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## Colonial Articulations: Race, Violence, and Coloniality in Kafka's "Penal Colony"

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## **Colonial Articulations**

### Race, Violence and Coloniality in Kafka's "Penal Colony"

#### **Introduction**

Franz Kafka's short story "In the Penal Colony" has been widely, even exhaustively studied. However, there is a dearth of analysis which stresses the centrality of the colony as a site, and race as a structure, in this text in a sustained and appropriately nuanced manner. Kafka's work has a tendency to be read under the sign of the universal, as representing ubiquitous systems of domination and alienation, which may even be accorded metaphysical significance.<sup>i</sup> This paper argues that "In the Penal Colony," on the contrary, illustrates specific political processes and relations which belong to colonial and racialized orders of power. Here, a corrective is offered to readings which have not highlighted the racialized and colonial dimensions of the text, with a firm insistence that precisely these dimensions lend Kafka's narrative its unsettling force. Reading Kafka's text alongside theorists such as Frantz Fanon, Achille Mbembe, and Saidiya Hartman, this paper offers an inroad towards the jarring energy of the penal colony, which remains ill-defined when the structures of colonialism and the category of race are not foregrounded.<sup>ii</sup>

The first section of this work provides an exposition of Kafka's text, accompanied by close readings which emphasize the way race is produced and coded through a complex assemblage of corporeal, social, and environmental markings. In particular, this reading attends to the character of the condemned man, who is discursively constructed as a racialized 'other' and a colonized subject. The principle object of domination, the condemned man has nevertheless remained marginal in much critical scholarship concerning "In the Penal Colony," and his racialized and colonized status, often, goes either unnoticed or unanalyzed.<sup>iii</sup> Correcting this tendency reveals the complex construction of race, and racialized violence, active in Kafka's narrative. The second section of this work explores the precarious status of the condemned man before the law. Here, too, the processes of racialization remain close at hand, as the relationship between the category of race and that of legal subjecthood is articulated.

Analyzing the condemned man's legal status occasions reflection upon the peculiar arrangement of law in the penal colony. Notably, the third section of this paper links the legal formation of the penal colony to the peculiar form of sovereignty which Achille Mbembe terms "necropolitical." In the final section, structural devices operative in the text, such as repeated allusions to filth and contamination, are shown to be crucial for a reading which binds the text to its colonial setting, insofar as such images populate the colonial imaginary, playing a pivotal role in the

colony's superstructure. As a whole, then, this paper can be seen as charting a general trajectory, beginning with the person of the condemned man and expanding outward towards the larger structures within which he is pinned. By treating race and colonization as central features of the penal colony, this paper opens previously foreclosed spaces in Kafka's narrative, illustrating concrete links between the violent systems at evidence in the text and those operative in the world at large.

## Signs of Life

Discourse on Africa is almost always deployed in the framework (or on the fringes) of a meta-text about the *animal* — to be exact, about the *beast*: its experience, its world, and its spectacle.<sup>iv</sup> Achille Mbembe

The terms the settler uses when he mentions the native are zoological terms. [...] To describe the native fully [...] he constantly refers to the bestiary.<sup>v</sup> Frantz Fanon

At the outset, an unnamed traveller arrives in an unfamiliar place. This, we understand, is the penal colony. The reader is thrust into the scene, cast into an interaction already unfolding between the traveller and an official of the colony. There is to be an execution. The traveller — who, like the citizens of the colony, is apparently disinterested in the proceedings — has agreed to attend the execution “merely out of politeness.”<sup>vi</sup> The condemned man, a former soldier, is to be put to death for “disobedience,” for “insulting behavior towards a superior.”<sup>vii</sup>

The reader learns slowly, and piecemeal, of the geography. The exact location remains opaque, unnamed, lacking in precise details. A “small sandy valley,” surrounded by “naked crags.”<sup>viii</sup> The place is desolate, as if all life had long since retreated. The sun is direct, the valley shadeless, making it “difficult to collect one's thoughts.”<sup>ix</sup> Apparently the climate is not suitable to life, except perhaps the entropic, vegetative life of the tropics. The officer's uniform, “weighed down by epaulettes,”<sup>x</sup> is incongruous with the languid climate, as the traveller observes. The officer is nonetheless “full of enthusiasm,”<sup>xi</sup> his lively energy evoking the admiration of the traveller. Such energy is doubtless wildly incommensurate with the enervating air in the colony. Perhaps the oppressive heat explains the traveller's utter disinterest in the scene. It induces one to laziness.

The austere scattering of detail with which Kafka opens “In the Penal Colony” is by no means atypical of his *œuvre*. Kafka's novels, and especially his parables, are marked by an otherworldly essentiality or formalism which blankets the surface of things, reducing all elements, as it were, to their most basic structure. In his celebrated study of Kafka's work, Roberto Calasso calls the reader's attention

to Kafka's tendency to name "only the minimum number of elements of the surrounding world."<sup>xii</sup> Kafka's world, Calasso argues, is one pervaded by power which is nebulous, undifferentiated, not yet concentrated in realm of the concrete. Kafka must therefore "circumscribe the zone of the nameable,"<sup>xiii</sup> so that those solitary objects drawn to the foreground can reverberate, filling with an "unprecedented energy."<sup>xiv</sup>

Calasso's reading of Kafka is an idiosyncratic one, indicating at once an ontology of power and a theory of representation. For the purposes of this paper, the reader must only concede that taken as whole Kafka's works concern power and the terseness of his style invests his objects with particular import: because we are offered relatively few, the details we are given become all the more important. In the penal colony, little detail indeed precedes the introduction of the condemned man. The third character introduced, he is preceded by the traveller and the officer, of whom no physical descriptions are yet given. All the more jarring, then, appears the condemned man — a "stupid-looking, wide-mouthed creature with bewildered hair and face,"<sup>xv</sup> whose presence brings to mind that of a "submissive dog."<sup>xvi</sup> The condemned man is held in chains, guarded by a soldier. The chains lock the condemned man's "ankles, wrists, and neck."<sup>xvii</sup> They are themselves bound to one another by "communicating links," a constellation of small chains, linked one to the next, and finally bound to the "heavy chain,"<sup>xviii</sup> which the soldier commands. The condemned man, who is coded, for us, beyond the category of the human, is introduced already subsumed in a complex matrix of disciplinary force.

Is this not striking? The traveller, we are told, "walked up and down behind the prisoner with almost visible indifference."<sup>xix</sup> The most that can be said, perhaps, is that the condemned man appears not "at all sympathetic to him."<sup>xx</sup> There is something unremarkable, something banal, about this scene of subjection. Everything appears to be of a piece. The tropical climate, the abject, "wide-mouthed creature" in chains: these images fit together, as if bound, themselves, by "communicating links."

