States of Gewalt: Violence in the Works of Heinrich Von Kleist

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States of Gewalt: Violence in the Works of Heinrich von Kleist
by
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States of Violence: Gewalt in the Works of Heinrich von Kleist
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ABSTRACT

The works of Heinrich von Kleist are known for their rich complexity and multifaceted nature, which often defy singular or holistic readings through an employment of paradoxes, impasses, and contradictions. However, despite their high level of plasticity and their inexhaustible nature, his works often touch on two themes: violence and the nation. This thesis will argue that these two themes are inseparably connected, and through readings of *Penthesilea*, *Die Hermannsschlacht*, and *Michael Kohlhaas* it will demonstrate how Kleist uses physical violence to expose latent forms of institutional violence hidden within the power structures of nationality. Through an understanding of the German term *Gewalt* as a conceptualization of power, strength, authority, might, and dominion, it will be argued that Kleist perceived these concepts are synonyms for violence that find their expression in the conceptualizations of sovereign authority put forth by Thomas Hobbes, and Jean-Jacques Rousseau. In *Penthesilea* the concept of the founding myth as a structure for violently establishing, maintaining, and enforcing national institutions will be explored. It will be argued that Kleist’s depiction of a matriarchal society is still subject to a patriarchal superstructure. Building off of the conceptualization of myth put forth in *Penthesilea*, *Die Hermannsschlacht* will explore how Kleist problematizes his own propaganda against the French state through an ambivalent portrayal of patriotic violence, in which the ends of freedom are questioned by the violent means Hermann uses to achieve them. Lastly, a reading of *Michael Kohlhaas* will be used to explore the notion of violence as a means of legal authority. It will be explored how the inability of the Saxon government to protect its citizen’s civic rights through legal recourse results in a collapse of the social contract, and forces
Kohlhaas to use violence from outside the law in order to reinvigorate it. Finally, through the
narrational subplot of the Gypsy woman and the unspoken prophecy the themes of violence,
power, and authority explored in this essay will be brought together as manifestations of the
written word in literature. A medium, that allows for a middle path to be trod between violence
and Enlightened discourse.
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Introduction

Heinrich von Kleist is one of German literature’s most enigmatic figures. From 1802 to his suicide in 1811 he wrote eight dramas, eight novellas, and a body of artistic and political essays that “called into question the prevailing intellectual, aesthetic, and ethical orthodoxies of the age” (Howe, 1). Often rooted within a historical context his literary style has a penchant for blurring the lines between reality and fantasy, and during an age dominated by the aesthetic harmony between substance and form, his works are contentious, chaotic, unstable, and brutally violent.

Unfortunately, this tendency to cut against the aesthetic grain of his own age meant that most of his work was not well received by his contemporaries, and it wasn’t until the late 19th century that he became an object of interest for dramaturges and literary scholars. There are various reasons as to why this occurred, but the most commonly held belief is that Kleist was simply ahead of his time. Given what he lacked in popularity during the 19th century he has more than made up for things in the 20th century, and academic scholarship has come to contextualize him in one of two ways: First, due to the fact that “that his works bristle with paradoxes, ambiguities, and tensions” (Howe, 2), it is common to position him in relation to 20th century aesthetics and to read him “as something of a deconstructionist avant la lettre” (3)⁴, and second, due to the Kant-Crisis that marked the beginning of his literary career, it is equally common to position his work in opposition to the enlightenment and more specifically thinkers such as Immanuel Kant and Jean-Jacques Rousseau⁵. Additionally, when one removes the context and theory that has evolved around Kleistian scholarship the works themselves have proven to be puzzles in their own right. Some, such as Das Erdbeben in Chili, defy a holistic reading by problematizing the very notion of interpretation, while others, such as Die
Hermannsschlacht, actively undercut Kleist’s own authorial intent by problematizing its own propaganda.

This high level of plasticity and the inexhaustible nature of not only his oeuvre but also the literary and philosophical context that surrounds him makes approaching and orienting oneself within Kleistian scholarship difficult. Depending on how one chooses to approach a specific text the same signifier can have different meanings. For example, the severing of the left breast in the Amazon origin myth in Penthesilea can be read as both a sign of state sanctioned oppression (Stephens, 107) and as female emancipation (Griffiths, 55). However, despite the complexity and diversity of his work there are two nearly universal themes that define Kleist as a whole: violence and the modern nation-state.

This thesis will argue that these two themes are inseparably connected within Kleist’s work, and through readings of Penthesilea, Die Hermannsschlacht, and Michael Kohlhaas it will demonstrate Kleist’s ability to frame gratuitous acts of physical violence in such a way that it exposes latent forms of institutional violence hidden within the power structures of nationality. It will begin by briefly breaking down the etymology of the German term Gewalt to demonstrate that for Kleist and his contemporaries violence was synonymous with concepts of power, strength, authority, might and dominion, and this conceptualization will then be contextualized through the political concepts of nationality put forward by Hobbes’ Leviathan, and Rousseau’s The Social Contract.

A reading of Penthesilea will follow, in which Penthesilea’s narration of the Amazon origin myth will be used to explore how the Amazon nation-state of Themiscrya uses its foundational myth to justify acts of institutional violence against the individual. It will be shown how this institutional violence supports a latent patriarchal substructure that undermines the
Amazon ideal of the emancipated women, and how Penthesilea’s brutal dismemberment of Achilles in the play’s final scenes is also an attack on the signifiers of this patriarchal superstructure.

Drawing on the insights of national myth established in *Penthesilea*, Kleist’s narrative of Germany’s own origin myth in *Die Hermannsschlacht* will become the next focal point. Inspired by Germany’s occupation by the French during the Napoleonic Wars, this drama was intended to serve as propaganda for a united emancipated Germany, while also putting forward a model of partisan warfare by which Germany’s citizens could rise up against their oppressors. However, through this reading it will be shown how Hermann’s partisan tactics against the Romans perpetrates violence against his own people, and how he justifies this violence through the rallying cry of freedom and liberty. Hermann’s success against the Romans allows him to re-empower the German political structure by accumulating power unto himself. This results in a fundamental restructuring of Germany’s political institutions under a tyrannical ruler that bears a striking resemblance to Napoleon.

Lastly, *Michael Kohlhaas* will be used to explore how the concept of law, as imagined in the modern nation-state, rests on the threat of violence. As Kohlhaas responds to the unjust acts of violence perpetrated on him by the state he finds himself increasingly blackballed by corrupt judges and bureaucrats. Finding himself outside the protection of the law Kohlhaas resorts to violence and terrorism in an attempt to achieve justice, and in so doing becomes a force capable of changing the law by enacting violence on it. This capacity to exercise violence and terror against the state eventually gets Kohlhaas’ case against Tronka before a court. The courts rule in his favor and demand the satisfactory restitution of the two horses that were stolen. However, they also sentence Kohlhaas to death for his own crimes against the state. The duality of this
conclusion, where Kohlhaas both wins and loses, marks a re-empowerment of the law similar to what can be seen in Die Hermannsschlacht, but rather than accumulating power unto himself his martyrdom allows for an invigoration of the law itself and an empowerment of the generations to come.

It is with the subplot of the Gypsy and the prophecy in Michael Kohlhaas that this thesis will conclude. For, this fantastical element marks an aesthetic return to the mythical that was employed in both Penthesilea and Die Hermannsschlacht, and it is through this return that Kleist’s manages to create a middle ground between the concepts of violence, power, and authority, wherein the structural problems of Enlightenment discourse that manifest themselves as violence can be explored, critiqued, and better understood.
1. Gewalt and Nationality

Within the English language the concept of violence is viewed predominantly as a destructive physical manifestation of force. The *Oxford English Dictionary*, for example, defines *violence* as 1) “the deliberate exercise of physical force against a person, property, etc.,” 2) “a damaging act”, 3) ”great strength of power of a natural force or physical action, esp. when destructive or damaging” or 4) “a restriction on or alteration of natural action” (“violence n.” OED Online).

This observation largely holds true within the context of every day vernacular. However, when the concept of violence makes its way into the realm of critical theory it begins to adopt a more philosophical application. For example, Walter Benjamin in “Critique of Violence” describes it as being inherently tied to ‘moral issues’ in that it operates as a means for achieving the ends of the law and justice. For in “regard to the first of these, it is clear that the most elementary relationship within any legal system is that of ends to means, and further, that violence can first be sought only in the realm of means, not of ends” (277). Likewise, Hannah Arendt finds it necessary in “On Violence” to differentiate the concept of violence from the concepts of power, strength, force, and authority. This is because, as she argues, that the present state of political science “does not distinguish among such key words, […] all of which refer to distinct different phenomena” (142), and the only reason they are treated as synonyms is because they are “but words to indicate the means by which man rules over man; they are held to be synonyms because they have the same function (142).

It would appear then, that the term violence has come to signify two distinct concepts. The former and more common conceptualization is that of a destructive *physical* force, while the latter pertains to a political and theoretical conceptualization of power wherein violence is
merely the means by which the ends of authority are met. This duality of meaning poses an interesting problem when approaching the subject of violence as it is easy to assume a large variety of concepts behind a singular signifier. For the sake of clarity, this thesis uses as its point of orientation the German term for violence: Gewalt. Stemming from the word Gewaeld, which shares etymological roots with the English verb ‘to wield’, Gewalt can also mean power, strength, might, or dominion (“Gewalt” Deutsche Wörterbuch).

Despite Arendt’s desire to separate these terms into distinct concepts and her assertion that “to use them as synonyms not only indicates a certain deafness to linguistic meanings,” and “has also resulted in a kind of blindness to the realities they correspond to” (142), this thesis chooses to treat them as synonymous for the following reasons. First, as a native German speaker, Kleist’s aesthetic implementations of violence would have been informed by this synonymic mixture, and therefore his texts would treat them as synonymous. Second, due to the fact that these distinctions “hardly ever correspond to watertight compartments in the real world” (Arendt, 145), an attempt to employ them as separate and distinct terms in a reading of Kleist would force a reduction and categorization of necessarily ambiguous elements. Third, Kleist and his contemporary German speakers are not the only ones to have adopted this conceptualization of violence and power as being synonymous. For although Arendt laments specifically on the “present state of political science” (142) the theoretical and philosophical mixing of violent force and political power has a long history in western thought.

In regard to Kleist’s work this mixture of violence with power, identity, and authority is closely linked to his conceptualization of nationality and the emerging modern city-state. This is because he wrote during a decade defined by the constant fluctuation of national boundaries and institutions, and the aftershocks of the French Revolution and the Jacobin Reign of Terror called
into question the foundation of legal rationality put forth by Hobbes, Rousseau, and Kant. Likewise, Napoleon, who was “once hailed as the disseminator of Enlightenment principles and the liberator of Europe […] instead increasingly appeared to many as a new kind of despot” (Mehigan 68). Tim Mehigan, in *Heinrich von Kleist: Writing after Kant* describes the decade and its effect on Kleist in the following manner:

In a short space of time, then, a world for which a new freedom of mind and spirit initially beckoned had been turned on its head. Kant’s cautiously progressive philosophy, which before the French Revolution had been measured enough to fit the spirit of toleration under the Prussian ruler Friedrich II., sat less and less comfortably with the post-Revolutionary world. By its end, Kleist’s decade had seen the steady erosion of notions the previous generation of enlighteners – the generation from Lessing and Moses Mendelssohn to Kant and Reinhold – had painstakingly elaborated. That Kleist’s relation to these notions could never be anything other than highly ambivalent is perhaps not surprising: Kleist’s age had itself reached no unanimity about the value of Enlightenment, nor was it able to endorse the optimism about the future that the movement of Enlightenment had once given rise to. (68)

In addition to portraying the political upheaval of the time, this tempestuous depiction of 1800-1810 appears to suggest a fundamental break between the philosophical conceptualization of sovereign power as governed by reason, and the reality of national identity being actively forged through the violence of conquest, revolution, and war. Such a break would have resulted in a conceptual vacuum where the prevailing theories of contractual obligation and legal rationality would have failed to describe the political reality, and although Kleist’s position towards the Enlightenment is ambivalent, his aesthetic choice to portray violence, rather than rationality, as the foundation of national power is not. Rather, his ambivalent position towards the Enlightenment stems from the fact that it contains the seeds for both views. When Hobbes outlines the parameters of sovereign power in the *Leviathan* he gives two potential means by which the ends of government can be achieved. He writes,

The attaining to this sovereign power is by two ways. One, by natural force, as
when a man maketh his children to submit themselves and their children to his government, as being able to destroy them if they refuse, or [as when a man] by war subdueth his enemies to his will, giving them their lives on that condition. The other is when men agree amongst themselves to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all others. (161)

It would appear then, that the disconnect between Kleist and the Enlightenment is not so much a break with the concepts of nationality, freedom, and sovereignty that it proposes, but rather it is with the tradition of emphasizing sovereign power as a manifestation of a rational collective will over the alternative of violence.

Given the aforementioned breakdown of rationality and the displays of violent national power that defined Kleist’s era, it doesn’t take much to see Hobbes’ description of a sovereign power derived from violence as the de facto alternative to Kantian reason. It is in this context of violent power, that Kleist’s aesthetic usage of gratuitous violence manifests itself as a means of achieving a state of individual or collective sovereignty, while also demonstrating that the ideals of Enlightenment carry with them irrevocable consequences. The following readings of Penthesilea, Die Hermannsschlacht, and Michael Kohlhaas will break down this relationship, and in so doing will expose the latent structure of violence that defines even the most rational of governments.
2. *Penthesilea*: Violence and Myth

Written between the summer of 1806 and the autumn of 1807 Penthesilea is a bold reimagining of the Trojan War that portrays the relationship between individual identity and statehood as resting on a foundation of myth and violence. As Griffiths describes, it “offers nothing less than a history of the development of Amazon personality, culture and statehood from its origins” (52) while also concerning “itself with questions of environmental conditioning” (52) that explore the tendency of the modern-nation state to exert control over the individual through the psychological violence of repression, shame, and resentment. Additionally, as other scholars such as Carol Jacobs, Tim Mehigan, and Anthony Stephens point out, when this conflict between individual and civic identity is contextualized through the aesthetic tradition of Weimar Classicism and scientific rational, the violence that bursts forth at the play’s end becomes a critique of the Enlightenment as the ultimate form of patriarchy.

