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The Fruit Fly, the Vermin, and the Prokurist: Operations of Appearing in Kafka's *Metamorphosis*

1 Cultural Techniques and the Procedure of Literature

Rethinking objects of the humanities in terms of “cultural techniques”¹ involves a threefold shift: First, it continues a tradition of questioning the privileged position of the subject and relocating it within an institutional, material, and technical framework.² Second, it involves a “thinking in verbs”³ that does not simply focus on the material infrastructures, but more specifically on the *operations* and *techniques* that interconnect actors and objects, media and phenomena, texts and meanings. Such a focus on processes, operations, and practices assumes that practices and operations take priority over both the specific order of phenomena they produce and the concepts that emerge from them, and it challenges the common assumption that cultural practices are intentionally determined by human agency. Thomas Macho suggests that *cultural techniques* are, third, precisely distinguished from other practices and techniques by their self-reflective character: “cultural techniques are *second-order techniques*.”⁴

Given these general terms, literature should be an interesting case in point. Not only does literature seem to make us consider itself as a process rather than as a static monument – it moreover seems to suggest, quite literally, a “thinking in verbs.” It also has the reflexive character of a *second-order technique*, always

1 For two instructive examples, see Bernhard Siegert, *Cultural Techniques: Grids, Filters, Doors, and Other Articulations of the Real*, trans. Geoffrey Winthrop-Young (New York: Fordham University Press, 2015); Thomas Macho, “Zeit und Zahl: Kalender- und Zeitrechnung als Kulturtechniken,” in *Bild – Schrift – Zahl*, ed. Sybille Krämer and Horst Bredekamp (Munich: Fink, 2003), 179–192.

2 Actor-Network-Theory and Latour’s approach serve as a major inspiration in this regard. For an instructive introduction, see Bruno Latour, *Reassembling the Social: An Introduction to Actor-Network-Theory* (Oxford: Oxford University Press, 2005).

3 Cornelia Vismann, “Cultural Techniques and Sovereignty,” *Theory, Culture & Society* 30, 6 (2013): 83–93, here 83.

4 Thomas Macho, “Second-Order Animals: Cultural Techniques of Identity and Identification,” *Theory, Culture and Society* 30, 6 (2013): 30–47.

also being in some way about literature – an operation of writing that turns in on itself, that is of or about writing. In this sense, literature can indeed be understood as a cultural technique. The question then would be, what it is that distinguishes literature from other cultural techniques. By way of re-reading Franz Kafka's *Die Verwandlung* (*The Metamorphosis*), I want to suggest in the following that literature is not just self-reflective but also reflective of other types of cultural techniques and their own self-reflexivity. And this is so not just on the level of content, but on the level of the very form of its textual operations.

A crucial notion of operation with regard to the distinctive sense in which literature is a technique reflective of other techniques is the idea of literature as a "procedure" (*Verfahren*).⁵ According to Victor Sklovskij, literature is a "procedure of estrangement." By producing what Sklovskij calls "impeded form," literature decelerates and interrupts our common routines in such a way that they first become fully apparent as cultural techniques.⁶ If that is true, literature appears not just as a second-order technique (as can be said about many cultural techniques), but as a certain type of procedural reflection of cultural techniques. In order to develop this perspective and bring out the distinctive character of literary procedures, I will turn to a reading of a passage of one of Kafka's most-read literary texts.

In Kafka's *Metamorphosis*, there is a peculiar scene that seems to offer the prolonged elaboration of something like a procedural onset – an onset that, in addition, leads into a reversal. From outside his bedroom, Gregor Samsa is described as being imperatively addressed and pressured to open the door by his mother, his sister, his father, and the *Prokurist* of his employer. After prolonged hesitation and complex preparation, he is depicted as finally intending to make such an appearance: "He actually intended to open the door, actually present himself ... ; he was eager to find out what the others, who were now so anxious to see him, would say at the sight of him."⁷ When he is told to actually open the door

5 See Rüdiger Campe, "Evidenz als Verfahren: Skizze eines kulturwissenschaftlichen Konzepts," in *Vorträge aus dem Warburg-Haus* 8 (2004): 105–134; Malte Kleinwort, *Kafkas Verfahren: Literatur, Individuum und Gesellschaft im Umkreis von Kafkas Briefen an Milena* (Würzburg: Königshausen und Neumann, 2004); Arne Höcker, "Literatur durch Verfahren: Beschreibung eines Kampfes," in *Kafkas Institutionen*, ed. A.H. and Oliver Simons (Bielefeld: transcript, 2007), 235–254.

6 Viktor Sklovskij, "Die Kunst als Verfahren," in *Russischer Formalismus: Texte zur allgemeinen Literaturtheorie und zur Theorie der Prosa*, ed. Jurij Striedter (Munich: Fink, 1969), 3–35.

7 Franz Kafka, *Oxford Quartheft 17 (Die Verwandlung): Historisch-Kritische Ausgabe sämtlicher Handschriften, Drucke und Typoskripte*, Faksimile-Edition (Frankfurt am Main: Stroemfeld, 2003), 35: "Er wollte tatsächlich die Tür aufmachen, tatsächlich sich sehen lassen ... ; er war begierig zu erfahren, was die anderen, die jetzt so nach ihm verlangten, bei seinem Anblick sagen würden." The translation is taken, with minor modifications, from Franz Kafka, *The Metamorphosis*:

to show and declare himself, however, the opposite of what the scene has built up to ensues. His appearance, expected and carefully prepared, fails to come to pass in the narration. It is not described but rather omitted by the text. Only the reaction of others is depicted – the mother as falling with her face on her breast, leaving her unable to see any appearance, the father as actively refusing to look at Gregor by covering his eyes with his hands, and the *Prokurist* as retreating from the scene. The father is then described as attempting to undo Gregor's entrance in driving him back into his room. The appearance, so urgently called for and prepared from different sides, is a misfire. As it is not described and not acknowledged as such by those who called for it, it seems to have resulted in a nonappearance that is then just as carefully undone. This scene as a whole recalls the way in which Benjamin has linked Kafka's writing to experimental settings: "Kafka's entire work constitutes a code of gestures which surely had no definite symbolic meaning for the author from the outset, rather the author tried to address such a meaning in ever-changing contexts and experimental arrangements [*Versuchsanordnungen*]." ⁸

In this sense, Kafka's scene stages the onset, the beginning, and the reversal of what I would like to describe as a procedure of appearance, arranged around an omission of the actual appearance. It seems like a mirrored two-phase scene: an elaborate scene of preparation on the one hand, and a backward movement halting, rewinding, and disintegrating, on the other. In what follows, I would like to propose a reading of this scene as staging a particular kind of proto-procedure going wrong. In doing so, I aim to show that literature is neither just a procedure like any other, nor just a description of a procedure. As I will indicate in the following, Kafka's *Metamorphosis* rather evokes other procedures – like those of the life sciences, the theatre, and the law – but evokes them by testing, confronting, and suspending them. This scene recalls other procedures and subverts them, showing how they are arranged around a meaning that is itself not given and yet to be attained, as Benjamin suggested. Instead of just being a second-order technique, it characterizes literature that the relation of materiality and meaning, of first and second order, is itself uncertain and constantly at play.

