

THE LAWS OF TERRORISM:
REPRESENTATIONS OF TERRORISM IN GERMAN LITERATURE AND FILM

by
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THESIS ABSTRACT

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Representations of the reasons and actions of terrorists have appeared in German literature tracing back to the age of *Sturm und Drang* of the 18th century, most notably in Heinrich von Kleist's *Michael Kohlhaas* and Friedrich Schiller's *Die Räuber*, and more recently since the radical actions of the Red Army Faction during the late 1960s and early 1970s, such as in Uli Edel's film, *The Baader Meinhof Complex*. By referring to Walter Benjamin's system of natural law and positive law, which provides definitions of differing codes of ethics with relation to state laws and personal ethics, one should be able to understand that Michael Kohlhaas, Karl Moor, and the members of the RAF are indeed represented as terrorists. However, their actions and motives are not without an internal ethics, which conflicts with that of their respective state-sanctioned authorities. This thesis reveals the similarities and differences in motives, methods, and use of violence in Schiller, Kleist, and representations of the RAF and explores how the turn to terrorism can arise from a logical realization that ideologies of state law do not align with the personal sense of justice and law of the individual.

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DEDICATION

This thesis is for the memory of
Holger Meins, Andreas Baader,
Gudrun Ensslin, and Ulrike Meinhof,
der Kampf geht weiter.

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CHAPTER I

INTRODUCTION

After the events of September 11, 2001, the topic of terrorism was reinvigorated in the minds of citizens the world over in the new millennium. Efforts to prevent, deter, and intercept terrorism and terrorist actions have been at the forefront of every developed and developing country as evidenced by the increased security measures at airports and increased attention that the media have given to the subject. However, terrorism is not a new phenomenon. In fact, the reasons, and actions of terrorists have been present in German literature tracing back to the age of *Sturm und Drang* of the 18th century, and more recently since the creation of the postwar Germanys and the fears and realities of lingering fascism in both East and West Germany. When analyzing motives and actions of non-governmental entities who claim to have a justified reason to use violence against the state, one must keep in mind the problem of using violence in order to conversely stop violence. At what point does the state have more legitimacy to use violence than the terrorist? What differentiates the state's ability to use violence to enforce a legal system from the terrorist's wish to use violence in order to overthrow said system and establish a system based on another set of morals and ethics? Walter Benjamin describes two separate systems of law: natural law and positive law. Natural law, as Benjamin claims, "sieht in der Anwendung gewaltsamer Mittel zu gerechten Zwecken so wenig ein Problem, wie der Mensch eines 'Recht,' seinen Körper auf das erstrebte Ziel hinzubewegen, findet" (179). This is diametrically opposed to positive law, which attempts "...durch die Berechtigung der Mittel die Gerechtigkeit der Zwecke zu

garantieren” (180). The problem with trying to find compatible ground between these two concepts of law lies in how and from where the justification is drawn, and whether or not this justification is seen as legitimate. In light of the conflict between positive and natural law, Benjamin states that positive law “...von jeder Gewalt einen Ausweis über ihren historischen Ursprung verlangt, welcher unter gewissen Bedingungen ihre Rechtmäßigkeit, ihre Sanktion erhält” (180). According to this idea, the reigning government has a monopoly on legitimate and legal use of violence, and sanctions it based on its own criteria in consideration of the historical source claimed in each case. Only after a successful revolution (e.g. the French Revolution) that has wide support do official governmental sources consider the use of violence justified. However, if a revolutionary movement lacks the ability to justify its use of violence to their supporters, it may begin to lose its legitimacy. Democracies are bound to a different set of justifications, as they are ideologically forced to justify their use of violence to their citizens, while a potential success in achieving the state’s goal (e.g. capturing or killing criminals) is equally or less important than the process.¹ If the state is unable to justify the use of violence during a certain conflict, it loses support from the public, which leads to a delegitimation of the laws and justifications employed by the state.²

¹ An example being the manhunt for Chris Dorner, during which the LAPD open fired on a pick-up truck that, “they thought resembled the one used by Dorner” (KABC). Although Dorner was later killed during a shoot-out resulting in “victory” for the LAPD, the tactics that they used, which led to unprovoked assault on civilians, can still factor into whether or not people believe the use of violence was justified.

² E.g., the widespread criticism of former President Bush’s decision to invade Iraq. While the initial military success of dismantling the Saddam Hussein government was the goal of the US government, the general populace criticized President Bush’s decisions and his claim of accomplishing the mission (Elliott).

Real-world terrorism has also worked its way into works of fiction, ranging from film, video games, and popular novels.³ However, in the field of literary studies, readers and critics are allowed a step of removal from the conflict, as the events described are typically treated as fictional or representational. It is important to discuss and analyze the implications that fictional works present, as they indicate support for or condemnation of certain ethical systems, and allow one to understand how it is that the conflict between terrorism and state authority is a continual ideological struggle.

In an attempt to better understand how terrorism functions in discourse and literature, and therefore to have a more meaningful approach to struggling with the issues surrounding terrorism in modern society, this paper will analyze how terrorism is represented in Heinrich von Kleist's *Michael Kohlhaas*, Friedrich Schiller's *Die Räuber*, as well as in representations of the infamous Red Army Faction (RAF) in Uli Edel's *The Baader Meinhof Complex*. It will be organized into two chapters. The first will analyze Kleist's and Schiller's texts in order to determine the initial cause or reason for the main characters to descend into terror and violence, to what extent we see the representations of the characters and their actions as terrorism. The second chapter will primarily deal with representations of the RAF in Uli Edel's film, *The Baader Meinhof Complex*, but will also include analysis of other works that fictionalize or dramatize the actions and people involved in the first generation of the RAF. These analyses reveal similarities in motives, methods, and progression of violence found in the eighteenth- and nineteenth-century literary models of terrorism, as well as in representations of twentieth-century terrorism. With an established model of how terrorists are represented in works of

³ The *Die Hard* series, *Iron Man* series, and crossover of Tom Clancy's *Rainbow Six* novel and games all reference or utilize "terrorists" or "terrorism" as plot devices.

literature and film, one can piece together a more complete understanding of how terrorism is not a phenomenon found only in the minds of radical groups and fringe organizations, but rather it can be caused by a logical realization that ideologies of state laws do not align with the personal sense of justice and laws of the individual. In the case of Michael Kohlhaas, Karl Moor, and the members of the RAF, the need to pursue ideal ethical systems produced by their personal views and paralleling Benjamin's conception of natural law outweighs any fear of consequences legitimized by the positive law of the state; sometimes blurring the lines between an idealized law and personal beliefs.

I. 1. What Is Terrorism?

It is difficult for one to choose an all-encompassing definition for "terrorism." However, much of the public's knowledge about terrorism is often derived from a law-enforcement perspective. According to the FBI,

There is no single, universally accepted, definition of terrorism. Terrorism is defined in the Code of Federal Regulations as 'the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives' (28 C.F.R. Section 0.85). (Federal Bureau of Investigation)

This definition only defines certain actions as falling under the category of "terrorism," but it does not seek to understand the personal sense of justice or motives behind the individual actions. This definition is also confined to a 20th-century criminal understanding of terrorism, and therefore it is slightly different in the context of 18th- and

19th-century literature.⁴ If one were to return to Walter Benjamin's concepts of natural law and positive law, it becomes apparent that these two forms of law are in conflict with each other and the idea of right and wrong cannot be clearly defined. Benjamin explains that from the perspective of positive law, the mere existence of an opposing claim to violence is a manifest threat, independent of any specific objectives projected with that violence:

Dagegen wird man vielleicht die überraschende Möglichkeit in Betracht zu ziehen haben, daß das Interesse des Rechts an der Monopolisierung der Gewalt gegenüber der Einzelperson sich nicht durch die Absicht erkläre, die Rechtszwecke, sondern vielmehr durch die, das Recht selbst zu wahren. Daß die Gewalt, wo sie nicht in den Händen des jeweiligen Rechtes liegt, ihm Gefahr droht, nicht durch die Zwecke, welche sie erstreben mag, sondern durch ihr bloßes Dasein außerhalb des Rechts. (181)

This explanation of the opposing law system allows one to better understand how terrorists view ethics in relation to state law. As the state sets harsher and harsher limits on how violence is to be used against individuals for self-protection, so then does natural law, in this case the morals of the terrorists, justify that violence is warranted more and more in order to oppose the violence of the positive law. This actually ties in very well to the understanding that Horst Herold, president of the Bundeskriminalamt (BKA) between 1971 and 1981, has about the RAF terrorists and their motives, noting that the BKA needs to understand the terrorists' motives and formulate responses that go beyond rigid counter attacks and raids (*The Baader Meinhof Complex*). With this knowledge, one

⁴ Personal motives factor in more heavily in the literary texts, but violence is still being used against the respective political powers.

should be able to understand that Michael Kohlhaas, Karl Moor, and the members of the RAF are indeed represented as terrorists. However, their actions and motives are not without an internal sense of justice, which is necessarily in conflict with that of their respective state-sanctioned authorities.

