A Modern Library Book

Definitive Edition

FRANZ KAFKA

THE TRIAL

MODERN LIBRARY BOOKS
The best of the world's best books

THE TRIAL

by FRANZ KAFKA

The Trial and *The Castle* have been chiefly responsible for the posthumous fame and popularity of Franz Kafka. *The Trial,* the story of Joseph K.—the respectable functionary in a bank who is suddenly arrested, and who then must spend the rest of his life fighting a charge against him of whose nature he can get no information—has achieved the symbolic status of a modern myth. It is now available in a volume containing more than 10,000 words not included in the first American edition.

The earliest German edition of *Der Prozess*—from which Willa and Edwin Muir made the first English translation of *The Trial*—did not contain all of the text that Kafka had left in manuscript. In the definitive German edition of *Der Prozess,* Max Brod (1884–1968)—Kafka's closest friend and literary executor—restored many passages omitted from the earlier edition. The present English edition contains that restored material.

The new material is of two kinds: uncompleted chapters and passages struck through by Kafka. The Postscript by Brod contained in the first English edition has also been expanded; two new brief postscripts have been added. The translation of the new materials has been made by Professor E. M. Butler, who has also slightly revised the previously existing English text in the direction of making it conform more closely to Kafka's original.

THE

TRIAL

---

by

Franz Kafka

DEFINITIVE EDITION

TRANSLATED FROM THE GERMAN BY
WILLA AND EDWIN MUIR

REVISED, AND WITH ADDITIONAL
MATERIALS TRANSLATED BY
E. M. BUTLER

ILLUSTRATED BY GEORGE SALTER

The Modern Library
NEW YORK

Library of Congress Catalog Card Number: 57–12574

Random House IS THE PUBLISHER OF *The Modern Library*
BENNETT CERF • DONALD S. KLOPFER
Manufactured in the United States of America

CONTENTS

times in the free part of the room; at the other side of the street he could still see the old woman, who had now dragged to the window an even older man, whom she was holding round the waist. K. felt he must put an end to this farce. "Take me to your superior officer," he said. "When he orders me, not before," retorted the warder called Willem. "And now I advise you," he went on, "to go to your room, stay quietly there, and wait for what may be decided about you. Our advice to you is not to let yourself be distracted by vain thoughts, but to collect yourself, for great demands will be made upon you. You haven't treated us as our kind advances to you deserved, you have forgotten that we, no matter who we may be, are at least free men compared to you; that is no small advantage. All the same, we are prepared, if you have any money, to bring you a little breakfast from the coffee-house across the street."

Without replying to this offer K. remained standing where he was for a moment. If he were to open the door of the next room or even the door leading to the hall, perhaps the two of them would not dare to hinder him, perhaps that would be the simplest solution of the whole business, to bring it to a head. But perhaps they might seize him after all, and if he were once down, all the superiority would be lost which in a certain sense he still retained. Accordingly, instead of a quick solution he chose that certainty which the natural course of things would be bound to bring, and went back to his room without another word having been said by him or by the warders.

cupboard where he kept a bottle of good brandy, while he filled a glass and drank it down to make up for his breakfast, and then drank a second to give him courage, the last one only as a precaution, for the improbable contingency that it might be needed.

Then a shout came from the next room which made him start so violently that his teeth rattled against the glass. "The Inspector wants you," was its tenor. It was merely the tone of it that startled him, a curt, military bark with which we would never have credited the warder Franz. The command itself was actually welcome to him. "At last," he shouted back, closing the cupboard and hurrying at once into the next room. There the two warders were standing, and, as if that were a matter of course, immediately drove him back into his room again. "What are you thinking of?" they cried. "Do you imagine you can appear before the Inspector in your shirt? He'll have you well thrashed, and us too." "Let me alone, damn you," cried K., who by now had been forced back to his wardrobe. "If you grab me out of bed, you can't expect to find me all dressed up in my best suit." "That can't be helped," said the warders, who as soon as K. raised his voice always grew quite calm, indeed almost melancholy, and thus contrived either to confuse him or to some extent bring him to his senses. "Silly formalities!" he growled, but immediately lifted a coat from a chair and held it up for a little while in both hands, as if displaying it to the warders for their approval. They shook their heads. "It must be a black coat," they said. Thereupon K. flung

the coat on the floor and said—he did not himself know in what sense he meant the words—"But this isn't the capital charge yet." The warders smiled, but stuck to their: "It must be a black coat." "If it's to dispatch my case any quicker, I don't mind," replied K., opening the wardrobe, where he searched for a long time among his many suits, chose his best black one, a lounge suit which had caused almost a sensation among his acquaintances because of its elegance, then selected another shirt and began to dress with great care. In his secret heart he thought he had managed after all to speed up the proceedings, for the warders had forgotten to make him take a bath. He kept an eye on them to see if they would remember the ducking, but of course it never occurred to them, yet on the other hand Willem did not forget to send Franz to the Inspector with the information that K. was dressing.

When he was fully dressed he had to walk, with Willem treading on his heels, through the next room, which was now empty, into the adjoining one, whose double doors were flung open. This room, as K. knew quite well, had recently been taken by a Fräulein Bürstner, a typist, who went very early to work, came home late, and with whom he had exchanged little more than a few words in passing. Now the night table beside her bed had been pushed into the middle of the floor to serve as a desk, and the Inspector was sitting behind it. He had crossed his legs, and one arm was resting on the back of the chair.*

In a corner of the room three young men were standing

looking at Fräulein Bürstner's photographs, which were stuck into a mat hanging on the wall. A white blouse dangled from the latch of the open window. In the window over the way the two old creatures were again stationed, but they had enlarged their party, for behind them, towering head and shoulders above them, stood a man with a shirt open at the neck and a reddish, pointed beard, which he kept pinching and twisting with his fingers. "Joseph K.?" asked the Inspector, perhaps merely to draw K.'s roving glance upon himself. K. nodded. "You are presumably very much surprised at the events of this morning?" asked the Inspector, with both hands rearranging the few things that lay on the night table, a candle and a matchbox, a book and a pincushion, as if they were objects which he required for his interrogation. "Certainly," said K., and he was filled with pleasure at having encountered a sensible man at last, with whom he could discuss the matter. "Certainly, I am surprised, but I am by no means very much surprised." "Not very much surprised?" asked the Inspector, setting the candle in the middle of the table and then grouping the other things round it. "Perhaps you misunderstand me," K. hastened to add. "I mean"—here K. stopped and looked round him for a chair. "I suppose I may sit down?" he asked. "It's not usual," answered the Inspector. "I mean," said K. without further parley, "that I am very much surprised, of course, but when one has lived for thirty years in this world and had to fight one's way through it, as I have had to do, one becomes hardened to surprises and doesn't take

them too seriously. Particularly the one this morning."* "Why particularly the one this morning?" "I won't say that I regard the whole thing as a joke, for the preparations that have been made seem too elaborate for that. The whole staff of the boarding-house would have to be involved, as well as all you people, and that would be past a joke. So I don't say that it's a joke." "Quite right," said the Inspector, looking to see how many matches there were in the matchbox. "But on the other hand," K. went on, turning to everybody there—he wanted to bring in the three young men standing beside the photographs as well —"on the other hand, it can't be an affair of any great importance either. I argue this from the fact that though I am accused of something, I cannot recall the slightest offense that might be charged against me. But that even is of minor importance, the real question is, who accuses me? What authority is conducting these proceedings? Are you officers of the law? None of you has a uniform, unless your suit"—here he turned to Franz—"is to be considered a uniform, but it's more like a tourist's outfit. I demand a clear answer to these questions, and I feel sure that after an explanation we shall be able to part from each other on the best of terms." The Inspector flung the matchbox down on the table. "You are laboring under a great delusion," he said. "These gentlemen here and myself have no standing whatever in this affair of yours, indeed we know hardly anything about it. We might wear the most official uniforms and your case would not be a penny the worse. I can't even confirm that you are charged

with an offense, or rather I don't know whether you are. You are under arrest, certainly, more than that I do not know. Perhaps the warders have given you a different impression, but they are only irresponsible gossips.* However, if I can't answer your questions, I can at least give you a piece of advice; think less about us and of what is going to happen to you, think more about yourself instead. And don't make such an outcry about your feeling innocent, it spoils the not unfavorable impression you make in other respects. Also you should be far more reticent, nearly everything you have just said could have been implied in your behavior with the help of a word here and there, and in any case does not redound particularly to your credit."

K. stared at the Inspector. Was he to be taught lessons in manners by a man probably younger than himself? To be punished for his frankness by a rebuke? And about the cause of his arrest and about its instigator was he to learn nothing?

He was thrown into a certain agitation, and began to walk up and down—nobody hindered him—pushed back his cuffs, fingered his shirt-front, ruffled his hair, and as he passed the three young men said: "This is sheer nonsense!" Whereupon they turned toward him and regarded him sympathetically but gravely; at last he came to a stand before the Inspector's table. "Hasterer, the lawyer, is a personal friend of mine," he said. "May I telephone to him?" "Certainly," replied the Inspector, "but I don't see what sense there would be in that, unless you have

some private business of your own to consult him about." "What sense would there be in that?" cried K., more in amazement than exasperation. "What kind of man are you, then? You ask me to be sensible and you carry on in the most senseless way imaginable yourself! It's enough to sicken the dogs. People first fall upon me in my own house and then lounge about the room and put me through my paces for your benefit. What sense would there be in telephoning to a lawyer when I'm supposed to be under arrest? All right, I won't telephone." "But do telephone if you want to," replied the Inspector, waving an arm toward the entrance hall, where the telephone was, "please do telephone." "No, I don't want to now," said K., going over to the window. Across the street the party of three was still on the watch, and their enjoyment of the spectacle received its first slight check when K. appeared at the window. The two old people moved as if to get up, but the man at the back pacified them. "Here's a fine crowd of spectators!" cried K. in a loud voice to the Inspector, pointing at them with his finger. "Go away," he shouted across. The three of them immediately retreated a few steps, the two ancients actually took cover behind the younger man, who shielded them with his massive body and to judge from the movements of his lips was saying something which, owing to the distance, could not be distinguished. Yet they did not remove themselves altogether, but seemed to be waiting for the chance to return to the window again unobserved. "Officious, inconsiderate wretches!" said K. as he turned back to the room

again. The Inspector was possibly of the same mind, K. fancied, as far as he could tell from a hasty side-glance. But it was equally possible that the Inspector had not even been listening, for he had pressed one hand firmly on the table and seemed to be comparing the length of his fingers. The two warders sat on a chest draped with an embroidered cloth, rubbing their knees. The three young men were looking aimlessly round them with their hands on their hips. It was as quiet as in some deserted office. "Come, gentlemen," cried K.—it seemed to him for the moment as if he were responsible for all of them—"from the look of you this affair of mine seems to be settled. In my opinion the best thing now would be to bother no more about the justice or injustice of your behavior and settle the matter amicably by shaking hands on it. If you are of the same opinion, why, then—" and he stepped over to the Inspector's table and held out his hand. The Inspector raised his eyes, bit his lips, and looked at K.'s hand stretched out to him; K. still believed he was going to close with the offer. But instead he got up, seized a hard round hat lying on Fräulein Bürstner's bed, and with both hands put it carefully on his head, as if he were trying it on for the first time. "How simple it all seems to you!" he said to K. as he did so. "You think we should settle the matter amicably, do you? No, no, that really can't be done. On the other hand I don't mean to suggest that you should give up hope. Why should you? You are only under arrest, nothing more. I was requested to inform you of this. I have done so, and I have also

observed your reactions. That's enough for today, and we can say good-by, though only for the time being, naturally. You'll be going to the Bank now, I suppose?" "To the Bank?" asked K. "I thought I was under arrest?" K. asked the question with a certain defiance, for though his offer to shake hands had been ignored, he felt more and more independent of all these people, especially now that the Inspector had risen to his feet. He was playing with them. He considered the idea of running after them to the front door as they left and challenging them to take him prisoner. So he said again: "How can I go to the Bank, if I am under arrest?" "Ah, I see," said the Inspector, who had already reached the door. "You have misunderstood me. You are under arrest, certainly, but that need not hinder you from going about your business. Nor will you be prevented from leading your ordinary life." "Then being arrested isn't so very bad," said K., going up to the Inspector. "I never suggested that it was," said the Inspector. "But in that case it would seem there was no particular necessity to tell me about it," said K., moving still closer. The others had drawn near too. They were all gathered now in a little space beside the door. "It was my duty," said the Inspector. "A stupid duty," said K. inflexibly. "That may be," replied the Inspector, "but we needn't waste our time with such arguments. I was assuming that you would want to go to the Bank. As you are such a quibbler over words, let me add that I am not forcing you to go to the Bank, I was merely assuming that you would want to go. And to

facilitate that, and render your arrival at the Bank as unobtrusive as possible, I have detained these three gentlemen here, who are colleagues of yours, to be at your disposal." "What?" cried K., gaping at the three of them. These insignificant anemic young men, whom he had observed only as a group standing beside the photographs, were actually clerks in the Bank, not colleagues of his—that was putting it too strongly and indicated a gap in the omniscience of the Inspector—but they were subordinate employees of the Bank all the same. How could he have failed to notice that? He must have been very much taken up with the Inspector and the warders not to recognize these three young men. The stiff Rabensteiner swinging his arms, the fair Kullich with the deep-set eyes, and Kaminer with his insupportable smile, caused by a chronic muscular twitch. "Good morning!" said K. after a pause, holding out his hand to the three politely bowing figures. "I didn't recognize you. Well, shall we go to our work now, eh?" The young men nodded, smilingly and eagerly, as if they had been waiting all the time merely for this, but when K. turned to get his hat, which he had left in his room, they all fled one after the other to fetch it, which seemed to indicate a certain embarrassment. K. stood still and watched them through the two open doors; the languid Rabensteiner, naturally, brought up the rear, for he merely minced along at an elegant trot. Kaminer handed over the hat and K. had to tell himself expressly, as indeed he had often to do in the Bank, that Kaminer's smile was not intentional, that the man could

of the Inspector and the warders. But he immediately turned away again and leaned back comfortably in the corner without even having attempted to distinguish one of them. Unlikely as it might seem, this was just the moment when he would have welcomed a few words from his companions, but the others seemed to be suddenly tired: Rabensteiner gazed out to the right, Kullich to the left, and only Kaminer faced him with his nervous grin, which, unfortunately, on grounds of humanity could not be made a subject of conversation.

That spring K. had been accustomed to pass his evenings in this way: after work whenever possible—he was usually in his office until nine—he would take a short walk, alone or with some of his colleagues, and then go to a beer hall, where until eleven he sat at a table patronized mostly by elderly men. But there were exceptions to this routine, when, for instance, the Manager of the Bank, who highly valued his diligence and reliability, invited him for a drive or for dinner at his villa. And once a week K. visited a girl called Elsa, who was on duty all night till early morning as a waitress in a cabaret and during the day received her visitors in bed.

But on this evening—the day had passed quickly, filled with pressing work and many flattering and friendly birthday wishes—K. resolved to go straight home. During every brief pause in the day's work he had kept this resolve in mind; without his quite knowing why, it seemed to him that the whole household of Frau Grubach had been thrown into great disorder by the events of the

world! As you've spoken so frankly to me, Herr K., I may as well admit to you that I listened for a little behind the door and that the two warders told me a few things too. It's a matter of your happiness, and I really have that at heart, more perhaps than I should, for I am only your landlady. Well, then, I heard a few things, but I can't say that they were particularly bad. No. You are under arrest, certainly, but not as a thief is under arrest. If one's arrested as a thief, that's a bad business, but as for this arrest— It gives me the feeling of something very learned, forgive me if what I say is stupid, it gives me the feeling of something learned which I don't understand, but which there is no need to understand."

"What you've just said is by no means stupid, Frau Grubach, at least I'm partly of the same opinion, except that I judge the whole thing still more severely. There's nothing learned about it. It's completely null and void. I was taken by surprise, that was all. If immediately on wakening I had got up without troubling my head about Anna's absence and had come to you without regarding anyone who tried to bar my way, I could have breakfasted in the kitchen for a change and could have got you to bring me my clothes from my room; in short, if I had behaved sensibly, nothing further would have happened, all this would have been nipped in the bud. But one is so unprepared. In the Bank, for instance, I am always prepared, nothing of that kind could possibly happen to me there, I have my own attendant, the general telephone and the office telephone stand before me on my

desk, people keep coming in to see me, clients and clerks, and above all, my mind is always on my work and so kept on the alert, it would be an actual pleasure to me if a situation like that cropped up in the Bank. Well, it's past history now and I didn't really intend to speak about it again, only I wanted to hear your judgment, the judgment of a sensible woman, and I am very glad we are in agreement. But now you must give me your hand on it, an agreement such as this must be confirmed with a handshake."

"Will she take my hand? The Inspector wouldn't do it," he thought, gazing at the woman with a different, a critical eye. She stood up because he had stood up, she was a little embarrassed, for she had not understood all that he had said. And because of her embarrassment she said something which she had not intended to say and which was, moreover, rather out of place. "Don't take it so much to heart, Herr K.," she said with tears in her voice, forgetting, naturally, to shake his hand. "I had no idea that I was taking it to heart," said K., suddenly tired and seeing how little it mattered whether she agreed with him or not.

At the door he asked: "Is Fräulein Bürstner in?" "No," replied Frau Grubach, and in giving this dry piece of information she smiled with honest if belated sympathy. "She's at the theater. Do you want to ask her something? Shall I give her a message?" "Oh, I just wanted a word or two with her." "I'm afraid I don't know when she will be back; when she goes to the theater she's usually late." "It's of no consequence," said K., turning

to the door, his head sunk on his breast. "I only wanted to apologize to her for having borrowed her room today." "That's quite unnecessary, Herr K., you are too scrupulous, Fräulein Bürstner knows nothing about it, she hasn't been back since early this morning, everything has been put back in its place again too, see for yourself." And she opened the door of Fräulein Bürstner's room. "Thanks, I believe you," said K., but went in through the open door all the same. The moon shone softly into the dark chamber. As far as one could see everything was really in its proper place, and the blouse was no longer dangling from the latch of the window. The pillows on the bed looked strangely high, they were lying partly in the moonlight. "She often comes home late," said K., looking at Frau Grubach as if she were to blame for it. "Young people are like that," said Frau Grubach apologetically. "Certainly, certainly," said K., "but it can go too far." "That it can," said Frau Grubach, "how right you are, Herr K.! In this case especially, perhaps. I have no wish to speak ill of Fräulein Bürstner, she is a dear, good girl, kind, decent, punctual, industrious, I admire all these qualities in her, but one thing is undeniable, she should have more pride, should keep herself more to herself. This very month I have met her twice already on outlying streets, and each time with a different gentleman. It worries me, and as sure as I stand here, Herr K., I haven't told anybody but you, but I'm afraid there's no help for it, I shall have to talk to Fräulein Bürstner herself about it. Besides, it isn't the only thing that has made me suspicious of her." "You're quite on the wrong

track," said K., with a sudden fury which he was scarcely able to hide, "and you have obviously misunderstood my remark about Fräulein Bürstner, it wasn't meant in that way. In fact I frankly warn you against saying anything to her; you're quite mistaken, I know Fräulein Bürstner very well, there isn't a word of truth in what you say. But perhaps I'm going too far myself. I don't want to interfere, you can say what you like to her. Good night." "Good night, Herr K.," said Frau Grubach imploringly, hurrying after him to his door, which he had already opened, "I don't really mean to say anything to her yet, of course I'll wait to see what happens before I do anything, you're the only one I've spoken to, in confidence. After all it must be to the interest of all my boarders that I try to keep my house respectable, and that is all I'm anxious about in this case." "Respectable!" cried K., through the chink of the door; "if you want to keep your house respectable you'll have to begin by giving me notice." Then he shut the door and paid no attention to the faint knocking that ensued.

