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In 1983 Giulio Einaudi asked Primo Levi to translate Kafka’s Trial for the new series «Scrittori tradotti da scrittori». The proposal sounded original and provocative, and Levi accepted eagerly. The translation, however, had a negative effect on him. While working on The Trial, Levi relived his Auschwitz season, revived his deepest fears, and fell back into depression: he felt as if he was himself on trial. This was partially due to a clash of literary styles as well as to two contrasting – and yet at times kindred – conceptions of language and communication. The present study addresses the following questions: were Levi and Kafka’s literary styles as opposed as Levi implies? How is Levi’s “obscure part” connected to Kafka? Why did Levi associate The Trial with his Holocaust experience and identify himself with Josef K.? What does Levi’s encounter with Kafka tell us about the shame of being human and our capacity to give an account of ourselves? By investigating Levi’s uncanny encounter with Kafka, my essay will discuss Levi’s theory of language, showing how the Levi-Kafka intersection opens up new ways of interpreting Levi’s concerns about communication, the work of the witness, moral responsibility, and shame, which coalesced into the reflections of The Drowned and the Saved.

If you had to ask Primo Levi to translate a modern novel for your publishing house, what book would you choose? To Giulio Einaudi, who was curating the series «Scrittori tradotti da scrittori», nothing seemed more natural than to ask Levi to translate Kafka’s Trial (Der Prozeß). Both Kafka and Levi were Jewish, both belonged to families substantially integrated within Gentile society, both had a difficult relationship with their father, both had to carve out some time in order to write. More to
the point, many saw Kafka as a Holocaust prophet and Levi as Auschwitz’s most clear-eyed chronicler. It is therefore not surprising that Einaudi thought of pairing the two to launch his editorial project. The idea behind the series was indeed to create an association between a classic author and a contemporary Italian writer that would enrich and illuminate the original text through a novel translation.\(^3\) By rewriting and updating *The Trial*, Levi was expected to leave his imprint on Kafka’s novel. The project sounded so original and provocative that Levi hastily embraced Einaudi’s proposal. Later on he admitted that he had accepted it “rather lightly”, without thinking that “it would involve [him] so deeply”.\(^4\) In fact, the translation of Kafka’s novel put him through an unexpected ordeal.\(^5\) While working on *The Trial*, Levi relived his Auschwitz season, revived his deepest fears, and fell back into depression: he felt as if he was himself on trial.

Reading *The Trial*, a book filled with misery and poetry, leaves us changed – sadder and more aware. So this is it, this is the destiny of mankind: we can be persecuted and punished for an unknown crime that we did not commit, that “the court” will never disclose to us. Yet we can be ashamed of that crime until death and perhaps even beyond. Now, translating is more than reading, and I emerged from this translation as if from an illness.\(^6\)

Shame, mankind, and persecution: Levi talks here of the central themes of his testimony. His translation of *The Trial* is therefore the appropriate place to explore the relationship between literary fiction and the function of the witness. I have thus divided this essay in two parts. In the first part I will discuss Levi’s theory of language and idea of translation by investigating Levi’s uncanny encounter with Kafka. In the second I will analyse the impact that Kafka’s novel had on *The Drowned and the Saved*. Reading Levi’s translation as a trial that reenacts the trauma of his own arrest should help us to understand why Levi saw Josef K.’s case as a metaphor of the human condition, within and beyond Auschwitz.

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\(^3\) Levi’s translation was published in 1983, on the centenary of Kafka’s birth. The arrangement of the book cover, with the translator’s name even more visible than the original author’s, emphasised the identification between the translator and the original text. See Lisa Insana, *Arduous Tasks: Primo Levi, Translation, and the Transmission of Holocaust Testimony*, Toronto, University of Toronto Press, 2009, pp. 189-203.


1 An unheimlich encounter: Primo Levi Translating Franz Kafka

Although Einaudi’s project was an editorial success, Levi’s relationship to Kafka always proved to be ambivalent at best. If the «uncanny (Das Unheimliche) is that species of the frightening that goes back to what was once well known and had long been familiar», Levi’s encounter with Kafka, and in particular, with the story of Josef K., carries with it several elements of the uncanny effect. Interviewed after the publication of his Processo Levi declared:

I have to admit that Kafka has never been one of my favourite authors, and I’ll tell you why: it isn’t necessarily the case that you prefer authors you feel closest to, often the exact opposite occurs. I think my feelings for Kafka were born less of disinterest or boredom than of a certain defensiveness, and I noticed this as soon as I began to translate The Trial. I felt assaulted by this book and I had to defend myself. Precisely because it is a marvellous book that runs you through like a spear, like an arrow. Every one of us feels on trial. Furthermore, it is one thing to read the book sitting in your armchair, rapidly, without dwelling on it, and quite another one to plough through it word by word, piece by piece, as you do when you are translating. Translating The Trial, I have understood the reason of my hostility towards Kafka. It is a form of defence born of fear. Perhaps for the very particular reason that Kafka was a Jew and I am a Jew. The Trial opens with a surprise and unjustified arrest and my career, too, opened with a surprise and unjustified arrest. Kafka is an author that I admire – I do not love him, I fear him, like a great machine that crashes you, like the prophet who tells you the day you will die.