Translation, Backgrounds and Contexts, Criticism: The Norton Critical Edition, trans. and ed. Stanley Corngold (New York and London: Norton and Company, 1996), 10.

⁸ Walter Benjamin, "Franz Kafka: Zur zehnten Wiederkehr seines Todestages," in *Benjamin über Kafka. Texte, Briefzeugnisse, Aufzeichnungen*, ed. Hermann Schweppenhäuser (Frankfurt am Main: Suhrkamp, 1981), 18; my translation. The German original reads: "... daß Kafkas ganzes Werk einen Kodex von Gesten darstellt, die keineswegs von Hause aus für den Verfasser eine sichere symbolische Bedeutung haben, vielmehr in immer wieder anderen Zusammenhängen und Versuchsanordnungen um eine solche angegangen werden."

2 The Procedures of the Life Sciences: The Fruit Fly

The experimental arrangement of *The Metamorphosis* involves a configuration of rooms and devices that connect and separate them: doors, a familial order inhabiting and structuring these rooms, the various family members, the maid, and ultimately the *Prokurist*, organizing these rooms and their doors. In this way, the set up depicted in the narration presents itself as a form of what the German historian of science Hans-Jörg Rheinberger calls “assemblages.”⁹ Assemblages are, as he contends in view of the life sciences, configurations of various actors, materials, and processes, arranged in such a way, that they might produce a certain appearance: a deed that is at the same time an item of knowledge: a fact or result – in short: a *Tat-sache*.

Kafka’s scene of appearance is, first of all, addressing a procedure of making something visible – but what, exactly? Gregor’s appearance is, as the scene demonstrates, monstrous in more than one way. What is omitted and only readable in the reaction of the audience seems to preclude any form of straightforward presentation. This resonates with Kafka’s claim regarding the possible depiction of Gregor’s transformed state on the book cover: “The insect itself cannot be drawn.”¹⁰ This claim itself is somewhat paradoxical, since it, firstly, specifically identifies an insect, but secondly, claims that this insect *cannot* be made present (“*kann nicht gezeichnet werden*”). The “monstrous vermin” is characterized in its unrepresentability by the narrator with two negative prefixes: “*ungeheures Ungeziefer*.” Throughout the story, “it” is being designated by various actors as an “Untier,” “ein[] solche[s] Tier,” as well as a “Ding.” These nondescriptions question not only the extent to which Gregor has an ascribable form, but also challenge his status: is “it” an object or a subject? Thing or living being? A mere brute or an intelligent being? Such “a generic species of vermin, a hybrid thing, a true *Mischling*,”¹¹ recalls model organisms that have played a crucial role in experimental procedures in the life sciences around Kafka’s time. The respective model organisms are very often produced as *mutations* of given living things: organisms,

⁹ Hans-Jörg Rheinberger, *An Epistemology of the Concrete: Twentieth-Century Histories of Life* (Durham, NC: Duke University Press, 2010), 5f.

¹⁰ Kurt Wolff, *Briefwechsel eines Verlegers, 1911–1963*, ed. Bernhard Zeller and Ellen Otten (Frankfurt am Main: Fischer Verlag, 1966), 37; my translation. The German original reads: “Das Insekt selbst kann nicht gezeichnet werden.”

¹¹ Simon Ryan, “Franz Kafka’s *Die Verwandlung*: Transformation, Metaphor, and the Perils of Assimilation,” in *Franz Kafka*, ed. Harold Bloom (New York: Infobase, 2010, new edition), 197–216, here 214.

such as the well-known fruit fly *Drosophila*, were used as *living models*¹²: living objects of manipulation that at the same time act as models and markers of the respective investigation. As Rheinberger describes them, these model organisms are hybrids in terms of their status as living beings or things, as subjects or objects of the procedure and ultimately in terms of what it is they make visible. Insofar as they function as living objects of knowledge, the evidence procedure is not located outside of them (an external observation of which these beings are the mere object) but actually runs through them: the mutations produced in the breeding of these model organisms is the main part of the procedure. Even if we want to locate them in terms of nature or culture, the status of these organisms seems blurred. The “wild” insect is not only tamed and domesticized as the house pet of laboratories. But through highly artificial procedures allowing for, giving rise to, and selecting mutations, their biological, “natural” make-up is technically modified. In this ambivalence between a (natural) object of research and an (artificial) instrument, the model organisms are supposed to bring knowledge of life to light:

As Robert Kohler has forcefully argued by reference to the favorite of classical genetics, the fruit fly *Drosophila melanogaster*, model organisms function not just as exemplars, but also as research “instruments.” ... As an instrument the model organism is one of the technical conditions of an experimental system in which an epistemic object acquires its characteristic contours. To stick to the example of classical genetics *Drosophila* mutants were not themselves *epistemic objects* when it came, say, to drawing up chromosomal gene maps, but rather *instruments* that helped pin down the relative position of genes – the object of scientific interest – on chromosomes. Indeed many of the *Drosophila* mutants identified in Thomas Hunt Morgan’s laboratory were not interesting in and of themselves – because of their specific, “monstrous” defects – but, rather, served as mapping markers.¹³

The monstrous defects are the products of the mutations, but as such they are expected to make something else visible, over and above themselves. The experiment that arranges for these mutants to appear is not calling for their appearance

12 Rheinberger, *Epistemology of the Concrete*, 6: “That model organisms and the concept of model organism could emerge at all in this period presupposed the idea of a *general biology*, the notion that certain attributes of life were common to all living things and could consequently be experimentally investigated using *particular* organisms that were representative of all others [*konnten stellvertretend untersucht werden*]. In previous centuries, it was the *differences* between various living creatures that had commanded the interest of scientists, who in the natural history tradition had sought to account for life forms in all their diversity. ... If biology had asked, upon entering the ranks of the sciences around 1800, what distinguished living from nonliving things, it tended to ask, around 1900, what constituted life as such ... The concept and present-day meaning of the expression ‘model organism’ arouse under these epistemological conditions.”

13 Rheinberger, *Epistemology of the Concrete*, 224; my emphasis.

as such but requires them as markers and instruments that are supposed to give access to underlying living processes at work in these creatures or their ancestors. The *Drosophila* mutants thus seem to hover between being an epistemic object to be observed, on the one hand, and a living actant and instrument that is supposed to bring an epistemic object to light, on the other. This also makes it unclear, what exactly is *to be seen*.

In his studies on experimental settings in the laboratory, Rheinberger has demonstrated that not only does general biology face the task of “creating” its singular models as *Tat-sachen*, but that those models actually have to remain indeterminate and in the process of becoming in order for them to be productive. He points to Gaston Bachelard and Georges Canguilhem to stress this point:

Georges Canguilhem once quipped that models are distinguished precisely by a certain lack of knowledge [*Datenarmut*; so, more literally: “poorness in data”]: they are relevant to research only as long as they leave something to be desired. We can extend this idea: from the standpoint of the research process, models maintain their function only for as long as this representational relation remains somewhat hazy [*ein wenig unscharf*], only as long as we cannot say exactly what a particular model ultimately represents.¹⁴

So as part of a procedure (or “research process”), the *Drosophila* mutants are, in their existence as “natural objects,” not only artificially manipulated, so that what is visible is produced and affected by the procedures of making it visible.¹⁵ Moreover, they remain hazy with regard to their meaning. The procedure seems, similar to what Benjamin wrote with regard to Kafka, experimentally arranged around an open question of meaning.