On the other hand, as he felt no desire to sleep, he resolved to stay awake and take the opportunity of noting at what hour Fräulein Bürstner returned. Perhaps when she did so it might still be possible, unsuitable though the hour was, to have a few words with her. As he lounged by the window and shut his tired eyes, he actually considered for a moment paying Frau Grubach out by persuading Fräulein Bürstner to give notice along with him. Yet he saw at once that this was an excessive reaction, and he began to suspect himself of wishing to change

have explained to you, Fräulein," said K., going over to the photographs, "that it was not I who interfered with these photographs; still, as you won't believe me, I have to confess that the Court of Inquiry brought three Bank clerks here, one of whom, and I shall have him dismissed at the first opportunity, must have meddled with your photographs." In answer to the Fräulein's inquiring look he added: "Yes, there was a Court of Inquiry here today." "On your account?" asked the Fräulein. "Yes," replied K. "No!" cried the girl, laughing. "Yes, it was," said K. "Why, do you think I must be innocent?" "Well, innocent," said Fräulein Bürstner, "I don't want to commit myself, at a moment's notice, to a verdict with so many possible implications, besides, I don't really know you; all the same, it must be a serious crime that would bring a Court of Inquiry down on a man. Yet as you are still at large—at least I gather from the look of you that you haven't just escaped from prison—you couldn't really have committed a serious crime." "Yes," said K., "but the Court of Inquiry might have discovered, not that I was innocent, but that I was not so guilty as they had assumed." "Certainly, that is possible," said Fräulein Bürstner, very much on the alert. "You see," said K., "you haven't much experience in legal matters." "No, I haven't," said Fräulein Bürstner, "and I have often regretted it, for I would like to know everything there is to know, and law courts interest me particularly. A court of law has a curious attraction, hasn't it? But I'll soon remedy my ignorance in that respect, for next month I am joining the clerical staff of a lawyer's office." "That's

excellent," said K. "Then you'll be able to help me a little with my case." "That may well be," said Fräulein Bürstner, "why not? I like to make good use of my knowledge." "But I mean it seriously," said K., "or at least half-seriously, as you yourself mean it. The case is too trifling to need a lawyer, but I could do very well with an adviser." "Yes, but if I am to be an adviser I must know what it's all about," said Fräulein Bürstner. "That's just the trouble," said K. "I don't know that myself." "Then you've simply been making fun of me," said Fräulein Bürstner, extravagantly disappointed, "it was surely unnecessary to choose this late hour for doing so." And she walked away from the photographs, where they had been standing together for a long time. "But, Fräulein," said K., "I'm not making fun of you. Why won't you believe me? I have already told you all I know. In fact more than I know, for it was not a real Court of Inquiry. I called it that because I didn't know what else to call it. There was no interrogation at all, I was merely arrested, but it was done by a Commission." Fräulein Bürstner sat down on the sofa and laughed again.* "What was it like, then?" she asked. "Horrible," said K., but he was no longer thinking of what he was saying, for he was completely taken up in staring at Fräulein Bürstner, who was leaning her head on one hand—her elbow was resting on the sofa cushions—while with the other she slowly caressed her hip. "That's too general," she said. "What's too general?" asked K. Then he came to himself and asked: "Shall I let you see how it happened?" He wanted to move about and yet he did not want to leave.

"I'm tired," said Fräulein Bürstner. "You came home so late," said K. "So you've gone the length of reproaching me, and I deserve it, too, for I should never have let you in. And there was no need for it, either, that's evident." "There was a need for it. I'll make you see that in a minute," said K. "May I shift this night table from beside your bed?" "What an idea!" cried Fräulein Bürstner. "Of course not!" "Then I can't show you how it happened," said K. in agitation, as if some immeasurable wrong had been inflicted upon him. "Oh, if you need it for your performance, shift the table by all means," said Fräulein Bürstner, and after a pause added in a smaller voice: "I'm so tired that I'm letting you take too many liberties." K. stationed the table in the middle of the room and sat down behind it. "You must picture to yourself exactly where the various people are, it's very interesting. I am the Inspector, over there on the chest two warders are sitting, beside the photographs three young men are standing. At the latch of the window—just to mention it in passing—a white blouse is dangling. And now we can begin. Oh, I've forgotten about myself, the most important person; well, I'm standing here in front of the table. The Inspector is lounging at his ease with his legs crossed, his arm hanging over the back of the chair like this, an absolute boor. And now we can really begin. The Inspector shouts as if he had to waken me out of my sleep, he actually bawls; I'm afraid, if I am to make you understand, I'll have to bawl too, but he only bawls my name." Fräulein Bürstner, who was listening with amusement, put her finger to her lips to keep K. from

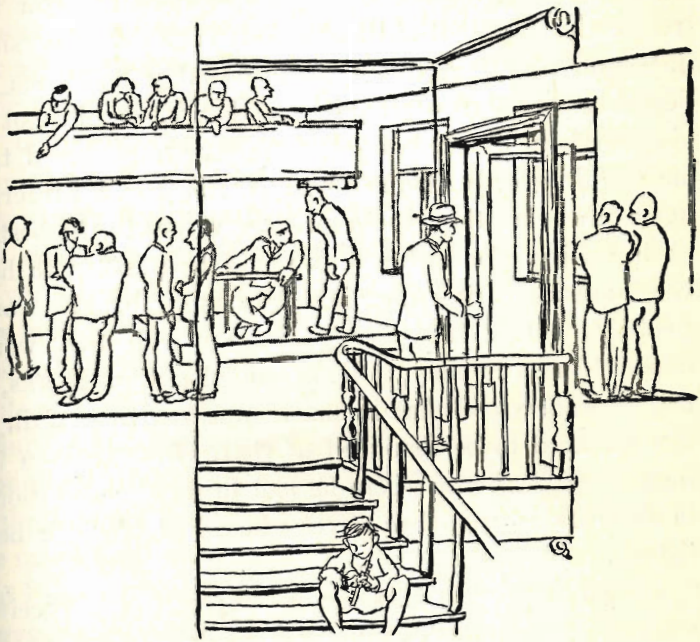
shouting, but it was too late, K. was too absorbed in his role, he gave a long-drawn shout: "Joseph K.," less loud indeed than he had threatened, but with such explosive force that it hung in the air a moment before gradually spreading through the room.

Then there was a knocking at the door of the adjoining room, a loud, sharp regular tattoo. Fräulein Bürstner turned pale and put her hand to her heart. K. was violently startled, it took him a moment or so to withdraw his thoughts from the events of the morning and the girl before whom he was acting them. No sooner had he come to himself than he rushed over to Fräulein Bürstner and seized her hand. "Don't be afraid," he whispered, "I'll put everything right. But who can it be? There's only the living room next door, nobody sleeps there." "No," Fräulein Bürstner whispered in his ear, "since yesterday a nephew of Frau Grubach has been sleeping there, a Captain. There was no other room he could have. I forgot all about it. Why did you have to shout like that? I'm all upset." "There's no need for that," said K., and as she sank back on the cushions he kissed her on the brow. "Away with you, away with you," she said, hastily sitting up again, "do go away, do go now, what are you thinking about, he's listening at the door, he hears everything. How you torment me!" "I won't go," said K., "until you are a little calmer. Come to the far corner of the room, he can't hear us there." She let herself be led there. "You forget," he said, "that though this may mean unpleasantness for you, it is not at all serious. You know how Frau Grubach, who has the decisive voice in

left in peace. The few minutes you begged for have stretched to half an hour and more." K. clasped her hand and then her wrist. "But you aren't angry with me?" he asked. She shook his hand off and answered: "No, no, I'm never angry with anybody." He felt for her wrist again, she let him take it this time and so led him to the door. He was firmly resolved to leave. But at the door he stopped as if he had not expected to find a door there; Fräulein Bürstner seized this moment to free herself, open the door, and slip into the entrance hall, where she whispered: "Now, please do come! Look"—she pointed to the Captain's door, underneath which showed a strip of light—"he has turned on his light and is amusing himself at our expense." "I'm just coming," K. said, rushed out, seized her, and kissed her first on the lips, then all over the face, like some thirsty animal lapping greedily at a spring of long-sought fresh water. Finally he kissed her on the neck, right on the throat, and kept his lips there for a long time. A slight noise from the Captain's room made him look up. "I'm going now," he said; he wanted to call Fräulein Bürstner by her first name, but he did not know what it was. She nodded wearily, resigned her hand for him to kiss, half turning away as if she were unaware of what she did, and went into her room with down-bent head. Shortly afterwards K. was in his bed. He fell asleep almost at once, but before doing so he thought for a little about his behavior, he was pleased with it, yet surprised that he was not still more pleased; he was seriously concerned for Fräulein Bürstner because of the Captain.

CHAPTER TWO

First Interrogation



K. WAS informed by telephone that next Sunday a short inquiry into his case would take place. His attention was drawn to the fact that these inquiries would now follow each other regularly, perhaps not every week, but at more frequent intervals as time went on. It was in the general

interest, on the one hand, that the case should be quickly concluded, but on the other hand the interrogations must be thorough in every respect, although, because of the strain involved, they must never last too long. For this reason the expedient of these rapidly succeeding but short interrogations had been chosen. Sunday had been selected as the day of inquiry so that K. might not be disturbed in his professional work. It was assumed that he would agree to this arrangement, but if he preferred some other day they would meet his wishes to the best of their ability. For instance, it would be possible to hold the inquiries during the night, although then K. would probably not be fresh enough. At any rate they would expect him on Sunday, if K. had no objection. It was, of course, understood that he must appear without fail, he did not need to be reminded of that. He was given the number of the house where he had to go, it was a house in an outlying suburban street where he had never been before.

On receiving this message K. replaced the receiver without answering; his mind was made up to keep the appointment on Sunday, it was absolutely essential, the case was getting under way and he must fight it; this first interrogation must also be the last. He was still standing thoughtfully beside the telephone when he heard behind him the voice of the Assistant Manager, who wanted to telephone and found K. barring his way. "Bad news?" asked the Assistant Manager casually, not really wanting to know but merely eager to get K. away from

the telephone. "No, no," said K., stepping aside but without going away. The Assistant Manager lifted the receiver and said, speaking round it while he waited to be connected: "Oh, a word with you, Herr K. Would you do me the favor of joining a party on my yacht on Sunday morning? There will be quite a large party, doubtless some of your friends will be among them. Herr Hasterer, the lawyer, among others. Will you come? Do come!" K. made an effort to attend to what the Assistant Manager was saying. It was of no slight importance to him, for this invitation from a man with whom he had never got on very well was a sort of friendly overture and showed how important K. had become to the Bank and how valuable his friendship or at least his neutrality had become to its second highest official. The Assistant Manager had definitely humbled himself in giving this invitation, even though he had merely dropped it casually while waiting at the telephone to get a connection. Yet K. had to humble the man a second time, for he said: "Thanks very much. But I'm sorry I have no time on Sunday, I have a previous engagement." "A pity," said the Assistant Manager, turning to speak into the telephone, which had just been connected. It was not a short conversation, but in his confusion K. remained standing the whole time beside the instrument. Not till the Assistant Manager had rung off did he start out of his reverie in some alarm and say, to excuse his aimless loitering: "I have just been rung up and asked to go somewhere, but they forgot to tell me at what time." "Well, you can ring up and ask," said the

them so very positively and clearly. Finally, however, he climbed the first stairs and his mind played in retrospect with the saying of the warder Willem that an attraction existed between the Law and guilt, from which it should really follow that the Court of Inquiry must abut on the particular flight of stairs which K. happened to choose.

On his way up he disturbed many children who were playing on the stairs and looked at him angrily as he strode through their ranks. "If I ever come here again," he told himself, "I must either bring sweets to cajole them with or else a stick to beat them." Just before he reached the first floor he had actually to wait for a moment until a marble came to rest, two children with the lined, pinched faces of adult rogues holding him meanwhile by his trousers; if he had shaken them off he must have hurt them, and he feared their outcries.

His real search began on the first floor. As he could not inquire for the Court of Inquiry he invented a joiner called Lanz—the name came into his mind because Frau Grubach's nephew, the Captain, was called Lanz—and so he began to inquire at all the doors if a joiner called Lanz lived there, so as to get a chance to look into the rooms. It turned out, however, that that was quite possible without further ado, for almost all the doors stood open, with children running out and in. Most of the flats, too, consisted of one small single-windowed room in which cooking was going on. Many of the women were holding babies in one arm and working over the stove with the arm that was left free. Half-grown girls who seemed to

door he came to on the fifth story. The first thing he saw in the little room was a great pendulum clock which already pointed to ten. "Does a joiner called Lanz live here?" he asked. "Please go through," said a young woman with sparkling black eyes, who was washing children's clothes in a tub, and she pointed with her damp hand to the open door of the next room.

K. felt as though he were entering a meeting-hall. A crowd of the most variegated people—nobody troubled about the newcomer—filled a medium-sized two-windowed room, which just below the roof was surrounded by a gallery, also quite packed, where the people were able to stand only in a bent posture with their heads and backs knocking against the ceiling. K., feeling the air too thick for him, stepped out again and said to the young woman, who seemed to have misunderstood him: "I asked for a joiner, a man called Lanz." "I know," said the woman, "just go right in." K. might not have obeyed if she had not come up to him, grasped the handle of the door, and said: "I must shut this door after you, nobody else must come in." "Very sensible," said K., "but the room is surely too full already." However, he went in again.

Between two men who were talking together just inside the door—the one was making with both outstretched hands a gesture as if paying out money while the other was looking him sharply in the eye—a hand reached out and seized K. It belonged to a little red-cheeked lad. "Come along, come along," he said. K. let himself be led off, it seemed that in the confused, swarm-

ing crowd a slender path was kept free after all, possibly separating two different factions; in favor of this supposition was the fact that immediately to right and left of him K. saw scarcely one face looking his way, but only the backs of people who were addressing their words and gestures to the members of their own party. Most of them were dressed in black, in old, long, and loosely hanging Sunday coats. These clothes were the only thing that baffled K., otherwise he would have taken the gathering for a local political meeting.*

At the other end of the hall, toward which K. was being led, there stood on a low and somewhat crowded platform a little table, set at a slant, and behind it, near the very edge of the platform, sat a fat little wheezing man who was talking with much merriment to a man sprawling just behind him with his elbow on the back of the chair and his legs crossed. The fat little man now and then flung his arms into the air, as if he were caricaturing someone. The lad who was escorting K. found it difficult to announce his presence. Twice he stood on tiptoe and tried to say something, without being noticed by the man up above. Not till one of the people on the platform pointed out the lad did the man turn to him and bend down to hear his faltered words. Then he drew out his watch and with a quick glance at K., "You should have been here an hour and five minutes ago," he said. K. was about to answer, but had no time to do so, for scarcely had the man spoken when a general growl of disapproval followed in the right half of the hall. "You should have

been here an hour and five minutes ago," repeated the man in a raised voice, casting another quick glance into the body of the hall. Immediately the muttering grew stronger and took some time to subside, even though the man said nothing more. Then it became much quieter in the hall than at K.'s entrance. Only the people in the gallery still kept up their comments. As far as one could make out in the dimness, dust, and reek, they seemed to be worse dressed than the people below. Some had brought cushions with them, which they put between their heads and the ceiling, to keep their heads from getting bruised.

K. made up his mind to observe rather than speak, consequently he offered no defense of his alleged lateness in arriving and merely said: "Whether I am late or not, I am here now." A burst of applause followed, once more from the right side of the hall. "These people are easy to win over," thought K., disturbed only by the silence in the left half of the room, which lay just behind him and from which only one or two isolated handclaps had come. He considered what he should say to win over the whole of the audience once and for all, or if that were not possible, at least to win over most of them for the time being.

"Yes," said the man, "but I am no longer obliged to hear you now"—once more the muttering arose, this time unmistakable in its import, for, silencing the audience with a wave of the hand, the man went on: "yet I shall make an exception for once on this occasion. But such a

delay must not occur again. And now step forward." Someone jumped down from the platform to make room for K., who climbed on to it. He stood crushed against the table, the crowd behind him was so great that he had to brace himself to keep from knocking the Examining Magistrate's table and perhaps the Examining Magistrate himself off the platform.

But the Examining Magistrate did not seem to worry, he sat quite comfortably in his chair and after a few final words to the man behind him took up a small notebook, the only object lying on the table. It was like an ancient school exercise-book, grown dog-eared from much thumbing. "Well, then," said the Examining Magistrate, turning over the leaves and addressing K. with an air of authority, "you are a house painter?" "No," said K., "I'm the chief clerk of a large Bank." This answer evoked such a hearty outburst of laughter from the Right party that K. had to laugh too. People doubled up with their hands on their knees and shook as if in spasms of coughing. There were even a few guffaws from the gallery. The Examining Magistrate, now indignant, and having apparently no authority to control the people in the body of the hall, proceeded to vent his displeasure on those in the gallery, springing up and scowling at them till his eyebrows, hitherto inconspicuous, contracted in great black bushes above his eyes.

The Left half of the hall, however, was still as quiet as ever, the people there stood in rows facing the platform and listened unmoved to what was going on up there as

well as to the noise in the rest of the hall, indeed they actually suffered some of their members to initiate conversations with the other faction. These people of the Left party, who were not so numerous as the others, might in reality be just as unimportant, but the composure of their bearing made them appear of more consequence. As K. began his speech he was convinced that he was actually representing their point of view.

"This question of yours, Sir, about my being a house painter—or rather, not a question, you simply made a statement—is typical of the whole character of this trial that is being foisted on me. You may object that it is not a trial at all; you are quite right, for it is only a trial if I recognize it as such. But for the moment I do recognize it, on grounds of compassion, as it were. One can't regard it except with compassion, if one is to regard it at all. I do not say that your procedure is contemptible, but I should like to present that epithet to you for your private consumption." K. stopped and looked down into the hall. He had spoken sharply, more sharply than he had intended, but with every justification. His words should have merited applause of some kind, yet all was still, the audience were clearly waiting intently for what was to follow; perhaps in that silence an outbreak was preparing which would put an end to the whole thing. K. was annoyed when the door at the end of the hall opened at that moment, admitting the young washerwoman, who seemed to have finished her work; she distracted some of the audience in spite of all the caution with which she entered.

But the Examining Magistrate himself rejoiced K.'s heart, for he seemed to be quite dismayed by the speech. Until now he had been on his feet, for he had been surprised by K.'s speech as he got up to rebuke the gallery. In this pause he resumed his seat, very slowly, as if he wished his action to escape remark. Presumably to calm his spirit, he turned over the notebook again.

"That won't help you much," K. continued, "your very notebook, Sir, confirms what I say." Emboldened by the mere sound of his own cool words in that strange assembly, K. simply snatched the notebook from the Examining Magistrate and held it up with the tips of his fingers, as if it might soil his hands, by one of the middle pages, so that the closely written, blotted, yellow-edged leaves hung down on either side. "These are the Examining Magistrate's records," he said, letting it fall on the table again. "You can continue reading it at your ease, Herr Examining Magistrate, I really don't fear this ledger of yours though it is a closed book to me, for I would not touch it except with my finger tips and cannot even take it in my hand." It could only be a sign of deep humiliation, or must at least be interpreted as such, that the Examining Magistrate now took up the notebook where it had fallen on the table, tried to put it to rights again, and once more began to read it.

The eyes of the people in the first row were so tensely fixed upon K. that for a while he stood silently looking down at them. They were without exception elderly men, some of them with white beards. Could they possibly be

the influential men, the men who would carry the whole assembly with them, and did they refuse to be shocked out of the impassivity into which they had sunk ever since he began his speech, even although he had publicly humiliated the Examining Magistrate?

"What has happened to me," K. went on, rather more quietly than before, trying at the same time to read the faces in the first row, which gave his speech a somewhat disconnected effect, "what has happened to me is only a single instance and as such of no great importance, especially as I do not take it very seriously, but it is representative of a misguided policy which is being directed against many other people as well. It is for these that I take up my stand here, not for myself."

He had involuntarily raised his voice. Someone in the audience clapped his hands high in the air and shouted: "Bravo! Why not? Bravo! And bravo again!" A few men in the first row pulled at their beards, but none turned round at this interruption. K., too, did not attach any importance to it, yet felt cheered nevertheless; he no longer considered it necessary to get applause from everyone, he would be quite pleased if he could make the audience start thinking about the question and win a man here and there through conviction.

"I have no wish to shine as an orator," said K., having come to this conclusion, "nor could I if I wished. The Examining Magistrate, no doubt, is much the better speaker, it is part of his vocation. All I desire is the public ventilation of a public grievance. Listen to me.

Some ten days ago I was arrested, in a manner that seems ridiculous even to myself, though that is immaterial at the moment. I was seized in bed before I could get up, perhaps—it is not unlikely, considering the Examining Magistrate's statement—perhaps they had orders to arrest some house painter who is just as innocent as I am, only they hit on me. The room next to mine was requisitioned by two coarse warders. If I had been a dangerous bandit they could not have taken more careful precautions. These warders, moreover, were degenerate ruffians, they deafened my ears with their gabble, they tried to induce me to bribe them, they attempted to get my clothes and underclothes from me under dishonest pretexts, they asked me to give them money ostensibly to bring me some breakfast after they had brazenly eaten my own breakfast under my eyes. But that was not all. I was led into a third room to confront the Inspector. It was the room of a lady whom I deeply respect, and I had to look on while this room was polluted, yes, polluted, on my account but not by any fault of mine, through the presence of these warders and this Inspector. It was not easy for me to remain calm. I succeeded, however, and I asked the Inspector with the utmost calm—if he were here, he would have to substantiate that—why I had been arrested. And what was the answer of this Inspector, whom I can see before me now as he lounged in a chair belonging to the lady I have mentioned, like an embodiment of crass arrogance? Gentlemen, he answered in effect nothing at all, perhaps he really knew nothing; he had arrested me

and that was enough. But that is not all, he had brought three minor employees of my Bank into the lady's room, who amused themselves by fingering and disarranging certain photographs, the property of the lady. The presence of these employees had another object as well, of course, they were expected, like my landlady and her maid, to spread the news of my arrest, damage my public reputation, and in particular shake my position in the Bank. Well, this expectation has entirely failed of its success, even my landlady, a quite simple person—I pronounce her name in all honor, she is called Frau Grubach—even Frau Grubach has been intelligent enough to recognize that an arrest such as this is no more worth taking seriously than some wild prank committed by stray urchins at the street corners. I repeat, the whole matter has caused me nothing but some unpleasantness and passing annoyance, but might it not have had worse consequences?"

When K. stopped at this point and glanced at the silent Examining Magistrate, he thought he could see him catching someone's eye in the audience, as if giving a sign. K. smiled and said: "The Examining Magistrate sitting here beside me has just given one of you a secret sign. So there are some among you who take your instructions from up here. I do not know whether the sign was meant to evoke applause or hissing, and now that I have divulged the matter prematurely I deliberately give up all hope of ever learning its real significance. It is a matter of complete indifference to me, and I publicly empower the

Examining Magistrate to address his hired agents in so many words, instead of making secret signs to them, to say at the proper moment: Hiss now, or alternatively: Clap now."

