It is conceivable that Alexander the Great – for all the military successes of his youth, for all the excellence of the army he trained, for all the desire he felt in himself to change the world – might have stopped at the Hellespont, and never crossed it, and not out of fear, not out of indecisiveness, not out of weakness of will, but from heavy legs.

*Kafka*, Zürau Aphorisms, n. 39

1. Before the Law

In a letter to his then-fiancée Felice Bauer from March 3, 1915, Kafka inserts a short paragraph interpreting a dream Felice had described to him in a previous letter; Felice’s letters have not been preserved, so we do not know the content of the dream, but Kafka’s interpretation has become iconic:

However, I do want to interpret your dream. Had you not been lying on the ground among the animals, you would have been unable to see the sky and the stars and wouldn’t have been set free. Perhaps you wouldn’t have survived the terror of standing upright [*Angst des Aufrechtstehens*]. I feel much the same; it is a mutual dream that you have dreamed for us both.

Short after the publication of the *Letters to Felice* in 1967, Elias Canetti wrote a book-long interpretation of them, *Kafka’s Other Trial* (1969), where we find the following commentary on this passage:

One must lie down with the beasts in order to be set free, or redeemed [*erlöst*]. Standing upright signifies the power of man over beasts; but

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1. An earlier version of this text was published in *Pollen magazine*, issue 2 on »Creaturely Life« (November 2016), 127–32, 144.
2. Felice Bauer sold the letters she received from Kafka to the publisher Shoken Books in 1955; the German version was published in 1967 and the English translation in 1973.
precisely in the most obvious attitude man is exposed, visible, vulnerable. For this power is also guilt, and only on the ground, lying among the animals, can one see the stars, which free one from this terrifying power of man.4

Canetti’s comments echo Freud’s hypothesis of an »organic repression« at the origin of human civilization, which is precisely linked to the adoption of the upright posture. Freud famously proposed this hypothesis in two lengthy footnotes in chapter IV of Civilization and Its Discontents (1930), but the idea was a persistent and recurring one throughout his whole career, and goes back at least to his correspondence with Wilhelm Fliess in 1897.5 Freud basically adopts Darwin’s view, presented in The Descent of Man, that the cultural dominance of vision stems from man’s adoption of an upright posture, and this involves an elevation which diverts the olfactory sense from the stench of the sexual organs and the faeces:

The diminution of the olfactory stimuli seems itself to be a consequence of man’s raising himself from the ground, of his assumption of an upright gait; this made his genitals, which were previously concealed, visible and in need of protection, and so provoked feelings of shame in him. The fateful process of civilization would thus have set in with man’s adoption of an erect posture.6

According to Freud, »the deepest root of the sexual repression that advances along with civilization is the organic defence of the new form of life achieved with man’s erect gait against his earlier animal existence.«7 For him, too, the ensuing exposition and vulnerability are accompanied by a feeling of shame and, above all, guilt, which he deems as »the most important problem in the development of civilization«8 – though this guilt is not, as in Canetti (and Kafka), related to the »power of man over beasts.« Important, however, is the fact that Freud’s recurrent thematizing of the »organic repression« occurs within his insisting attempts to determine the »origins of (moral) law.«

Jacques Derrida has discussed these attempts by Freud precisely in an analysis of Kafka’s legend »Before the Law.« For Derrida, elevation,
the upward movement, the turning away from sexual and faecal stench, all amount to a »schema of purification«: »The high (and therefore the great) and the pure, are what repression produces as origin of morality, they are what is better absolutely, they are the origin of value and of the judgement of value.«9 This purification is, ultimately, that of the animal in the human, of animality in humanity, and follows thus a logic of sacrifice: the animal must be sacrificed in order to secure the basis of the human and of its law. The sacrifice of the animal (entailed and initiated by the assumption of the upright posture) is therefore the basic schema, the paradigmatic instance of the law, whereby the law draws the dividing line that separates who’s in and who’s out and establishes the criteria for inclusion and exclusion. The violence of this sacrifice, Cary Wolfe argues, constitutes the »bedrock« upon which the law erects its edifice of norms, rules and laws.10