¹⁴ Rheinberger, *Epistemology of the Concrete*, 8. Analogous points can be made about the function of the example in philosophical judgment (Kant), the paradigm in scientific research (Kuhn), and life objects in laboratories in Bruno Latour’s analysis: the singular “case” refers to something more general, and yet this relation of representation has to remain “somewhat hazy” if the example, paradigm or model is to have a productive, generative and genuine function beyond mere illustration of a general rule. On the underlying logic of exemplarity, see Giorgio Agamben, “What Is a Paradigm?” in G.A., *The Signature of All Things* (New York: Zone Books, 2009), 9–32.

¹⁵ According to Rheinberger’s studies on the experimentalization of life, general biology faces the task of “creating” its “cases” or singular entities that can be used as models. Following Bachelard’s famous thesis that objects “do not exist in nature: they have to be technically produced,” Rheinberger contends that “the sciences do not find their objects ready-made but have to constitute them using specific epistemic settings” (Rheinberger, *Epistemology of the Concrete*, 2). This is even more so the case with contemporary sciences: atoms or genomes need complex procedures in order to become apparent “objects of study.” Rheinberger also describes paradoxical procedures of authentication in various forms of exhibitions that involve the hiding of the very procedures that made the exhibiting of bodies possible in the first place.

3 Theatrical Procedures: The Entrance

The scene in Kafka's *Metamorphosis* does not only evoke an experimental arrangement, it also invokes a theatrical setting with doors marking an *off-stage area* (Gregor's room), from where his entering of the stage (the living room) is expected by the various actors that are at the same time the designated audience of this appearance. "Gregor," *rief es*," as the German text says, highlighting the fact that the calling is attributed to an impersonal source and seems to transcend any personally defined being. This is strengthened by the multiplication of callings that arise from different sides and voices and resound in different registers and pitches: "Gregor, Gregor," [the father] called, 'what's going on?' And after a little while he called again in a deeper, warning voice, 'Gregor! Gregor!' At the other side door, however, his sister moaned gently, 'Gregor?...'""¹⁶ The expectation is built up by the various actors who attempt to produce an entrance from different sides, calling upon Gregor to appear and to declare himself: to give "an immediate and precise explanation,"¹⁷ as the *Prokurist* demands. It is this expectation by the others that moves Gregor to finally become eager to appear himself: "He actually [*tatsächlich*] intended to open the door, actually [*tatsächlich*] present himself and speak to the *Prokurist*; he was eager to find out what the others, who were now so anxious to see him, would say at the sight of him."¹⁸

The scene that he is said to initiate – "tatsächlich die Tür aufmachen, tatsächlich sich sehen lassen" – is at its core a theatrical one, like many of Kafka's scenes. When Benjamin claimed that Kafka addresses meaning in ever-changing contexts and experimental arrangements, he declared that the theatre is actually the matrix of such experimental set ups: "The theatre is the given place of such arrangements [*Das Theater ist der gegebene Ort solcher Versuchsanordnungen*]."¹⁹

¹⁶ Kafka, *Die Verwandlung*, 26–27; Kafka, *The Metamorphosis*, 5. The original reads: "Gregor, Gregor," rief er, 'was ist denn?' Und nach einer kleinen Weile mahnte er nochmals mit tieferer Stimme: 'Gregor! Gregor!' An der anderen Seitentür aber klagte leise die Schwester: 'Gregor? ...'"

¹⁷ Kafka, *Die Verwandlung*, 33; Kafka, *The Metamorphosis*, 9. The German original reads: "Ich spreche hier im Namen Ihrer Eltern und Ihres Chefs und bitte Sie ganz ernsthaft um eine augenblickliche, deutliche Erklärung."

¹⁸ Kafka, *Die Verwandlung*, 35; Kafka, *The Metamorphosis*, 10. The original reads: "Er wollte tatsächlich die Tür aufmachen, tatsächlich sich sehen lassen und mit dem Prokuristen sprechen; er war begierig zu erfahren, was die anderen, die jetzt so nach ihm verlangten, bei seinem Anblick sagen würden."

¹⁹ Walter Benjamin, "Franz Kafka: Zur zehnten Wiederkehr seines Todestages," in *Benjamin über Kafka. Texte, Briefzeugnisse, Aufzeichnungen*, ed. Schweppenhäuser, 18; my translation. Rainer Nägele describes the theatre machine as a "machine of phenomenalization." Against this background, theatre is revealed as the "model of presentation itself [*Darstellung überhaupt*]" – see

If the theatre is indeed the place of such experimental arrangements of gestures lacking symbolic meaning, the stepping on stage of one actor to expose himself is the theatrical gesture par excellence. It recalls the foundational scene constituting Greek theatre, when one actor steps out of the chorus to expose himself in front of an audience that is itself constituted as such and as separate from him by that very move.²⁰ What becomes clear in the instance of Gregor's expected stepping out is that making an entrance is not a simple and self-confined move but needs to be prepared.²¹ The arrangement of doors, to be opened,²² the knocking, calling, and waiting outside of the door is part of that preparation. The expectation of others, separated as viewers, is needed for an entry to be possible and noticeable as an entrance that has a certain significance invested in it and ascribed to it by these others. Since Gregor has been depicted as trying repeatedly and unsuccessfully to get out of bed, it is this constellation, not an act of a genuine will of his own, that gets him to actually make the first step towards appearing: "And more as a result of the excitement produced in Gregor by these thoughts than as a result of any real decision, he swung himself out of bed with all his might."²³ The assumed perception by the others, the insistent normative request of his appearance, and the curiosity as to how the others will react to his appearance, move him, as we are told, to finally "stand up" and open the door. The door, dividing and connecting inside and outside, is a central actor in this scene, preparing the stage with a dark offstage from which the entrance is possible. The gesture of opening of the door – "actually opening the door" – is necessary to appear – to "actually present himself" or, more literally, "indeed let himself be seen" (*tatsächlich sich sehen lassen*). The imagination of the others, who are all affixed to his door expecting his entrance, then causes Gregor to go to work on the door key. When he manages to unlock the door, it first opens without him being seen: this is the first step in the setting of the stage. Even once the door is finally open, Gregor is depicted as carefully maneuvering and continuing to prepare his entrance, so as to avoid falling into the room on his back, which would not count as properly entering the

Rainer Nägele, "Mèchanè: Einmaliges in der mechanischen Reproduzierbarkeit," in R.N., *Hölderlins Kritik der Poetischen Vernunft* (Basel: Engler, 2005), 133–149, here 137f.

²⁰ See Hans-Thies Lehmann, *Theater und Mythos: Die Konstitution des Subjekts im Diskurs der antiken Tragödie* (Stuttgart: Metzler, 1991), 40ff.

²¹ See Bettine Menke, "Suspendierung des Auftritts," in *Auftreten. Wege auf die Bühne*, ed. Juliane Vogel and Christopher Wild (Berlin: Theater der Zeit, 2014), 247–274.

²² See Oliver Simons, "Schuld und Scham – Kafkas episches Theater," in *Kafkas Institutionen*, ed. Arne Höcker and O.S. (Bielefeld: transcript, 2007), 269–293.