The Examining Magistrate kept fidgeting on his chair with embarrassment or impatience. The man behind him to whom he had been talking bent over him again, either to encourage him or to give him some particular counsel. Down below, the people in the audience were talking in low voices but with animation. The two factions who had seemed previously to be irreconcilable, were now drifting together, some individuals were pointing their fingers at K., others at the Examining Magistrate. The fuggy atmosphere in the room was unbearable, it actually prevented one from seeing the people at the other end. It must have been particularly inconvenient for the spectators in the gallery, who were forced to question the members of the audience in a low voice, with fearful side-glances at the Examining Magistrate, to find out what was happening. The answers were given as furtively, the informant generally putting his hand to his mouth to muffle his words.

"I have nearly finished," said K., striking the table with his fist, since there was no bell. At the shock of the impact the heads of the Examining Magistrate and his adviser started away from each other for a moment. "I am quite detached from this affair, I can therefore judge it calmly, and you, that is to say if you take this alleged court of justice at all seriously, will find it to your great

advantage to listen to me. But I beg you to postpone until later any comments you may wish to exchange on what I have to say, for I am pressed for time and must leave very soon."

At once there was silence, so completely did K. already dominate the meeting. The audience no longer shouted confusedly as at the beginning, they did not even applaud, they seemed already convinced or on the verge of being convinced.

"There can be no doubt—" said K., quite softly, for he was elated by the breathless attention of the meeting; in that stillness a subdued hum was audible which was more exciting than the wildest applause—"there can be no doubt that behind all the actions of this court of justice, that is to say in my case, behind my arrest and today's interrogation, there is a great organization at work. An organization which not only employs corrupt warders, oafish Inspectors, and Examining Magistrates of whom the best that can be said is that they recognize their own limitations, but also has at its disposal a judicial hierarchy of high, indeed of the highest rank, with an indispensable and numerous retinue of servants, clerks, police, and other assistants, perhaps even hangmen, I do not shrink from that word. And the significance of this great organization, gentlemen? It consists in this, that innocent persons are accused of guilt, and senseless proceedings are put in motion against them, mostly without effect, it is true, as in my own case. But considering the senselessness of the whole, how is it possible for the higher

rows of the audience remained quite impassive, no one stirred and no one would let him through. On the contrary they actually obstructed him, someone's hand—he had no time to turn round—seized him from behind by the collar, old men stretched out their arms to bar his way, and by this time K. was no longer thinking about the couple, it seemed to him as if his freedom were being threatened, as if he were being arrested in earnest, and he sprang recklessly down from the platform. Now he stood eye to eye with the crowd. Had he been mistaken in these people? Had he overestimated the effectiveness of his speech? Had they been disguising their real opinions while he spoke, and now that he had come to the conclusion of his speech were they weary at last of pretense? What faces these were around him! Their little black eyes darted furtively from side to side, their beards were stiff and brittle, and to take hold of them would be like clutching bunches of claws rather than beards. But under the beards—and this was K.'s real discovery—badges of various sizes and colors gleamed on their coat-collars. They all wore these badges, so far as he could see. They were all colleagues, these ostensible parties of the Right and the Left, and as he turned round suddenly he saw the same badges on the coat-collar of the Examining Magistrate, who was sitting quietly watching the scene with his hands on his knees. "So!" cried K., flinging his arms in the air, his sudden enlightenment had to break out, "every man jack of you is an official, I see, you are yourselves the corrupt agents of whom I have been speak-

ing, you've all come rushing here to listen and nose out what you can about me, making a pretense of party divisions, and half of you applauded merely to lead me on, you wanted some practice in fooling an innocent man. Well, much good I hope it's done you, for either you have merely gathered some amusement from the fact that I expected you to defend the innocent, or else—keep off or I'll strike you," cried K. to a trembling old man who had pushed quite close to him—"or else you have really learned a thing or two. And I wish you joy of your trade." He hastily seized his hat, which lay near the edge of the table, and amid universal silence, the silence of complete stupefaction, if nothing else, pushed his way to the door. But the Examining Magistrate seemed to have been still quicker than K., for he was waiting at the door. "A moment," he said. K. paused but kept his eyes on the door, not on the Examining Magistrate; his hand was already on the latch. "I merely wanted to point out," said the Examining Magistrate, "that today—you may not yet have become aware of the fact—today you have flung away with your own hand all the advantages which an interrogation invariably confers on an accused man." K. laughed, still looking at the door. "You scoundrels, I'll spare you future interrogations," he shouted, opened the door, and hurried down the stairs. Behind him rose the buzz of animated discussion, the audience had apparently come to life again and were analyzing the situation like expert students.

same address and at the same time. So he betook himself there on Sunday morning, and this time went straight up through the passages and stairways; a few people who remembered him greeted him from their doors, but he no longer needed to inquire of anybody and soon came to the right door. It opened at once to his knock, and without even turning his head to look at the woman, who remained standing beside the door, he made straight for the adjoining room. "There's no sitting today," said the woman. "Why is there no sitting?" he asked; he could not believe it. But the woman convinced him by herself opening the door of the next room. It was really empty and in its emptiness looked even more sordid than on the previous Sunday. On the table, which still stood on the platform as before, several books were lying. "May I glance at the books?" asked K., not out of any particular curiosity, but merely that his visit here might not be quite pointless. "No," said the woman, shutting the door again, "that isn't allowed. The books belong to the Examining Magistrate." "I see," said K., nodding, "these books are probably law books, and it is an essential part of the justice dispensed here that you should be condemned not only in innocence but also in ignorance." "That must be it," said the woman, who had not quite understood him. "Well, in that case I had better go again," said K. "Shall I give the Examining Magistrate a message?" asked the woman. "Do you know him?" asked K. "Of course," replied the woman, "my husband is an usher, you see." Only then did K. notice that the anteroom,

which had contained nothing but a washtub last Sunday, now formed a fully furnished living room. The woman remarked his surprise and said: "Yes, we have free house-room here, but we must clear the room on the days when the Court is sitting. My husband's post has many disadvantages." "I'm not so much surprised at the room," said K., looking at her severely, "as at the fact that you're married." "Perhaps you're hinting at what happened during the last sitting, when I caused a disturbance while you were speaking," said the woman. "Of course I am," said K. "It's an old story by this time, and almost forgotten, but at the moment it made me quite furious. And now you say yourself that you're a married woman." "It didn't do you any harm to have your speech interrupted; what you said made a bad enough impression, to judge from the discussion afterwards." "That may be," said K., evading that issue, "but it does not excuse you." "I stand excused in the eyes of everyone who knows me," said the woman. "The man you saw embracing me has been persecuting me for a long time. I may not be a temptation to most men, but I am to him. There's no way of keeping him off, even my husband has grown reconciled to it now; if he isn't to lose his job he must put up with it, for that man you saw is one of the students and will probably rise to great power yet. He's always after me, he was here today, just before you came." "It is all on a par," said K., "it doesn't surprise me." "You are anxious to improve things here, I think," said the woman slowly and watchfully, as if she were saying something which was

risky both to her and to K., "I guessed that from your speech, which personally I liked very much. Though, of course, I only heard part of it, I missed the beginning and I was down on the floor with the student while you were finishing. It's so horrible here," she said after a pause, taking K.'s hand. "Do you think you'll manage to improve things?" K. smiled and caressed her soft hands. "Actually," he said, "it isn't my place to improve things here, as you put it, and if you were to tell the Examining Magistrate so, let us say, he would either laugh at you or have you punished. As a matter of fact, I should never have dreamed of interfering of my own free will, and shouldn't have lost an hour's sleep over the need for reforming the machinery of justice here. But the fact that I am supposed to be under arrest forces me to intervene—I am under arrest, you know—to protect my own interests. But if I can help you in any way at the same time, I shall be very glad, of course. And not out of pure altruism, either, for you in turn might be able to help me." "How could I do that?" asked the woman. "By letting me look at the books on the table there, for instance." "But of course!" cried the woman, dragging him hastily after her. They were old dog-eared volumes, the cover of one was almost completely split down the middle, the two halves were held together by mere threads. "How dirty everything is here!" said K., shaking his head, and the woman had to wipe away the worst of the dust with her apron before K. would put out his hand to touch the books. He opened the first of them and found an indecent

picture. A man and a woman were sitting naked on a sofa, the obscene intention of the draftsman was evident enough, yet his skill was so small that nothing emerged from the picture save the all-too-solid figures of a man and a woman sitting rigidly upright, and because of the bad perspective, apparently finding the utmost difficulty even in turning toward each other. K. did not look at any of the other pages, but merely glanced at the title page of the second book, it was a novel entitled: *How Grete Was Plagued by Her Husband Hans.* "These are the law books that are studied here," said K. "These are the men who are supposed to sit in judgment on me." "I'll help you," said the woman. "Would you like me to?" "Could you really do that without getting yourself into trouble? You told me a moment ago that your husband is quite at the mercy of the higher officials." "I want to help you, all the same," said the woman. "Come, let us talk it over. Don't bother about the danger to me. I only fear danger when I want to fear it. Come." She settled herself on the edge of the platform and made room for him beside her. "You have lovely dark eyes," she said, after they had sat down, looking up into K.'s face, "I've been told that I have lovely eyes too, but yours are far lovelier. I was greatly struck by you as soon as I saw you, the first time you came here. And it was because of you that I slipped later into the courtroom, a thing I never do otherwise and which, in a manner of speaking, I am actually forbidden to do." "So this is all it amounts to," thought K., "she's offering herself to me, she's corrupt

like the rest of them, she's tired of the officials here, which is understandable enough, and accosts any stranger who takes her fancy with compliments about his eyes." And K. rose to his feet as if he had uttered his thoughts aloud and sufficiently explained his position. "I don't think that could help me," he said; "to help me effectively one would need connections with the higher officials. But I'm sure you know only the petty subordinates that swarm round here. You must know them quite well and could get them to do a lot, I don't doubt, but the utmost that they could do would have no effect whatever on the final result of the case. And you would simply have alienated some of your friends. I don't want that. Keep your friendship with these people, for it seems to me that you need it. I say this with regret, since to make some return for your compliment, I must confess that I like you too, especially when you gaze at me with such sorrowful eyes, as you are doing now, though I assure you there's no reason whatever for it. Your place is among the people I have to fight, but you're quite at home there, you love this student, no doubt, or if you don't love him at least you prefer him to your husband. It's easy to tell that from what you say." "No," she cried without getting up but merely catching hold of K.'s hand, which he did not withdraw quickly enough. "You mustn't go away yet, you mustn't go with mistaken ideas about me. Could you really bring yourself to go away like that? Am I really of so little account in your eyes that you won't even do me the kindness of staying for a little longer?" "You misunderstand me," said

K., sitting down, "if you really want me to stay I'll stay with pleasure, I have time enough; I came here expecting to find the Court in session. All that I meant was merely to beg you not to do anything for me in this case of mine. But that needn't offend you when you consider that I don't care at all what the outcome of the case is, and that I would only laugh at it if I were sentenced. Assuming, that is, that the case will ever come to a proper conclusion, which I very much doubt. Indeed, I fancy that it has probably been dropped already or will soon be dropped, through the laziness or the forgetfulness or it may be even through the fears of those who are responsible for it. Of course it's possible that they will make a show of carrying it on, in the hope of getting money out of me, but they needn't bother, I can tell you now, for I shall never bribe anyone. That's something you could really do for me, however; you could inform the Examining Magistrate, or anyone who could be depended on to spread the news, that nothing will induce me to bribe these officials, not even any of the artifices in which they are doubtless so ingenious. The attempt would be quite hopeless, you can tell them that frankly. But perhaps they have come to that conclusion already, and even if they haven't, I don't much mind whether they get the information or not. It would merely save them some trouble and me, of course, some unpleasantness, but I should gladly endure any unpleasantness that meant a setback for them. And I shall take good care to see that it does. By the way, do you really know the Examining Magis-

trate?" "Of course," said the woman. "He was the first one I thought of when I offered you my help. I didn't know that he was only a petty official, but as you say so it must naturally be true. All the same, I fancy that the reports he sends up to the higher officials have some influence. And he writes out so many reports. You say that the officials are lazy, but that certainly doesn't apply to all of them, particularly to the Examining Magistrate, he's always writing. Last Sunday, for instance, the session lasted till late in the evening. All the others left, but the Examining Magistrate stayed on in the courtroom, I had to bring a lamp for him, I only had a small kitchen lamp, but that was all he needed and he began to write straight away. In the meantime my husband came home, he was off duty on that particular Sunday, we carried back our furniture, set our room to rights again, then some neighbors arrived, we talked on by candlelight, to tell the truth we simply forgot the Examining Magistrate and went to bed. Suddenly, in the middle of the night, it must have been far into the night by then, I woke up, the Examining Magistrate was standing beside our bed shielding the lamp with his hand to keep the light from falling on my husband, a needless precaution, for my husband sleeps so soundly that not even the light would have wakened him. I was so startled that I almost cried out, but the Examining Magistrate was very kind, warned me to be careful, whispered to me that he had been writing till then, that he had come to return the lamp, and that he would never forget the picture I had made lying asleep in bed. I only tell you this to show that

the Examining Magistrate is kept really busy writing reports, especially about you, for your interrogation was certainly one of the main items in the two days' session. Such long reports as that surely can't be quite unimportant. But besides that you can guess from what happened that the Examining Magistrate is beginning to take an interest in me, and that at this early stage—for he must have noticed me then for the first time—I could have great influence with him. And by this time I have other proofs that he is anxious to win my favor. Yesterday he sent me a pair of silk stockings through the student, who works with him and whom he is very friendly with, making out that it was a reward for cleaning the courtroom, but that was only an excuse, for to do that is only my duty and my husband is supposed to be paid for it. They're beautiful stockings, look"—she stretched out her legs, pulled her skirts above her knees, and herself contemplated the stockings—"they're beautiful stockings, but too fine, all the same, and not suitable for a woman like me."

Suddenly she broke off, laid her hand on K.'s hand as if to reassure him, and said: "Hush, Bertold is watching us." K. slowly raised his eyes. In the door of the courtroom a young man was standing; he was small, his legs were slightly bowed, and he strove to add dignity to his appearance by wearing a short, straggling reddish beard, which he was always fingering. K. stared at him with interest, this was the first student of the mysterious jurisprudence whom he had encountered, as it were, on human terms, a man, too, who would presumably attain

snapped at it with his teeth. "No," cried the woman, pushing K. away with both hands. "No, no, you mustn't do that, what are you thinking of? It would be the ruin of me. Let him alone, oh, please let him alone! He's only obeying the orders of the Examining Magistrate and carrying me to him." "Then let him go, and as for you, I never want to see you again," said K., furious with disappointment, and he gave the student a punch in the back that made him stumble for a moment, only to spring off more nimbly than ever out of relief that he had not fallen. K. slowly walked after them, he recognized that this was the first unequivocal defeat that he had received from these people. There was no reason, of course, for him to worry about that, he had received the defeat only because he had insisted on giving battle. While he stayed quietly at home and went about his ordinary vocations he remained superior to all these people and could kick any of them out of his path. And he pictured to himself the highly comic situation which would arise if, for instance, this wretched student, this puffed-up whippersnapper, this bandy-legged beaver, had to kneel by Elsa's bed some day wringing his hands and begging for favors. This picture pleased K. so much that he decided, if ever the opportunity came, to take the student along to visit Elsa.

Out of curiosity K. hurried to the door, he wanted to see where the woman was being carried off to, for the student could scarcely bear her in his arms across the street. But the journey was much shorter than that. Immediately opposite the door a flight of narrow wooden stairs led, as it seemed, to a garret, it had a turning so that one

could not see the other end. The student was now carrying the woman up this stairway, very slowly, puffing and groaning, for he was beginning to be exhausted. The woman waved her hand to K. as he stood below, and shrugged her shoulders to suggest that she was not to blame for this abduction, but very little regret could be read into that dumb show. K. looked at her expressionlessly, as if she were a stranger, he was resolved not to betray to her either that he was disappointed or even that he could easily get over any disappointment he felt.

The two had already vanished, yet K. still stood in the doorway. He was forced to the conclusion that the woman not only had betrayed him, but also had lied in saying that she was being carried to the Examining Magistrate. The Examining Magistrate surely could not be sitting waiting in a garret. The little wooden stairway did not reveal anything, no matter how long one regarded it. But K. noticed a small card pinned up beside it, and crossing over he read in childish, unpracticed handwriting: "Law Court Offices upstairs." So the Law Court offices were up in the attics of this tenement? That was not an arrangement likely to inspire much respect, and for an accused man it was reassuring to reckon how little money this Court could have at its disposal when it housed its offices in a part of the building where the tenants, who themselves belonged to the poorest of the poor, flung their useless lumber. Though, of course, the possibility was not to be ignored that the money was abundant enough, but that the officials pocketed it before it could be used for the purposes of justice. To judge from K.'s experience

been thrown out of five flats he managed to insinuate himself into. And my wife is the best-looking woman in the whole tenement, and I'm in a position where I can't defend myself." "If that's how things stand, then there's no help, it seems," said K. "And why not?" asked the usher. "If he only got a good thrashing some time when he was after my wife—he's a coward, anyway—he would never dare to do it again. But I can't thrash him, and nobody else will oblige me by doing it, for they're all afraid of him, he's too influential. Only a man like you could do it." "But why a man like me?" asked K., in astonishment. "You're under arrest, aren't you?" said the usher. "Yes," said K., "and that means I have all the more reason to fear him, for though he may not be able to influence the outcome of the case, he can probably influence the preliminary interrogations." "Yes, that's so," said the usher, as if K.'s view of the matter were as self-evident as his own. "Yet as a rule all our cases are foregone conclusions." "I am not of that opinion," said K., "but that needn't prevent me from taking the student in hand." "I should be very grateful to you," said the usher rather formally; he did not appear really to believe that his heart's desire could be fulfilled. "It may be," K. went on, "that some more of your officials, probably all of them, deserve the same treatment." "Oh, yes," said the usher, as if he were assenting to a commonplace. Then he gave K. a confidential look, such as he had not yet ventured in spite of all his friendliness, and added: "Everyone is always rebellious." But the conversation seemed to have made him uneasy, all the same, for he broke it off by saying: "I

must report upstairs now. Would you like to come too?" "I have no business there," said K. "You can have a look at the offices. Nobody will pay any attention to you." "Why, are they worth seeing?" asked K. hesitatingly, but suddenly feeling a great desire to go. "Well," said the usher, "I thought it might interest you." "Good," said K. at last, "I'll come with you." And he ran up the stairs even more quickly than the usher.

On entering he almost stumbled, for behind the door there was an extra step. "They don't show much consideration for the public," he said. "They show no consideration of any kind," replied the usher. "Just look at this waiting-room." It was a long passage, a lobby communicating by ill-fitting doors with the different offices on the floor. Although there was no window to admit light, it was not entirely dark, for some of the offices were not properly boarded off from the passage but had an open frontage of wooden rails, reaching, however, to the roof, through which a little light penetrated and through which one could see a few officials as well, some writing at their desks, and some standing close to the rails peering through the interstices at the people in the lobby. There were only a few people in the lobby, probably because it was Sunday. They made a very modest showing. At almost regular intervals they were sitting singly along a row of wooden benches fixed to either side of the passage. All of them were carelessly dressed, though to judge from the expression of their faces, their bearing, the cut of their beards, and many almost imperceptible little details, they obviously belonged to the upper classes. As

there was no hat-rack in the passage, they had placed their hats under the benches, in this probably following each other's example. When those who were sitting nearest the door caught sight of K. and the usher, they rose politely, followed in turn by their neighbors, who also seemed to think it necessary to rise, so that everyone stood as the two men passed. They did not stand quite erect, their backs remained bowed, their knees bent, they stood like street beggars. K. waited for the usher, who kept slightly behind him, and said: "How humbled they must be!" "Yes," said the usher, "these are the accused men, all of them are defendants." "Indeed!" said K. "Then they're colleagues of mine." And he turned to the nearest, a tall, slender, almost gray-haired man. "What are you waiting here for?" asked K. courteously. But this unexpected question confused the man, which was the more deeply embarrassing as he was obviously a man of the world who would have known how to comport himself anywhere else and would not lightly have renounced his natural superiority. Yet in this place he did not know even how to reply to a simple question and gazed at the others as if it were their duty to help him, as if no one could expect him to answer should help not be forthcoming. Then the usher stepped up and said, to reassure the man and encourage him: "This gentleman merely asked what you are waiting for. Come, give him an answer." The familiar voice of the usher had its effect: "I'm waiting—" the man started to say, but could get out no more. He had obviously begun by intending to make an exact reply to the question, but did not know how to go

on. Some of the other clients had drifted up and now clustered round, and the usher said to them: "Off with you, keep the passage clear." They drew back a little, but not to their former places. Meanwhile the man had collected himself and actually replied with a faint smile: "A month ago I handed in several affidavits concerning my case and I am waiting for the result." "You seem to put yourself to a great deal of trouble," said K. "Yes," said the man, "for it is my case." "Everyone doesn't think as you do," said K. "For example, I am under arrest too, but as sure as I stand here I have neither put in any affidavit nor attempted anything whatever of the kind. Do you consider such things necessary, then?" "I can't exactly say," replied the man, once more deprived of all assurance; he evidently thought that K. was making fun of him, and appeared to be on the point of repeating his first answer all over again for fear of making a new mistake, but under K.'s impatient eye he merely said: "Anyhow, I have handed in my affidavits." "Perhaps you don't believe that I am under arrest?" asked K. "Oh, yes, certainly," said the man, stepping somewhat aside, but there was no belief in his answer, merely apprehension. "So you don't really believe me?" asked K. and, provoked without knowing it by the man's humility, he seized him by the arm as if to compel him to believe. He had no wish to hurt him, and besides had grasped him quite loosely, yet the man cried out as if K. had gripped him with glowing pincers instead of with two fingers. That ridiculous outcry was too much for K.; if the man would not believe that he was under arrest, so much the better; perhaps he

actually took him for a Judge. As a parting gesture he gripped the man with real force, flung him back on the bench, and went on his way. "Most of these accused men are so sensitive," said the usher. Behind them almost all the clients were now gathered round the man, whose cries had already ceased, and they seemed to be eagerly asking him about the incident. A guard came up to K., he was mainly recognizable by his sword, whose sheath, at least to judge from its color, was of aluminum. K. gaped at it and actually put out his hand to feel it. The guard, who had come to inquire into the commotion, asked what had happened. The usher tried to put him off with a few words, but the guard declared that he must look into this matter himself, saluted, and strutted on with hasty but very short steps, probably resulting from gout.

