Taylor & Francis
Taylor & Francis Group

Cardozo School of Law

Imperium Stupidum: Švejk, Satire, Sabotage, Sabotage

Author(s): Erica Weitzman

Source: *Law and Literature*, Vol. 18, No. 2 (Summer 2006), pp. 117-148
Published by: Taylor & Francis, Ltd. on behalf of the Cardozo School of Law
Stable URL: https://www.jstor.org/stable/10.1525/lal.2006.18.2.117

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at https://about.jstor.org/terms

Taylor & Francis, Ltd. and *Cardozo School of Law* are collaborating with JSTOR to digitize, preserve and extend access to *Law and Literature*

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

Imperium Stupidum

ŠVEJK, SATIRE, SABOTAGE

Erica Weitzman

Abstract. *Jaroslav* Hašek's *popular World War I satire* The Good Soldier Švejk *relies for its comic effect on the bumbling antics of its title character and the consequent inconveniences for the Austro-Hungarian army into which he has been conscripted. This article argues that the satire of Švejk lies less in the irreverence and humor of its content than in its deep structural mechanisms of repetition, delay, and non-resistance pushed to the point of absurdity. The concept of "idiocy," key to the novel, serves as a deconstructive or destructive force in relation to the politico-juridical ideologies of early 20th-century nation-statism, militarization, and European imperialism in particular, and to the status of the law within any would-be biopolitical system in general.*

ŠVEJK AND STUPIDITY

Writing on Melville's "Bartleby the Scrivener," Agamben likens the clerk's infamous line to the Skeptic formula of *epokhè*, suspension: "In the history of Western culture," he writes, "there is only one formula that hovers so decidedly between affirmation and negation, acceptance and rejection, giving and taking."[1] In this act of hovering-between, Bartleby dismantles the security of the legal and bureaucratic world in which he is both scribe and inscribed, putting himself up for display as "the pure announcement of appearance, the intimation of Being without any predicate."[2] Despite Agamben's reading of Melville's text, however, the literary Bartleby does indeed fail the test he has set for himself, dying, in a lonely corner of a New York prison yard, of his own refusal to suspend suspension. But the test, at least—we can say at this

Law & Literature, Vol. 18, Issue 2, pp. 117–148. ISSN 1535-685X, electronic ISSN 1541-2601.
© 2006 by The Cardozo School of Law of Yeshiva University. All rights reserved. Please direct all requests for permission to photocopy or reproduce article content through the University of California Press's Rights and Permissions website, at http://www.ucpress.edu/journals/rights.htm.

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

point—remains. If Bartleby himself provides no satisfactory answer to what it might mean to suspend predication indefinitely, to refuse to be anything but the pure potential to be, the question—"an experiment *de contingentia absoluta*"[3]—nonetheless remains posed.

Josef Švejk, the titular character of Jaroslav Hašek's World War I satirical novel, *The Good Soldier Švejk*, is the ethico-political brother to Melville's ontological personification of impasse. At first glance, Švejk's attitude of "Maul halten und weiter dienen! [*Shut your trap and keep on serving!*]"[4] would appear to be the exact opposite of Bartleby's will-less deferral. And it is. But in this respect one must also contrast Bartleby's perfect competence—that is, when he prefers to—with Švejk's absolute, extravagant incompetence in the face of every situation. "At first," Melville's elderly gentleman of the law reports, "Bartleby did an extraordinary quantity of writing. As if long famishing for something to copy, he seemed to gorge himself on my documents. There was no pause for digestion."[5] Such capable yet mechanical assiduity is the very antithesis of Švejk's cheerful ineptitude. And yet: in the end, to "prefer not to" exercise a superior capacity has more or less the same result as to constantly *agree to*, but to be incapable of actually *doing* (And "Maul halten," after all, is the very thing that Švejk is most incapable of). In other words: one way or another, nothing gets done. Arranged as chiasmus, then (and considered as the literary devices of their creators), Švejk and Bartleby are a matched pair indeed.

According to Agamben, Bartleby's policy of suspension enacts the holding-off of predication—of being *something*—in the attempt to remain within a pure potentiality of being that Agamben sees as the grounds for a new ethics and ontology. The dead letters Bartleby is discovered to have presided over are in this case less the symbol of finitude that the narrator finds in them than the guarantors of *infinitude*, messages never compelled to actualize themselves in arriving at their destination. Švejk's suspension, although it operates within a somewhat different context and with vastly different stakes, is of this model. His is less a suspension of *being*, however, than of *doing*: specifically, of fulfilling the orders and expectations of the Hapsburg Empire's army for its colonial conscripts. Most critical readers of *The Good Soldier Švejk* find the subversiveness of the novel (and it is no doubt subversive) in imagining its central character as a sort of trickster figure, a carefree troublemaker who under the veneer of innocence manages each time to undermine the army's activities and justificatory logic, turning every onerous task into an opportunity for the promotion of his own well-being. We will argue here, in contrast, that the seditious and satirical power of the novel lies in something more

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

fundamental, and furthermore on a formal level more than on the level of content. First of all, Švejk's total acquiescence, or rather, his Pollyannaish acceptance of whatever befalls him is not only as activity-frustrating as Bartleby's total resistance, but also as characterologically impenetrable. It is always possible to speculate on Švejk's motivations or inner life, of course, but within the world of the novel itself, the character of Švejk is as immune to psychologism as he is to irony. Like the infant he is so often described as, Hašek's protagonist is all surface and no depth. His ability to adapt to and be happy in every situation is a function of the fact that he has no interiority into which the implications of any situation could sink into. He is happiest in the insane asylum, where he is not only pampered like a baby—"Just imagine, they carried me, really carried me off. I was in a state of utter bliss at that moment"[6]—but also where he and his fellow inmates enjoy "a freedom [by implication, of action and predication or identity] which not even Socialists have ever dreamed of."[7] This perfect superficiality, combined with an understanding that can only take information on its most literal and immediate level, is what earns Švejk the title of idiot upon which so much in the novel depends. What is more, this idiocy is the most effective countermeasure and counterpart to the regimentation and purposiveness that is at least claimed by the Imperial Army—and, by extension, by any self-styled authoritative closed system. Švejk's mechanical ineptitude—already a kind of oxymoron—functions as a comedic mirroring of the legal and military structures operative in the novel: a mistakes-machine that works along the same pattern, but with decidedly different results. That is, to the ideologies of empire and its apparent requirements of both military expansion and biopolitical control, Švejk presents both the limit case and the *détournement*. Rather than attacking or mocking, the pure negativity of idiocy turns the state apparatus inside-out, exposing it as the real dummy.

Robert Musil begins his 1937 address "On Stupidity" with a statement that can only be taken as ironic, particularly given its historical context: "Anyone who presumes to speak about stupidity today runs the risk of coming to grief in a number of ways. It may be interpreted as insolence on his part; it may even be interpreted as disturbing the progress of our time."

"[A]nd who will dare question," he asks a moment later, "that since [1931] the world has seen still more progress and improvements!"[8] The obvious answer to Musil's rhetorical question is: only the stupid would dare question. The real answer, whose clue lies in the subject of the address itself, is: only the stupid would dare *not* to question this optimistic bit of received wisdom. "And so a question gradually arises that refuses to be put off: Just what *is* stupidity?"

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

This question may "refuse to be put off," but it also refuses—stupidly—to not be put off: Musil's essay never actually answers the question he poses to himself, admitting that stupidity itself may be resistant to simple classification. Musil is certainly not delivering a wholesale praise of stupidity here. What is crucial, however, is that he frames his inquiry as a potentially subversive endeavor in itself: even to think about stupidity, its halting, contradictory, refractory nature, when the whole real world is getting better and better, constitutes a kind of treason against competence, good sense, and above all, faith in historical progress.

A similar slight-of-hand occurs later in Musil's address as he moves from stupidity as general incapability, an inability to fulfill the requirements of this or that situation, to the state of panic, which he initially defines as a temporary stupor and suspension of intelligence. But also, as he writes, "what happens [in the state of panic] is not so much a descent to acting instinctively as rather a descent leading straight through this area to a deeper instinct of ultimate necessity and an ultimate emergency form of action. This kind of action takes the form of total confusion: it has no plan, and is apparently bereft of reason and every other saving instinct; but its unconscious plan is to replace quality of action with quantity, and its not inconsiderable cunning rests on the probability that among a hundred blind attempts that are washouts there is one that will hit the target."[9]

Musil's qualified idea of stupidity as panic and hyperactivity may seem to relate to Švejk's logorrhea, which replaces quality of speech with an endless stream of nonsense. Upon consideration, however, it appears far more similar to the activities of the Imperial Army and the Hapsburg government itself. Švejk's endless, aimless action is really a kind of repetition compulsion or action's empty core, the black hole into which potency, projecting itself, is swallowed up and disappears. The army, on the other hand—with its military drills, its regimental reports, its orders and counter-orders—projects itself outward with ever more frenetic and self-destructive force. Captain Ságner concludes the ill-fated code episode in the "Across Hungary" chapter with the "prophetic" pronouncement: "Chaos is the worst thing that can happen in the field, gentlemen."[10] But as the chapter demonstrates, chaos is pretty much happening all the time in this army, indeed, throughout the whole empire. "Only no panic of any kind," the lance-corporal accompanying Švejk to his supposed court-martial warns him. "It's wartime." Five paragraphs (and several glasses of slivovitz) later: "Only no panic, for God's sake! About that there are in- in- instructions." Three paragraphs later: "I'm falling. Panic!"[11]