It is central to this paper's thesis that these images labor to produce a particular image of racialized subalterity or subjecthood, accomplished through the layered deployment of a popular symbology, a proliferation of signs. This symbology is composed of physical characteristics ("stupid-looking, wide-mouthed,"<sup>xxi</sup> "blubber lips"<sup>xxii</sup>), socio-political relations (bondage or enclosure, detainment), and a particular type of environment (exotic, foreboding, lifeless).<sup>xxiii</sup> Within a given representational paradigm, these characteristics collude to produce a novel assemblage, which is made to appear natural or unremarkable, as if the discrete characteristics, relations, and environment, were in fact immanently linked to one another.<sup>xxiv</sup> In this gesture, the condemned man is coded as a racial other, or ventriloquized to produce the discursive effect of racialization, although explicit reference is never made to certain features typically associated with the category of race, such

as skin color. On this reading, race is not an ethnic nor a cultural descriptor, least of all a biological fact; rather, race defines a set of contingent political relations, which are popularly dissimulated, naturalized within an economy of signs which appeal to biological or pre-political grounding.<sup>xxv</sup>

The remainder of this section explores some of the more complex elements of the assemblage which codes Kafka's condemned man as a racial other and a colonized subject. It is precisely because such elements have been neglected in the bulk of scholarship on "In the Penal Colony" that this text has been incessantly read as representing the universal: a psychoanalytic structure,<sup>xxvi</sup> a negative theology,<sup>xxvii</sup> or a metaphysics of pessimism.<sup>xxviii</sup> On the contrary, a reading which centers the condemned man and attends to the complex production of his racialized subalterity will apprehend the specific structures of colonial violence operative in the text.

The condemned man is prostrate before the law, "but uncomprehendingly."<sup>xxix</sup> In fact he is barred entry to the category of legal subjecthood, circumscribed by a discourse from which he is excluded. His guilt is presumed, and he is apparently without rights in the judicial arrangement of the colony. A detailed analysis of the legal structure of the penal colony will be offered in the third section of the present work, but here it is important to note that the legal exclusion of the condemned man colludes with the assemblage of markings which has produced him as a racial other, evoking Saidiya Hartman's landmark analysis of legal subjecthood in the nineteenth century American south. For Hartman, the absence of legal or political status was constitutive of the category of blackness in the context of the American slave trade. The legal apparatus inflected the formation of Black subjectivity in chattel slavery, insofar as slaves were only legal persons when, where, and to the extent that they were accused of a crime.<sup>xxx</sup> This status outside the law indelibly marked the Black figure, becoming a key feature in the elastic assemblage which labored to produce the particular form of racialized subalterity characteristic of 19th century America.<sup>xxxi</sup> Hartman is introduced here not to establish a false equivalency between the American southern plantation system and colonial contexts, but rather to demonstrate that the production of race as a political category is always attended by a network of negative legal meanings and markings. Such articulations form an important part of the limited picture we are given of the condemned man in Kafka's text.

And yet, as a character, the condemned man appears entirely hollow, devoid of content. He is concealed, as it were, like an animal, obscured by the indelible mystery which attends the inert, the preconscious. In his acclaimed study of post-colonial Africa, Achille Mbembe discusses the ways the "negro" has been constructed through the colonial gaze as a figure "so opaque as to be practically impossible to represent."<sup>xxxii</sup> Rather than a being imbued with complex and immanent life, the figure of the negro emerges as a "result of sticking together [...] bits of the

actual,” producing a “closed, solitary totality” that is elevated “to the rank of a generality.”<sup>xxxiii</sup> In a like manner, the character of the condemned man in Kafka’s text appears as a shell of animal descriptors and negative legal markings which circumscribe a “hollow”<sup>xxxiv</sup> with no kernel of legible humanity within. Like the traveller, the condemned man attends to the officer’s words and gestures, although he “[can]not understand a word.”<sup>xxxv</sup> He is apparently at the mercy of his most basic animal impulses: bodily functions such as vomiting and attempting to eat as soon as food is placed in front of him, despite the fact that he is restrained. Thus, the condemned man is double-bound: he lacks the freedom associated with self-control and the ability to transcend one’s merely animal condition,<sup>xxxvi</sup> while at the same time being bound to a legal system in which he occupies an object status — that of an object of law and never its subject.

Indeed, interrogating the complex matrix of subjection at work in the penal colony, the concepts of unfreedom and the inhuman are invariably drawn into relation. As we have seen, the condemned man is hewn in a grammar of the animal. Or the thingly, if, as Mbembe contends, the thing names that which “does not determine itself at all,” that which is “acted upon and is at the mercy of another.”<sup>xxxvii</sup> Any humanity that might lift the condemned man from his object-status remains opaque and illegible. Recall, however, that his subjection to the disciplinary power of the colony is itself implicated in the production of his racialized subalterity, his object-character; this relation is circular rather than linear.<sup>xxxviii</sup> That the condemned man’s unfreedom is a channel in the very assemblage which has produced him outside the category of the human is dramatized at a decisive moment in the text:

“You are free,” said the officer to the condemned man in the native tongue. The [condemned] man did not believe it at first. “Yes, you are set free,” said the officer. For the first time the condemned man’s face woke to real animation. Was it true? Was it only caprice of the officer, that might change again? Had the foreign explorer begged him off? What was it? One could read these questions on his face.<sup>xxxix</sup>

Only at the moment of release from bondage does the condemned man approach the category of the human, rising, as it were, from the inert status of a thing to “real animation.” One can glimpse his interiority upon his face. The animal descriptors, symbols, and markings which circumscribed his being begin to fall away. The colonial machinery, which disciplines and instrumentalizes its others on the basis of their inhumanity, produces its other as an object of discipline — a thing — through its apparatuses of subjection.

### **Scenes of Subjection**

The racialized and colonized status of the condemned man has been established, and the import of this status to a reading of Kafka's text has been demonstrated. In this section, the contours of the rigidly hierarchized colonial system which produced the condemned man's subaltern position are analyzed. In particular, the interpolation of violence and edification in the colonial context is highlighted. Following the thesis of this paper — that Kafka's penal colony does not reflect universal processes of domination, but rather processes specific to colonial and racialized regimes of power — the violence-edification dyad is analyzed through juxtaposition with real-world contexts.