²³ Kafka, *Die Verwandlung*, 31; Kafka, *The Metamorphosis*, 8. The German original reads: "Und mehr infolge der Erregung, in welche Gregor durch diese Überlegungen versetzt wurde, als infolge eines richtigen Entschlusses, schwang er sich mit aller Macht aus dem Bett."

room: “Since he had to use this method of opening the door, it was really opened very wide while he himself was still invisible. He first had to edge slowly around the one wing of the door, and do so very carefully if he was not to fall flat on his back just before entering.”²⁴ Although all kinds of careful preparations occur for him to actually enter the stage, his appearance is subsequently not narrated but rather omitted. It seems that Gregor’s appearance itself remains unpresentable. Recall that Kafka held that “the insect itself cannot be drawn.” Instead of Gregor, Kafka suggested to show the expectation of the others on the book’s cover: “If I were to make suggestions for an illustration, I would choose scenes such as: the parents and the procurist in front of the closed door, or, even better, the parents and the sister in the lit-up room, while the door to the dark adjoining room stands open.”²⁵

The expectations of the others for Gregor to appear, their gazes and glances, are at the center of attention here, not his appearance itself. The scene upon which Kafka wants to base the book cover seems to be the exact moment when the door is already open, but Gregor’s appearance does not (yet) take place. The contrast in illumination that informs this moment – the family in the well-lit living room facing the dark adjoining room – stresses the theatricality of this scene and alludes to the theatrical convention that the entering of the stage is supposed to take place from a dark back room to the stage and into the spotlight.

The carefully prepared appearance, however, is not only held in suspense for a while and not directly addressed and described by the narration; as we learn from the reaction of the others, however, the appearance is quite literally a non-appearance: it is not acknowledged by the others as Gregor entering the stage but as the appearance of a negativity. The response is described as one of not seeing, not wanting to see, retreating from and even repelling the (non)appearance. The reaction marks a theatrical situation in which any appearance precisely requires the acknowledgement of others. Put differently, theatrical appearances are marked by their to-be-seenness.²⁶ In this case, however, the opposite of a watched

24 Kafka, *Die Verwandlung*, 38; Kafka, *The Metamorphosis*, 12. The German original reads: “Da er die Türe auf diese Weise öffnen mußte, war sie eigentlich schon recht weit geöffnet, und er selbst noch nicht zu sehen. Er mußte sich erst langsam um den einen Türflügel herumdrehen, und zwar sehr vorsichtig, wenn er nicht gerade vor dem Eintritt ins Zimmer plump auf den Rücken fallen wollte.”

25 Kurt Wolff, *Briefwechsel eines Verlegers*, 37; my translation. The German original reads: “Wenn ich für eine Illustration selbst Vorschläge machen dürfte, würde ich Szenen wählen, wie: die Eltern und der Prokurist vor der geschlossenen Tür oder noch besser die Eltern und die Schwester im beleuchteten Zimmer, während die Tür zum ganz finsternen Nebenzimmer offensteht.”

26 See Stanley Cavell, “The Avoidance of Love: A Reading of *King Lear*,” in S.C., *Disowning Knowledge in Seven Plays of Shakespeare* (Cambridge: Cambridge University Press, 2003), 39–123;

appearance and an appearance of acknowledgment ensues. That something or other seems indeed to be happening is only readable in the various ways in which Gregor cannot reach the gaze of his audience. The mother's face is "hidden on her breast," his father shields his eyes with his hands, and the *Prokurist* is repelled by an "invisible force":²⁷

But at Gregor's first words the procurist had already turned away and with curled lips looked back at Gregor only over his twitching shoulder. And during Gregor's speech he did not stand still for a minute but, without letting Gregor out of his sight, backed toward the door, yet very gradually, as if there were some secret prohibition against leaving the room. He was already in the foyer, and from the sudden movement with which he took his last step from the living room, one might have thought he had just burned the sole of his foot. In the foyer, however, he stretched his right hand far out toward the staircase, as if nothing less than an unearthly deliverance were awaiting him there.²⁸

When the *Prokurist* retreats and watches Gregor only over his shoulder while leaving the scene, Gregor – in a comical reversal of the procedure in which the *Prokurist* had pressured him to step out of the door – actually now attempts in turn to go after him. The father then tries to undo the laboriously prepared entrance in driving Gregor back into his room, which turns out to be just as laborious. While Gregor is supposed to move into his room in reverse, as if actually some apparatus would allow us to rewind the movement, it becomes apparent that this movement is not only slow but that "in reverse he could not even keep going in one direction."²⁹ Gregor thus tries to turn around and, after further complications, it becomes apparent, with his body finally facing the door head-on, that he is too broad to get through anyway. Driven by his father, Gregor forces himself in the doorway and gets stuck. Finally, a hard shove by his father (*einen jetzt wahrhaftig erlösenden starken Stoß*) throws

and Michael Fried, *Why Photography Matters as Art as Never Before* (New Haven and London: Yale University Press, 2008).

27 Kafka, *Die Verwandlung*, 38; Kafka, *The Metamorphosis*, 12.

28 Kafka, *Die Verwandlung*, 40–41; Kafka, *The Metamorphosis*, 13. The German original reads: "Aber der Prokurist hatte sich schon bei den ersten Worten Gregors abgewendet, und nur über die zuckende Schulter hinweg sah er mit aufgeworfenen Lippen nach Gregor zurück. Und während Gregors Rede stand er keinen Augenblick still, sondern verzog sich, ohne Gregor aus den Augen zu lassen, gegen die Tür, aber ganz allmählich, als bestehe ein geheimes Verbot, das Zimmer zu verlassen. Schon war er im Vorzimmer, und nach der plötzlichen Bewegung, mit der er zum letztenmal den Fuß aus dem Wohnzimmer zog, hätte man glauben können, er habe sich soeben die Sohle verbrannt. Im Vorzimmer aber streckte er die rechte Hand weit von sich zur Treppe hin, als warte dort auf ihn eine geradezu überirdische Erlösung."

29 On the media conditions of time axis manipulation, see Friedrich Kittler, "Real Time Analysis, Time Axis Manipulation," *Cultural Politics* 13, 1 (2017): 1–18.

him back into the room and severely injures him. “Then at last everything was quiet.”³⁰ The reaction of the “audience” that had so insistently approached his room and called for his appearance now negatively mirrors this preparation in the disintegration of the scene. The experiment has gone wrong and thereby shown retroactively that it has been an experimental arrangement to produce an entrance and to investigate what it takes for an entrance to count as such.³¹ As a potential scene of subjectivation, it requires the call from an other: from the institutions of the family and the firm.³² The way in which these institutions react to the way Gregor reacts to his interpellation makes it evident that something other than the interpellated subject must have “appeared” on the scene.

