

Franz Kafka
Before the Law

Before the law sits a gatekeeper. To this gatekeeper comes a man from the country who asks to gain entry into the law. But the gatekeeper says that he cannot grant him entry at the moment. The man thinks about it and then asks if he will be allowed to come in sometime later on. "It is possible," says the gatekeeper, "but not now." The gate to the law stands open, as always, and the gatekeeper walks to the side, so the man bends over in order to see through the gate into the inside. When the gatekeeper notices that, he laughs and says: "If it tempts you so much, try going inside in spite of my prohibition. But take note. I am powerful. And I am only the most lowly gatekeeper. But from room to room stand gatekeepers, each more powerful than the other. I cannot endure even one glimpse of the third." The man from the country has not expected such difficulties: the law should always be accessible for everyone, he thinks, but as he now looks more closely at the gatekeeper in his fur coat, at his large pointed nose and his long, thin, black Tartar's beard, he decides that it would be better to wait until he gets permission to go inside. The gatekeeper gives him a stool and allows him to sit down at the side in front of the gate. There he sits for days and years. He makes many attempts to be let in, and he wears the gatekeeper out with his requests. The gatekeeper often interrogates him briefly, questioning him about his homeland and many other things, but they are indifferent questions, the kind great men put, and at the end he always tells him once more that he cannot let him inside yet. The man, who has equipped himself with many things for his journey, spends everything, no matter how valuable, to win over the gatekeeper. The latter takes it all but, as he does so, says, "I am taking this only so that you do not think you have failed to do anything." During the many years the man observes the gatekeeper almost continuously. He forgets the other gatekeepers, and this first one seems to him the only obstacle for entry into the law. He curses the unlucky circumstance, in the first years thoughtlessly and out loud; later, as he grows old, he only mumbles to himself. He becomes childish and, since in the long years studying the gatekeeper he has also come to know the fleas in his fur collar, he even asks the fleas to help him persuade the gatekeeper. Finally his eyesight grows weak, and he does not know whether things are really darker around him or whether his eyes are merely deceiving him. But he recognizes now in the darkness an illumination which breaks inextinguishably out of the gateway to the law. Now he no longer has much time to live. Before his death he gathers in his head all his experiences of the entire time up into one question which he has not yet put to the gatekeeper. He waves to him, since he can no longer lift up his stiffening body. The gatekeeper has to bend way down to him, for the great difference has changed things considerably to the disadvantage of the man. "What do you still want to know now?" asks the gatekeeper. "You are insatiable." "Everyone strives after the law," says the man, "so how is it that in these many years no one except me has requested entry?" The gatekeeper sees that the man is already dying and, in order to reach his diminishing sense of hearing, he shouts at him, "Here no one else can gain entry, since this entrance was assigned only to you. I'm going now to close it."

Agamben on Kafka's Before the Law

(in *Potentialities*, chapter *The Messiah and the Sovereign: The Problem of Law in Walter Benjamin*)

By Giorgio Agamben

(...) I will (...) try to read a story by Kafka from the perspective of (...) [Benjamin's] conception: "Before the Law," which is to be found in both the collection *Der Landarzt* and *The Trial*. Naturally I do not mean that Benjamin would have read the story as I will read it. Rather, I will seek indirectly to present Benjamin's conception of the messianic task in the form of an interpretation of one of Kafka's allegories. I take for granted that the reader remembers the story of the doorkeeper standing before the door of the law and the man from the country who asks if he can enter it, waiting without success only to hear the doorkeeper tell him, at the end of his life, that the door was meant for him alone. The thesis that I intend to advance is that this parable is an allegory of the state of law in the messianic age, that is, in the age of its being in force without significance. The open door through which it is impossible to enter is a cipher of this condition of the law. The two most recent interpreters of the parable, Jacques Derrida and Massimo Cacciari, both insist on this point. "The law," Derrida writes, "keeps itself [*se garde*] without keeping itself, kept [*gardée*] by a door-keeper who keeps nothing, the door remaining open and open onto nothing."¹⁶ And Cacciari decisively underlines the fact that the power of the law lies precisely in the impossibility of entering into the already open, of reaching the place where one already is: "How can we hope to 'open' if the door is already open? How can we hope to enter-the-open [*entrare-l'aperto*]? In the open, there is, things are there, one does not enter there. . . We can enter only there where we can open. The already-open [*il già-aperto*] immobilizes. The man from the country cannot enter, because entering into the already open is ontologically impossible."¹⁷ It is easy to discern an analogy between the situation described in the parable and law in the state of being in force without significance, in which the law is valid precisely insofar as it commands nothing and has become unrealizable. The man from the country is consigned to the potentiality of law because law asks nothing of him, imposes on him nothing other than its ban.