Different and yet familiar, fictional and yet true, ambiguous and yet foreboding, Kafka was for Levi a dreadful reminder of his obscure part, that «ecosystem» of «sapro-

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phytes, birds of day and night, creepers, butterflies, crickets and fungi\(^\text{10}\) that lodged unsuspected in his depths. But how is Levi’s «obscure part» connected to Kafka? Why did he feel assaulted by the Praguan writer? What does Levi’s encounter with Kafka tell us about his notion of literature?

To understand Levi’s uneasiness with Kafka we must examine his conception of translation and his “theory” of language. During his first weeks in Auschwitz, Levi experienced language as an almost unsurmountable barrier.\(^\text{11}\) The Lagerjargon had little in common with the scraps of German he had picked up from Ludwig Gattermann’s organic chemistry manual and Heine’s poems. In the Babel of Auschwitz, language was a means of violence, a catalogue of deathly orders, curses, shouts, and punches. Those who did not understand the orders were bound to fall quickly. Looking at the Buna factory, the prisoners felt the confusion of languages as an all too real curse:

The Carbide Tower, which rises in the middle of Buna and whose top is rarely visible in the fog, was built by us. Its bricks were called Ziegel, briques, tegula, teglie, kamenny, mattoni, teglak, and they were cemented by hate; hate and discord, like the Tower of Babel; and that is what we call it: – Babelturm, Bobelturm; and we hate it as our masters’ insane dream of grandeur, their contempt for God and men, for us men.\(^\text{12}\)

But the torture of incommunicability did not end there. The few that survived continued to suffer from the difficulty to communicate with the outer world. They felt the burning need to recount their terrible experience, and yet could find no adequate words to express it. This explains why Levi bestowed such a great importance on communication and always strove to write and speak with utmost clarity and precision.\(^\text{13}\) For him, forestalling communication was a dangerous fault, the first step towards barbarism. The distrust generated by failed communication lies indeed at the root of political conflicts and racial discrimination.

For many people, at a more or less conscious level, anyone who speaks another language is a foreigner by definition, an outsider, a “stranger”, and different from

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me; and someone different is a potential enemy or, at least, a barbarian – that is to say, etymologically speaking, a stutterer, someone who cannot speak, a quasi-non-human. Thus, linguistic friction tends to become racial and political friction, yet another curse that afflicts us.\textsuperscript{14}

This concern for communicative efficacy deeply informs Levi’s idea of translation. He conceived translation as «labour of civilization and peace», an effort to «limit the damage of Babel’s curse».\textsuperscript{15} Indeed, building bridges between cultures and people, the translator diminishes the strangeness of the stranger, thus countering the logic of the Lager. Inasmuch as it aims at overturning the radical incommunicability of Auschwitz, translation therefore becomes a metaphor for testimony, the transmission (or trans-latio) of meaning from Auschwitz to “after”.\textsuperscript{16} Since the Lager is the place where words lack any correspondence with their actual referent, “translating” Auschwitz (i.e. bearing witness) and opposing its order will require trying to restore the truthfulness of the Adamic language. To put it in another way: if YHWH had confused the languages, and this confusion had reached its extreme in the univers concentrationnaire, the task of the translator-witness is to counter the inadequacy of postlapsarian and postbabelic languages and re-establish a closer correspondence between names and things, between “that” experience and its narrative.\textsuperscript{17} In doing so he feels «sicut Deus»,\textsuperscript{18} for fighting the degradation of language means fighting those processes, like the Nazis’ Sprachregelung (‘language rule’), that might find their final accomplishment in bureaucratic mass killing.\textsuperscript{19} There is a tension however between the need to mend the confusion of tongues and the risk of having a single language. The multiplication of languages is also an antidote against the language of the One, the language of idolatry and hubris, origin of any totalitarianism.\textsuperscript{20}

\textsuperscript{14} Primo Levi, To Translate and Be Translated, in The Complete Works of Primo Levi, ed. and trans. by Ann Goldstein, with a forew. by Toni Morrison, 3 vols., New York, Liverlight, 2015, vol. iii, p. 2118. As Domenico Scarpa points out, these lines restate in slightly different words a passage from the Preface to Levi, If This is a Man, cit., p. 5, in which Levi argued that when the widespread conviction that «every stranger is an enemy» «becomes the major premise of a syllogism, then, at the end of the chain, stands the Lager». Cf. Reading in Italian, Recopying in English, in Ann Goldstein and Domenico Scarpa, In un’altra lingua storia / In Another Language, Torino, Einaudi, 2015, pp. 47-49.

