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Kafka's Cages

Laughter and the Free Will

Plots of Confinement and the Kafkaesque Laughter

One aspect of Kafka's work is readily noticeable: the plots for his stories regularly, almost without exception, consist of describing a situation of confinement.[1] The protagonist is invariably entrapped. This can be a physical entrapment. For instance, in *The Castle*, the land surveyor is presented as stuck in the village, unable either to gain access to the castle or to leave. In *The Metamorphosis* Gregor Samsa is confined—one could almost say, incarcerated—in his room. The same pattern is repeated in the stories. One of the most claustrophobic is "The Burrow," where the sole, concealed exit from the underground labyrinth does not lead to freedom but to torment and angst. The entrapment can also be nonphysical. *Amerika* and *The Trial* are good examples of this. While traversing the American continent in *Amerika*, Karl Rossmann is trapped by his powerlessness and the exploitation that haunts him everywhere. In *The Trial*, Josef K. is physically free to wander around the city, and yet his presumed guilt is unshakeable, following his every footstep. Or we can recall Josephine, trapped by her singing, which is what gives her identity, even though it is of a deficient standard. Kafka's appetite for plots depicting different configurations of confinement is insatiable.

These plots of confinement, however, always display an additional, crucial feature. Even though at first blush they may appear to construct tragic situations, in fact Kafka uses the presentations of the deprivation

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of freedom to animate his distinctive humor. Kafka seems to laugh out loud about the predicaments of his entrapped protagonists. Famously, Max Brod recounts how, while reading from *The Trial* at a literary salon, Kafka provoked such bouts of laughter in the audience that he constantly had to pause.[2] The moment one overcomes the impulse to read the plot development as inherently tragic, one notices Kafka's humor everywhere. One cannot help then but laugh out loud—just like the audience of *The Trial*. Recall, for instance, the land surveyor's hilarious attempts to gain access to the castle. His obsession is childishly stubborn. The means he employs are nothing but illusions—such as the notion that seducing the mistresses of the castle's officials will get him any closer to the castle; such illusions are so transparently futile as to be laughable. Josephine the singer is another good example of Kafka's humor. She is reminiscent of an old, exhausted, sad clown who provokes laughter by the sheer inability to live up to expectations.[3] This distinctive Kafkaesque humor is not sarcastic. Kafka does not laugh at his characters. His laughter does not have the judgmental ring of intellectual or moral superiority.[4] Rather, it is a gentle sympathetic laughter, which recognizes the difficult predicament that the characters find themselves in.

And yet, this is not to suggest that Kafka's laughter is uncritical. The aim of the present book is precisely to recover the critical import of Kafka's laughter. But if Kafka's humor is not directed against his characters, then what is its target? The thesis defended here is that Kafka's laughter is intimately related to his narratives of confinement—and in particular it is Kafka's way of critiquing the Occidental idea of freedom, according to which freedom is dialectically opposed to submission, unfreedom, and imprisonment. Kafka laughs at the idea that it is possible to conceive of an ideal freedom that is absolutely separated from confinement.[5] Differently put, Kafka's confinement plots are philosophical responses to how freedom and unfreedom have been conceptualized in the Western tradition. Such a critique is possible because of his laughter. Laughter is Kafka's tool for the critique of the Western tradition of freedom.[6]

At the same time, the critique enacted with Kafka's laughter is not merely a negative tool. There is also a constructive component. Laughter offers the possibility of an alternative conception of freedom. Such a freedom could be minimally defined at this point as distinct from the Western conception of freedom. This is a minimal definition only to the extent that I will offer more details about this different notion of freedom later. I do not use the word "minimal" here to make a qualitative judgment.

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To the contrary, given that the Western tradition determining freedom in terms of the free will of the individual has so thoroughly and pervasively conditioned our way of thinking about freedom, even such a "minimal" description is hugely significant. A determination of freedom that is free from the free will is a tectonic shift in how freedom is conceived. Kafka's laughter performs such a shift.

I call "Kafka's cages" the constellation that consists of plots of confinement, the laughter that seems so naturally to arise within them, the critique of the Western conception of freedom performed by that laughter, and the chiseling out of a different conception of freedom through the use of laughter. Among the various scholars who have worked on Kafka's humor, Erica Weitzman is most explicitly concerned with the link between humor and freedom, although she concentrates only on Kant's conception of freedom.[7] I will emphasize instead the way that the plots of confinement respond to one particular, constitutive characteristic of the Western conceptualization of freedom, namely its dialectical opposition to the figure of confinement.

The Separation of Freedom and Unfreedom: Augustine's Invention of the Free Will

The designation of a "Western conception of freedom" may appear reductive and monolithic. After all, is it not easy to show that freedom is a political ideal that has had numerous actualizations over the centuries? Does not every geopolitical configuration produce its own idea of freedom? Is it not even a *fact* that every single individual understands freedom in a slightly different way, depending on the influence of various conceptual and contextual forces that determine that individual? I contend that even if all the above is the case—even if it is unwarranted to talk about Western freedom as if it is homogeneous, and even if Western freedom has received a wide array of determinations—it is still possible to identify its constitutive qualities. And there is one quality in particular that is distinctive and evident in the above objections about the multiplicity of the meanings of freedom. This is the idea that freedom is a property of the individual; differently put, this is the idea that the free will of the individual is constitutive of the idea of freedom.[8]

As I contended earlier, Kafka's cages present the idea of the free will as the unbridgeable separation between freedom and unfreedom. Kafka

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laughs in the face of this separation. In what sense are the freedom of the will and the separation of freedom and unfreedom interconnected? Are they the same? Does one imply the other? Or is there a causal relation between them? To answer these questions, we need a quick overview of the historical development of the idea of the free will. We will then discover that the free will is the obverse side of the separation of freedom and unfreedom. The free will and the separation of freedom and unfreedom are coimplicated in the production of the Western idea of freedom.