Beginning with the Greek inability to comprehend the Amazonian motives for war, this chapter explores how the Greek’s rationalized preconceptions of natural laws has leads to a categorical and hierarchical world view that reflects the patriarchal drive for dominion found in Enlightenment discourse. In contrast, the Amazonian world view is not governed by scientific rational, but rather myth and ritual. However, through a close reading of the Amazon origin myth provided by Penthesilea, it will be argued that this tale of female revolution against the violence of patriarchy actually reinforces a hidden patriarchal superstructure that makes all of Themiscrya’s inhabitants subservient to the male god of war, Aries. In the play’s final scenes, Penthesilea’s conflict between her personal desire to take Achilles as a lover, and her matriarchal duty as queen of the Amazons to uphold the traditions, rituals, and laws of the state results in the bloody dismemberment of Achilles, who as an undefeatable archon of war, can be read a
signifier for Aries. Contextualized in this way Penthesilea’s violent actions can be seen as not only an manifestation of her own self-resentment, but also an attempt to resolve the paradox of identity that plagues her by literally consuming her lover and dismembering the patriarchal superstructure that continues to violate her and her home.

2.1 The Violence of Enlightened Reason

Following the tradition of epic poetry the play opens in medias res and actively interrupts the war between the Greeks and the Trojans by inserting the Amazon army between the opposing sides. The first scene begins with Odysseus and Diomedes holding a war council as Antilochnus enters and greets his fellow kings. He asks how they’ve faired since their last meeting, and Odysseus answers, “Schlecht Antilochnus, Du siehst auf diesen Feldern, Der Griechen und der Amazonen Heer, Wie zwei erboste Wölfe umkämpfen.” (323). Odysseus explains how the war with Troy has ground to a halt because of the Amazonian presence, and unless the God’s intervene to restore order he fears that both sides will destroy the other.

Wenn Mars entrüstet, oder Delius, Den Stecken nicht ergreift, der Wolkenrüttler Mit Donnerkeilen nicht dazwischen wettert: Tot sinken die Verbißnen heut noch nieder, Des einen Zahn im Schlund des anderen (323).

Antilochnus responds to this grim depiction by asking “Was wollen diese Amazonen uns?” (323), to which Odysseus responds by explaining that they feared an alliance between the Amazons and the Trojans. In order to stop the joining of these two armies the Greeks set out to cut the armies off, but upon arriving they were surprised to find the Trojans and the Amazons locked in battle. Assuming the axiom: my enemy’s enemy is my friend, Odysseus and Achilles attempt to broker an alliance with the Amazons, but are rebuffed by their queen Penthesilea who
states that she “werde/ Aus Köchern [ihm] die Antwort übersenden” (325)!

The entirety of the play’s first scene is dedicated to Odysseus’ retelling of his encounter with Penthesilea and the Amazons, and it concludes with the Greek kings deciding to pull their forces back to Troy with the hope that the Amazons will follow them. Once there, they hope to force the Amazons into picking a side, for according to Odysseus “Sie muß zu einer der Partein sich schlagen” (324).

This response by Odysseus and his fellow kings to the questions raised by Antilochus indicates that of the Greek mindset is governed by a drive to rationally explain their experiences, while also belying a certain prejudice towards their own position in the world. Additionally, Antilochus’ desire to know what the Amazons want from them implies that their presence is dependent upon something the Greeks can provide, and it is their duty to figure this out.

Odysseus’ answer to this question is also equally telling, for although he is clearly baffled by the Amazons’ actions, the prospect of admitting his own uncertainty to Antilochus never occurs to him. Instead he recounts what occurred prior to Antilochus’ arrival, and when he comes to those elements of the tale that cannot be rationalized he resorts to analogies of natural phenomena such as “Wie Sturmwind” (324), “wie vom Himmel” (324), and “Wie Wetterstrahl” (330) to supplement his incomplete knowledge.

This reliance upon descriptions of nature to fill in the gaps of his knowledge demonstrates that Odysseus’ world view is governed by a perception of rationalized laws that can be explained through natural phenomena, and his tendency to resort to descriptions of nature when faced with uncertainty implies a deference to this logic. More specifically, his statement that “So viel ich weiß, gibt es in der Natur/ Kraft bloß und ihren Widerstand, nichts Drittes” (326) indicates that his view of nature is broken down into a quasi-Newtonian understanding of
the world that reduces everything to a state of action and reaction.

Unfortunately, his inability to categorize the Amazons into a relationship of dichotic forces leaves even the cunning rationalist of antiquity stupefied, and he feels compelled to label them as an undefinable third. This, however, has a negative impact on Odysseus and the Greek mindset, for the Amazons’ undefinable presence begins influencing the previously opposed elemental forces of fire and water. Odysseus explains to Antilochus,

Was Glut des Feuers löscht, löst Wasser siedend
Zu Dampf nicht auf und umgekehrt. Doch hier
Zeigt ein ergrimmer Feind von beiden sich,
Bei dessen Eintritt nicht das Feuer weiß,
Obs mit dem Wasser rieseln soll, das Wasser,
Obs mit dem Feuer himmelan soll lecken.
Der Trojer wirft gedrängt von Amazonen,
Sich hinter eines Griechen Schild, der Griechen
Befreit ihn von der Jungfrau, die ihn drängte,
Und Griech’ und Trojer müssen jetzt sich fast,
Dem Raub der Helena zu Trotz, vereinen,
Um dem gemeinen Feinde zu begegnen. (326)

This explanation of the Amazon intrusion into the Trojan War indicates that there is much more at state in this encounter than the political landscape. As Odysseus explains, their presence has confused the logic that dictates the actions between the most basic of elements, and it would appear that the very laws of nature have become destabilized. With this in mind the Greek plan to draw the Amazons back to more familiar territory and force them into choosing a side can be read not just a stratagem for war, but also as a means of restoring a disrupted natural order.

The logic by which Odysseus and his cohorts process the problem that plagues them bears a strong similarity to the Enlightenment discourse of Kleist’s day on a multitude of levels. First, there is the parallel between Odysseus’ statement about the fundamentally dichotic nature of the world and the rationalist logic of science championed by thinkers such as Copernicus, Sir
Francis Bacon, and Sir Isaac Newton. This notion that all of nature could be empirically broken down into observable phenomena and mathematical calculation was a fundamental tenet of Enlightenment philosophy. Kant’s own conceptualization of Judgement being categorically divisible into Quantity, Quality, Relation, and Modality speaks to the influence that the scientific revolution of the 16th and 17th century had on the Enlightenment. Kleist’s choice to reflect this world view as being inherently Greek is obviously a reference to both the Enlightenment tradition and the Greek philosophers that formed the foundation of western thought, but there is also another subtler reference in this parallel: namely a critique of Goethe and his over-rationalized portrayals of antiquity. As Stephens points out, when Pentesilea was written, the play was largely seen as a critique of Weimar Classicism12, in that it presented “a violent fiction of Classical Antiquity as an alternative to the enforced harmony of the world of Goethe’s Iphigenie auf Tauris” (Stephens, 97).13 In this regard, Odysseus’ need to reduce the Amazons to a dichotic and arguable harmonious category can be read as one of the plays first antagonistic elements in that it seeks to force a harmony from chaos.

Second, the Greek confusion and distrust of the Amazons that arises from their inability to define them echoes Adorno’s observation that, “For enlightenment, anything which does not conform to the standard of calculability and utility must be viewed with suspicion” (3). Again, a connection is drawn between the worldview of the Greeks and 18th century Enlightenment. But this connection is more foreboding, for as Adorno argues, the logic of the Enlightenment allowed for an empowering of man over nature through a reduction of its universal essence into formal logic, and “only what can be encompassed by unity has the status of an existent or an event” (4). In this regard, Adorno describes the Enlightenment as akin to a totalitarian and patriarchal logic that sought “to rule over disenchanted nature” (2) by bringing everything under its categorical
umbrella, and anything that resisted this contextualization was treated with suspicion and hostility. This version of the Enlightenment described by Adorno is inherently violent and domineering, and it provides an apt explanation for the Greek’s plan to force the Amazons into choosing a side. Odysseus’ aforementioned emphasis that Penthesilea “muß zu einer der Partein sich schlagen” (324), and his subsequent plan to force this choice by pinning the Amazons between the Greek and Trojan armies echoes Adorno’s description of the Enlightenment. This is because Odysseus presumes an authority over the Amazons on the premise that their existence does not adhere to natural or rational laws, and through threats of violence demands that they conform to his dichotic world view or be destroyed.

In light of these connections between the rationalized worldview of the Greeks and the totalitarian nature of Enlightenment discourse, the opening scenes provide the reader with two key pieces of information. The first, is that the dilemma of the Greek kings introduces the plays thematic setting as one governed by a perspective grounded in violence and domination, namely the Enlightenment. The second, is that Penthesilea’s mere presence is enough to disrupt this world view, for she goes about “making the ground precarious” in that she questions “the principal concepts on which Homer’s text and rational thought are based” (Jacobs, 85-86).

2.2 Foundations of Myth

In contrast to the Greeks, whose conception of the world rests upon an enlightened logic governed by a natural order, the Amazonian perspective comes from a mythological origin. Rüdiger Campe contextualizes this difference by equating the Amazonian method of law with that of Foucault’s theory of Biopolitics. He explains that “Das Gesetz der Amazonen verlangt in seiner eigenartigen Konkretion eine Lebens- und, vor allem, Reproduktionsordnung, die soziale
und sexuelle Verhaltensweisen einschließt und individuelle Befindlichkeiten regelt” (316).

The reader, however, isn’t exposed to the details of Amazonian law and its origin story until around the narrative’s middle point, and by this point much has changed since the opening passages. Achilles, consumed by his own hubris, has rejected the plan to retreat to Troy, and mocks them for only watching the battle from afar. In contrast to Odysseus’ uncertainty he states, “Was mir die Göttliche begehrt, das weiß ich;/ Brautwerber schickt sie mir,” (342) and then swears in regard to Penthesilea, “Ich schwörs, und Pergamos nicht wiedersehn./ Als bis ich sie zu meiner Braut gemacht” (342).

Likewise, the very next scene opens with a similar promise from the lips of Penthesilea. Surrounded by Amazons praising her for their success against the Greeks she grumbles:

Nichts von Triumph mir! Nichts vom Rosenfeste!
Es ruft die Schlacht noch einmal mich ins Feld.
Den jungen trotzgen Kreigsgott bändg‘ ich mir,
Gefährtinnen, zehntausend Sonnen dünken,
Zu einem Glutball eingeschmolzt, so glanzvoll
Nicht, als ein Sieg, ein Sieg mir über ihn. (343)

Like Achilles, Penthesilea can only see victory in the defeat of her rival, and also like Achilles, who swears to crown his bride with deadly wounds, Penthesilea says to her friend Prothoe, “Ich will zu meiner Füße Staub ihn sehen” (343).

The violent tension between the two is as palpable as it is mutual, and when the opportunity arises for them to meet in battle they eagerly seek each other out with the intention of capturing and sexually possessing the other. Their duel, as it is reported from a distance, is as intense as the oaths they’ve sworn, and Achilles emerges victorious. However, in a fateful turn, the final blow from Achilles knocks Penthesilea unconscious and dislodges her helm. Achilles is struck by her beauty and instantly falls for her. When Penthesilea’s retainers rush onto the battle field to retrieve her body they’re greeted by a passive Achilles who says “Ich fühle mich im
Innersten getroffen,/ Und ein Entwaffneter, in jedem Sinne,/ Leg ich zu euren kleinen Füßen mich” (370). The Amazons remove Penthesilea from the battle, and are accompanied by a love struck Achilles who is told to lie about his victory over Penthesilea. When she awakes, she is greeted by her retainers and Achilles who tell her that she has successfully defeated Achilles in battle.

Here, under the deceit of victory, Penthesilea explains at length to Achilles the Amazonian purpose for war, and why their actions appear so contrary to the Greeks. She begins with the founding myth of the Amazon nation-state: Themiscyra.

Once it had been a culture like any other, but a devastating invasion by the Ethiopian King Vexoris left all of their men slaughtered, and the conquerors “rissen von den Gräbern ihrer Männer/ Die Fraun zu ihren schnöden Betten hin” (388). She explains how the women of Themiscrya secretly gathered at night in the Temple of Mars “und höhnten weinend/ die Stufen mit Gebet um Rettung aus” (388). However, one can only bear so much suffering, Penthesilea explains, and the survivors begin fashioning daggers from their jewelry. On the day that Vexoris was set to marry Tanais, their queen, they revolted, and “das gesamte Mordgeschlecht, mit Dolchen/ In einer Nacht, ward es zu Tod gekitzelt” (388).

Freed from the violence and sexual abuse of their male captors, the Themiscryans again gather at the Temple of Mars. There they choose to found a new matriarchal nation where:

Der Mann, des Auge diesen Staat erschaut,
Der soll das Auge gleich auf ewig schließen
Und wo ein Knabe noch geboren wird,
Von der Tyrannen Küß, da folg er gleich
Zum Orkus noch den wilden Vätern nach (389).