Kafka’s reaction to this sacrificial violence, his response »before the law,« was to »lie among the animals,« to renounce the upright posture and its law, in a sort of withdrawal, of ascetic »diminution.« A few paragraphs after the above-quoted passage, Canetti continues:

Confronted as he was with power on all sides, [Kafka’s] obduracy sometimes offered him a reprieve. But if it was insufficient, or if it failed him, he trained himself to disappear; here the helpful aspect of his physical thinness is revealed, though often, as we know, he despised it. By means of physical diminution, he withdrew power from himself, and thus had less part in it; this asceticism, too, was directed against power. […] Most astounding of all is another method he practices, with a sovereign skill matched only by the Chinese: transformation into something small. Since he abominated violence, but did not credit himself with the strength to combat it, he enlarged the distance between the stronger entity and himself by becoming smaller and smaller in relation to it. Through this shrinkage he gained two advantages: he evaded the threat by becoming too diminutive for it, and he freed himself from all exceptionable means of violence; the small animals into which he liked to transform himself were harmless ones.11

If this analysis tends to overstate self-victimization as an (ultimately escapist) response, it gets nonetheless the point of Kafka’s insight: his animal stories – or rather, one can argue, his oeuvre as a whole – dramatize the sacrificial violence of the law, they all portray the »animal

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11 Canetti, Kafka’s Other Trial, 89–90.
before the law« and propose, at the same time, a series of strategies to survive the »terror of standing upright,« to free and redeem oneself and one’s own humanity from the burden of »this terrifying power of man.«

2. Like a Dog

Kafka’s oeuvre is thus emblematic of the complex intertwining of life and law that Eric Santner has named »creaturely life.« Drawing from a number of twentieth-century German thinkers (Rilke, Rosenzweig, but mostly Benjamin), Santner develops a compelling analysis of (human) life’s exposure »before the law,« adopting an interesting conceptual frame which inserts a biopolitical vocabulary (taken mostly from Giorgio Agamben) upon an ontology basically derived from Lacanian psychoanalysis. Creaturely life is defined as »life abandoned to the state of exception/emergency, that paradoxical domain in which law has been suspended in the name of preserving law«12; it is therefore a life exposed to a peculiar, traumatic dimension of political power, »the life that has been delivered over to the space of the sovereign’s ›ecstasy-belonging,‹ or what we might simply call ›sovereign jouissance‹.«13 This exposure is what renders (human) life »creaturely,« that is, animal-like, delivered over to the paradigmatic scene of utmost vulnerability and helplessness, like animals subjected to the »terrifying power of man.«

However, for Santner this creaturely dimension that brings the human into proximity to the animal is a »distinctly human dimension«: it signifies »less a dimension that traverses the boundaries of human and nonhuman forms of life than a specifically human way of finding oneself caught in the midst of antagonisms in and of the political field.«14 The extreme proximity to the animal brought forth by the »ex-citation« of power15 marks simultaneously a radical and unbridgeable difference: paradoxically, »human beings are not just creatures among others creatures but are in some sense more creaturely than other creatures by virtue of an excess that is produced in the space of the political and that, paradoxically, accounts

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15 »creatureliness is a by-product of exposure to what we might call the ex-citations of power« (Santner, *On Creaturely Life*, 24).
for their ‘humanity’. Here Santner’s ‘lingering humanism’ (or, rather, anthropocentrism) is a result of his Lacanian/psychoanalytic anthropology: it is a ‘spiritual supplement’ that separates man from animal while in some sense making him more animal than animal, this ‘more’ being the very seal of his ‘creatureliness’; this ‘more,’ this ‘spiritual supplement,’ is what Santner calls, with a Lacanian term, the ‘undeadness,’ the indestructible-immortal life that dwells ‘between the two deaths’ (the real and the symbolic) which Lacan called ‘lamella.’ This ‘undeadness’ is, for Santner, ‘the ultimate domain of creaturely life.’