The free will is born as a solution to an intractable metaphysical problem faced by Christianity in the fourth century—that is, at the time when Christian dogma crystallizes its metaphysics. This is the problem of the existence of evil. If neo-Platonism provides Christianity with the means to construct a hierarchical ontology that installs the divine at the apex of the scale, it is Stoicism that provides the conceptual apparatus for the description of the divine. In particular, God's predicates "omniscient, omnipresent and omnipotent" have a Stoic provenance—they are the rearticulation of the Stoic idea of Providence.[9] This description is simple and powerful enough, and yet it contains one major problem, namely, how to account for the existence of evil. If indeed God knows everything, how could he be deceived by evil—for instance, why is the serpent allowed to manipulate the protoplasts in the Garden of Eden? If God is everywhere, does this mean that evil is a property of God? And, finally, if God is all powerful, why can he not eliminate evil? The stakes are high: the paradox of evil threatens the entire metaphysical edifice, having the power to undermine not only the description of the divine, but as a consequence, also its hierarchical metaphysics. And this is not only a metaphysical problem. It is also—maybe even *primarily*—a political one, since the translation of the neo-Platonic hierarchical structure into the political realm provides the legitimation for the sovereign, the "mortal God," as Hobbes accurately captures this idea.[10]

Augustine invents the idea of the free will to circumvent the paradox of evil. Evil, contends the Church Father, is not a property of the divine, but rather reflects the choices between good and sinful actions perpetrated by agents. The paradigmatic description of the genesis of the free will is the Fall, which in Augustine's writings attains a pivotal metaphysical significance. Augustine emphasizes two aspects, which are not present in the Biblical story from Genesis. First, the Garden of Eden is no longer a bucolic setting. Rather, Augustine refers to it as Paradise, thereby signifying a space of absolute harmony and freedom. Second, the expulsion from

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Paradise is a result of the free choice of Adam and Eve. It has nothing to do with the divine will.[11] The repercussions of this account—the so-called Augustinian theodicy—are profound, since they ground Christian morality.[12] This consists in the existence of an ideal space and time of absolute harmony and freedom, such as the paradisiacal Garden of Eden, and its irrevocable separation from the Fallen world where humanity subsists. This is a genuinely neo-Platonic solution because it relies on a hierarchical determination: It shifts the existence of evil to the lower level of existence, which is in turn absolutely separated from the higher level. The effect of this is the radical separation of the Fallen world and Paradise, as well as an entire series of terms associated with each world, such as unfreedom and freedom. The doctrinal articulation of this separation is the theory of the original sin—the fact that the first expression of the free will by the protoplasts was a sin—which condemns humanity to the Fallen world. Differently put, the exercise of the free will is not only the starting point of morality but also the confinement of the human within a mortal body and a world of suffering. For Augustine, then, and for the Christian tradition in general, there is free will because we are fundamentally unfree right here and now, but we retain the promise that the right free choices will return us sometime in the future—even at the end of time, on the last day (*der letzte Tag*, the day of Judgment)—to that ideal space of freedom from which we are expunged.

Kafka's response to this future promise of freedom is typical of the way in which laughter operates. The Augustinian structure is presented so matter-of-factly, so blatantly, as to be distorted and inverted. One of the famous instances of this is a conversation reported by Max Brod, which Walter Benjamin emphasizes—and I will shortly return to Benjamin since he is also fascinated by the contrast between freedom and unfreedom in Kafka's work. Brod contends that "there is hope outside this manifestation of the world that we know." In other words, hope exists beyond the spatio-temporal dimension of the Fallen world we live in. Brod notes that Kafka smiled at this assertion, and then responded: "Oh, plenty of hope, an infinite amount of hope—but not for us."[13] Benjamin takes this statement as a "bridge" to a series of figures who are liberated from the oppressive world of the family constructed in so many of Kafka's narratives. Benjamin is correct to point out that hopelessness is a sign of freedom—but this is not a freedom of the Augustinian type, according to which freedom is the ideal that will be realized in a future time beyond the world of the here and now. Rather, these figures that fascinate Benjamin express a different

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sense of freedom. It is a freedom that rejects the supposition of a separation between the "Fallen" world and an ideal world of freedom. Consequently, theirs is a freedom that requires no ideal, whereas Brod posited such an ideal by referring to a world "outside" or beyond "the world we know." Kafka's response—such a hope is "not for us"—does not discard hope or freedom as a possibility, but rather rejects the separation between the world of the here and now and a future, inaccessible world. And this entails a positive assertion too: If there is a hope, and if there is freedom, they are of the here and now. The critique enacts a constructive movement. Kafka presents an alternative conception of freedom. Specifically, this freedom of the hopeless is characterized by the freedom *from* the conception of an ideal freedom that is separated from the here and now.