They wish to crown Tanais as queen of their new nation, but before they can do this a more pressing concern comes from the crowd. How are they to defend themselves as the Themiscryans
think their breasts will make shooting a bow impossible. To answer their question Tanais responds with actions instead of words:

Die Königin stand einen Augenblick,
Und harrte still auf solcher Rede Glück;
Doch als die feige Regung um sich griff,
Riß sie die rechte Brust sich ab, und taufte
Die Frauen, die den Bogen spannen würden,
und fiel zusammen, eh sie noch vollendet:
Die Amazonen oder Busenlosen! –
Hierauf ward ihr die Krone aufgesetzt.

This myth, as it is told by Penthesilea, is a story of female emancipation, and given the circumstances from which it was born it is hard to not justify the vengeful bloodbath that marks the transition from Themiscrya to Amazon. And yet, laced throughout the narrative there are traces that the violence of this tale is much more than justified revenge.

The first indication is where these events take place: The Temple of Mars/Aries. The myth’s choice of placing the god of war as the site of the Amazon origin is telling for within the frame of the narrative the temple is a synecdochal representation for the entire city-state of Themiscrya, and its invocations within the text is used to indicate a collective experience. First it serves as the sight of mourning for the conquered Themiscrya, and then as the birthplace of the Amazons. Additionally, there is a sad irony to the fact that the emancipated matriarchal city-state in embodied by a place dedicated to a male deity. Would not the goddess of war, Athena, be the better patron?

The second indication that this myth is not quite what it seems can be found in the laws that the myth sets forth: namely, that every man who sees the city should be killed, and all male children should be immediately sent to the underworld. When read from the perspective of a female collective reacting to the trauma of a mass rape the first law is hard to question, but within the context a female emancipation the second law and its subjugation of the female body
in regards to sexual intercourse and child birth feels counter-intuitive.\textsuperscript{16} Given that this is a foundational narrative for female emancipation, these laws are as ironic as they are brutal. They actively deny these women the freedom to choose their lovers and the freedom to raise and bear their own children.

Lastly, the act of self-mutilation by Tanais and her subsequent crowning marks the point of genesis within the Amazon myth. Despite already existing as the queen of Themiscrya, her authority as queen of the Amazons has not yet been established. It is indicated that the populace wishes to crown her, but it is not until she shears off her own breast in defense of the state that she is granted the authority to rule. Additionally, the fact that this occurs within a temple under the gaze of the high-priestess indicates that this act is to be seen as an approved religious ritual, and Tanais’ use of her own mutilation to baptize all those who would draw a bow indicates that her newly minted authority is both secular and divine.

When brought together, these three aspects of the Amazon origin story create a disturbing picture. Superficially speaking, this narrative is one of female emancipation and empowerment. This is the narrative that Penthesilea believes, but the symbolic elements of this myth indicate otherwise. First, from the perspective of legal justice the laws put forth by the Amazons to secure their emancipation are counter-intuitive in that they place state control over the reproductive rights of the female body. However, when compared to other foundational laws such as the Hebrew ‘though shalt not kill’, the Babylonian ‘an eye for an eye’, or the Christian ‘turn the other cheek’ these laws could also been seen not so much as laws, but as cultural axioms designed for maintaining a social ideal. Secondly, the ritualization of Tanais’ self-mutilation symbolizes a restructuring of authority and power that simultaneously changes the fundamental nature of the nation-state’s citizen. For after this point, those baptized by Tanais are born again
with a new name: they are the breastless. They are Amazons. The last key to the puzzle is the temple itself. As a representation for the whole nation-state it symbolizes the Amazon superstructure and provides a metaphorical house for the theocratic authority assumed by Tanais. It is also the means by which this entire myth gets turned on its head, for despite all these symbolic and ritualized acts signifying their emancipation, it shows that the Amazon state is still subject to a male authority. The patriarchy never went away. It simply hid its own violence within the authority of the state, and “whatever acts of liberation may have led to the establishment of the Amazon state in the first place, they have long been overtaken by history and remain, as if petrified in an order that subjugates sexual desires to a regimented code of procreation” (Stephens 121).

2.3 The Conflict of Self and State

It is this hidden patriarchal superstructure that serves as the central antagonizing force of the play, for it creates the conflict of interest between Penthesilea’s personal desire to take Achilles as her lover, and the Amazonian tradition of only taking men who have been given in battle by Aries. Both of which, as Stephens explains serve as the impetus for the drama’s tragic end:

There are two clear lines of causality for the tragic action. One extends from the prophecy of Penthesilea’s dying mother, naming Achilles as the warrior her daughter will defeat and crown with roses; the other begins with the foundation of the Amazon state. It is Penthesilea’s misfortune to become Queen, thus embodying the contradictions inherent within this social order and condemned to experience these contradictions as part of her personal tragedy. (107)

This duality of causality that manifests itself as a fundamental opposition between personal desire and civic duty is one the play’s infamous paradoxes, for although these two sides are in conflict with each other they both operate as driving causalities towards the same fate.
What appears as a choice is actually a catch-22 that condemns Penthesilea to a tragic end regardless of how she acts, for as Stephens points out: both lines of causality serve as a source for tragic action. Additionally, the fatefulness of the play’s tragic construction is compounded by the fact that it does not stem from the choices themselves, as neither choice contains an inherently tragic consequence. If Penthesilea were to choose Achilles over her home there exists the possibility of a romantic happily-ever-after. Likewise, if she were to choose her civic-duty over Achilles, the play contains the possibility of a glorified re-invigoration of Amazon morals, identity, and nationality. Instead, the tragic element of the play stems from the false dichotomy perpetrated by the Amazon origin myth that individual sexual desire and civic loyalty are fundamental oppositional forces. In this light, the conflict that faces Penthesilea is not an either/or choice between conflicting desires. It is a conflict between her personal desire and the environmental conditioning imposed on her by the Amazon regime.

The mechanisms by which the text unfolds this conflict are demonstrated in two ways. The first is manifested through Penthesilea’s own words, for as she explains the laws and customs of Themiscrya to Achilles she repeatedly refers to her fellow Amazons as daughters of Aries and brides of Mars. Both metaphors imply not only a relationship of patriarchal dominance and subservience between the female state and its male deity, but as Stephens highlights, this is also an “incestuous bond,” that allows Mars to “preside over the sexual economy of the Amazons” (107). The second, manifests itself through the religious traditions, rites, and customs that composed Penthesilea’s cultural reality. The primary example of this is the Amazon’s annual excursion into foreign lands with the intention of fulfilling a literal sexual conquest, and in his psychological break down of the logic behind this tradition Griffiths highlights how the violent and traumatic undertones of the Amazon religion reinforce notions of national identity and civic
The Amazon women are motivated by an ideological commitment to the state’s war aims, which dates back to a common memory of past oppression. They do not seek to conquer territory, but merely to sustain their autonomy, although their future depends on winning victories in order to ensure the birth of new generations. The centrality of war to this culture is expressed in its founding myth, which presents the community as founded by Mars. (101)

Griffiths’ observations reiterate the aforementioned dominance of Mars, but what is unique about this passage is the link he establishes between that dominance and the painful trauma of Themiscrya’s past. This link, he argues, is what is being manifested each time the Amazons gather for war, as their goal in doing so is to perform in a ritualized reenactment of their own origin story. In doing this they are able to reassert their own autonomy as a sovereign state. However, there is a very painful catch to this ritual: namely as Amazon law dictates all men captured and returned to Themiscrya to participate in the orgies are doomed to be executed. Likewise, all male children born from the conquest are doomed to die. In short, this reenactment of myth ends where it began, with the violent and bloody loss of all men the Amazons love.

The drama doesn’t directly address this issue. It only alludes to it through the mentioning of laws, customs, etc. There is, however, one moment where the painful reality of this ritual receives a potential for contextualization beyond that of Penthiselea. In the fifth scene, Penthesilea’s friend Prothoe, tells how she managed to capture Lykaon, prince of the Arcadians, and confesses to her friend that she has found her own metaphorical Achilles.

Er stand so fest, wie je dir der Pelide!
Im Kampf von meinen Pfeilen heiß getroffen
Sank er zu Füßen mir, stolz wird ich ihn,
An jenem Fest der Rosen, stolz, wie eine,
Zu unserm heilgen Tempel führen können. (348)

From the way she describes his courage in battle, and her wish to be the one to lead him to the temple of Mars, it is clear that Penthesilea is not the only one who has found love in war, and
that she is not the only one doomed to experience a painful loss at the demands of the state. It is a small moment in the drama, but a critical one, as it highlights the fact that Penthesilea’s tragedy is not only a synecdoche for all of Themiscrya, but also the fact that their collective pain is the result of state sanctioned violence designed to “channel their energy and aggression into socially acceptable forms” (Griffiths, 102) through a cyclic reenactment of their own trauma.

Nietzsche explores this phenomenon at length in the second essay of *Genealogy of Morals* where he argues that in order for a nation or society to “breed an animal with the right to make promises” (493) it must rely on this type of ritualistic pain to create a mnemonic memory strong enough to conquer instinct. For,

> Man could never do without blood, torture, and sacrifices when he felt the need to create a memory for himself; the most dreadful sacrifices and pledges (sacrifices of the first-born among them), the most repulsive mutilations (castrations, for example), the cruelest rites of all the religious cults (and all religions are at the deepest levels systems of cruelties) – all this has its origin in the instinct that realized that pain is the most powerful aid to mnemonics. (497)

Each example of violence as a mechanism for memory listed by Nietzsche is represented in the patriarchal superstructure of the Amazon origin myth. Children are sacrificed, women are mutilated, and sexual expression is tightly controlled through religious conventions and taboos. All of this, as Nietzsche later explains, is what makes men and women calculable enough to exist as social creatures, for the constant presence of these painful memories results in a suppression of natural instincts. This results in what he calls ‘the internalization of man’ for “all instincts that do not discharge themselves outwardly turn inward” (520), which forms the serious illness of ‘bad consciousness’ or psychological *ressentiment*.

This process by which ritualized pain is translated into internalized *ressentiment* is what allows the modern nation-state to exist. For Nietzsche argues that the state is able to use these the mechanisms to manifest itself as a singular cohesive body by welding “a hitherto unchecked and
shapeless populace into a firm form” that “was not only instituted by an act of violence, but also carried to its conclusion by nothing but acts of violence” (522). This, he argues, is “after all how the ‘state’ began on earth,” and in a direct reference to Hobbes, Rousseau, and the Enlightenment states, “I think that sentimentalism which would have it begin with a ‘contract’ has been disposed of” (522).

This is the conflict that Penthesilea is constantly wrestling with throughout the course of the narrative, and it eventually finds its resolution in the brutal murder and cannibalistic dismemberment of Achilles at the play’s end. However, contrary to the common psychoanalytical reading that Penthesilea’s actions are the result of feminine irrationality, hysteria, and a resentment of Achilles. The play’s conclusion depicts a structured dismemberment of the patriarchal superstructure that has plagued her this entire time. They key to this reading is the realization that the object of Penthesilea’s desire was never the personage of Achilles that speaks and fights throughout the play. Rather, the object of her desire is Mars, who she sees embodied in Achilles. Penthesilea expresses this desire as a Freudian slip in her very first lines.

Nichts von Triumph mir! Nichts vom Rosenfeste!  
Es ruft die Schlacht noch einmal mich ins Feld.  
*Den jungen trotzgen Kreisgott bändg' ich mir,*  
Gefährten, zehntausend Sonnen dünken,  
Zu einem Glutball eingeschmelzt, so glanzvoll  
Nicht, als ein Sieg, ein Sieg mir über ihn. (Emphasis added, 343)

For her there can be no victory until she has defeated the young god of war, and in this regard Achilles is merely a stand-in for her *ressentiment* against herself and on deeper level against the state. Helga Gallas expands upon this notion in her Lacanian reading of Penthesilea and Achilles as mirror images of each other. She argues that,

Wenn die Bildvorstellungen überhandnehmen, wenn das Subjekt überflutet wird
von Imaginären und das symbolische Register ausfällt – und so ist es wenn die
Identitäten sich auflösen und Penthesilea sich mit dem Speiegelbild, mit Achill
verwechselt -, dann kann es zu Wahnvorstellungen und Halluzinationen kommen,
in denen man der Ursache des Begehrens unmittelbar konfrontiert wird (204).

Gallas explains that what the reader perceives as a violent expression of insanity is in
fact an attempt to gain control over this internalized resentment, for “Indem Penthesilea das
ideale Bild des Achill zerstört, zerfetzten sie dieses Bild von sich selbst – und in diesem Sinne ist
ihre Fehlhandlung eine gelungene Handlung” (202). Penthesilea confirms this in her own words
when she confronts the shock of her compatriots with the statement that “Ich war nicht so
verrückt, als es wohl schien” (426).

The latter notion, that Achilles is also an embodiment of an unconscious resentment of
the patriarchal superstructure of the Amazon state, is also addressed by Gallas who states that
“Sie sieht jetzt also nicht mehr Achill als Gott, sondern den Gott in Achill – Achill als
Repräsentanten der göttlichen Funktion” (207). Jacobs also addresses this symbolism, but in
contrast to Gallas she equates the symbolic mixture of Achilles and Mars as symptomatic of the
entire Amazon model for war. This is because the “entire enterprise of Amazon violence is to
find a substitute for Mars, a ‘Stellvertreter’18 he who is both chosen by and will stand clearly in
the place of the God” (96).