The condemned man has been sentenced to death. But why? For failing to fulfill his duty as a soldier. He was assigned as a servant to a captain, and additionally tasked with keeping a night watch. Each hour throughout the night, he was to get up and “salute the captain's door.”<sup>xli</sup> An absurd task, to be sure, but “very necessary”<sup>xlii</sup> in the officer's view. When the captain discovered the condemned man asleep at his post, he “lashed him across the face”<sup>xliii</sup> with a riding whip. The condemned man could have been forgiven for nodding off, but his next move was critical. Rather than “getting up and begging pardon” after being lashed, the condemned man “caught hold of his master's legs, shook him, and cried: ‘throw that whip away or I'll eat you alive.’”<sup>xliiii</sup> Here, the animality or savagery of the condemned man is reinscribed, as is the rigid hierarchy of bodies operative in the colony and the behavioral expectations which labor to reinforce it. Transgressing this hierarchy, rather than the simple failure to perform his duty, was the condemned man's crime.

So that he might be punished, the condemned man will be placed in an apparatus — “a huge affair” made of wood, iron, and “four rods of brass that almost flashed out rays in the sunlight.”<sup>xliv</sup> In it, he will have his sentence carved into his flesh with an instrument called “the Harrow”<sup>xlv</sup> in a protracted, mechanized execution. The inscription is to read: “honor thy superiors!”<sup>xlvi</sup> According to the officer, through this display of gratuitous violence, the condemned man will learn his sentence in the flesh. By the sixth hour, the officer insists, “‘Enlightenment [*Verstand*] comes to the most dull-witted.”<sup>xlvii</sup> What at first sight appears as an archaic instrument of retributive violence is here reinterpreted as an elaborate system of edification. Indeed, the German *Verstand* resonates with *understanding* or *comprehension*. “Nothing more happens than that the man begins to understand the inscription[.] [...] [he] deciphers it with his wounds.”<sup>xlviii</sup> A corporeal process here elicits a cognitive effect, a hermeneutics hewn in violence. As Mbembe and other scholars have noted, the edifying dimensions of “colonial reason” have often been predicated upon stringent discipline and violent coercion intended to compel the colonized subject's progression towards enlightenment.<sup>xlix</sup> This violence reinforces the racialized hierarchy operative in colonial worlds.

The process of violent edification to which Kafka's condemned man has been relegated has strong resonances with another order of violence, described by Hartman in her *Scenes of Subjection*. In unsettling detail, Hartman analyzes the spectacular pageantry which attended the auction block and the coffle in the context of American slavery.<sup>1</sup> Here, enslaved subjects were made to perform in ways which reflected their value as commodities. Hartman notes that through coercive, corporeal techniques, "violence and ventriloquy" made the "captive body speak the master's truth,"<sup>li</sup> inducing a staged performance of what were to become representational norms constitutive of Black subjecthood in America. In this way, the enslaved body was forced into complicity with the reproduction of the institution of slavery, by being shaped into that institution's image. Invariably, this pageantry was equally intended to edify the community of spectators, normalizing the institution of slavery and imbuing it with a carnival air.

The context Kafka's story takes up is discontinuous with the one analyzed by Hartman, but dramatizes a similar process, whereby the "captive body" is literally rendered isomorphic with the language of colonial law, through a violent process of corporeal inscription. The captive body, then, acts as the necessary ground for the law's legibility, its objectification, its embodiment — its disclosure in the realm of the actual. Furthermore, the officer of the colony makes it clear that the spectacle of inscription was in former times attended by crowds who, like the condemned man himself, were enlightened through witnessing the execution. The scene of violent subjection is central to the racialized hierarchy of the colony, reifying that hierarchy and alerting all subjects — colonized and colonizing — as to its visceral reality.

Before concluding this section it is important to clarify that the analysis of the edification-violence dyad is not intended to suggest that Kafka arbitrarily employs an instrument of corporeal violence as a signifier for a regime of "epistemic violence"<sup>lii</sup> or ideological control, as some scholars have suggested.<sup>liii</sup> Rather, Kafka's text offers an illustration of the ways in which corporeal violence and more concealed, psychological violences become inextricable in colonial or racialized regimes of power. As scholars across a host of disciplines have argued, the colonial order institutes a symbolic system and an economy of signs which effects a state of siege on the Indigenous lifeworld and hermeneutic register.<sup>liv</sup> This symbolic order, however, is invariably subtended by a parallel regime of direct, corporeal violence.<sup>lv</sup> Kafka's story is revelatory, if not unique, in so far as it demonstrates the complete imbrication of these systems of violence, to the extent that they occupy the same physical space, superimposed upon one another in a single apparatus.

## **States of Siege**



This paper has analyzed the racialized subjection of the condemned man at the moment of his violent insertion into a apparatus of edification, relating this process to the general architecture of colonialism. But the penal colony is not only a site of edification, it is a legal paradigm as well. This section analyzes the legal relation which serves as the basis for colonial domination and its attendant practices, including the violent tutelage indicated in the previous section. Here, close readings of Kafka's text are placed alongside the legal thought of Achille Mbembe and Giorgio Agamben, to expose the 'necropolitical' structure of the penal colony.

At great length, the officer describes the inner workings of the torturous apparatus to the traveller. The condemned man attempts to follow the officer's explanations, a task rendered impossible by the fact that the officer and the traveller speak French, which "certainly neither the soldier nor the prisoner"<sup>lvi</sup> understand. Nevertheless, like a dog, the condemned man directs "his gaze wherever the officer [points] a finger," with a kind of "drowsy persistence."<sup>lvii</sup> As we have seen, the officer is quite capable of communicating in the "native tongue."<sup>lviii</sup> But here, the illegibility of the judicial proceedings from the standpoint of the condemned man begins to illustrate what soon becomes clear: although the penal colony appears to be an elaborate juridical structure, its proceedings are entirely extra-judicial. Indeed, the officer insists, here, "guilt is never to be doubted."<sup>lix</sup> The condemned man does not know his sentence, nor even that he has been sentenced, and, as the officer explains to the traveller, "he has had no chance of putting up a defense."<sup>lx</sup>

While several of Kafka's major works articulate the inherently alienating and oppressive nature of bureaucratic legal apparatuses — and the precarious legitimacy and legitimacy of such systems — the case of the colony is unique.<sup>lxi</sup> As the officer himself explains, "other courts" cannot follow the principles observed in the colony, for such other courts "consist of several opinions and have higher courts to scrutinize them."<sup>lxii</sup> The following section will return to this allusion to alternative practices which take place in an unnamed elsewhere, but for now it is worth noting that, in the penal colony, judicial protocols are free of any oversight or bureaucratic structure. They mirror the extra-judicial arrangements of a state of emergency, or the exceptional protocols in place under martial law.<sup>lxiii</sup> As the traveller observes, "extraordinary measures" are required to insure that "military discipline [...] be enforced to the last."<sup>lxiv</sup> Ultimately, it seems, the very structure of law in the penal colony is subordinated to the whim of colonial authority.<sup>lxv</sup>