The parallels I draw between fictional representations of the core Baader-Meinhof members and the fictional Michael Kohlhaas and Karl Moor demonstrate a strong focus on their character development (through personal injury and seeking revenge, versus adopting and radicalizing politics) and sliding scale of the sense of morality and justice. However, the logical acceptance of violence as seen in the actions of the RAF and the two Romantic-era terrorists coincides very well in each. Both 18th-century writers include a logical progression for their main character to descend into illegitimate violence. Kleist and Schiller include lengthy explanations in order to demonstrate that their heroes were originally wronged by their supposed protectors. Karl Moor is cast out by his father via his own brother's treachery, while Kohlhaas is betrayed by the corruption of state laws, which were in place to protect and regulate his trade in the first place. Both stories also include some sort of moral justification for the heroes' departure from legal recourse. Moor is depicted as a just and moral man,⁵ even though he leads a band of robbers, and his fratricide is seen more as punishment for his brother Franz's betrayal than for Karl's own political gain. A comparison to the divine is attributed to Kohlhaas, which is supported by the communion Martin Luther gives him, implying that the famous Protestant reformer condones Kohlhaas's actions spiritually. The conviction of Wenzel von Tronka, the restoration of Kohlhaas's horses, and the assurance that his sons will

⁵ Karl Moor sticks to a set idea of justice and declares it openly throughout the play, whereas his brother exploits opportunity and covert tactics to achieve his goals.

receive a knight's upbringing all point to the justness of his original redress of grievance against von Tronka and his supporters. Finally, Kohlhaas's execution demonstrates his commitment to his idea of justice, as he refuses to engage in politics with the Elector, preferring to avoid the corruption that had wronged him throughout the story. The personal reasons for Kohlhaas and Moor to terrorize their victims are contrasted against Ulrike Meinhof's and Andreas Baader's reasons for committing their terrorist actions. Unlike Moor's and Kohlhaas's motives for vengeance, the RAF members were influenced by a mixture of external and personal ideas. The response from informed researchers on the depictions of the RAF reveal that there existed not only a cultural-historical zeitgeist of revolution against oppression that fit well with the justifications of the RAF, but also a conflation of memory, cultural attitude, and historical events that led to a both supportive and critical understanding of the RAF's actions and motives.⁶ It is clear that *Die Räuber* is a work of fiction, and that *Michael Kohlhaas* even had a name change from the historical Hans Kohlhase in order to differentiate the two, but how should one approach the question of the historicity of the RAF and their romanticized counterparts?

When comparing literary and filmed representations of the Baader-Meinhof group, one must consider the fact that these representations are not necessarily one hundred percent accurate. Furthermore, even when authors or filmmakers decide to try to depict Baader, Meinhof, Ensslin, and the others as accurately as they can, making sure they add depth and development to the characters, they are still creating a representation of these people. There is an inability for authors and film makers to recreate the actual

⁶ In chapter III, I describe how Uli Edel's film presents a cultural-historical memory of widespread political activism around the world, and how inclusion of non-terrorist resistance is still juxtaposed with the RAF demonstrating ethical connections to non-terrorist groups and ideologies.

person in their totality from a neutral perspective. As it has been argued in the case of Kleist's *Michael Kohlhaas* and Schiller's *Die Räuber*, the terrorist heroes are given depth, motives, and development in order to present them as more emotionally and morally accessible to readers and viewers who acknowledge the complexities of human morality and systems of justice, especially in light of Benjamin's notions of positive law and natural law. This differs highly from the depiction of terrorism in mainstream media, which often conflate terrorism and criminal behavior into one set of actions that are absolutely reprehensible. The question of justice and morals is rendered complex in the cases of Kohlhaas's quest, Moor's vengeance, and the RAF's attempted revolution, and must be treated as relative to the justice systems that they oppose. Assuming that the positions can be subsumed under clearly defined moral categories is overly simplistic since the borders between legitimate and illegitimate, between ethical standards and the law are often blurred and the protagonists' actions are often contradicting their own avowed intentions or convictions.

CHAPTER II

ON HORSES AND FAMILY

The crimes committed by the Red Army Faction between 1970 and 1998 fueled one of the largest and most notable responses that the West-German government took to address problems of terrorism. The creation of the GSG-9 (Grenzschutzgruppe 9) after the Munich massacre, and the dragnet operation conducted by Horst Herold and the BKA in order to capture the first generation of the RAF demonstrated the efficient and ruthless manner in which terrorism was dealt with in West Germany. Terrorism, however, existed in German literature long before any formation of the so-called Baader-Meinhof Gang. This first chapter will explore the literary representation of terrorism found in Heinrich von Kleist's *Michael Kohlhaas*, as well as in Friedrich Schiller's *Die Räuber*, in order to define and analyze the main "heroes" from the texts as "terrorists," and to explore how these terrorists are to be understood by readers who have a twentieth-century understanding of the concept of "terrorism." It will establish the motivations for terrorism, the justifications for individuals to act outside of the law, and analyze the extrajudicial ethical systems that Kohlhaas and Moor follow in order to achieve their personal and political goals. The actions of Michael Kohlhaas, Kleist's titular character, show an attempt to follow an idealized positive law, as he tries multiple times in the story to seek redress via legal means, which, nonetheless, turn to relying on Kohlhaas's personal views as he sees that the state's positive law is too often influenced by the natural law of aristocrats. The actions taken by Kohlhaas are explained in the story as a response to a series of injustices that have plagued him, including the maltreatment of his

horses and physical injuries that his servant received. However, Kohlhaas's demand for justice encompasses socio-political objectives, as he believes the laws and rights set by the state to have also been violated when he was personally violated. Kohlhaas converses with his wife and reveals, "Ich habe eine Resolution erhalten, in welcher man mir sagt, daß meine Klage gegen den Junker Wenzel von Tronka eine nichtsnutzige Stänkerei sei" (Kleist 27). This shows that Kohlhaas's complaint has fallen on deaf ears, to which then he adds that the state (*das Land*) will not protect his rights as it has refused to redress his grievance against the Junker. Kohlhaas states, "weil ich in einem Lande, liebste Lisbeth, in welchem man mich, in meinen Rechten, nicht schützen will, nicht bleiben mag" (Kleist 27).

The inclusion of an early reference to Kohlhaas's connection with the Archangel Michael also hints at how the violation of Kohlhaas's rights and family is also a violation of the overall sense of world order. Therefore, he can only rely on violence that is sanctioned as a "product of nature" by natural law, as positive law is, in his mind, demonstrably unjust. Kohlhaas's first act is to assault the castle of Junker Wenzel von Tronka. Kleist describes Kohlhaas's entrance into the castle as, "der Engel des Gerichts fährt also vom Himmel herab..." (33). The repeated comparison of Kohlhaas to the biblical archangel also alludes to the notion that Kohlhaas's revenge is justified, regardless of the collateral damage that he causes along the way, or the various rulings from state officials. If one were to abide by the definition of terrorism as a politically motivated action against the state, then Kohlhaas's actions would be definitely prosecuted. However, Kleist's text refuses to be subject to traditional bounds of positive law. Elisabeth Krimmer describes the incompatibility of justice and law in the text as

such: “Unlike contemporary theories of terrorism, which police the boundary between criminally and politically motivated terror, Kleist portrays the two as inseparable. His text explores the ‘dark alliance between religion and violence’ and confounds violence and the law” (406). The terror that Kohlhaas employs extends beyond the bounds of simple criminal acts due to the earthly justification of seeking revenge for the horses, the abuse of his servant, Herse, and the death of his wife, Lisbeth. Although these motives appear personal, and very much are, the legal system’s inability to grant Kohlhaas reparations is what connects the political and personal together. The further identification of Kohlhaas with the Archangel Michael extends his terrorism into the realm of the divine and of challenging the world order, freeing it, for the moment, even from the realm of terrorism. Of course, from a legal and practical perspective, Kohlhaas’s actions are still criminal.

Kohlhaas’s rampages throughout Saxony and Brandenburg do not only concern state law, but also divine law. The transgressions against state law are viewed by Kohlhaas as less problematic than the transgressions that state officials have taken against Kohlhaas’s personal code of justice. Wolfgang Wittkowski analyzes Kohlhaas’s violent attacks as something akin to a failed revolution. He begins his article with, “During the Nürnberg Trials it was stated that a guerilla, if caught, faces a criminal’s execution, and celebration as a heroic freedom fighter if he and his cause succeed” (471). This frames the idea of Kohlhaas as a terrorist as relative to those who judge Kohlhaas’s actions.

Wittkowski also defends Kohlhaas’s character by saying:

...Kohlhaas is – except during one single day... - the opposite of “terrible,” just as the first third of the novella shows in minute detail that his armed quest for justice could not be further removed from being “all too hasty” or “rash” as the narrator

reports, probably reflecting the opinion of the officials, but not that of the people.

(473)

As discussed in the previous paragraph, Kohlhaas's war has some justification in the idea that he deserves justice for the injustice that is done to him. The abuse of his horses and servant, the death of his wife, and the continual attempt by Wenzel von Tronka and his associates to deny Kohlhaas legal recourse demonstrates to the reader that Kohlhaas has some right to be upset. Wittkowski takes this idea a step further, and reads the actions of Kohlhaas as justified and the justice that he seeks is taken in the form of violent revenge. As quoted above, Kohlhaas's actions are seen as having divine attributes, which elevates Kohlhaas's basis for revenge to refer to a higher authority.⁷ Wittkowski points to the fact that Kohlhaas refuses to use the gypsy woman's prophecy⁸ to save his own life as further evidence that Kohlhaas embodies a divinely righteous being claiming, "still, the good natured, humble man would refrain from using them [the piece of paper that could have saved his life] if the woman were to insist on it, although at first he had spontaneously exulted: 'Not for all the world!' alluding to Christ's reaction to his temptation by the devil" (481). The evidence that Wittkowski presents that Kohlhaas is a divinely just individual supposedly trumps the ethical question that the Elector of Saxony and Brandenburg bring up concerning Kohlhaas's guilt of committing violent acts as extra-judicial violence. The complication of having two parallel systems of justice means that

⁷ This type of divine law, however, is different from the divine law that is proposed by Walter Benjamin, as Benjamin's divine law deals with Greek myth and the idea of divine law as fate. Wittkowski's analysis of the use of divine law focuses specifically on the influence that Luther and the Protestant monotheism have on questioning Kohlhaas's actions.