Let me provide one more example of the Kafkaesque idea of freedom *from* the Western conceptualization of freedom, since it indicates the transition from a laughter that performs a critical function to the construction of an alternative idea of freedom. "The Fall is the proof of our freedom," says Kafka to the young Gustav Janouch, in a statement that performs the same reversal of the Augustinian paradigm that fascinated Benjamin—a reversal, which, as I show later, is also characteristic of Spinoza's conception of freedom.[14] In this reversal, the Fall—instead of being the mark of an imprisonment in the present whose only possibility of redemption relies on an inaccessible future—turns into the "proof of our freedom." Instead of the now being the prison within which humans are condemned to suffer their mortal lives, the now is transfigured into the condition of the possibility of freedom. This condition is realized because there is no future to enact or guarantee the redemption. Freedom as imbued in the Fall means that freedom has no future and hence lacks an ideal that is separated from the now. This reversal is performed through a gentle laughter at the expense of the puzzled and bemused young Janouch. Thus, laughter becomes the technical expedient to breach—and bridge—the radical separation of freedom and unfreedom, characteristic of the conception of the free will in the Western tradition.[15]

I call the freedom that is distinct from the Western conception of freedom "freedom from the free will." This is to highlight the essential feature of freedom in the Western tradition, namely, the attempt to locate freedom within the actions of the individual. However, we should not forget that Augustine manages to define the free will only by drawing a distinction between an ideal freedom characteristic of Paradise and the Fallen world of imprisonment. This separation is part and parcel of

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the free will. This remains constant in the Western tradition, despite the fact that both the free will and the separation have received a variety of articulations in philosophy, as I will also discuss in the following section.

I should note that I regularly use two further terms to designate the freedom from the free will to draw attention to different aspects of this concept. One of them is "mediated freedom." I use this term to emphasize the situated aspect of freedom from the free will. Mediated freedom is a freedom that determines itself through responding to one's environment—that is, without recourse to an abstract ideal freedom beyond being. I also use the term "ethical freedom." As I explain in more detail in chapter 3, I use this term to highlight the interpersonal aspect of freedom. Freedom is not the prerogative of the individual, but rather arises through one's interactions with others. One is never free alone. All these three ways to designate the freedom that I see arising through the Kafkaesque laughter—freedom from, mediated freedom, and ethical freedom—rely on relation. They tell us that freedom is a relational concept. I will take up this idea in the final section of the present chapter.

Freedom From: Negative and Positive Freedom

It is important to forestall here a possible confusion about the use of the term "freedom from" to describe the conception of freedom that arises through Kafka's laughter. The confusion can arise from the fact that Isaiah Berlin uses the same expression—"freedom from"—to designate what he calls "negative freedom." And there are additional reasons for turning to Berlin's celebrated essay "Two Concepts of Liberty" at this point. The distinction that he adumbrates between the two fundamental senses of freedom in the Western tradition—namely, the distinction between negative and positive freedom—is useful for further elaborating some of the key features of Kafka's laughter and for further developing the historical sketch of the conception of freedom in the Western tradition.[16]

The first point about Berlin's essay is the often-overlooked assumption that grounds his entire approach. Berlin states it en passant, without emphasizing it or elaborating on it, without even arguing for it, assuming that it is a self-evident fact. In Berlin's words: "Political theory is a branch of moral philosophy, which starts from the discovery, or application, of moral notions in the sphere of political relations."[17] There are in fact two fundamental assumptions in this formulation. The first one accords with

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the Augustinian separation between two realms—one that corresponds to some ideal sphere, and the other to the here and now. Berlin articulates this as the separation between moral notions and the tumult of politics. Berlin's immediate concern is to show how this separation operates. He rejects the idealist notion that there is a necessary connection between the conceptual content of the moral notions and "historical movements," favoring instead to bridge this separation as the necessary effort to understand such "movements."[18] In other words, Berlin assumes an ontology that posits the separation between the moral notions and the particularity of the historical unfolding. And he is concerned to show that this separation is not an epistemological question that seeks to connect the mind with the external world, but rather the motor for a hermeneutics of history. Simply put, ideas help us make sense of the material world. This "common sense" position presupposes the Augustinian separation between this world of particularity and another, higher world, which Berlin identifies with morality.