In his seminal study of "necropolitics," or "politics as the work of death,"<sup>lxvi</sup> Achille Mbembe interrogates formations of sovereignty whose "central project is [...] the generalized instrumentalization of human existence and the material destruction of human bodies and populations."<sup>lxvii</sup> Such formations, which Mbembe terms "necropolitical," operate through the generalization of a state of exception.<sup>lxviii</sup> In other words, the exception to the law becomes the rule of law; or, alternatively, a state of emergency sheds its temporary character, giving way to a more

or less permanent state of siege on a given segment of the population. Here, “the concept of right [*droit*] often [stands] revealed as a void.”<sup>lxxix</sup> Sovereignty under such conditions is defined by the complimentary rights to expose the population to death and to declare an indefinite suspension of law — effectively stripping subjects of legal personhood. Such an arrangement of power and violence is at evidence on slave plantations, in extermination camps, and in colonies. Indeed, for Mbembe, the colony represents a “site where sovereignty consists fundamentally in the exercise of a power outside the law,”<sup>lxxx</sup> and a “location par excellence where the controls and guarantees of judicial order can be suspended.”<sup>lxxxi</sup> Following this account, we can clearly see a necropolitical arrangement of power at work in Kafka’s text. The officer is not bound to law, the condemned man is not a legal subject in any normative sense, and the law itself is utterly illegible; law, here, acts primarily as a vector for violent domination and the reproduction of colonial relations.

Notably, the presence of structured, spectacular violence, which subtends the necropolitics of the penal colony, is an outlier in Kafka’s *œuvre*. Reading this work alongside others, such as *The Trial*, and “Before the Law,” one is forced to consider that while Kafka often directed his writing towards the perplexities of legal apparatuses, he depicted the colonial (extra)judicial order as one structured by corporeal violence in ways that others, apparently, were not.<sup>lxxxii</sup> In a like manner, Mbembe distinguishes himself from scholars to whom his work is nevertheless proximate, such as Giorgio Agamben, by emphasizing that whim, corporeal violence, and law become isomorphic in specific locations and at specific times. Whereas Agamben has argued that something akin to a necropolitical formation of sovereignty constitutes the “hidden matrix” of the “political space of modernity itself,”<sup>lxxxiii</sup> Mbembe posits necropolitics as a form of sovereignty which arises and operates under specific circumstances and at specific times. Mbembe’s position resonates with the thesis of this paper, namely, that the violent architecture of Kafka’s penal colony is not isomorphic with law in general or any universal condition, but is specific to the racialized order of power instituted in the colony.

While a detailed comparison of Agamben’s and Mbembe’s political thought is beyond the scope of this paper, Mbembe’s insistence on the coextensive operation of more and less corporeally destructive modes of power is commensurate with the officer’s remarks about “other courts” with protocols differing from those of the penal colony. Necropolitics seems to have structured the officer’s ability to expose the condemned man to death with impunity, but other formations of legal power appear to be operative beyond the “naked crags” which bound the penal colony. Such other regimes, the officer fears, are at risk of insinuating themselves into the colonial order, prefiguring the system’s collapse.

## **Logics of Contagion**

It has been argued that the condemned man in Kafka's text is a racialized and colonized figure subjected to the violent protocols of colonial edification, which are deployed within the framework of a necropolitical power objectified in the officer of the penal colony. Continuing to emphasize the centrality of the colony as the setting of Kafka's text, this section examines the broader conceptual frameworks or systems of "imaginary signification"<sup>lxxxiv</sup> which subtend colonial violence. Specifically, binarism and discourses of colonialist autochthony will be examined and related to a broader colonial logic of contagion or contamination. The logic of contagion names the colonial tendency to erect hierarchized binaries — symbolic and material — which must be rigidly policed under pain of their terms collapsing or reversing. Close readings will identify a manic focus on contamination, cleanliness, and filth that animates Kafka's text; as manifestations of the logic of contagion, these presences evidence the centrality of the colonial setting to a comprehensive reading of "In the Penal Colony."

The officer of the penal colony eagerly describes the history of the colony to the traveller, detailing its organization under the old commandant, a quasi-mythical figure responsible for designing the apparatus of punishment. In recounting the colony's history, the officer makes no reference to the colony's origin. Nothing, it seems, preceded the government of the old commandant. Regarding the apparatus, the traveller observes that the "structure" is "bedded deep in the earth,"<sup>lxxxv</sup> like something ancient, unshakeable, primordial. Is the penal colony itself, like the apparatus, autochthonous? Did it arise of itself in the sandy valley, as upon a kind of *terra nullius*?

This seems unlikely. When the traveller remarks on the unsuitability of the officer's "tight fitting full-dress uniform"<sup>lxxxvi</sup> in light of the tropical heat, the officer quickly responds that the official uniforms "mean home to us; we don't want to forget about home."<sup>lxxxvii</sup> Clearly, there is a measure of tension between the location occupied by colonial authority and that authority's origin. Frantz Fanon, within the context of his pathbreaking analysis of colonial pathologies, articulates the settler's fraught relation to the concept of home: "[the settler] constantly refers to the history of his mother country, he clearly indicates that he himself is the extension of that mother country."<sup>lxxxviii</sup> Paradoxically, however, the logic of settlement entails the concomitant erasure of Indigenous histories and their replacement with colonial mythologies which justify occupation — a process whereby the settler "desires to become the native."<sup>lxxxix</sup> Thus, Fanon continues, "the settler makes history. [...] He is the absolute beginning. [...] The history he writes is not the history of the country he plunders but the history of his own country."<sup>lxxx</sup> As the officer adopts the role of authorial subject for the colony's history, he institutes and polices a symbolic boundary, whereby colonial history may be inscribed upon a *tabula rasa*. The questions of origin or anterior histories are silently effaced.