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

If Švejk to some degree represents Musil's "bright stupidity," then a character like Cadet Biegler represents "the higher, pretentious form of stupidity"[12] which is stupidity coupled with vanity, ambition, and busyness. Biegler's pretentious stupidity is something far removed from both Bartleby's indefinite postponement of capacity and Švejk's obliging unconcern with whether one is actually capable or not. It is the stupidity of decision and order, a frustrated desire to ascend to the circles of power, and a failed attempt at capacity itself. Its stupidity lies either in one's imagination that one is actually capable when one is in fact not, or in one's idea that one's ideals are worthy when they are in fact ridiculous. Both criteria apply to Biegler. Where Švejk is lazy, Biegler is assiduous; where Švejk is constitutionally unambitious, Biegler puffs himself up with literal and figurative dreams of glory; where Švejk tells stories with a charming or tedious expansiveness, Biegler writes down drearily standard titles for books that are never begun; where Švejk never makes an attempt to justify himself, sticking doggedly to a literal statement of fact even when it implicates him in his own incompetence or guilt, Biegler "had the bad habit of always trying to convince everyone that his intentions were the best."[13] Finally, where Švejk manages to extricate himself from any situation, Biegler ends up soiling himself (dreaming, in comic inversion, that his excrement is battlefield blood) and getting himself consigned to the sick ward, where he "sees for the first time how people died of cholera for His Imperial Majesty."[14]

The army knows what to do with vainglorious idiots like Biegler, because for all their folly, they play by the rules of the game. Biegler has so little imagination, in fact, that even his heaven is structured like a military hierarchy. He does, alas, eventually recover and return to duty, but in the meantime he is shunted aside, like all good soldiers that have ceased to be useful. Švejk's placid civilian stupidity, on the other hand, is of a kind that the army does not know what to do with. Consequently, it is a stupidity that brings the representatives of the army to a state of dumbfoundedness.

While most sources maintain that Hašek got the name "Švejk" from an actual historical person, it is worth speculation whether the derivation of the name is not at least partially influenced by the German "schweigen," that is, to fall silent or to shut up: *Maul halten*. "Dumbness," of course—at least in English—means both imbecility and the inability to speak. And Švejk's garrulousness in the face of authority is indeed a kind of refusal to speak: that is, a refusal to talk "sense" as defined by said authority. The comically exaggerated literalism and obtuse faithfulness to detail displayed in Švejk's language

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

means that it is a language or narrative devoid of any sense of hierarchy or selection, any sense of an objective center or of what is appropriate to the context of the utterance. It is the very destruction of language in both its communicative and its performative functions. This destruction is effected not through a lack (as is the case, for example, with Bartleby, who pares his utterances down to one blank phrase, and then, eventually, to nothing) but through an *excess* of signification. For example, after Švejk is arrested by his own regiment as a "Russian" soldier (itself worth mention in terms of the absolute blankness of Švejk as a character, and thus his ability to adopt any identity, indeed to be nothing but a screen for others' projections):

> he told his story with all possible detail, not even forgetting to mention that forget-me-nots were blooming on the dam of the lake where his misfortune had happened. When afterwards he mentioned the names of the Tartars he had got to know on his pilgrimage, like Hallimulabalibay, to which he added a whole string of names he had himself invented, like Valivolavalivey, Malimulamalimey, Lieutenant Lukáš could not stop himself from saying "I'll kick your backside, you mule. Go on, but brief and to the point!" And Švejk went on with his customary consistency, and when he came to the summary court-martial, the general and the major, he mentioned that the general squinted in his left eye and that the major's eyes were blue.[15]

In a military environment ostensibly dedicated to the efficient communication of information (and in which the sole licit forms of speech are the command and the *communiqué*), Švejk presents the over-saturation of language with information, which inevitably results in a kind of non-information. As with the excited babble of children or the insane, in Švejk's narrative and descriptive techniques (mirrored in the episodic structure of the novel itself), superabundance of language is silence, or "silence" as the satire of normative language.[16] On a semantic and syntactical level, of course, the language is perfectly acceptable; its nonsense is rather on the level of order, appropriateness, and *context*. It is no longer either communication or performative act, but *play*, in the rigorous and potentially extra-ludic sense Derrida gives the term. The fanciful names Švejk invents, as if compulsively, to embellish his narrative in the above example, are the most blatant form in which meaning is made to reverse into meaninglessness. (For what is a name without a referent, whether that referent is absent or has never existed?) Language is forced to continue indefinitely, precisely through its ability to reproduce itself independent of sense, to *not* mean, to

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

merely "language." But what is most significant for our purposes is that this de- or hyper-contextualization of language is only effective in relation to the assumptions regarding military-grade discourse. In other words, perched on his barstool at The Chalice, Švejk would be just another boor, and his ramblings utterly inconsequential. When dropped abruptly into a military-political context, however, the selfsame ramblings become both ludicrous and profoundly destabilizing of the historico-political order.

Such parodic use of language (whether intentional or unintentional) is the complement to or metonym of the larger structural mechanisms active in the novel. In addition to the anarchic obsessiveness of Švejk's narration, another weapon deployed on the linguistic front is the exploitation of ambiguity and competing codes or contexts in terms of the sentence unit. Taken out of context in a different way—not sheer irrelevance now but the misplaced over-investment of relevance—communication turns again into irreducible miscommunication. The sergeant who interrogates Švejk on the assumption that he is a Russian spy begins his questioning with the shrewd indirection:

> "Is it true that in Russia they drink a lot of tea? Have they got rum there also?"
> "You can find rum all over the world, sergeant."
> "Don't quibble," thought the sergeant to himself. "You ought to have paid more attention before to what you were saying!" And, leaning towards Švejk, he asked him in a confidential tone: "Are there pretty girls in Russia?"
> "You can find pretty girls all over the world, sergeant."
> "Oh, you bastard!" thought the sergeant to himself once more. "You'd give anything to get out of this now." And the sergeant came out with his forty-two pounder. "What did you want to do in the 91st regiment?"
> "I wanted to go with them to the front."
> The sergeant looked at Švejk with satisfaction and observed: "That's right. That's the best way of getting to Russia."
> "Indeed, very well thought out." The sergeant glowed with satisfaction, observing what effect his words had on Švejk.
> But he could not read from the expression of Švejk's eyes anything except the most complete calm.[17]

Every answer that Švejk gives here is perfectly true; but in the game of question and answer being played here, Švejk and the sergeant are following completely divergent rules. The sergeant, anticipating duplicity on the part of

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

Švejk the brilliant spy, interprets Švejk's naïve literality as canny evasion. The code-book episode—in which the code gets scrambled because the officers are following different volumes of the kitsch novel upon which the code is based (all-too-meaningfully entitled *The Sins of the Fathers*!)—is almost too neat a metaphor for such constant miscommunication. That is: in more than one way, Švejk and the army are *not on the same page*. One might say that what is being demonstrated is the impossibility of communication between "stupid" language and "smart" language. The one knows no ulterior motive, nuance, or contextualization, and it is this utter baldness of the "stupid" interlocutor or connotativeness that is in fact the most difficult thing for the "smart" interlocutor to understand—or to mobilize in any way that does not immediately turn back upon himself. Call it the unmotivated counter-system of "I know you are, but what am I." Once again: in a bit familiar enough to the contemporary reader from the continued legacy of vaudeville (or perhaps Odysseus's linguistic trick on the Cyclops), here is Švejk taking dictation:

> "Now listen. The 11th march company. Repeat that!"
> "The 11th march company…"
> "Company commandant… Have you got that? Repeat that."
> "Company commandant…"
> "For conference tomorrow… Are you ready? Repeat that."
> "For conference tomorrow…"
> "At 9 a.m. "*Unterschrift*." Do you know what "*Unterschrift*" is, baboon? It's 'signature.' Repeat that!"
> "At 9 a.m. "*Unterschrift*." Do you know what "*Unterschrift*" is, baboon? It's 'signature.'"
> "Stupid mutt. Well, here you are, here's the signature: Colonel Schröder, bastard. Have you got that? Repeat that!"
> "Colonel Schröder, bastard."[18]

Such citationality and iterability, again, becomes parodic precisely when what is at stake is the denotative adequacy of language to itself. Mere repetition or literality must be excluded from language if language is to fulfill its communicative, predicative, indicative, or performative functions. Stupid language, on the other hand, both gratuitous and unnuanced, fulfills no function but its own self-perpetuation.