⁸ Kohlhaas meets a gypsy woman who gives him a piece of paper. "Und damit, gestrenger Herr, reichte sie mir mit ihren dünnen knöchernen Händen diesen Zettel dar. Und da ich betreten, während sich alles Volk zu mir umwendet spreche, 'Mütterchen, was auch verehrest du mir da?' antwortet sie... 'ein Amulet, Kohlhaas der Roßhändler; verwahr' es wohl, es wird dir dereinst das Leben retten!'" (Kleist 97).

while Kohlhaas does follow an internal logic and divine logic of being justified in his actions, he is still a terrorist by definition of the state, because his idea of justice poses a threat to the positive law's ability to maintain a monopoly on violence as a law-preserving device.

Although Kleist's description of Kohlhaas's actions and the divine connection that other characters attribute to Kohlhaas's rage seem to tell of a crusading angel, they are still grounded by the fact that Kohlhaas is willing to accept amnesty for his trip to Dresden, as well as to submit to the execution at the end of the story, in hopes that his idealized version of state law and moral righteousness can still be salvaged. However, Kleist includes a greater sign of divide between Kohlhaas and the divine. The conflict that is generated from the misalignment of Kohlhaas's divine retribution and the effects that it has on the general populace is marked by the protest from Martin Luther. Luther's initial letter to Kohlhaas condemns the actions on spiritual and religious levels, as well as on an ethical level. Luther states in his letter to Kohlhaas,

Kohlhaas, der du dich gesandt zu sein vorgibst, das Schwert der Gerechtigkeit zu handhaben, was unterfängst du dich, Vermessener, im Wahnsinn stockblinder Leidenschaft, du, den Ungerechtigkeit selbst, vom Wirbel bis zur Sohle, erfüllt?...Das Schwert, wisse, das du führst, ist das Schwert des Raubes und der 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 die Gottlosigkeit verhängt ist. (Kleist 47-48)

First of all, the reader is to assume that this Martin Luther is indeed the same Martin Luther who broke from the Catholic Church after disagreeing with several tenets in the

16th century. This means that just as Kleist has included the references to the Archangel Michael for Kohlhaas, and thus his actions are seen as beyond the control of the state and society, Martin Luther should be seen as a figurative representative of God. This is because Luther's main doctrine preaches that man is saved through faith alone. Therefore he usurps the traditional need for the church hierarchy that the Catholic Church had set up, requiring sacred ritual as a barrier separating the believer from God. Therefore, while Luther is not a holy conduit of the divine, he is still a reflection of the will of the divine, much like Kohlhaas is being described as having divine characteristics. Wittkowski identifies Luther as a religious authority of the Christian God, who is the only authority figure in the story that spiritually forgives Kohlhaas for his actions. "...Kohlhaas feels that his mentally torturing the Saxon Elector in revenge is sanctified by God's will, as confirmed by the Holy Communion administered on behalf of Luther, his highest religious authority on earth (483). Therefore, Luther's initial condemnation of Kohlhaas's actions can be seen as a restriction of whatever divine right that Kohlhaas supposedly has in his destruction of Wittenburg and the Tronkenburg. The trouble with accepting Wittkowski's interpretation of Luther's communion as holy permission for Kohlhaas's actions is the fact that, even if the characters truly believe in the power of the divine, and even if one reads the appearance of the gypsy woman as giving Kohlhaas both the ability to take revenge on the elector by denying him knowledge,⁹ and providing him with a

⁹ Kohlhaas receives a letter in prison from the old gypsy woman that identifies the Kurfürst von Sachsen and tells him the Kurfürst will take the note from his dead body. "als er folgende Nachricht darin fand: ,Kohlhaas, der Kurfürst von Sachsen ist in Berlin; auf den Richtplatz schon ist er vorangegangen, und wird, wenn dir daran liegt, an einem Hut, mit blauen und weißen Federbüschen, kenntlich sein. Die Absicht, in der er kömmt, braucher ich dir nicht zu sagen; er will die Kapsel, sobald du verschart bist, ausgrabend unden Zettel, der darin befindlich ist, eröffnen lassen" (Kleist 118). However, Kohlhaas rejects the option of giving up the note willingly and eats it to the dismay of the Kurfürst. "Kohlhaas löste sich, indem er, mit einem plötzlichen, die Wache, die ihn umringte, befremdenden Schritt, dicht vor ihn trat, die Kapsel von der Brust; er nahm den Zettel heraus, entsiegelte ihn, und überlas ihn: und das Auge unverwandt auf den

temptation that alludes to the temptation of Christ, there is still a distinct lack of definite divine intervention. This lack of concrete endorsement leaves an ambiguous feeling of justice at best.

If one does question Wittkowski's interpretation of Luther's communion as blanket endorsement of Kohlhaas's revenge, then Luther's condemnation of Kohlhaas can be read as originally due to the fear that the revenge that Kohlhaas is taking might spin out of control. Luther realizes that Wenzel von Tronka and his allies will most likely not recognize the justice that Kohlhaas is seeking, and thus the people and spirits on Kohlhaas's side could conceivably continue the escalation of their violence to the point of loss of control. This problem is noted by Jefferey Champlin, who says:

[Kohlhaas's] terrorism does not just employ violence in service of a specific political goal at a specific moment in time, but disrupts power in a manner that it cannot reconstitute itself. This will become clear through brief attention to Luther's attempt to contain the violence and his insistence that the people can no longer be counted on to answer to their ruler. (445)

As Kohlhaas's terrorism escalates, so does the unwillingness of the general public to answer to the state, as his conflict is with the state, but at the same time, the supporters might eventually stop following Kohlhaas's crusade for justice,¹⁰ and decide to tear the entire system of laws down, which is the initial authority that Kohlhaas uses to try to

Mann mit blauen und weißen Federbüschen gerichtet, der bereits süßen Hoffnungen Raum zu geben anfang, steckte er ihn in den Mund und verschlang ihn. Der Mann mit blauen und weißen Federbüschen sank, bei diesem Anblick, ohnmächtig, in Krämpfen nieder" (Kleist 121).

¹⁰ When Kohlhaas is in Dresden again, the opinion of his actions has changed. "Man fand das Verhältnis desselben zum Staat ganz unerträglich, und in Privathäusern und auf öffentlichen Plätzen erhob sich die Meinung, daß es besser sei, ein offenbares Unrecht an ihm (Kohlhaas) zu verüben, un die ganze Sache von neuem niederschlagen, als ihm Gerechtigkeit, durch Gewalttaten ertrotzt, in einer so nichtigen Sache, zur bloßen Befriedigung seines rasenden Starrsinns, zukommen zu lassen" (Kleist 73).

redress his grievances against Wenzel von Tronka. Therefore, Luther's request for amnesty for Kohlhaas's trip to Dresden in order to lodge a formal complaint against von Tronka is a compromise in order to prevent the complete loss of acceptance of state authority among the supporters that Kohlhaas has in order to preserve the existing institutional structures that Kohlhaas still believes in (e.g. the ability to petition the government for a redress of grievance and for the government to consistently punish criminals, both the Junker and Kohlhaas himself).

Although Kohlhaas's conflict was initiated by an aristocratic figure, and is therefore a conflict with a lower state authority, Wenzel von Tronka, he is not completely against law and order. In fact, that is the motivating factor that causes him to violate the law in the first place. In order to restore his horses, gain reparations for the abuse that his servant had suffered, and avenge the death of his wife, all of which should be covered and authorized under the law, Kohlhaas rampages across Saxony in order to achieve justice. However, his belief in justice, specifically justice of the state, causes his own downfall. Unlike the RAF, Kohlhaas is not opposed to the state, only its failure to deliver consistent justice. Luther offers the idea of amnesty for Kohlhaas in order to allow him another chance to get the justice that he was due. Kohlhaas takes this offer initially, as he is driven by the pursuit of justice and believes in it. His belief, however, is betrayed by the state, as his amnesty is broken.

Denn nichts mißgönnte er der Regierung, mit der er zu tun hatte, mehr, als den Schein der Gerechtigkeit, während sie in der Tat die Amnestie, die sie ihm angelobt hatte, an ihm brach; und falls er wirklich ein Gefangener sein sollte, wie

es keinem Zweifel mehr unterworfen war, wollte er derselben auch die bestimmte und unumwundene Erklärung, daß er so sei, abnötigen (Kleist 82-83).

Even though the state has, once again, betrayed him, Kohlhaas does not lose faith in the idea of justice. This is demonstrated by his acceptance of execution at the end of the novella. The chancellor rules in favor of Kohlhaas in the case against Wenzel von Tronka, who is sentenced to two years in prison, along with the miraculous restoration of the two horses that Kohlhaas lost at the very beginning of the novella. However, Kohlhaas is still responsible for the murders of some members of the von Tronka family who were in the castle during the first attack, the citizens of Wittenburg, some of whom burned in their sleep and others who were unfortunately in the path of Kohlhaas and his followers. Even though the fortuneteller gypsy had given him a piece of paper that would supposedly save his life, he swallowed it instead of avoiding his punishment. This commitment to justice is what Kohlhaas is defined by throughout the novella, and therefore, even though his terrorism was committed out of a need to restore justice to the state, he is also subject to the same justice that he champions, and thus he submits. Kleist demonstrates that the legitimization in Kohlhaas's terrorism exists only in the process of attaining justice. Once justice is returned to Kohlhaas's world, as seen in the arrest of Wenzel von Tronka and the restoration of the horses, Kohlhaas's personal convictions are now in agreement with the state's positive law, and therefore he no longer has the legitimacy to destroy, murder, or burn anything or anyone.