It is in regard to this symbolism that the defeat of Achilles and his subsequent
dismemberment at the play’s conclusion can be read as a defeat of Mars, and Penthesilea’s final
command to scatter the ashes of the Amazon’s founding Queen Tainas to the four winds19,
indicates a desire to similarly dismember the founding myth that is enshrined in Amazon
customs and religions. However, for the Amazons to be truly freed from the traumatic violence
that defines them there is still on task to be done. Penthesilea must die, for as Stephens points out
“it seems clear that the state ends with Penthesilea’s suicide” (122). For as Gallas already pointed

24
out, the destruction of Achilles is a destruction of herself, and it is here where the play manifests its tragic ends. As Penthesilea awakens from the trance that drove her to butcher and devour Achilles she is forced to face the reality of her actions. This awakens in her “ein vernichtendes Gefühl” (427) that,

Hart mir zu Stahl: tränk es mit Gift sodann
Heißätmendem, der Reue, durch und durch;
Trag es der Hoffnung ewgem Amboß zu,
Und schärf und spitz es mir zu einem Dolch (427)

This metaphorical dagger, composed of remorse for her actions, and sharpened with eternal hope becomes the tool by which she kills herself, and in so doing uses her own words to resolve the violent trauma of her people.

Similar to *Penthesilea*, Kleist’s political drama of partisan warfare is a narrative that rests on a foundation of myth. But, where the former uses myth to critique Enlightenment rational and notions of a social contract, the latter champions itself as the origin myth required for establishing a new German nationality. This means that at its heart “*Die Hermannsschlacht*” is a propaganda piece. Originally conceived as a response to Prussia’s humiliating defeat by Napoleon at the Battles of Jena and Auerstedt in October 1806 and the subsequent occupation of Berlin two weeks later, this drama is primarily concerned with questions of national liberation and the fight against French imperialism. Disguised as a historical drama centered around the Battle of Teutoburg Forest, where the Cheruscan chieftain Hermann united the German tribes against the invading Roman legions and led them to victory, Kleist’s drama parallels the political climate of the Napoleonic occupation. Steven Howe, for example, describes this literary/political project as “a thinly veiled *drame-à-clef*” (128) through which Kleist “voices an appeal for cooperation against the imperial foe, and sketches a ‘scenario of conduct’ demonstrating how a superior foreign military power might be repelled and defeated by smaller groups of less sophisticated combatants in a brutal, no-holds-barred war of total national defense” (128).

Drawing from a wealth of historical documents that track Kleist’s correspondence with German statesmen, military leaders, and dramatists the politically allegorical nature of the drama has been well established. Given the evidence that has already been presented in previous scholarship through these “transparent links to the politics of the time, it comes as little surprise that *Die Hermannsschlacht* has traditionally been regarded as a straightforward ‘Tendenzstück’ reflecting a clear and un equivocal ideological position” (Howe, 130).
Additionally, because Kleist, himself, considered this play to be “einzig und allein auf diesen Augenblick berechnet” (Briefe 824). He was eager to see the play produced as he believed the rapidly changing political landscape of Europe gave the piece an incredibly short shelf-life.\textsuperscript{23}

However, regardless of the circumstances that inspired it and the wealth of documents depicting his authorial intent, this drama has managed to remain relevant beyond the context of Napoleon. Its tendency to surge in popularity during times of patriotic fervor such as the unification of Germany following the Franco-Prussian War and the rise of the Nazi Party (Stowe, 130-31) suggests that below the superficial level of propaganda there lies a more complex line of inquiry. One that critically engages with the relationship between violence and power by presenting the reader with “a Janus-faced drama” that “offers its readers a choice: abhorrence at the bleakness of Hermann’s vision or admiration for the triumph of his strategic mastery” (Krimmer, Gender 75).

It is precisely this line of inquiry that will be explored in this chapter, and it will begin through an analysis of the German princes in the play’s beginning. Their indecisive nature and their petty concerns for maintaining lands and inheritances indicates that Germany has become political impotent. Deprived of the power necessary for governance they are at risk of becoming subject to the encroaching Roman Empire, and it is the hopelessness of their situation that unites them into a coalition led by Hermann. Following the axiom put forth by Hannah Arendt, that in the wake of political disempowerment “power is already in the street” (148) and all that is needed is someone “to pick it up and assume responsibility” (148), this reading will trace how Hermann accumulates power unto himself by violently manipulating his own people until they submit to his will. Lastly, through an observation put forth by Anthony Stephens, that Hermann bears a striking resemblance to Napoleon, it will be shown how the drama undermines its own
mythical narration of national genesis by exposing the destructive cost of partisan violence and revolution.

3.1 The Impotent State

The play begins with Wolf, prince of the Kattens throwing himself to the ground and wailing “Es ist umsonst, Thuskar, wir sind verloren” (535)! As a drama that presumes to be “eine klare und eindeutige Aufforderung zur Aktion” (Kittler, 240), this statement of absolute defeat is a strange starting position. Indeed, the whole tone of the first scene is pessimistic. In reference to the Roman general Varus, Wolf says “Er wirft auch jetzt uns Deutsche in den Staub,” (535), and he continues his opening monologue by listing all the German princes who have fallen to the Romans. Finally, he comes to Hermann, “dem letzten Pfeiler” (535) to whom the princes have fled, but they are disappointed to find him already fraternizing with the Romans. Wolf bemoans their hero, stating:

Statt die Legionen mutig aufzusuchen,
In seine Forsten spielend führt er uns,
Und läßt den Hirsch uns und den Ur besiegen (535)

In addition to Wolf’s dismay over Hermann’s conduct the other German princes Thuiskomar, Dagobert, and Selgar all explain why they are unable to dedicate themselves to a resistance against the Romans. Thuiskomar, in order to protect his already occupied lands, has been forced to sign a treaty stating he would not openly support the German princes. Dagobert, wonders if fighting the Romans is even a good idea, and only agrees to join the coalition if Selgar removes his claim to a historically contested strip of land. Selgar responds to Dagobert’s ultimatum by vehemently stating that he would rather lose his entire kingdom, house, and court to Rome before removing his claim to the land. Dagobert and Selgar are on the edge of conflict
when Thuiskomar is forced to intervene. He chastises them by saying:

Laßt den Strich, ich bitt euch,
Ruhn, an der Lippe, bis entscheiden ist,
Wem das gesamte Reich Germaniens gehört” (537).

This sage reminder regarding the dire nature of Germany’s situation redirects the scene’s tension back to the crisis at hand, but the damage is already done. The princes’ prioritization of minor land disputes and individual self-preservation over the emancipation of all Germany prompts Wolf to close the scene with the following observation:

Da hast du recht! Es bricht der Wolf, o Deutschland,
In deine Hürde ein, und deine Hirten streiten
Um eine Handvoll Wolle sich. (537)

This opening scene begins and ends with statements that outline the hopelessness of Germany’s situation, and this tone is emphasized even further through demonstrations of political impotence by Germany’s princes. Some, such as Gueltar, Fust, and Holm, have already been conquered, others, such as Thuiskomar, have lost the capacity to openly act because their lands have been taken hostage, and then there are those like Dagobert and Selgar who prioritize their personal ambitions over the independence of Germany. Regardless of their reasons, each of these men has in some way or another lost or bartered away their ability to act as a sovereign. The only prince who hasn’t done so is Hermann, prince of the Cherusker, but as Wolf already stated; He doesn’t show any interest in acting against the Romans.24

Unfortunately, although Hermann maintains political power, this may not be enough. For, in addition to demonstrating the other prince’s impotence, the scene also unfolds a secondary problem: the lack of a sovereign authority for all of Germany.

From the manner in which the princes repeatedly refer to “uns Deutsche,” (535) “Deutschland,” (537) and “das gesamte Reich Germaniens” (537), it is clear there exists a
cultural conceptualization of a united Germany, but this does not reflect the political reality of their situation. The lack of a German sovereign entity is highlighted in the text through repeated identifications of each prince by the land he rules. No sovereign authority for all of Germany is mentioned and, unlike the Roman Imperial Senate that existed under the rule of Emperor Augustus during the time of this invasion, the collective presence of these princes does not represent a political institution by which sovereign power for all of Germany could be exercised.

Quite the opposite in fact as the princes presume the authority to surrender or barter their lands. This indicates that the Germany envisioned by the text is at best, representational of a coalition of minor sovereigns pressed together by a common enemy, and at worst a cultural fiction that exists only as an ideal. In either scenario, the Germany that must be rescued from the Romans is incapable of resisting the Roman presence because it lacks the necessary infrastructure for exercising sovereign authority.

The final piece of evidence for the impotency of the German state comes from the ease by which Rome has systematically conquered each individual German tribe. Their inability to resist the Romans echoes Arendt’s observation that “If a foreign conqueror is confronted by an impotent government and by a nation unused to the exercise of political power, it is easy for him to achieve such domination” (151), and the reason for this quick collapse is two-fold. First, she argues, power “corresponds to the human ability not just to act but to act in concert” (143), and therefore it is never the property of an individual. Second, the presence of a political institution is not equivalent with the presence of power. “We know of many instances,” she writes, “when utterly impotent regimes were permitted to continue in existence for long periods of time – either because there was no one to test their strength and reveal their weakness, or because they were lucky enough not to be engaged in war and suffer defeat” (148). For those political entities that
weren’t so fortunate the result is the disintegration of the political body. An event that often comes to pass through direct confrontation with a violent force; or as Arendt describes it “the foreign enemy, the native criminal” (146).

The impotency of the German princes, which precedes the actual events of the play, indicates that their traditional authority has long been without substance, and it is only through the Roman presence that the reality of their situation has become apparent. The Romans, while problematic, are not the drama’s primary concern. They are merely a symptom of a larger systemic problem that originates within Germany’s own mode of government.

3.2 The Rise to Power

With all of Germany’s leadership either incapacitated or unable to exert authority representative of the whole, the central question of the drama becomes one of power: specifically, who has power, and how was that power achieved. Hermann, as the narrative’s protagonist, is charged with not only freeing Germany from the Roman invasion, but also with revitalizing a disintegrating political structure. Both tasks are eventually achieved by the play’s end in that Varus is defeated and Hermann is crowned king of Germany, but the play arrives at these ends through interesting means.

For as Schmidt notes, “Zu einer ‘Hermannsschlacht’ wie sie der Titel ankündigt, kommt es gar nicht” (151). Instead, the play constantly circles around preparations for and representations of the pending conflict between Germany and Rome. Likewise, Krimmer points out that Hermann “does little to celebrate soldierly virtues” but instead “is a talker who hardly ever fights and who loses the one fight he does engage in” (Gender, 74).

In contrast to classical warriors such as Penthesilea and Achilles, whose power is
synonymous with their individual strength, Hermann is a weakling whose triumphant victory and rise to power are not the result of dominance achieved through direct acts of physical violence. Instead, Hermann is a modern political genius who understands, like Arendt, that political power comes from the “living power of the people”, and that “the strength of opinion, that is, the power of the government, depends on numbers” (Arendt, 140). His success as a leader, therefore, depends on his ability to get others to do as he wishes. A feat he achieves by co-opting the violence of others into his master plan of deceit and propaganda.28

The first example of this skill in action comes at the beginning of the third scene. Hermann has gathered his court onto a hillside where he awaits the arrival of Varus and the Roman legions that have been invited into his lands. From his position on the hill he can see the smoke and flames of other German strongholds that have been recently sacked. As he waits three captains arrive at his tent to report various crimes committed by the invading army. The first captain reports:

Drei deiner blühndsten Plätze sind geplündert”
Entflohne die Horden, alle Hütten und Gezelte –
Die unerhörte Tat! – den Flammen preisgegeben (564),

which Hermann replies heimlich und freudig “Geh, geh, Siegrest! Spreng aus, es wären sieben” (564)!

The second captain arrives and reports:

Ein Römer ist, in diesem armen Ort,
Mit einer Wöchnerin im Streit geraten,
Und hat, da sie den Vater rufen wollte,
Das Kind, das sie am Busen trug, ergriffen,
Des Kindes Schädel, die Hyäne, rasend
An seiner Mutter Schädel eingeschlagen.
Die Feldherrn, denen man die Greueltat gemeldet,
Die Achseln haben sie gezuckt, die Leichen
In eine Grube heimlich werfen lassen. (564)
Hermann replies with equal enthusiasm and orders the Captain:

    Geh! Fleuch! Verbreit es in dem Platz, Govin!
    Versichere von mir, den Vater hätten sie
    Lebendig, weil er zürnte, nachgeworfen! (565)

The third captain arrives and reports:

    Die Römer fällten dort, man sagt mir, aus Versehen,
    Der tausendjährigen Eichen eine,
    Dem Wodan, in dem Hain der Zukunft, heilig.
    [...] 
    Das Volk, so schwer bestraft, zerstreute jammernd sich,
    und heult jetzt um die Asche seiner Hütten. (565)

Again, Hermann replies by exaggeration:

    Gleich! Gleich! – Man hat mir hier gesagt,
    Die Römer hätten die Gefangenen gezwungen,
    Zeus, ihrem Greulgott, in den Staub zu knien? (565)

Each of the Captains responds to Hermann’s responses with confusion as they fear Hermann misheard or misunderstood their reports. Likewise, his enthusiasm for the destruction of German lands appears misplaced. It’s not until they are taken aside by Hermann’s counselor Eginhardt that they understand that Hermann sees these acts of violence as a mechanism for garnering public support, ie. power. He, therefore, instructs the men to spread and exaggerate their stories as propaganda against the Romans.  

    From a political perspective, the utilization of propaganda to garner support against an already hated and clearly malevolent invader could appear heroic and morally upright. Exaggerations could even be justified. Yet, Kleist’s construction of this scene hints at something darker lurking below the surface of Hermann’s mind. The first is his open expression of joy at hearing mothers and infants being slaughtered, and the second is the response he gives to his counselors when asked if they should send out troops to douse the fires. He declines to send support, and instead instructs Eginhardt to dress his men as Roman soldiers. They are to sneak
into areas once occupied by Varus and “auf allen Straßen, / Die sie durchwandern, sengen, brennen, plündern:” (566). His solution is not to save Germany from suffering, but to increase its despair and hasten its destruction.