This psychoanalytic conceptuality holds Santner within the constraints of human exceptionalism:

the ‘creaturely’ pertains not primarily to a sense of a shared animality or a shared animal suffering but to a biopolitical *animation* that distinguishes the human from the animal. To put it again in psychoanalytic terms, what we share with animals is life lived along the spectrum of pleasure and pain. Where we diverge from the animal is in our peculiar capacity for that pleasure-in-pain that Lacan refers to as ‘jouissance.’

Within a psychoanalytic frame, human exceptionalism is unbridgeable, since, as Derrida emphasized, the psychoanalytic notion of subjectivity is based on the concept of ‘unconscious,’ and this, by (Lacanian) definition, is exclusively human (‘the animal cannot have its own unconscious’). Santner is thus at pain to distinguish his concept of ‘creaturely life’ from that elaborated, in a very similar way, by Beatrice Hanssen. Both Santner

20 Santner, *On Creaturely Life*, xix. Dominic Pettman thus comments: ‘The most important function of Santner’s deployment of the term creaturely life is thus to use it as yet another conceptual stick to draw the line in the sand between the human and all other animals’; and this amounts, he continues, to a rather perverse anthropocentrism, in which we are unique in our capacity to appropriate the abjection of the animal to the nth degree’ (‘After the Beep: Answering Machines and Creaturely Life,’ in *boundary 2*, 37:2 [2010], 141).
and Hanssen centre their analyses on Walter Benjamin’s development of the notion of »creature,« which, in turn, climaxed in his reading of Kafka; but Santner’s »lingering humanism« forces him to tone down the inescapable ethical implications of Kafka’s vision. Hanssen, to the contrary, from the onset emphasizes (stretching perhaps a little Benjamin’s position) that Benjamin’s various redefinitions of the theological term Kreatur are set against the limits and limitations of a »Kantian ethics and humanism« and articulate »a call for more primordial forms of responsibility and justice that antedate the hegemony of the Greek ontphilosophical tradition.« In Benjamin’s work, this »radical openness to the creaturely [...] that surpassed the confines of the merely human« emerged more vividly in the essay on Nikolai Leskov, »The Storyteller« (1936), culminating in the following passages (quoted by both Hanssen and Santner):

The righteous man is the advocate for all creatures [der Fürsprecher der Kreatur], and at the same time he is their highest embodiment. [...] The hierarchy of the creaturely world, which has its apex in the righteous man, reaches down into the abyss of the inanimate through many gradations.

However, as both Hanssen and Santner emphasize, it is in his essay on Kafka (1934) that Benjamin best develops this issue, and this precisely because Kafka’s whole oeuvre revolves around the nexus which binds together the creature and the law. The many creatures that populate Kafka’s stories are, for Benjamin, »the receptacles of the forgotten,« and this »forgotten« is the primeval, mythical guilt that constitutes the hidden core of the law, »present by virtue of this very oblivion.« The »form« this »forgotten« takes is that of Odradek, the strange creature from Kafka’s story »The Cares of a Family Man,« »a flat star-shaped spool for thread [...] [in which] a small wooden crossbar sticks out of the middle of the star, and another small rod is joined to that at a right

24 Hanssen, Walter Benjamin’s Other History, 6.
And this is, for Benjamin, a »distorted« (entstellt) form, which links together Odradek, Gregor Samsa of »The Metamorphosis,« the strange creature »half-lamb, half-kitten« of »A Crossbreed,« and all other Kafkan creatures. Their prototype – the prototype of »distortion« – is a figure that never appears in Kafka’s oeuvre but recurs in that of Benjamin: the »little hunchback,« who »is at home in distorted life.« All these creatures (including the human figures) bow under the weight of the law, they have lost (or relinquished) the upright posture that defines the human and its law – but, perhaps, also the terror it provokes. In fact, this distortion, Benjamin writes, »will disappear with the coming of the Messiah, who (a great rabbi once said) will not wish to change the world by force but will merely make a slight adjustment in it.«