\textsuperscript{15} Levi, To Translate and Be Translated, cit., pp. 2119, 2123.


\textsuperscript{18} Cf. Levi, To Translate and Be Translated, cit., p. 2123.

\textsuperscript{19} See Hannah Arendt, Eichmann in Jerusalem. A Report on the Banality of Evil, London, Penguin, 1994, p. 85. Commenting on Eichmann’s incapacity «of uttering a single sentence that was not a cliché», Arendt notes (p. 49): «The longer one listened to him, the more obvious it became that his inability to speak was closely connected with an inability to think, namely, to think from the standpoint of somebody else. No communication was possible with him, not because he lied but because he was surrounded by the most reliable of all safeguards against the words and presence of others, and hence against reality as such.».

tion must therefore be seen as consubstantial with language, as the original basis of every communicatory gesture and of exegesis. Understood in these terms, translation is both an attempt to interpret and mediate the text of Auschwitz, and a form of resistance, an effort to simultaneously confront the centrifugal impulse of language and its reductio ad unum.

Such an understanding of translation found however an obstacle in Kafka. Whereas in Levi language is an arrow that always hits its target, in Kafka it is a message that can never reach its destination. You can wait hopefully at your window, but «the message from Emperor» will never get through the «imperial city».²² No one can emerge from the crowd with a clear message, a conclusive interpretation of Kafka’s work. In his fiction, messengers – the one sent by the Emperor to the builders of «The Great Wall of China», Barnabas in The Castle, the chaplain, Leni, and Titorelli in The Trial – get lost, speak in riddles, or convey unreliable information. As a result, Kafka’s texts are extremely puzzling: they show by concealing and conceal while showing. Kafka’s oeuvre could therefore be compared to a burrow in which «the Truth remains inaccessible and possibly non-existent».

Many of his stories revolve indeed around the themes of broken communication and unreachability. The Huntsman Gracchus cannot reach death, Josef K. cannot have proper hearings in the Court, the man from the country cannot be granted entry into the Law, K. cannot gain access to the Castle, the underground animal cannot build a perfect burrow, and so on. Wandering in this atmosphere of uncertainty, illogical events, and disorienting perspectives, the reader is invited to actively make sense of such an enigmatic world.

Given their open nature and though-provoking content, Kafka’s writings have been scrutinised and commented on by many interpreters, writers, and artists. Levi felt ill at ease among them. Although impressed by Kafka’s art, he did not enjoy straying along the galleries of his burrow. After his translation of The Trial, he wrote:

I love and admire Kafka because he writes in a way that is totally closed off to me. In my writing, for better or for worse, knowingly or not, I have always tended toward a transition from obscurity to clarity, rather like a linter pump, sucking in turbid water and turning it out purified, even sterile (I think Pirandello said

Feldrinelli, 2003, pp. 27-34.

The legend of the «message from the Emperor» that can never reach the «miserable subject» to whom is addressed is reported in Franz Kafka, At the Building of the Great Wall of China, in A Hunger Artist and Other Stories, ed. by Ritchie Robertson, Oxford, OUP, 2012, pp. 101-112, pp. 108-109. See also Giuliano Baioni, Kafka: Letteratura ed ebraismo, Torino, Einaudi, 1984, pp. 152-176. As Steiner argues in Steiner, After Babel, cit., p. 68 «[Kafka’s] work can be construed as a continuous parable on the impossibility of genuine human communication».


Primo Levi and Franz Kafka: an unheimlich encounter

...this, I don’t recall where). Kafka takes the opposite approach: he endlessly unravels hallucinations that he draws from incredibly deep layers, and never filters them. The reader feels them teeming with germs and spores; they are full of burning significance, but he is never helped to tear the curtain or to go around it to see what it conceals. Kafka never touches down, he never consents to give you the end of Ariadne’s thread.24