The second example of Hermann’s ability to manipulate people and gather power through public opinion comes in the fourth act, where the rape and murder of the young German girl named Hally unfolds. The story arc for this subplot begins at night with Hermann und Eginhardt wandering the streets of Teutoburg. Hermann is aggravated that the Romans have ceased their hostilities against the Germans, and he fears that this will be the undoing of his plans. He says to Eginhardt:

Ich aber rechnete, bei allen Rachegöttern,
Auf Feuer, Raub, Gewalt, und Mord,
Und alle Greuel des fessellosen Krieges!
Kann ich den Römerhass, eh ich den Platz verlasse,
In der Cherusker Herzen nicht
Daß er durch ganz Germanien schlägt, entflammen:
So scheitert meine ganze Unternehmung! (585)

As he and Eginhardt discuss their plans, Hermann suddenly stops and says “Horch! Still [...] Rief man nicht dort Gewalt” (586). Eginhardt says that it was just the watchmen shouting the hours, to which Hermann grumbles:

Verflucht sei diese Zucht mir der Kohorten!
Ich stecke, wenn sich niemand rührt,
Die ganze Teutoberg an allen Ecken an!
[...]
Komm, laß uns heimlich durch die Gassen schleichen,
und sehn ob uns der Zufall etwas beut. (586)

This scene, where Hermann is shown as actively on the hunt for violence against his people, prepares the reader/viewer for what is to come. Hermann and Eginhardt leave the stage and a group of citizens enter. Here, at another location in Teutoburg, a young girl is led through the streets with a cloth draped over her. The townspeople inquire as to what has happened and
it’s revealed that she was raped by three Roman soldiers, and that she was saved when a Roman officer arrived and summarily executed his fellow countrymen. The people are trying to bring Hally back to her home, when the girl’s father, Teuthold, and her brothers arrive. Hearing of the gruesome deed they draw their daggers stating, “Ich will sie führen, wo sie hingehört” (588), and they proceed to murder the young girl as she hides under the cloth. All the while shouting, “Stirb! Werde Staub! Und über deiner Gruft/ Schlag ewige Vergessenheit zusammen” (589)30

It is after Hally’s murder that Hermann arrives and learns what has transpired. He approaches the mourning Teuthold and commands the man to stand. When Teuthold refuses one of Hermann’s officers says, “Herman, dein Rächer ists, der vor dir steht.” (590)

Teuthold is lifted from the ground by his fellow Germans, and as he rises, he responds to the officer, saying, “Hermann, mein Rächer, sagt ihr? – Kann er Rom, /Das Drachennest, vom Erdengrund vertilgen?” (590)

To which Hermann responds, “Ich kanns und will! Hör an, was ich dir sage” (590).

He then instructs Teuthold to dismember his daughter into fifteen pieces, one for each German tribe, and to have her delivered to each of the German princes as a rallying cry for Germany’s defense. The crowd, which witnesses this entire scene, calls out in cheers, “Empörung! Rache! Freiheit!”

The body is carried off stage and Hermann says to Eginhardt, “Jetzt hab ich nichts mehr/ An diesem Ort zu tun! Germanien lodert” (591).

As was observed in the previous example, Hermann’s modus operandi is to actively search out violence against his people. His intentions are to use that violence to swing public opinion against the Romans and in so doing accumulate power unto himself. In the absence of any such violence he is willing to ignite all of Teutoburg to incite the Germans against Rome. In
a sinister turn of fortune he stumbles across the rape of Hally, and again he demonstrates a willingness to disregard the truth in order to defeat the Romans. The fact that the actual perpetrators of the crime have already been executed by their Roman officer means as little to him as the fact that his own citizens were the ones to draw their knives and butcher an already victimized girl. The reality of the situation doesn’t matter. What is important, is that he now has a body scarred by violence that can be used to not only ignite Teutoburg, but all of Germany against the Romans.

The third and final example of Hermann’s capacity for manipulation comes at the end of the 4th act and in the beginning of the 5th. Here, Hermann is unfolding the final pieces of his plan to lure Varus into the forest where he will be butchered by Marbod to his wife Thusnelda. Upon hearing that he intends to kill all the Romans, even those who have proven themselves allies, she begs him for permission to save just one, Ventidius. Hermann agrees and instructs her to send him a message at the last possible moment that will help him to escape. She thanks him, but before she can send the message Hermann presents her with a lock of hair that was stolen from her earlier in the play. He reveals that the lock of hair was found with a letter from Ventidius. It is addressed to the empress in Rome, and in it Ventidius promises to send more golden hair, for “sogleich, wenn Hermann sinkt/ Die Schere für dich ernten wird” (597).

Hermann uses this letter and the lock of hair to slowly manipulate Thusnelda away from a desire to save Ventidius and towards a murderous intent. As the scene ends, he bares her farewell and says “Leb wohl, Thusnelda, mein geliebtes Weib! / Astolf hat deine Rache übernommen” (599).

To which she responds “Überlaß ihn mir!/ Ich habe mich gefaßt, ich will mich rächen” (599)!
Hermann consents and says, “Nun den, so ist der este Sieg erfochten” (599).

Hermann leaves to oversee the destruction of the Romans by Marbod, and in the following act Thusnelda lures Ventidius into a room with a starving she-bear. Surprised by his betrayal Ventidius is mauled to death while his servants frantically search for the key. Thusnelda relishes in the sight of Ventidius death, and as the she-bear digs its claws into his chest she mockingly calls out “Sagt ihr, daß du sie liebst, Ventidius, / So hält sie still und schenkt die Locken dir” (620).

The manipulation of Thusnelda by Hermann and the means by which she enacts her revenge on Ventidius is the play’s ultimate portrayal of Hermann’s capacity to talk others into acting violently. Stephens, attributes this to the fact that Thusnelda is the only character to openly criticize Hermann, and she perceives something lacking in Hermann’s view of other human beings. However, as Hermann wears her down, she eventually capitulates to his way of thinking. This is the ‘first victory’ of which Hermann speaks. Stephens describes this transition by drawing the following parallels between what Hermann speaks of doing, and what Thusnelda eventually does:

His ‘victory’ has an important but profoundly negative effect on the text as a whole. For Thusnelda’s conversion to his grossly simplified view of his opponents as prey and her subsequent acting out one of his fantasies of destruction in lurid detail – Hermann consistently brands other people as animals – nullifies her previous line of resistance, and, with her renunciation of moral scruples, these effectively disappear from the play. (166-67)

The depth of this transition is echoed by Thusnelda’s own claim that “Er hat zur Bärin mich gemacht” (616) and the ambiguity of the ‘he’ leaves an open question as to who she really wishes to have mauled to death.

In each of these scenarios the violence that leaves its victims marred, dismembered, and dehumanized comes as the price for Hermann’s victory. Each act of violence allows him to step
in and control the rage of those who’ve been victimized towards an ideal of total freedom. His success at the end of the play may validate the claim that the ends justified the means, but at what cost. Each of these acts appears to sacrifice the very humanity that Hermann proposes to save. Krimmer summarizes this effect with her observation that in ‘Die Hermannsschlacht’ “victimization does not ennoble the victims, but rather forces them to adopt the brutal methods initially directed against them” (79), and the only individual who remains outside this vortex of violence is its own architect, Hermann.

It is in a twisted re-imagining of Hannah Arendt’s definitive claim about the opposing nature of violence and power the play concludes. Her claim that “Violence can destroy power; it is utterly incapable of creating it,” remains true in the case of Hermann, but not in the way she intended. Hermann’s rise to power is undeniably linked to his love for violence, but it is his ability to enact that violence through the will and intentions of others that allows him to accumulate his power. Like Arendt, he appears to understand the implemental nature of violence, and sees it as a tool for disempowering others. He convinces them to commit the acts of violence he himself envisions and is so doing transfers the price that violence extols away from himself and onto those he leads. It is only after the fact, when “nichts, al seine schwarze Fahne, / von seinem öden Trümmerhaufen weht!” (Hermannsschlacht, 628) that he finally steps forward as “someone prepared for such an eventuality” (Arendt, 148) and assumes responsibility for the power that is left lying in the street.

As Wolf Kittler’s analysis of the play in Die Geburt des Partisanen aus dem Geist der Poesie emphasizes, there is little to no doubt that Kleist wrote Die Hermannsschlacht as a piece of propaganda against the French occupation. Likewise, the choice to frame his propaganda in the contemporary popularity of the Hermann/Arminius origin myth emphasizes the desire for
this to be not just a revolt against the French but a signal for a rebirth of German nationalism in a post-revolutionary world. And yet, there is something unsettling about the final image of a black flag waving over a pile of rubble, and Aristan’s final words of “du Tyrann!” (628). It calls into question the notion that Hermann’s victory was synonymous with a victory for Germany, and as Stephens points out “If, as writing on the play frequently asserts, the dominant idea is ‘freedom,’ then we must ask: freedom for whom, and has such freedom any meaning outside Hermann’s solipsistic fantasy?”

This observation by Stephens and his evocation of Hermann’s vision of Germany being an egocentric fantasy, implies that the violent myth described here is not the vision shared by Germany and is instead the delusion of a conquering tyrant. Stephens then uses this to pose the question of who Hermann really represents within the context of Napoleonic Europe. In contrast to Kittler, who poses Karl Freiherrn von Stein, Gerhard Johann David von Scharnhorst, and August Neidhart von Gneisenau as potential models for Hermann, Stephens argues that “reinforcing the oppressive perspective of the main character, however, is the absence of any credible antagonist to Hermann,” and “that Hermann is much more like Kleist’s vision of Napoleon than any historical personage on the German side” (165). A fact that gains more credence when one takes into account that the black flag is not symbolic of a ruined Germany, but of a conquered Rome.

It would appear then, that Kleist chose to end his narrative of total warfare and a new German nationality, not with the expected imagery of a symbolic birth and a new national identity, but with the cautionary-tale of what happens when such revolutions go awry. For as was previously stated in section 1, Napoleon was “once hailed as the disseminator of Enlightenment principles and the liberator of Europe” until his drive for conquest led him to
increasingly appear “to many as a new kind of despot” (Mehigan 68).

In contrast to Penthesilea and Die Hermannsschlacht the novella Michael Kohlhaas is not a work grounded on a mythological perception of the past. Instead, as the subtitle, “Aus einen alten Chronik” indicates Kleist’s tale of a horse dealer turned terrorist is an adaptation of history, but it nevertheless contains the same themes of violence, authority, and statehood expressed in the preceding works. For example, it touches on the notion of state perpetrated violence demonstrated in Penthesilea while also centering on an excessively violent yet oddly charismatic protagonist as is found in Die Hermannsschlacht. In a similar fashion to the former narratives it also contains a key political theme that is explored through its own problematization: where Penthesilea and Die Hermannsschlacht each respectively explore the corollaries between violence, myth, and power, Michael Kohlhaas is an exploration of the law and the acts of violence that legitimize its authority. Specifically, it questions the concept of law as an arbitrator of justice in that it explores the opposing sources for sovereign authority put forth by Hobbes. Namely, that it stems from either a natural capacity for violence or from a social contract.

Beginning with the conflict that emerges between Kohlhaas and the Junker Wenzel von Tronka when his horses are illegally detained and abused by the local lord, this chapter will explore how Kohlhaas perceives himself as being part of a social contract with the aristocratic nobility. Understanding the original act of violence against him as an issue to be solved through Saxons legal system, Kohlhaas undergoes the lengthy process of bringing his claim against Tronka. His efforts, however, are repeatedly rebuffed as he finds himself bureaucratically blackballed by corrupt officials related to Tronka. After an attempt to get his case before the courts results in the death of his wife, Kohlhaas ultimately concludes that the social contract
between him and the state has been broken as he is no longer “protected by [the sovereign]” (Hobbes, 161), and therefore finds himself outside the law. Unable to find legal justice within the confines of the law he becomes what Walter Benjamin calls ‘the great criminal’ in that he seeks justice by returning to the “natural force” (Hobbes, 162) of violence, which allows him to act as a sovereign unto himself through a demonstration of “being able to destroy” (162).

However, because Kohlhaas’ contention with the state is not derived from an inherent issue with the law itself, but rather extends from the laws own impotence in executing justice, he is eager to return to the fold of law should the opportunity avail itself. This occurs through his encounter with Martin Luther, where he is able to broker an amnesty between himself and the state of Saxon, in exchange for his case being brought before the courts. From this point on, the narrative becomes one of reconciliation between the dueling authorities of natural violence and social contract that results in Kohlhaas winning his case against Tronka, while also being executed for his own crimes against the state.

It is here, in the process of reconciliation between violence and the state that Kleist returns to the aesthetic of myth or fantasy through his introduction of the Gypsy woman and her prophecy concerning the Elector of Saxon’s ultimate demise. This subplot, which deviates from the historical and legal realism that defines the novella’s literary style, has long been a puzzle to Kleistian scholarship. With the help of Mehigan’s assertion that the Gypsy woman and her unspoken prophecy are a new form of contract that seeks to “reinvest the written word with authority” (156) this thesis will conclude through an exploration of the synonymous nature of literature as an expression of fiction (stories) and non-fiction (history), and its capacity to circumvent literal acts of violence through their literary depiction.
4.1 The Broken Contract

_Michael Kohlhaas_ opens with an extensive narratorial description of the titular character that in many ways reads like the opening summary of a thesis. Alongside a short list of basic biographical information such as his name, occupation, hometown, and time of birth, the reader is given information concerning Kohlhaas’ father, wife, and children. The narrator also laces this information with opinions of Kohlhaas’ character, stating that he is an “außerordentliche Mann” that could stand as “das Muster eines guten Staatsbürgers” (9). His religious piety and social image are touched on as well, as it is mentioned that he raises his children “in der Furcht Gottes, zur Arbeitsamkeit und Treue” (9), and every one of his neighbors has had the pleasure of enjoying his sense of “Wohltätigkeit” and “Gerechtigkeit” (9). Indeed, it would appear that Kohlhaas was an individual whose memory the world would bless if he didn’t possess the flaw of being “einer der rechtschaffensten zugleich und entsetzlichsten Menschen seiner Zeit” (9). For it was precisely his sense of justice that “machte ihn zum Räuber und Mörder” (9).