The peculiar address by the *Prokurist* demanding that Gregor steps out and declares himself, marks this as a procedure to make Gregor not just appear but appear in a certain expected way: “You ... cause your parents serious, unnecessary worry, and you neglect – I mention this only in passing – your duties to the firm in a really shocking manner. I am speaking here in the name of your parents and of your employer and ask you in all seriousness for an immediate, clear explanation.”³³ Gregor is addressed by an institution to appear and explain himself as the person he is expected to be: as the worker and bread winner for the family. Appearing, as it is reflected in this scene *ex negativo*, always means appearing *as someone*. The failing of the entrance is due to the expectations of not just any but a particular entrance. Given that expectation, the nonappearance of a monstrous vermin seems not like an instance of just falling short of this expectation but as a radical negation of any determinate expectation. At any rate, one might ask whether a failure to meet the expectations of others is enough to make one appear as an “ungeheures Ungeziefer.” What appears in this distinctive form of nonappearance cannot be just a certain trait or characteristic that is not expected or called for at this point; it is a more radical other of the expected

30 Kafka, *Die Verwandlung*, 44; Kafka, *The Metamorphosis*, 15.

31 See Paul North, *The Yield: Kafka's Atheological Reformation* (Stanford, CA: Stanford University Press, 2015), 64ff.

32 See Arne Höcker, “Literatur durch Verfahren,” 244: “And just like in Louis Althusser’s brief theoretical narrative, the subject finds its origin in the interpellation by the institution.”

33 Kafka, *Die Verwandlung*, 33; Kafka, *The Metamorphosis*, 9. The German original reads: “Sie ... machen Ihren Eltern schwere, unnötige Sorgen und versäumen – dies nur nebenbei erwähnt – Ihre geschäftliche Pflichten in einer eigentlich unerhörten Weise. Ich spreche hier im Namen Ihrer Eltern und Ihres Chefs und bitte Sie ganz ernsthaft um eine augenblickliche, deutliche Erklärung.”

person: the remainder of the un-person or im-person that is the correlate of any subjectivation.³⁴

4 Legal Procedures: Procura

The nonappearance of a human subject as a “monstrous vermin,” an “ungeheures Ungeziefer” has political resonances and raises questions not only of textual and literary form, but also of legal status. Appearing in the doubly negative mode of an “ungeheures Ungeziefer” is not only in tension with appearing in a certain role in the eyes of the others, but also in tension with being an actor with legal status.³⁵ If we attend to this register, it seems obvious that the theatrical scene of entrance is closely linked to the scene of an appearance *before the law*. The “monstrous” entrance challenges our ways of conceiving what it could mean to display personhood and to act as an agent, to appear as a being to which we could accord a certain legal status just as well as a certain narrative intelligibility. Gregor’s failure to appear thus raises the question of what it could mean to resist or withdraw from such forms of appearance or performance and what it would mean for such forms of appearance to be withheld from someone. If it is indeed vital to our legal and political existence that we can make an appearance, and if certain political pathologies express themselves in extreme form of depravation of legal status, the nonappearance of the “ungeheures Ungeziefer” in facts raises political questions.³⁶

34 See Niklas Luhmann, “Die Form ‘Person’,” in N.L., *Soziologische Aufklärung 6: Die Soziologie und der Mensch* (Opladen: Westdeutscher Verlag, 1995), 142–154, here 148: “Other things remain on the unmarked side, since one does not expect them to become the object of communication. What belongs to the unperson therefore is as indeterminate as the non-loop in knitting or the non-hole in billards.”

35 The positive term “Geziefer” from medieval sacrifice did not survive in German, nor did “Geheuer” as a positive term; see “Geziefer,” and “Geheuer,” in *Deutsches Wörterbuch*, ed. Jacob Grimm and Wilhelm Grimm (Stuttgart: Hirzel, 1853ff.), vol. 7, col. 7045–7048, <http://www.woerterbuchnetz.de/DWB?lemma=geziefer>; and vol. 5, col. 2478–2480, <http://www.woerterbuchnetz.de/DWB?lemma=geheuer> (both webpages last visited on January 28, 2020).

36 In *The Origins of Totalitarianism*, Hannah Arendt made clear that the stateless are exposed to such an extreme form of rightlessness that they can only make themselves known legally and become visible again by violating the law, as that may secure them the rights and representation before the law: “As a criminal even a stateless person will not be treated worse than another criminal, that is, he will be treated like everybody else. Only as an offender against the law can he gain protection from it. ... The same man who was in jail yesterday because of his mere presence in this world, who had no rights whatever and lived under threat of deportation, or who was

The cultural history of the term “Ungeziefer” points to two important connotative meanings. As Stanley Corngold has shown, the noun “Ungeziefer” in Middle High German signifies an “unclean animal not suited for sacrifice.”³⁷ Sander L. Gilman detailed the anti-Semitic connotations that the word “Ungeziefer” carried in Prague around the turn of the century. In German and Austrian anti-Semitic publications, Jews were referred to as “rats,” “mice,” “insects,” and “vermin,” and more specifically, “Ungeziefer der Menschheit.”³⁸ In the context of the Dreyfus Affair, in which – as Simon Ryan has shown – Kafka was keenly interested, the Jew was described as “a stinking and dangerous animal, a plague, a centipede, a microbe, a mite, a cancer, an ugly spider and synagogue lice. ... ‘Long live the sabre that will rid us of the vermin.’”³⁹ Reports of Dreyfus’s trial and incarceration focused particularly on the alleged unfitness of male Jews for military service.⁴⁰

When Ryan refers to Gregor as “a generic species of vermin, a hybrid thing, a true *Mischling*,” he points to this anti-Semitic context of bio-politics.⁴¹ Following this line of thought, one might ask whether the precarious character of this “monstrous vermin” is connected to a certain political and legal logic of exception and whether the appearance as an “ungeheures Ungeziefer” is the shadow thrown by a failure to appear as a legal person. Clearly, *The Metamorphosis* does not seem to address any distinct legal and political regimes especially prone to deprive people of their rights and to turn them into un-persons. But the fact that the failure to appear as an accountable agent is connected to the (non)appearance

dispatched without sentence and without trial to some kind of internment because he had tried to work and make a living, may become almost a full-fledged citizen because of a little theft. Even if he is penniless he can now get a lawyer, complain about his jailers, and he will be listened to respectfully. He is no longer the scum of the earth but important enough to be informed of all the details of the law under which he will be tried. He has become a respectable person.” Hannah Arendt, *Origins of Totalitarianism* (Cleveland and New York: Meridian Books, 1962), 286–287.

37 Stanley Corngold, *The Commentator’s Despair: The Interpretation of Kafka’s “Metamorphosis”* (Washington: National University Publications, 1973), 10.

38 Stanley Corngold, *The Commentator’s Despair*, 31, 80; the last phrase stems from Ernst Hiemer, *Der Jude im Sprichwort der Völker* (Nuremberg: Der Stürmer, 1942), 34–40.

39 Ryan, “Franz Kafka’s *Die Verwandlung*,” 11; see Jean Denis-Bredin, *The Affair: The Case of Alfred Dreyfus* (New York: George Braziller, 1986), 351.

40 See Ryan, “Franz Kafka’s *Die Verwandlung*,” 11. Kafka writes to Milena Jesenská: “Ist es nicht das Selbstverständliche, daß man von dort weggeht, wo man so gehaßt wird (Zionismus oder Volksgefühl ist dafür gar nicht nötig)? Das Heldentum, das darin besteht, doch zu bleiben, ist jenes der Schaben, die auch nicht aus dem Badezimmer auszurotten sind.” Franz Kafka, *Briefe an Milena*, enlarged and newly arranged edition, ed. Jürgen Born and Michael Müller (Frankfurt am Main: Fischer, 2015), 288.

