

Nemesis then intrudes in the guise of a brigand named Johan Nagelschmidt. Kohlhaas is tricked into making a fatal mistake: he communicates with Nagelschmidt, a former follower, who is still leading an outlaw band and pretending to fight on for Kohlhaas. Consequently, Kohlhaas is quickly condemned to a horrible death (*so ward er verurteilt, mit glühenden Zangen von Schinderknechten gekniffen, gevierteilt*).

On a larger stage, electoral and regional Aussenpolitik oscillating between Brandenburg, Saxony, and Poland seem for a time to mitigate yet again in favor of Kohlhaas. At one juncture, he is packed off from Dresden to Berlin, to be judged on his home turf of Brandenburg. Yet ultimately, since he represents a mortal threat to the status quo, it is deemed necessary to make *ein abschreckendes Beispiel* of Kohlhaas, and his death sentence is allowed to stand.

In a plot twist worthy of Wikileaks, the Elector of Saxony becomes aware that Kohlhaas has in his possession an amulet containing a scrap of paper upon which is written a prophecy concerning the House of Saxony. It was written by a gypsy fortune teller. The elector becomes obsessed with this written prophecy (*...der Besitz dieses Zettels von der äussersten Wichtigkeit sei*) and expends tremendous effort to obtain it, but fails to do so.

Just before he is executed, Kohlhaas is informed that his original lawsuit has finally been decided in his favor. Hence the prosperous horse dealer (*cum* righteous terrorist *cum Weltverbesserungswut* laden revolutionary) exits this world with a sense of justice having been served. In an exquisite act of ultimate revenge, he also swallows the piece of paper on which the prophecy concerning the Elector of Saxony is written, leaving the Elector writhing in agony (*zerrissen an Leib und Seele*) over the content of that prophecy.

Great stories end by beginning again, provoking us to traverse the story anew, refusing to release us. We've been there before, but we want to go back again. When we have reached the end of *Michael Kohlhaas*, the paradox posited in the *Anfangssatz* of the story still haunts us. How can a man be just and terrible at the same time? Are we supposed to revile him or admire him? Was justice served in the end or not? Was Kohlhaas forced to become terrible, or did he choose to become terrible? We can reengage the story and journey to the end again and again, yet the sum and substance of *Michael Kohlhaas* resists any reassuring resolution.

In this tale of a quest for justice morphing into a personal vendetta that threatens to go viral among the less privileged, Kleist raised the curtain on social and political realities that some contemporaries felt were too inflammatory for public discourse. One such contemporary was a fellow writer named Goethe, whose take on Kleist's masterpiece was summarized by a friend as follows:

"Es gehöre ein grosser Geist des Widerspruches dazu, um einen so einzelnen Fall mit so durchgeführter Hypochondrie im Weltlauf geltend zu machen. Es gebe ein Unschönes in der Natur, ein Beängstigendes, mit dem sich die Dichtkunst bei noch so kunstreicher Behandlung weder befassen, noch aussöhnen könne."

Goethe feared what Kleist had unveiled, convinced that the unlovely aspects of a social structure should remain taboo for literature. Dwelling on ugly realities might not bode well for the established order. Fig leaves, whether social or political, were necessary for a society to function smoothly. Breaching artistic boundaries could lead to unintended consequences.

For his part, Kleist seemed dubious about the prospect of justice being served or even of the meaning of life. He committed suicide (a suicide almost as famous as his novella) when he was only thirty-four. We can only imagine the works he might have bequeathed to us if he had chosen life.

THE GERMAN SOCIETY OF PENNSYLVANIA

Friday Film Fest Series



Michael Kohlhaas: Der Rebell

By Volker Schlöndorff

November 18, 2016

• 6:30 PM •

Film, Food & Discussion

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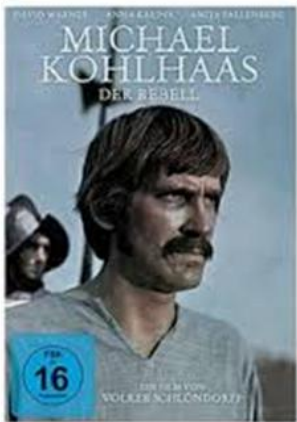
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Philadelphia Cultural Fund.



Michael Kohlhaas: Der Rebell

Director: Volker Schlöndorff
Producer: Jerry Bick, Rob Houwer
Screenplay: Volker Schlöndorff, Edward Bond – based on novella by Heinrich von Kleist
Cinematography: Willy Kurant
Release Date: April 1969
Spieldauer: 99 minutes
Cast: David Warner (Michael Kohlhaas); Anna Karina (Elisabeth Kohlhaas); Thomas Holtzmann (Martin Luther); Inigo Jackson (Wenzel von Tronka); Vaclav Lohnisk (Herse); Michael Gothard (John); Anthony May (Peter); Anton Diffring (Elector)
Commentary: A. Krumm



“ der Justizmord...ist die wahre Todsünde des Rechts.”

When the end is in the beginning, a story can easily take us captive. Heinrich von Kleist's *Michael Kohlhaas* begins with one of the most captivating sentences in all of literature:

An den Ufern der Havel lebte, um die Mitte des sechzehnten Jahrhunderts, ein Roßhändler, namens Michael Kohlhaas, Sohn eines Schulmeisters, einer der rechtschaffensten zugleich und entsetzlichsten Menschen seiner Zeit.