This expositional introduction, that Kleist uses to introduce Kohlhaas and set the scene before moving on to the events of the narrative, provides a wealth of information as to how the reader should perceive the protagonist. He is an exemplary individual who embodies all the virtues and values of bourgeois society, but in preparation for the nuanced events to come Kleist warns the reader not to see Kohlhaas’ actions as governed by a moral absolute. In contrast to the _Die Hermannsschlacht_, this narrative is not a proposed _modus operandi_ designed to incite the reader to action, but is rather a cautionary tale that warns against the violent path that Kohlhaas wanders. A path that begins on the border between Brandenburg and Saxon.

Traveling to Dresden with the intent of selling his prize horses Kohlhaas is unexpectedly stopped by a newly erected tollgate. When he inquires as to why the border between
Brandenburg and Saxon has been barred, he learns from the gate keeper that the previous lord, who Kohlhaas describes as “ein würdiger alter Herr“ (10), has died, and his son, the Junker Wenzel von Tronka is now the new lord of Tronkenburg. He pays the required toll, but when he attempts to bring his horses across the border he his stopped by the castle’s castellan who explains that a Paßschein, which is only available in Dresden, is required to bring horses into Saxon. Kohlhaas disputes this claim, stating that he “siebzehn Mal in seinem Leben, ohne einen solchen Schein, über die Grenzen gezogen sei” (10), but the castellan is insistent. The dispute escalates up the chain of command until Kohlhaas comes before Tronka himself. Their conversation is quickly distracted by Tronka’s fascination with the horses, and for a brief moment it appears that Tronka has forgotten about the Schein and Kohlhaas will be allowed to pass. However, when Kohlhaas reaches for the reins to ride away, the castellan again raises the issues of the Paßschein. In order to continue on his journey Kohlhaas is forced to leave behind his servant Herse and two horses as a ransom against his return with the requisite documents. Once in Dresden Kohlhaas learns that there is no such Paßschein and upon returning to claim his property finds that his horses have been physically abused and his servant nearly beaten to death.

It is from this instigating act of deceit, coercion, and violence performed by the state against one of its citizens that the entire narrative proceeds as a causal chain of events. Therefore it is important to note the symbolic undertones of this opening scene. As Champlin points out, the text, like Penthesilea, “opens in the middle of a history of death and interruption” (99) that interrupts Kohlhaas’ quotidian existence, and what starts out as an inconvenience develops into an impasse that makes the aforementioned interruption a permanent state of being. Additionally, Mehigan argues that the exposition of this opening scene “introduces the idea of a new order”, “the protagonist’s exclusion from it”, “the loss or fall of a more idyllic order”, and a
vague foreboding of a political bankruptcy that “is not yet fully apparent” (141).

Both of these observations have ramifications that echo throughout the entirety of the text, and they are both identified by the same signifier: the Paßschein. This demand for documentation indicates “the idea of a written document raised to a privileged status on the basis of its currency among a selected few” (Mehigan, 141), and is, therefore, the physical manifestation of the social contract envisioned by Hobbes. Both Kohlhaas and Tronka agree to the validity of this kind of contractual relationship in their willingness to submit to its authority despite their own reservations concerning its enforcement. However, although Kohlhaas soon discovers that the Paßschein is “ein Märchen” (13) in so far that it cannot be procured by the proper authorities in Dresden, the law that demands its presence is not. This realization, that the law is making demands that it cannot fulfill, elevates the demand for proper documentation from a “Witz des dürren Junkers” (13) to a legal impasse with implications for the entire legal authority of Saxon. For it is not the Junker who is making an unjust demand, it is the law itself, and the inability of the state to back up the demands of its own laws by providing the requisite means to its own ends indicates that the laws of Saxon are utterly bankrupt. In this regard the Paßschein is a signifier of not just an impasse between Kohlhaas and Tronka, but is also a more universal impasse between sovereign and subject: ie: the social contract.

In addition to the importance of a Paßschein as a signifier of the inefficacy of the social contract, Mehigan also points out that in absence of any legal credibility the demand for a Paßschein depends on an accompanying “concept of violence” on “which it relies for its validity” (141). As the light-hearted banter between Kohlhaas and Tronka comes to an end the presence of violence becomes manifest. When Kohlhaas hesitates in agreeing to leave behind his horses the Junker commands his men “wenn er die Pferde nicht loslassen will, so schmeißt ihn
wieder über den Schlagbaum zurück” (12). Only in the face of a direct threat of violence does Kohlhaas feel compelled to finally comply with the demand for a Paßschein, “weil doch nichts anders übrig blieb” (12). This final resort to threats of violence by Tronka further indicates a breakdown of the social contract in that it demonstrates that his sovereign power stems not “from men [who] agree among themselves” but from “being able to destroy them [ie. Kohlhaas] if they [he] refuse” (Hobbes, 161).

Although it won’t be realized until much later in the text, it is clear from the very beginning that the concept of a social contract that validates and upholds the sovereign powers of Saxon is as empty and fictional as the Paßschein that signifies it.

4.2 By Natural Force

When Kohlhaas returns to Tronkenburg to retrieve his horses he finds that they have been worked and abused so much that Kohlhaas shouts, “das sind nicht meine Pferde, gestrenger Herr! Das sind die Pferde nicht, die dreißig Golddülden wert waren! Ich will meine wohlgenährten und gesunden Pferde wieder haben” (15).

To which Tronka responds “wenn der H… A… die Pferde nicht wiedernehmen will, so mag er es bleiben lassen” (15).

Kohlhaas does leave the horses behind, but he does so because he stills believes in the concept of a social contract. Thus begins the second phase of the narrative, where Kohlhaas discovers that the sovereign power of Saxon does not rest on a conceptualization of men willfully submitting themselves to a sovereign “on confidence to be protected by him against all others” (Hobbes, 161) but rather on the ‘natural force’ of violence and threats of violence.

Upon returning to his home in Kohlhaasenbruck, Kohlhaas immediately seeks out his
severely beaten servant Herse to establish what happened while he was away. Allan, in his reading of the scene, states that:

Despite the unreasonable behavior of the Junker and his friends, he goes out of his way to be accommodating; when he questions his groom, Herse, about the fate of his horses, he never loses sight of the possibility that there may be mitigating circumstances which, whilst not excusing the Junker’s behavior altogether, might at least go some way towards explaining it. In short, he is a model citizen, hardly the stuff, one might think, of which robbers and murderers are made. (56)

Upon finding nothing by which the Junkers action could be legally justified, Kohlhaas then begins the lengthy process of seeking restitution through the Saxon courts. Kleist dedicates nearly a third of the novella to this endeavor, as Kohlhaas repeatedly attempts to press his case and is repeatedly blackballed for one reason for another. The patience by which Kohlhaas endures the bureaucracy of both Saxon and Brandenburg resembles Christ’s council to Peter to forgive not “until seven times: but, Until seventy times seven” (Matt. 18:22), and from an aesthetic point of view Kleist’s choice to go “to such lengths to emphasize the utter reasonableness of Kohlhaas’s initial dealings with the establishment is to show that the horse-dealer is a man for whom the prevailing social conditions have, hitherto, offered a more than comfortable existence” (Allan, 56). Building off this rational Allan states “It is clear that Kohlhaas is a man who has never harboured any thoughts of revolutionary action” (56).

However, despite all his godly virtues, Kohlhaas is still just a man, and all men have their breaking points. His comes when an attempt by his wife, Lisbeth, to use an old acquaintance to deliver a letter to the Elector of Brandenburg results in her death. Although he had begun to realize that his conceptualization of a social contract was false in that he now lived “in einem Land […] in welchem man mich, in meinen Rechten nicht schützen will” (27), it is the death of his wife that causes him to begin “das Geschäft der Rache” (31).

It is here, “when Kohlhaas realises that he cannot obtain justice via the normal channels
does he decide to take matters into his own hands” (Allan, 57). He begins by writing an ultimatum to Tronka, wherein he demands Tronka return his horses “binnen drei Tagen nach Sicht, nach Kohlhaasenbrück zu führen, und in Person in seinen Ställen dick zu füttern” (31), and when his demands go unmet he gathers together his men and attacks Tronkenburg. The violence he enacts on the residents of the castle is unmerciful, as Wenzel von Tronka’s brother Hans is bashed against a wall and the corpses of the castellan and his family are tossed from the windows of the burning towers. Unfortunately, Tronka escapes and flees to the refuge of a nearby convent run by his aunt the Abbess Antonia von Tronka. Kohlhaas follows, and upon meeting the closed doors issues

ein sogenanntes ‘Kohlhaasisches Mandat’, worin er das Land aufforderte, dem Junker Wenzel von Tronka, mit dem er in einem gerechten Krieg liege, keinen Vorschub zu tun, vielmehr jeden Bewohner, seine Verwandten und Freunde nicht ausgenommen, verpflichtete, denselben bei Strafe Leibes und des Lebens, und unvermeidlicher Einäscherung alles dessen, was ein Besitztum heißen man, an ihn auszuliefern. (34)

The convent is eventually spared the violence of Kohlhaas and his men when he learns that Tronka escaped in the night and fled to Wittenberg. Driven by the “Hölle unbefriedigter Rache” Kohlhaas desires to sack Wittenberg in pursuit of Tronka, but realizing that his small group of men isn’t enough he issues another series of mandates

worin er, nach einer kurzen Erzählung dessen, was ihm in Lande begegnet, ‘jeden guten Christen’, wie er sich ausdrückte, ‘unter Angelobung eines Handgelds und anderer kriegerischen Vorteile’ aufforderte ‘seine Sache gegen den Junker von Tronka, als dem allgemeinen Feind aller Christen, zu ergreifen’. (36)

This call to arms is successful as the sound of money and the prospect of plunder attracted those displaced by the recent peace with Poland. Reinforced, Kohlhaas begins a crusade of terror in which he repeatedly burns sections of Wittenberg at night, and then on the morning claims responsibility for the previous night’s calamity by posting additional mandates on the
church door.

In response to these nightly raids the Saxon government sends the Prince of Miessen with 500 men to protect the city from Kohlhaas, but he too is summarily defeated by Kohlhaas who expands his attacks to the city of Leipzig. Here, he issues his final mandate to the people and on this occasion styled himself as “einen Statthalter Michaels, des Erzengels, der gekommen sei, an allen, die in dieser Streitsache des Junker Partei ergreifen würden mit Feuer und Schwert, die Arglist, in welcher die ganze Welt versunken sei, zu bestrafen” (41).

Kohlhaas has become a nigh unstoppable force, and it isn’t until another mandate is written, this time from Martin Luther, that Kohlhaas’s reign of terror comes to an end. In it, he accuses Kohlhaas of being “den Ungerechtigkeit selbst.” He chastises Kohlhaas for claiming a failure of justice, when “deine Obrigkeit von deiner Sache nichts weiß” (43) and in contrast to being a manifestation of Michael the Archangel and wielder of the sword of justice Luther tells Kohlhaas that,

Das Schwert, wisse, da du führst, is das Schwert des Raubes und des Mordlust, ein Rebell bist du und kein Krieger des gerechten Gottes, und dein Ziel auf Erden ist Rad und Galgen, und jenseits die Verdammnis, die über die Missetat und Gottlosigkeit verhängt ist. (43)

These accusations strike Kohlhaas to his core, for after all that he’s suffered he truly believes that his cause is just, and in order to explain his cause he disguises himself as a farmer and rides off to meet Luther. Surprised by Kohlhaas’ visit Luther asks “was willst du?” And from Kohlhaas’ answer springs an entire debate. First, Kohlhaas addresses Luther’s claim that his sovereign knows nothing of his case. For if this is the case he will go to Dresden immediately and make his case should Luther procure him safe passage. Luther responds to this request by shouting “Heilloser und entsetzlicher Mann!” (45), and then asks by what authority Kohlhaas had the right to write mandates and wage war against the whole community. Kohlhaas responds
with a simple “Niemand,” (45) and explains that his actions were governed by the belief that he
had been cast out from the protection of society. Luther responds again with another question,
“Wer hätte dich aus der Gemeinschaft des Staats, in welchem du lebtest, verstoßen” (45), to
which Kohlhaas responds

Verstoßen […] nenne ich den, dem der Schutz des Gesetze versagt ist! Denn
dieses Schutz, zum Gedeihen meines friedlichen Gewerbes, bedarf ich; ja, er ist
es, dessenhalb ich mich, mit dem Kreis dessen, was ich erworben, in diese
Gemeinschaft flüchte; und wer mir ihn versagt, der stößt mich zu den Wilden der
Einöde hinaus; er gibt mir, wie wollt ihr das leugnen, die Keule, die mich selbst
schützt, in die Hand. (45)

This response enrages Luther, who again presses the point that Kohlhaas was never denied the
protection of the law as his sovereign never knew of his injustice. Kohlhaas responds in kind
with the same answer he gave earlier; namely that he would gladly travel to Dresden should
Luther procure him safe passage. It is here where the debate eventually fizzles out and Luther
concedes. On the following morning he writes a letter to the Elector of Saxon and secures
Kohlhaas the promised amnesty.