41 Ryan, “Franz Kafka’s *Die Verwandlung*,” 16.

of this remainder, suggests that *The Metamorphosis* has a latent connection to these issues.⁴²

In order to bring out the text's legal and political implications, we can start from a certain "appearance, in the legal sense" that concerns Kafka and that Derrida has outlined by reference to *Before the Law* – an appearance that has a strong kinship with the theatrical sense of entering the stage and thus is both a matter of performative action and of legal procedure: "To appear before the law means in the German, French, or English idiom," as Derrida reminds us, "to come or to be brought before judges, the representatives or guardians of the law, for the purpose, in the course of a trial, of giving evidence or being judged. The trial, the judgment (*Urteil*), this is the place, the site, the setting – this is what is needed for such an event to take place: 'to appear before the law.'"⁴³

Assuming, as a starting point, that the cited passage of *The Metamorphosis* also marks a place, a site, a setting of appearing in front of others, or before the law, a first moment that Kafka's text brings out is a *hesitation to appear*. This hesitation to appear is also present in *The Trial* and *Before the Law*, and it is connected to a certain procedural structure of Austrian law of the time. Austrian procedural reforms in the nineteenth century had led to an oral and public main trial but continued to rely on a secret and written pretrial. As Wolf Kittler has convincingly shown, Kafka's *Trial* seems to remain arrested, or lingers, in some important sense in the stage of the secret and written pretrial proceedings that precede the main oral trial.⁴⁴ Kafka's *Trial* never leaves those preliminary stages and thus never results in an actual and public "appearance before the law in order to be judged." Something similar can be said of Kafka's *Metamorphosis*, even though elements of legal procedure are of course much less prominent in this text. If we attend to these elements, however, it becomes clear that *The Metamorphosis* is

⁴² The notion of a "minor literature" by Deleuze and Guattari also takes up these political implications; see Gilles Deleuze and Félix Guattari, *Kafka: Toward a Minor Literature* (Minneapolis and London: University of Minnesota Press, 1986). They do so not from the side of reflecting on a certain deprivation of rights that manifests itself in Gregor's (non)appearance as a vermin but rather from the complementary perspective that recognizes a certain movement of resistance in this (non)appearance. By failing to appear in his institutional role and by appearing as this "Ungeziefer" instead, Gregor points to a certain dynamic of "becoming animal." According to this reading of a nonappearance of a monstrous vermin, the question of meaning and nonmeaning, of material and symbol, is itself constantly at stake.

⁴³ Jacques Derrida, "Before the Law," in J.D., *Acts of Literature*, ed. Derek Attridge (New York: Routledge, 1992), 188.

⁴⁴ Wolf Kittler, "Heimlichkeit und Schriftlichkeit: Das Österreichische Strafprozessrecht in Franz Kafkas Roman *Der Proceß*," *The Germanic Review. Literature* 78, 3 (2003): 194–222.

also troubled by attempts to appear before the law and lingers in a preliminary stage of a procedure.

If we think of the structure of legal proceedings in Kafka's time, we might say that the described scenes remain in the pretrial proceedings rather than entering the actual oral trial. The procedural reforms first initiated by the so-called *Code d'instruction criminelle* of the Code Napoléon transformed what used to be an inquisitorial procedure under the principle of secrecy and written procedure into a public and open procedure (*Öffentlichkeit*) that involved oral presentation of evidence (*Mündlichkeit*) and its immediate presentation before the deciding judges (*Unmittelbarkeit*).⁴⁵ The need for an immediate appearance before the law recalls the Prokurist's demand for an "immediate and precise explanation," and Gregor's attempts (*tatsächlich die Tür öffnen, tatsächlich sich sehen lassen*) suggest that we are here confronted with a scene of an investigation ultimately requiring the subject to expose itself to the gaze of the law, without mediation, as it were.

The goal of the reformed procedures was the appearance of a subject in its immediate, authentic, and actual presence before the law. The proceedings turned away from the priority of the professional representatives and instead focused on the accused subject and the project to make this subject, its intentions and deeds, appear in court. This far-reaching reform in the wake of the French Revolution emphasizes the presence of the subject and aligns such immediate subjective presence with orality.⁴⁶ This change of procedure was initiated in the name of the subject who was supposed to have the "right" to appear before the law and defend itself. And yet the reforms concerned only the last or main part of a trial. The pretrial procedures remained in line with the principle of secrecy and of written procedure. What "immediacy" meant in this reformed context, then, is that evidence established during the written and secret stage of the procedure had to be *reproduced* during the main trial in an oral and public manner. The supposed immediacy of the procedure therefore relied precisely on this mediated written procedure while also attempting to conceal the complex procedural

⁴⁵ Carl Joseph Anton Mittermaier, *Die Mündlichkeit, das Anklageprinzip, die Öffentlichkeit und das Geschworenengericht: in ihrer Durchführung in den verschiedenen Gesetzgebungen* (Stuttgart and Tübingen: Cotta, 1845).

⁴⁶ On the implications of that change, see also Cornelia Vismann: "As the criminal process in the nineteenth century shifted to the maxim of oral trials, the emphasis was no longer on the lawyer as orator but rather on the interrogated subject. Since then, the criminal process has aimed at taking the wrongdoer to task (*den Täter zur Rede zu stellen*) in order to hold him accountable. It is he who has to be heard, in order for him to be judged." Cornelia Vismann, *Das Recht und seine Mittel* (Frankfurt am Main: Fischer, 2012) 229; my translation.

entanglement of forms in order to enable an “actual, immediate appearance in person” before the law.

While one instance of calling upon Gregor to appear is one of urging him (the father “mahnte nochmals,” urged again), another (the sister’s) is one of lamenting, moaning, or suing (“klagte leise”), as the German term *klagen* also has this legal meaning (“klagen,” “anklagen,” “verklagen”). In this way, Gregor also seems to be – just as Josef K. was in the *Trial* – called upon to appear in the legal sense – as Derrida had it: “to come or to be brought before ... the representatives or guardians of the law, for the purpose, in the course of a trial, of giving evidence or being judged.”⁴⁷ As the *Trial* never actually reaches the main part of an oral and public appearance that would be needed in order for K to be judged, but remains in the preliminary stages, *The Metamorphosis* offers a scene of Gregor being called to appear – to come out of his room – that nevertheless results in a scene of not-appearing to then remain, just like the secret pre-procedures, largely “behind closed doors.”

This oscillating mode of being called to appear, attempting, hesitating, and failing to appear involves not only a dual constellation – Gregor facing an other, calling him – but a more complex scenario indebted to an older, Roman procedural tradition (we know Kafka studied Roman law as part of his law school curriculum): namely that which is encapsulated in the juridical genre of rhetoric where an orator, patron, or procurator speaks for another (the client) against an accusing or antagonistic party, and in front of a third party who is addressed so that they may judge.⁴⁸

The nonappearance of the vermin that raises questions of form and legal status therefore also raises the question of (legal and literary) representation by others, to others. When the front doorbell rings, Gregor expects “someone from the office,” a thought that paralyzes him – “‘They’re not going to answer,’ Gregor said to himself, captivated by some senseless hope. But then, of course, the maid went to the door as usual with her firm stride and opened up. Gregor only had to hear the visitor’s first word of greeting to know who it was – *the procurist himself*.”⁴⁹ The *Prokurist* in Kafka’s story is referred to not by his name, but by his

⁴⁷ On the comparison with Josef K. in the *Trial*, see Höcker, “Literatur durch Verfahren,” 245.