In the provocation to J. L. Austin's speech-act theory that is Derrida's "Signature Event Context," he questions the former's insistence upon

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

"appropriateness" and "seriousness" as linguistic criteria of validity. According to Austin, that which refuses to make sense according to normative conceptions of language and context (here especially citation, but we could also include such anomalies as agrammaticality, non sequitur, punning and homonyms, general inappropriateness to situation, etc.) is not a real speech-act, but something "parasitic" upon the language in which it resides. But, Derrida asks roguishly, "does the generality of the risk [posed by non-sense] *surround* language like a kind of *ditch*, a place of external perdition into which locution might never venture, that it might avoid by remaining at home, in itself, sheltered by its essence or *telos*? Or indeed is this risk, on the contrary, its internal and positive condition of possibility? this outside its inside? the very force and law of its emergence?"[19] In other words, the continuous threat posed to language by non-sense—and the banishment of non-sense that it demands—is also the prerequisite for language as such. To reintroduce senselessness and stupidity back into the system that cannot function unless it maintains a proper border between inside and outside—a ditch or a trench—is to court the cataclysm of the system according to its own unacknowledged logic. "Do you know what *Unterschrift* is, baboon? It's 'signature.' Repeat that!" Precisely this cataclysmic reintroduction of the impossible-necessary inside-outside is what is embodied in the figure of Švejk.

Švejk is conspicuously, if uncharacteristically, silent in conversations with those who do not represent power. In these cases, Švejk only serves as a narrative cipher, a structural device that allows Hašek to retain novelistic unity while at the same time allowing the novel's other characters to deliver a variety of monologues, usually of a political and anti-military nature. Such passages are valuable and comically effective; they frame the way in which one should read the novel, but they are not themselves satire. It is rather Švejk's "silence"—his silence that borrows the language of the German-speaking hegemon, his silence of unintentionally subversive ultra-banality—which constitutes the real satiric element of the novel, and which, as we shall see, makes the structure of power reveal its own inbuilt impossibility. Like Bartleby's "I would prefer not to," Švejk's "Humbly report" creates an impasse that no one in the army hierarchy—at least, no one who wants to accomplish anything in the business of the war—can overcome. This is all the more so because it works within the logic of the army itself. A soldier is *supposed* to relinquish free will in deference to his superior officers. The problem that Švejk poses to the army, then, is that, while he never does anything

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

right, he never does anything really wrong either. He neither serves nor refuses to serve. What he does, rather, is "prefer to," or at least "*not* prefer *not* to": that is, to accept, suspend, *delay*. Švejk himself, however, cannot be said to have a delaying *tactic*: his stated idiocy presumably consists in the fact that he doesn't seem to know how counterproductive his actions actually are. He volunteers every one of his stories in a seeming excess of good will. Manifest as Švejk's inabilities are, then, perhaps the more important inability is the inability of the Austro-Hungarian Imperial Army to deal with the kind of riddle that Švejk incarnates. Švejk's good-natured imbecility inoculates him to both praise and blame, to both reward and violence: the two tools the army keeps at its disposal for turning subjects into cannon fodder. Power can neither punish nor use him; no officer or magistrate is able to understand him, to change him, to dismiss him, or (even) to destroy him. In other words, the very fact that Švejk is "sublimely unconscious of his martyrdom"[20] makes it impossible for the Empire to turn him into a martyr.

Of one in the long line of Švejk's literary ancestors, Avital Ronell writes:

> any act of trusting must court a moment of blindness and, in a way, must overcome or deny time. To trust is to suspend the becoming of history....the trusting idiot is the one who also says, "Oh, I've plenty of time, my time is entirely my own."... To trust is to trust in time, to dissolve oneself so radically in time that time will tell, time will heal all, time will, in essence, forget itself and stop timing me, numbering my days or cutting me off: I can count on time—in fact, I can stop counting; I no longer live on borrowed time, for "my time is entirely my own."[21]

The similarities between Dostoyevsky's holy idiot, Prince Myshkin and Hašek's profane one are further revealed as Ronell goes on to describe Myshkin's "relation to time in terms of *readiness*."[22] Readiness, which expresses itself in Myshkin as a kind of naïvely indiscriminate patrician generosity, is precisely the characteristic that is expressed in Švejk as an aimless alacrity, as well as a profligacy in the only thing that Švejk does possess to give away, a seemingly infinite mass of useless anecdotes and factoids. But if this readiness, this trusting idiocy with regard to time, is disastrous for the sensitive and aristocratic Myshkin, it is what saves the obtuse and lowly Švejk. For Myshkin's generosity expends only himself; Švejk, however, is technically not his own man. He belongs to the army; and the time he spends so freely is in fact time borrowed from the war effort. "You idiotic baboon,"

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

reprimands the voice from the regimental office (heard above) when Švejk finds himself on telephone duty, "Do you think I'm just passing the time of day with you? Well, are you going to take the telegram or not? Have you got a pencil and paper? You haven't, you bastard, and so I've got to wait until you find it? That's a soldier for you, if you like."[23] As the army transport debates among itself if and when it will move to the Eastern Front, Švejk matches himself to the confused rhythm of the battalion's progress. More important, however, is that Švejk's guilelessly spendthrift attitude towards time is precisely one that "suspends the becoming of history." For stupidity, again, "may even be interpreted as disturbing the progress of our time."[24] All days are alike for Švejk. His conception of the world is without either progression or causality; he does not even appear to have the sense that his battalion is moving, slowly but inexorably, to the field of battle. His anabatic divagations and talent for going in the wrong direction are merely the structural equivalents of his own ahistorical outlook. Like Nietzsche's cattle, Švejk has no historical memory; in the midst of a dying empire that still prides itself on a teleological notion of future glory, what memory he does have is little more than an anachronistic, anecdotal jumble.

Such a situation is untenable for a political system that aims at total control. Time, in the sense of both expenditure of energy (labor and leisure) and the idea of historical progress (the politico-cultural narrative), are perhaps the two things that the absolute or biopolitical state must control above all. To take liberties with these two aspects—especially when this liberty is, like Švejk's, automatic rather than willed—is to send the sovereign (be it Prince or principality) into fits.

ŠVEJK BEFORE THE LAW

"Humbly report, sir," Cadet Biegler announces to Captain Ságner after the latter has accused the former of spending too much time complaining about the idiocies of Company Orderly Švejk and thus failing to submit a regimental report, "instead of fifteen dekas of Hungarian salami the men received two picture postcards each. Here you are, sir..."[25]

Despite—or rather because of—the fact that the Empire cannot even feed its own soldiers, it must rely on the projection of its potency—and therefore, the suppression of all stupidity—to be potent. The propagandistic picture postcards, complete with crude caricatures of the enemy and

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

patriotic doggerel verse, are the Austrian Empire's "let them eat cake" to its foot soldiers. While the army's failure to provide its soldiers with rations is in part simple incompetence, the fact also betrays yet another peculiar paradox within the Imperial Army. As it ships its subjects to the front to die for God and Emperor, that is, as it elevates its subjects as expendable bodies, it neglects the care of its subjects bodies entirely, seeking to substitute (admittedly poor) food for the citizen's soul. It is no coincidence that Ságner's inspection of the postcards is interrupted by a messenger bearing the "strictly confidential" announcement: "Your brigade commander has gone mad…. All his telegrams should of course be cancelled, but we haven't received any instructions to this effect yet. I have, as I say, only the order from the division that unciphered telegrams should be disregarded. I have to deliver them because on that point I have not received any answer from *my* authorities. Through *my* authorities I have made inquiries of Army Corps Command and as a result proceedings are being taken against me…"[26]

It is worth recalling that the war itself—which Hašek himself lived through, and which resulted in over eight million missing or dead and 31 million wounded, and forever changed the geopolitical situation of the world—was begun by a young Serbian anarchist-nationalist with only vague political notions, who only got to fire his revolver at the last minute, by pure dumb luck, in a series of circumstances that itself reads like a Švejkian farce.[27] The image of Austria-Hungary in *Švejk* is more or less that of the corporal who gets himself impaled on the railway station points-lever while singing a patriotic song: bombastic, representative rather than a functional, and fatally inept. (No doubt also significant is the fact that the hysterical soldier who stands guard over the corporal's corpse is Hungarian, i.e., the lesser head of the imperial double-eagle.) In the office of Sergeant Flanderka (the gendarme who believes Švejk to be a Russian spy), the questionnaires on civilian loyalty pile up: "The government wanted to know what every citizen thought about it."[28] But the paranoid state is the impotent state: the absolute ruler has no need to conduct surveillance of its subjects (in twelve "grades for unshakeable loyalty to the monarchy"[29]); as soon as the state is dependent on the loyalty of its subjects, it necessarily ceases to be all-powerful. Furthermore, the government that needs to know everything in order to be secure betrays itself as insecure, for there will always be something that the government cannot watch over. Both the obsessed Flanderka and the government he works for are caught up in a kind of liar's paradox: "Calm, that's a soap bubble," he states. "And artificial calm is a *corpus delicti*."[30] The question,

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

however, is: how does one tell if a calm is artificial or not? Is one an imbecile, or a spy so intelligent he can pretend to be imbecilic with utter convincingness? The story of Pepek, the village idiot whom Flanderka "hires" as a spy when no one else is dumb enough to take the job, is an allegory for the final absurdity of "gendarme law": it understands nothing, accuses everything, has no authority, and eventually ends up destroying itself.