K. did not trouble his head for long over him and the people in the lobby, particularly as, when he had walked halfway down the lobby, he saw a turning leading to the right through an opening which had no door. He inquired of the usher if this was the right way, the usher nodded, and K. then turned into it. It troubled him that he had always to walk one or two paces ahead of the usher, in a place like this it might look as if he were a prisoner under escort. Accordingly he paused several times to wait for the usher, but the man always dropped behind again. At last K. said, to put an end to his discomfort: "I've seen the place now, and I think I'll go." "You haven't seen everything yet," said the usher innocently. "I don't want to see everything," said K., who by now felt really tired. "I want to get away, how does one reach the outside

door?" "You surely haven't lost your way already?" asked the usher in surprise. "You just go along here to the corner and then turn to the right along the lobby straight to the door." "You come too," said K. "Show me the way, there are so many lobbies here, I'll never find the way." "There's only the one way," said the usher reproachfully. "I can't go back with you, I must deliver my message and I've lost a great deal of time through you already." "Come with me," said K. still more sharply, as if he had at last caught the usher in a falsehood. "Don't shout like that," whispered the usher, "there are offices everywhere hereabouts. If you don't want to go back by yourself, then come a little farther with me, or wait here until I've delivered my message, then I'll be glad to take you back." "No, no," said K., "I won't wait and you must come with me now." K. had not yet even glanced round the place where he was, and only when one of the many wooden doors opened did he turn his head. A girl whose attention must have been caught by K.'s raised voice appeared and asked: "What does the gentleman want?" A good way behind her he could also see a male figure approaching in the half-light. K. looked at the usher. The man had said that nobody would pay any attention to him, and now two people were already after him, it wouldn't take much to bring all the officials down on him, demanding an explanation of his presence. The only comprehensible and acceptable one was that he was an accused man and wished to know the date of his next interrogation, but that explanation he did not wish to give, especially as it was not even in accordance with the

truth, for he had come only out of curiosity or, what was still more impossible as an explanation of his presence, out of a desire to assure himself that the inside of this legal system was just as loathsome as its external aspect. And it seemed, indeed, that he had been right in that assumption, he did not want to make any further investigation, he was dejected enough by what he had already seen, he was not at that moment in a fit state to confront any higher official such as might appear from behind one of these doors, he wanted to quit the place with the usher, or, if need be, alone.

But his dumb immobility must make him conspicuous, and the girl and the usher were actually gazing at him as if they expected some great transformation to happen to him the next moment, a transformation which they did not want to miss. And at the end of the passage now stood the man whom K. had noticed before in the distance; he was holding on to the lintel of the low doorway and rocking lightly on his toes, like an eager spectator. But the girl was the first to see that K.'s behavior was really caused by a slight feeling of faintness; she produced a chair and asked: "Won't you sit down?" K. sat down at once and leaned his elbows on the arms of the chair so as to support himself still more securely. "You feel a little dizzy, don't you?" she asked. Her face was close to him now, it had that severe look which the faces of many women have in the first flower of their youth. "Don't worry," she said. "That's nothing out of the common here, almost everybody has an attack of that kind the first time they come here. This is your first visit? Well, then,

it's nothing to be surprised at. The sun beats on the roof here and the hot roof-beams make the air stuffy and heavy. That makes this place not particularly suitable for offices, in spite of the other great advantages it has. But the air, well, on days when there's a great number of clients to be attended to, and that's almost every day, it's hardly breathable. When you consider, too, that washing of all sorts is hung up here to dry—you can't wholly prohibit the tenants from washing their dirty linen—you won't find it surprising that you should feel a little faint. But in the end one gets quite used to it. By the time you've come back once or twice you'll hardly notice how oppressive it is here. Do you really feel better now?" K. did not answer, he realized too painfully the shame of being delivered into the hands of these people by his sudden weakness; besides, even now that he knew the cause of the faintness, it did not get any better but grew somewhat worse instead. The girl noticed this at once, and to help K. seized a bar with a hook at the end that leaned against the wall and opened with it a little skylight just above K. to let in the fresh air. Yet so much soot fell in that she had to close the skylight again at once and wipe K.'s hands clean with her handkerchief, since K. was too far gone to attend to himself. He would have preferred to sit quietly there until he recovered enough strength to walk away, yet the less he was bothered by these people the sooner he would recover. But now the girl said: "You can't stay here, we're causing an obstruction here"—K. glanced round inquiringly to see what he could be obstructing—"if you like, I'll take you to the sick-room.

Please give me a hand," she said to the man standing in the door, who at once came over. But K. had no wish to go to the sick-room, he particularly wanted to avoid being taken any farther, the farther he went the worse it must be for him. "I'm quite able to go away now," he said and got up from his comfortable seat, which had relaxed him so that he trembled as he stood. But he could not hold himself upright. "I can't manage it after all," he said, shaking his head, and with a sigh sat down again. He thought of the usher, who could easily get him out of the place in spite of his weakness, but he seemed to have vanished long ago. K. peered between the girl and the man standing before him, but could see no sign of the usher.

"I fancy," said the man, who was stylishly dressed and was wearing a conspicuously smart gray waistcoat ending in two long sharp points, "that the gentleman's faintness is due to the atmosphere here, and the best thing to do—and what he would like best—is not to take him to the sick-room at all, but out of these offices altogether." "That's it!" cried K., so delighted that he almost broke into the man's words, "I should feel better at once, I'm sure of it, I'm not so terribly weak either, I only need a little support under my arms, I won't give you much trouble, it isn't very far after all, just take me to the door, then I'll sit for a little on the stairs and recover in no time, for I don't usually suffer from these attacks, I was surprised myself by this one. I am an official too and accustomed to office air, but this is really more than one can bear, you said so yourselves. Will you have the good-

ness, then, to let me lean upon you a little, for I feel dizzy and my head goes round when I try to stand up by myself." And he lifted his shoulders to make it easier for the two of them to take him under the arms.

Yet the man did not respond to his request but kept his hands quietly in his pockets and laughed. "You see," he said to the girl. "I hit the nail on the head. It's only here that this gentleman feels upset, not in other places." The girl smiled too, but tapped the man lightly on the arm with her finger tips, as if he had gone too far in jesting like that with K. "But dear me," said the man, still laughing, "I'll show the gentleman to the door, of course I will!" "Then that's all right," said the girl, inclining her elegant head for a moment. "Don't take his laughter too much to heart," she said to K., who had sunk again into vacant melancholy and apparently expected no explanation. "This gentleman—may I introduce you?" (the gentleman waved his hand to indicate permission) "this gentleman, then, represents our Information Bureau. He gives clients all the information they need, and as our procedure is not very well known among the populace, a great deal of information is asked for. He has an answer to every question, if you ever feel like it you can try him out. But that isn't his only claim to distinction, he has another, the smartness of his clothes. We—that's to say the staff—made up our minds that the Clerk of Inquiries, since he's always dealing with clients and is the first to see them, must be smartly dressed so as to create a good first impression. The rest of us, as you must have noticed at once from myself, are very badly and old-fashionedly

dressed, I'm sorry to say; there isn't much sense anyhow in spending money on clothes, for we're hardly ever out of these offices, we even sleep here. But, as I say, we considered that in his case good clothes were needed. And as the management, which in this respect is somewhat peculiar, refused to provide these clothes, we opened a subscription—some of the clients contributed too—and we bought him this fine suit and some others as well. Nothing more would be needed now to produce a good impression, but he spoils it all again by his laughter which puts people off." "That's how it is," said the gentleman ironically, "yet I don't understand, Fräulein, why you should tell this gentleman all our intimate secrets, or rather thrust them on him, for he doesn't want to hear them at all. Just look at him, he's obviously much too busy with his own thoughts." K. felt no inclination even to make a retort, the girl's intentions were no doubt good, probably she merely wanted to distract him or give him a chance to pull himself together, but she had not gone the right way about it. "Well, I needed to explain your laughter to him," the girl said. "It sounded insulting." "I fancy he would overlook much worse insults if I would only take him out of here." K. said nothing, he did not even look up, he suffered the two of them to discuss him as if he were an inanimate object, indeed he actually preferred that. Then suddenly he felt the man's hand under one arm and the girl's hand under the other. "Up you get, you feeble fellow," said the man. "Many thanks to both of you," said K., joyfully surprised, and he got up slowly and himself moved these strangers' hands to the places where

he felt most in need of support. "It must seem to you," said the girl softly in K.'s ear as they neared the passage, "as if I were greatly concerned to show the Clerk of Inquiries in a good light, but you can believe me, I only wanted to speak the truth about him. He isn't a hard-hearted man. He isn't obliged to help sick people out of here, and yet he does so, as you can see. Perhaps none of us is hardhearted, we should be glad to help everybody, yet as Law Court officials we easily take on the appearance of being hardhearted and of not wishing to help. That really worries me." "Wouldn't you like to sit down here for a little?" asked the Clerk of Inquiries; they were out in the main lobby now and just opposite the client to whom K. had first spoken. K. felt almost ashamed before the man, he had stood so erect before him the first time; now it took a couple of people to hold him up, the Clerk of Inquiries was balancing his hat on the tips of his fingers, his hair was in disorder and hung down over his sweat-drenched forehead. But the client seemed to see nothing of all this, he stood up humbly before the Clerk of Inquiries (who stared through him) and merely sought to excuse his presence. "I know," he said, "that the decision on my affidavits cannot be expected today. But I came all the same, I thought that I might as well wait here, it is Sunday, I have lots of time and here I disturb nobody." "You needn't be so apologetic," replied the Clerk of Inquiries. "Your solicitude is entirely to be commended; you're taking up extra room, here, I admit, but so long as you don't inconvenience me, I shan't hinder you at all from following the progress of your case as closely

as you please. When one sees so many people who scandalously neglect their duty, one learns to have patience with men like you. You may sit down." "How well he knows how to talk to clients!" whispered the girl. K. nodded, but immediately gave a violent start when the Clerk of Inquiries asked again: "Wouldn't you like to sit down here?" "No," said K. "I don't want a rest." He said this with the utmost possible decision, though in reality he would have been very glad to sit down. He felt as if he were seasick. He felt he was on a ship rolling in heavy seas. It was as if the waters were dashing against the wooden walls, as if the roaring of breaking waves came from the end of the passage, as if the passage itself pitched and rolled and the waiting clients on either side rose and fell with it. All the more incomprehensible, therefore, was the composure of the girl and the man who were escorting him. He was delivered into their hands, if they let him go he must fall like a block of wood. They kept glancing around with their sharp little eyes, K. was aware of their regular advance without himself taking part in it, for he was now being almost carried from step to step. At last he noticed that they were talking to him, but he could not make out what they were saying, he heard nothing but the din that filled the whole place, through which a shrill unchanging note like that of a siren seemed to ring. "Louder," he whispered with bowed head, and he was ashamed, for he knew that they were speaking loudly enough, though he could not make out what they said. Then, as if the wall in front of him had been split in two, a current of fresh air was at last wafted

toward him, and he heard a voice near him saying: "First he wants to go, then you tell him a hundred times that the door is in front of him and he makes no move to go." K. saw that he was standing before the outside door, which the girl had opened. It was as if all his energies returned at one bound, to get a foretaste of freedom he set his feet at once on a step of the staircase and from there said good-by to his conductors, who bent their heads down to hear him. "Many thanks," he said several times, then shook hands with them again and again and only left off when he thought he saw that they, accustomed as they were to the office air, felt ill in the relatively fresh air that came up the stairway. They could scarcely answer him and the girl might have fallen if K. had not shut the door with the utmost haste. K. stood still for a moment, put his hair to rights with the help of his pocket mirror, lifted up his hat, which lay on the step below him—the Clerk of Inquiries must have thrown it there—and then leapt down the stairs so buoyantly and with such long strides that he became almost afraid of his own reaction. His usually sound constitution had never provided him with such surprises before. Could his body possibly be meditating a revolution and preparing a new trial for him, since he was withstanding the old one with such ease? He did not entirely reject the idea of going to consult a doctor at the first opportunity, in any case he had made up his mind—and there he could advise himself—to spend all his Sunday mornings in future to better purpose.

on us. I have a family to feed and Franz here wants to get married, a man tries to make whatever he can, and you don't get rich on hard work, not even if you work day and night. Your fine shirts were a temptation, of course that kind of thing is forbidden to warders, it was wrong, but it's a tradition that body-linen is the warders' perquisite, it has always been the case, believe me; and it's understandable too, for what importance can such things have for a man who is unlucky enough to be arrested? But if he ventilates it openly, punishment is bound to follow." "I had no idea of all this, nor did I ever demand that you should be punished, I was only defending a principle." "Franz," Willem turned to the other warder, "didn't I tell you that the gentleman never asked us to be punished? Now you see that he didn't even know we should be punished." "Don't be taken in by what they say," remarked the third man to K., "the punishment is as just as it is inevitable." "Don't listen to him," said Willem, interrupting himself to clap his hand, over which he had got a stinging blow with the rod, to his mouth. "We are only being punished because you accused us; if you hadn't, nothing would have happened, not even if they had discovered what we did. Do you call that justice? Both of us, and especially myself, have a long record of trustworthy service as warders—you must yourself admit that, officially speaking, we guarded you quite well —we had every prospect of advancement and would certainly have been promoted to be Whippers pretty soon, like this man here, who simply had the luck never to be

complained of, for a complaint of that kind really happens very seldom indeed. And all is lost now, sir, our careers are done for, we'll be set to do much more menial work than a warder's, and, besides that, we're in for a whipping, and that's horribly painful." "Can that birch-rod cause such terrible pain?" asked K., examining the switch, which the man waved to and fro in front of him. "We'll have to take off all our clothes first," said Willem. "Ah, I see," said K., and he looked more attentively at the Whipper, who was tanned like a sailor and had a brutal, healthy face. "Is there no way of getting these two off their whipping?" K. asked him. "No," said the man, smilingly shaking his head. "Strip," he ordered the warders. And he said to K.: "You mustn't believe all they say, they're so terrified of the whipping that they've already lost what wits they had. For instance, all that this one here"—he pointed to Willem—"says about his possible career is simply absurd. See how fat he is—the first cuts of the birch will be quite lost in fat. Do you know what made him so fat? He stuffs himself with the breakfasts of all the people he arrests. Didn't he eat up your breakfast too? There, you see, I told you so. But a man with a belly like that couldn't ever become a Whipper, it's quite out of the question." "There are Whippers just like me," maintained Willem, loosening his trouser belt. "No," said the Whipper, drawing the switch across his neck so that he winced, "you aren't supposed to be listening, you're to take off your clothes." "I'll reward you well if you'll let them go," said K., and without glancing at the Whipper

again—such things should be done with averted eyes on both sides—he drew out his pocketbook. "So you want to lay a complaint against me too," said the Whipper, "and get me a whipping as well? No, no!" "Do be reasonable," said K. "If I had wanted these two men to be punished, I shouldn't be trying to buy them off now. I could simply leave, shut this door after me, close my eyes and ears, and go home; but I don't want to do that, I really want to see them set free; if I had known that they would be punished or even that they could be punished, I should never have mentioned their names. For in my view they are not guilty. The guilt lies with the organization. It is the high officials who are guilty." "That's so," cried the warders and at once got a cut of the switch over their backs, which were bare now. "If it was one of the high Judges you were flogging," said K., and as he spoke he thrust down the rod which the Whipper was raising again, "I certainly wouldn't try to keep you from laying on with a will, on the contrary I would pay you extra to encourage you in the good work." "What you say sounds reasonable enough," said the man, "but I refuse to be bribed. I am here to whip people, and whip them I shall." The warder Franz, who, perhaps hoping that K.'s intervention might succeed, had thus far kept as much as possible in the background, now came forward to the door clad only in his trousers, fell on his knees, and clinging to K.'s arm whispered: "If you can't get him to spare both of us, try to get me off at least. Willem is older than I am, and far less sensitive too, besides he's had a small whipping al-

ready, some years ago, but I've never been in disgrace yet, and I was only following Willem's lead in what I did, he's my teacher, for better or worse. My poor sweetheart is awaiting the outcome at the door of the Bank. I'm so ashamed and miserable." He dried his tear-wet face on K.'s jacket. "I can't wait any longer," said the Whipper, grasping the rod with both hands and making a cut at Franz, while Willem cowered in a corner and secretly watched without daring to turn his head. Then the shriek rose from Franz's throat, single and irrevocable, it did not seem to come from a human being but from some martyred instrument, the whole corridor rang with it, the whole building must hear it. "Don't," cried K.; he was beside himself, he stood staring in the direction from which the clerks must presently come running, but he gave Franz a push, not a violent one but violent enough nevertheless to make the half-senseless man fall and convulsively claw at the floor with his hands; but even then Franz did not escape his punishment, the birch-rod found him where he was lying, its point swished up and down regularly as he writhed on the floor. And now a clerk was already visible in the distance and a few paces behind him another. K. quickly slammed the door, stepped over to a window close by, which looked out on the courtyard, and opened it. The shrieks had completely stopped. To keep the clerks from approaching any nearer, K. cried: "It's me." "Good evening, Sir," they called back. "Has anything happened?" "No, no," replied K. "It was only a dog howling in the courtyard." As the clerks still did not

so far as lay in his power, with the real culprits, the high officials, none of whom had yet dared show his face. As he descended the outside steps of the Bank he carefully observed all the passers-by, but even in the surrounding streets he could perceive no sign of a girl waiting for anybody. So Franz's tale of a sweetheart waiting for him was simply a lie, venial enough, designed merely to procure more sympathy for him.