⁴⁸ On Kafka’s familiarity with Roman law, see Peter-André Alt, *Franz Kafka. Der ewige Sohn: Eine Biographie* (Munich: Beck, 2008), 128. On the rhetorical scene of judging, see Rüdiger Campe, “An Outline for a Critical History of Fürsprache: Synegoria and Advocacy,” *DVjs* 82 (2008): 355–381; R.C., “Kafkas Fürsprache,” in *Kafkas Institutionen*, ed. Arne Höcker and Oliver Simons (Bielefeld: transcript, 2007), 189–212.

⁴⁹ Kafka, *Die Verwandlung*, 30; my emphasis; Kafka, *The Metamorphosis*, 7. The German original reads: “‘Sie öffnen nicht,’ sagte sich Gregor, befangen in irgendeiner unsinnigen Hoffnung. Aber

function – which is to speak and act for an Other. The Latin *procuratio* designates an agent taking care (*cura*) of some task for (*pro*) another, as John Hamilton has developed in greater length.⁵⁰

[D]id the procurist himself have to come, and did the whole innocent family have to be shown in this way that the *investigation of this suspicious affair* could be entrusted only to the intellect of the procurist? And more as a result of the excitement produced in Gregor by these thoughts than as a result of any real decision, he swung himself out of bed with all his might.”⁵¹

The situation of the *Prokurist* speaking for the company and acting as Gregor’s adversary in front of the family in some kind of investigative procedure – evoked by the text speaking of this suspicious circumstance to be investigated – leads to the scene of (non)appearance.

What distinguishes Kafka’s procedure in this scene from the legal procedures it recalls is that it never stabilizes. Rather, the various roles constantly change places and rearrange themselves, in what Benjamin called “ever-changing contexts” and “experimental arrangements.” When the *Prokurist* addresses Gregor “himself,” the constellation shifts and his mother – until then part of the “innocent” third party before whom the *Prokurist* speaks for the company vis-à-vis Gregor – now steps in and in turn speaks “for Gregor,” in his place, defending him as “his *Prokurist*,” so

dann ging natürlich wie immer das Dienstmädchen festen Schrittes zur Tür und öffnete. Gregor brauchte nur das erste Grußwort des Besuchers zu hören und wußte schon, wer es war – *der Prokurist selbst*.”

50 A “*Prokurist*” is someone, “whose functions include both representation and execution, both speaking for the company and carrying out its policies,” as Hamilton writes. “In accordance with Austrian business practice, the *Prokurist* is the agent who has been delegated ‘full power of attorney’ (*Prokura*), the *pleinpouvoir* or *Vollmacht*, to inspect the case on the firm’s behalf.” See John Hamilton, “Procuratores: On the Limits of Caring for Another,” *Telos* 170 (2015): 7–22. It is in the presence of this *Prokurist*, reduced to his function of speaking not for himself but for another, that Gregor loses the ability to speak for himself. Moreover, the *Prokurist* speaks primarily not for another person with a genuine voice of his/her own, but for “the company.” Gregor claims that the *Prokurist* himself (again: *Prokurist selbst*) has a better understanding of the organization than the boss. See also Doreen Densky, “Proxies in Kafka: *Koncipist* FK and *Prokurist* Joseph K.,” in *Kafka for the Twenty-First Century*, ed. Stanley Corngold and Ruth Gross (Rochester, NY: Camden House, 2011), 120–135.

51 Kafka, *Die Verwandlung*, 31; my emphasis; Kafka, *The Metamorphosis*, 8. The German original reads: “[M]ußte da der Prokurist selbst kommen, und mußte dadurch der ganzen unschuldigen Familie gezeigt werden, daß die *Untersuchung dieser verdächtigen Angelegenheit* nur dem Verstand des Prokuristen anvertraut werden konnte? Und mehr infolge der Erregung, in welche Gregor durch diese Überlegungen versetzt wurde, als infolge eines richtigen Entschlusses, schwang er sich mit aller Macht aus dem Bett.”

to speak, against an assumed accusation by the company, and thereby giving an account of him in a third person narration. “‘He’s not well,’ said the mother to the procurist.”⁵² The mother makes a claim on Gregor’s behalf that Gregor himself – despite the numerous speculations about travel-sickness – had denied in those exact same terms (“Gregor fühlte sich tatsächlich ganz wohl”), thereby shows that she regards herself to be in a better position to speak for him than he himself could.⁵³ The silenced conflict between these statements (*Gregor fühlte sich tatsächlich ganz wohl* and *ihm ist nicht wohl*) suggests that she at the same time blocks him by speaking in his place.

While the *Prokurist* speaks for the company, in his address to Gregor he turns the constellation yet again in claiming to speak for the parents first and foremost and for his company only in the second place: “I am speaking here in the name of your parents and of your employer and ask you in all seriousness for an immediate, clear explanation [*augenblickliche, deutliche Erklärung*].”⁵⁴ Claiming to speak not in his own but in the mother’s name in demanding an explanation – even though Gregor’s mother had just given him such an explanation, namely that Gregor is not well – the *Prokurist* claims the power to speak more convincingly for the mother than she can speak for herself, and ironically so, just as the mother with regard to Gregor. Demanding “quite seriously” an “immediate and precise explanation” stresses again that this is a scene of investigation that ultimately aims for an “immediate appearance” before the law, which is exactly what the procedural reforms of the nineteenth century envisioned with regard to the main trial, to wit, an oral presentation and the bodily presence of the subject itself.⁵⁵

52 Kafka, *Die Verwandlung*, 32; my translation. The German original reads: “‘Ihm ist nicht wohl,’ sagte die Mutter zum Prokuristen.”

53 On speculations about Gregor’s travel sickness, see John Zilcosky, “‘Samsa war Reisender’: Trains, Trauma, and the Unreadable Body,” in *Kafka for the Twenty-First Century*, ed. Stanley Corngold and Ruth Gross (Rochester, NY: Camden House, 2011), 179–206.

54 Kafka, *Die Verwandlung*, 33; Kafka, *The Metamorphosis*, 9. The German original reads: “Ich spreche hier im Namen Ihrer Eltern und Ihres Chefs und bitte Sie ganz ernsthaft um eine augenblickliche, deutliche Erklärung.”

55 See Peter Horn, “Tier werden, um der Sprache, der Macht, zu entkommen: Zu Kafkas Verwandlung,” in *Sprache und Macht*, ed. Walther Köppe (Frankfurt am Main: Peter Lang, 1993), 101–22, here 104: “Unsere Aussagen sind individualisiert und unsere Sprache subjektiviert nur in dem Maße, in dem ein unpersönliches Kollektiv das erfordert. Wir werden immer durch Sprache zum Sprechen gebracht und durch das Sprechen als Subjekte unterworfen; [...] Dieses unpersönliche Kollektiv interpelliert uns als Subjekte und befiehlt uns: Du wirst als Organismus organisiert sein und deinen Körper als Signifikant und Signifikat artikulieren, du wirst als Subjekt festgenagelt werden, und wenn du dich weigerst, bist du ein Ungeziefer.”

