of Zionism was of great personal significance for Kafka. The new administration of the Institute, with Kafka's vitally important role in it, turned the course of the Institute around, rescuing it from threatening financial ruin. By establishing and rigorously enforcing equitable premiums, arrived at with the help of a decisively improved accident statistics, the chronic deficits were overcome and the Prague Institute became a shining example of success among the Insurance Institutes of the monarchy. Kafka indeed was

astonished at how easy that success had been and how smoothly the employers had followed the lead once the Institute provided it.

In Kafka's professional opinions, as expressed in his office writings, the ideal of consistency inspired and guided him. Consistency was for Kafka synonymous with justice. He sought to apply the existing laws as equitably as possible. Kafka's concern was to find the intention, i.e., the meaning of the law. In this pursuit of meaning, Kafka excelled in textual-linguistic analysis. His legal opinions are outstanding examples of applied hermeneutics, a close, most careful, and conscientious search for the meaning or intentionality of texts. His legal briefs are brilliant examples of the convergence of juridical and linguistic thinking.

It follows from Kafka's legalism that he was not a socialist. For he accepted and sought to follow the actually existing laws. He did not see the workers as being necessarily and automatically right in all respects and employers as necessarily and universally wrong. However, in accepting and applying the prevailing laws, Kafka sought to do so not only with fairness, but with compassion. He was profoundly moved, shaken, and appalled by the miseries he witnessed. However, they did not lead him to revolutionary conclusions. He kept away from ideology.

In the search for a label for Kafka's opinions in workmen's accident insurance, the term consensual humanitarianism presents itself. That is, although Kafka sought to decide cases in conformity with existing laws and their true intentions, he did so with the fundamental compassion, the humanitarian empathy with suffering that had brought into being the idea of employer-paid workers' accident insurance in the first place. In his opinions and decisions, he above all sought to consider the feelings, views, and preferences of the victims of a cruel fate. He sought to instill in the victimized workers a sense of being truly protected and able to expect fair and sympathetic treatment. He fervently promoted truly universal coverage, seeking to extend compulsory accident insurance to the entire personnel of enterprises and to make sure that equal treatment was extended to all members of the work force. Feelings and opinions of the afflicted were to be given significant weight.

Kafka's liberal humanitarianism manifested itself in the very nature of his professional duties which, as mentioned, included accident prevention. For even more humane than compensating victims of accidents would be to protect workers from suffering accidents to begin with. Kafka displayed most impressive ingenuity, technical skill, and graphic talent in explaining and propagating devices likely to prevent injuries from occurring. His sponsoring of cylindrical rather than flat shapes of wood-planing machines, with their much-enhanced protection

of the workmen's fingers, represents a masterpiece of technological reasoning, supported by skilful and persuasive draughtsmanship. Many accident prevention measures advocated by Kafka were dictated by common sense such as requiring quarry workers to wear eye-protecting goggles. The eagerness with which Kafka pursued the propagation of accident prevention can serve as an illustration of his non-socialist humanitarianism. For accident prevention served the common interests of workers and employers alike. With decreasing numbers of workplace accidents risk classifications would be lowered and employers would benefit by reduced premiums. Thus accident prevention highlighted the common interest of supposedly irreconcilable "class enemies."

The liberal-humanitarian roots of the ideal of accident prevention in Kafka's thinking appear with particular vividness in his conception of and fervent propaganda for a psychiatric hospital for psychically traumatized veterans of World War I. In this project, accident prevention, in a sense, transcended itself into accident cure. Through the most up-to-date psychiatric treatment, shell shocked and other victims of modern warfare could and would be restored to health, happiness, and renewed functioning in society.

Kafka's progressive humanitarianism was fully consistent with patriotism. For, as he expounds in a most significant passage, the state is the totality of its citizens. It is the well-being and happiness of all individuals in it that constitute the greatness and glory of the state. There is no state separate from the individual lives in it. There can be glory of a state other than the well-being of its citizens. The degree of happiness enjoyed by each defines the success of the whole. Thus for Kafka patriotism converges with humanitarianism.

It is the intention of the editors of this volume to demonstrate the relevance of Kafka's office work for his creative oeuvre. They point out and underline Kafka's immersion, due to his legal work, in so many economic, technological, social, and human problems of modernity as having had a most fructifying effect on his literary creation. They draw connecting lines between insurance cases dealt with by Kafka and numerous motifs and episodes of his fiction.