All the next day K. could not get the warders out of his head; he was absent-minded and to catch up on his work had to stay in his office even later than the day before. As he passed the lumber-room again on his way out he could not resist opening the door. And what confronted him, instead of the darkness he had expected, bewildered him completely. Everything was still the same, exactly as he had found it on opening the door the previous evening. The files of old papers and the ink bottles were still tumbled behind the threshold, the Whipper with his rod and the warders with all their clothes on were still standing there, the candle was burning on the shelf, and the warders immediately began to wail and cry out: "Sir!" At once K. slammed the door shut and then beat on it with his fists, as if that would shut it more securely. He ran almost weeping to the clerks, who were quietly working at the copying-presses and looked up at him in surprise. "Clear that lumber-room out, can't you?" he shouted. "We're being smothered in dirt!" The clerks promised to do so next day. K. nodded, he could hardly insist on their doing it now, so late in the evening, as he had origi-

nally intended. He sat down for a few moments, for the sake of their company, shuffled through some duplicates, hoping to give the impression that he was inspecting them, and then, seeing that the men would scarcely venture to leave the building along with him, went home, tired, his mind quite blank.

got to write and mention it at the time, and it was only your asking that reminded me. For I may tell you that chocolate vanishes on the spot in this boarding-school, hardly do you realize that you've been presented with a box when it's gone. But about Joseph, there is something else that I feel I should tell you. As I said, I was not able to see him at the Bank because he was engaged with a gentleman. After I had waited meekly for a while I asked an attendant if the interview was likely to last much longer. He said that that might very well be, for it had probably something to do with the case which was being brought against the Chief Clerk. I asked what case, and was he not mistaken, but he said he was not mistaken, there was a case and a very serious one too, but more than that he did not know. He himself would like to help Herr K., for he was a good and just man, but he did not know how he was to do it, and he only wished that some influential gentleman would take the Chief Clerk's part. To be sure, that was certain to happen and everything would be all right in the end, but for the time being, as he could see from Herr K.'s state of mind, things looked far from well. Naturally I did not take all this too seriously, I tried to reassure the simple fellow and forbade him to talk about it to anyone else, and I'm sure it's just idle gossip. All the same, it might be as well if you, dearest Father, were to inquire into it on your next visit to town, it will be easy for you to find out the real state of things, and if necessary to get some of your influential friends to intervene. Even if it shouldn't be necessary, and that is

most likely, at least it will give your daughter an early chance of welcoming you with a kiss, which would please her.' A good child," said K.'s uncle when he had finished reading, wiping a tear from his eye. K. nodded, he had completely forgotten Erna among the various troubles he had had lately, and the story about the chocolates she had obviously invented simply to save his face before his uncle and aunt. It was really touching, and the theater tickets which he now resolved to send her regularly would be a very inadequate return, but he did not feel equal at present to calling at her boarding-school and chattering to an eighteen-year-old flapper. "And what have you got to say now?" asked his uncle, who had temporarily forgotten all his haste and agitation over the letter, which he seemed to be rereading. "Yes, Uncle," said K., "it's quite true." "True?" cried his uncle. "What is true? How on earth can it be true? What case is this? Not a criminal case, surely?" "A criminal case," answered K. "And you sit there coolly with a criminal case hanging round your neck?" cried his uncle, his voice growing louder and louder. "The cooler I am, the better in the end," said K. wearily. "Don't worry." "That's a fine thing to ask of me," cried his uncle. "Joseph, my dear Joseph, think of yourself, think of your relatives, think of our good name. You have been a credit to us until now, you can't become a family disgrace. Your attitude," he looked at K. with his head slightly cocked, "doesn't please me at all, that isn't how an innocent man behaves if he's still in his senses. Just tell me quickly what it is all about,

"At last that jackass has gone; now we can go too. At last!" Unluckily K. could find no means to make his uncle stop inquiring about the case in the main vestibule, where several clerks and attendants were standing about, while the Assistant Manager himself was crossing the floor. "Come now, Joseph," began his uncle, returning a brief nod to the bows of the waiting clerks, "tell me frankly now what kind of a case this is." K. made a few noncommittal remarks, laughing a little, and only on the staircase explained to his uncle that he had not wanted to speak openly before the clerks. "Right," said his uncle, "but get it off your chest now." He listened with bent head, puffing hastily at a cigar. "The first thing to grasp, Uncle," said K., "is that this is not a case before an ordinary court." "That's bad," said his uncle. "What do you mean?" asked K., looking at his uncle. "I mean that it's bad," repeated his uncle. They were standing on the outside steps of the Bank; as the doorkeeper seemed to be listening, K. dragged his uncle away; they were swallowed up in the street traffic. The uncle, who had taken K.'s arm, now no longer inquired so urgently about the case, and for a while they actually walked on in silence. "But how did this happen?" his uncle asked at last, stopping so suddenly that the people walking behind him shied off in alarm. "Things like this don't occur suddenly, they pile up gradually, there must have been indications. Why did you never write to me? You know I would do anything for you, I'm still your guardian in a sense and till now I have been proud of it. Of course I'll do what I can to

help you, only it's very difficult when the case is already under way. The best thing, at any rate, would be for you to take a short holiday and come to stay with us in the country. You've got a bit thinner, I notice that now. You'd get back your strength in the country, that would be all to the good, for this trial will certainly be a severe strain on you. But besides that, in a sense you'd be getting away from the clutches of the Court. Here they have all sorts of machinery which they will automatically set in motion against you, depend on that; but if you were in the country they would have to appoint agents or get at you by letter or telegram or telephone. That would naturally weaken the effect, not that you would escape them altogether, but you'd have a breathing-space." "Still, they might forbid me to go away," said K., who was beginning to follow his uncle's line of thought. "I don't think they would do that," said his uncle reflectively, "after all, they wouldn't lose so much by your going away." "I thought," said K., taking his uncle's arm to keep him from standing still, "that you would attach even less importance to this business than I do, and now you are taking it so seriously." "Joseph!" cried his uncle, trying to get his arm free so as to be able to stand still, only K. would not let him, "you're quite changed, you always used to have such a clear brain, and is it going to fail you now? Do you want to lose this case? And do you know what that would mean? It would mean that you would be absolutely ruined. And that all your relatives would be ruined too or at least dragged in the dust.

Joseph, pull yourself together. Your indifference drives me mad. Looking at you, one would almost believe the old saying: 'Cases of that kind are always lost.' " "Dear Uncle," said K., "it's no use getting excited, it's as useless on your part as it would be on mine. No case is won by getting excited, you might let my practical experience count for something, look how I respect yours, as I have always done, even when you astonish me. Since you tell me that the family would be involved in any scandal arising from the case—I don't see myself how that could be so, but that's beside the point—I'll submit willingly to your judgment. Only I think going to the country would be inadvisable even from your point of view, for it would look like flight and therefore guilt. Besides, though I'm more hard-pressed here, I can push the case on my own more energetically." "Quite right," said his uncle in a tone of relief, as if he saw their minds converging at last, "I only made the suggestion because I thought your indifference would endanger the case while you stayed here, and that it might be better if I took it up for you instead. But if you intend to push it energetically yourself, that of course would be far better." "We're agreed on that, then," said K. "And now can you suggest what my first step should be?" "I'll have to do a bit of thinking about it, naturally," said his uncle, "you must consider that I have lived in the country for twenty years almost without a break, and my flair for such matters can't be so good as it was. Various connections of mine with influential persons who would probably know better

than I how to tackle this affair have slackened in the course of time. I'm a bit isolated in the country, as you know yourself. Actually it's only in emergencies like this that one becomes aware of it. Besides, this affair of yours has come on me more or less unexpectedly, though strangely enough, after Erna's letter, I guessed at something of the kind, and as soon as I saw you today I was almost sure of it. Still that doesn't matter, the important thing now is to lose no time." Before he had finished speaking he was already on tiptoe waiting for a taxi, and now, shouting an address to the driver, he dragged K. into the car after him. "We'll drive straight to Huld, the lawyer," he said. "He was at school with me. You know his name, of course? You don't? That is really extraordinary. He has quite a considerable reputation as a defending counsel and a poor man's lawyer. But it's as a human being that I'm prepared to pin my faith to him." "I'm willing to try anything you suggest," said K., though the hasty headlong way in which his uncle was dealing with the matter caused him some perturbation. It was not very flattering to be driven to a poor man's lawyer as a petitioner. "I did not know," he said, "that in a case like this one could employ a lawyer." "But of course," said his uncle. "That's obvious. Why not? And now tell me everything that has happened up to now, so that I have some idea where we stand." K. at once began his story and left out no single detail, for absolute frankness was the only protest he could make against his uncle's assumption that the case was a terrible disgrace. Fräulein Bürstner's name he mentioned

only once and in passing, but that did not detract from his frankness, since Fräulein Bürstner had no connection with the case. As he told his story he gazed out through the window and noted that they were approaching the very suburb where the Law Court had its attic offices; he drew his uncle's attention to this fact, but his uncle did not seem to be particularly struck by the coincidence. The taxi stopped before a dark house. His uncle rang the bell of the first door on the ground floor; while they were waiting he bared his great teeth in a smile and whispered: "Eight o'clock, an unusual time for clients to call. But Huld won't take it amiss from me." Behind a grille in the door two great dark eyes appeared, gazed at the two visitors for a moment, and then vanished again; yet the door did not open. K. and his uncle assured each other that they had really seen a pair of eyes. "A new maid, probably afraid of strangers," said K.'s uncle and knocked again. Once more the eyes appeared and now they seemed almost sad, yet that might have been an illusion created by the naked gas-jet which burned just over their heads and kept hissing shrilly but gave little light. "Open the door!" shouted K.'s uncle, banging upon it with his fists, "we're friends of Herr Huld." "Herr Huld is ill," came a whisper from behind them. A door had opened at the other end of the little passage and a man in a dressing-gown was standing there imparting this information in a hushed voice. K.'s uncle, already furious at having had to wait so long, whirled round shouting: "Ill? You say he's ill?" and bore down almost threateningly on the man as

if he were the alleged illness in person. "The door has been opened," said the man, indicated the lawyer's door, caught his dressing-gown about him, and disappeared. The door really was open, a young girl—K. recognized the dark, somewhat protuberant eyes—was standing in the entrance hall in a long white apron, holding a candle in her hand. "Next time be a little smarter in opening the door," K.'s uncle threw at her instead of a greeting, while she sketched a curtsy. "Come on, Joseph," he cried to K., who was slowly insinuating himself past the girl. "Herr Huld is ill," said the girl, as K.'s uncle, without any hesitation, made toward an inner door. K. was still glaring at the girl, who turned her back on him to bolt the house door; she had a doll-like rounded face; not only were her pale cheeks and her chin quite round in their modeling, but her temples and the line of her forehead as well. "Joseph!" K.'s uncle shouted again, and he asked the girl: "Is it his heart?" "I think so," said the girl, she had now found time to precede him with the candle and open the door of a room. In one corner, which the candlelight had not yet reached, a face with a long beard was raised from a pillow. "Leni, who is it?" asked the lawyer, who, blinded by the candlelight, could not recognize his visitors. "It's your old friend Albert," said K.'s uncle. "Oh, Albert," said the lawyer, sinking back on his pillow again, as if there were no need to keep up appearances before this visitor. "Are you really in a bad way?" asked K.'s uncle, sitting down on the edge of the bed. "I can't believe it. It's one of your heart attacks

hand. "You can discuss anything before Leni," said the lawyer in a voice of sheer entreaty. "This does not concern myself," said K.'s uncle, "it is not my secret." And he turned away as if washing his hands of the matter, although willing to give the lawyer a moment for reconsideration. "Then whom does it concern?" asked the lawyer in an exhausted voice, lying down again. "My nephew," said K.'s uncle, "I have brought him here with me." And he presented his nephew: Joseph K., Chief Clerk. "Oh," said the sick man with much more animation, stretching out his hand to K., "forgive me, I didn't notice you. Go now, Leni," he said to the nurse, clasping her by the hand as if saying good-by to her for a long time, and she went submissively enough. "So you haven't come," he said at last to K.'s uncle, who was now appeased and had gone up to the bed again, "to pay me a sick visit; you've come on business." It was as if the thought of a sick visit had paralyzed him until now, so rejuvenated did he look as he supported himself on his elbow, which must itself have been something of a strain; and he kept combing with his fingers a strand of hair in the middle of his beard. "You look much better already," said K.'s uncle, "since that witch went away." He broke off, whispered: "I bet she's listening," and sprang to the door. But there was no one behind the door and he returned again, not so much disappointed, since her failure to listen seemed to him an act of sheer malice, as embittered. "You are unjust to her," said the lawyer, without adding anything more in defense of his nurse; perhaps

ing. "I'm a lawyer, you see, I move in legal circles where all the various cases are discussed, and the more striking ones are bound to stick in my mind, especially one that concerns the nephew of an old friend of mine. Surely that's not so extraordinary." "What's bothering you?" K.'s uncle repeated. "You're all nerves." "So you move in those legal circles?" asked K. "Yes," replied the lawyer. "You ask questions like a child," said K.'s uncle. "Whom should I associate with if not with men of my own profession?" added the lawyer. It sounded incontrovertible and K. made no answer. "But you're attached to the Court in the Palace of Justice, not to the one in the attics," he wanted to say, yet could not bring himself actually to say it. "You must consider," the lawyer continued in the tone of one perfunctorily explaining something that should be self-evident, "you must consider that this intercourse enables me to benefit my clients in all sorts of ways, some of which cannot even be divulged. Of course I'm somewhat handicapped now because of my illness, but in spite of that, good friends of mine from the Law Courts visit me now and then and I learn lots of things from them. Perhaps more than many a man in the best of health who spends all his days in the Courts. For example, there's a dear friend of mine visiting me at this very moment," and he waved a hand toward a dark corner of the room. "Where?" asked K., almost rudely, in his first shock of astonishment. He looked round uncertainly; the light of the small candle did not nearly reach the opposite wall. And then some form or other in

the dark corner actually began to stir. By the light of the candle, which his uncle now held high above his head, K. could see an elderly gentleman sitting there at a little table. He must have been sitting without even drawing breath, to have remained for so long unnoticed. Now he got up fussily, obviously displeased to have his presence made known. With his hands, which he flapped like short wings, he seemed to be deprecating all introductions or greetings, trying to show that the last thing he desired was to disturb the other gentlemen, and that he only wanted to be transported again to the darkness where his presence might be forgotten. But that privilege could no longer be his. "I may say you took us by surprise," said the lawyer in explanation, and he waved his hand to encourage the gentleman to approach, which he did very slowly and glancing around him hesitantly, but with a certain dignity. "The Chief Clerk of the Court—oh, I beg your pardon, I have not introduced you—this is my friend Albert K., this is his nephew Joseph K., and this is the Chief Clerk of the Court—who, to return to what I was saying, has been so good as to pay me a visit. The value of such a visit can really be appreciated only by the initiated who know how dreadfully the Clerk of the Court is overwhelmed with work. Yet he came to see me all the same, we were talking here peacefully, as far as my ill health permitted, we didn't actually forbid Leni to admit visitors, it was true, for we expected none, but we naturally thought that we should be left in peace, and then came your furious tattoo, Albert, and the Clerk of the Court withdrew into

the corner with his chair and his table, but now it seems we have the chance, that is, if you care to take it, of making the discussion general, since this case concerns us all, and so we can get together.—Please, my dear Sir," he said with a bow and an obsequious smile, indicating an armchair near the bed. "Unfortunately I can only stay for a few minutes longer," said the Chief Clerk of the Court affably, seating himself in the chair and looking at his watch, "my duties call me. But I don't want to miss this opportunity of becoming acquainted with a friend of my friend here." He bowed slightly to K.'s uncle, who appeared very flattered to make this new acquaintance, yet, being by nature incapable of expressing reverent feelings, requited the Clerk of the Court's words with a burst of embarrassed but raucous laughter. An ugly sight! K. could observe everything calmly, for nobody paid any attention to him. The Chief Clerk of the Court, now that he had been brought into prominence, seized the lead, as seemed to be his usual habit. The lawyer, whose first pretense of weakness had probably been intended simply to drive away his visitors, listened attentively, cupping his hand to his ear. K.'s uncle as candlebearer— he was balancing the candle on his thigh, the lawyer often glanced at it in apprehension—had soon rid himself of his embarrassment and was now delightedly absorbed in the Clerk of the Court's eloquence and the delicate wavelike gestures of the hand with which he accompanied it. K., leaning against the bedpost, was completely ignored by the Clerk of the Court, perhaps

by deliberate intention, and served merely as an audience to the old gentleman. Besides, he could hardly follow the conversation and was thinking first of the nurse and the rude treatment she had received from his uncle, and then wondering if he had not seen the Clerk of the Court before, perhaps actually among the audience during his first interrogation. He might be mistaken, yet the Clerk of the Court would have fitted excellently into the first row of the audience, the elderly gentlemen with the brittle beards.

Then a sound from the entrance hall as of breaking crockery made them all prick up their ears. "I'll go and see what has happened," said K., and he went out, rather slowly, to give the others a chance to call him back. Hardly had he reached the entrance hall and was beginning to grope his way in the darkness, when a hand much smaller than his own covered the hand with which he was still holding the door and gently drew the door shut. It was the nurse, who had been waiting there. "Nothing has happened," she whispered. "I simply flung a plate against the wall to bring you out." K. said in his embarrassment: "I was thinking of you too." "That's all the better," said the nurse. "Come this way." A step or two brought them to a door paneled with thick glass, which she opened. "In here," she said. It was evidently the lawyer's office; as far as one could see in the moonlight, which brilliantly lit up a small square section of the floor in front of each of the two large windows, it was fitted out with solid antique furniture. "Here," said the nurse, pointing to

ings. He was particularly struck by a large picture which hung to the right of the door, and bent forward to see it more clearly. It represented a man in a Judge's robe; he was sitting on a high thronelike seat, and the gilding of the seat stood out strongly in the picture. The strange thing was that the Judge did not seem to be sitting in dignified composure, for his left arm was braced along the back and the side-arm of his throne, while his right arm rested on nothing, except for the hand, which clutched the other arm of the chair; it was as if in a moment he must spring up with a violent and probably wrathful gesture to make some decisive observation or even to pronounce sentence. The accused might be imagined as standing on the lowest step leading up to the chair of justice; the top steps, which were covered with a yellowish carpet, were shown in the picture. "Perhaps that is my Judge," said K., pointing with his finger at the picture. "I know him," said Leni, and she looked at the picture too. "He often comes here. That picture was painted when he was young, but it could never have been in the least like him, for he's a small man, almost a dwarf. Yet in spite of that he had himself drawn out to that length in the portrait, for he's madly vain like everybody else here. But I'm a vain person, too, and very much upset that you don't like me in the least." To this last statement K. replied merely by putting his arm round her and drawing her to him; she leaned her head against his shoulder in silence. But to the rest of her remarks he answered: "What's the man's rank?" "He is an Examining Magis-

trate," she said, seizing the hand with which K. held her and beginning to play with his fingers. "Only an Examining Magistrate again," said K. in disappointment. "The higher officials keep themselves well hidden. But he's sitting in a chair of state." "That's all invention," said Leni, with her face bent over his hand. "Actually he is sitting on a kitchen chair, with an old horse-rug doubled under him. But must you eternally be brooding over your case?" she queried slowly. "No, not at all," said K. "In fact I probably brood far too little over it." "That isn't the mistake you make," said Leni. "You're too unyielding, that's what I've heard." "Who told you that?" asked K.; he could feel her body against his breast and gazed down at her rich, dark, firmly knotted hair. "I should give away too much if I told you that," replied Leni. "Please don't ask me for names, take my warning to heart instead, and don't be so unyielding in future, you can't fight against this Court, you must confess to guilt. Make your confession at the first chance you get. Until you do that, there's no possibility of getting out of their clutches, none at all. Yet even then you won't manage it without help from outside, but you needn't trouble your head about that, I'll see to it myself." "You know a great deal about this Court and the intrigues that prevail in it!" said K., lifting her on to his knee, for she was leaning too heavily against him. "That's better," she said, making herself at home on his knee by smoothing her skirt and pulling her blouse straight. Then she clasped both her hands round his neck, leaned back, and looked

at him for a long time. "And if I don't make a confession of guilt, then you can't help me?" K. asked experimentally. "I seem to recruit women helpers," he thought almost in surprise; "first Fräulein Bürstner, then the wife of the usher, and now this little nurse who appears to have some incomprehensible desire for me. She sits there on my knee as if it were the only right place for her!" "No," said Leni, shaking her head slowly, "then I can't help you. But you don't in the least want my help, it doesn't matter to you, you're stiff-necked and never will be convinced." After a while she asked: "Have you got a sweetheart?" "No," said K. "Oh, yes, you have," she said. "Well, yes, I have," said K. "Just imagine it, I have denied her existence and yet I am actually carrying her photograph in my pocket." At her entreaty he showed her Elsa's photograph; she studied it, curled up on his knee. It was a snapshot taken of Elsa as she was finishing a whirling dance such as she often gave at the cabaret, her skirt was still flying round her like a fan, her hands were planted on her firm hips, and with her chin thrown up she was laughing over her shoulder at someone who did not appear in the photograph. "She's very tightly laced," said Leni, indicating the place where in her opinion the tight-lacing was evident. "I don't like her, she's rough and clumsy. But perhaps she's soft and kind to you, one might guess that from the photograph. Big strong girls like that often can't help being soft and kind. But would she be capable of sacrificing herself for you?" "No," said K. "She is neither soft nor kind, nor would she be capable

of sacrificing herself for me. And up till now I have demanded neither the one thing nor the other from her. In fact I've never even examined this photograph as carefully as you have." "So she doesn't mean so very much to you," said Leni. "She isn't your sweetheart after all." "Oh, yes," replied K. "I refuse to take back my words." "Well, granted that she's your sweetheart," said Leni, "you wouldn't miss her very much, all the same, if you were to lose her or exchange her for someone else, me, for instance?" "Certainly," said K., smiling, "that's conceivable, but she has one great advantage over you, she knows nothing about my case, and even if she knew she wouldn't bother her head about it. She wouldn't try to get me to be less unyielding." "That's no advantage," said Leni. "If that's all the advantage she has over me I shan't give up hope. Has she any physical defect?" "Any physical defect?" asked K. "Yes," said Leni. "For I have a slight one. Look." She held up her right hand and stretched out the two middle fingers, between which the connecting web of skin reached almost to the top joint, short as the fingers were. In the darkness K. could not make out at once what she wanted to show him, so she took his hand and made him feel it. "What a freak of nature!" said K. and he added, when he had examined the whole hand: "What a pretty little paw!" Leni looked on with a kind of pride while K. in astonishment kept pulling the two fingers apart and then putting them side by side again, until at last he kissed them lightly and let them go. "Oh!" she cried at once. "You have kissed me!" She

hastily scrambled up until she was kneeling openmouthed on his knees. K. looked up at her almost dumfounded; now that she was so close to him she gave out a bitter exciting odor like pepper; she clasped his head to her, bent over him, and bit and kissed him on the neck, biting into the very hairs of his head. "You have exchanged her for me," she cried over and over again. "Look, you have exchanged her for me after all!" Then her knees slipped, with a faint cry she almost fell on the carpet, K. put his arms round her to hold her up and was pulled down to her. "You belong to me now," she said.