The Christian Father and the Jewish intellectual hold in unison that without the separation between a higher realm toward which action is directed and the historical or Fallen world, there is no free will. But they significantly part ways in how they conceive of the function of morality in relation to this separation. According to the second assumption contained in Berlin's statement above, the ideal is commensurate with morality. This is the reason why political theory is "a branch of moral philosophy." This is a Kantian position—even though Berlin seems to assume it while Kant was acutely aware of the difficulty in bridging the divide between morality and politics.[19] This is not the place to address in any detail Kant's position. Suffice it to point out that Berlin's installation of morality as the ideal of politics is a Kantian move, and more importantly, that this move revises in a fundamental sense the Augustinian separation of freedom. Whereas for Augustine the free will is required so that moral choices can be made and hence morality can function, the existence of freedom for Kant relies on the moral realm. It is a matter of priority. For Augustine, the free will precedes morality, since it is only by the first decision of the protoplasts leading to the Fall that moral law comes into being. Conversely, for Kant the universality of the moral realm precedes freedom in the sense that it comes to supervene politics and the expression of freedom. Or, as Berlin puts it, to understand the vicissitudes of history, we need to presuppose the precedence of moral theory over politics. Put in yet another way: the Augustinian conception requires the free will so that the Fall takes place

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and so that the separation with Paradise is enacted, whereas the Kantian position requires the separation of the moral kingdom from particularity as the condition of the possibility of freedom. This reconfiguration is important, since it signals a different conception of power in Christianity from modernity and biopolitics. I cannot address these conceptions of power in detail now, but I return to this issue elsewhere in the book, especially in chapter 5. I will only briefly sketch here how Kafka's response to negative freedom laughs at the conception of freedom in the modern articulations of power, while his engagement with positive freedom laughs at biopower.

Negative freedom designates the absence of coercion. An individual or a community experiences negative freedom to the extent that they are unobstructed to pursue what they will. Berlin summarizes the sense of negative freedom as "liberty *from*."[20] Such a negative freedom presupposes that coercion, unfreedom, even slavery, are its opposites; it also presupposes an individual who possesses a free will to do something, and that that individual enjoys negative freedom so long as his or her will is not obstructed. The idea of negative freedom can also be placed within a historical perspective. If we think of the exercise of the will as what the individual has the right to do, then negative freedom can be linked to the social contract tradition, which occupies a pivotal position in the development of the modern conception of power. From this perspective, negative freedom is a natural right.

The subversion of negative freedom in Kafka's narratives of confinement is stark. There are several reasons of this. First, the shorter narratives especially tend to describe a situation where there is a physical sense of confinement from which there is no way out. The idea that there will be liberation from this state of affairs is absent as a possibility. The prospect of physical liberation is not even entertained by the mole in his burrow or by Gregor Samsa in his room. Second, and more significantly, it seems as if these oppressed individuals have no free will of their own. Thus, Gregor is described as being trapped by his father's debt, forcing him to do a job that he did not like. But when, after his transformation into an insect, he overhears his father saying that he actually has some hidden funds, he is elated—instead of feeling betrayed and angry that these funds were not used to improve his professional predicament. Gregor has no free will in the sense that he has no sense of an obstacle from which he wants to be freed—Gregor lacks negative freedom. Third, and most importantly, there is a series of characters in Kafka's works who seem totally incompatible

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with the idea of free will. One good example that I will deal with in detail later are the secondary characters in "In the Penal Colony." Another is the women characters, especially in *The Castle* and *The Trial*. In both these novels, the women seem to have no free will at all, since all they "will" is to fall in love with the male protagonist. It would surely be possible to conduct a gender analysis of this lack of free will. But the important point is not to see this lack as a deficiency but rather as a liberation from the conception of the free will in the Western tradition. Notice also—and this is the confusion that I want to eliminate—how different Berlin's conception of "freedom from" is from the Kafkaesque one. Whereas Berlin's "freedom from" highlights the freedom from coercion as an exercise of the free will, the Kafkaesque "freedom from" presupposes neither the sharp separation of freedom and unfreedom, nor the free will, and as such it is a freedom from negative freedom.

Berlin designates the sense of positive freedom with the expression "freedom to." This indicates the institutional, political, and legal apparatuses put in place to enable the individual to enjoy freedom. Negative freedom remains unconcerned with regimes of power—Berlin aptly suggests that a benevolent dictator can conceivably provide his subjects with more negative freedom than a liberal democratic regime. Conversely, positive freedom is concerned with the external conditions that give the individual the liberty *to* exercise free will. Berlin argues that the danger of positive liberty is that it can become difficult to distinguish where a regime of power starts eroding rights in the name of affording the subjects instituted liberties. This description is perceptive, but does not go far enough, since it still has no premonition of what Foucault described as "biopolitics." According to Foucault, biopolitics is an expansion of power through controlling every aspect of life.[21] If the tyrannical regimes evoked by Berlin are bad enough but still an identifiable enemy—freedom is, after all, the battle cry of any revolution—the biopolitical spread of power invades every aspect of life to the extent that a revolution is now unimaginable, not only because there is no target, but, more importantly, because within this state of biopolitical unfreedom the subject actually enjoys certain freedoms and may submit itself through its own free will to unfreedom. Biopower subverts positive freedom to the extent that it appears as a mirage—not just the shadow of freedom, but rather the dissimulation of unfreedom as freedom.