As Fanon, Mbembe and countless scholars in Native and postcolonial studies have observed, the symbolic construction of the racialized, colonized subject — a process analyzed in the first section of the present work — is predicated upon the erasure of Indigenous histories. These histories must be effaced such that history can be rewritten in a grammar suitable to colonial authority. Mbembe, for instance, argues that the discursive construction of the savage attends a narrative of progressive development, wherein Indigenous subjects are symbolically sutured to an earlier stage of human, or even natural, history.<sup>lxxxix</sup> As a result, proximity to the Native, for the settler, is always attended by the risk of reversion or regression to a shadowy and archaic past.<sup>lxxxix</sup> The fear of contagion, contamination, or retrogression, animates the colonial unconscious. It is a founding logic of racialization in the colony. As Fanon's often cited analysis of the rigid spatial organization of the colony implies, the fear of contagion permeates the colony's layout and its urban planning, producing a "world cut in two [...] inhabited by two different species," regulating a hygienic division between the colonized and the colonizer.<sup>lxxxix</sup>

Needless to say, contamination implies "making or being made impure"<sup>lxxxiv</sup> through the introduction of a substance into a space where it doesn't belong, or the intermingling of two sorts of substances which would be better left unmixed. The notion of contamination implies a normative judgement which rests on an *a priori* understanding of purity. The boundary between the pure and the impure, which the racialized structures of colonialism rigorously attempts to police, is always in danger of eroding, and this erosion becomes the site of Kafka's writing in the penal colony. Throughout the text, allusions to the fungibility of the boundary between cleanliness and filth, disorder and order, the sacred and the profane are repeatedly deployed. Fleeting images of the officer washing his "greasy and oily hands"<sup>lxxxv</sup> in water which is later made "disgustingly dirty"<sup>lxxxvi</sup> when it is used to clean the condemned man's clothes, accompany more elaborate stagings, such as that of the officer throwing his clean uniform, which he handles "with loving care,"<sup>lxxxvii</sup> into the muddy pit beneath the apparatus — a particularly significant moment of defilement, since the officer's uniform has been clearly identified as representing his connection to home and origin. Further, in the text's bizarre denouement, it is revealed that the mythic old commandant was buried beneath a table in a grubby teahouse, peopled by local laborers described as "poor, humble creatures."<sup>lxxxviii</sup> "The priest," the soldier explains to the traveller, "wouldn't let him lie in the churchyard."<sup>lxxxix</sup> The officer, we learn, was "most ashamed" of this misplacement, and even "tried several times to dig up the old man by night,"<sup>xc</sup> presumably to relocate his body to a more appropriate location.

These scenes are recalled in order to stress the omnipresence of allusions to defilement or injudicious misplacement in the text. Painful reversals are always near to hand: that of the pure lapsing into the impure, the legible into the illegible, the officer into the condemned. The logic of contagion, predicated upon a constant

threat to order and purity, acts as a kind of backdrop in the penal colony. Indeed, the traveller himself enters the colonial system as a foreign body, and his interactions with the officer are structured by the latter's desire to manage and control his presence, in order to restore balance to the colonial order. The remainder of this section draws the reader's attention to further examples of more complex manifestations of the logic of contagion, and outlines their implications for a reading of Kafka's text which emphasizes its colonial dimension.

The officer evidences a neurotic, almost manic, attachment to the apparatus. For him, the apparatus itself seems to symbolize an eroding world of meanings, a vital system in desperate need of defense, perilously near to collapse. While the traveller observes that the apparatus is in generally poor repair, the officer admires it, drawing the traveller's attention to trivial details, while nonetheless conceding that "things are breaking and giving way here and there."<sup>xc</sup> Still, the officer is incensed when the apparatus is "befouled like a pigsty"<sup>xcii</sup> by the condemned man, who, "in an irresistible access of nausea,"<sup>xciii</sup> vomits the moment he is placed into contact with the machine. The sheer elaborateness of the apparatus seems to obscure its inherent vulgarity and brutality from the officer's view.<sup>xciv</sup>

Following from that brutality, the legibility of justice in the colony is constantly imperiled. So that the meaning of the sentence carved in the flesh not be obscured, an elaborate system of "jet[s] of water" is required, "to wash away the blood and keep the inscription clear."<sup>xcv</sup> Nevertheless, illegibility perturbs the juridical proceedings at every level. Although each sentence is unique, as the officer insists, an onlooker who does not understand the system "would see no difference between one punishment and another."<sup>xcvi</sup> Further, when the officer displays the old commandant's designs to the traveller, the latter is incapable of deciphering them: all meaning is rendered opaque by the proliferation of calligraphic "flourishes" and "embellishments."<sup>xcvii</sup> The system's legibility gives way beneath the density of its form, risking a collapse into its own opposite. The officer insists that were the traveller to closely study the scripts, he would begin to understand. Questions thus arise concerning how the system can be understood from the inside versus the outside. Evoking a kind of relativism, it is as if the system of the penal colony maintains an internal logic, which, however, from beyond its own boundaries remains impenetrable. That the legibility of the colonial sentence is constantly at risk of collapsing into illegibility seems to presage the disaggregation of the colonial order itself.

Indeed, a more civilized, "mild doctrine"<sup>xcviii</sup> is beginning to take root in the colony, evidenced in the reforms proposed by the new commandant. The officer insists that the traveller help him defend the traditional order; when it becomes clear that he cannot compel the traveller to do so, the officer takes the place of the condemned man, installing himself beneath the harrow, in an unprecedented reversal. The sentence which is to be inscribed on the officer's body is "be just."<sup>xcix</sup> However, like the other sentences and designs, the traveller "[can]not decipher it."<sup>c</sup> The

illegibility of law, the opacity of justice, incepts a crisis of legitimacy, eroding the line between the binary terms of a just execution and baseless annihilation.<sup>ci</sup> The traveller, seeing the apparatus at work for the first and last time, observes, “this was no exquisite torture such as the officer desired, this was plain murder.”<sup>cii</sup> The binary upon which the whole artifice of juridical order rests is eroded, and justice and crime become indistinguishable. The apparatus is soaked in blood. As if compelled by an “enormous force”<sup>ciii</sup> from within, the apparatus itself collapses.

Fanon notes repeatedly that colonial violence is always surrounded by an ornate conceptual artifice with appeals to universals such as justice, culture, and humanism. Such values are conceal their own negation, and this negation is revealed when colonial violence and the “dichotomy it imposes upon the whole population” is unmasked.<sup>civ</sup> Notably, Fanon constructs his analysis upon a principle of radical interchangeability between the colonized and the colonizer, a premise with interesting resonances in Kafka’s text.<sup>cv</sup> Indeed, as soon as the officer places himself in the apparatus and sets it to work, the condemned man takes an animated interest in the machine, “stretching up on tiptoe, his forefinger [...] extended all the time pointing out details to the soldier,”<sup>cvi</sup> just as the officer had previously done. Fanon suggests that as soon as the colonized recognizes such a reversal can be made, “this discovery shakes the world.”<sup>cvii</sup> Or, to put it differently, “it is a whole material and moral universe which is breaking up.”<sup>cviii</sup> The colonial machinery is from that moment marked for destruction.