"Here's the key of the door, come whenever you like," were her last words, and as he took his leave a final aimless kiss landed on his shoulder. When he stepped out on to the pavement a light rain was falling; he was making for the middle of the street so as perhaps to catch a last glimpse of Leni at her window, but a car which was waiting before the house and which in his distraction he had not even noticed suddenly emitted his uncle, who seized him by the arms and banged him against the house door as if he wanted to nail him there. "Joseph!" he cried, "how could you do it! You have damaged your case badly, which was beginning to go quite well. You hide yourself away with a filthy little trollop, who is obviously the lawyer's mistress into the bargain, and stay away for hours. You don't even seek any pretext, you conceal nothing, no, you're quite open, you simply run off to her and stay beside her. And all this time we three sit there, your uncle, who is doing his best for you, the

lawyer, who has to be won over to your side, above all the Chief Clerk of the Court, a man of importance, who is actually in charge of your case at its present stage. There we sit, consulting how to help you, I have to handle the lawyer circumspectly, and the lawyer in turn the Clerk of the Court, and one might think you had every reason to give me at least some support. Instead of which you absent yourself. You were away so long that there was no concealing it; of course the two gentlemen, being men of the world, didn't talk about it, they spared my feelings, but finally even they could no longer ignore it, and as they couldn't mention it they said nothing at all. We sat there for minutes on end in complete silence, listening for you to come back at last. And all in vain. Finally the Chief Clerk of the Court, who had stayed much longer than he intended, got up and said good night, evidently very sorry for me without being able to help me, his kindness was really extraordinary, he stood waiting for a while longer at the door before he left. And I was glad when he went, let me tell you; by that time I felt hardly able to breathe. And the poor sick lawyer felt it even more, the good man couldn't utter a word as I took leave of him. In all probability you have helped to bring about his complete collapse and so hastened the death of a man on whose good offices you are dependent. And you leave me, your uncle, to wait here in the rain for hours and worry myself sick, just feel, I'm wet through and through!"

was occupied with an important piece of work. But instead of working he twisted in his chair, idly rearranged the things lying on his writing-table, and then, without being aware of it, let his outstretched arm rest on the table and went on sitting motionless with bowed head.

The thought of his case never left him now. He had often considered whether it would not be better to draw up a written defense and hand it in to the Court. In this defense he would give a short account of his life, and when he came to an event of any importance explain for what reasons he had acted as he did, intimate whether he approved or condemned his way of action in retrospect, and adduce grounds for the condemnation or approval. The advantages of such a written defense, as compared with the mere advocacy of a lawyer who himself was not impeccable, were undoubted. K. had no idea what the lawyer was doing about the case; at any rate it did not amount to much, it was more than a month since Huld had sent for him, and at none of the previous consultations had K. formed the impression that the man could do much for him. To begin with, he had hardly cross-questioned him at all. And there were so many questions to put. To ask questions was surely the main thing. K. felt that he could draw up all the necessary questions himself. But the lawyer, instead of asking questions, either did all the talking or sat quite dumb opposite him, bent slightly forward over his writing-table, probably because of his hardness of hearing, stroking a strand of hair in the middle of his beard and

gazing at the carpet, perhaps at the very spot where K. had lain with Leni. Now and then he would give K. some empty admonitions such as people hand out to children. Admonitions as useless as they were wearisome, for which K. did not intend to pay a penny at the final reckoning. After the lawyer thought he had humbled him sufficiently, he usually set himself to encourage him slightly again. He had already, so he would relate, won many similar cases either outright or partially. Cases which, though in reality not quite so difficult, perhaps, as this one, had been outwardly still more hopeless. He had a list of these cases in a drawer of his desk—at this he tapped one of them—but he regretted he couldn't show it, as it was a matter of official secrecy. Nevertheless the vast experience he had gained through all these cases would now redound to K.'s benefit. He had started on K.'s case at once, of course, and the first plea was almost ready for presentation. That was very important, for the first impression made by the Defense often determined the whole course of subsequent proceedings. Though, unfortunately, it was his duty to warn K., it sometimes happened that the first pleas were not read by the Court at all. They simply filed them among the other papers and pointed out that for the time being the observation and interrogation of the accused were more important than any formal petition. If the petitioner pressed them, they generally added that before the verdict was pronounced all the material accumulated, including, of course, every document relating to the case,

the first plea as well, would be carefully examined. But unluckily even that was not quite true in most cases, the first plea was often mislaid or lost altogether and, even if it were kept intact till the end, was hardly ever read; that was of course, the lawyer admitted, merely a rumor. It was all very regrettable, but not wholly without justification. K. must remember that the proceedings were not public; they could certainly, if the Court considered it necessary, become public, but the Law did not prescribe that they must be made public. Naturally, therefore, the legal records of the case, and above all the actual charge-sheets, were inaccessible to the accused and his counsel, consequently one did not know in general, or at least did not know with any precision, what charges to meet in the first plea; accordingly it could be only by pure chance that it contained really relevant matter. One could draw up genuinely effective and convincing pleas only later on, when the separate charges and the evidence on which they were based emerged more definitely or could be guessed at from the interrogations. In such circumstances the Defense was naturally in a very ticklish and difficult position. Yet that, too, was intentional. For the Defense was not actually countenanced by the Law, but only tolerated, and there were differences of opinion even on that point, whether the Law could be interpreted to admit such tolerance at all. Strictly speaking, therefore, none of the counsels for the Defense was recognized by the Court, all who appeared before the Court as councils

being in reality merely in the position of pettifogging lawyers. That naturally had a very humiliating effect on the whole profession, and the next time K. visited the Law Court offices he should take a look at the lawyers' room, just for the sake of having seen it once in his life. He would probably be horrified by the kind of people he found assembled there. The very room, itself small and cramped, showed the contempt in which the Court held them. It was lit only by a small skylight, which was so high up that if you wanted to look out, you had to get some colleague to hoist you on his back, and even then the smoke from the chimney close by choked you and blackened your face. To give only one more example of the state the place was in—there had been for more than a year now a hole in the floor, not so big that you could fall through the floor, but big enough to let a man's leg slip through. The lawyers' room was in the very top attic, so that if you stumbled through the hole your leg hung down into the lower attic, into the very corridor where the clients had to wait. It wasn't saying too much if the lawyers called these conditions scandalous. Complaints to the authorities had not the slightest effect, and it was strictly forbidden for the lawyers to make any structural repairs or alterations at their own expense. Still, there was some justification for this attitude on the part of the authorities. They wanted to eliminate defending counsel as much as possible; the whole onus of the Defense must be laid on the accused himself. A reasonable enough point of

view, yet nothing could be more erroneous than to deduce from this that accused persons had no need of defending counsel when appearing before this Court. On the contrary, in no other Court was legal assistance so necessary. For the proceedings were not only kept secret from the general public, but from the accused as well. Of course only so far as this was possible, but it had proved possible to a very great extent. For even the accused had no access to the Court records, and to guess from the course of an interrogation what documents the Court had up its sleeve was very difficult, particularly for an accused person, who was himself implicated and had all sorts of worries to distract him. Now here was where defending counsel stepped in. Generally speaking, he was not allowed to be present during the examination, consequently he had to cross-question the accused immediately after an interrogation, if possible at the very door of the Court of Inquiry, and piece together from the usually confused reports he got anything that might be of use for the Defense. But even that was not the most important thing, for one could not elicit very much in tha way, though of course here as elsewhere a capable man could elicit more than others. The most important thing was counsel's personal connection with officials of the Court; in that lay the chief value of the Defense. Now K. must have discovered from experience that the very lowest grade of the Court organization was by no means perfect and contained venal and corrupt elements, whereby to some extent a breach was made in the water-

tight system of justice. This was where most of the petty lawyers tried to push their way in, by bribing and listening to gossip, in fact there had actually been cases of purloining documents, at least in former times. It was not to be gainsaid that these methods could achieve for the moment surprisingly favorable results for the accused, on which the petty lawyers prided themselves, spreading them out as a lure for new clients, but they had no effect on the further progress of the case, or only a bad effect. Nothing was of any real value but respectable personal connections with the higher officials, that was to say higher officials of subordinate rank, naturally. Only through these could the course of the proceedings be influenced, imperceptibly at first, perhaps, but more and more strongly as the case went on. Of course very few lawyers had such connections, and here K.'s choice had been a very fortunate one. Perhaps only one or two other lawyers could boast of the same connections as Dr. Huld. These did not worry their heads about the mob in the lawyers' room and had nothing whatever to do with them. But their relations with the Court officials were all the more intimate. It was not even necessary that Dr. Huld should always attend the Court, wait in the Anteroom of the Examining Magistrates till they chose to appear, and be dependent on their moods for earning perhaps a delusive success or not even that. No, as K. had himself seen, the officials, and very high ones among them, visited Dr. Huld of their own accord, voluntarily providing information with great frankness or at least

in broad enough hints, discussing the next turn of the various cases; more, even sometimes letting themselves be persuaded to a new point of view. Certainly one should not rely too much on their readiness to be persuaded, for definitely as they might declare themselves for a new standpoint favorable to the Defense, they might well go straight to their offices and issue a statement in the directly contrary sense, a verdict far more severe on the accused than the original intention which they claimed to have renounced completely. Against that, of course, there was no remedy, for what they said to you in private was simply said to you in private and could not be followed up in public, even if the Defense were not obliged for other reasons to do its utmost to retain the favor of these gentlemen. On the other hand it had also to be considered that these gentlemen were not moved by mere human benevolence or friendly feeling in paying visits to defending counsel—only to experienced counsel, of course; they were in a certain sense actually dependent on the Defense. They could not help feeling the disadvantages of a judiciary system which insisted on secrecy from the start. Their remoteness kept the officials from being in touch with the populace; for the average case they were excellently equipped, such a case proceeded almost mechanically and only needed a push now and then; yet confronted with quite simple cases, or particularly difficult cases, they were often utterly at a loss, they did not have any right understanding of human relations, since they were confined day and night to the

workings of their judicial system, whereas in such cases a knowledge of human nature itself was indispensable. Then it was that they came to the lawyers for advice, with a servant behind them carrying the papers that were usually kept so secret. In that window over there many a gentleman one would never have expected to encounter had sat gazing out hopelessly into the street, while the lawyer at his desk examined his papers in order to give him good advice. And it was on such occasions as these that one could perceive how seriously these gentlemen took their vocation and how deeply they were plunged into despair when they came upon obstacles which the nature of things kept them from overcoming. In other ways, too, their position was not easy, and one must not do them an injustice by regarding it as easy. The ranks of officials in this judiciary system mounted endlessly, so that not even the initiated could survey the hierarchy as a whole. And the proceedings of the Courts were generally kept secret from subordinate officials, consequently they could hardly ever quite follow in their further progress the cases on which they had worked; any particular case thus appeared in their circle of jurisdiction often without their knowing whence it came, and passed from it they knew not whither. Thus the knowledge derived from a study of the various single stages of the case, the final verdict and the reasons for that verdict lay beyond the reach of these officials. They were forced to restrict themselves to that stage of the case which was prescribed for them by the Law, and as for what fol-

lowed, in other words the results of their own work, they generally knew less about it than the Defense, which as a rule remained in touch with the accused almost to the end of the case. So in that respect, too, they could learn much that was worth knowing from the Defense. Should it surprise K., then, keeping all this in mind, to find that the officials lived in a state of irritability which sometimes expressed itself in offensive ways when they dealt with their clients? That was the universal experience. All the officials were in a constant state of irritation, even when they appeared calm. Naturally the petty lawyers were most liable to suffer from it. The following story, for example, was current, and it had all the appearance of truth. An old official, a well-meaning, quiet man, had a difficult case in hand which had been greatly complicated by the lawyer's petitions, and he had studied it continuously for a whole day and night—the officials were really more conscientious than anyone else. Well, toward morning, after twenty-four hours of work with probably very little result, he went to the entrance door, hid himself behind it, and flung down the stairs every lawyer who tried to enter. The lawyers gathered down below on the landing and took counsel what they should do; on the one hand they had no real claim to be admitted and consequently could hardly take any legal action against the official, and also, as already mentioned, they had to guard against antagonizing the body of officials. But on the other hand every day they spent away from the Court was a day lost to them, and so a great deal

depended on their getting in. At last they all agreed that the best thing to do was to tire out the old gentleman. One lawyer after another was sent rushing upstairs to offer the greatest possible show of passive resistance and let himself be thrown down again into the arms of his colleagues. That lasted for about an hour, then the old gentleman—who was exhausted in any case by his work overnight—really grew tired and went back to his office. The lawyers down below would not believe it at first and sent one of their number up to peep behind the door and assure himself that the place was actually vacant. Only then were they able to enter, and probably they did not dare even to grumble. For although the pettiest lawyer might be to some extent capable of analyzing the state of things in the Court, it never occurred to the lawyers that they should suggest or insist on any improvements in the system, while—and this was very characteristic—almost every accused man, even quite simple people among them, discovered from the earliest stages a passion for suggesting reforms which often wasted time and energy that could have been better employed in other directions. The only sensible thing was to adapt oneself to existing conditions. Even if it were possible to alter a detail for the better here or there—but it was simple madness to think of it—any benefit arising from that would profit clients in the future only, while one's own interests would be immeasurably injured by attracting the attention of the ever-vengeful officials. Anything rather than that! One must lie low, no matter how much it went against the

grain, and try to understand that this great organization remained, so to speak, in a state of delicate balance, and that if someone took it upon himself to alter the disposition of things around him, he ran the risk of losing his footing and falling to destruction, while the organization would simply right itself by some compensating reaction in another part of its machinery—since everything interlocked—and remain unchanged, unless, indeed, which was very probable, it became still more rigid, more vigilant, severer, and more ruthless. One must really leave the lawyers to do their work, instead of interfering with them. Reproaches were not of much use, particularly when the offender was unable to perceive the full scope of the grounds for them; all the same, he must say that K. had very greatly damaged his case by his discourtesy to the Chief Clerk of the Court. That influential man could already almost be eliminated from the list of those who might be got to do something for K. He now ignored clearly on purpose even the slightest reference to the case. In many ways the functionaries were like children. Often they could be so deeply offended by the merest trifle—unfortunately, K.'s behavior could not be classed as a trifle—that they would stop speaking even to old friends, give them the cold shoulder, and work against them in all imaginable ways. But then, suddenly, in the most surprising fashion and without any particular reason, they would be moved to laughter by some small jest which you only dared to make because you felt you had nothing to lose, and then they were your friends again.

In fact it was both easy and difficult to handle them, you could hardly lay down any fixed principles for dealing with them. Sometimes you felt astonished to think that one single ordinary lifetime sufficed to gather all the knowledge needed for a fair degree of success in such a profession. There were dark hours, of course, such as came to everybody, in which you thought you had achieved nothing at all, in which it seemed to you that only the cases predestined from the start to succeed came to a good end, which they would have reached in any event without your help, while every one of the others was doomed to fail in spite of all your maneuvers, all your exertions, all the illusory little victories on which you plumed yourself. That was a frame of mind, of course, in which nothing at all seemed certain, and so you could not positively deny when questioned that your intervention might have sidetracked some cases which would have run quite well on the right lines had they been left alone. A desperate kind of self-assurance, to be sure, yet it was the only kind available at such times. These moods—for of course they were only moods, nothing more—afflicted lawyers more especially when a case which they had conducted satisfactorily to the desired point was suddenly taken out of their hands. That was beyond all doubt the worst thing that could happen to a lawyer. Not that a client ever dismissed his lawyer from a case, such a thing was not done, an accused man, once having briefed a lawyer, must stick to him whatever happened. For how could he keep going by himself, once he had called in

someone to help him? So that never happened, but it did sometimes happen that the case took a turn where the lawyer could no longer follow it. The case and the accused and everything were simply withdrawn from the lawyer; then even the best connections with officials could no longer achieve any result, for even they knew nothing. The case had simply reached the stage where further assistance was ruled out, it was being conducted in remote, inaccessible Courts, where even the accused was beyond the reach of a lawyer. Then you might come home some day and find on your table all the countless pleas relating to the case, which you had drawn up with such pains and such flattering hopes; they had been returned to you because in the new stage of the trial they were not admitted as relevant; they were mere waste paper. It did not follow that the case was lost, by no means, at least there was no decisive evidence for such an assumption; you simply knew nothing more about the case and would never know anything more about it. Now, very luckily, such occurrences were exceptional, and even if K.'s case were a case of that nature, it still had a long way to go before reaching that stage. For the time being, there were abundant opportunities for legal labor, and K. might rest assured that they would be exploited to the uttermost. The first plea, as before mentioned, was not yet handed in, but there was no hurry; far more important were the preliminary consultations with the relevant officials, and they had already taken place. With varying success, as must be frankly admitted. It would be better for the time

being not to divulge details which might have a bad influence on K. by elating or depressing him unduly, yet this much could be asserted, that certain officials had expressed themselves very graciously and had also shown great readiness to help, while others had expressed themselves less favorably, but in spite of that had by no means refused their collaboration. The result on the whole was therefore very gratifying, though one must not seek to draw any definite conclusion from that, since all preliminary negotiations began in the same way and only in the course of further developments did it appear whether they had real value or not. At any rate nothing was yet lost, and if they could manage to win over the Chief Clerk of the Court in spite of all that had happened —various moves had already been initiated toward that end—then, to use a surgeon's expression, this could be regarded as a clean wound and one could await further developments with an easy mind.

In such and similar harangues K.'s lawyer was inexhaustible. He reiterated them every time K. called on him. Progress had always been made, but the nature of the progress could never be divulged. The lawyer was always working away at the first plea, but it had never reached a conclusion, which at the next visit turned out to be an advantage, since the last few days would have been very inauspicious for handing it in, a fact which no one could have foreseen. If K., as sometimes happened, wearied out by the lawyer's volubility, remarked that, even taking into account all the difficulties, the case

seemed to be getting on very slowly, he was met with the retort that it was not getting on slowly at all, although they would have been much further on by now had K. come to the lawyer in time. Unfortunately he had neglected to do so and that omission was likely to keep him at a disadvantage, and not merely a temporal disadvantage, either.

The one welcome interruption to these visits was Leni, who always so arranged things that she brought in the lawyer's tea while K. was present. She would stand behind K.'s chair, apparently looking on, while the lawyer stooped with a kind of miserly greed over his cup and poured out and sipped his tea, but all the time she was letting K. surreptitiously hold her hand. There was total silence. The lawyer sipped, K. squeezed Leni's hand, and sometimes Leni ventured to caress his hair. "Are you still here?" the lawyer would ask, after he had finished. "I wanted to take the tea-tray away," Leni would answer, there would follow a last handclasp, the lawyer would wipe his mouth and begin again with new energy to harangue K.

Was the lawyer seeking to comfort him or to drive him to despair? K. could not tell, but he soon held it for an established fact that his defense was not in good hands. It might be all true, of course, what the lawyer said, though his attempts to magnify his own importance were transparent enough and it was likely that he had never till now conducted such an important case as he imagined K.'s to be. But his continual bragging of his

personal connections with the officials was suspicious. Was it so certain that he was exploiting these connections entirely for K.'s benefit? The lawyer never forgot to mention that these officials were subordinate officials, therefore officials in a very dependent position, for whose advancement certain turns in the various cases might in all probability be of some importance. Could they possibly employ the lawyer to bring about such turns in the case, turns which were bound, of course, to be unfavorable to the accused? Perhaps they did not always do that, it was hardly likely, there must be occasions on which they arranged that the lawyer should score a point or two as a reward for his services, since it was to their own interest for him to keep up his professional reputation. But if that were really the position, into which category were they likely to put K.'s case, which, as the lawyer maintained, was a very difficult, therefore important case, and had roused great interest in the Court from the very beginning? There could not be very much doubt what they would do. A clue was already provided by the fact that the first plea had not yet been handed in, though the case had lasted for months, and that according to the lawyer all the proceedings were still in their early stages, words which were obviously well calculated to lull the accused and keep him in a helpless state, in order suddenly to overwhelm him with the verdict or at least with the announcement that the preliminary examination had been concluded in his disfavor and the case handed over to higher authorities.

It was absolutely necessary for K. to intervene personally. In states of intense exhaustion, such as he experienced this winter morning, when all these thoughts kept running at random through his head, he was particularly incapable of resisting this conviction. The contempt which he had once felt for the case no longer obtained. Had he stood alone in the world he could easily have ridiculed the whole affair, though it was also certain that in that event it could never have arisen at all. But now his uncle had dragged him to this lawyer, family considerations had come in; his position was no longer quite independent of the course the case took, he himself, with a certain inexplicable complacence, had imprudently mentioned it to some of his acquaintances, others had come to learn of it in ways unknown to him, his relations with Fräulein Bürstner seemed to fluctuate with the case itself—in short, he hardly had the choice now to accept the trial or reject it, he was in the middle of it and must fend for himself. To give in to fatigue would be dangerous.

Yet there was no need for exaggerated anxiety at the moment. In a relatively short time he had managed to work himself up to his present high position in the Bank and to maintain himself in that position and win recognition from everybody; surely if the abilities which had made this possible were to be applied to the unraveling of his own case, there was no doubt that it would go well. Above all, if he were to achieve anything, it was essential that he should banish from his mind once and for all the

idea of possible guilt. There was no such guilt. This legal action was nothing more than a business deal such as he had often concluded to the advantage of the Bank, a deal within which, as always happened, lurked various dangers which must simply be obviated. The right tactics were to avoid letting one's thoughts stray to one's own possible shortcomings, and to cling as firmly as one could to the thought of one's advantage. From this standpoint the conclusion was inevitable that the case must be withdrawn from Dr. Huld as soon as possible, preferably that very evening. According to him that was something unheard of, it was true, and very likely an insult, but K. could not endure that his efforts in the case should be thwarted by moves possibly originating in the office of his own representative. Once the lawyer was shaken off, the petition must be sent in at once and the officials be urged daily, if possible, to give their attention to it. This would never be achieved by sitting meekly in the attic lobby like the others with one's hat under the seat. K. himself, or one of the women, or some other messenger must keep at the officials day after day and force them to sit down at their desks and study K.'s papers instead of gaping out into the lobby through the wooden rails. These tactics must be pursued unremittingly, everything must be organized and supervised; the Court would encounter for once an accused man who knew how to stick up for his rights.