The logical consistency of legitimacy of violence that exists in Kleist's novella can also be seen in Schiller's play. Schiller's drama is set up as an aristocratic family

drama typical of his period.¹¹ However, the use of violence in accordance with natural law in order to achieve a political goal is still a key part of the play. The difference, however, is that while Kohlhaas's sense of justice is based on state laws that have elected officials to back their authority, Karl Moor is the legitimate heir to power simply due to the fact that he is the oldest son and his father is the count. If one were to view the drama with a traditional idea of an aristocratic family drama during the *Sturm und Drang* period, then Karl Moor is simply trying to avenge the coup of his father, thwart his younger brother's attempt to forcibly gain their father's position, and thereby maintain the status quo.¹² However, due to his existing disagreement with his father,¹³ and also due to the usurpation of the position of the Graf from his brother Franz, Karl's time as a bandit is effectively a time when he is outside the aristocratic system. His time spent as the captain of the band of robbers marks the section of the story in between two statuses, that of a low aristocrat and of a bandit living outside of society, that marks the logical consistency, much like Kohlhaas's disregard for law during his time as a murderer and an arsonist. As stated previously, Kohlhaas begins obeying state law and ends with his concession of personal responsibility, while Karl also begins following the law, albeit a law based on bourgeois honor and familial duty, becomes a murderer and an arsonist as well, and then

¹¹ In the introduction to the Blackwell edition of *Die Räuber*, L. A. Willoughby writes, "that the necessary incentive was provided by C. F. D. Schubart's tale, *Zur Geschichte des menschlichen Herzens*...the credit for bringing this to Schiller's notice was claimed by his friend Hoven, who offered it to him in 1777 as a suitable material for dramatic treatment" (Schiller xxvi). He also adds that the original story, "...combined a number of motifs which had a peculiar attraction for the dramatists of the Sturm und Drang. Outstanding among these was the theme of hostility between father and son, or between brothers" (Schiller xxvii).

¹² Maintaining his father's claim to power as opposed to Franz's claim through usurpation.

¹³ The play opens with a letter about Karl which mentions Karl's debauchery in Leipzig, "...Gestern um Mitternacht hatte er den großen Entschluß, nach vierzig Tausend Dukaten Schulden – ein hübsches Taschengeld Vater – nachdem er zuvor die Tochter eines reichen Bankiers allhier entehrt, und ihren Galan, einen braven Jungen von Stand, im Duell auf den Tod verwundet..." (Schiller 2). His father is not pleased with this news.

ends up also conceding to the law out of responsibility.¹⁴ However, he also shows remorse and regret for his criminal behavior. When the young Kosinsky decides to join the band of robbers, Karl asks, “Weil dir deine Lappereien mißglücken, kommst du, und willst ein Schelm, ein Meuchelmörder werden? – Mord, Knabe, verstehst du das Wort auch? Du magst ruhig schlafen gegangen sein, wenn du Mohnköpfe abgeschlagen hast, aber einen Mord auf der Seele zu tragen –” (Schiller 50). This difference in morals between Karl and Kohlhaas demonstrates that Schiller’s character is still very much tied to his sense of honor and justice. Elaine Martin points out Karl’s moral standing. “Only after Karl is betrayed by his brother and seemingly rejected by his father – cast out from the family bonds – does he embrace the life of the robber band. Even then he has scruples – killing wicked men in one attack but refusing to engage in plundering” (4). This demonstrates that Karl’s criminal actions still carry a general sense of personal justice, unlike Kohlhaas, who embodies the values of a self-righteous avenging archangel. The strong moral center that Karl keeps throughout the play resonates slightly more with Kleist’s vision of Luther, rather than Kohlhaas.

Martin also points out, that unlike Kohlhaas, Karl has a foil, his partner Spiegelberg, who is not restricted by the same morals, and therefore acts as a counter-example to the hero. Spiegelberg’s interpretation of the world order in Act 1, Scene 6 reveals that he does not agree with the current social order:

Ist doch schon manches Universalgenie, das die Welt hätte reformieren können,
unter freiem Himmel verfault; und spricht man nicht von so einem jahrhunderte-,

¹⁴ Schiller ends the story with Karl Moor saying, “Ich erinnere mich, einen armen Offizier gesprochen zu haben, als ich herüberkam, der im Taglohn arbeitet, und eilf lebendige Kinder hat – Man hat hundert Dukaten geboten, wer den großen Räuber lebendig liefert – Dem Mann kann geholfen werden” (92). This infers that Karl is probably worth some sort of bounty as a criminal.

jahrtausendlang, da mancher König und Kurfürst in der Geschichte überhüpft würde, wenn sein Geschichtschreiber die Lücke in der Sukzessionsleiter nicht scheute, und sein Buch dadurch nicht um ein paar Oktavseiten größer würde, die ihm der Verleger mit barem Gelde bezahlt. (Schiller 17-18)

Spiegelberg's willingness to ignore the aristocratic order is much more like Kohlhaas's willingness to ignore the consequences of his actions until his demands are met. However, Spiegelberg lacks a cause and therefore also lacks any moral drives to pursue any sort of law. For him, the only reason why he is willing to engage in criminal behavior is the blatant disregard of social norms and societal values. Unlike Kohlhaas who murders people and burns cities in order to flush out the Junker Wenzel von Tronka, or Karl Moor's attack on Franz's castle in order to remove him from power and bring him to justice in front of their father, Spiegelberg is simply a robber. He even suggests that the band leave Germany for Paris in order to increase their takings, showing that his goal is simply to live as a robber. However, if one takes into account the definition of terrorism as a politically motivated crime intended to create social upheaval, then it is unlikely that Spiegelberg fits into the mold of a terrorist. His general dislike of the social order does not indicate that he wants to actively destroy it in favor of a new type of political structure; rather he simply disagrees with the model and refuses to follow it.¹⁵ Unlike Karl Moor or Michael Kohlhaas, who defy the existing positive law in order to supplant it with their own personal views, Spiegelberg does not wish to do this. This marks him as a

¹⁵ Spiegelberg argues against Roller's fear of the monarchy's power saying, "Und das schröck dich, Hasenherz? Ist doch schon manches Universalgenie, das die Welt hätte reformieren können, unter freiem Himmel verfault; und spricht man nicht von so einem jahrhunderte-, jahrtausendland, da mancher König und Kurfürst in der Geschichte überhüpft würde..." (Schiller 17-18).

criminal without political motivations, whereas his captain is the one who leads the attack on Franz's castle in order to upset the system for a sense of justice.¹⁶

Although Karl Moor's and Kohlhaas's belief in an ideal justice causes them to submit to the positive law after they have achieved their original goal, their attempts to overthrow corrupt bodies of authority eerily mirror the motivations and actions of the Red Army Faction in 1970s West Germany. Karl's attack on Franz's castle is motivated by the fact that Franz had illegitimately taken over the position of count from both their father and Karl. Therefore, one should read Franz's coup not only as an aristocratic family problem, but also as a politically motivated grab for power.¹⁷ The old Moor, as he is named in the play, suffers from the beginning from the guilt of sending his eldest son into exile, as well as from a disease. Franz tries to capitalize on these circumstances, commenting at the beginning of the second Act, "Das Leben eines Alten ist doch eine Ewigkeit. – Müssen denn aber meine hochfliegenden Plane den Schneckengang der Lebenskraft halten? Wer es verstünde dem Tod einen neuen Weg in das Schloß des Lebens zu bahnen?" (Schiller 22). Franz's lust for power is inseparable from his willingness to attempt patricide in the same way that Karl's punishment of Franz as a bandit leader forces him to assault the castle. His actions and vows to his band of robbers mean that he must remain loyal to them, at the cost of the lives of his father and Amalia. Karl commands his father to die and tells Amalia to disappear, completely unfazed by their words, "...*Gefäßter*: So vergeh dann, Amalia! Stirb Vater! Stirb doch mich zum

¹⁶ Karl commands Schweizer to avenge his father in order to justify an earlier murder that Schweizer committed on behalf of Karl, "Nein, itzt will ich bezahlen. Schweizer, so ist noch kein Sterblicher geehrt worden wie du! – Räche meinen Vater!" (Schiller 76).

¹⁷ Franz Moor bemoans the arbitrary notion that his brother rightfully has claim of their father's title only because he was born second. This could be read as an opportunistic critique of birthright.

zweitemal! diese deine Retter sind Räuber und Mörder! Dein Sohn ist – ihr Hauptmann!” (Schiller 87). The inability to spare innocents in Schiller’s play reflects on the black-and-white relationship that traditional values represented in Karl Moor, and the depraved, opportunistic values embodied by Franz Moor hold concerning the idea of violence against innocents.¹⁸ Although Schiller’s play is not explicitly related to his contemporary politics, the brothers Moor still function as commentary on familial relations in drama. This ties into the bourgeois notion of honor, something that Karl attempts to impress upon Kosinsky during their first encounter. As stated previously, Karl Moor asks Kosinsky, in a rhetorical manner, whether the young soldier could deal with killing innocents and remarks on the difference between killing on the battlefield (the honorable kind of killing) and killing innocent people (the dishonorable kind of killing).¹⁹ The distinction between killing on the battlefield and killing innocents also fits into Benjamin’s description of military law, as Benjamin reduces the violence in military law by arguing that those who sanction the military violence still have ends that, “... remain for the sanctioners natural ends, and can therefore in a crisis come into conflict with their own legal or natural ends” (240). This is different from the killing of innocents, as that does not directly contribute to the personal survival of an individual and therefore is not part of the violence found in natural law. Since Karl has already fully embraced the life of the robber by the time he decides to punish his brother, he has willingly broken his previous code of honor, and therefore does not believe it is possible to return. In addition,

¹⁸ As Räuber Moor kills Amalia, his robbers applaud his action saying, “...Bravo! bravo! Das heißt seine Ehre Lösen wie ein Räuberfürst! Bravo!” (Schiller 90). This shows that Karl had to release himself from all previous notions of honor since he is now a bandit.

¹⁹ Kosinsky identifies himself as a soldier on his way to India, and that he has been in battle before (Schiller 49-50), but even then Karl feels that he needs to ask him if he knows what murder actually means (ibid). Karl attempts to draw a difference between being a soldier and being a murderer.

his status as a criminal is so poisonous that his father *actually* dies upon hearing the news from his own son's mouth, as opposed to *almost* dying when hearing that his son had died on the battlefield.

