Kafka’s “Das Urteil” and Philosophy of the Penal System

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In Kafka’s short story “Das Urteil,” Georg Bendemann’s death has commonly been interpreted as a suicide. As Georg was sentenced to death by his father, an alternate motivation for his death is that of a “self-execution” of capital punishment. Using the framework of Immanuel Kant’s philosophy, while a suicide is morally wrong, capital punishment is morally required. Georg’s action is not one of individual weakness, but of compliance to judgment. Kafka presents a paradox of judgment and authority. Because Georg has not committed a crime befitting capital punishment, the sentence to death is unjust. However, in order to maintain the punitive system, Georg must comply. Though Kant believed in the moral justification for a punitive system, “Das Urteil” shows that a punitive system is imperfect—there will be unjust decisions. This makes the system dangerous. Kafka’s lack of an offered solution at the end of “Das Urteil” suggests that he believed there may be no solution to this problem. The state is reliant on a punitive system, but the system is immoral and, at times, tyrannical.