The secure polis leaves a space in which the individual may be private. It leaves its idiots to their idiocy; or at the least, it allows for, so to speak, a core of idiocy at the heart—or hearth—of every civilian. For the absolute, totalitarian, or biopolitical state, as described by Foucault and even more pointedly by Agamben, there is no aspect of life that may not be subject to state control. Total mobilization is but one form of governance in which "life and politics—originally divided, and linked together by means of the no-man's-land of the state of exception that is inhabited by bare life—begin to become one, [thus] all life becomes sacred and all politics becomes the exception."[31] It is the paradox of total mobilization that state control relies on its power over expendable human bodies—its ability to transform private citizens into bare life—for the securing of its own political potency.

Much has been made of the flat characterizations and caricaturish personalities of the characters in *Švejk*.[32] The cartoonish compulsiveness of characters like the "giant" Baloun, the tyrannical Lieutenant Dub, the drunken Chaplain Otto Katz, the vainglorious Cadet Biegler, even the skirt-chasing Lieutenant Lukáš not only reduces them to comic figures; it also makes them figures divested of any possibility of political integration or will, even while they are inscribed within the army's regulative structure. One could say that in a sense, almost all the characters in the novel are "idiots" in their own way. "Humbly report, sir," the hapless Batman Baloun announces himself, "I'm hungry all the time. When anybody has bread to spare I buy it from him for cigarettes, and it still isn't enough. I'm like that by nature.... Humbly report, sir, I respectfully beg to be allowed a double portion."[33] We should not diminish the importance of scatological humor in Hašek's novel for its simple, stupid, crude comic value; nonetheless, the eating, drinking, and excreting that may well be the novel's unifying motif also functions as an insistence on what remains irreducible—even in the most extreme manifestations of biopower—to state control.[34] This paradox, of the absolute control over the private body and the private body's absolute irreducibility, is one that is set up by the nature of the army itself. Universal wartime conscription is the state's announcement—in case

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

we have forgotten—that it is the state that owns its subjects' bodies and gains its strength from them; at the same time, however, it is these very bodies that must be eliminated in order to secure the health (and borders) of the state.

"The absolute capacity of the subject's body to be killed," writes Agamben, commenting on a passage from Hobbes' *De Cive*, "forms the new political body of the West."[35] Of course, in terms of Agamben's argument, this absolute capacity for death as constitutive of the (bio-)political subject far precedes the battlefields of World War I. Nevertheless, it seems fair to say that this notion gains renewed relevance on them. The "no-man's-land" towards which the nations of both the Allies and the Central Powers directed their subjects is the forerunner of the extermination camp as described by Agamben:[36] a zone of indistinction between trench and trench, nation and nation, subject and subject. Entering into it, one loses all predication and becomes the subject-corpse that the absolute state ideally rules over, the state that needs no more laws, because there is only one Law, that of cessation, and only one possible way to behave before the Law, to obey.

One-year volunteer Marek—who among several Hašek analogues in the novel is nonetheless perhaps the strongest of them—recounts the words of the despised Ensign Konrad Dauerling:

> "I know…that you're scum and that I'll have to knock out of your heads all your Czech bullshit. With Czech you won't even get to the gallows. Our supreme commander is a German too….what would happen if one of you didn't want to go on lying there and tried to get up. What would I do? I'd break his jaw up to his ears, because it would be an act of insubordination, mutiny, opposition, dereliction of duty for a good soldier, a breach of order and discipline and contempt for official instructions in general. From this it follows that a bastard like that is destined for the gallows and 'forfeiture of any claim to respect and civil rights'."[37]

Dauerling's rant is its own satire in its logical confusion and redundancy. His litany of crimes against the state goes from the serious ("insubordination, mutiny") to the banal or at least the fairly widespread "contempt for official instructions." His recitation of corresponding punishments follows the same illogic. The implication that "forfeiture of claim to respect and civil rights" is the evil that follows upon the gallows as a penal *coup de grâce* resembles nothing so much as Freud's joke about the man led to his execution who asks his executioners for a scarf so that he won't catch cold.[38]

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

Gallows humor though it may be, however, this bit of nonsense placed by Hašek in the mouth of an ultra-German nationalist officer is instructive for understanding just what kind of politico-military structure we are dealing with in the novel. *First* the Imperial Army kills you; *then* it takes away your rights as a subject. Those that are not killed are not even human but merely "zoological": baptized with ever more fanciful animal terms such as "Engadine goat" and "ox-headed toads,"[39] the army's recruits are quickly made to understand their place within the political order.[40] Particularly if one is a native of the subjugated Slavic nations, one must first be turned into a pure body—and ideally a dead one—before one even gains the right to have one's rights taken away. Hašek's mobilized Hapsburg Empire is, in Agamben's terminology, a "thanotopolitical" state, in that it requires its subjects to be dead in order to be proper subjects. "Once, when he knocked out a recruit's eye" Marek recounts of Dauerling, "he declared in German, 'Ugh! What a lot of fuss about a bastard that'll peg out anyhow'."[41] It is only after "pegging out" that the subject is promoted to something like a full citizen. As Marek himself says rather succinctly a few pages earlier: "And after your death you will get the *Signum Laudis* or Great Silver Medal: the Imperial and Royal purveyors of corpses with or without stars. Why, any ox is better off. They kill it in the slaughterhouse and don't drag it beforehand to the drill-ground and to rifle practice."[42]

Part of Švejk's "genius," then—as well as his idiocy—is to replicate the situation of animality or bare life without outside compulsion. The Empire cannot turn Švejk into a dog, because, in a sense, he already is one. Peter Steiner, with reference to Karl Kosik, notes that besides certain evident cultural and thematic similarities between Kafka's *Trial* and Hašek's *Good Soldier Švejk*, there is also an uncanny structural congruence to the two Prague authors' works.[43] Kafka's novel famously ends with K.'s execution, marked by the sentence: "'Like a dog!' [K.] said; it was if the shame of it must outlive him."[44] Almost as famously and just as violently, Hašek's novel begins: "'And so they've killed our Ferdinand,' said the charwoman to Mr Švejk, who had left military service years before, after having been finally certified by an army medical board as an imbecile, and now lived by selling dogs—ugly, mongrel monstrosities whose pedigrees he forged."[45] Joseph K., made dog-like at the moment of his death through the monstrous machinations of the Law, has his comic counterpart in Josef Švejk, who, shamelessly dog-like from the beginning, again and again escapes the violence that the army would visit upon him.

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

Steiner further compares Švejk to Diogenes the Cynic, "the philosopher-dog par excellence."[46] But something less, and yet much more, is at work in Hašek's novel than "a specific [shared] stratagem for extracting oneself effectively from social constraints of any kind."[47] Švejk's evasion is not that of Chalice barkeeper Palivec, who cynically attempts to say nothing—"I'm a tradesman and when anyone comes in here and orders a beer I fill up his glass. But Sarajevo, politics, or the late lamented Archduke are nothing for people like us. They lead straight to Pankrac [prison]"[48]—and ends up in Pankrac anyway. Palivec's emphatically apolitical stance is that of a man who is political through and through, who knows just what dangers expressing one's opinions in a surveillance state brings. Švejk, as we have already seen, is what Palivec is merely pretending to be: the totally ahistorical and apolitical man, the subject so perfectly unconscious of his subjection that he can neither reap its benefits nor incur its disadvantages. Thus, if Agamben's homo sacer is the political abject who can be killed but not sacrificed, Švejk is a satire on the idea of biopolitics as such. That is, as a "Czech swine" and mere recruit, he can of course not be sacrificed; but—as far as the fiction is concerned—*neither can he be killed*.

As a prelude to, and the immediate cause of, his "anabasis," Švejk loses his identity papers:

> "Humbly report, sir," Corporal Palának whispered mysteriously, "he hasn't any military documents to show he's going to his regiment."
> The lieutenant did not hesitate to solve this difficult question with the judgment of Solomon.
> "Then let him walk," he declared. "Let them gaol him at his regiment for coming late. Who on earth wants to be plagued with him here?"[49]

"Let him walk": in military terms, this is the *sacer esto* that makes Švejk an identityless, battalionless man. But the situation is almost more complicated than that described by Agamben, for example in the case of the refugee or political exile. For the law that Švejk has been (at least temporarily) shut out of is already a law of death, and the movement from the bare life of the trench soldier to the insecurity of the exile is in fact a sort of promotion. These double and triple inversions of the state of exception—to which Švejk, furthermore, never raises a complaint or demands the restoration of a lost right—mean that the mobilized state is always-already ironic, and allow simple Švejk to wander through the novel as at once absolute outsider and accidental satirist.

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

ŠVEJK AND SABOTAGE

Upon Švejk's return from his "anabasis," Lieutenant Lukáš threatens: "Don't start again, Švejk, with that bullshit of yours, or something really will happen. In the end we'll put a stop to your tricks once and for all. You have raised your idiocy to the degree of infinity until everything has burst catastrophically."[50] He is half right. Švejk's idiocy is indeed "idiocy raised to the degree of infinity": it is not idiocy "about" anything, it is idiocy *qua* idiocy, pure idiocy, an incapacity that is not qualitative but constitutive and absolute. The previously quoted first sentence of the novel establishes that Švejk "had left military service years before, after having been finally certified by an army medical board as an imbecile."[51] Švejk's own first words upon his first of several cross-examinations by the Law (in this case the police commissioner investigating subversive civilian activity), in response to the order to "Take that idiotic expression off your face" confirms this categorical judgment:

> "I can't help it," replied Švejk solemnly. "I was discharged from the army for idiocy and officially certified by a special commission as an idiot. I'm an official idiot."[52]

Švejk is legally, officially, terminologically, terminally an idiot: in other words, under the law, he *can only* be incompetent. In subsequently asking Švejk for competence, the law nullifies its own judgment. Thus Švejk does not actually need to do anything—that is, if he *could* do anything—to undermine the official system: his mere presence within the system is a violation of the system *de jure*. The Law, therefore, has set up its own conditions for sabotage; it has provided the structure for its own satirizing.