It must be noted that the details of Kafka’s story are radically discontinuous with the picture Fanon paints, in at least one respect. In Kafka’s story, the condemned man is granted his freedom. For Fanon, on the other hand, the break-up of the colonial order is achieved through an aggressive decolonial struggle, in which the colonized subject seizes — and thus, indeed, produces — his or her own freedom.<sup>cix</sup> Rather than suggesting that Kafka’s text mirrors Fanon’s analysis of decolonization, this paper suggests that, for Fanon, the prospect of total reversal is the seed sewn in the heart of the colonial order, which promises the flowering destruction of that order and the binaries upon which it is founded. Kafka’s text dramatizes such a series of reversals, and the “material and moral” collapse they precipitate. The break-up of Kafka’s colonial world reaches its height in the total reversal of the condemned man and the officer — a reversal which confirms in the flesh, as it were, that “the settler’s skin is not of any more value than a native’s.”<sup>cx</sup>

Although the destruction of the apparatus seems to reflect the collapse of the colonial order’s organizing principle, the logic of contagion seems to persist. Indeed, the traveller is not immune: a final reversal takes place as the text closes, which indicates a rigid binary relation between the colony and the world beyond. Having seen the old commandant’s grave inside the teahouse, the traveller attempts to flee the colony. He is chased down to the docks by the soldier and the condemned man, who, he suspects, want to “force him at the last minute to take them with

him.”<sup>cx1</sup> The violent system of the colony, which had so repulsed the traveller, finally implicates even he, after having cannibalized the officer who appeared to be in control. In his final gesture of flight from the penal colony, the explorer is compelled to threaten the condemned man and the soldier with a “heavy knotted rope,”<sup>cx2</sup> evoking the claustrophobia of a closed system of racialized violence from which there is no escape.

By keeping the soldier and the condemned man at bay, the traveller labors to police a boundary between two worlds — the colony and the world beyond — which must not be traversed. This act of quarantine recalls Aimé Césaire’s analysis of the “boomerang effect of colonization.”<sup>cx3</sup> Such an effect — whereby the violent regimes of colonial power threaten to infect the ‘civilized’ disciplinary order operative in the European metropole — helps explain the irruption of necropolitics in Europe during the Third Reich, according to Césaire.<sup>cx4</sup> While one might read the traveller’s last act as an attempt to combat the threat of just such a contagion, his immediate recourse to corporeal violence ultimately erodes the very basis of such a reading. The hygienic distinction between the violence of the colony and the civility of the world beyond, too, appears to collapse. The binarism hypostatized by colonialism and policed through colonial violence cannot be confined to the colony; it is merely a moment in the imperial system which binds the colony to the world beyond.

## Conclusion

Kafka’s text does not promise the humanistic overcoming of the colonial order, nor does it detail the cathartic toppling of that order called for by Fanon; it illustrates a system of tensions and draws out their implications. By centering the figure of the condemned man, this paper has stressed the centrality of racial construction and colonial logics within the system of tensions Kafka has sketched. The condemned man’s subjection to the apparatus of colonial violence has been situated within an (extra)judicial order, which is itself nested in a world system subtended by violent regimes of signification. On the basis of this reading, one must conclude that an account of “In the Penal Colony” is impoverished to the extent that the centrality of race and colonialism is not emphasized.

But Kafka’s texts speak to us in many voices. They are not codes to be deciphered, they whisper to us and offer us weight and darkness and equivocity, and they perplex us. As Walter Benjamin has noted, Kafka’s work “constitutes a code of gestures which surely [have] no definite symbolic meaning [...] the gestures of Kafka’s figures are too powerful for our accustomed surroundings and break out into wider areas.”<sup>cx5</sup> Rather than attempting to close Kafka’s text, this paper has attempted to open it, placing it in a constellation of generative discourse from which it has remained perplexingly discrete. Attending to the configurations

of race and coloniality in the penal colony discloses a space, if not an analytic, for interrogating the multivalent systems of violence which operate within, as well as beyond, the text. Such a disclosure should act as an opening for further inquiry into systems — discursive and material — which remain in excess of any account.

## Notes

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<sup>i</sup> For instance, see: Roberto Calasso, *K.* trans. Geoffrey Brock (New York: Knopf, 2005); Doreen F. Fowler ““In the Penal Colony”: Kafka's Unorthodox Theology,” *College Literature* 6, no. 2 (1979): 113-20; Peter Dow Webster, “Franz Kafka's “In the Penal Colony”: A Psychoanalytic Interpretation.” *American Imago* 13, no. 4 (1956): 399-407; Martha Satz and Ozsvath Zsuzsanna. ““A Hunger Artist” and “In the Penal Colony” in the Light of Schopenhauerian Metaphysics.” *German Studies Review* 1, no. 2 (1978): 200-10.

<sup>ii</sup> As the first section of this paper will argue, identifying race as a ‘structure’ or ‘category’ can be misleading, insofar as these terms seem to imply stability, unity, perhaps even a measure of ontological givenness. At best they are heuristic terms, which can be unsettled through a reading of race as an assemblage, as the following section demonstrates. See: Alexander Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics*,



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and *Black Feminist Theories of the Human* (Durham: Duke University Press, 2015). Assemblage theory in general can be traced back to the work of Gilles Deleuze and Félix Guattari in their *A Thousand Plateaus* trans. Brian Massumi (London: Continuum, 1987).

<sup>iii</sup> For instance, see: Doreen F. Fowler ““In the Penal Colony”: Kafka's Unorthodox Theology”; Peter Dow Webster, “Franz Kafka's “In the Penal Colony”: A Psychoanalytic Interpretation”; Stanley Corngold “Allotria and Excreta in “In the Penal Colony” For Rachel Magshamhrain.” *Modernism/modernity* 8, no. 2 (2001), 281-293

<sup>iv</sup> Achille Mbembe, *On the Postcolony*, trans. A.M. Berrett, Janet Roitman, Murray Last, and Steven Rendall (Berkeley: University of California Press, 2001), 8.

<sup>v</sup> Frantz Fanon, *The Wretched of the Earth*, trans. Constance Farrington (New York: Grove Press, 1977), 42.

<sup>vi</sup> Franz Kafka, *The Complete Stories and Parables*, trans. Willa and Edwin Muir (New York: Quality Paperback, 1983), 140.

<sup>vii</sup> *ibid.*

<sup>viii</sup> *ibid.*

<sup>ix</sup> *ibid.*, 142.

<sup>x</sup> *ibid.*

<sup>xi</sup> *ibid.*

<sup>xii</sup> Roberto Calasso, *K.*, 4.

<sup>xiii</sup> *ibid.*, 3.

<sup>xiv</sup> *ibid.*

<sup>xv</sup> Franz Kafka, *The Complete Stories and Parables*, 140.

<sup>xvi</sup> *ibid.*

<sup>xvii</sup> *ibid.*

<sup>xviii</sup> *ibid.*

<sup>xix</sup> *ibid.*

<sup>xx</sup> *ibid.*, 152.