The Kafkaesque strategy for undercutting the sense of positive freedom is two-pronged. On the one hand, Kafka refrains from situating his

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plots in an identifiable historical moment or place. Even the only seeming exception, *Amerika*, describes a place that Kafka never visited and that he does not even make a great effort to represent realistically. Instead, America is the figure of a sense of freedom—even though, as Karl Rossmann discovers, that sense is illusory. In general, however, the reader is in the dark about the actual location of the story. We do not know the geographical coordinates of *The Castle*, and its political regime does not have a "direct" correlative in the "real," historical world. And yet it is for this reason, Theodor Adorno contends, that Kafka's stories are all the more political. Specifically, Adorno notes that "[a]ll of his stories take place in the same spaceless space." This allows Kafka an invaluable insight about power: "Consummate untruth is the contradiction of itself; it need not, therefore, be explicitly contradicted."[22] There is no need to criticize specific regimes of power—there is a more urgent critique, namely the critique of the logic of power. As such, Kafka is not concerned with particular manifestations of positive freedom, but rather with the illusion of positive freedom tout court. This consists in the recognition that what worried Berlin—namely, that it is easy for the institutions supposedly safeguarding freedom to erode civil liberties—has actually become the norm.

At the same time, Kafka seems to trump even Foucault's bleak description of a widely dispersed biopower that sees fit to intervene in every subject's life. In *The Trial*, Josef K. is free to wander around the city. He does not encounter any physical constraints. And yet, he is also hounded by an invisible guilt, whose source is an invisible law and judiciary. This is not just a subversion of natural justice, nor simply an indication that power has extended its control to the entire field of living; this simultaneous subversion and expansion of power reintroduces the mystical element of invisibility. Foucault suggests that racism is a biopolitical exercise of power, which however has the capacity to reanimate older forms of sovereign power that rely on the right of life and death.[23] Kafka amplifies this insight by showing the codependence of the various modalities of sovereignty, as I discuss with reference to "In the Penal Colony" in chapter 5. This amplification of power to make it appear omnipresent is also often attributed to the father in Kafka's narratives, such as the father in "The Judgment." But Kafka does not present this expansion of power to lament the tragic loss of freedom. On the contrary, the expansion of power allows him to laugh freely at the futile attempts to achieve freedom on the part of those characters who still believe in a notion of positive freedom—characters such as Josef K., who stubbornly

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persists in searching for a complete acquittal, or the land surveyor who harbors the hope that all will be explained as soon as he gains access to the castle officials. The reason these attempts are futile and laughable is that the illusion of positive freedom and the expansion of power control only further amplify the chasm between freedom and unfreedom.

There is one text by Kafka that exemplifies the rejection of the opposition between negative and positive freedom—or at least, it is possible to read it that way if we take Jacques Derrida's essay on it as an essay on freedom. I am referring to "Before the Law," the short parable in the chapter "At the Cathedral" of *The Trial*, which was also published independently under the title "Before the Law"—and Derrida's text, which bears exactly the same title.[24]

In fact, Derrida foregrounds the issue of the title in his opening sentence: "A title occasionally resonates like the citation of another title. But as soon as it names something else, it no longer simply cites, it diverts the other title under cover of a homonym. All this could never occur without some degree of prejudice or usurpation."[25] A title is something singular, something unique, which is meant to identify the individual and singular creation of a particular author. When the title is repeated, it is no longer a synonym—signifying the same thing—but rather a homonym, which denotes something different. For this play of identity and repetition to unfold, certain "prejudices" are required—certain framing devices that may go hardly noticed but that nevertheless determine the interplay between the singularity and the repeatability of the title and its homonym. Derrida proceeds to list several conditions that make this interplay possible, such as that an "original version" of the text is assumed to exist; the presence of a "signatory" who is the "real" author of the text; the assumption that a literary text relates fictional events; and, the assumption that the title guarantees the "identity" of the work.[26] Derrida asks a question at this point—"who decides, who judges, and with what entitlement, what belongs to literature?"—which actually entails that these are political issues since they pertain to who has the authority to make decisions and draw judgments. There is, then, on the one hand, the author's personal experience, which is transmitted to the page as a unique piece of writing, and there is, on the other hand, the wide legal, institutional, and conventional framework that both enables and regulates this transmission. Or, more simply, there is, on the one hand, singularity, and, on the other, the law. The details of this interplay cannot be definitively determined; it is impossible to settle where

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singularity ends and where the law begins. According to Derrida, this interplay is enacted in Kafka's parable, too.

I hardly need to summarize Kafka's "Before the Law," since it so well known. A man from the country arrives before the gate to the law. The gatekeeper tells him that he can go through, but that there are also other, more fierce gatekeepers down the road. The man from the country decides to wait—and wait he does, for a long time, in fact till the end of his time. When he is about to expire, the gatekeeper whispers in his ear that this gate was only for him and no one else could possibly have been admitted through it. I will return to an analysis of this parable in chapter 4, but for the moment I will read from the perspective offered by Derrida.

It is certainly permissible to assume the metaphor of the gate as *the* metaphor for freedom. After all, Augustine's invention of the free will is dramatized as the narrative of the Fall, that is, the narrative that "showed the door" out of Paradise to Adam and Eve, because they freely chose evil. The whole discourse of the free will and of choice can be depicted in terms of what doors are open to us. Thus, the opposite of freedom is the state in which "they throw away the key." So the parable is inter alia about freedom. Furthermore, and even though Derrida is not explicit about his, the interplay he stages between singularity and the law bears strong, unmistakable traces of the free will, too. Derrida says, for instance, that the man from the country "has the natural, physical freedom to penetrate spaces" and that therefore we are "compelled to admit that he must forbid himself from entering" the door.[27] More broadly, it is possible to relate Derrida's account to Berlin's distinction between negative and positive freedom. The force of singularity would, then, correspond to Berlin's negative freedom—the freedom from coercion that each individual can aspire to. And the legal framework would be the correlate of positive freedom that sets the conditions in which an individual can exercise its freedom.