But the point of Kafka’s stories, Benjamin emphasizes, is precisely that they pay attention to this creaturely distortion. Contrary to the stance of human exceptionalism (which can be exemplified by Heidegger’s influential dismissal of »our scarcely conceivable, abysmal bodily kinship with the beast«), for Benjamin, Kafka as epitome of the Leskovian »righteous man« was not only able to conceive, but also »righteous« enough to direct his gaze towards the »distorted life« that ultimately constitutes the creaturely kinship of human and animal. The Kafka essay culminates in fact in the following passage:

Even if Kafka did not pray – and this we do not know – he still possessed in the highest degree what Malebranche called »the natural prayer of the soul«: attentiveness (Aufmerksamkeit). And in this attentiveness he included all creatures, as saints include them in their prayers.

This attentiveness must include non-human creatures because, pace Santner, precisely in the biopolitical frame he adopts the »creature,« the »animal,« is no longer a zoological designation but has become a »discursive resource,« a political category that can befall anybody: »we are all

28 Benjamin, »Franz Kafka,« 811.
29 Benjamin, »Franz Kafka,« 811.
31 Benjamin, »Franz Kafka,« 812. Brendan Moran (»Anxiety and Attention: Benjamin and Others,« in Brendan Moran and Carlo Salzani [eds.], Philosophy and Kafka [Lanham, MA: Lexington Books, 2013], 223n87) has found in Malebranche’s works no statement that matches Benjamin’s quotation exactly, although there are statement very close to it.
always already (potential) ›animals‹ before the law.«32 The ›animal‹ is today, in Cary Wolfe words, ›the site of the very ur-form of [the biopolitical] dispositif and the face of its most unchecked, nightmarish effects,«33 it is the Urszene, the ›primal scene‹ of the excitations of power. And this because, to remain within a biopolitical vocabulary, animals ›constitute an exemplary ›state of exception‹ of species sovereignty,‹ where relations of power operate with the fewest obstacles, in their exemplary purity.34

That is why the ethical demands raised by a focus on ›creaturely life‹ must include non-human animals. A Kafkan key passage epitomizes, for Santner, the experience with the law that renders the human ›creaturely‹: the last words ›Like a dog!‹ which, at the end of The Trial, Josef K. pronounces just before the two executioner slit his throat.35 This cry is a call for what Santner names a ›miracle‹ in the domain of ethical and political life,« for ›another model of humanity resident in the motif of the creature«36; but this dog-like creatureliness surpasses the confines of the merely human and collapses the distinction between human and animal life, because creatureliness precisely undoes the entire construction of Western ethics based on notions like recognition, reciprocity, exchange, agency. Ethics, Anat Pick argues, »takes place in the absence of the mutuality of looking,«37 and Wolfe adds: »the truly ethical act is one that is directed toward the moral patient from whom there is no expectation, and perhaps no hope, ever, of reciprocity. Such an act is freely given, outside any model of reciprocity and exchange.«38 In this context, Kafka’s figures acquire a sheer exemplarity, because, as Keith Johnson rightly puts it, they ›intensify and radicalize the stakes of what we mean by ›creaturely‹ life.«39

3. The Animal and the Law

Benjamin concludes his Kafka essay with a reference to the short story ›The New Advocate,« which, in our context, becomes absolutely crucial because, as Hanssen remarks, this story »staged the encounter between