<sup>xxi</sup> *ibid.*

<sup>xxii</sup> *ibid.*

<sup>xxiii</sup> Within this symbology, concepts which may at first appear incommensurable can nonetheless fit together. For instance, tropicality and lifelessness may seem symbolically opposed, but within discourses which inscribe racial alterity, the slippage between representations of excess and lack can labor to produce what Saidiya Hartman has analyzed as the “elasticity of blackness,” whereby one of two or more contradictory characteristics — for instance, asexuality and excessive sexuality — can be made isomorphic with the Black body, depending on the situation in question. See: Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (Oxford: Oxford University Press, 1997), ch. 1. While Hartman’s analysis is narrowly focused on discourses produced around the American south in the 19th century, many other Black feminist thinkers have taken up similar phenomena in different contexts. See: Hortense Spillers, “Mama’s Baby, Papa’s Baby: An American Grammar Book” *Diacritics* 17, no. 2

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(1987): 65-81; Christina Sharpe, *In the Wake: On Blackness and Being* (Durham: Duke University Press, 2016). I am indebted to Dr. Derrais Carter of Portland State University for bringing the above details into focus for me.

<sup>xxiv</sup> The concept of a “racializing assemblage” is derived from the important work of Alexander Weheliye in his book, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*.

<sup>xxv</sup> For a detailed analysis of how these relations become coded onto the flesh, see: Alexander Weheliye, *Habeas Viscus*, ch. 1; see also: Saidiya Hartman, *Scenes of Subjection*, 56-59.

<sup>xxvi</sup> Peter Dow Webster, “Franz Kafka's “In the Penal Colony””: A Psychoanalytic Interpretation.”

<sup>xxvii</sup> Doreen F. Fowler ““In the Penal Colony””: Kafka's Unorthodox Theology.”

<sup>xxviii</sup> Martha Satz and Ozsvath Zsuzsanna. ““A Hunger Artist” and “In the Penal Colony” in the Light of Schopenhauerian Metaphysics.”

<sup>xxix</sup> Franz Kafka, *The Complete Stories and Parables*, 150.

<sup>xxx</sup> See: Saidiya Hartman, *Scenes of Subjection*, ch 2.

<sup>xxxi</sup> See: *ibid.* On the complex relationship between legal subjecthood and the production of race, see also: Sylvia Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation — An Argument,” *CR: The New Centennial Review* 3, no. 3 (2003): 257-337.

<sup>xxxii</sup> Achille Mbembe, *On the Postcolony*, 176.

<sup>xxxiii</sup> *ibid.*, 178.

<sup>xxxiv</sup> *ibid.*, 179.

<sup>xxxv</sup> Franz Kafka, *The Complete Stories and Parables*, 144.

<sup>xxxvi</sup> This has resonances with Martin Heidegger’s contention that the human experience of freedom is a unique one insofar as only *Dasein* has recourse to being-as-such, whereas animals experience “‘mere’ life.” See: John Lechte, *The Human: Bare Life and Ways of Life* (London, Bloomsbury: 2018), 82f. Furthermore, Heidegger argues in *Being and Time* that only *Dasein* is capable of dying, because *Dasein* experiences being-towards-death mediated by language, whereas the animal may only “perish,” or, in Jaques Derrida’s terms, “come to an end.” See: Jaques Derrida, *Aporias* trans. Thomas Dutoit (Stanford, Stanford University Press: 1993), 35; Martin Heidegger, *Being and Time* trans. Joan Stambaugh (New York, SUNY: 1996), Division Two, section I.

<sup>xxxvii</sup> Achille Mbembe, *On the Postcolony*, 235; see also: Aimé Césaire, *Discourse on Colonialism* (New York, Monthly Review Press: 1972), 21.

<sup>xxxviii</sup> When in a different context Frantz Fanon famously writes, “you are rich because you are white, you are white because you are rich,” he indicates the circular (ir)rationality operative in colonial worlds. In the analysis offered here, the law exercises exceptional force *vis-a-vis* the condemned man due to his object-character; but that object-character is itself an effect of a legal relation which acts as one vector in the multivalent racializing

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assemblage which produces the condemned man's subalterity. See: Frantz Fanon, *The Wretched of the Earth*, 39.

<sup>xxxix</sup> Franz Kafka, *The Complete Stories and Parables*, 160-161.

<sup>xl</sup> *ibid.*, 146.

<sup>xli</sup> *ibid.*

<sup>xlii</sup> *ibid.*

<sup>xliii</sup> *ibid.*

<sup>xliv</sup> *ibid.*, 143.

<sup>xlv</sup> *ibid.*, 142.

<sup>xlvi</sup> *ibid.*, 144.

<sup>xlvii</sup> *ibid.*, 150. While scholars such as Ruth Cumberland have placed great importance on this line, finding in it a connection between the European Enlightenment and the ideological forces operative in colonial governance, it is worth noting that the German *Verstand* — though doubtless translatable to the English *enlightenment* — is not commonly used to refer to the 18th century European intellectual movement. Enlightenment, in that sense, is almost invariably *Aufklärung*. See: Ruth Cumberland, "Inscribed Bodies: The Cruel Mirage of Imperialistic Idealism in Kafka's 'Penal Colony'" *Papers on Language and Literature*, 49 no. 2 (March 2013): 203-222.

<sup>xlviii</sup> Franz Kafka, *The Complete Stories and Parables*, 150.

<sup>xlix</sup> See, e.g.: Achille Mbembe, *On the Postcolony*, 31-32; Frantz Fanon, *The Wretched of the Earth*, ch. 1.

<sup>l</sup> Saidiya Hartman, *Scenes of Subjection*, ch. 1.

<sup>li</sup> *ibid.*, 38-39.

<sup>lii</sup> Gayatri Spivak introduces the concept of epistemic violence in her essay, "Can the Subaltern Speak?" *Marxism and the Interpretation of Culture* ed. Lawrence Grossberg (Chicago: University of Illinois Press, 1988), 271-316.

<sup>liii</sup> See: Ruth Cumberland, "Inscribed Bodies." Despite Cumberland's excellent scholarship, I believe her emphasis on the ideological function of the apparatus in this text risks eliding of the apparatus's corporeality. That is, where Cumberland sees Kafka's apparatus as a symbol for "the horrific impact of ideology," I argue, on the contrary, that it is useful to read Kafka's story in a less abstract way, attending to the marriage of ideology and corporeal violence in colonial worlds. See: Ruth Cumberland, "Inscribed Bodies: The Cruel Mirage of Imperialistic Idealism in Kafka's 'Penal Colony,'" 203.

<sup>liv</sup> See, e.g.: Achille Mbembe, *On the Postcolony*; Frantz Fanon, *The Wretched of the Earth*; Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Boston, Harvard University Press: 2008); Sarah Deer, *The Beginning and End of Rape: Confronting Violence in Native America* (Minneapolis, University of Minnesota Press: 2015).