In Švejk's first significant encounter with the Law—once again, at the police station—he literally signs his name to the position-taking that will characterize his actions throughout the rest of the novel, in a deservedly oft-quoted passage:

> Švejk fixed his good blue eyes on the ruthless man and said softly:
> "If you want me to confess, your worship, I shall. It can't do me any harm. But if you say: 'Švejk, don't confess to anything,' I'll wriggle and wriggle out of it until there isn't a breath left in my body."
> The severe gentleman wrote something on the documents and handing Švejk a pen invited him to sign it.
> And Švejk signed Bretschneider's deposition with the following addition:
> All the above-named accusations against me are founded on fact. Josef Švejk[53]

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

Švejk's act of signing the deposition, or rather the words with which he announces his willingness to sign, mark the absolute limit of the Law's authority (as well as the limit of language insofar as the Law is dependent upon it for its functioning). The fact that Švejk agrees to sign or not sign, according to the Law's will, means that the content of the accusation is nullified. There is no longer anything like presence or commensurability in the relation of the signature to the Law, or of the Law in relation to the signature. It does not matter whether Švejk is guilty of incitement, etc., or not: what matters is that the Law is absolutely sovereign—and in its absolute sovereignty, just as absolutely meaningless. Set off in small type, the police commissioner's strangely redundant addition to Bretschneider's deposition—that "all the above-named accusations…are founded on fact"—attests to this panic at the heart of empty legality. In a normal situation, signing one's accusation would be enough to establish the accusation as fact. But in the situation in which the Hapsburg Empire finds itself, the agent of the Law—interestingly, paradoxically, and consistently described as a "gentleman of the criminal type" or "the gentleman with the features of bestial cruelty"[54]—feels compelled to append this legalistic excess to the document. The reduplication of legal authority is the Law's *mise en abyme* and self-satirizing. Švejk's calm acquiescence breaks down the necessary distinction between real guilt/enforceable law, and fake guilt/unenforceable or total law. When asked later, by an "amiable" magistrate, one of those "who did not take the law so seriously, for everywhere wheat can be found among the tares"[55] if he was forced to sign the deposition against him, Švejk replies, "Why, of course not, Your Worship. I asked them myself if I had to sign it, and when they told me to do so I obeyed. After all, I wouldn't want to quarrel with them just because of my signature, would I? It certainly wouldn't be in my interest to do that. There must be law and order."[56] Legally speaking, then, Švejk's "law and order" is a more threatening kind of anarchy than anything the terrorist Black Hand could hope to accomplish:

> As soon as the door closed behind him, his fellow prisoners deluged him with questions of all kinds, to which he replied clearly:
> "I've just admitted that I might have murdered the Archduke Ferdinand."
> Six men crouched in horror under the lice-ridden blankets. Only the Bosnian said: "*Dobro dosli*" ["Welcome"].[57]

Švejk must not only admit his guilt, but also the truth of this guilt, *including and especially* if he is not guilty of the charges against him. (And in fact, the

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

idea, not actually part of the interrogation itself, that Švejk has been accused of having possibly committed the assassination in Sarajevo is, besides its historical falseness and logical absurdity, the comic *reductio ad absurdum* of the whole scene.) Because of the legal riddle Švejk poses, one admission of guilt alone is not enough—but if one admission is not enough, then two, or three, or n+1 admissions will also not be enough to satisfy the hungry insecurity of the absolute state. Thus Švejk's willingness to oblige or humor the Empire is enough to break open the entire projection of power upon which the Empire rests. Švejk could go on obeying forever—as indeed he does. And the more he obeys, the more the Empire's sovereignty, as if by logical necessity, crumbles around him. For the law is where "The § strangled, went mad, fumed, laughed, threatened, murdered, and gave no quarter. The magistrates were jugglers with the law, high priests of its letter, devourers of the accused, tigers of the Austrian jungle, who measured their spring on the accused by the number of clauses."[58] As in Kafka's *Trial*—albeit with a significant difference of mood—a contentless Law requires an infinite submission. But the corollary to this is equally valid, and it is what is demonstrated in the novel from the first page to the (not exactly) last: *an infinite submission necessarily implies a contentless Law.*

"What, after all," asks Agamben, "is a State that survives history, a State sovereignty that maintains itself beyond the accomplishment of its *telos*, if not a law that is in force without signifying?"[59] We do not need to examine the historical reality of the Austro-Hungarian empire to imagine that this is precisely the situation described, comically to be sure, in *The Good Soldier Švejk*. "We're all of us in a nasty jam," replies Švejk early in the novel to his cell-mates who are insisting upon their innocence before the law:

> You're not right when you say that nothing can happen to you or any of us. What have we got the police for except to punish us for talking out of turn? If the times are so dangerous that archdukes get shot, no one should be surprised if he's carried off to police headquarters. They're doing all this to make a splash, so that Ferdinand can have some publicity before his funeral.... Once it gets into the courts it's bad. But that bad it has to be.... Jesus Christ was innocent too...and all the same they crucified him. No one anywhere has ever worried about a man being innocent.[60]

Agamben describes the *iustitium*—the Roman designation for the paralegal or anomic order that is the state of exception— as a "paradoxical coincidence of private and public, of *ius civile* and *imperium*."[61] The mobilized nation can be

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

spoken of in precisely these terms. Whatever the high degree of discipline and regulation involved, wartime in a post-feudal state dissolves the distinction between civil and military society, submitting both to the law of necessity rather than contract or norm, a situation for which the phrase "emergency powers" is perhaps the most apt example and expression. The regimentation of the military, the totalitarian organization of civil life in the service of a state that does not exist beyond this very regimentation and civil state-religion, is at once the very basis of state sovereignty and the exposure of its legal fiction.

Thus the abrupt announcement that begins *The Good Soldier Švejk*—of Franz Ferdinand's assassination—effectively places the entire novel within the domain of the state of exception: a juridical situation in which anything can become permissible, in which it becomes "impossible to distinguish transgression of the law from execution of the law, such that what violates a rule and what conforms to it coincide without any remainder."[62] Švejk's blithe rule-breaking and his seeming immunity to punishment may be read in this context. The state of exception that the assassination and subsequent war creates announces the latent basis of empire—the ability of the sovereign to suspend the law. But, as Agamben notes, this ability to suspend the law in cases of emergency means that the law is grounded in nothing but sovereign power, a power which is only sovereign by virtue of its ability to declare a state of exception. The potentially fatal consequences of this mechanism do not preclude one's taking notice of its essentially farcical structure. It is a commonplace that the bourgeois-imperial-nationalist ideology of nineteenth-century Europe achieved both its logical apotheosis and its effective death in the trenches of World War I. One might even go so far as to say that the Great War itself functions as a parody of the concept of the nation-state as historical, technological, and ontological *telos*. That is, the *telos* of the nation-state is revealed to be its function as killing-machine; the freedom of the legal subject—the perfect identity of the private and the public individual[63]—is fulfilled in his death on the battlefield. Every soldier, effectively, is unknown; every unknown dead soldier is the ideal citizen of the consummated State.

The law that is powerful only because of its ability to suspend itself and the state that fulfills itself only in the destruction of its own subjects represent both absolute power and the empty absurdity of power's foundations. It is precisely this farcical self-evidence of empire that Hašek—and Švejk—exploit. And like the youth who points toward the open door before the Messiah (in the illuminated manuscript described by Agamben), Švejk's infinite and infinitely

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

unfulfilling obedience is a satirical facilitation where there is actually no resistance, "a door that allows no one to enter on account of being too open."[64] Of Švejk too, it can be said: "If one gives the name 'provocation' to the strategy that compels the potentiality of the Law to translate itself into actuality, then his a paradoxical form of provocation, the only form adequate to a law that is in force without signifying."[65] By making himself into the perfect actuality of the Law's potentiality, the frictionless, doggedly literal slide from writ to practice *whether or not* that practice actually makes any sense, Švejk consistently exposes the universalizing pretensions of Imperial Law (and the war set to defend it) as nothing more than a tenuous fantasy.