There is only one moment in Derrida's essay in which freedom reverberates explicitly with the interplay between singularity and the law. Shortly after having asserted that the man from the country does not exercise his natural freedom to enter the gate to the law, Derrida writes: "The law is prohibited. But this contradictory self-prohibition allows man the freedom of self-determination, even though this freedom cancels itself through the self-prohibition of the law." The man does not face a physical obstacle from actually entering the gate to the law. This allows the

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determination of his negative freedom. He can exercise his free will—as the gatekeeper admits. The man retains his singularity. But even if he enters the gate, the law remains distant, elusive—prohibited. The man is singular because he is subject to the law, even though, paradoxically, his subjection to the law—the fact that he is also subject to positive freedom—entails that his singularity is no longer unalloyed. Derrida expresses this point thus: "Before the law, the man is a subject of the law in appearing before it. This is obvious, but since he is *before* it because he cannot enter it, he is also *outside the law* (an outlaw)." And then he concludes: "He is neither under the law nor in the law. He is both a subject of the law and an outlaw."[28] It is instructive to dwell on this logic of a "neither/nor" that is not exclusive but rather equivalent to a "both/and." We can reformulate this logic in terms of the separation between an ideal freedom and an absolute unfreedom, which is the logic of the Western conception of freedom. Is the ideal freedom something singular—the individual's unique experience of eradicating obstacles? Or is it, conversely, the freedom to embed oneself in the law so as to participate in the prohibitions that are necessary for a polity to function and for authority to exist? Is ideal freedom a negative or a positive freedom? To say it is both entails that no such thing as an ideal freedom exists, since the two opposing meanings cancel each other out in an infinite spiral of uncertainty. To say that it is neither entails that the double bind between an ideal freedom that is both negative and positive enacts a disentanglement from the premise of the double bind—it enacts the freedom *from* the separation between an ideal freedom and an absolute unfreedom.

The freedom from the free will is incommensurate with the negative and the positive freedoms that Berlin describes. Rather, Kafka's "freedom from" is closer to the sense of freedom we find in Derrida's reading of "Before the Law." This is a freedom that shakes off the shackles of the free will. I have also called this freedom from the free will "mediated freedom." We see here another reason for using this term: Freedom is not something that persists independently in an autonomous individual. Rather, it exists in relation to the free will. This relation can be understood as the inclusive logic of the "neither/nor" Derrida describes. We will find several other ways in which its operative presence is mediated. And it is always mediated—enacting relations with practices and conceptualizations that seem to contradict it. Kafka's particular way of presenting such a mediated freedom—the means at his disposal or his technique—is laughter.

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Laughter and Freedom: On Kafka's Political Technique

This historical and discursive detour through Augustine and the two senses of freedom—negative and positive freedom—has furnished us with at least three important components of Kafka's cages. First, the laughter is directed at the chasm posited between the Fallen world and a world of ideal freedom. But this is not only critical—it also proposes that freedom can be achieved by freeing ourselves from the illusions of pursuing an ideal freedom. Second, Kafka laughs at the idea that one enjoys freedom through the exercise of the free will. He even goes so far as to construct characters who lack free will and who mechanistically act according to their desires and the dictates of their whims or their environment. Third, Kafka laughs at the illusion that power can facilitate the individual's free will. Instead, the accentuation of power shows an ever-widening gap between freedom and unfreedom.

Gilles Deleuze and Félix Guattari are acutely aware of Kafka's reformulation of the concept of freedom. Their privileged example in this regard is Rotpeter from "A Report to an Academy." They underscore that for the encaged ape, "it isn't a question of liberty as against submission, but only a question of a line of escape."[29] A line of escape, or a line of flight, as they also call it, is a sense of freedom that is free from the separation "of liberty as against submission." In this sense, a line of escape is the same as what I call "freedom from." Further, Deleuze and Guattari point to Kafka's laughter and its political significance: "Only two principles are necessary to accord with Kafka. He is an author who laughs with a profound joy. . . . And from one end to the other, he is a political author."[30] Deleuze and Guattari are acutely aware of the political import of Kafka's laughter. Despite these significant insights, Deleuze and Guattari do not explicitly synthesize Kafka's laughter with the conception of a line of escape. It is this synthesis that I call "Kafka's cages" and that I want to pursue in this book.