Artists and audiences alike have been fascinated by Kleist's tale for generations, and the *Nachwirkung* of this novella shows no signs of abating. His story still resonates because it is still relevant, serving as a rebuke to every subsequent generation, since every generation tends to be afflicted with 'presentism', quite sure that no previous generation could be as sophisticated or complex or beset with problems.

That complexity is expressed by a plot which wends its way in excruciating and sometimes loving detail through the inner and outer workings of the law, suffused with the apparatus of the 16th century legal system, replete with lawyers, legal documents, bureaucracies, and bureaucrats. Theology, via a walk-on appearance by Martin Luther, is an added bonus. The plot also shines an instructive light on the workings of hierarchy, illuminating both the absurdity and the necessity of hierarchy, for that time and for every time, including ours, despite our pretensions to egalitarianism.

While Kleist imbues his story with traditional elements of tragedy, there is a very modern sensibility to his narrative as well. More than anything, it is the style itself (*bis an die Grenze des Sagbaren*) that has so intrigued writers and playwrights. The tone is at once totally detached and utterly intense (*überlastete Sätze*). Kleist's technique is such that no one in the story comes off particularly well in the end. There is no neat didactic denouement to this detail drenched story.

In the beguiling assertion with which he launches his story, Kleist interrogates us with the *Schwerpunkt* of his narrative. How can a man brimming with *Das Rechtgefühl*, a man who is one of the most *rechtschaffensten* citizens of his community become one of the most

entsetzlichsten men of his era? Kleist confronts us with such a man and mesmerizes us with the spectacle of Kohlhaas becoming terrible by virtue of that very righteousness.

Michael Kohlhaas inhabits a safe and comfortable niche within the prevailing hierarchy. While on a routine business trip, travelling through Saxony en route to Leipzig, two of his horses are confiscated by an insolent aristocrat, Junker Wenzel von Tronka. Kohlhaas is lacking a *Passschein* and must leave the horses as collateral. When he returns a few weeks later to retrieve them, they have been worked nearly to death and are in pathetic condition.

Kohlhaas instigates a lawsuit against von Tronka. He is patient, because, despite *der gebrechlichen Einrichtung der Welt*, he believes the system is self-correcting, and that in time, justice will be done. Kohlhaas engages the legal system and navigates the bureaucracy, filing *Bittschriften* and appeals and enduring with admirable tolerance the insolence of office.

Then one day, receiving yet another dismissive and insulting letter from officialdom, his belief in the system evaporates. A stealth attrition has been at work, doggedly depleting his reserves of tolerance and good faith. With devastating clarity, he realizes that his approach is utterly in vain. The system is rigged and it has been playing him. Worst of all, his sense of *Rechtgefühl* has been permanently ruptured. So Michael Kohlhaas sells all of his property for a lump sum, because he needs cash in order to pursue *das Geschäft der Rache*.

His wife, sensing that her husband's spirit has taken a dangerous turn, begs him to allow her to make a final effort to secure justice. Kohlhaas relents, but when his wife is accidentally killed by bodyguards in her attempt to approach the sovereign, the remaining tethers which bind Kohlhaas to any sense of sympathy with his fellowman are snapped. In a final attempt at a non-violent resolution, he sends a threatening *Rechtschluss* to von Tronka, but this ultimatum is only laughed at, and he begins to foam with rage.

Kohlhaas takes a corporate approach, a veritable 'if you are not with us you are against us' attitude, regarding anyone who shelters or gives aid to von Tronka as a legitimate target for his savage form of retributive justice. His immediate tactical principle is summarized thusly: "...*ich aber kann dir weh tun, und ich will's!*" In his mind, he is waging just war against a system which has betrayed him. He sees himself as purely *einen Reichs- und Weltfreien, Gott allein unterworfenen Herrn*.

Increasing numbers of the peasant proletariat rally to his side, along with the usual contingent of opportunistic brigands and riff-raff. With his instinct for tactics and timing, Kohlhaas is able to keep the authorities off balance and on defense for a time. At the peak of Kohlhaas' notoriety and influence with the people, Kleist makes us privy to an imaginary dialogue between Kohlhaas and Martin Luther, wherein Luther plants the first seeds of doubt in Kohlhaas concerning the wisdom of his course of action.

The essence of Luther's advice (to both the Elector and Kohlhaas) is that Kohlhaas should disperse his fighters and surrender to the authorities, where his case can be reviewed by the authorities. Both sides will be open to judgment. Both sides can win or lose. Both sides accede to Luther's proposal, and Kohlhaas surrenders to the authorities at Dresden.

Initially, it seems as if Luther's Solomonic solution (military détente, full amnesty for Kohlhaas and re-adjudication of the original case) will serve the interests of peace and justice, but eventually the ineluctable dynamics of kinship and class take over (or as Kleist more bluntly terms it: *der Übermacht und Willkür*). Court connections favoring von Tronka and political intrigues eventually alter Kohlhaas' status from that of an amnestied litigant to that of a prisoner.