The historiographical counterpart to Švejk's legal thought is the writings of designated battalion historian one-year volunteer Marek (whose cynicism with regard to the Empire we have already encountered), which describe great battles and glorious deaths before they take place. If Švejk's complaisance tests the limits of the Law that posits itself as absolute, Marek's war chronicle overturns the teleological notion of state history by carrying it to its logically absurd conclusion:

> Vaněk watched with interest how the volunteer was busily writing and laughing heartily in the process. Then he got up and leant over his shoulder. Marek started to explain to him: "You know, it's enormous fun writing a history of the battalion in advance. The main thing is to proceed systematically. In everything there must be a system."
>
> "A systematic system," observed Vanek with a more or less contemptuous smile.
>
> "Oh, yes," the volunteer smiled nonchalantly, "a systemized systematic system of writing the battalion's history. . . . Everything must go gradually according to a definite plan. . . . *Nihil nisi bene*. The main thing for a conscientious historian like me is first to draw up a plan of our victories."[66]

Like Švejk's obedience, the triply tautological "systematized systematic system" with which Marek writes his elaborate histories takes army rhetoric—in this case, that the Empire must and will be victorious over its enemies—at face value. The soldier may only obey: Švejk obeys. The army may only be heroic and victorious: Marek recounts as much. What results from a literalism that flies in the face of actual events—a suspension of suspension, as it were, *decision as such*—is incoherency. Švejk's unironic willingness to obey and Marek's cynical patronizing of army propaganda alike are the confusion (or perhaps

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

the preferring not to) of the Messiah before a wide open door. Unsettling as the comparison might be, the provocation of Švejk, in particular, represents the "silent [or, we would add, unwilled] form of resistance" that Agamben attributes to the figure of the Muselmann. However vast the difference in register, Švejk's characteristic opacity and literal-mindedness *also* creates a situation in which "a law that seeks to transform itself entirely into life finds itself confronted with a life that is absolutely indistinguishable from law"[67]:

> "So you see, you bastard, what happens here when anyone starts getting awkward or trying to escape," said Staff Warder Slavík, concluding his pedagogical discourse. "It's sheer suicide, and by the way suicide's punished too. And God help you, you miserable shit, if when there's an inspection you take it into your head to complain about anything. When there's an inspection and you're asked: 'Have you any complaints?' you have to stand at attention, you stinking vermin, salute and answer: 'Humbly report, none. I'm completely satisfied.' Now what are you going to say, you lousy oaf? Repeat what I said!"
>
> "Humbly report, none. I'm completely satisfied." Švejk repeated with such a sweet expression on his face that the staff warder was misled and took it for honest zeal and decency.[68]

Švejk's complete obligingness, his total readiness to identify himself with the Law no matter what actual form it takes, serves the function of emptying himself out as a political or rather legal subject. But the State requires subjects—loyal, fearful, useable—for its own authority. This is the paradox operative in *Švejk*, the paradox at which its satire is directed. The Law requires obedience in order to be in force. But obedience without will—even, without resistance—nullifies it as a meaningful construct.

The "empty subject" that Švejk presents is at once too much and too little for the Hapsburg Empire's maintenance of its legal and political sovereignty. Rather, it is the perfect complement to the Empire's own internal contradictions and logical absurdities. It is tempting to say that in his signing of the oath at the police station, Švejk legally takes on, not the accusations made against him—including such crimes as high treason, abuse of the Imperial Family, approval of the murder of the Archduke, and incitement—but rather the total imbecilic agreeability that did indeed come to be attached to his name in Czech cultural vernacular. In other words, in this scene Švejk becomes, not just an official idiot, but also—under the pressures of a suddenly vulnerable Empire—an official "Švejk." One might speculate that it is precisely the state

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

experiencing a period of crisis, transition, or totalitarian rule—Brecht's "Zeit der Illegalität" ["Time of Illegality"]: or, indeed, the state of exception—that turns ordinary idiots into full-fledged Švejks. The empire that would conscript its private and/or incapable citizens, be it into war or into political life in general, can produce nothing but the acquiescent yet unconcerned idiot. The Greek meaning of idiot as "private person" is precisely what is at stake here. The idiot and the *zoon politikon* are not just temperamentally, but *definitionally* opposed; to attempt to turn the one into the other is not only to risk their mutual cancellation, but also, for the polis, to risk its own absurdity. The very fact that the Hapsburg Empire wants Švejk for its war effort reveals its own ridiculous nature and inner incoherency. In forgetting that the "official idiot" literally cannot (in any logical way) also become the "good soldier," Hašek's Austria-Hungary effectively turns itself into a contradiction. It becomes a "private" and an idiotic empire, *Imperium Stupidum*: alienated from common sense and its subjects alike, spun in on itself and its own empty protocols, no longer projecting its power because it is too busy gazing at its own mirror image, a tautology in which power as such dissolves. What is left in this case is either death—the trenches, the Empire as thanatopolis—or Švejk.

ŠVEJK AND SATIRE

Bakhtin writes that "The satirist whose laughter is negative places himself above the object of his mockery, he is opposed to it. The wholeness of the world's comic aspect is destroyed, and that which appears comic becomes a private reaction. The people's ambivalent laughter, on the other hand, expresses the point of view of the whole world; he who is laughing also belongs to it."[69] Bakhtin's idea of the carnivalesque—which contains its own problems—may not be totally applicable to the case of *Švejk*, but it does bear upon the novel to some degree. Certainly the Menippean satire, the picaresque novel—both terms which have been applied to *Švejk*—contain similarities to Bakhtin's idea of the carnivalesque as the purposeful, norm-destabilizing, anarchy of form. Another possible—and admittedly specious—etymology for the name "Švejk" is the German word "Zweck," or goal, purpose, destination, which would, of course, be wholly ironic here. Hašek died before finishing his novel, but it is difficult to imagine how it could have possibly ended. Its formal mechanism is to get ever closer to the Eastern Front, an advance which

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

is postponed not so much by military problems (although those also certainly exist) but by the novel itself and its Švejk-like proliferation of anecdotal information. The novel as we have it ends with the repulsive Lieutenant Dub drunkenly recounting, "The district hejtman and I always used to say: 'Patriotism, fidelity to duty, victory over oneself, these are the weapons that matter in warfare.' I am reminded of that especially today when our troops will in foreseeable time be crossing the frontier."[70] However, patriotism, fidelity to duty, and victory over oneself are precisely the things that Švejk lacks. Švejk, rather, is politically apathetic, inveterately lazy, and above all incontinent, in terms both of his personal habits and especially his speech. Additionally—and despite the historical reality of the First World War—in the novel there is no "foreseeable time" in which the troops will be crossing the border. There are, it is true, ominous portents of war as the transport moves into Poland—in fact, occasionally, if anomalously, there are passages of real somberness in *Švejk*—but overall it seems that the war is more or less an endless string of misadventures, meanderings, and general fuck-ups.

Peter Steiner writes that Švejk's "ability to push the limits of a system derives from the fact that he is a crystallization of a very specific and essential trait of human nature—our ability to play. Like Diogenes, Švejk is a representation not of the genus *Homo* as such, but of its small subgroup *Homo ludens*."[71] We hope we have succeeded in suggesting that Švejk is a more radical figure even than that. For the most part, Švejk's actions are not willed enough, not inventive enough, and indeed not playful enough to characterize him as a representative of human spontaneity and creativity. Despite popular critical opinion, and disregarding for the moment Hašek's own personality and authorial intent, the principal mechanism operative in *The Good Soldier Švejk* is not that of human fancifulness versus institutional rigidity, in the manner, for example, of Bakhtin's "people's grotesque" or the Dada movement's challenge to the political status quo of its (and *Švejk*'s) time. Indeed, one of Švejk's most prominent character traits is that, unlike Diogenes the Cynic, he is utterly incapable of irony, wit, or humor. He does not once laugh. Snide comments and jokes alike slide off him, and his own speech is an embarrassment of over-literalisms and truly meaningless—rather than playfully meaningless—associations. If Švejk's remarks do sometimes sound like punch lines, it is only from an outsider's perspective; but the quasi-autistic character of Švejk "means" the humor no more than a child who commits a malapropism intends for it to be funny.

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

Much more (or rather, much less) than a Czech Everyman or Officers' Club jester, Švejk is the Man Without Qualities of the Empire's lumpenproletariat cum soldier corps: body without pleasure or pain, language without reason, activity without direction, desire, intention, or end. Even the terms used to describe Švejk's appearance bespeak his lack of particularity: "The enclosed," dryly notes an official military letter, "has a small stocky figure, a symmetrical face and nose and blue eyes without special characteristics."[72] But more than Švejk's anonymity (within which he is still, after all, a "vivid character"), it is Švejk's near-total lack of affect and will that qualifies him as the literary and political non-subject *par excellence*. We refer, again, to Agamben's thinking on "pure being without predicate," as a possible counterweight to the presumptions of the metaphysical tradition, a literalization or (paradoxically) a making-present of non-presence: suspension, *epokhè*. In Švejk, and perhaps not just in Švejk, an infinite or absolute deferral of potential results in a kind of pure, and purely neutral, actuality without meaning, a real so real it ceases to be real any more. Such a notion of being without either predicate or *telos* may be considered as the ontological counterpart to the legal situation of the state of exception, formulated by Agamben in the plangent question: "*what is a human praxis that is wholly delivered over to a juridical void?*"[73] In other words: suspension of willing, Bartleby-style, is to being and to inner life as suspension of acting, Švejk-style, is to law and public life. Thus, within their respective milieus, both cases serve a similar function; that is, they introduce into the system *the precise thing that must be excluded from the system in order for the system to exist*. And as with Derrida's notion of the "grafting" of the linguistic "remainder," such reincorporation of the *necessarily* outlawed and abject has potentially destabilizing consequences. If the state as such is based, as Agamben claims, on the simultaneous annexation and exclusion of its own anomie, then the reinsertion of anomie within the state—here in the form of a living blankness whose only "memorial" to himself is "a list in three columns of all the soups, sauces, and main dishes which he had eaten in civil life"[74]—is the undoing of the state's claim to power and autonomy, effectively the undoing of the state itself. And if the sovereign is the figure who has the power to suspend the law—to bring about a state of exception, to "not decide," to bring a "present" emptiness of law to bear on the constitutive emptiness of law or to effect a doubling of the emptiness of the law (which borders on or even *is* the parodic form of that law)—Švejk, paradoxically, comically, is the unwitting sovereign of at least the novel's world. But because he is not in fact in any position of power but,

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

legally-speaking, subordinate, Švejk's ability to put the non-law of the war into double suspension through a reduplicative idiocy is necessarily an act of sabotage, upsetting the already-fragile chain-of-command and throwing not just the Empire's military operations, but the whole historico-political ideology with which the Empire justifies its war, into question.