Levi’s assessment of Kafka shows how deeply affected he was by the latter’s «metaphorical machine».25 Kafka’s narrative works through powerful images that grasp the reader by the throat and force him or her to look at the surrounding world from a different perspective.26 In his fiction, every thing is never simply “that thing” but always the sign of something else, a symbolical object whereby realistic descriptions become suggestive allegories. Every interpretation thus produces a new metaphor, and hence a new interpretation, in a circular movement that reproduces the structure of Talmudic exegesis. This combination of ambiguous allusions, sober descriptions, and baffling images was radically at odds with Levi’s communicative ethics. As Zaia Alexander observes, «whereas Kafka delighted in lucidly detailing the absurd and prosaic nature of a lethal bureaucracy, Levi insisted on elucidating the reason and purpose of even the most outrageous behaviours of man. Where Kafka obscured, Levi was compelled to illuminate; where Kafka’s characters became inextricably entangled in hopelessly bizarre machinations, [...] Levi sought liberation through order and reason».27 What made Kafka particularly unsettling was his capacity to create images and situations that were both perplexing and sinisterly familiar. Indeed, words like Ungeziefer (‘vermin’, ‘pest’), beast, hunger, officer, guilt, arrest, and prisoner must have revived dark memories in Levi. Kafka’s writings unearthed something that had been repressed and nevertheless returned at «uncertain hours»: the agony of Auschwitz. Although veiled in a generic impersonality, they uncannily “prefigured” patterns of oppression and subservience that Levi experienced during his imprisonment. Thus, through Kafka, Levi discovered that what he considered as most distant (un-Heim) was also part of his self, of his ‘home’ (Heim). The Praguese writer laid bare the inescapable duplicity of his identity, the complexio oppositorum that animated his inner world. It is indeed no coincidence that the language Levi uses above – of infection, germs, and spores – is analogous to the one he uses in The Search for Roots to describe his «obscure part».28 We could therefore argue that Levi felt assaulted by

26 This perspective often coincides stringently with the one of the central character, thereby producing a sense of confinement and entrapment in the reader. See Citati, Kafka, cit., pp. 131-133.
28 See above note 10. The Preface to The Search for Roots is rife with references to the relationship between identity and alterity and to the “nocturnal”, unconscious side of Levi’s self.
Kafka for mainly two reasons: because, by offering a vision of darkness without interposing the mediation of reason, he restated the tragedy of Babel’s curse, and because he had a pseudo-prophetic capacity to foreshadow the violence of modern institutions.

The question whether Kafka’s works in some sense prophesy the catastrophe of the European Jewry and the violence of the mid-20th century totalitarian regimes is a much debated one. On his part, Levi partially agreed with the idea of Kafka as Holocaust prophet. He obviously did not believe that Kafka actually foresaw the Final Solution and the gas chambers. Although critical of the notion of prophecy, he nevertheless conceded that «Kafka had some gift beyond everyday reason. He certainly had an almost animalesque sensitivity, like snakes that know when earthquakes are coming. Writing in the first few decades of this century, either side of the First World War, he foresaw many things». One of the reasons why Levi associated Kafka with the Holocaust was the subject of the book he had consented to translate. The Trial tells the story of Josef K., a senior accountant of a large bank, who «without having done anything wrong», is unexpectedly arrested by two low-rank guards for an unspecified crime. Since K. is under arrest but not in detention, the novel concerns principally his response to the mysterious fault of which he is charged. Initially, when summoned before the examining magistrate, K. adopts a disdainful attitude towards the court authorities and his own case. After the first hearing, the court, which appears as a great organisation veiled in secrecy, leaves K.’s case to its own course. The court premises are in oppressive, crowded attics and garrets in the lower-class districts of the town and its raison d’être seems to be the humiliation and degradation of the accused. Unable to penetrate the vast hierarchy of judges and


33 Levi, Note on Kafka’s The Trial, cit., p. 2635: «His dignity as a man is compromised from the very beginning, and then relentlessly demolished day after day». See also Elias Canetti, Kafka’s Other Trial. The Letters to Felice, trans. by Christopher Middleton, London, Penguin, 2012, pp. 87-91.
functionaries, K., following his uncle’s advice, consults Huld, a lawyer. But since the indictment, the proceedings, and the Law are secret, Huld cannot offer any real help to K., who further complicates his situation by getting involved in an affair with Leni, the lawyer’s mistress. Little by little, the trial takes hold of K.’s life. He therefore decides to dismiss his lawyer and take things into his own hands. But after long and confusing discussions with Titorelli, the court painter, and with a prison chaplain in the cathedral, he gradually understands that he has no escape. Indeed, rather than being interrogated and judged, it looks as if he is being «hunted down». He hopelessly concludes that «the whole court could be replaced by a single executioner». The whole case engenders in him a feeling of guilt (Schuld) which eventually so dominates him that he meekly submits to his executioners. In the final scene, K. is taken by two disreputable men to a desolate quarry where, after some cold and routinary arrangements, he is killed with butcher’s knife plunged into his heart and turned round twice. Kafka seals the book with Josef K.’s last thought, «Like a dog! he said; it seemed as if the shame of it must outlive him».