In a final, yet crucial twist, the *Prokurist* suggests himself as a potential procurator for Gregor vis-à-vis the company's boss, but only by way of denying his willingness to actualize such a potential *procuratio*:

The head of the firm did suggest to me this morning a possible explanation for your tardiness – it concerned the cash payments recently entrusted to you – but really, I practically gave my word of honor that this explanation could not be right. But now, seeing your incomprehensible obstinacy, I am about to lose even the slightest desire to *stick up for you in any way at all* [verliere ganz und gar jede Lust, *mich auch nur im geringsten für Sie einzusetzen*].⁵⁶

“*Mich für Sie einsetzen*” means “taking your side,” “sticking up for you,” but also “taking your place” (setting *me* in for *you*, positing me instead of you). This declaration by the *Prokurist* seems to be a threat of a double bind: the threat made by the *Prokurist* to take Gregor's place or part, just as much as the threat to not take his place or part. This double bind seems to be inherent to the practice of *procuratio* as speaking or acting on behalf of another and stepping into another's place (in German: *Stellvertretung*).

Instead of his appearance, we see the image of Gregor in the picture hanging on the wall. It depicts Gregor in his former shape, which is characterized as “care-free” (*sorglos*) and which displays Gregor as someone of rank. As his attempt to appear has just failed, the picture shows him as a proxy, namely a lieutenant: “Right opposite Gregor on the wall hung a photograph of himself in military service, as a lieutenant, hand on sword, a carefree smile on his face, inviting respect for his uniform and military bearing.”⁵⁷ *Lieu-tenant* – a participle of *lieu tenir* – in French means “place holding.” Gregor's appearance is not being described, only the reactions to it; in place of his appearance, we only find the description of this picture of Gregor as a place holder, itself occupying the place and blocking the central omission of his appearance.⁵⁸

56 Kafka, *Die Verwandlung*, 34; my emphasis; Kafka, *The Metamorphosis*, 9. The German original reads: “Der Chef deutete mir zwar heute früh eine mögliche Erklärung für Ihre Versäumnisse an ..., aber ich legte wahrhaftig fast mein Ehrenwort dafür ein, daß diese Erklärung nicht zutreffen könne. Nun aber sehe ich hier Ihren unbegreiflichen Starrsinn und verliere ganz und gar jede Lust, *mich auch nur im geringsten für Sie einzusetzen*.”

57 Kafka, *Die Verwandlung*, 39.

58 This scene could be read as a “Vexierbild” in Rainer Nägele's sense; see Rainer Nägele, “Vexierbilder des Andern. Kafkas Identitäten,” in R.N., *Literarische Vexierbilder: Drei Versuche zu einer Figur* (Eggingen: Isele, 2002), 9–29; on the importance of this picture, see also Ryan, “Franz Kafka's *Die Verwandlung*,” 5: “As Gilman's evidence for the cultural significance of Jewishness in relation to fitness for military service will suggest, a direct link may be made between the suggestion of loss when Gregor catches sight of his portrait and his experience, only a few moments before struggling to open the door to the living room, of the loss of his normal human

5 Literature as Procedure: *Hope and Fear Alike*

That Gregor's metamorphosized attempt to appear results in a retreat and dissolution of the scene seems to be in line with the inherent ambivalence of the procedure. On the one hand, it urgently aims to produce an actual and immediate appearance; and yet such an "im-mediate appearance" without the imprint of the procedure is impossible in the complex artificial process that necessarily involves many actors, positions, movements and operations informing the *Tatsachen* they are treating. The complexity and abstraction of the procedure even seem to further the need for an authentic, actual, and immediate appearance (that is, an appearance without media) untouched by the procedure that aims at producing it. So when such an appearance is actually attempted, the procedure seems to implode. The text not only exposes the inherent tension in this project of appearance and traces the transformation that one undergoes in the process of such a failed appearance. It somehow manages to make this appear and to produce the evidence of something that is just the opposite of something presentable: ein "ungeheures Ungeziefer." The immense political implications are latent but readable in the scene.

We can see both the initiation of such procedures of representation in *The Metamorphosis* that seem to aim at the subject finally appearing, as well as moments of resistance against this process: procedures of hovering, halting, and ultimately breaking off. The procedures never come to the stage of a main trial where a person appears, a case is made and debated, and a verdict reached. This hesitation finally recalls one other tradition of legal procedure: the tradition of rabbinic interpretation. Benjamin, among many others, connected Kafka's texts to a particular aspect of that tradition when he emphasized the preliminary character of these "procedures" that are experimentally arranged around an open meaning:⁵⁹

We may remind ourselves here of the form of the Haggadah. ... Like the haggadic parts of the Talmud, these books, too, are stories; they are a Haggadah that constantly pauses, luxuriating in the most detailed descriptions, in the simultaneous hope and fear that it might encounter the halachic order, the doctrine itself, en route [*immer in der Hoffnung und Angst zugleich, die halachische Order und Formel, die Lehre könnte ihr unterwegs*

voice." Hartmut Binder calls Gregor in the picture a "Stellvertreter der Staatsmacht" and a borrowed authority; see Hartmut Binder, *Kafkas "Verwandlung": Entstehung, Deutung, Wirkung* (Frankfurt am Main, Basel: Stroemfeld, 2004), 449f.

⁵⁹ As Judith Butler has pointed out, Kafka read "– 'greedily' as he puts it – *L'Histoire de la littérature Judéo-Allemande* by Meyer Pines, which was full of Hasidic tales, followed by Fromer's *Organismus des Judentums*, which details rabbinic Talmudic traditions." Judith Butler, "Who owns Kafka?" *London Review of Books* 33, 5 (2011): 3–8, here 8.

zustoßen]. ... Novels are sufficient unto themselves. Kafka's books are never that; they are stories pregnant with a moral to which they never give birth [*die mit einer Moral schwanger gehen, ohne sie je zur Welt zu bringen*].⁶⁰

In *The Metamorphosis*, it is the hesitation before stepping out of the dark room in order to appear before the representatives (*Prokurists*) of the institution (the family, the firm, the law). Just as the Haggadah “constantly pauses ... in the simultaneous hope and fear that it might encounter the halachic order, the doctrine itself, en route,” so too does Gregor seem to be in hope and fear alike of actually appearing. The scene of appearance in Kafka's *Metamorphosis* is, as I have tried to show, not just a procedure like any other, nor is it a mere description of one. Rather, it evokes procedures of evidence production constitutive of the life sciences, the theatre, and the law, but it does so in an experimental arrangement in and of itself. The laboratory, theatrical, and legal operations are estranged, diffracted, and decelerated by the arrangements of the literary text. In drawing upon and transforming, subverting or interrupting procedures in this manner, the ways of literature ultimately allow us to reflect upon them in their essence: we gain a sense both of their operativity and also their aporias. This sense is dependent upon a specific way in which the evoked operations are arranged – neither in the form of a detached observation, nor of a teleological and practical engagement, but instead in a distinct form of playful experiment that I would call a “literary procedure.”

⁶⁰ Walter Benjamin, “Franz Kafka: Beim Bau der Chinesischen Mauer,” in *Benjamin über Kafka*, ed. Hermann Schweppenhäuser, 39–46, here 42.