It would be much too much, however, to claim Švejk as an intentionally revolutionary figure, the citizen who enacts "The only truly political action…that which severs the nexus between violence and law."[75] The fact that no substantial intentionality can be attributed to Švejk makes him both more and less than the messiah of Benjamin's imagination or the metajuridic liberator of Agamben's text. Rather, Švejk embodies the structural mechanism that mirrors, exposes, and ultimately undermines the corresponding mechanism of the law. "And so ended Švejk's Budejovice anabasis," intones the novel's narrator at one point. "It is certain that if Švejk had been granted liberty of movement he would have got to Budejovice on his own. However much the authorities may boast that it was they who brought Švejk to his place of duty, this is nothing but a mistake. With Švejk's energy and irresistible desire to fight, the authorities' action was like throwing a spanner into the works."[76] Foucault, speculatively reversing Clausewitz's infamous dictum, offers the possibility that the inversion of the relationship in historiographical and political thinking between violence and politics means "The final decision can come only from war…. It means that the last battle would put an end to politics, or in other words, that the last battle would at last—and I mean 'at last'—suspend the exercise of power as continuous warfare."[77] Thus was the famously mistaken phrase "the war to end all wars" to prove a grim irony: less because Wilson was too naïvely utopian in his humanitarian hopes than because his humanitarianism was based on a misunderstanding of where power and violence in the state actually lie.

Such is precisely the works into which Švejk's impassivity and impassability are thrown, a satirical de(con)struction-device which transforms the state's murderous gearwheels into their own system-jamming spanner. In the novel, power is indeed suspended in a seemingly final warfare, but the warfare is itself suspended in the impotency of power, including and especially when confronted with the iterative and parodic idiocy of our "good soldier." If one accepts Foucault's hypothesis that the modern biopolitical state has its origin in precisely this conception of the history of wars as history *per se*, the practice of suspension does indeed force a rethinking of the seemingly inescapable

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

correlation of violence and the political. But it must also be kept in mind that Švejk's thematic idiocy is not incidental. It would be misguided, in other words, to consider Švejk as a model to be followed, be it out of one's own genuinely political impulses or from a certain jokey solidarity with folly.[78] The Muselmann must ultimately remain a figure of horror. Only a pure idiocy, on the other hand, a purely innocent failure to comprehend—and thus to be held responsible—is sufficient to expose the aporia lodged within the system of the law. Švejk cannot be dominated for the simple reason that, in every regard (including and especially that of his biological existence) he truly, genuinely, absolutely, *does not care*. More even than Bartleby (who does after all dig his heels in), he offers no resistance but his own lack of resistance. Even the last vestige of individuality—that is, the persistence of his appetites and his body—are ultimately malleable or negligible. The Law does not strike him so much as go through him. For, needless to say, no human being (with the exception perhaps of the insane, a category Švejk does brush up against on more than one occasion) could achieve the level of guileless imbecility and indifference that Švejk embodies. This inhuman indifference, however, is precisely what makes him an effective satiric and counter-juridical force. Švejk is a *persona*: a perfectly empty legal fiction, not a psychological (particular, predicated, individual) subject.[79] He is a concept, or the structural counterpart of the mechanisms of power and their self-justification: specifically, the simultaneously improbable and tautological fact of idiocy incarnate.[80] And idiocy—the incapacity to comprehend or follow any kind of system, the "dumbness" of logic and of logos and the corresponding reliance on rule by emergency decree and *ad hoc* decision-making, the undoing of the notions of personal responsibility or culpability, of desire and will, that juridical power relies upon—*is* the aporia of the law.

Švejk is thus not a figure of humor or satire so much as the logic of satire personified. And while there is something anarchistic, or at least anarchic, in the world of *Švejk*,[81] perhaps the more important point for the *character* Švejk is his inherent ability to mobilize obedience for the sake of disobedience—or rather, for the sake of proving the constitutive absurdity of the Law he unfailingly agrees to obey.

In a seemingly offhand remark made during his 1975-76 lectures at the Collège de France, Foucault muses, "I think there is a fundamental, essential kinship between tragedy and right…just as there is probably an essential kinship between the novel and the problem of the norm. Tragedy and right, the novel

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

and the norm: perhaps we should look into all this."[82] If the biopolitical state is precisely one in which norms and rights, the social and the political, are collapsed, what sort of hybrid genre could be capable of dealing with such a problematic? One suggestion—for further looking-into—is that satire, on the Švejkian model, has been one possible response to this particular political, ideological, and historiographical construct—a response which does not uphold or further, but rather consistently "disturbs the progress of our time." On Bartleby's morose experiment in will-lessness, Agamben writes that "Emancipating itself from Being and non-Being alike, potentiality creates its own ontology."[83] We may apply this formula to *The Good Soldier Švejk* by saying that, emancipating itself from subjecthood and statelessness alike, total acquiescence creates its own politics. Švejk compels a decision, but, at the same time he reveals that there is no possible decision that can be made about him. His incapability of carrying out the obedience he declares himself ready for, his reduplication of imperial logic divested of imperial purposiveness, is the precise satirical counterpart to the Empire's incapability of comprehending or handling such a subject according to its own legal structures and historical teleology. And while the good soldier Švejk's future fortunes (unlike those of his comrades in stupidity, such as Bartleby, Myshkin, or Joseph K.), will forever remain undecided, his position as official idiot—a position he can hardly be removed from—stands as an exposure of the comic (or horrific) illegality that underlies state power itself.

---

1. Giorgio Agamben, *Potentialities: Collected Essays in Philosophy*, Daniel Heller-Roazen, ed. and trans. (Stanford: Stanford University Press, 1999), 256.
2. *Id.*, at 257.
3. *Id.*, at 261.
4. Jaroslav Hašek, *The Good Soldier Švejk*, Cecil Parrott, trans. (New York: Penguin, 1974), 19.
5. Herman Melville, "Bartleby," *Billy Budd and Other Stories* (New York: Penguin Classics, 1986), 12.
6. See Hašek, *supra* note 4 at 32.
7. *Id.*, at 31.
8. Robert Musil, "On Stupidity," in *Precision and Soul: Essays and Addresses*, Burton Pike and David S. Luft, eds. and trans. (Chicago: University of Chicago Press, 1990), 268.
9. *Id.*, at 279.
10. See Hašek, *supra* note 4 at 470.
11. *Id.*, at 275–277.
12. See Musil, *supra* note 8 at 283.
13. See Hašek, *supra* note 4 at 465.
14. *Id.*, at 506.

