Honor Thy Superiors: The Tradition of Punishment in Kafka’s “In the Penal Colony”

The titular location of Franz Kafka’s “In the Penal Colony” serves as the middle ground between two warring ideals: progressive and traditional punishment. The apparatus, with its torturous tattooing “harrow” is representative of traditional punishment, while the move towards imprisonment on the penal colony demonstrates the idea of progressive punishment. Kurt Fickert supposes that the story is a collective metaphor for Kafka’s unease with his prowess as an author, which is an honorable suggestion, given Kafka’s unhappiness with the end of his story (91).

James S. Whitlark argues that the story—being inspired by Octave Mirabeau’s grand-guignol Le Jardin des Supplices—is a portrait of sexual homicide towards women, although he asserts that the “Penal Colony” exists to view torture from a voyeuristic perspective (127). This interpretation is intriguing, but Whitlark find finds very little substance from the text of the story to support his thesis. Michael Holquist instead provides an intriguing idea by asserting that “In the Penal Colony” is a “parable” that examines the instances of comparison within the story (117). I would like narrow this idea and focus specifically on the varying, but principally similar methods of punishment in the story. Through support by Michel Foucault’s theory of discipline and punishment, I propose that the violence of the traditional punishment—the apparatus—is matched by the detached cruelty of the progressive discipline—imprisonment. Neither form is represented by advocates wholly committed to their stated cause.

Michel Foucault’s theory of discipline and punishment is primarily concerned with the paradoxes that come about through shifting societal views and practices. David Garland notes this, writing that Foucault’s theory has, “a tendency to reverse taken-for-granted understandings and to discover that things are…far from what they seem” (848). The apex of Foucault’s theory is that with the advent of the prison system in society, the concept of torturous suffering was not
eradicated; rather, it shifted from the external to the internal—from the body to the soul. “In the Penal Colony” commentates on the paradox of societal justice by challenging the shifting constructs with which society establishes guilt and innocence. At the penal colony, the use of the apparatus is nearly obsolete—only a disillusioned officer adheres to its practice. The officer’s allegiance to traditional punishment is at odds with the ideology of the new Commandant, who represents the progressive ideals of imprisonment as a more “humane” method of discipline. Naturally, a contemporary reader will reflexively acknowledge imprisonment as a socially acceptable warrant of punishment, given its modern standardization; yet an analysis of Kafka’s story suggests that neither method of punishment carries the necessary clout to establish itself as the normative moral succession of absolute justice.

The empirical attainment of guilt is never sought by the officer, and presumably, never was by the former Commandant. The system of “justice” associated with the apparatus does not exist to objectively establish guilt or innocence; it only serves to condemn its prisoner based on ambiguous testimony from the offended. Regarding the prisoner’s integrity, the officer states, “Guilt is never to be doubted… [the prisoner] would have told lies, and…backed them up with more lies” (199). In this propensity, the officer reveals the apparatus to be a tradition that exists without philosophical purpose. His nostalgic description of the old spectacle-show of the apparatus, “before hundreds of spectators” illustrates the machine as originally ceremonial (208-9). The treatment of the apparatus as a ritualistic instrument, albeit an archaic one, indicates the social view of execution prior to the arrival of the new Commandant. Under the former Commandant, the apparatus was disguised as a necessary entity to be used for the sake of corporal discipline for transgression; however, the old Commandant’s methods were not based on the balanced procession of justice, only the exercise of supreme authority.
Had the officer committed—in the entirety of his occupation at the penal colony—to an enduring attendance of justice to pragmatic pursuance, speculative credence by an outside observer could be given as to the philosophical existence of the machine—at least in view of society’s acceptance of corporal punishment prior to the shift in disciplinal methods at the penal colony. However, the officer’s desperation is his apparent undoing, evinced through the notion that the seriousness of the “crime” the prisoner is charged with pales comparatively to the sentence designed to be carried out by the machine. David Constantine notes this, and writes, “The disproportion between the transgression and the punishment… [has a] fundamentally disquieting effect” on the capability of the officer to mete out justice effectively. Furthermore, the officer violates the very system that he upholds: he begs the unsympathetic traveler to defend the use of the apparatus to the new Commandant, all the while continuing to deny the prisoner’s right to a fair judicial process. This ultimately damns the officer’s reliability as a protector of his perceived “justice,” for he unconsciously recants the falsely engrained shibboleths of his previous accordance. The apparatus perhaps never symbolized punishment for the sake of justice, although until this point, its existence never hinged on the enactment of justice by an outside arbiter such as the Traveler. The violent tradition of the apparatus has and is presently continued only through the blind conformity of the officer to the influence of the old Commandant. Despite his best intentions, the officer’s impassioned argument for the necessity of the machine is merely an empty, hypocritical entreaty founded not on a want for justice, but a lust for visceral engagement.