Yet even though K. believed he could manage all this, the difficulty of drawing up the petition seemed over-

whelming. At one time, not more than a week ago, he had regarded the possibility of having to draw up his own plea with merely a slight feeling of shame; it never even occurred to him that there might be difficulties in the way. He could remember that one of those mornings, when he was up to his ears in work, he had suddenly pushed everything aside and seized his jotting-pad with the idea of drafting the plan of such a plea and handing it to Dr. Huld by way of egging him on, but just at that moment the door of the Manager's room opened and the Assistant Manager came in laughing uproariously. That had been a very painful moment for K., though, of course, the Assistant Manager had not been laughing at the plea, of which he knew nothing, but at a funny story from the Stock Exchange which he had just heard, a story which needed illustrating for the proper appreciation of the point, so that the Assistant Manager, bending over the desk, took K.'s pencil from his hand and drew the required picture on the page of the jotting-pad which had been intended for the plea.

Today K. was no longer hampered by feelings of shame; the plea simply had to be drawn up. If he could find no time for it in his office, which seemed very probable, then he must draft it in his lodgings by night. And if his nights were not enough, then he must ask for furlough. Anything but stop halfway, that was the most senseless thing one could do in any affair, not only in business. No doubt it was a task that meant almost interminable labor. One did not need to have a timid and

fearful nature to be easily persuaded that the completion of this plea was a sheer impossibility. Not because of laziness or obstructive malice, which could only hinder Dr. Huld, but because to meet an unknown accusation, not to mention other possible charges arising out of it, the whole of one's life would have to be recalled to mind, down to the smallest actions and accidents, clearly formulated and examined from every angle. And besides how dreary such a task would be! It would do well enough, perhaps, as an occupation for one's second childhood in years of retirement, when the long days needed filling up. But now, when K. should be devoting his mind entirely to work, when every hour was hurried and crowded—for he was still in full career and rapidly becoming a rival even to the Assistant Manager—when his evenings and nights were all too short for the pleasures of a bachelor life, this was the time when he must sit down to such a task! Once more his train of thought had led him into self-pity. Almost involuntarily, simply to make an end of it, he put his finger on the button which rang the bell in the waiting-room. While he pressed it he glanced at the clock. It was eleven o'clock, he had wasted two hours in dreaming, a long stretch of precious time, and he was, of course, still wearier than he had been before. Yet the time had not been quite lost, he had come to decisions which might prove valuable. The attendants brought in several letters and two cards from gentlemen who had been waiting for a considerable time. They were, in fact, extremely important clients of the Bank who should on no account

have been kept waiting at all. Why had they come at such an unsuitable hour?—and why, they might well be asking in their turn behind the door, did the assiduous K. allow his private affairs to usurp the best time of the day? Weary of what had gone before and wearily awaiting what was to come, K. got up to receive the first of his clients.

This was the jovial little man, a manufacturer whom K. knew well. He regretted having disturbed K. in the middle of important work and K. on his side regretted that he had kept the manufacturer waiting for so long. But his very regret he expressed in such a mechanical way, with such a lack of sincerity in his tone of voice, that the manufacturer could not have helped noticing it, had he not been so engrossed by the business in hand. As it was, he tugged papers covered with statistics out of every pocket, spread them before K., explained various entries, corrected a trifling error which his eye had caught even in this hasty survey, reminded K. of a similar transaction which he had concluded with him about a year before, mentioned casually that this time another bank was making great sacrifices to secure the deal, and finally sat in eager silence waiting for K.'s comments. K. had actually followed the man's argument quite closely in its early stages—the thought of such an important piece of business had its attractions for him too—but unfortunately not for long; he had soon ceased to listen and merely nodded now and then as the manufacturer's claims waxed in enthusiasm, until in the end he forgot to show

really troubled him, only turning his head from time to time with an alarmed glance toward the anteroom, where he fancied, mistakenly, that he heard a noise. But as no one came in he recovered his composure, went over to the washbasin, washed his face in cold water, and returned to his place at the window with a clearer mind. The decision to take his defense into his own hands seemed now more grave to him than he had originally fancied. So long as the lawyer was responsible for the case it had not come really home to him, he had viewed it with a certain detachment and kept beyond reach of immediate contact with it, he had been able to supervise it whenever he liked, but could also withdraw whenever he liked. Now, on the other hand, if he were to conduct his own defense he would be putting himself completely in the power of the Court, at least for the time being, a policy which would eventually bring about his absolute and definite acquittal, but would meanwhile, provisionally at least, involve him in far greater dangers than before. If he had ever doubted that, his state of mind today in his encounter with the Assistant Manager and the manufacturer would have been more than enough to convince him. What a stupor had overcome him, merely because he had decided to conduct his own defense! And what would develop later on? What days were lying in wait for him? Would he ever find the right path through all these difficulties? To put up a thoroughgoing defense—and any other kind would be a waste of time—to put up a thoroughgoing defense, did that not involve cutting himself off from every other

manufacturer, "you're under the weather today. You look so depressed." "Yes," said K., putting his hand to his brow, "a headache, family troubles." "Ah, yes," said the manufacturer, who was a hasty man and could never listen quietly to anybody, "we all have our troubles." K. had involuntarily taken a step toward the door, as if to show the manufacturer out, but the latter said: "Herr K., there's another little matter I should mention to you. I'm afraid this isn't exactly the moment to bother you with it, but the last two times I've been here I forgot to mention it. And if I put off mentioning it any longer it will probably lose its point altogether. And that would be a pity, since my information may have some real value for you." Before K. had time to make any reply the man stepped up close to him, tapped him with one finger on the chest, and said in a low voice: "You're involved in a case, aren't you?" K. started back, crying out: "The Assistant Manager told you that." "Not at all," said the manufacturer. "How should the Assistant Manager know anything about it?" "How do you know about it?" asked K., pulling himself together. "I pick up scraps of information about the Court now and then," said the manufacturer, "and that accounts for what I have to mention." "So many people seem to be connected with the Court!" said K. with a bowed head, as he led the manufacturer back to the desk. They sat down as before and the manufacturer began: "Unfortunately it isn't much that I can tell you. But in these affairs one shouldn't leave the smallest stone unturned. Besides, I feel a strong desire to help you, no

matter how modest the help. We have always been good business friends till now, haven't we? Well, then." K. wanted to excuse himself for his behavior that morning, but the manufacturer would not hear of it, pushed his attaché case firmly under his arm to show that he was in a hurry to go, and continued: "I heard of your case from a man called Titorelli. He's a painter, Titorelli is only his professional name, I don't know at all what his real name is. For years he has been in the habit of calling at my office from time to time, bringing little paintings for which I give him a sort of alms—he's almost a beggar. And they're not bad pictures, moors and heaths and so on. These deals—we have got into the way of them—pass off quite smoothly. But there was a time when he turned up too frequently for my taste, I told him so, we fell into conversation, I was curious to know how he could keep himself going entirely by his painting, and I discovered to my astonishment that he really earned his living as a portrait painter. He worked for the Court, he said. For what Court, I asked. And then he told me about this Court. With your experience you can well imagine how amazed I was at the tales he told me. Since then he brings me the latest news from the Court every time he arrives, and in this way I have gradually acquired a considerable insight into its workings. Of course Titorelli wags his tongue too freely, and I often have to put a stopper on him, not only because he's certainly a liar, but chiefly because a business man like myself has so many troubles of his own that he can't afford to bother much about other people's.

That's only by the way. Perhaps—I thought to myself—Titorelli might be of some use to you, he knows many of the Judges, and even if he can hardly have much influence himself, he can at least advise you how to get in touch with influential men. And even if you can't take him as an oracle, still it seems to me that in your hands his information might become important. For you are almost as good as a lawyer yourself. I'm always saying: The Chief Clerk is almost a lawyer. Oh, I have no anxiety about your case. Well, would you care to go and see Titorelli? On my recommendation he will certainly do all he can for you; I really think you should go. It needn't be today, of course, some time, any time will do. Let me add that you needn't feel bound to go just because I advise you to, not in the least. No, if you think you can dispense with Titorelli, it's certainly better to leave him entirely out of it. Perhaps you've a detailed plan of your own already drawn up and Titorelli might spoil it. Well, in that case you'd much better not go to see him. And it would certainly mean swallowing one's pride to go to such a fellow for advice. Anyhow, do just as you like. Here is my letter of recommendation and here is the address."

K. took the letter, feeling dashed, and stuck it in his pocket. Even in the most favorable circumstances the advantages which this recommendation could procure him must be outweighed by the damage implied in the fact that the manufacturer knew about his trial and that the painter was spreading news of it. He could hardly bring himself to utter a few words of thanks to the manufac-

turer, who was already on his way out. "I'll go to see the man," he said as he shook hands at the door, "or write to him to call here, since I'm so busy." "I knew," said the manufacturer, "that you could be depended on to find the best solution. Though I must say I rather thought you would prefer to avoid receiving people like this Titorelli at the Bank, to discuss your case with him. Besides, it's not always advisable to let such people get their hands on letters of yours. But I'm sure you've thought it all over and know what you can do." K. nodded and accompanied the manufacturer a stage farther, through the waiting-room. In spite of his outward composure he was horrified at his own lack of sense. His suggestion of writing to Titorelli had been made merely to show the manufacturer that he appreciated the recommendation and meant to lose no time in making contact with the painter, but, left to himself, he would not have hesitated to write to Titorelli had he regarded the man's assistance as important. Yet it needed the manufacturer to point out the dangers lurking in such an action. Had he really lost his powers of judgment to that extent already? If it were possible for him to think of explicitly inviting a questionable character to the Bank in order to ask for advice about his case with only a door between him and the Assistant Manager, was it not also possible and even extremely probable that he was overlooking other dangers as well, or blindly running into them? There wasn't always someone at his side to warn him. And this was the moment, just when he intended to concentrate all his en-

ergies on the case, this was the moment for him to start doubting the alertness of his faculties! Must the difficulties he was faced with in carrying out his office work begin to affect the case as well? At all events he simply could not understand how he could ever have thought of writing to Titorelli and inviting him to come to the Bank.

He was still shaking his head over this when the attendant came up to him and indicated three gentlemen sitting on a bench in the waiting-room. They had already waited for a long time to see K. Now that the attendant accosted K. they sprang to their feet, each one of them eager to seize the first chance of attracting K.'s attention. If the Bank officials were inconsiderate enough to make them waste their time in the waiting-room, they felt entitled in their turn to behave with the same lack of consideration. "Herr K.," one of them began. But K. had sent for his overcoat and said to all three of them while the attendant helped him into it: "Forgive me, gentlemen, I'm sorry to tell you that I have no time to see you at present. I do apologize, but I have to go out on urgent business and must leave the building at once. You have seen for yourselves how long I have been held up by my last caller. Would you be so good as to come back tomorrow or at some other time? Or could we talk the matter over on the telephone, perhaps? Or perhaps you could inform me now, briefly, what your business is, and I shall give you a detailed answer in writing? Though it would certainly be much better if you made an appointment for some other time." These suggestions threw the three men,

How clever the Assistant Manager was at poaching on the preserves which K. was forced to abandon! But was not K. abandoning more than was absolutely needful? While with the vaguest and—he could not but admit it—the faintest of hopes, he was rushing away to see an unknown painter, his prestige in the Bank was suffering irreparable injury. It would probably be much better for him to take off his overcoat again and conciliate at least the two clients waiting next door for their turn to receive the Assistant Manager's attention. K. might actually have attempted this if he had not at that moment caught sight of the Assistant Manager himself in K.'s own room, searching through his files as if they belonged to him. In great agitation K. approached the doorway of the room and the Assistant Manager exclaimed: "Oh, you're not gone yet." He turned his face toward K.—the deep lines scored upon it seemed to speak of power rather than old age—and immediately resumed his search. "I'm looking for a copy of an agreement," he said, "which the firm's representative says should be among your papers. Won't you help me to look?" K. took a step forward, but the Assistant Manager said: "Thanks, now I've found it," and carrying a huge package of documents, which obviously contained not only the copy of the agreement but many other papers as well, he returned to his office.

"I'm not equal to him just now," K. told himself, "but once my personal difficulties are settled he'll be the first to feel it, and I'll make him suffer for it, too." Somewhat soothed by this thought, K. instructed the attendant, who

throwing it on the bed after the letter. "It's a portrait. A good piece of work, but not quite finished yet." K. was apparently in luck, the opportunity to mention the Court was being literally thrown at his head, for this was obviously the portrait of a Judge. Also it strikingly resembled the portrait hanging in the lawyer's office. True, this was quite a different Judge, a stout man with a black bushy beard which reached far up on his cheeks on either side; moreover the other portrait was in oils, while this was lightly and indistinctly sketched in pastel. Yet everything else showed a close resemblance, for here too the Judge seemed to be on the point of rising menacingly from his high seat, bracing himself firmly on the arms of it. "That must be a Judge," K. felt like saying at once, but he checked himself for the time being and approached the picture as if he wished to study the detail. A large figure rising in the middle of the picture from the high back of the chair he could not identify, and he asked the painter whom it was intended to represent. It still needed more detail, the painter replied, and fetched a crayon from a table, armed with which he worked a little at the outline of the figure, but without making it any more recognizable to K. "It is Justice," said the painter at last. "Now I can recognize it," said K. "There's the bandage over the eyes, and here are the scales. But aren't there wings on the figure's heels, and isn't it flying?" "Yes," said the painter, "my instructions were to paint it like that; actually it is Justice and the goddess of Victory in one." "Not a very good combination, surely," said K.,

smiling. "Justice must stand quite still, or else the scales will waver and a just verdict will become impossible." "I had to follow my client's instructions," said the painter. "Of course," said K., who had not wished to give any offense by his remark. "You have painted the figure as it actually stands above the high seat." "No," said the painter, "I have neither seen the figure nor the high seat, that is all invention, but I am told what to paint and I paint it." "How do you mean?" asked K., deliberately pretending that he did not understand. "It's surely a Judge sitting on his seat of justice?" "Yes," said the painter, "but it is by no means a high Judge and he has never sat on such a seat in his life." "And yet he has himself painted in that solemn posture? Why, he sits there as if he were the actual President of the Court." "Yes, they're very vain, these gentlemen," said the painter. "But their superiors give them permission to get themselves painted like that. Each one of them gets precise instructions how he may have his portrait painted. Only you can't judge the detail of the costume and the seat itself from this picture, unfortunately, pastel is really unsuited for this kind of thing." "Yes," said K., "it's curious that you should have used pastel." "My client wished it," said the painter, "he intends the picture for a lady." The sight of the picture seemed to have roused his ardor, he rolled up his shirt-sleeves, took several crayons in his hand, and as K. watched the delicate crayon-strokes a reddish shadow began to grow round the head of the Judge, a shadow which tapered off in long

rays as it approached the edge of the picture. This play of shadow bit by bit surrounded the head like a halo or a high mark of distinction. But the figure of Justice was left bright except for an almost imperceptible touch of shadow; that brightness brought the figure sweeping right into the foreground and it no longer suggested the goddess of Justice, or even the goddess of Victory, but looked exactly like a goddess of the Hunt in full cry. The painter's activities absorbed K. against his will, and in the end he began to reproach himself for having stayed so long without even touching on the business that brought him. "What is the name of this Judge?" he asked suddenly. "I'm not allowed to tell," replied the painter, stooping over the picture and ostentatiously ignoring the guest whom at first he had greeted with such consideration. K. put this down to caprice and was annoyed that his time should be wasted in such a manner. "You're in the confidence of the Court, I take it?" he asked. The painter laid down his crayons at once, straightened himself, rubbed his hands, and looked at K. with a smile. "Come out with the truth," he said. "You want to find out something about the Court, as your letter of recommendation told me, I may say, and you started talking about my paintings only to win me over. But I don't take that ill, you could hardly know that that wasn't the right way to tackle me. Oh, please don't apologize!" he said sharply, as K. tried to make some excuse. And then he continued: "Besides, you were quite right in what you said; I am in the confidence of the Court." He paused, as

if he wanted to give K. time to digest this fact. Now they could hear the girls behind the door again. They seemed to be crowding round the keyhole, perhaps they could see into the room through the cracks in the door as well. K. abandoned any attempt at apology, for he did not want to deflect the conversation, nor did he want the painter to feel too important, and so become in a sense inaccessible, accordingly he asked: "Is your position an official appointment?" "No," said the painter curtly, as if the question had cut him short. K., being anxious to keep him going, said: "Well, such unrecognized posts often carry more influence with them than the official ones." "That is just how it is with me," said the painter, knitting his brow and nodding. "The manufacturer mentioned your case to me yesterday, he asked me if I wouldn't help you; I said to him: 'Let the man come and see me some time,' and I'm delighted to see you here so soon. The case seems to lie very near your heart, which, of course, is not in the least surprising. Won't you take off your coat for a moment?" Although K. had it in mind to stay only for a short time, this request was very welcome to him. He had begun to feel the air in the room stifling, several times already he had eyed with amazement a little iron stove in the corner which did not seem even to be working; the sultry heat in the place was inexplicable. He took off his overcoat, unbuttoning his jacket as well, and the painter said apologetically: "I must have warmth. It's very cozy in here, isn't it? I'm well enough off in that respect." K. said nothing to this, for it was not the

warmth that made him so uncomfortable, it was rather the stuffy, oppressive atmosphere; the room could not have been aired for a long time. His discomfort was still more intensified when the painter begged him to sit down on the bed, while he himself took the only chair in the room, which stood beside the easel. Titorelli also seemed to misunderstand K.'s reasons for sitting on the extreme edge of the bed, he urged him to make himself comfortable and actually pushed the reluctant K. deep down among the bedclothes and pillows. Then he returned to his chair again and at last put his first serious question, which made K. forget everything else. "Are you innocent?" he asked. "Yes," said K. The answering of this question gave him a feeling of real pleasure, particularly as he was addressing a private individual and therefore need fear no consequences. Nobody else had yet asked him such a frank question. To savor his elation to the full, he added: "I am completely innocent." "I see," said the painter, bending his head as if in thought. Suddenly he raised it again and said: "If you are innocent, then the matter is quite simple." K.'s eyes darkened, this man who said he was in the confidence of the Court was talking like an ignorant child. "My innocence doesn't make the matter any simpler," said K. But after all he could not help smiling, and then he slowly shook his head. "I have to fight against countless subtleties in which the Court indulges. And in the end, out of nothing at all, an enormous fabric of guilt will be conjured up." "Yes, yes, of course," said the painter, as if K. were needlessly in-

terrupting the thread of his ideas. "But you're innocent all the same?" "Why, yes," said K. "That's the main thing," said the painter. He was not to be moved by argument, yet in spite of his decisiveness it was not clear whether he spoke out of conviction or out of mere indifference. K. wanted first to be sure of this, so he said: "You know the Court much better than I do, I feel certain, I don't know much more about it than what I've heard from all sorts and conditions of people. But they all agree on one thing, that charges are never made frivolously, and that the Court, once it has brought a charge against someone, is firmly convinced of the guilt of the accused and can be dislodged from that conviction only with the greatest difficulty." "The greatest difficulty?" cried the painter, flinging one hand in the air. "The Court can never be dislodged from that conviction. If I were to paint all the Judges in a row on one canvas and you were to plead your case before it, you would have more hope of success than before the actual Court." "I see," said K. to himself, forgetting that he merely wished to pump the painter.

Again a girl's voice piped from behind the door: "Titorelli, won't he be going away soon now?" "Quiet, there!" cried the painter over his shoulder. "Can't you see that I'm engaged with this gentleman?" But the girl, not to be put off, asked: "Are you going to paint him?" And when the painter did not reply she went on: "Please don't paint him, such an ugly man as that." The others yelled agreement in a confused jabbering. The painter

made a leap for the door, opened it a little—K. could see the imploring, outstretched, clasped hands of the girls—and said: "If you don't stop that noise I'll fling you all down the stairs. Sit down here on the steps and see that you keep quiet." Apparently they did not obey him at once, for he had to shout in an imperious voice: "Down with you on the steps!" After that all was still.

"Excuse me," said the painter, returning to K. again. K. had scarcely glanced toward the door, he had left it to the painter to decide whether and in what manner he was to be protected. Even now he scarcely made a movement when the painter bent down to him and whispered in his ear, so that the girls outside might not hear: "These girls belong to the Court too." "What?" cried K., screwing his head round to stare at the painter. But Titorelli sat down again on his chair and said half in jest, half in explanation: "You see, everything belongs to the Court." "That's something I hadn't noticed," said K. shortly; the painter's general statement stripped his remark about the girls of all its disturbing significance. Yet K. sat gazing for some time at the door, behind which the girls were now sitting quietly on the stairs. One of them had thrust a blade of straw through a crack between the planks and was moving it slowly up and down.