The reader most attuned to Kafka's cages is Walter Benjamin. Both his essay on Kafka, which he prepared for the tenth anniversary of his death, as well as the extensive notes that he collected as part of a book project that he never completed, testify to a profound and sustained engagement with the interweaving of freedom and laughter in Kafka. The reason Benjamin is so sensitive to Kafka's cages is his acute awareness of the importance of the separation between the Fallen world and an ideal world of absolute freedom. In a fragment from his notes, we

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read the following crucial observation: " 'I imitated because I was looking for an exit, and for no other reason,' said the ape in his 'Report to an Academy.' This sentence also holds the key for the place of the actors of the Nature Theater. 'Right here' they must be congratulated, since they are allowed to play *themselves*, they are freed from imitation. If there is in Kafka something like a contrast between damnation and salvation, it has to be searched for entirely on the contrast between the world theater and the Nature Theater."[31] Benjamin is concerned here with the notion of freedom in Kafka, as the reference to Rotpeter's assertion that he was looking for a way out shows. This desire for freedom is consummated by the participants in the Nature Theater of Oklahoma, as described in the final chapter of *Amerika*. The actors are totally free from constraints; they do not even need a script since they play themselves. But to understand exactly what kind of freedom the actors of the Nature Theater of Oklahoma enjoy, Benjamin suggests that it is fundamental to keep in mind the contrast with the world of unfreedom, the Fallen world in which live the "holders of power," as Benjamin describes them in his essay. For instance, the consummation of freedom in the Nature Theater of Oklahoma is not a straightforwardly positive achievement. Let us not forget that on the train ride back to Oklahoma, the actors gradually become terribly bored. Their absolute freedom, their "transparent character," as Benjamin puts it, makes them thoroughly uninteresting. At the same time, the landscape outside becomes interesting. In fact, the mountain rocks are animated in Kafka's description to such an extent that they appear as more human than the liberated human actors.[32] Here is an instance of Kafka's laughter in the face of the separation between the Fallen world and the world of ideal freedom.

As his essay demonstrates, Benjamin was fascinated by Kafka's laughter—precisely because it intervenes in the contrast between unfreedom and ideal freedom. The laughter is not explicitly thematized by Benjamin. Jokes, however, litter his essay.[33] In fact the entire essay is framed by two humorous narratives, which are at the same time related to the question that Benjamin foregrounds in his notes, the "contrast between the world theater and the Nature Theater." The first is the anecdote about Potemkin, whose prolonged bout of melancholia would paralyze the bureaucratic apparatus. A particularly prolonged outbreak had the civil servants in despair, as the documents that required the Chancellor's urgent signature were accumulating. Brazenly, a minor clerk called Shuvalkin grabbed the documents and took them to the bedroom that Potemkin was refusing to

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leave, put them under his nose, and asked him to sign them. The Chancellor obliged, but when the clerk triumphantly showed the documents to his colleagues, they saw that Potemkin actually had signed them in Shuvalkin's name. Benjamin comments: "This story is like a herald of Kafka's work. . . . The world of offices and registries, of musty, shabby, dark rooms, is Kafka's world. The obliging Shuvalkin, who takes everything so lightly and is finally left empty-handed, is Kafka's K."[34] This anecdote is "like a herald" because it depicts with irreverent humor the absolute unfreedom effected by the holders of power. Kafka responds to unfreedom with laughter—a laughter that is not mocking of the characters but that rather softens the blows that result from the separation of freedom and unfreedom, that is, the blows of the free will.

How different is the story with which Benjamin essay concludes! There is here also the figure of imprisonment that traverses Kafka's works. And we can also find the unmistakable humor. But here the laughter points to an outright possibility of freedom. Benjamin is discussing a short fragment by Kafka that reimagines the relation between Sancho Panza and Don Quixote. Benjamin raises the stakes by introducing it as the narrative that is "at least one occasion" in which Kafka can present justice, and also as Kafka's "most complete [*vollendetste*] narrative."[35] Why is this short piece Kafka's "most complete" story? I contend it is because it presents in condensed form all the elements of what I call "Kafka's cages," including a positive articulation of freedom, which was lacking in the opening anecdote. I cite Kafka's entire story titled "The Truth about Sancho Panza":

> Without ever boasting about it, Sancho Panza succeeds in the course of the years, by supplying a lot of romances of chivalry and adventure for the evening and night hours, in so *diverting from him* his demon, whom he later called Don Quixote, that his demon thereupon *freely* performed the maddest exploits, which, however, lacking a preordained object, which Sancho Panza himself was supposed to have been, did no one any harm. A *free man*, Sancho Panza serenely followed Don Quixote on his crusades, perhaps out of a sense of responsibility, and thus enjoyed a great and profitable entertainment to the end of his days.[36]

This is a story about liberation.[37] Benjamin acknowledges as much, even if only elliptically, by writing that "the burden is taken off the back."[38] The sto-

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ry is the most complete, then, because Sancho Panza has succeeded where Shuvalkin had failed: in liberating himself. But this is a sense of freedom that is incommensurate with the idea of freedom as the exercise of the free will. Sancho Panza diverts the demon who has been controlling him, so that the demon now performs the maddest exploits. It is as if the demon, Don Quixote, enjoys the free will to do what he wants. He is unencumbered by constraints, he enjoys negative freedom—and yet, the "free man" is Sancho Panza, even though he still has to follow his demon around. But what a great joy it is to follow such a demon, what a profound sense of entertainment one gets from watching Don Quixote's mad exploits caused by his freedom of the will! It is as if the free will is, according to Kafka's "most complete" story, the greatest joke that mankind has concocted for itself. It is a joke, however, only so long as one can free oneself *from* such madness. And this is only possible by following Don Quixote—which means, by being tied to the here and now, renouncing the ideal of an absolute freedom in another world beyond the Fallen one by developing a sense of mediated freedom. And, further, this is only possible because Sancho Panza assumes his responsibility to look after Don Quixote and his demonic free will. Sancho Panza's freedom is then an ethical one in the sense that it is not confined to his desires and wants, but rather arises through the mediation of alterity. Benjamin's essay concludes with this positive image of a sense of freedom that is free from the free will and thus liberates the subject to actualize itself in the now and in relation to others.

