

### Introduction: *Fiat iustitia, ruat caelum*

**WHO IS MICHAEL KOHLHAAS?** It is interesting how Kleist initially presents his hero. He was the most 'upright', but also the most 'terrible'. He is a 'good citizen', in the sense that he causes no trouble. He takes care of his own household, is honest, pious, and prosperous. Your typical (slightly) middle-class.

But his too developed sense of justice (*Rechtsgefühl*) leads him to robbery and murder. There is a tension here right at the beginning. Kleist never doubts that his *Rechtsgefühl* is genuine, yet his crimes are genuine too. So this is our first question: how can they be compatible? how can crimes be committed out of the sense of justice? Moreover, is Kohlhaas not only committing certain crimes—is he a *criminal*, a man defined by his crimes? Kleist answers yes.

308

**THE EVILDOERS.** The company surrounding Squire Wenzel Tronka is depicted in sinister tones ('they broke into uproarious laughter'). Still, not everyone is painted the same colour. Two gentlemen urge Tronka to pay the asked price. But their dissent doesn't matter. Not only has it no effect on the squire, but eventually (so it seems), by keeping his company, they become themselves complicit in his crimes. Tronka himself is a miniature sovereign used to having his way with people. He is assisted by a competent bureaucrat, the 'pot-bellied' castellan, who guesses and translates the sovereign's wishes into practice. Indeed, the world of German bureaucracy encountered by Kohlhaas deserves a separate discussion (not our concern here).

310

311

There is, I think, an intended sharp contrast between the initial presentation of Kohlhaas, whose world is all about justice, and of Tronka's castle, whose world seems void of morality altogether, and whose chief, and perhaps only, motivator is power, unrestrained by any ethical concern. For all we know, it is not greed. There is no material satisfaction they derive from Kohlhaas's expensive horses. For example, they don't try to steal them and sell for good money. Instead, it is mostly moral *indifference*. It is not that they consciously practice satanic attachment to evil. They don't declare themselves enemies of justice. Rather, they allow their desires run wild. In their actions, they cause harm not only to people (Kohlhaas and others), but also to animals ('the very picture of utter misery in the animal kingdom'). The scope of their evil, though of modest origins, is universal.

314

Though morally they may be indifferent, the squire and his proxies are not without principles. The horses must remain in the stable, no matter what. The only reason seems to be the earlier decision to keep the horses. If this is true, the squire and his helpers also follow a principle. Initially, the principle 'Keep the horses in the stable' was established with some element of greed in view. But in the process the squire shows no inclination to amend it. As Kleist narrates the story, partly the reason may be honour, partly stubbornness, partly habit. Neither of those are explicitly specified. So there is a symmetry: just as Kohlhaas pursues his course of action out of a rigid *Rechtsgefühl*, so does the opposite party pursue theirs based on some inflexible principle. One principle is putatively moral, the other is not.

**HERSE AND LISBETH.** A major moral contrast in our selection is between Kohlhaas, on one hand, and his servant Herse and his wife, on the other. The latter of course understand that injustice has been done. But what is the right course of action in these circumstances? The answer seems to be: ignore what has been done, look into the future. Make the best of the worst circumstances. Lisbeth later on supplements this with an appeal to Christian morality: forgive your enemies.

329

333

**JUSTICE OR REVENGE?** Kleist's assumption seems to be that Kohlhaas is driven by a genuine concern for justice, the *Rechtsgefühl*. Yet at the end of our selection he is said to embark on revenge. So, in his situation at least, is justice the same as revenge? Or is justice transformed into revenge at some point? If it is, there is no obvious point where it happened. If he was motivated by justice prior to Lisbeth's death, surely he is similarly motivated after her death too.

333

Finally, we must ask: where exactly did his *Rechtsgefühl* come from? How did Kohlhaas know that what he was doing *was* in fact right? Was it a personal conviction only? Was it an intuition? Interestingly, Kohlhaas does not invoke any authority, including God. People around him, including Lisbeth, seem to have a different view. Fellow citizens (e.g., the lawyer) are either indifferent, or evil,

or both. So here we have a person claiming moral authority pretty much alone. What exactly is its ground? Can there be such a ground?

YSB