"You don't seem to have any general idea of the Court yet," said the painter, stretching his legs wide in front of him and tapping with his shoes on the floor. "But since you're innocent you won't need it anyhow. I shall get you off all by myself." "How can you do that?" asked K. "For

you told me yourself a few minutes ago that the Court was quite impervious to proof." "Impervious only to proof which one brings before the Court," said the painter, raising one finger as if K. had failed to perceive a fine distinction. "But it is quite a different matter with one's efforts behind the scenes; that is, in the consulting-rooms, in the lobbies or, for example, in this very studio." What the painter now said no longer seemed incredible to K., indeed it agreed in the main with what he had heard from other people. More, it was actually hopeful in a high degree. If a judge could really be so easily influenced by personal connections as the lawyer insisted, then the painter's connections with these vain functionaries were especially important and certainly not to be undervalued. That made the painter an excellent recruit to the ring of helpers which K. was gradually gathering round him. His talent for organization had once been highly praised in the Bank, and now that he had to act entirely on his own responsibility this was his chance to prove it to the uttermost. Titorelli observed the effect his words had produced upon K. and then said with a slight uneasiness: "Perhaps it strikes you that I talk almost like a jurist? It's my uninterrupted association with the gentlemen of the Court that has made me grow like that. I have many advantages from it, of course, but I'm losing a great deal of my *élan* as an artist." "How did you come in contact with the Judges to begin with?" asked K.; he wanted to win the painter's confidence first, before actually enlisting him in his service. "That was quite simple," said the

painter. "I inherited the connection. My father was the Court painter before me. It's a hereditary post. New people are of no use for it. There are so many complicated and various and above all secret rules laid down for the painting of the different grades of functionaries that a knowledge of them is confined to certain families. Over there in that drawer, for instance, I keep all my father's drawings, which I never show to anyone. And only a man who has studied them can possibly paint the Judges. Yet even if I were to lose them, I have enough rules tucked away in my head to make my post secure against all comers. For every Judge insists on being painted as the great old Judges were painted, and nobody can do that but me." "Yours is an enviable situation," said K., who was thinking of his own post in the Bank. "So your position is unassailable?" "Yes, unassailable," replied the painter, proudly bracing his shoulders. "And for that reason, too, I can venture to help a poor man with his trial now and then." "And how do you do it?" asked K., as if it were not himself who had just been described as a poor man. But Titorelli refused to be sidetracked and went on: "In your case, for instance, as you are completely innocent, this is the line I shall take." The repeated mention of his innocence was already making K. impatient. At moments it seemed to him as if the painter were offering his help on the assumption that the trial would turn out well, which made his offer worthless. But in spite of his doubts K. held his tongue and did not interrupt the man. He was not prepared to renounce Titorelli's assistance,

on that point he was decided; the painter was no more questionable as an ally than the lawyer. Indeed he very much preferred the painter's offer of assistance, since it was made so much more ingenuously and frankly.

Titorelli drew his chair closer to the bed and continued in a low voice: "I forgot to ask you first what sort of acquittal you want. There are three possibilities, that is, definite acquittal, ostensible acquittal, and indefinite postponement. Definite acquittal is, of course, the best, but I haven't the slightest influence on that kind of verdict. As far as I know, there is no single person who could influence the verdict of definite acquittal. The only deciding factor seems to be the innocence of the accused. Since you're innocent, of course it would be possible for you to ground your case on your innocence alone. But then you would require neither my help nor help from anyone."

This lucid explanation took K. aback at first, but he replied in the same subdued voice as the painter: "It seems to me that you're contradicting yourself." "In what way?" asked the painter patiently, leaning back with a smile. The smile awoke in K. a suspicion that he was now about to expose contradictions not so much in the painter's statements as in the Court procedure itself. However, he did not retreat, but went on: "You made the assertion earlier that the Court is impervious to proof, later you qualified that assertion by confining it to the public sessions of the Court, and now you actually say that an innocent man requires no help before the Court. That alone implies a contradiction. But, in addition, you said at

first that the Judges can be moved by personal intervention, and now you deny that definite acquittal, as you call it, can ever be achieved by personal intervention. In that lies the second contradiction." "These contradictions are easy to explain," said the painter. "We must distinguish between two things: what is written in the Law, and what I have discovered through personal experience; you must not confuse the two. In the code of the Law, which admittedly I have not read, it is of course laid down on the one hand that the innocent shall be acquitted, but it is not stated on the other hand that the Judges are open to influence. Now, my experience is diametrically opposed to that. I have not met one case of definite acquittal, and I have met many cases of influential intervention. It is possible, of course, that in all the cases known to me there was none in which the accused was really innocent. But is not that improbable? Among so many cases no single case of innocence? Even as a child I used to listen carefully to my father when he spoke of cases he had heard about; the Judges, too, who came to his studio were always telling stories about the Court, in our circle it is in fact the sole topic of discussion; no sooner did I get the chance to attend the Court myself than I took full advantage of it; I have listened to countless cases in their most crucial stages, and followed them as far as they could be followed, and yet—I must admit it—I have never encountered one case of definite acquittal." "Not one case of acquittal, then," said K. as if he were speaking to himself and his hopes, "but that merely con-

firms the opinion that I have already formed of this Court. It is a pointless institution from any point of view. A single executioner could do all that is needed." "You mustn't generalize," said the painter in displeasure. "I have only quoted my own experience." "That's quite enough," said K. "Or have you ever heard of acquittals in earlier times?" "Such acquittals," replied the painter, "are said to have occurred. Only it is very difficult to prove the fact. The final decisions of the Court are never recorded, even the Judges can't get hold of them, consequently we have only legendary accounts of ancient cases. These legends certainly provide instances of acquittal; actually the majority of them are about acquittals, they can be believed, but they cannot be proved. All the same, they shouldn't be entirely left out of account, they must have an element of truth in them, and besides they are very beautiful. I myself have painted several pictures founded on such legends." "Mere legends cannot alter my opinion," said K., "and I fancy that one cannot appeal to such legends before the Court?" The painter laughed. "No, one can't do that," he said. "Then there's no use talking about them," said K., willing for the time being to accept the painter's opinions, even where they seemed improbable or contradicted other reports he had heard. He had no time now to inquire into the truth of all the painter said, much less contradict it, the utmost he could hope to do was to get the man to help him in some way, even should the help prove inconclusive. Accordingly he said: "Let us leave definite acquittal out of account,

then; you mentioned two other possibilities as well." "Ostensible acquittal and postponement. These are the only possibilities," said the painter. "But won't you take off your jacket before we go on to speak of them? You look very hot." "Yes," said K., who had been paying no attention to anything but the painter's expositions, but now that he was reminded of the heat found his forehead drenched in sweat. "It's almost unbearable." The painter nodded as if he comprehended K.'s discomfort quite well. "Couldn't we open the window?" asked K. "No," replied the painter. "It's only a sheet of glass let into the roof, it can't be opened." Now K. realized that he had been hoping all the time that either the painter or he himself would suddenly go over to the window and fling it open. He was prepared to gulp down even mouthfuls of fog if he could only get air. The feeling of being completely cut off from the fresh air made his head swim. He brought the flat of his hand down on the feather bed and said in a feeble voice: "That's both uncomfortable and unhealthy." "Oh, no," said the painter in defense of his window. "Because it's hermetically sealed it keeps the warmth in much better than a double window, though it's only a simple pane of glass. And if I want to air the place, which isn't really necessary, for the air comes in everywhere through the chinks, I can always open one of the doors or even both of them." Somewhat reassured by this explanation, K. glanced round to discover the second door. The painter saw what he was doing and said: "It's behind you, I had to block it up by putting the bed in

front of it." Only now did K. see the little door in the wall. "This is really too small for a studio," said the painter, as if to forestall K.'s criticisms. "I had to manage as best I could. Of course it's a bad place for a bed, just in front of that door. The Judge whom I'm painting just now, for instance, always comes in by that door, and I've had to give him a key for it so that he can wait for me in the studio if I happen to be out. Well, he usually arrives early in the morning, while I'm still asleep. And of course however fast asleep I am, it wakes me with a start when the door behind my bed suddenly opens. You would lose any respect you have for the Judges if you could hear the curses that welcome him when he climbs over my bed in the early morning. I could certainly take the key away from him again, but that would only make things worse. It is easy enough to burst open any of the doors here." All during these exchanges K. kept considering whether he should take off his jacket, but at last he realized that if he did not he would be incapable of staying any longer in the room, so he took it off, laying it, however, across his knee, to save time in putting it on again whenever the interview was finished. Scarcely had he taken off his jacket when one of the girls cried: "He's taken off his jacket now," and he could hear them all crowding to peer through the cracks and view the spectacle for themselves. "The girls think," said the painter, "that I'm going to paint your portrait and that's why you are taking off your jacket." "I see," said K., very little amused, for he did not feel much better than before, although he was now sitting in

his shirt-sleeves. Almost morosely he asked: "What did you say the other two possibilities were?" He had already forgotten what they were called. "Ostensible acquittal and indefinite postponement," said the painter. "It lies with you to choose between them. I can help you to either of them, though not without taking some trouble, and, as far as that is concerned, the difference between them is that ostensible acquittal demands temporary concentration, while postponement taxes your strength less but means a steady strain. First, then, let us take ostensible acquittal. If you decide on that, I shall write down on a sheet of paper an affidavit of your innocence. The text for such an affidavit has been handed down to me by my father and is unassailable. Then with this affidavit I shall make a round of the Judges I know, beginning, let us say, with the Judge I am painting now, when he comes for his sitting tonight. I shall lay the affidavit before him, explain to him that you are innocent, and guarantee your innocence myself. And that is not merely a formal guarantee but a real and binding one." In the eyes of the painter there was a faint suggestion of reproach that K. should lay upon him the burden of such a responsibility. "That would be very kind of you," said K. "And the Judge would believe you and yet not give me a definite acquittal?" "As I have already explained," replied the painter. "Besides, it is not in the least certain that every Judge will believe me; some Judges, for instance, will ask to see you in person. And then I should have to take you with me to call on them. Though when that happens

the battle is already half won, particularly as I should tell you beforehand, of course, exactly what line to take with each Judge. The real difficulty comes with the Judges who turn me away at the start—and that's sure to happen too. I shall go on petitioning them, of course, but we shall have to do without them, though one can afford to do that, since dissent by individual Judges cannot affect the result. Well then, if I get a sufficient number of Judges to subscribe to the affidavit, I shall then deliver it to the Judge who is actually conducting your trial. Possibly I may have secured his signature too, then everything will be settled fairly soon, a little sooner than usual. Generally speaking, there should be no difficulties worth mentioning after that, the accused at this stage feels supremely confident. Indeed it's remarkable, but true, that people's confidence mounts higher at this stage than after their acquittal. There's no need for them to do much more. The Judge is covered by the guarantees of the other Judges subscribing to the affidavit, and so he can grant an acquittal with an easy mind, and though some formalities will remain to be settled, he will undoubtedly grant the acquittal to please me and his other friends. Then you can walk out of the Court a free man." "So then I'm free," said K. doubtfully. "Yes," said the painter, "but only ostensibly free, or more exactly, provisionally free. For the Judges of the lowest grade, to whom my acquaintances belong, haven't the power to grant a final acquittal, that power is reserved for the highest Court of all, which is quite inaccessible to you, to me, and to all of us. What the

prospects are up there we do not know and, I may say in passing, do not even want to know. The great privilege, then, of absolving from guilt our Judges do not possess, but they do have the right to take the burden of the charge off your shoulders. That is to say, when you are acquitted in this fashion the charge is lifted from your shoulders for the time being, but it continues to hover above you and can, as soon as an order comes from on high, be laid upon you again. As my connection with the Court is such a close one, I can also tell you how in the regulations of the Law Court offices the distinction between definite and ostensible acquittal is made manifest. In definite acquittal the documents relating to the case are said to be completely annulled, they simply vanish from sight, not only the charge but also the records of the case and even the acquittal are destroyed, everything is destroyed. That's not the case with ostensible acquittal. The documents remain as they were, except that the affidavit is added to them and a record of the acquittal and the grounds for granting it. The whole dossier continues to circulate, as the regular official routine demands, passing on to the higher Courts, being referred to the lower ones again, and thus swinging backwards and forwards with greater or smaller oscillations, longer or shorter delays. These peregrinations are incalculable. A detached observer might sometimes fancy that the whole case had been forgotten, the documents lost, and the acquittal made absolute. No one really acquainted with the Court could think such a thing. No document is ever lost, the Court never forgets anything. One day—quite unexpectedly—

some Judge will take up the documents and look at them attentively, recognize that in this case the charge is still valid, and order an immediate arrest. I have been speaking on the assumption that a long time elapses between the ostensible acquittal and the new arrest; that is possible and I have known of such cases, but it is just as possible for the acquitted man to go straight home from the Court and find officers already waiting to arrest him again. Then, of course, all his freedom is at an end." "And the case begins all over again?" asked K. almost incredulously. "Certainly," said the painter. "The case begins all over again, but again it is possible, just as before, to secure an ostensible acquittal. One must again apply all one's energies to the case and never give in." These last words were probably uttered because he noticed that K. was looking somewhat collapsed. "But," said K., as if he wanted to forestall any more revelations, "isn't the engineering of a second acquittal more difficult than the first?" "On that point," said the painter, "one can say nothing with certainty. You mean, I take it, that the second arrest might influence the Judges against the accused? That is not so. Even while they are pronouncing the first acquittal the Judges foresee the possibility of the new arrest. Such a consideration, therefore, hardly comes into question. But it may happen, for hundreds of reasons, that the Judges are in a different frame of mind about the case, even from a legal viewpoint, and one's efforts to obtain a second acquittal must consequently be adapted to the changed circumstances, and in general must be every whit as energetic as those that se-

cured the first one." "But this second acquittal isn't final either," said K., turning away his head in repudiation. "Of course not," said the painter. "The second acquittal is followed by the third arrest, the third acquittal by the fourth arrest, and so on. That is implied in the very conception of ostensible acquittal." K. said nothing. "Ostensible acquittal doesn't seem to appeal to you," said the painter. "Perhaps postponement would suit you better. Shall I explain to you how postponement works?" K. nodded. The painter was lolling back in his chair, his nightshirt gaped open, he had thrust one hand inside it and was lightly fingering his breast. "Postponement," he said, gazing in front of him for a moment as if seeking a completely accurate explanation, "postponement consists in preventing the case from ever getting any further than its first stages. To achieve that it is necessary for the accused and his agent, but more particularly his agent, to remain continuously in personal touch with the Court. Let me point out again that this does not demand such intense concentration of one's energies as an ostensible acquittal, yet on the other hand it does require far greater vigilance. You daren't let the case out of your sight, you visit the Judge at regular intervals as well as in emergencies and must do all that is in your power to keep him friendly; if you don't know the Judge personally, then you must try to influence him through other Judges whom you do know, but without giving up your efforts to secure a personal interview. If you neglect none of these things, then you can assume with fair certainty that the case will never pass beyond its first stages. Not that the pro-

ceedings are quashed, but the accused is almost as likely to escape sentence as if he were free. As against ostensible acquittal postponement has this advantage, that the future of the accused is less uncertain, he is secured from the terrors of sudden arrest and doesn't need to fear having to undergo—perhaps at a most inconvenient moment—the strain and agitation which are inevitable in the achievement of ostensible acquittal. Though postponement, too, has certain drawbacks for the accused, and these must not be minimized. In saying this I am not thinking of the fact that the accused is never free; he isn't free either, in any real sense, after the ostensible acquittal. There are other drawbacks. The case can't be held up indefinitely without at least some plausible grounds being provided. So as a matter of form a certain activity must be shown from time to time, various measures have to be taken, the accused is questioned, evidence is collected, and so on. For the case must be kept going all the time, although only in the small circle to which it has been artificially restricted. This naturally involves the accused in occasional unpleasantness, but you must not think of it as being too unpleasant. For it's all a formality, the interrogations, for instance, are only short ones; if you have neither the time nor the inclination to go, you can excuse yourself; with some Judges you can even plan your interviews a long time ahead, all that it amounts to is a formal recognition of your status as an accused man by regular appearances before your Judge." Already while these last words were being spoken K. had taken his jacket across his arm and got

up. "He's getting up now," came the cry at once from behind the door. "Are you going already?" asked the painter, who had also got up. "I'm sure it's the air here that is driving you away. I'm sorry about it. I had a great deal more to tell you. I have had to express myself very briefly. But I hope my statements were lucid enough." "Oh, yes," said K., whose head was aching with the strain of forcing himself to listen. In spite of K.'s confirmation, the painter went on to sum up the matter again, as if to give him a last word of comfort: "Both methods have this in common, that they prevent the accused from coming up for sentence." "But they also prevent an actual acquittal," said K. in a low voice, as if embarrassed by his own perspicacity. "You have grasped the kernel of the matter," said the painter quickly. K. laid his hand on his overcoat, but could not even summon the resolution to put on his jacket. He would have liked best of all to bundle them both together and rush out with them into the fresh air. Even the thought of the girls could not move him to put on his garments, although their voices were already piping the premature news that he was doing so. The painter was anxious to guess K.'s intentions, so he said: "I take it that you haven't come to any decision yet on my suggestions. That's right. In fact, I should have advised you against it had you attempted an immediate decision. It's like splitting hairs to distinguish the advantages and disadvantages. You must weigh everything very carefully. On the other hand you mustn't lose too much time either." "I'll come back again soon," said K., in a sudden fit of resolution putting

on his jacket, flinging his overcoat across his shoulders, and hastening to the door, behind which the girls at once began shrieking. K. felt he could almost see them through the door. "But you must keep your word," said the painter, who had not followed him, "or else I'll have to come to the Bank myself to make inquiries." "Unlock this door, will you?" said K., tugging at the handle, which the girls, as he could tell from the resistance, were hanging on to from outside. "You don't want to be bothered by the girls, do you?" asked the painter. "You had better take this way out," and he indicated the door behind the bed. K. was perfectly willing and rushed back to the bed. But instead of opening the bedside door the painter crawled right under the bed and said from down there: "Wait just a minute. Wouldn't you like to see a picture or two that you might care to buy?" K. did not want to be discourteous, the painter had really taken an interest in him and promised to help him further, also it was entirely owing to K.'s distractedness that the matter of a fee for the painter's services had not been mentioned, consequently he could not turn aside his offer now, and so he consented to look at the pictures, though he was trembling with impatience to be out of the place. Titorelli dragged a pile of unframed canvases from under the bed; they were so thickly covered with dust that when he blew some of it from the topmost, K. was almost blinded and choked by the cloud that flew up. "Wild Nature, a heathscape," said the painter, handing K. the picture. It showed two stunted trees standing far apart from each other in darkish grass. In the background was

a many-hued sunset. "Fine," said K., "I'll buy it." K.'s curtness had been unthinking and so he was glad when the painter, instead of being offended, lifted another canvas from the floor. "Here's the companion picture," he said. It might be intended as a companion picture, but there was not the slightest difference that one could see between it and the other, here were the two trees, here the grass, and there the sunset. But K. did not bother about that. "They're fine prospects," he said. "I'll buy both of them and hang them up in my office." "You seem to like the subject," said the painter, fishing out a third canvas. "By a lucky chance I have another of these studies here." But it was not merely a similar study, it was simply the same wild heathscape again. The painter was apparently exploiting to the full this opportunity to sell off his old pictures. "I'll take that one as well," said K. "How much for the three pictures?" "We'll settle that next time," said the painter. "You're in a hurry today and we're going to keep in touch with each other anyhow. I may say I'm very glad you like these pictures and I'll throw in all the others under the bed as well. They're heathscapes every one of them, I've painted dozens of them in my time. Some people won't have anything to do with these subjects because they're too somber, but there are always people like yourself who prefer somber pictures." But by now K. had no mind to listen to the professional pronouncements of the peddling painter. "Wrap the pictures up," he cried, interrupting Titorelli's garrulity, "my attendant will call tomorrow and fetch them." "That isn't necessary," said

the painter. "I think I can manage to get you a porter to take them along with you now." And at last he reached over the bed and unlocked the door. "Don't be afraid to step on the bed," he said. "Everybody who comes here does that." K. would not have hesitated to do it even without his invitation, he had actually set one foot plump on the middle of the feather bed, but when he looked out through the open door he drew his foot back again. "What's this?" he asked the painter. "What are you surprised at?" returned the painter, surprised in his turn. "These are the Law Court offices. Didn't you know that there were Law Court offices here? There are Law Court offices in almost every attic, why should this be an exception? My studio really belongs to the Law Court offices, but the Court has put it at my disposal." It was not so much the discovery of the Law Court offices that startled K.; he was much more startled at himself, at his complete ignorance of all things concerning the Court. He accepted it as a fundamental principle for an accused man to be always forearmed, never to let himself be caught napping, never to let his eyes stray unthinkingly to the right when his judge was looming up on the left—and against that very principle he kept offending again and again. Before him stretched a long passage, from which was wafted an air compared to which the air in the studio was refreshing. Benches stood on either side of the passage, just as in the lobby of the offices that were handling K.'s case. There seemed, then, to be exact regulations for the interior disposition of these offices. At the moment there was no great coming and going of clients.

FRANZ KAFKA, the son of a German-Jewish-Bohemian family, was born in Prague, Czechoslovakia, in 1883. He received his doctorate in jurisprudence from the German university Karls-Ferdinand in Prague in June, 1906, and from 1908 he supported himself by a semi-governmental job with a workers' accident insurance institute—a job with good pay and short hours, which exempted him from military service during the First World War. During his lifetime, he published only a few short stories, beginning with *Observations* in 1913 (*Selected Short Stories of Franz Kafka* is available in the Modern Library). He worked on *The Trial* (also available in the Modern Library) during the winter of 1916-17, and on *The Castle* (available in the Modern Library) in 1918, but these novels, together with *Amerika* and his short stories and letters, were not published until after his death. Kafka died of tuberculosis on June 3, 1924, and was buried in Prag-Straschnitz.