Translating this tale of evasive power, guilt, and humiliation had the effect of an illness on Levi. Figures like the thrasher evoked the mass of petty functionaries and pitiless authorities he had met in the camp. The inaccessibility of the court reminded him of the impotence of ordinary individuals before the machinery of modern bureaucracy. The metaphor of the dog recalled the dehumanisation and submissiveness of the camp’s prisoners. Above all, Josef K.’s shame reproduced his own feeling in the wake of Auschwitz. This identification with the protagonist of The Trial was further intensified by his understanding of the translator’s role. For Levi, a good translator ought to crawl into the author’s skin and empathise with him. Yet this process of identity “investment” was in tension with Levi’s psychological and stylistic opposition to Kafka. Thus, in a sort of unconscious oscillation, Levi’s relationship with Kafka moved from resistance to association, from fear to admiration, and eventually slipped into a strong identification with the protagonist of The Trial.

Faced with Kafka, my unconscious defences were set off: I hadn’t even included him in the anthology of my “roots” because I feared him, he’s that threatening. These defences collapsed as I translated him, and I have found myself lowered into the character of Josef K., I felt myself being put on trial just as he was.

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34 Huld means ‘grace’ in German.
35 Kafka, The Trial, cit., p. 110.
36 Cf. Robertson, Kafka: A Very Short Introduction, cit., pp. 77-78. As Robertson notes, the word Schuld in The Trial encompasses several meanings: ‘responsibility for an act’ (liability), ‘subjective feelings of guilt’ (moral guilt), as well as ‘being in the wrong’ in a moral or even theological sense.
37 Kafka, The Trial, cit., p. 165.
38 See ibid., p. 90 «I’m employed as a thrasher, so I’ll thrash them».
39 ibid., p. 212 «[A] linguistic sensibility, which is translator’s more powerful weapon, [...] will allow him to sink into the personality of the author of the text he’s translating, to identify with him, and it will let him know when something in the text sounds wrong, doesn’t work, is off-key, lacks meaning, or seems unnecessary or jarring» (emphasis added). See L. Insana’s analysis of the «perilous traps» that this understanding of translation involves, in Insana, Arduous Tasks: Primo Levi, Translation, and the Transmission of Holocaust Testimony, cit., pp. 178-184.
40 Primo Levi, I disguise myself as Kafka, in Arduous Tasks: Primo Levi, Translation, and the Transmission
The effects of Levi’s “confrontation” with Kafka became visible in his working approach. As several studies have shown, Levi’s translation tends to «smooth out» Kafka’s German and «domesticate» his linguistic impersonality. By consistently refining his syntax and lexical choices, he attempted to make *The Trial* more comprehensible and “ hospitable” to the Italian reader. As Insana argues, «[Levi’s] Holocaust persona informed every aspect of the translation product: from the syntactical to the lexical, from particularizing to generalizing decisions, from the textual to the paratextual». Considering Levi’s psychological identification with Josef K., his interpretation of Kafka’s «mysterious sensibility», and his conception of translation as a creative act of cultural mediation and empathetic investment, we could therefore read his *Processo* «as a unique sort of utterance, a Levian text in its own right». This understanding of Levi’s translation gives further significance to the Levi-Kafka pairing and opens up new ways of interpreting his concerns about shame, guilt, moral responsibility, and the ethical value of literature, which coalesced into the reflections of *The Drowned and the Saved*.

2 *The Trial and The Drowned and the Saved*

Right from the first version of *If This is a Man*, Levi considered that the task of the witness was «to prepare the ground for the judge». In the prefaces, letters, articles, and judicial depositions he produced after Auschwitz, the judge variously assumed the form of a reader, a camp visitor, an actual court, or Levi himself. In any case, there was no doubt that the primary aim of his testimony was to understand and to judge. So what kind of impact did the story of Josef K. have on this lifelong enquiry? I would argue that the influence of Kafka’s novel can be traced in three aspects of *The Drowned and the Saved*. First, the impossibility to reduce justice – in the sense of «[bearing] witness unto the truth» (John 19, 37) – to the production of a sentence. Second, the reflexive nature of the judging process. Third, the way in which the process of self-examination elicits a feeling of shame. All these aspects were already incipient in Levi’s previous works, but the identification with Josef K. revealed the internal source of his moral conundrums. Paradoxically, it seems that the “clear” and “rational” Levi needed the light of the enigmatic and “obscure” Kafka to discern the shadows of his cave. Let us now examine how

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43 *Ivi*, p. 182.


46 *Levi, Translating Kafka*, cit., p. 2349: «Kafka understands the world (his own, and ours today even better) with an astounding clairvoyance, which assaults you like a light that’s too bright. Often we are tempted to
he did it and what were the results of such a katabasis.

Both the central chapters of The Drowned and the Saved, «The Grey Zone» and «Shame», could be described as trials that explore the question of moral responsibility and human conduct in the face of Auschwitz. In the first case in the court dock sit all those «contemptible» and «pathetic» figures that populate the space that separates the victims from the perpetrators. In the second case the defendant is Levi himself. The language used to evaluate the different inmate-functionaries illustrates the difficult and yet necessary relationship between Holocaust testimony and jurisprudence:

This category is a grey zone, with undefined contours, which both separates and connects the two opposing camps of masters and servants. It has an incredibly complicated internal structure, and harbours just enough to confound our need to judge.