32   Wolfe, Before the Law, 10.
33   Wolfe, Before the Law, 46.
35   Franz Kafka, The Trial, trans. Mike Mitchell (Oxford: Oxford University Press, 2009), 165; these words are followed by the very last sentence of the book: »It seemed as if his shame would live on after him.« Cf. Santner, On Creaturely Life, 22.
37   Pick, Creaturely Poetics, 172.
38   Wolfe, Before the Law, 20.
39   Johnson, »Toward an Ethics of the Creaturely,« 20.
the realms of animality and the law.«40 This story can be thus taken as a paradigmatic reading of the nexus of life and law that constitutes and produces »creatureliness,« and a short interpretation of it can help us summarize the stakes involved in Kafka’s notion of »creaturely life.«

»The New Advocate« was written in January or February 1917 and was first published the same year in the first issue of the journal Marsyas; it then became the opening piece of Kafka’s second collection of short stories, Ein Landarzt (A Country Doctor, 1920).41 The short piece consists of only three paragraphs and is narrated by a collective »we« that opens by saying: »We have a new advocate, Dr. Bucephalus.« Bucephalus was of course Alexander of Macedon’s »battle charger« (Streitroß), but today he metamorphosed into a lawyer, and very little in his appearance reminds of his past glory. The second paragraph construes a contraposition between Bucephalus’s glorious times as Alexander’s »battle charger« and modern society, whereby modern times are presented as an epoch without glory, without a sense of direction, and without charismatic figures who can show the way (»Nowadays – it cannot be denied – there is no Alexander the Great«). The short final paragraph describes Bucephalus’ attitude in reaction to this contemporary decadence:

So perhaps it is really best to do as Bucephalus has done and absorb oneself in law books. In the quiet lamplight, his flanks unhampered by the thighs of a rider, free and far from the clamor of battle, he reads and turns the pages of our ancient tomes.

From early on, critics have emphasized the importance of the figure of Alexander in Kafka’s self-interpretation, pointing out some biographical details. In the Altstädter Gymnasium, the high school Kafka attended, there was a big reproduction of the so-called »Alexander Mosaic,« a floor mosaic discovered in 1831 in the House of the Faun in Pompeii, which illustrates a battle (probably the Battle of Issus, 333 B.C.) between the armies of Alexander the Great and Darius III of Persia. Kafka refers to it in one of the so-called Zürau Aphorisms (1917–1918):

Death is ahead of us, say in the way in our classrooms we had a picture of Alexander the Great in battle [Alexanderschlacht]. What must be done is by our actions to blot out or obscure the picture, in our lifetimes.42

40 Hanssen, Walter Benjamin’s Other History, 148.
41 Cf. Frank Kafka, »The New Advocate,« in The Complete Stories, 414–15. Since the story is very short and limited to these two pages, hereafter I will not add further references to the published text.
The myth of Alexander was very fashionable at the time, and we know from his diaries and from Max Brod that Kafka read at least two popular works on the subject, the 1904 novel *Alexander in Babylon* by Jakob Wassermann (which in turn inspired Max Brod’s story »Ein Schwert-hieb« [A Sword Thrust]), and Michael Kusmin’s 1910 *Taten des großen Alexander* [Deeds of Alexander the Great], which recounts the medieval legend of Alexander. Finally, in September 1911 Kafka visited Villa Carlotta on Lake Como, in Northern Italy, where he could admire Bertel Thorvaldsen’s monumental marble frieze depicting »Alexander the Great’s Triumphal Entry into Babylon.«

In the myth of Alexander, Bucephalus plays a crucial role: Plutarch describes how the young Alexander tamed the »savage and altogether intractable« horse that nobody could mount by turning him towards the sun, since he had noticed that the horse was »greatly disturbed by the sight of his own shadow.« Rejoicing in this feat, his father Philip said to him: »My son, seek thee out a kingdom equal to thyself; Macedonia has not room for thee.« Bucephalus accompanied then Alexander in all his great exploits, and died in 326 B.C. after the Battle of the Hydaspes (today Jhelum) River against King Porus, some say – Plutarch again reports – because of battle wounds, others from old age, »for he was thirty years old when he died.« Alexander built a city in his memory on the banks of the Hydaspes and called it Bucephalia. In Kafka’s recounting of the story, Bucephalus outlives his master and, free from the burden of a rider and from the clamor of the battle, delves into the study of law books. It is this emancipation and new freedom that is, for us, the matter.