The internalization of these values is also exhibited when Karl kills Amalia, even though she expresses her wish to stay with him regardless of his status. Karl is unable to return Amalia's love, and she is unwilling to love anyone else. Her love is bound to Karl, even though he is unable to forsake his promise to the robbers. Karl asks, "Hat die Hölle eine neue Finte ersonnen, ihr satanische Kurzweil mit mir zu treiben? Sie liegt am Halse des Mordbrenners!", but Amalia simply responds on the same page, "Ewig! Unzertrennlich!" (Schiller 88). Karl knows that, "Priestersegen wird uns nicht vereinen, aber ich weiß etwas Bessers" (Schiller 89). He then kills her, which represents the acceptance of the bandit life and Amalia's wish to stay true to Karl forever. Curiously, Amalia is not fazed by the earlier confession, in Act 4, of Karl's banditry to the extent that the old Count was. However, according to the self-imposed rule of logical consistency that Karl seems to be following, his deeds mark him as unable to rejoin the aristocratic society. Robert Brown defines the historical aspect of the separation between living in a traditional society, where Karl's status in society is heavily marked by birth and upbringing, and his departure into banditry, as well as his brother's coup, which represent one's standing as based on the deeds. Brown comments on Act 4, Scene 1:

This historical theme has two dimensions. The first dimension is continuity or tradition, associated with the idea of the old order. Moor's emphasis on his reputation and the portrait gallery of Moor ancestors invoke 700 years of Moor family tradition. When Karl and Amalia as potential spouses and parents

contemplate the portraits together, they symbolize the hope of continuing the old order in the present. However, after years away in the city and forests of banditry, Karl appears unrecognizable. His alienation from Amalia prevents re-membering the past of family intimacy and corporative harmony. (126)

Since the original morals that Karl grew up with, and that his father and Amalia still embody, prevent any other image of Karl from being recognized in the context of his family's heritage in this scene, the new Karl (made noticeable by the play's new moniker for him as "Räuber Moor" as opposed to the previous scene where he is just listed as "Moor"), one must understand the lack of recognition as symbolic for the inability for Karl to return to his former lifestyle, and thereby also his inability to return to the former system. For Karl, his acceptance of non-aristocratic values sets him firmly outside the bounds of positive law, and therefore he must submit to natural law in order to preserve the positive law, from which he is tragically banished. His vow of honor toward his fellow robbers effectively forces Karl's hand in the murder of his beloved, but at the same time, it demonstrates the lack of choice that Karl actually has in the face of his conflicting moral values, which make all of his violent actions illegal, even though he seeks just retribution by killing his brother. The emotional drive to kill his brother is set against his rational acceptance of responsibility at the end of the play.

As Karl gives in to the violent nature that he has adopted from his time with the robbers, the reader should see this as the final departure from positive law. In fact, even Franz's attempt to take control of his father's position can also be seen as violating the existing system. Robert Brown's analysis of violence in Schiller's play asserts, "The survival of a frail and unhealthy old order identified with Moor – whether the family

structure of father and sons or Count and subjects – quickly becomes and remains a central issue throughout the play” (109-110). Since the only two characters of the Moor family who are interested in maintaining the existing order are Moor and Amalia, the usurpation of Franz, and Karl’s integration into the bandit lifestyle are, according to Brown’s claim, evidence that the two sons have abandoned the old order in favor of their new orders; Franz’s order is predicated on the forceful taking of power, whereas Karl can no longer participate in the old order entirely due to the embrace of the bandit lifestyle. However, one cannot simply attribute either of the sons’ rejections of the old order as simple rebellion. Both brothers are motivated by separate ideals and forces, and both of their paths lead them further and further away from the old order until the end ultimately demonstrates that they cannot return. Both brothers are forced outside the realm of the existing law, as Franz’s active rejection and rebellion against positive law for his own gain forces Karl from the protection of his birthright, which necessarily means that Karl has to rely on his own values to survive. Franz’s claim to the position of count is greatly motivated by his dissatisfaction with his allotted position in life. Brown describes Franz’s new order as one that needs to assert the individual as autonomous:

In order to assert a sovereign sense of self, Franz defies the old order, liberating himself from a system that defies individual worth in terms of factors over which the individual has no control. ‘Can I recognize a love,’ he argues, ‘that is not based on regard for my self [*sic*]?’ Such arguments, which define individual worth in terms of what the individual is or does rather than accident of birth, carry an emancipatory moment undermining the old order. (Brown 114-115)

So even though Franz's usurpation still retains elements of a classical drama (e.g. Shakespeare's *Richard III*, Sophocles's *Oedipus Rex*, etc.), the new order, one that is based on instrumental reason that is opportunistic and violates personal loyalties and ties among family, that Franz based his usurpation on does not lend itself to the existing aristocratic order. However, Franz von Moor cannot be classified as a terrorist, since his means did not involve the specific act of causing terror to achieve his political goals. His use of misinformation pales in comparison to the acts that his older brother's band of criminals commits.

Karl turns to banditry with his fellow classmates after he learns that his father is no longer willing to support him, either financially or socially (although this is largely fabricated by Franz). This rejection from the old order (although the old Moor does regret his decision after Franz and Hermann give the false news of Karl's death) coupled with the inability to continue being a student, and therefore becoming a part of normalized society, leads Karl down the path of banditry. Brown points out that, "in one way or another, Schiller's bandits are all alienated from traditional corporative roles" (121). This social position, or lack thereof, mirrors the similar situation that Kohlhaas would find himself in, as the removal of his horses and the prohibition of his trade leaves him without any means to continue his "old order" role as a horse trader. Similarly, Andreas Baader and Gudrun Ensslin would find themselves unable to reconcile with West German society after committing themselves to the armed struggle against what they saw as the continuation of a fascist government in the disguise of democracy. This lack of social roles, or the self-elected exile from mainstream society itself, is a powerful motif present in the heroes that can be classified as terrorists in German literature. Arata Takeda points

out that, “the trauma of violence and injustice, the asymmetric power relation, the pathological demand for justice, and not least the suicidal aggression towards stereotypical enemy images” define the “important mental components of a potential suicide bomber”(465-66).²⁰ She also quotes Schiller’s own review of his work in regard to Franz’s motives as, “The private bitterness against the unloving father degenerates into a universal wrath against the whole human race” (466). Even though the actions and events surrounding Karl von Moor’s criminal and terrorist activities do not draw inspiration from historical events as Kleist’s *Kohlhaas* draws from the historical Hans Kohlhaas and Uli Edel and Stefan Aust’s versions of the RAF draw from the historical figures, Schiller is, nevertheless, trying to probe the human condition in his drama.²¹ These realities reflect upon the common traits that Takeda has defined for the specific subset of terrorists; the suicide bomber. Takeda’s description of the motives of the suicide bomber also fit quite well with *Kohlhaas*, Karl Moor, and the core members (Ulrike Meinhof, Gudrun Ensslin, and Andreas Baader) of the RAF, as all of these individuals continue to pursue of their ideal form of justice until their death or incarceration leading to death.

The historical grounding, present in *Michael Kohlhaas* and *The Baader Meinhof Complex*, creates a window into reality without resorting to creating archetypes in order to reflect and critique the values and characteristics of contemporary audiences. Gail Hart, however, argues that even though Schiller’s play is not based on historical events, it still

²⁰ Although Takeda’s definition is specific for a suicide bomber, and neither Karl Moor, nor Michael Kohlhaas’s actions necessitated their deaths, their willingness to die for their cause and their relentless pursuit of their own idea of justice fit relatively well with Takeda’s definition.

²¹ Schiller does not create idealized characters, but rather individuals who have personal desires and drives, and who are willing to achieve them through any means. These individuals basically represent the alignment with natural law as often embodied by motives of terrorism.

manages to question the values of Karl's robbers, as well as the relation of these values to other value systems found within the Moors' society. Hart states:

The simultaneity of plots and intrigues, of contradictory reports and competing versions of reality in *Räuber* is enabled by Schiller's effacement of the liminal. This gesture ensures that there is almost no in-betweenness [*sic*] in the play, no transitional phases and no recognizable borders between values and states of being and their traditional opposites. There is furthermore no clear sense of where things begin and end. Figures are good and bad, dead and alive, exalted and despised, loved and hated, all in vivid synchronic detail. (60)

The fluidity of character development and the sudden recurrence of themes and motives, which sometimes appear without logical progression, lend themselves to a scenic depiction with gaps, as opposed to a structured and linear one, which only provides for one-directional movement. Hart's interpretation of Schiller's writing style forces one to reconsider how one can treat characters, which are only able to show one facet of their multiplicitous personality. The seemingly sudden change in Karl's mood and decisions throughout the play (e.g. the acceptance of Amalia's love when returning, but then killing her at the end, or the decision to turn himself in after ordering the assault and capture of his brother) function more as a humanizing factor than an alienating one. Even though Schiller is noted for criticizing aristocratic and bourgeois values, his main hero is nonetheless bound to the values of being virtuous, vengeful, and nostalgic for his privileged childhood and family. Karl never gives into the robbing that Spiegelberg and the other robbers do, and in fact, only punishes people that he deems to be wronging others. The case with his brother is then merely the ultimate affirmation of his allegiance

to values of righting wrongs and taking revenge for the usurpation of his father's, and also his own, position in society. This makes Karl slightly more complex than the other characters in the story, as he still is faced with the fact that, although his values are close to those of the old order, his actions, which resulted from the attempted disruption of the old order by his brother, are unable to return Karl to that old order, because of his transgressions against it.