The criminal complicity of individual collaborators, great and small (never friendly, never transparent!), is always difficult to evaluate. We would prefer to entrust that judgment only to people who have been in similar circumstances and experienced for themselves what it means to act under coercion.

The condition of victimhood does not exclude guilt, which is often objectively serious, but I do not know a human court that could be delegated to take its measure.

A more subtle and varied judgment is required for those who held senior positions [...].

[ ... ] ask that the history of the “crematorium crows” be pondered with compassion and rigor, but that any judgment of them be suspended.

The same impotentia judicandi leaves us paralysed before the case of Chaim Rumkowski.48

These passages show that the modes of formal justice cannot exhaust the questions raised by the horror of the Holocaust and the existence of the grey zone. The micro-physics of evil that enabled the Final Solution demands to be judged, and yet there is a residue that exceeds and escapes comprehension. This “residue” consists in the absolute singularity of the Holocaust, that is, in the ontological and gnoseological impossibility to know the “essence” of this event. We could therefore say that Levi’s exploration of the grey zone exposes the gap between the effort to establish truth and the ultimate aim of law, which is «the production of a res judicata».49 This becomes evident when we think carefully about the structure of the chapter «The Grey Zone». Levi’s enquiry consists

48 Ivi, pp. 2435-2449.
in a trial without a sentence (Levi’s suspension of judgment) whose object is a sentence without a trial (the Holocaust). Indeed, the key point of Levi’s argument is that no one can truly judge the grey zone. The survivor (superstitus) because he is not a neutral party (testis) detached from the case, the testis because any third party wouldn’t have the experience of a superstitus, and therefore would not be able to subsume the Holocaust under any previously known rule. The result is that both in the case of the Final Solution and in that of the grey zone judgment swings between the poles of necessity and impossibility, without ever stopping at the level of justice. In the first case judgment is impossible because the trial follows the law of necessity (all the accused are already pre-judged, “guilty” of being Jews). In the second case judgment is necessary but impossible because of the impotentia judicandi that characterises the grey zone (no one can judge the accused). Thus, in both situations the trial becomes a self-referential process, a punishment in actu which calls into question the law. This is the central insight of Kafka’s Trial, and probably one of the main reasons why Levi identified with Josef K. Perhaps nothing reveals more about the nature of this trial-punishment than the dialogue between K. and Titorelli, the court painter. Interrogated about K.’s trial, the painter makes clear that the court can never be persuaded to change its mind. Even though he believes himself to be innocent, the accused can never escape the «large organisation» that arrested him. Genuine acquittals occur only in legends. As Titorelli tells K., «If I were to paint all the judges on a canvas here and you defended yourself before the canvas you’d have more chance of success than before the real court». This being the case, only two possibilities are open to K.: apparent acquittal and protraction of the proceedings. Yet both leave the accused totally compromised, in wait of the final blow. In vain will K. try to reduce the court proceedings to his ordered worldview and request to see the law-books: once in motion the trial can never rest. The law of necessity is unappealable, it strikes with the inexorability of Tyche. This is why in Titorelli’s paintings Justice comes to re-

50 To be sure, Levi does judge some of figures of the grey zone: he absolves the low-level functionaries and some of the political inmates who secretly carried our resistance activities within the camps’ administrative offices; he condemns the SS officer Muisfeld who briefly hesitated before a girl who had exceptionally survived the gas chamber. But these minor or less troubling cases don’t invalidate the general point: no one is in a position to judge the grey zone, for what characterises this space are the unsolvable conflicts between moral responsibility and our stubborn desire to stay alive at all costs, between «the state of coercion following an order» and our willingness to collaborate with power regardless of the consequences.

51 I play here with the two Latin meanings of the word ‘witness’, as defined by Agamben in Agamben, Remnants of Auschwitz, cit., p. 17: testis (‘the person who in a trial or lawsuit between two parties, is in the position of a third party (‘tertius)’) and superstitus (the survivor, the person who has lived through something and can bear witness to it).


54 As Titorelli confirms to K., pp. 115-116: «“What is common to both methods is that they prevent the accused being sentenced.” “But they also prevent him being really acquitted,” said K. softly, as if he were ashamed to have seen that. “You’ve grasped the crux of the matter,” the painter said quickly».