Most interpreters read the figure of Alexander as representing a lost integrity, a past glory today nowhere to be found. Hartmut Binder, for example, reads Alexander (and Napoleon) as paradigmatic contrast figures to a fallen and dreadful present; Kurt Weinberg even considers Alexander as (one of many) figure(s) of Christ (whereby Bucephalus would represent the Jewry carrying the victorious Christianity on its back), now absent in a faithless time. It is Walter Sokel, however, who proposed the most exhaustive and interesting analysis of this short story, and for Sokel Alexander, as power figure, as spiritual quester, and as successful


Oedipal rebel, »has the universality that makes him Kafka’s representative man.«48 We could add, from our »creaturely« perspective, that as exceptional man he is also the representative of human exceptionalism. The story, however, tells of a fallen present in which »there is no Alexander the Great«: the present is said to manifest only extremely negative traits of the great leader: »[t]here are plenty of men who know how to murder people,« who have »the skill needed to reach over a banqueting table and pink a friend with a lance,«49 and who curse Alexander’s father Philip because of the narrowness and pettiness of Macedonia – »but no one, no one at all, can blaze a trail to India.« If Alexander is the »representative man,« then it would seem that what represents humanity is violence (murdering, pinking a friend, cursing the father) towards his fellow creatures. And in modern times this violence has lost all traces of an (alleged) past greatness and meaningfulness.

India here would represent the object of human hope and desire. As Gerhard Kurz points out, since Romanticism »India« is the name of an aурatic origin, of a lost unity, of boundlessness and poetry, and in the Jewish legend of Alexander it acquires the status of the »land of paradise.«50 Important is the fact that, in the story, India is envisioned as a threshold, a »gate« that, like that of the »law,« is impossible to cross.51 Here we have Kafka’s second departure from historical facts: India was unattainable for Alexander, even in his time »the gates of India were beyond reach, yet the King’s sword pointed the way to them.« The human object of desire (or the way to paradise, to redemption), it would seem, is never within human reach, but at least in the »good old times«

49 Here the reference could be to Pausanias, the captain of Philip’s bodyguards who in 336 B.C. murdered his king at a wedding banquet and, according to Kusmin, was then pierced by Alexander’s spear; or to Cleitus the Black, an officer of the Macedonian army, killed by Alexander in 328 B.C. in a drunken quarrel at a banquet; cf. Binder, Kafka-Kommentar zu sämtliche Erzählungen, 207, and Plutarch, Alexander, 369–75.
51 On the myth of India’s gates, also called »Alexander’s gates« or »Caspian gates,« see Andrew R. Anderson, Alexander’s Gate, Gog and Magog, and the Inclosed Nations (Cambridge, MA: The Medieval Academy of America, 1932).
one could point toward it and its direction was known. Sokel argues that, precisely by virtue of its impassable gates, India becomes an equivalent of the law: just like the law in the legend »Before the Law,« it is the object of a quest dictated by a universal and absolute desire. This is why, for Sokel, in the Zürau aphorism we use as epigraph Alexander cannot even cross the Hellespont, the frontier between Europe and Asia, and not out of fear, not out of indecisiveness, not out of weakness of will, but from heavy legs. The term here translated as »heavy legs« is the German Erdenschwere, literally the gravitational pull: for this reading, it is thus the burden of their earthly nature that prevents (Alexander as representative of) human beings from reaching the realm of fulfilment, paradise, the law. This unattainable realm, once perhaps serving as a point of orientation, in modern times receded to remoter and loftier places; no one points the way; many carry swords, but only to brandish them, and the eye that tries to follow them is confused.