This willful transgression of existing laws, values, and logical consistency within society is also how Kohlhaas embarks on his murderous revenge. As previously stated, Kohlhaas is willing to step outside the bounds of the law in order to seek both personal vengeance for the treatment of the Junker von Tronka, but also to restore the supposed order and authority which he followed and believed in. Karl has also accepted the need to step outside of the existing aristocratic system in order to survive and enact his vengeance on his brother. However, both men never fully abandon their traditional values or goals during their time outside of the bounds of said values. This is mirrored against their in-story foils. Von Tronka has personal aspirations and is fully protected (until the end) by his position in the aristocratic world, and willingly abuses his authority in order to fulfill his personal desires. This opposes Kohlhaas's character, as von Tronka stays within the bounds of the system, while doing things that would end up being considered outside said bounds, while Kohlhaas acts outside the bounds of the judicial system in order to restore its legitimacy. Franz is upset with the old order and the idea of birthright, and therefore violates the societal norm in order to gain his own desires, which places him in the same aristocratic position as his father. This contradiction in Franz's actions demonstrates his corrupt intentions and reveals an internal contradiction between morals and desires.

Spiegelberg, however, has rejected the aristocratic world completely in order to pursue his own fortune through his own deeds, much like Franz. However, he starts off as being unable to join the aristocratic ranks, and continues in his banditry to deny any desire of doing so. Karl is then caught between being inherently part of the aristocracy due to his birth and upbringing, but at the same time operating outside the aristocratic world in order to live his life according to the values given to him.

As it has been described in this previous section, the complexity and contradictory nature of the terrorist characters in Kleist's *Michael Kohlhaas* and Schiller's *Die Räuber* demonstrate the difficulty of drawing a distinctive line between unjust actions and just actions when it comes to the question of terrorism. These characters have goals involving the representatives of government, which make them terrorist in the contemporary sense of the word, which means that they wish to see their goals accomplished by any means necessary, including the willingness to destroy the existing law. However, the decision, which could also be necessary (e.g. Kohlhaas and Karl Moor's use of violence to survive against the violence of their respective positive laws), to transgress the accepted social order in order to achieve the end goal is often made in alignment with the character's personal morals and sense of justice. In order to understand the acceptance of criminal activity, one must first understand the motivations and idealized forms of justice from which the characters draw their inspiration to accomplish violent and terrifying tasks. Takeda points out that instead of having an irrational basis for committing terrorism, such as religious fanaticism, terrorists like Schiller's robbers, "were designed to think and act precisely as excessively enlightened and thus all the more atrocious creatures" (467). The decisions of the respective authors to include morally and ethically unambiguous figures

(such as Martin Luther and Karl's father, both of whom do not alter their allegiance to positive law) also serve as a mental check to understand where the heroes lie on the spectrum of good, evil, order, and chaos. Martin Luther's appearance in *Michael Kohlhaas* serves to remind the reader, and Kohlhaas himself, of what the stock response from a spiritual and church leader would be, and demonstrates how Kohlhaas cannot be seen so one-dimensionally. The same goes for Wenzel von Tronka, who is not developed in any way other than to show his maliciousness and cowardice against the hero Kohlhaas, who is willing to deal with him in any and all ways imaginable. Karl Moor is also ready to perform almost any action in order to restore order to his father's domain, and is also surrounded by figures, which represent different value systems. Even his father and betrothed Amalia function in the capacity of a traditional 18th-century bourgeois drama. The father suffers from having to chastise his favorite child and heir, while dealing with an unsupportive and jaded second child, while Amalia is the love interest of Karl and therefore is bound by honor and virtue to remain morally and ethically pure in the eyes of the bourgeois value system found in *bürgerliche Trauerspiele* of the time. Franz, despite his lust for power and rejection of the aristocratic system, never seriously entertains other options for leaving the system, other than to ascend to his father's position. Spiegelberg is not part of the aristocratic system, holds none of the aristocratic values, and therefore has absolutely no interest in trying to gain access to that sort of lifestyle (e.g. through military service). Michael Kohlhaas and Karl von Moor are uniquely cursed with being in between systems of morals and justice, but at the same time, are the only two characters in the story that undergo any development or are open for the reader to empathize with. The representations of these two characters, even though they unequivocally represent

criminals, truly begin to question the absolute justification of laws, ethics, and morals. There no longer is a clear division between good and evil. The characters exhibit both characteristics of good and evil in their quest to attain some sort of definite ideal justice, but are also always subject to outside forces, which dim the otherwise glorious and heroic triumph of receiving justice for a crime, or avenging the usurpation of a father. This uncertainty of success and failure in the grand scheme of things connects Schiller's and Kleist's works to the struggles and uncertainties that real-world terrorists face in pursuing their own sense of justice. For terrorists, as well as Schiller's and Kleist's protagonists, the line between criminality and law does not reflect the line between just and unjust. The separation of law and justice occurs also in the uncertainty of literary representations of terrorism and historical ideas of terrorism; most notably in Uli Edel's and Stefan Aust's representations of the RAF. The actions of the RAF, both historical and representational, added fuel to the question: What role does terrorism and violence in the tradition of German literature have in relation to our real-world understanding of terrorism and violence?

CHAPTER III

TERRORISTS AS ROMANTIC ANTI-HEROES²²

Although both Schiller and Kleist's stories and heroes are fictional characters, the situations that they found themselves in reflect similar events in reality. This next chapter will begin with an analysis of 21st-century fictional representations of the Baader-Meinhof group, who became notorious through their terrorist actions in Germany during the 1960s-1970s. They participated in and spread their message of social revolution through extra-judicial means in postwar Germany, fighting against both real and perceived elements of fascism left over from the Nazi period. How do the fictionalized versions of Andreas Baader, Gudrun Ensslin, and Ulrike Meinhof compare to the fictional Kohlhaas and Moor? What does a comparison of the *Baader-Meinhof Complex* narrative, both novel and film versions, with the terrorists' actual publications and historical records reveal about the function of terrorism in literary characters? And finally, how are the cultural and historical memory of the RAF modified through the depictions of terrorism in novel and film?

As stated in chapter I, Kleist's anarchic hero is based on the historical figure Hans Kohlhaase, who was recorded destroying villages with a mob in Saxony due to a dispute over horses with a local aristocrat in the 16th century. His book could then be considered a highly idealized version of the true story. Kleist renames the main character and adds the imagery of the Archangel Michael in order to conjure up associations with justice beyond aristocratic authority. He also adds correspondence with Martin Luther in order to

²² Here "romantic" is used to describe how people view these characters as humanized with their own motivations due to the dramatization of their story in film and literature.

also question the self-righteousness of the titular hero. Leander Scholz's book, *Rosenfest*, is therefore much like Kleist's. *Rosenfest* begins on the exact same day, at the exact same place, as Uli Edel's film adaptation of Stefan Aust's book, *The Baader-Meinhof Complex*. However, even though Scholz uses the actual names and historical figures, he adds in copious amounts of undocumented dialogue and subplots that are not part of the historical record that Aust published. Scholz uses a great deal of artistic license to describe the relationship between Andreas Baader and Gudrun Ensslin, but still manages to keep the figures somewhat true to their historical counterparts. In Aust's accounts, Baader is quite noticeably caustic and sexist, and expresses his uncensored views in public. Fittingly, one of the first sequences in the book demonstrates his unbridled sexism, when Baader and Ensslin are trying to evade the police during the June 2nd protests against the Iranian Shah. Baader screams at Ensslin as they are running away from the police, "Verdammt, du hysterische Kuh...entweder du kommst jetzt mit, oder ich laß dich hier liegen" (Scholz 35). However, despite Baader's sexism and reactionary attitude towards everything, Gudrun still loves him. She even leaves her partner Bernward Vesper for him, demonstrating that her morals are more in agreement with Baader's revolutionary goals.

While *Rosenfest* paints an interesting story, it takes an enormous amount of artistic liberties, which adds to the complexities of the terrorist couple being represented in cultural memory, in order to flesh out the personal drama between Baader and Ensslin. The film *The Baader-Meinhof Complex*, directed by Uli Edel, stays closer to Stefan Aust's account of the history and actions of the core Red Army Faction members. Although it is a heavily edited version, it proudly states "a true story" at the beginning of

the film in an apparent attempt to lend historical legitimacy to its version of events. The film's opening sequence introduces the intellectual activist and mother of two, Ulrike Meinhof, during a seaside vacation with her family. It then proceeds to a reading of Meinhof's letter to the Iranian Empress Farah Pahlavi.²³ The letter criticizes the Empress's presentation of her lifestyle as the lifestyle that is held by "most Persians." Meinhof then proceeds to criticize the lack of recognition of the hardships of the Iranian working class. This letter forms the background for the following scene, a representation of the student protest of the Shah's visit to Berlin on June 2, 1967. The protests quickly break down into a full-scale riot after supporters of the Shah begin attacking the crowd. The crowd is then also attacked by the police, who indiscriminately beat people fleeing from the area, culminating in the death of an innocent man. Although Aust's book does not begin with this event, the film presents this scene as a starting point for supporters of Baader-Meinhof, as well as Meinhof herself, to begin their descent into terrorism. The film also includes a rally featuring well-known political opposition leader and co-founder of the current German Green Party, Rudi Dutschke, as well as the subsequent assassination attempt on him to demonstrate the ideological connection between legitimate political opposition and terrorism. Edel's decision to take Aust's accounts and put them in a new order demonstrates his wish to show how an individual, such as Ulrike Meinhof, could go from a seemingly normal person, albeit with radical political beliefs as evidenced by her contributions to *konkret* before her turn to terrorism, to one of the most notorious terrorists of postwar West Germany. His decision to connect his narrative with negative experiences that the characters experience with the state and right-wing

²³ Meinhof's letter was published in a journal called *konkret*, for which Aust served as the editor from 1966-69.

individuals contextualizes the later terrorist actions with existing fascist aspects of West German society. This leads the viewer to consider the possibility that the terrorists' sense of justice is not wholly different from the state's idea of justice and punishment for those who transgress a certain ethical line and therefore question the legitimacy of the positive law in West Germany at the time. For the state, it is the murder and bombings of US and German buildings, while for the Baader-Meinhof gang, it is the presence of an overzealous police force and the overarching environment of capitalistic control of West German culture that signal the transgression of an ethical line.