The progressive ideal of punishment by imprisonment is the newly-controversial notion of moving away from the apparatus. Primarily represented by the Traveler, the installation of imprisonment attempts to mediate the perceived harshness of the colony’s previous
establishment of corporal punishment, although the indifference of the Traveler, or Explorer, is implicitly as inhumane as the torture of the apparatus. Initial consideration may interpret this assertion as contradictory, or even perverse; yet the idea is supported by the uncaring manner of the Traveler, who views the repulsive scene with an air of disinterest. He cares little for the prisoner, “a complete stranger, not a fellow countryman” (206), and does not feel it is his responsibility to, “intervene decisively in other people’s affairs” (206). The Traveler is a disciple of impassivity. He outwardly strives to accept and adhere to the progressive standards of his contemporaries, but is unable to contain his fascination with the technical intricacy of the apparatus, as well as the passion of the officer for the nightmarish device. This situates an internal paradox that contradicts the Explorer’s ability to establish a criterion judicial decision. The explorer unconsciously reveals this in stating that the Officer’s “sincere conviction has touched [him]” (217). Even in his determination to end the use of the machine on the colony, the traveler’s obscure statement reveals the ironic self-deception that the Traveler fails to recognize within himself. Leonard R. Mendelsohn notes this, writing that the Explorer would, “permit these terrors to endure rather than commit himself to a decision” (315). The Traveler’s choice to speak with the new Commandant is carefully constructed so that he, even in his condemnation of the machine, can remain neutral—for in discussing the matter with the commandant, “not at a public conference, only in private,” the Traveler will merely reinforce what the current Commandant already postulates, and negate any responsibility the Traveler should feel in the destruction of the machine.

As the Officer puts himself onto the machine after hearing the Traveler’s decision, the Traveler remains motionless, reassuring himself that, “he [has] no right to obstruct the officer in anything” (220-1). Harold Politzer writes that the Traveler is, “indifferent to the drama he
happens to [witness], [and] dazzled by the achievements of technology without regard for their primitive origins and savage ends” (112). In his detached observance of the scene, the Explorer unknowingly confirms himself to be nothing more than a representation of the insincerity that comes through the materialistic disregard of moral conviction.

The Traveler’s condemnation of the apparatus does not come about through any dutiful regard for his fellow man—nor does it confirm the Traveler’s attachment to the ethics of his contemporaries. His façade is thinly masked, for after the Officer’s self-imposed execution, the Explorer does not give true heed to the plight of the now-released prisoner, who the reader may initially presume was “saved” by the Traveler. As the Traveler, Prisoner, and Soldier enter into the teahouse, “the first house…of the Colony,” the location resembles a metaphoric prison (225). Its “prisoners” are the dock workers, “poor, humble creatures,” who smile at the Explorer after he has read the inscription on the old Commandant’s grave (226). Their smiles are described as being suggestive of agreement with the Traveler as to the ridiculousness of the prophecy that the Commandant, “will rise again and lead his adherents from this house to recover the colony” (226). However, if the symbolic “prisoners” of the teahouse are thought of as disciples to the old Commandant, their smiles are misleading—for they remain convinced that in some manner, the prophecy has a chance of being fulfilled, and that perhaps through its fulfillment, they will find redemption from their exile on the penal colony. The “prisoners” can hardly be blamed for this belief, given their own isolation from the outside world—it seems reasonable that they should subscribe to a myth that brings hope. Their ignorance is perhaps even a benefit; for they don’t suffer the skepticism and disinterest that plagues the Explorer.

Franz Kafka’s challenging “In the Penal Colony” holds no answers for the meditative questions it asks, particularly regarding the effectiveness of punishment: whether it is through
physical pain or incarceration. Neither party, the Officer or the Explorer, give tangible reasons for their existence as representatives for specific theories of punishment. Given the modern acceptance of imprisonment as a method of discipline, it stands to reason that society has devised social constructs by which it attempts to discipline criminals. Yet the Traveler in the story represents an ideal that is as chilling as the violence of the machine: indifference to the plight of the unjustly criminalized prisoner. Thus, the progressive ideal to which the Explorer unsuccessfully attempts to cling to acts not as a mediator for the two primary concepts of punishment; rather, it holds only an alternative form of torture to the devastating apparatus.
Works Cited