Bucephalus’ new life as advocate runs parallel to the decadence of the times: he has fallen far below the »importance in the history of the world« he enjoyed as Alexander »battle charger,« and his reduction in status corresponds to the disintegration of modern times. Once, Sokel argues, as loyal servant of the conqueror, he conformed to Alexander imperial »law,« and as such he embodied and fulfilled it; bearing the king, he possessed »significance.« Now, masterless, he has no function and no purpose. Once, wild and untameable, he represented the »wild anarchic visionary power« that Alexander was able to steer at the service of his imperial conquests; now, bent over, in the faint light of a lamp, he absorbs himself in law books, a feeble substitute of the »law« he used to embody. He survives thus »outside the law,« and »[h]is perusal of the law books is a pale substitute for his existence inside the 'law’ of Alexander’s expedition that had once been leading the world toward India."
freedom is the renunciation of the law as hope; substituting literature (the »law books«) for the utopian goal of life is an evasion of duty, it is, ultimately, an »idyllic quietism.« Sokel underestimates, however, a fundamental trait of Kafka’s storytelling stressed by Benjamin (and, after him, Agamben): the »reversal« (Umkehrung), which, at the end of the story or legend, overturns their entire meaning. The last paragraph is therefore to be read as the revealing, illuminating point of the story. For Benjamin, stepping out of the law, renouncing its practice and limiting himself to study it, means for Bucephalus the opening up of a new dimension, which overcomes the mythical vicious circle of infringement and retribution, and the violence and exclusion it entails: »The law which is studied but no longer practiced is the gate to justice. The gate to justice is study.« This new dimension opens up a way towards justice by deactivating the law, that is, by blurring the line of separation that burdens both the human and the animal; tellingly, Benjamin concludes his essay with this sentence: »Whether it is a man or a horse is no longer so important, if only the burden is taken off the back.« From the perspective of redemption, the difference between human and animal no longer carries any weight; on the contrary, it is precisely the unburdening from the weight of this difference, from the weight of human exceptionality (getting »rid of the onrushing conqueror,« of Alexander as exceptional human and representative of this exceptionality) in the name of a common »creatureliness« that opens the way to it. »To be an animal« for Kafka, Benjamin wrote to Scholem on June 12, 1938, »doubtless means having forgone human form and human wisdom out of a kind of shame – and it is out of this shame for the »terrifying power of man« that the true »miracle« of a new creaturely ethics can spurt.

57 Sokel, »Kafka’s Law and Its Renunciation,« 211.
58 Benjamin, »Franz Kafka,« 815. In Homo Sacer (trans. Daniel Heller-Roazen [Stanford, CA: Stanford University Press, 1998], 58), Agamben writes: »One of the peculiar characteristics of Kafka’s allegories is that at their very end they offer the possibility of an about-face that completely upsets their meaning.«
59 Benjamin, »Franz Kafka,« 815. Commenting on this passage, Agamben writes: »The decisive point here is that the law – no longer practiced, but studied – is not justice, but only the gate that leads to it. What opens a passage towards justice is not the erasure of law, but its deactivation and inactivity [inoperosità] – that is, another use of the law« (Agamben, State of exception, 64).
60 Benjamin, »Franz Kafka,« 816.
61 Benjamin, »Franz Kafka,« 815.
From this perspective, the two Zürau aphorisms quoted above acquire a very specific meaning: redemption in the name of "creatureliness« means to »blot out« (auszulöschen) or »obscure« (verdunkeln) the deadly violence of human exceptionality (Alexander the Great in battle, the Alexanderschlacht); this is the task of a new creaturely ethics, »what must be done by our actions [...] in our lifetimes.« And the Erdenschwere of the second aphorism, the burden of our earthly nature, is precisely the »creatureliness« which prevents Alexander to cross the Hellespont, that is, to deliver himself to his murderous conquests, to become the »exceptional man« embodying deadly human exceptionality. This arrest, this giving up, this reversal, is »conceivable« [denkbar], it is a present possibility and a demand of the present: to renounce the violent conquest of »India« (of transcendence, exceptionalism, the law) in the name of a concrete, immanent, impelling creatureliness.