The pace of the opening scenes also lends itself to force the viewer to form emotional connections, as one incredibly dramatic and explicit scene is delivered after another. Although there is little concrete historical evidence to suggest that Meinhof's article in *konkret* directly influenced the June 2nd riot, and thereby to add some legitimacy for Meinhof's descent into terrorism, Edel's depiction of the events one after another in quick succession without a narrative explanation creates a logical response from the viewer, that is, that these events must be linked. Because the film presents the story in such an order, therefore there has to be a connection between the lack of understanding that the Iranian empress showed to her citizens and the lack of understanding of the police on June 2nd, again providing ethical and moral justification for an armed retaliation. Edel also includes historical footage to construct a sort of frame of reference, even though many of the images and clips do not directly relate to Baader-Meinhof or West Germany. Some of the footage includes the assassination of President John F. Kennedy in 1963, the Martin Luther King Jr. assassination in 1968, student protests in Mexico City, the announcement of President Nixon's victory in 1969, and footage of the

Vietnam War. Even though these events may not have directly affected German politics, like the letter that Meinhof wrote to Empress Pahlavi, it shows the ideological solidarity that the later Baader-Meinhof group had with the tragedies of their time.²⁴ This short film montage, coupled with the thematic connections between Meinhof's letter to the Iranian empress and the June 2nd riot, produces an emotionally causal connection which forms a logical progression from speaking out intellectually against certain politicized events, to witnessing them first hand, to finally participating in them. At the beginning of the film, Meinhof's children ask what a Shah is, and are given the answer the Shah is allowed to decapitate anyone whom he does not like (*The Baader Meinhof Complex*). This simple explanation, however, foreshadows the next scene, as the Shah's supporters are allowed to attack protestors on June 2nd and then assisted by the Berlin police in attacking the demonstrators.

The literal progression of Meinhof's active participation in resistance can be seen in the three scenes with Rudi Dutschke leading up to the attack on the Axel Springer publishing building. Meinhof is at an anti-Vietnam war rally, where Dutschke is speaking, merely as an observer, and when the counter-protestor tries to interrupt the rally, Meinhof only observes his removal from the building. The next scene is the assassination attempt of Dutschke, where Meinhof is absent. The next scene is the reaction of various protestors trying to block trucks delivering the *Bild* newspapers, which initially reported that Dutschke had died, whereas he actually survived the assassination attempt. Meinhof appears among the crowd initially as an onlooker, but as the resistance against the *Bild* trucks heightens, Meinhof is handed a cobblestone as many

²⁴ JFK's famous "Ich bin ein Berliner" speech could explain the inclusion of his assassination in the short film montage, as many Germans watching the original reacted positively to the president's affirmation of West Berlin as a place of freedom (Dallek 624).

of the protestors begin throwing these at the trucks in order to delay and stop them. Meinhof is eventually grabbed by police officers, who have come to quell the riot. A higher-ranking police officer recognizes Meinhof as a reporter and orders her release. Through this short montage, Edel has foreshadowed Meinhof's descent into terrorism by linking these events together chronologically as well as emotionally. Even the attack on the *Bild* mirrors the bombing of the Axel Springer (the publisher of *Bild*) building later, the attack which marks the first civilian casualty in the RAF attacks. The progression into violence and the change within Meinhof's personal morality concerning violence and resistance is expertly summed up and punctuated by Meinhof's often quoted words, "wirft man einen Stein, so ist das eine strafbare Handlung. Werden tausend Steine geworfen, ist das eine politische Aktion. Zündet man ein Auto an, ist das eine strafbare Handlung. Werden hunderte Autos angezündet, ist das eine politische Aktion" (*The Baader-Meinhof Complex*).²⁵ Edel's film continues with Meinhof's progression into terrorism with the scene in the library of the Berlin Zentralinstitut. The camera focuses in on Meinhof's uncertainty at what to do after Baader and the others had already escaped through the window. It is revealed during the previous scene that Meinhof had intended to stay in the room and act surprised at the escape. However, she decided to implicate herself by jumping out of the window after the other members of the later aptly dubbed Baader-Meinhof group. Had Meinhof decided to stay in the room, she could have avoided the ethical and moral quandaries of joining a terrorist organization, one that had hired a professional killer to attack police at a guarded meeting in order to secure the release of a convicted criminal. However, she crossed the line from simply writing about and witnessing political terrorist actions into full participation. Her decision to join the

²⁵ Also quoted on page 73 of Aust's book.

RAF actively indicates that she has accepted a standard of justice that exists outside of West German law. The question of whether or not she is able to completely turn away from her original ideas of justice and willingness to live within the West German state is left open, as the film's depiction of her last days in Stammheim prison shows her suffering under confinement. Furthermore, the questionable circumstances under which the core first-generation RAF members died make it difficult to claim one way or another if Ulrike Meinhof accepted the state's judgment of her actions to be unjust, as Kohlhaas and Moor did, or if she died still believing in a different idea of justice than that of the state.

Another turning point in Meinhof's turn from political journalist to terrorist is her decision to give up her children when she and the rest of the RAF were at the training camp in Palestine. The intensification of Meinhof's convictions, as well as the convictions of the group, continue to mount, as they realize that they must fight and kill police officers, American military personnel, lawyers and judges who sentence their members to prison terms. However, Meinhof already declared that the RAF does not believe police are humans.

Wir sagen, natürlich, die Bullen sind Schweine, wir sagen, der Typ in der Uniform ist ein Schwein, das ist kein Mensch, und so haben wir uns mit ihm auseinanderzusetzen. Das heißt, wir haben nicht mit ihm zu reden, und es ist falsch überhaupt mit diesen Leuten zu reden, und natürlich kann geschossen werden. (*The Baader Meinhof Complex*)

This declaration of treating police as non-humans is similar to the treatment that Kohlhaas exhibits towards any members of the von Tronka family, and also any people

who would protect Wenzel von Tronka from him. Both logical progressions into violence found in Michael Kohlhaas and Ulrike Meinhof indicate a certain willingness for the respective authors to accept the idea that a descent into violence mirrors a logical progression from accepting positive law to replacing it with natural law. As the perceived enemy, the corrupt state, in alliance with the Junker in the case of Kohlhaas and the West German state in the eyes of Meinhof and the rest of the RAF, becomes increasingly hostile towards the terrorists' demands, the terrorists will see the increased hostility as a threat and begin to see an increase of violence as a viable option to attain their goal in natural ends. Meinhof's abandonment of her children is similar to the removal of Kohlhaas's children by the state, but more so resembles Karl Moor's decision to kill his father and Amalia at the end of the story. The symbolic rejection of aristocratic values for Karl leads to the actual rejection of his family members, while the symbolic acceptance of the terrorist lifestyle for Meinhof also coincides with the necessity for her to give up the possibility of raising her children. For both Michael Kohlhaas and Karl Moor, there is only one major moral line to cross between violence and non-violence, whereas Edel's depiction of Ulrike Meinhof shows that there are multiple lines to cross, for her personally as well as for the RAF as a whole (violence and non-violence, violence against US targets versus German targets, the willingness to kill civilians). For the RAF, the next line to cross would be the death of civilians. This line is unwittingly crossed with the bombing of the Axel-Springer publishing house. Although there were warnings and threats called in to Axel-Springer, the resulting bomb attack still killed workers inside. Meinhof then shifts the blame to the publishing house itself, claiming that, "Springer gehen lieber das Risiko ein, dass seine Arbeiter und Angestellten durch Bomben verletzt

werden, als das Risiko ein paar Stunden Arbeitszeit, also Profit, durch Fehlalarm zu verlieren” (*The Baader-Meinhof Complex*). However, both Kohlhaas and Moor accept that criminal activity is all inclusive, and as soon as they resort to violence, they are perfectly willing to continue in order to reach their end goal. This does not make Meinhof’s character any less consistent with the types of terrorist that Kohlhaas and Moor are. If anything, the usage of the term “terrorist” as applied to Ulrike Meinhof is similar to the usage as it is applied to Kohlhaas and Moor, as all three are operating within consistent personal moral systems (natural law), even though these moral systems lie outside the limits of positive law and societal norms.

Andreas Baader, however, does not share Meinhof’s slow descent into terrorism. Instead, he is presented in Edel’s film as constantly on edge and ready for action. In Aust’s book, Baader is noted as being intelligent during his school years, but incredibly violent. As noted by Aust, “Andreas Baader prügelte sich in der Schule so oft, daß sich der Schulleiter schriftlich bei der Mutter beschwerte: ‚Einen zweiten Baader könnte meine Schule nicht tragen‘“ (26). His stand-offish attitude is translated into Moritz Bleibtreu’s performance of him in Edel’s film. During the meeting with Horst Mahler in Rome, Baader calls Rudi Dutschke an “APO wichser” (*The Baader-Meinhof Complex*) and says that he was washed up before he was even shot. He then dares the lawyer to steal the purse of a tourist at the neighboring table, and then when his car gets stolen, he hurls ethnic slurs, “ihr verdammten Spaghetti-Fresser,” and calls Ensslin and Proll “ihr Fotzen” (*The Baader-Meinhof Complex*), even though it is pointed out by Proll that they could just steal another one. The presentation of Baader as an amoral actor who favors action to planning mirrors Schiller’s Franz Moor and Spiegelberg. Both reject the social

structure present in their society, and neither of them believe the consequences of their actions to be significant before engaging in their criminal activity. Furthermore, both Franz and Baader believe that their position in the world, and their world views, are contrary to society; therefore, they completely reject the idea that they should follow societal norms to accomplish their goals. Franz is willing to kill his father and exile his own brother in order to gain a better standing in the world and believes his action to be consistent with his ideology of gaining power through one's own action. Baader is similarly committed to the idea that his actions allow him to restructure society from the ground up, and the presence of legal problems do not trouble him until he realizes that the RAF members were likely to be kept in prison forever and that the new generation of RAF were unable to operate successfully. The hostage situation at the German Embassy in Stockholm, which was undertaken in an attempt to free the original four members of the RAF, ends in failure, with Baader commenting, "was für eine scheiß Aktion" (*The Baader Meinhof Complex*). The combination of xenophobic, sexist, temperamental, and morally radical attributes that Edel's Baader embodies creates more of a tension between his character and the general viewer, and prevents most viewers from relating to Baader as much as they would to Meinhof.