55 Cf. Cacciari, Ione della Legge, cit., pp. 90-95, 121-140. Tyche (Roman equivalent: Fortuna) was the daughter of Ocean and Tethys, and thus a goddess of the sea and a sister of Metis. She represented luck, the event, the element of human existence that humans do not control. «Fortuna» is also, surprisingly, the first word of If This is a Man, cit., p. 5. «It was was my good fortune to be deported to Auschwitz only in 1944 [...]».
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semble first the Goddess of Victory and then the Goddess of the Hunt. The court does not seek out truth but hunts down the accused. Hence, both in Levi’s and K.’s case the chief feature of Justice is the blindfold that covers her eyes: «a freezing bottom, unsolvable, that cannot be further developed, of violence, revenge, war». Being accused does not mean having transgressed a specific rule, but rather being a specific type of person, someone who attracts the attention of the tribunal. This is what Levi recognised when, commenting on The Trial, he declared that «each of us could be tried and condemned and executed, without even knowing why. It was as if it predicted the time when it was a crime simply to be a Jew». The second point of contact between The Trial and The Drowned and the Saved concerns the way in which the judging process turns inward and drives us to call ourselves to account. Once the accused have been arrested and the trial is under way, a set of questions arises: who is responsible for these events? Who belongs to the court? Did I contribute, to some extent, to my own and other people’s ordeal? Should I also give an account of myself? Levi knew well that only people of flesh and blood can give an account of themselves, for both morality and justice concern the individual in his or her singularity. He pointed out, however, a paradox: both victim and oppressor are in the trap of memory, but it is the victim, and he alone, who suffers from it and, «consciously or not, feels accused and judged, compelled to justify and defend himself». As this sentence suggests, in his late reflections Levi rationalises and adapts some elements of Kafka’s novel, thus drawing a comparison between the tribunal of The Trial and the Lager. In an interview he indeed claimed that «in The Trial there is a precocious intuition that violence comes from bureaucracy, this growing, irresistible power that is the fruit of our century». According to this reading, the protagonist is persecuted for an unknown crime and compelled to «pass his whole life under review», while the court embodies the «rule by Nobody», an intricate system of bureaus where no one can be


56 Cf. KAFKA, The Trial, cit., pp. 104-105.
57 Translated from CACCIARI, Ione della Legge, cit., p. 133.
59 On the conditions of possibility, ethical implications, and difficulties of giving an account of oneself, see JUDITH BUTLER, Giving an Account of Oneself, New York, Fordham University Press, 2005.
61 LEVI, The Drowned and the Saved, cit., pp. 2421, 2465.
63 KAFKA, The Trial, cit., p. 91. Josef K.’s idea to present a «brief» account of his entire life is undoubtedly connected to the feeling of shame that progressively catches hold of him. Indeed, from the moment in which he decides to undertake this impossible task, the court and the trial redouble and become realities at once internal and external to his life. See ibid, p. 80: «He couldn’t get the trial out of his mind any more. Several times already he’d wondered whether it might not be a good idea to draw up a written statement and submit it to the court. His intention was to present a brief account of his life, explaining for every event that was in any way important why he’d acted as he had, whether he now looked on his course of action with approval or disapproval, and the reasons he could adduce for either conclusion». 

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ever held to give account of himself. This predicament informs several passages of The Drowned and the Saved, where Kafka’s intertext is ever present. In the chapter «Useless Violence», for example, Levi hints at In the Penal Colony, a story closely connected to The Trial in which a torture-machine inscribes the sentence in the flesh of the condemned men:

The violence of the tattoo was gratuitous, an end in itself, a pure insult: wasn’t it enough to have three cloth numbers sewn on your pants, jacket, and winter coat? No, something more was needed, a nonverbal message, so the innocent would feel their sentence inscribed in their flesh.

But it is in the chapters that deal with the questions of power, responsibility, and shame that the identification with Josef K. really comes to the fore. In «The Grey Zone», as we saw above, Levi shows the impossibility of a real judgment, an authentic krisis, between victims and persecutors. But if we pay attention to his argument and the grammatical structure of these passages, we also realise that Levi felt that he too, as privileged prisoner, had somehow belonged to the grey zone. This becomes clear in the following chapter, «Shame», where Levi gradually turns toward himself and evaluates what he had been and done in the Lager. Initially, he talks about all the survivors («when one felt», «we had lived», «we had all stolen», «we had forgotten», etc.). Then, discussing why the cases of suicide during internment were so rare, he writes:

[I]n most cases, suicide arises from a feeling of guilt that no punishment has come to alleviate. The harshness of prison was perceived as punishment, and the sense of guilt (if there is punishment, there must have been guilt) was relegated to the background, only to re-emerge after liberation. In other words, there was no need to punish oneself with suicide for a (real or presumed) guilt that was already being expiated through the sufferings of every day. What guilt?