Similar to what Mehigan observed about the Paßschein being a signifier of both the
authority of the written word and as a law enforced by violence, Kohlhaas’ brief but bloody reign
of terror is similarly accompanied by a series of mandates by which he “he attempts to write his
way to power” (Champlin, 102). However, this effort, like that of the Paßschein, ultimately fails
in its capacity to grant legal authority, because as was observed earlier in Tronka’s threats
against Kohlhaas “violence appears as a last resort” (Arendt, 146) when an institution or person’s
power cannot be legitimized. This failure can be seen through the progression of Kohlhaas’
mandates where Kohlhaas’ demands slowly escalate from a specific command for restitution
embodied by his own ‘inborn power’ to a sweeping representation of the entire world in which
his actions are legitimized by deity. In his initial mandate, Kohlhaas is still seeking justice for a
specific crime, and because the state will not legitimize his claim he assumes that authority unto himself through an “angeborenen Macht” (Kohlhaas, 31). Likewise, this also indicates the moment where Kohlhaas “splits off from the legal order to install [his] own clear delimitations of right: it recounts a crime, a victim, and orders a specific person to perform a certain action in a set amount of time” (Champlin, 102).

What is decidedly absent from this first mandate is the presence of any threat. It gives no warning that violence will follow, nor does it offer any means of enforcing itself. But this does not mean that the threat of violence was not already lying latent in the written word. It is not until Kohlhaas musters his men and lays waste to Tronkenburg does his mandate have any influence. Indeed, when Kohlhaas arrives at Tronkenburg he finds Tronka and his men laughing as they read his mandate out loud.

However, in his failure to capture Tronka, and in his inability to contain the violence of his men to those mentioned in the mandate Kohlhaas’ “effort to enforce the authority he claimed turns out to undermine that very authority” (Champlin, 104) as he, like the state of Saxon, has proven himself incapable of enforcing the written word he puts forth. In an attempt to reclaim that power Kohlhaas writes the second mandate that retroactively justifies the formerly uncontainable violence. Unfortunately this results in an inversion of power and violence in that the ends of his authority are continually being redefined by the means. This leads to a downward spiral in which Kohlhaas must continually expand the scope of his authority in an attempt to contain the violence that continually escapes his capacity to control. This cycle of violent acts followed by the written word escalates to the point that Kohlhaas’ original claims are drowned out by the weight of his own mandates. In the end he is no longer a simple horse-dealer. He is Michael the Archangel. No longer is he seeking recompense for a specific crime, but instead he
is striving for the “Errichtung einer besseren Ordnung der Dinge” (41).

On the surface Kohlhaas’ mandates bear a certain level of absurdity, but because no other force has shown itself capable of resisting him this absurdity is ignored and his growing capacity for violence is seen as legitimate. This is manifested in the text through Kohlhaas’ growing popularity among the very people he’s terrorizing, and Luther’s own admonition to the Elector of Saxon to treat Kohlhaas, not as a rogue citizen, but as a “fremde, in das Land gefallene Macht” (49). It is not until Luther issues his own mandate, wherein he uses the written word to delegitimize Kohlhaas’ violence, that Kohlhaas’ claims to power and authority based on a notion of ‘natural forces’ ultimately crumbles. With the assistance of another document Kohlhaas is once again written back into the fold of the social contract, but the question remains as to whether or not he will ever see justice. For so far both modes of sovereign power have proven themselves incapable of providing justice.

4.3 The Power of Fantasy

Kohlhaas does eventually win his case against Tronka, but the restoration of his horses comes at the price of his own life. This, Champlin argues, results in a reinvigoration of the law in that through “the ‘execution [hinrichtung]’ the state finally gets ‘right [Recht]’ back on its side alone” (114). An outcome that could not have happened if Kohlhaas had not demonstrated his own willingness to be executed in exchange for reentry into the social contract. If he had been executed against his will, he would have become a martyr, and his violence against the state would have been legitimized. His choice to once again submit to the sovereign authorities of Saxon and Brandenburg instead makes him into a sacrificial scapegoat, and the executor of his death becomes the priest authorized by the collective to perform the cleansing ritual. It is with an
understanding of this shift in the power dynamic between Kohlhaas and the state that the Elector of Brandenburg orders “a mighty spectacle that preserves his authority” (Champlin 114) and ultimately revives the validity of the social contract between the sovereign and subject. And yet, Kohlhaas’ act of submission is not as straightforward as it may seem, for his willingness to be executed stems from a final act of rebellion against the Elector of Saxon as is explained through the subplot of the Gypsy and her unspoken prophecy.

Bordering on the edge of Deus ex Machina, when Kohlhaas’ fate is sealed the narrative flashes back to the day after Lisbeth’s funeral. On this day the Elector of Saxon and the Elector of Brandenburg have met in the city of Jüterbock, where they are enjoying a walk through the marketplace. They come across a gypsy woman who is telling people their fortune. They mockingly ask if she has anything to reveal to them to which she responds with a prophecy and a sign. The sign, offered as a validity to her prophecy, is that before they leave the market they will encounter the large roebuck that was currently under lock and key in the Elector of Saxon’s kitchen. The prophecy she issues in two parts. The first is spoken verbally and foretells that the Elector of Brandenburg’s rise in power and the blossoming of his posterity, while the Elector of Saxon’s power shall will wane. Shocked, the Elector of Saxon asks “von welcher Seite her droht meinem Haus Gefahr” (92). The gypsy refuses to answer but instead writes it down on a piece of paper, locks it in an amulet and hands it to a man in the crowd. Shortly after the man leaves the roebuck indicated in the sign as a validity of the prophecy, is dragged into the market by a dog who had managed to get into the kitchens. This event, becomes the central focus of the novella’s final episode, when the Elector of Saxon learns that the man in possession of his downfall is Michael Kohlhaas. He attempts in vain to retrieve it from Kohlhaas. He even offers to spare Kohlhaas’ life should he give to him. But Kohlhaas, guided by his moral sensibility to justice
refuses, and in a final rejection of the Elector of Saxon’s authority, reads the prophecy, smiles, and swallows the prophecy. His execution is then carried out, and the knowledge of sustaining the Elector of Saxon’s political dynasty perishes with him.

This subplot has been the subject of much debate in Kleistian scholarship for it poses a significant challenge to a holistic reading of the text, and it has spawned a variety of readings. Griffiths, for example, argues that it is an attempt to elevate the conflict beyond the political by suggesting a “concealed cosmic order” (142), Champlin portrays it as a stylistic break designed to upset any attempt to interpret violence through a “disjunctive narrative” (116), and Krimmer sees it as a means of bookending the narrative in the symbolism of the empty text embodied in the Paßschein (Kohlhaas 417). The ramifications for each of these readings results in this episode of the story having very different effects on the narrative’s conclusion, but what all three scholars agree on is that it indicates an aesthetic break that interrupts not only the chronological flow of the narrative but also marks a shift between the formerly realistic style of the text and its Märchenesque conclusion.

However, when read within the context of his other narratives, this narratological tangent is not as perplexing as it first appears. As can been seen in Penthesilea and Die Hermannsschlacht the relationship between violence and its synonymous manifestations of identity, power, and authority is one that Kleist always facilitates through a mythical or fantastic lens. This is because, as Champlin argues, Luther’s mandate and the fantastic nature of the gypsy’s prophecy opens a “middle path, a way to respond to violence that is neither utopian nor reactionary” (111). This is achieved this through the same mechanisms by which literature itself succeeds as an alternative to violence as a mechanism for social cohesion. Namely, by merging the duality of the term Geschichte into a single medium. This is manifested throughout the
works of Heinrich von Kleist in that he repeatedly contextualizes his violence through a lens of myth or fantasy. An aesthetic choice that allows him to portray the synonymous nature of violence as a manifestation of power and authority, while also separating acts of violence from real world consequences. In doing so he shifts these concepts away from a foundation of violence towards that of empathy. For when one reads of the tragic ends of so many innocent lives, how can one not feel? How can one not ask, is there a better way?
Bibliography


Endnotes

1 Although they do play a role on his work, the scope of this thesis doesn’t allow for a thorough analysis of the aesthetic theories prominent during the time of Kleist. However, two key texts from this era would be Kant’s Critique of Judgement, and Schiller’s Upon the Aesthetic Education of Man, in a Series of Letters. Additionally, academic works such as Paul de Man’s “Aesthetic Formalization: Kleist’s Über das Marionettentheater,” and Tim Mehigan’s Heinrich von Kleist Writing After Kant are good starting points for pursuing this line of inquiry.

2 Only three of his dramas were ever produced, Die Familie Schroffenstein, in 1804, Der Zerbrochne Krug in 1808, and Das Käthchen von Heilbronn in 1810. Likewise, Goethe, who occupied the ambiguous position of Kleist’s literary idol and rival, described Kleist’s work as filling him with “Schauder und Abscheu” (Goethe 129), and when asked his opinion about Penthesilea he lamented that “es mich immer betrübt und bekümmert, wenn ich junge Männer von Geist und Talent sehe, die auf ein Theater warten, welches da kommen soll” (Briefe, 806).

Jochen Schmidt's Heinrich von Kleist: Die Dramen und Erzählungen in ihrer Epoche and Katharina Mommsen’s Kleists Kampf mit Goethe both provide excellent explorations of the historical context and consequences of these productions on Kleist’s reception during the early 19th century.

3 One doesn’t have to search too far into the bibliographic details of Kleist’s life to see that he was tempestuous, prone to extreme swings of emotion, and had a tendency to burn bridges. The most telling examples of this are his frequent shifts in ambitions (soldier, academic, writer, journal editor, etc), the infamous Kant-Crisis that supposedly “dem Heiligtum [s]einer Seele erschüttert” (Briefe, 636), and his feud with Goethe after an unfortunate production of Der Zerbrochne Krug. However, despite these barriers to his success among his contemporaries, there exists a strong consensus in Kleistian scholarship that his works is not so much romanticism as proto-modernism. Among others not cited here Phillips, Mehigan, Fischer, and Howe all touch on this point in one way or another in their profiles of Kleist.

4 This includes but isn’t limited to works such as Werner Hamacher’s “Das Beben der Darstellung”, and Paul de Man’s The Rhetoric of Romanticism. Additionally, Howe, whose break down of Kleist’s reception is a primary source of information in this section, includes in own his footnotes the following scholars as examples of post-structuralist/deconstructionist readers of Kleist: Carol Jacobs, Helga Gallas, Bianca Thiesen, László F. Földényi, and Dieter Heimböckel.

5For example, Tim Mehigan’s Heinrich von Kleist: Writing after Kant, James Phillips The Equivocation of Reason: Kleist reading Kant and Steven Howe’s Heinrich von Kleist and Jean-Jacques Rousseau: Violence, Identity, Nation.

6 This difficulty stems from the aforementioned tendency of his works to contain paradoxes and contradictions on a multitude of levels. This in turn makes any interpretation or analysis of the text incredibly difficult as any conclusion brought forth must contend with contrary evidence. This has forced a variety of responses within Kleistian scholarship. Some, such as David Roberts, simply acknowledge the fact that “Vor diesem Abgrund muss jede Restitution von Sinn versagen, und das gilt auch für jede Interpretation der Erzählung” (46). While others, such as Wolf Kittler, focus on a single aspect of the text such as German nationalism, while ignoring those “discordant elements” that undermine “nationalist interpretations that remain fixated on seeing Kleist as an advocate of ‘total war’”(Stephens 165). Even framing him within a theoretical approach such as deconstruction, which in many ways appears tailor-made for his work, can lead to “an anticipatory postmodern rejection of meaning and identity” which amounts to “ignoring the broader imaginative and critical possibilities of paradox as a literary form” (Howe, 3). In short, even the very best scholars have been forced to make concessions when approaching Kleist, and any attempt to make an analysis of his work will always remain problematic.

7 To try and provide an exhaustive list of sources underlining how these themes are manifested within Kleistian scholarship would be a futile effort. Every text listed in the bibliography that directly references Kleist touches on these two points. However, Seán Allan’s The Stories of Heinrich von Kleist: Fictions of Security. Elystan Griffiths Political Change and Human Emancipation in the Works of Heinrich von Kleist, Steven Howe’s Heinrich von Kleist
and Jean-Jacques Rousseau. Anthony Stephens Kleist Sprache und Gewalt, and Wolf Kittler’s Die Geburt des Partisanen aus dem Geist der Poesie are all excellent works dedicated specifically to these two subjects.

8 For example, many of Kleist’s characters are shaped by an inherent structural duality that is paradoxical in nature. Penthesilea, struggles with her identity as both an individual woman with dreams, ambitions, and desires, and as a queen, which an embodied signifier for the entire Amazon state. Hermann is zealous in his defense of freedom/liberty to the point that he feels it necessary to turn Germany into a tyrannical monarchy, and similar to Penthesilea he is also an embodied signifier for the new German state. Michael Kohlhaas is driven by a need for justice that demands he break the laws he values. In all three texts violence is the medium by which these characters navigate their conceptualizations of identity, power, and authority. To make distinctions between violence and its synonymous terms would require a similar division of these characters.

9 Nietzsche, in Genealogy of Morals, sees violence and pain as one of the driving forces behind social cohesion in that it is a mnemonic for cultural memory (496-497). Hegel portrays the struggle for subjectivity in The Phenomenology of Spirit as a “life-and-death struggle” in an inherently hierarchal structure of lord and bondsman (114). Hobbes’ Leviathan conceptualizes the sovereign as “the public sword” (164) that maintains the social contract. And Rousseau, building off of Hobbes, in The Social Contract argues that contrary to ‘political thinkers’ who wish to “make the Sovereign into a fantastic being, composed of disparate pieces,” (30) the sovereign is an indivisible unit that embodies both “force and will” (30).