If this interpretation is correct, if the open door is an image of law in the time of its messianic nullification, then who is the man from the country? In his analysis of the parable, Kurt Weinberg suggests that we are to see the "figure of a hindered Christian Messiah" in the obstinate, shy man from the country.¹⁸ The suggestion can be taken only if we return messianism to its true context. Those who have read Sigmund Hurwitz's book, *Die Gestalt der sterbenden Messiahs*, will recall that in the Jewish tradition the figure of the Messiah is double. Since the first century B.C.E., the Messiah has been divided into Messiah ben Joseph and a Messiah ben David. The Messiah of the house of Joseph is a Messiah who dies, vanquished in the battle against the forces of evil; the Messiah of the house of David is the triumphant Messiah, who ultimately vanquishes Armilos and restores the kingdom. While Christian theologians usually try to leave this doubling of the messianic figure aside, it is clear that Christ, who died and was reborn, unites in his person both Messiahs of the Jewish tradition. It is worth underlining that Kafka, for his part, was aware of this tradition through Max Brod's book, *Heidentum, Christentum, Judentum*.

Scholem once wrote that the Messiah ben Joseph is a disconsolate figure who redeems

nothing and whose destruction coincides with the destruction of history. While this diagnosis is certainly true, I am not at all sure that it can be wholly maintained if one considers the role that the Messiah ben Joseph had to play in the economy of the doubling of the messianic figure (which Kafka could have had in mind in conceiving of his country Messiah). In the Christian tradition, which knows a single Messiah, the Messiah also has a double task, since he is both redeemer and legislator; for the theologians, the dialectic between these two tasks constitutes the specific problem of messianism. (In his treatise on law, Tommaso Campanella defined the figure of the Messiah as follows, polemicizing with both Luther and Abelard on the subject of this dialectic: "Luther recognizes not the legislator, but the redeemer; Peter Abelard recognizes only the legislator, but not the redeemer. But the Catholic Church recognizes both" [*Luterus non agnoscit legislatorem, sed redemptorem, Petrus Abelardus agnoscit solum legislatorem, non autem redemptorem. Ecclesia catholica utrumque agnoscit.*])

One of the peculiar characteristics of Kafka's allegories is that at their very end they contain a possibility of an about-face that completely upsets their meaning. In the final analysis, all the interpreters of the parable read it as the apologue of the man from the country's irremediable failure or defeat before the impossible task imposed upon him by the law. Yet it is worth asking whether Kafka's text does not consent to a different reading. The interpreters seem to forget, in fact, precisely the words with which the story ends: "No one else could enter here, since this door was destined for you alone. Now I will go and close it [*ich gebe jetzt und schliesse ihn*]." If it is true that the door's very openness constituted, as we saw, the invisible power and specific "force" of the law, then it is possible to imagine that the entire behavior of the man from the country is nothing other than a complicated and patient strategy to have the door closed in order to interrupt the law's being in force. The final sense of the legend is thus not, as Derrida writes, that of an "event that succeeds in not happening" (or that happens in not happening: "an event that happens not to happen," *un événement qui arrive à ne pas arriver*)¹⁹, but rather just the opposite: the story tells how something has really happened in seeming not to happen, and the apparent aporias of the story of the man from the country instead express the complexity of the messianic task that is allegorized in it.

It is in this light that one must read the enigmatic passage in Kafka's notebooks that says, "The Messiah will only come when he is no longer necessary, he will only come after his arrival, he will come not on the last day, but on the very last day." The particular double structure implicit in this messianic *theologumenon* corresponds to the paradigm that Benjamin probably has in mind when he speaks, in the Eighth Thesis, of "a real state of exception" as opposed to the state of exception in which we live. This paradigm is the only way in which one can conceive something like an *eskhaton*--that is, something that belongs to historical time and its law and, at the same time, puts an end to it. Although while the law is in force we are confronted only with events that happen without happening and that thus indefinitely differ from themselves, here, instead, the messianic event is considered through a bi-unitary figure. This figure probably constitutes the true sense of the division of the single Messiah (like the single Law) into two distinct figures, one of which is consumed in the consummation of history and the other of which happens, so to speak, only the day after his arrival. Only in this way can the event of the Messiah coincide with historical time yet at the same time not be identified with it, effecting in the *eskhaton* that "small adjustment" in which, according to the rabbi's saying told by Benjamin, the messianic kingdom consists.

Notes (considering the above is an excerpt of a larger chapter, available online [here](#)):

16. Jacques Derrida, "Before the Law," in *Acts of Literature*, ed. Derek Attridge (London: Routledge, 1992), p. 206; the original is Jacques Derrida, "Préjugés," in *Spiegel und Gleichnis, Festschrift für Jacob Taubes*, ed. N. W. Bolz and W. Hübner (Würzburg: Königshausen und Neumann, 1983), p. 356.

17. Massimo Cacciari, *Icone della legge* (Milan: Adelphi, 1985), p. 69.

18. Kurt Weinberg, *Kafkas Dichtungen: Die Travestien des Mythos* (Bern: Francke, 1963), pp. 130-31.

19. Derrida, "Before the Law," p. 210; original in Derrida, "Préjugés," p. 359.