Kafka’s influence is palpable here. But the examination is still conducted in an impersonal form («there would not have been much to be ashamed of», «[the survivor] feels accused and judged», «almost everyone feels guilty»). But this can’t go on for too

65 Levi, The Drowned and the Saved, cit., p. 2437. In the Penal Colony is chronologically and thematically interconnected to The Trial, for it was written in October 1914, when Kafka paused from working on his novel, and deals with the themes of guilt, punishment, and justice.
66 As Agamben points out in Giorgio Agamben, Pilato e Gesù, Rome, Nottetempo, 2014, pp. 22-23, krisis is the Greek word for judgment. The term derives from the verb krinein, which means etymologically ‘to separate, to decide’, and therefore ‘to judge’. Along with this juridical meaning, the term has acquired a medical meaning (krisis as the turning point in a disease, the moment in which the doctor must "judge" whether the sick person will die or survive) and a theological one (the Last Judgment: en emerai krises). Levi recalls this last meaning at the beginning of his chapter on the grey zone (p. 2437), when he warns against the Manichean tendency to separate evil from good, to take sides, to reenact the gesture of Christ on Judgment Day: over here go the righteous, over there the wicked.
69 Isi, 2462 (emphasis added).
70 Isi, p. 2461.
long. At a certain point, like when K. is in the cathedral, someone calls out “Primo!” and there is no more escape.\textsuperscript{71} Levi has to face the tribunal of his own conscience:

Do you feel shame because you are alive in the place of someone else? A person more generous, sensitive, wise, useful, and worthy of living than you? You cannot exclude the possibility: you reexamine yourself, comb through your memories, hoping that you will find them all and that none have been camouflaged or disguised. You find no obvious transgressions. You didn’t take anyone’s place, you didn’t beat anyone (but would you have had the strength?), you did not accept appointments (but none were offered), you didn’t steal anyone’s bread. You cannot rule out the possibility.\textsuperscript{72}

We are now touching the third aspect in which The Trial influences The Drowned and the Saved. Shame is a self-reflexive emotion and involves passing judgment on one’s own condition or actions. Like Josef K., Levi, unable to come to terms with the mysterious crime of which he is charged, becomes at once the defendant, the accuser, and the judge of himself. By putting himself on trial, he discovers a feeling that will survive both him and the court that hunted him down. Let me therefore conclude by discussing the final part of his article ‘Translating Kafka’:

The famous, much analysed phrase that seals the book like a tombstone (“...it was as if the shame of it should outlive him”) does not seem at all enigmatic to me. What should Josef K. be ashamed of, that man who had decided to fight to the death, and who at every turn in the book proclaims that he is innocent? He is ashamed of many contradictory things, because he is not consistent, and his nature (like that of most of us) consists in being inconsistent, not the same over the course of time, unstable, erratic, divided even at the same moment, split into two or more personalities that cannot exist together. He is ashamed of having quarrelled with the tribunal of the cathedral and, at the same time, of not having stood up to the tribunal of the garrets with sufficient force. Of having wasted his life in petty office jealousies, in false love affairs, in morbid timidity, in static and obsessive accomplishments. Of existing when, by now, he should no longer exist: of not having found the strength to kill himself by his own hand when all was lost, before two inept death-bearers visited him. But I sense, in this shame, an element that I am familiar with: Josef K., at the end of his anguished journey, feels ashamed that this secret, corrupt tribunal exists, pervading everything around it; even the prison chaplain and the precociously dissolute girls who importune the painter Titorelli belong to it. In the end it is a human, not a divine, tribunal: it is made of men and by men, and Josef, with the knife already planted in his heart, is ashamed of being a man.\textsuperscript{73}

The fact that the enigmatic ending of The Trial looks transparent to Levi sheds light on the relationship between his “clear” and “obscure” parts. These parts are not mutually exclusive, but complimentary. On a psychological level their relation results in the feeling of shame; on a linguistic one, it gives rise to the oxymoron, Levi’s key stylistic

\textsuperscript{71} Cf. \textit{Kafka}, \textit{The Trial}, cit., pp. 150-151
\textsuperscript{72} Levi, \textit{The Drowned and the Saved}, cit., p. 1466.
\textsuperscript{73} Levi, \textit{Translating Kafka}, cit., p. 2350.
Being a compromise between two opposing conflicting forces, the oxymoron mirrors Levi’s uncanny encounter with Kafka. This encounter tore the veil created by Levi’s rational meditations, thus revealing the troubling noises that Levi heard in the depths of his “burrow”. Indeed, to translate Kafka, Levi had to face the obscure Doppelgänger that since Auschwitz followed him like a shadow, pointing out how difficult it is to distinguish sharply between rationality and chaos, between victimhood and certain forms of collaboration, between the court and the accused, the accused and the judge, the drowned and the saved.

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PAROLE CHIAVE

Kafka; The Drowned and the Saved; trial; translation; communication; language; obscure; clear; shame; guilt.

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a cura di Matteo Fadini, Carlo Tirinanzi De Medici e Paolo Zublena

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