10 Tim Mehigan provides a detailed break-down of this tradition that goes beyond the scope of this thesis. Shortly summed up, Mehigan argues that the goal of “Hobbes’ Leviathan (1651), a work of political philosophy written at the height of the English civil war” (69) was to make the scientific reason championed by Descartes and Francis Bacon “serve the interests of the state” (69). He then traces this line of thinking to Rousseau’s The Social Contract and Kant’s 1784 essay “An Answer to the Question: What is Enlightenment?” Rousseau, he argues, sees “legal principles as inseparable from the rational principles that establish civil society” (69), where Kant “calls attentions to the need to embrace morality as a ‘fact of reason’ – a fact engendered by the practical tenets of rational understanding” (69).

11 Although Odysseus has no cryptic intentions in this statement his choice of words carries strong allusions to the play’s themes and can be read in a similar fashion to the prologue of Romeo and Juliet that summarizes the plot. The image of the wolf or the dog, for example, is used throughout the text to identify whether Penthesilea or Achilles is acting as the aggressor, and the imagery of them killing each other through bites is evoked at the plays end. The outrage or indignation of Mars can refer to Penthesilea (as a symbolic daughter-bride of Mars), and her blasphemous act of naming Achilles as her intended captive. However, the most telling reference is the invocation of Delsius. Who is not one, but two, deities: Apollo and Artemis/Diane

12 The depictions of Penthesilea’s reception put forward by not only Anthony Stephens but also Jochen Schmidt should be taken with a grain of salt as it is impossible to say how many readers actually saw a complete copy of the play during Kleist’s lifetime. I argue that it was very few. Kleist himself feared presenting it to the public in its entirety (Briefe 805), and only published a fragment in the first edition of Phöbus. From his letters we know that his confidant Marie von Kleist, and his greatest critic, Johann Wolfgang von Goethe were both given fragments of the play, and their responses were mixed The former was supposedly brought to tears by the “höchst barbarische Fragment der Penthesilea, worin sie den Achill tot schlägt” (Briefe, 797), and the later expressed his disappoint in the play, stating “Mit der Penthesilea kann ich mich noch nicht befrieden” (Briefe, 806). The only numbers that can be found concerning the plays distribution in Phöbus is in a letter to Ulrike von Kleist, in which he mentions 50 subscriptions in Dresden alone, and an expected 3000 copies to be sent to various cities in Germany. The journal, however, saw limited success and only lasted 12 months.

13 See Mommson, Kleist’s Kampf mit Goethe 41-47, 80-93; Schmidt, Heinrich von Kleist: Die Dramen und Erzählungen in ihrer Epoche 105-110; Stephens, Heinrich von Kleist: The Dramas and Stories, 97.

14 Unfortunately, the size and scope of this essay doesn’t allow for it, but it’s important to note that the foundations of Enlightenment and Myth respectively embodied by the Greeks and the Amazons has implications that reach farther beyond the context of “Penthesilea”. However, for a more thorough look at the dialectical relationship that exists between Enlightenment and Myth can be found in Adorno’s Dialectic of Enlightenment.
15 The text often switches between the Greek and the Roman names for the god of war.

16 I do humbly acknowledge that as a male scholar any judgements I may reach concerning what is a rational or irrational reaction to the trauma of rape is not only highly suspect, but also bears echoes to the patriarchal superstructure of rape culture that is propagated by my own society. Such a position goes beyond irony. However, the goal of making this point is to highlight that very patriarchal superstructure and its effect on Penthesilea, and in relation to that I ask for the reader’s patience and understanding. In addition to my own reading there are other opposing views that are incredibly insightful. For example, Griffiths explains these laws as a public acknowledgement of the price they must pay for their freedom, as “the women accept that the price of their freedom is a redefinition of their bodies and of their behavior as mothers” (55).

17 For a detailed history of this reading and its influence on Penthesilea’s historical reception see Jost Hermand’s “Kleist’s Penthesilea: Battleground of Gendered Discourses.”

18 Jacobs’ use of “Stellvertreter” is a reference to Penthesilea’s explanation to Achilles that the Amazon object of desire as embodied in its annual conquest is dictated to them through the religious structures of the state.

Der Gott zeigt uns, durch seine Priesterin,
Ein Volk an, keusch und herrlich, das, statt seiner,
Als Stellvertreter, uns erscheinen soll. (391)

19 “Der Tanais Asche, streut sie in die Luft” (427)
20 Depending on the historical source the figure of Hermann is also known as Arminius.

21 Although it is not limited to these men, the letters that best illuminate Kleist’s vision of “Die Hermannsschlacht” as an artistic work designed to guide and incite Prussia and Austria into total and partisan war with the Napoleonic occupation are those written to Otto August Rühle von Lilienstern, Heinrich Joseph von Collin, and Karl Freiherrn von Stein zum Altenstein.

22 While it certainly isn’t limited to these scholars Wolf Kittler’s *Die Geburt des Partisanen aus dem Geist der Poesie*, Carl’s Schmitt’s *Theory of the Partisan*, Richard Samuel’s “Kleist’s ‘Hermannsschlacht’ und der Freiherr vom Stein”, Jochen Schmidt’s *Heinrich von Kleist: Die Dramen und Erzählungen in ihrer Epoche*, Anthony Stephens *Heinrich von Kleist: The Dramas and Stories*, and Steven Howe’s *Heinrich von Kleist und Jean-Jacques Rousseau: Violence, Identity, Nation* all provide similar readings of the historical context that informed the creation of this work.

23 The letter wherein this oft quoted statement by Kleist appears also includes a detailed account of the French forces evacuating Dresden after receiving word of an Austrian victory. Their retreat was done hastily, “als ob der Feind auf seiner Ferse wär” (Briefe 824). This victory would come to be known as battle that began the War of the Fifth Coalition. Kleist speculates as to how far this retreat will go, writing “Jetzt ist alles darauf gespannt, was geschehen wird, wenn die Armee über die Grenze rücken soll” (824). It is in response to these observations of what will become yet another war between Napoleon and Europe that Kleist expresses his concern for the timeliness the drama’s production.

24 At this point in the play it appears that Hermann has handed his lands over to the Romans and is openly dealing with Varus, but all of this is quickly exposed as a ruse.

25 Most characters within the text seem oblivious to this reality and nearly all the princes act as if there is a national Germany to be saved. The one exception to this is Aristan, prince of the Ubiers. He is the only German to commit his cause entirely to the Romans and his warnings of betrayal to Varus before the final battle make him the only character capable of seeing through Hermann’s political deceits. He is the final character to be executed by Hermann, and his final words speak to this issue of whether Germany is an existent political unit. He says to Hermann:

Ich las, mich dünkt, ein Blatt von deiner Hand,
Das für Germanien in den Kampf mich rief!
Jedoch was galt Germanien mir?
Der Fürst bin ich der Ubier,
Beherrscher eines freien Staats,
In Fug und Recht, mich jedem, wer es sei,
Und also auch dem Varus zu verbinden! (627)

To which Hermann responds:

Du bist imstand und treibst mich in die Enge,
Fragst, wo und wann Germanien gewesen?
Ob in dem Mond? Und zu der Riesen Zeiten?
Und was der Witz sonst an die Hand dir gibt;
Doch jetzo, ich versichre dich, jetzt wirst du
Mich schnell begreifen, wie ich es gemeint:
Führt ihn hinweg und werft das Haupt ihm nieder! (627-28)

Although Hermann provides a selection of possible interpretations: all of which are mythical in origin, Aristan’s question and Hermann’s answer as to what is meant by “Germany” is largely left unanswered. It’s not until the question is embodied in violence that a concrete sense of Germany emerges. Aristan is executed so that he may know what Hermann ‘meant’ when he called the princes to Germany’s defense, and the princes observing this exchange agree state that, “Die Lektion ist gut,” and that “er weiß jetzt, wo Germanien liegt” (628)

26 This she argues would be strength not power.
27 Or the French depending on what context the play is being read/performe in.
28 Although his tactics appear different from that of Achilles and Penthesilea there is a common core and that is violence. This is because, as Arendt points out, violence “is distinguished by its instrumental character. Phenomenologically, it is close to strength, since the implements of violence, like all other tools, are designed and used for the purpose of multiplying natural strength” (145). Because Arendt sees strength as a character of the individual she distinguishes the authority derived from violence as being contradictory to authority derived from power, which is founded on a plurality. What she doesn’t consider, however, is the tendency of groups to act as singular entities. When this is taken into consideration the capacity of Hermann to exercise violence vis-a-vie his own citizens, the authority he gathers through his violence is able to occupy a middle ground between individual strength and power.
29 At another point in the story, Hermann’s wife Thusnelda points out that not all Romans are destructive, and to prove her point tells of a Roman soldier who risked his life to save a German child from a burning building. Hermann responds to this tell by saying:

Ich will die höhnische Dämonenbrut nicht lieben!
So lang sie in Germanien trotzt,
Ist Haß mein Amt und meine Tugend Rache! (594)

30 I personally am still very puzzled as to Teuthold’s actions. Why would a father who upon hearing of the rape of his child cry out “Gott im Himmel! Hally mein Einziges, was widerfuhr dir?” (588), and then a few moments later murder and curse said child into oblivion. The only causality within the text I can find is that his choice to kill Hally comes in response to the Cheruskan soldier’s instructions to lead Hally into the house and summon Hermann. Teuthold’s rejection of this order and the italicized emphasis on “Ich will sie führen” leads me to believe that he knows what Hermann would want, and in assuming the responsibility himself this act displays a willingness of not only Hermann, but of his fellow German to amplify violence to increase dissent. However, this is just speculation with little to no evidence in the text to confirm it.
Jochen Schmidt provides a detailed breakdown of Hermann/Arminius’ conception throughout Germany’s history. For example, in 1529-35 he was used as a describe the German princes who stood behind Luther in denying the authority of the Catholic Church. In the 17th century he was used repeatedly as a poetic figure for describing the conflicts with France during the Thirty-Years War. The 18th century saw him portrayed as a national hero governed by a sense of patriotism and duty. Schmidt lists the following works as thematic predecessors to Kleist’s own narration. He lists – Daniel Caspar von Lohenstein’s 1690 “großen Arminius-Roman” (149), Johan Elias Schlegel’s tragic drama Hermann in 1737, Justus Möser’s 1749 drama Hermann, Wieland’s 1751 poetic epic Hermann, and Klopstock’s three dramas, Hermannschlacht, 1769, Hermann und die Fürsten, 1784, and Hermanns Tod, 1787.

Stephens includes attached to this statement the following footnote: Most recently by Han Joachim Kreutzer, ‘Die Utopie von Vaterland. Kleist’s Politische Dramen,’ in Oxford German Studies, vol 2. 20/21, 1991/1992, p78: ‘Der zentrale Begriff in Kleist’s Hermannschlacht ist der Begriff “Freiheit”.’

See also Stephens other essay on Die Hermannsschlacht titled “Kleist’s Mythicisation of the Napoleonic Era,” Romantic Nationalism in Europe, ed. J.C. Eade, Canberra.

For example, the ending to this national origin story can be compared with that found in Penthesilea, where the revolt against the rule of men ends with a restructuring of power, symbolic baptisms, and the Themiscryan adopting the new name of Amazon.

It is believed that the chronicle referenced here by Kleist is Peter Haffitz’s Märckische Chronik which depicts the feud of Hans Kohlhase with the Saxon noble Gunter von Zaschwitz over stolen horses. It can be found in its entirety in Bernd Hamacher’s Erläuterungen und Dokumente: Heinrich von Kleist, “Michael Kohlhaas.”


In many ways he is a prototype of the fantastical hero that emerges in the novels of popular fiction of the late 19th and 20th century. This is especially true of the fantasy genre as championed by foundational authors such as J.R.R. Tolkien, C.S. Lewis, and T.H White. The common motif of the small town hero fighting against an impending totalitarian threat is often also a portrayal of the struggle between religious and civic virtues.

It is also possible that he was never aware of the law in the first place. The comical manner in which Tronka is introduced as among “einigen muntern Freunden, beim Becher saß, und, um eines Schwanks willen, ein unendliches Gelächter unter ihnen erscholl” (11) undercuts the notion of Tronka being a sober man familiar with the intricate details of the law he presumes to represent.

Champlin doesn’t develop this point much further, but there is a potentiality of seeing Kohlhaas’ continual obstruction of justice by the Saxon courts as an extension of this original impasse.

It is tempting to argue that the tollgate is what signifies Kohlhaas’ interruption, but Kohlhaas is able to use his wealth to surpass it. Its lack of importance as an form of obstruction is manifested by Kohlhaas’ own response of “Nun! Was bin ich schuldig?” (10) and the ease with which he pays the 25 gold guilders requested by the gatekeeper. This is in stark contrast to his response to the requirement of a Paßschein, for he tells Tronka that this demand “seine ganze Gewerbe zerstöre” (12).

Kohlhaas’ reservations against the demands for a Paßschein are more obvious as he expresses his confusion and disdain for the demand to both Tronka and the castellan. Tronka’s reservation is subtler, but it is expressed when he is forced to admit the presence of the law “mit einem verlegnen Gesicht, indem er abging” (12).
Later, when Kohlhaas' case is finally brought before the courts “brachten sie gar ein kurfürstliches Edikt bei, worin, vor einem Zeitraum von zwölf Jahren, einer Viehseuche wegen, die Einführung der Pferde aus dem Brandenburgischen ins Sächsische, in der Tat verboten worden war” (69).

This bankruptcy is exactly the same as the impotency of the German lords in *Die Hermannsschlacht*, and is a further example of Arendt’s observation concerning “utterly impotent regimes” (148) existing long after their power base had dissolved.

A word that can mean both story and history. See “Geschichte.”