Several of these connections I have found quite illuminating. Kafka's technological expertise, displayed in his efforts at accident prevention, might explain the technical detail of the punishing machine of "In the Penal Colony." In the same text, the radical change of regime from the Old to the New Commander can be seen as reflecting the reforms in the Institute shortly after Kafka's joining it. In their commentaries, the editors set up an ingenious analogy between policies of the Insurance

Institute and the method of building “The Great Wall of China.” Kafka’s concern with accidents in quarries points to the ultimate section of The Trial that takes place in a quarry. The American novel The Man Who Disappeared as well as The Castle are, according to the editors, particularly rich in echoes of and allusions to his office work.

Going beyond the cross references of detail, Corngold in his introductory essay, “The Ministry of Writing,” seeks to deduce a fundamental similarity between the realms of Kafka’s office and his creative writing. Corngold seeks to establish an analogy between what Kafka calls his “writerly being” (“Schriftstellersein”) and the way of being a bureaucrat. Corngold’s essay is richly suggestive and interesting and carries plausibility. However, it ignores the vast generic difference between Kafka’s dreamlike and surreal fiction and the mundane reality of his office writings, and it leaves unanswered the question why Kafka himself consistently saw the two realms irreconcilably opposed. Kafka’s diaries and personal letters are full of lamentations over the wasted days at his office that should have been devoted to his literary creations. He never stopped looking upon his job as the bane of his life that deprived him of precious time and energy for what he saw as the real mission of his existence—his literary creations. This conflict in Kafka’s life leads to a critical question to be addressed to the volume as a whole.

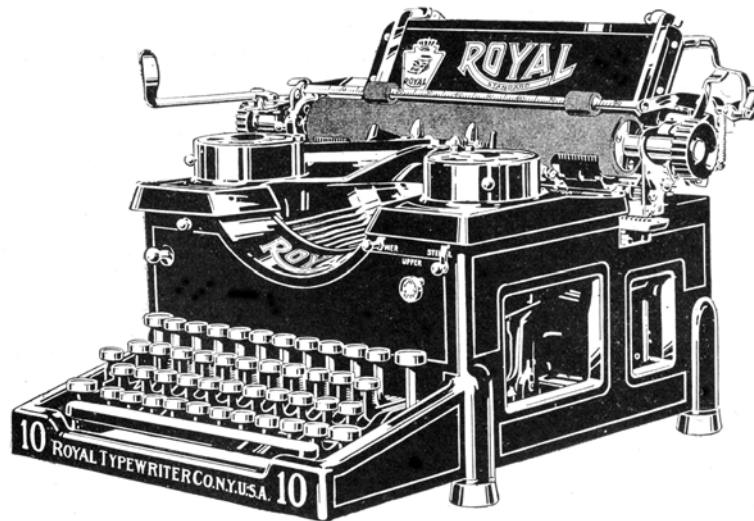
To be sure, this volume adds most significantly to our image of Kafka as a historical being, showing him as an extremely skilful lawyer, a man of high practical intelligence and technological understanding, an eloquent advocate of social justice and fairness, a liberal humanitarian. In many ways it corrects the image of Kafka gained from his literary creations, his diaries and personal correspondence. We also derive from this volume valuable historical information about the social welfare system of the Dual Monarchy.

Where the volume goes amiss, in my opinion, is in the editors’ persistent attempts to show a close and direct, non-dialectical influence of Kafka’s professional experience on his literary creation. Frequently these attempts fail to convince, and even at best they tend to remain conceptually superficial. Despite its ingenious and highly interesting sophistication even Corngold’s essay suffers from the mistaken tendency to equate the two spheres.

What all three editors overlook is the vast generic discrepancy between the practical and societal realism of Kafka’s legal writings and the profoundly alienating, dreamlike, and surreal nature of his fiction. A simple equation of these two worlds cannot do justice to the relationship of such vastly different realms. The neglect of that difference decisively

diminishes the value of the editors' interpretive efforts. By contrast Kafka himself never ceased to emphasize the irreconcilability of the two realms of his existence.

Jack Greenberg's concluding essay, "From Kafka to the Kafkaesque," inadvertently highlights the shortcomings of the volume as a whole. Despite its fetching title, arousing high expectations, the essay epitomizes the drawbacks of the volume as a whole. Greenberg sees the "kafkaesque" relating to Kafka's "frustration, anger, and resentment" in the face of the many instances of "evasion, concealment, and distortion" by employers trying to cheat on their primaries. Such reasoning can hardly do justice to the rich psychological, poetological, and philosophical implications of the term "kafkaesque." Greenberg's essay demonstrates with particular obviousness the general failure of the editors to shed light on the complexities of the relationship between the work of Kafka's livelihood and the work that enabled his life to add an important new word to the vocabulary of literary and existential sensibility.



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