Kafka's cages, then, are a figure, a constellation. They are the laughter that arises as a result of the representation of the separation of an ideal freedom from a thorough, devastating unfreedom. That laughter provides the means to construct a different sense of mediated freedom, one that no longer requires an ideal but is rather embedded in the practices of the here and now. It is an ethical freedom that renounces the egoism of the free will so as to assume its responsibility toward the other. Such a freedom resembles a theatrical scene in the sense that its performance is singular and unrepeated, even though there is a "script" that can be accessed "universally" by everyone—a script that describes the freedom *from* the free will.

The Cage and Its Relations: Laughter, Freedom, Ontology

There are two easy ways to misconstrue the idea of Kafka's cages that I am putting forward here. I will take them in term, not only as a strategy

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to forestall misunderstandings, but also because they bring to the fore one crucial aspect of the freedom from the free will, namely, its relational aspect.

The first way to misconstrue Kafka's cages is to place an inordinate value on encagement. It is not uncommon to "glamorize" the element of confinement since it is so compulsively present in Kafka's writings. His private writings—the diaries and the letters—can also be mobilized toward such a reading of the cage. The most famous example of this is a letter he wrote to Felice Bauer. I quote extensively:

> I have often thought that the best mode of life for me would be to sit in the innermost room of a spacious locked cellar with my writing things and a lamp. Food would be brought and always put down far away from my room, outside the cellar's outermost door. The walk to my food, in my dressing gown, through the vaulted cellars, would be my only exercise. I would then return to my table, eat slowly and with deliberation, then start writing again at once. And how I would write! From what depths I would drag it up! Without effort! For extreme concentration knows no effort. The trouble is that I might not be able to keep it up for long, and at the first failure—which perhaps even in these circumstances could not be avoided—would be bound to end in a grandiose fit of madness. What do you think, dearest? Don't be reticent with your cellar-dweller.[39]

This letter from January 1913 comes from the end of the first phase of Kafka's relation to the woman to whom he is going to be engaged twice, only for the engagement to be dissolved almost immediately on both occasions. Kafka meets Felice in the Brod house at the end of the summer of 1912. He writes his first letter to her in late September, just before he composes his breakthrough story, "The Judgment." The initial correspondence is quite exuberant. Kafka is clearly fascinated by Felice. It may also have helped that for the first time in his life he feels he is a writer—this is a hugely creative period for Kafka, as I explain in chapter 2. In any case, by January of the following year, just as the writing is running out of steam and just as Kafka realizes that he has committed himself to Felice through their correspondence, he starts making references to a possible union between them. But this is not a usual courtship. Instead, he tries to woo her by describing how singularly unsuitable he is to married life

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because of his devotion to writing. He outlines his dream to be a "cellar-dweller," a voluntary prisoner to the vocation of writing. It is easy to make the inference that his life, his being, is imprisoned by or within writing. He is a prisoner of literature. He is a martyr for writing.

The concept of "Kafka's cages" that I have outlined in this chapter has nothing to do with such a glorification of the writer's "imprisonment" in literature. Instead, what is crucial in Kafka's cages is the way that relation infuses with and determines being. Thus, we can read the above letter in a way that does not resolve it in a transfiguration of the author to a martyr for literature, but rather indicates the relations it opens up. The first point to note is that in writing to Felice, in relating to Felice, Kafka talks about a kind of existing or being. This is the being of the "cellar-dweller." Regardless of the details of this kind of being, it is important that relation is a description of existence. There is an ontological import to relation. Second, this ontology engages the other. The description of the cellar-dweller is Kafka's way—his means—of communicating to Felice his need to write. He is telling her that to be with him, she would have to accept—nay, accommodate—his innate need to write. The figure of the cellar-dweller forges a kind of relation with Felice. There is also a third kind of relation, one that relates the cellar-dweller to the institution of literature itself. Kafka's self-description as a writer locked up in an underground basement evokes Dostoyevsky's man from the underground. The suggestion that at the end he may suffer a "grandiose madness" strengthens this reference. But here this relation to Dostoyevsky's figure is within a context that gives it a decidedly humorous register. Kafka is supposedly communicating, to the woman he is about to be engaged to, his vision of his preferred existence, and who in his right mind would tell someone he is wooing that he wants to lock himself up in a cellar—unless, that is, there is a playful tone in the message? In addition, in typical Kafkaesque fashion, the image of this triumphant writing in the cellar is shattered by the recognition that he will turn mad.[40] This is not simply a confession of despair, but also an engagement with Dostoyevsky's figure of the man from the underground, as if Kafka is winking to Felice, telling her, "You know of course whom I personify here, you get my reference to Dostoyevsky, you get my joke?" Felice, alas, always practical, always pragmatic, always with both feet on the ground, probably does not notice Kafka's wink. But this does not mean that we have to revert to the description of Kafka's cages as the imprisonment of the tortured author. Instead, I suggest, we should avoid this perspective—

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