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

15. *Id.*, at 734–735.
16. While it is beyond the scope of this paper to examine this in the detail it deserves, it is also worth noting that what saves Švejk in this instance from a backside-kicking by Lieutenant Lukáš is the arrival of the evening's pork soup: thus it is that when the logic of *logos* and *leges* is dissolved, the only thing that remains (with any cohesion) is the *body*.
17. See Hašek, *supra* note 4 at 262–263.
18. *Id.*, at 422–423.
19. Jacques Derrida, "Signature Event Context," in *A Derrida Reader: Between the Blinds*, Peggy Kamuf, ed. (New York: Columbia University Press, 1991), 103.
20. See Hašek, *supra* note 4 at 19.
21. Avital Ronell, *Stupidity* (Urbana and Chicago: University of Illinois Press, 2002), 210.
22. *Id.*, at 210.
23. See Hašek, *supra* note 4 at 422.
24. See Musil, *supra* note 8 at 268.
25. See Hašek, *supra* note 4 at 487.
26. *Id.*, at 488.
27. Not so incidentally, at least for a consideration of satire's historico-political functions: Princip died of tuberculosis in solitary confinement in the prison at Terezin, later to become Thereisenstadt concentration camp, the halfway stop, as it were, between the Prague ghetto and Auschwitz-Birkenau. Ruth Bondi, who translated *Švejk* into Hebrew, recounts (as told by Avner Shats), "People in the Ghetto quoted Švejk all the time, and some could actually recite whole chapters by heart; the spirit of Švejk was so fitting to Ghetto life that one writer began to write the new adventures of Švejk in the Ghetto: He stands in the wrong line at city hall, has his ID stamped with the letter 'J,' and ends up in Terezin. The book was not completed as the writer died in the whereabouts of Auschwitz." See "Animal Review Makes the Scene: Švejk," *Animal Review: Fanzine of Herbivorous Youth* <http://www.shats.com/AR/Previous/AvnerJune.htm>.
28. See Hašek, *supra* note 4 at 259.
29. *Id.*, at 259.
30. *Id.*, at 226.
31. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, Daniel Heller-Roazen, trans. (Stanford: Stanford University Press, 1998), 148.
32. This technique of caricature, incidentally, is the reason why it seems wholly misguided to try to speculate on the "real" intentions of Hašek's main character (as for example Cecil Parrott does in the introduction to his translation): while Švejk's actions are certainly not always consistent, he nonetheless cannot be said to have a character beyond or beneath them. Hašek's own political views and temperament are more or less clear, even without recourse to biographical information: but Švejk, however colorful a character, is less an individual than a narrative conceit.
33. See Hašek, *supra* note 4 at 398.
34. This is something that Bertolt Brecht also failed to understand in his stage adaptation of Hašek's novel, *Schweyk in the Second World War,* John Willet, trans. (New York: Arcade Publishing, 2000). During Schweyk's interrogation at Gestapo headquarters, S.S. Lieutenant Bullinger addresses his cross-examinee with "Here's the question: Do you shit thick or do you shit thin?" "Beg to report, sir," Schweyk responds, "I shit any way you want me too," *id.*, at 80, Scene 2. While this answer obviously conforms to Švejk's general attitude towards authority, it basically misses the point: shitting is one of the few things that falls completely outside the law's domain. Even in the army, one goes to the latrines in private. Brecht seems to have taken up Hašek's scatological motif only for its theatrical shock value, as a way to show the S.S. man as a tyrant and a vulgarian, thereby missing any of the deeper possible implications of Hašek's unseemly subject matter. (Or, more charitably, it could be that Brecht's change reflects the real extremes to which biopower was taken under the Third Reich, compared to which even the institutional slaughter of World War I looks comparatively carefree.)

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

35. See Agamben, *supra* note 31 at 125.
36. Let us ourselves state the obvious exception that *unlike* the extermination camps of the Nazis, the battlefields of World War I were not explicitly designed for the purpose of killing off an anathemized section of the population. Ostensibly, the idea was still that every soldier would come home victorious and a hero. But the well-known fact that advances in military technology made this idea a bitter farce also established the ground for the possibility of the later wholesale elimination of populations.
37. See Hašek, *supra* note 4 at 296–297.
38. See Sigmund Freud, *Jokes and their Relation to the Unconscious*, James Strachey, trans. (New York: W.W. Norton, 1960), 285.
39. Hašek, *supra* note 4 at 294.
40. In this respect, it may be interesting to note that one of Hašek's stump speeches for his 1911 mock political campaign as a candidate with "The Party of Moderate Progress Within the Bounds of the Law" takes a stand against the use of animal names as invective epithets. The speech ends with candidate Hašek's impassioned plea: "People talk of dogs with greatest contempt, just because their name is used as a term of abuse for human beings. And yet we see that dogs under the name of police dogs perform today yeoman service for the safety of all humanity. It would therefore be only right for animals to be rehabilitated, at least as far as concerns these wisest representative of the whole animal kingdom. It would be a good thing if those who insult police dogs were prosecuted for insulting official personages. Let us all in future do our best to see that animals are looked upon as beings which deserve the respect every political party, and that their names are not used by them for unwarranted agitation in the electoral campaign." See Zenny K. Sadlon, *Švejk Central* <http://zenny.com/Švejk/ŠvejkCentralNN.html>.
41. See Hašek, *supra* note 4 at 296.
42. *Id.*, at 292.
43. Peter Steiner, *The Deserts of Bohemia: Czech Fiction and its Social Context* (Ithaca: Cornell University Press, 2000), 36–37.
44. Franz Kafka, *The Trial*, Willa and Edwin Muir, trans. (New York: The Modern Library, 1964), 286.
45. See Hašek, *supra* note 4 at 3.
46. See Steiner, *supra* note 43 at 37.
47. *Id.*, at 39.
48. See Hašek, *supra* note 4 at 7.
49. *Id.*, at 238–239.
50. *Id.*, at 286.
51. *Id.*, at 3.
52. *Id.*, at 20.
53. *Id.*, at 22.
54. *Id.*, at 20.
55. *Id.*, at 23.
56. *Id.*, at 25.
57. *Id.*, at 22–23.
58. *Id.*, at 24.
59. See Agamben, *supra* note 31 at 60.
60. See Hašek, *supra* note 4 at 18–19.
61. Giorgio Agamben, *State of Exception*, Kevin Attell, trans. (Chicago: University of Chicago Press, 2005), 49.
62. See Agamben, *supra* note 31 at 57.
63. See the concluding paragraphs of G.W.F. Hegel, *The Philosophy of History*, J. Sibree, trans. (New York: Prometheus Books, 1991), 456: "This is the point which consciousness has attained, and these are the principle phases of that form in which the principle of Freedom has realized itself—for the History of the World is nothing but the development of the Idea of Freedom. But Objective Freedom—the laws

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

of *real* Freedom—demand the subjugation of the mere contingent Will—for this is in its nature formal. If the Objective is in itself Rational, human insight and conviction must correspond with the Reason which it embodies, and then we have the other essential element—Subjective Freedom—also realized." That is, the freedom which is the goal of political history (for which Hegel, incidentally, deems imperial, Catholic Austria yet unripe) is the perfect correspondence without remainder of subjective will with sovereign law. It is especially instructive that in the paragraph preceding this statement, Hegel cites the fact that "a share of the government may be attained by every one who has *a competent knowledge, experience, and a morally regulated will*," *id.*, at 456, (emphasis added). Those without—the state's idiots—may, it is implied, opt out of public life. One could say then that the innovation of universal military conscription is the ultimate form of political participation furnished by the nation-state to its citizen-subjects, and without even the above bothersome requirements.

64. Agamben, *supra* note 31 at 56.
65. *Id.*, at 56.
66. See Hašek, *supra* note 4 at 580.
67. See Agamben, *supra* note 31 at 185.
68. See Hašek, *supra* note 4 at 82.
69. Mikhail Bakhtin, *Rabelais and His World*, Hélène Iswolsky, trans. (Bloomington: Indiana University Press, 1984), 12.
70. See Hašek, *supra* note 4 at 752.
71. See Steiner, *supra* note 43 at 48.
72. See Hašek, *supra* note 4 283.
73. See Agamben, *State of Exception*, *supra* note 61 at 49.
74. See Hašek, *supra* note 4 at 716–717.
75. See Agamben, *State of Exception*, *supra* note 61 at 88.
76. See Hašek, *supra* note 4 at 284–285.
77. Michel Foucault, *"Society Must Be Defended": Lectures at the Collège de France*, 1975–1976, David Macey, trans. (New York: Picador, 1997), 16.
78. Particularly in its native Czech Republic, as well as throughout Germany, Northeastern Europe, and Russia, *The Good Soldier Švejk* is not merely a work of literature but a full cultural phenomenon. Among other examples, Švejk's name has been given to over a dozen bar-restaurants, a documented medical syndrome, a hockey strategy ("Švejking"), a planet, and, most significantly, the political (or, rather, apolitical) principle of "Švejkism." See Sadlon, *supra* note 40. On "Švejking" in particular, see Nick Paumgarten, "On the Ice, the Shadow Knows," *The New Yorker*, 1 May 2006.
79. See Werner Hamacher, "The End of Art with the Mask," *Hegel after Derrida* in Stuart Barnett, ed. (London and New York: Routledge, 1998), 124, on the slide in Hegel's thought from comic subjectivity (specifically in the late or romantic stage of art) to abstract legality: "it is this dispatch of the self from every substantial fulfillment through the 'national spirits,' through laws, conventions or the contents of faith that dilute the subject, reduced to its most abstract form, into a 'spiritless,' 'disembodied' 'individual person'—to a legal person as the absolute mask that no longer conceals anything and is worn by no one but 'fate.'" *Švejk* takes this emptying-out of the subject at its literal word, confronting a law which posits a nation of nonentities with the paradoxical, provoking figure of *a nonentity in flesh and blood*.
80. One might say that Švejk's embodied mindlessness is the parodic double of the Hegelian Christ, that is, Spirit*less*-ness incarnate. In a manner similar to that which allows Agamben to (however problematically) claim Bartleby as a kind of Benjaminian messiah: in Hašek's vision, at the never-ending end of history (again, the "war to end all wars"), stands reconciliation indeed, but in negative rather than positive form.
81. See John Snyder, "The Politics and Hermeneutics of Anarchist Satire: Jaroslav Hašek's *The Good Soldier Švejk*," 2 *LIT* 289–301 (1991).
82. Foucault, *supra* note 77 at 175.
83. Agamben, *Potentialities*, *supra* note 1 at 259.

This content downloaded from 147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms

This content downloaded from
147.251.94.148 on Tue, 07 Mar 2023 12:59:18 UTC
All use subject to https://about.jstor.org/terms