<sup>lv</sup> As Frantz Fanon notes, while discipline is largely achieved in European metropolitan contexts through an array of pacifying ideological apparatuses and regimes, it is, in the

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colony, “the soldier and the policeman” who maintain control with “rifle butts and n-  
apalm.” See: Frantz Fanon, *The Wretched of the Earth*, 38. See also: Michel Foucault, *Dis-  
cipline and Punish* trans. Alan Sheridan (New York: Vintage, 1995).

lvi *ibid.*, 142.

lvii *ibid.*

lviii *ibid.*, 160.

lix *ibid.*, 145.

lx *ibid.*

lxi See, e.g.: Franz Kafka, *The Trial*, trans. Breon Mitchell (New York: Schocken, 1999);  
Franz Kafka, “Before the Law” *The Complete Stories and Parables*, trans. Willa and Ed-  
win Muir (New York: Quality Paperback, 1983).

lxii Franz Kafka, *The Complete Stories and Parables*, 145.

lxiii For a detailed survey of the relationship between the state of emergency and African  
colonial governance, see: Stephen Moreton, *States of Emergency: Colonialism, Litera-  
ture, and Law* (Liverpool: Liverpool University Press, 2013).

lxiv Franz Kafka, *The Complete Stories and Parables*, 146.

lxv For an analysis of the subordination of law to the whim or caprice of the colonizer,  
see: Achille Mbembe, *On the Postcolony*, 188-189. See also: Frantz Fanon, *The Wretched  
of the Earth*, ch 1.

lxvi Achille Mbembe, “Necropolitics,” 15.

lxvii *ibid.*, 14.

lxviii On the relationship between law, sovereignty, and the state of exception, see: Carl  
Schmitt, *Dictatorship* trans. Michael Hoelzel and Graham Ward (Cambridge: Polity,  
2013), ch. 6; Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* trans.  
Daniel Heller-Roazen (Stanford: Stanford University Press, 1998). These texts, along  
with Michel Foucault’s work on biopolitics — in particular his *Society Must Be Defended*  
— constitute the theoretical basis upon which Mbembe erects his elaboration of necropol-  
itics.

lxix Achille Mbembe, *On the Postcolony*, 25.

lxx Achille Mbembe, “Necropolitics,” 23.

lxxi *ibid.*, 24. See also, Achille Mbembe, *On the Postcolony*, ch 1.

lxxii Although, particularly in *The Trial*, corporeal violence up to and including annihila-  
tion is present, the structural and spectacular presence of violence in the penal colony  
more or less incontestably sets this work apart from the bulk of Kafka’s literary output.  
Whenever corporeal violence appears in *The Trial*, it is, importantly, hidden: carried out  
in the dark or behind closed doors.

lxxiii Giorgio Agamben, *Homo Sacer*, 99.

lxxiv Achille Mbembe, *On the Postcolony*, 2. Mbembe explains, “By imaginary significa-  
tions, we mean ‘that something invented’ that, paradoxically, becomes necessary because  
‘that something’ plays a key role, both in the world the West constitutes for itself and in

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the West's apologetic concerns and exclusionary and brutal practices towards others," (*ibid.*).

lxxv Franz Kafka, *The Complete Stories and Parables*, 140.

lxxvi *ibid.*, 142.

lxxvii *ibid.*, 143.

lxxviii Frantz Fanon, *The Wretched of the Earth*, 51.

lxxix Ia Paperson, "Settler Colonialism is a Set of Technologies" *A Third University is Possible* (Minneapolis: University of Minnesota Press, 2017), 1-24.

lxxx Frantz Fanon, *The Wretched of the Earth*, 51.

lxxxi Achille Mbembe, *On the Postcolony*, Introduction.

lxxxii See, e.g.: Achille Mbembe, *On the Postcolony*, Introduction; Frantz Fanon, *The Wretched of the Earth*, ch 1; Jodi Byrd, *The Transit of Empire: Indigenous Critiques of Colonialism* (Minneapolis: University of Minnesota Press, 2011).

lxxxiii Frantz Fanon, *The Wretched of the Earth*, 38f.

lxxxiv *Oxford Dictionaries*, s.v. "contamination," accessed March 16, 2019,

<http://www.oxforddictionaries.com/definition/english/contamination>.

lxxxv Franz Kafka, *The Complete Stories and Parables*, 141.

lxxxvi *ibid.*, 162.

lxxxvii *ibid.*

lxxxviii *ibid.*, 167.

lxxxix *ibid.*, 166.

xc *ibid.*

xc1 *ibid.*, 151.

xc2 *ibid.*, 152.

xc3 *ibid.*

xc4 For a detailed account of the dissimulation of violence through spectacle, see: Saidiya Hartman, *Scenes of Subjection*, ch. 1.

xc5 Franz Kafka, *The Complete Stories and Parables*, 157.

xc6 *ibid.*, 147.

xc7 *ibid.*, 149.

xc8 Franz Kafka, *The Complete Stories and Parables*, 152.

xc9 *ibid.*, 161.

c *ibid.*

ci On the colonial crisis of legitimacy and its violent repercussions, see: Patrick Chabal, "The Crisis of Legitimacy and Representation" *Power in Africa* (London: Palgrave, 1992), 136-149.

cii Franz Kafka, *The Complete Stories and Parables*, 165.

ciii *ibid.*, 164.

civ Frantz Fanon, *The Wretched of the Earth*, 44f.

cv *ibid.*, 38.

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- cvi Franz Kafka, *The Complete Stories and Parables*, 164.
- cvii Frantz Fanon, *The Wretched of the Earth*, 45.
- cviii *ibid.*
- cix Frantz Fanon, *The Wretched of the Earth*, ch. 1.
- cx *ibid.*, 45.
- cxii Franz Kafka, *The Complete Stories and Parables*, 167.
- cxiii *ibid.*
- cxiiii Aimé Césaire, *Discourse on Colonialism*, 20.
- cxv Such a formulation was, several years after the publication of Césaire's *Discourse on Colonialism*, made famous by Hannah Arendt in her *Origins of Totalitarianism*. See: Hannah Arendt, *The Origins of Totalitarianism* (New York, Harvest: 1976), Part II.
- cxvi Walter Benjamin, "On the Tenth Anniversary of Kafka's Death" *Selected Writings, Vol. 2, Part II* Harry Zohn trans., Michael Jennings ed. (Boston, Harvard University Press: 2005). Quoted in: Ari Linden, "Textual Suicide, Divine Violence, and the Unwritten Law in Kafka's 'In the Penal Colony'" *Focus on German Studies 15* (2008): 61-79.

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