In another attempt to alienate Baader from the general audience and other characters in the film, Baader is represented as a purely natural-law figure, as he does not have a concept of holding back, or following orders. In the Palestinian camp, he derides the camp commander's rules multiple times. In the scene with the arrival of the group in the camp, Baader rejects the rules of separating the sexes into two buildings. Later, he also stops the exercise that involves them crawling under barbed wire, because his plan

does not coincide with the commander's rules. Later, he fires his Kalashnikov rifle freely, as opposed to the single-fire accuracy exercise that the group is supposed to be doing.

One might argue that his actions were taken out of ideological reasons. It is clear that the Palestinian camp is actually for training for desert warfare, and the commander explicitly says that they are "at war with Israel" (*The Baader-Meinhof Complex*) as opposed to the RAF's goal of robbing banks and engaging in urban guerilla warfare. The RAF members also all come from a very socially liberal European mentality, which, from the start, is shown to be at odds with the traditional Muslim values that the other people at the camp embody. For example, as the RAF members arrive at the camp, a group of Palestinian militants stop running to see who they are. The camera switches between shots of the militants from behind, showing their confused and curious gaze, and close ups of a few of the women who are wearing shorts and skirts. This is also played out as the RAF members sunbathe naked on the roofs of their huts. Some of the militants stare from afar using binoculars, while two of the women comment on their actions, "Was haben sie da zu glotzen?" followed by, "wahrscheinlich haben sie nie eine nackte Frau gesehen" (*The Baader Meinhof Complex*). However, it is also clear from the start that the Palestinian camp has their own training plan, one that demands discipline and is geared towards desert warfare. Therefore, it is not clear how or why Baader or anyone else in the group would have expected otherwise. Baader also expresses his short temper and unwillingness to work with others in the scene after the death of Petra Schelm. Meinhof suggests that they need to change their tactics in order to prevent further deaths or arrests. However, Baader vehemently disagrees and lays the blame on the individual agents rather than admit that his plan is flawed. He ends his tirade by insulting Meinhof and the

other women by saying, “ihr Fotzen! Eure Emanzipation! Ihr besteht nur darin, dass ihr eure Männer anschreit!“ (*The Baader-Meinhof Complex*). Mortiz Bleibtreu’s performance as Andreas Baader coincides with Aust’s own descriptions of Baader as well as Scholz’s fictionalized version. Baader’s unwillingness to cooperate with any other mode of thinking besides his own demonstrates a single-minded devotion to morals that only he is privy to. Even Gudrun, who is presented as being the character most sympathetic to Baader’s ideology and motives, is not entirely in agreement with his understanding (or lack thereof) of the feminist sexual revolution happening at the same time, as evidenced by his constant and unbridled use of “Fotzen” to insult female members after a mistake has been made (e.g. the loss of the car in Italy and the argument with Meinhof after Schelm’s death) and his claim that female emancipation only results in their right to criticize men. Even among the members of the first generation of the RAF, Baader’s morals and willingness to sacrifice everything in order to achieve his revolution seem to be at a distance from everyone else’s, as they exhibit emotional connections to the loss of Petra Schelm.

While Edel’s film and Scholz and Aust’s novels analyze the individual characters and give them individual voices, this is often not the view that the general public receives via the media and governmental policies. There is a great disconnect between what the first-generation RAF members believed was happening and how the state and mainstream media depicted their actions. Sabine von Dirke also analyzes how the media and governmental bodies played into the creation of the mythos of the RAF. Dirke’s analysis of Friedrich Delius’s RAF Trilogy, as well as Duffel’s *Born in the RAF*, leads her to conclude that the cultural memory is not only changed by the fiction writers around and

after the turn of the 21st century. Instead, Dirke writes, “the text [*Born in the RAF*] articulates awareness of how the media channels just as much as Delius’s critical assessment of the media’s role in the discursive construction of the RAF” (117). However, Delius’s texts also muddle the difference between historical memory and fictionalized works. His renditions of the German Autumn focus rather on how to portray the events through different perspectives. According to Dirke’s reading of the trilogy:

All three authors discussed here experienced the events of the German Autumn as adults, albeit at various moments of their life cycle and from different theoretical perspectives. Writing within an Enlightenment tradition refracted through Frankfurt School paradigms, Delius’s trilogy examines the dysfunctionality of the democratic system, focusing on the unholy symbiosis of government and media in stabilizing the existing social order as well as the psychological burden of the Nazi past still carried by the individual and collective. (115)

This type of representation of the relationship between media and government is also echoed in Edel’s film, as he includes news clips, both period pieces and recreations, to demonstrate what the news media’s portrayal of the RAF at the time would have looked like. These kinds of windows into the past help viewers and readers put together a multiplicity of historical views, whereas direct interviews and historical records only give a dichotomy of history, either the state-sponsored or mainstream-media version, or the RAF version.

This dichotomy of history is present in a *Spiegel* interview of the core RAF members in 1975, as well as the historical documentation of J. Smith and André Moncourt. After the capture and imprisonment of the four main members of the first

generation, Andreas Baader, Gudrun Ensslin, Ulrike Meinhof, and Jan-Carl Raspe, the *Spiegel* conducted an interview about their imprisonment, motives, and tactics. One of the classic questions addressed in this interview, which is also prominently featured in Edel's film, is the question concerning the nature of the imprisonment of the Baader-Meinhof members, namely the question of isolation as a form of torture. The interviewer opens with a question of the new tactics that the RAF plans to carry out, even though they are imprisoned. The RAF responded tersely,

Es geht nicht um Gerede über Taktik. Wir sind Gefangene und kämpfen im Moment mit der einzigen Waffe, die uns im Gefängnis und in der Isolation geblieben ist: dem kollektiven Hungerstreik, um aus dem Vernichtungsprozeß, in dem wir sind – jahrelange soziale Isolation – rauszukommen. (52)

In Edel's film, Aust's book, and Scholz's novel, the RAF members see themselves as revolutionaries, but also a majority of the time they are also victims of what they see as continued fascism. The claim of victim status is generated by views, which depictions, such as Edel's film, produce (depicting the police brutality of June 2nd, as well as the beating of Peter-Jurgen Boock and Holger Meins), as well as historical records, such as Smith and Moncourt's, which highlight the continuity of former Nazis in government bureaucracy as well as the banning of the communist party in West Germany after the transition to the two German states. The acceptance of the idea that the Allies could not arrest the entire country for being fascist leads to the inevitable charge from leftists that the fascists are still in power. The news magazine, naturally being part of the fascist state, according to the Baader-Meinhof group's point of view, counters with examples of the prisoners' treatment as more humane than the group wishes to admit. "Sie lesen doch

bündelweise Zeitungen, hören nach Bedarf Radio, hin und wieder sehen Sie fern....Sie haben Kontakte mit anderen RAF-Mitgliedern, kassieren kreuz und quer, empfangen Besuche, Ihre Anwälte gehen bei Ihnen ein und aus” (52). The RAF responds that this is only to be believed by those who consult only the *Spiegel* and State Security information. Their point of view is that their imprisonment is a clear case of a “Vernichtungsprozeß.”

However, the belief that the state is still fascist, and that this fascist state is so hostile towards opposition from the left that they would willingly engage in a process of eliminating these elements of opposition is not completely due to a paranoid understanding of the history. J. Smith and André Moncourt cite figures from William D. Graf concerning the fate of the employees of Nazi-controlled companies and civil-servant positions.

Almost all the representatives of the big business labeled as war criminals by the American Kilgore Commission in 1945 were back in their former positions by 1948; and of roughly 53,000 civil servants dismissed on account of their Nazi pasts in 1945, only about 1,000 remained permanently excluded, while the judiciary was almost 100% restored as early as 1946. (5)

These statistics point to an overwhelming trend of simply allowing individuals who were formerly identified strongly as fascist and key figures in the fascist society to keep their jobs and positions within society, despite the fact that the allied forces, as well as antifascist resistance within the country, tried to paint the entire Nazi state and all of those who complied in the blackest of colors. Throughout the *Spiegel* interview with the RAF, the terrorists maintain that their struggle is a politicized struggle, and that the

murders are part of this struggle. When asked about the murders and whether the group should be compared to other criminals in light of these serious crimes they answer:

Bei politischen Gefangenen – und wir sagen: Jeder proletarische Gefangene, der seine Lage politisch begreift und die Solidarität, den Kampf der Gefangenen organisiert, ist ein politischer Gefangener, egal, aus welchem Anlaß er kriminalisiert wurde – unterscheidet die Justiz nicht. (52)

The RAF members present themselves as unequivocally political and every action they take needs to be seen in a political context. They refuse to be judged based on the “fascist” justice system, because they see that the justice system is indiscriminate in their judgment of the crimes, and yet at the same time, they pay special attention and treat the RAF terrorists differently from other criminals. This, for the RAF, is a clear sign that the state is biased against their actions due to the political opposition that existed in the government at the time. This understanding of the West German state and the idea that fascism was allowed to simply blend into the capitalist democracy sets the background for ethical systems to develop around the idea that the dominant society was indeed still fascist. The RAF’s reaction to this perceived threat is therefore consistent with their moral code.

Much like Kohlhaas and Karl Moor, the RAF is faced with an existing ethical value system that they deem to be against their own idealized conception of justice, which is based on radical Marxist values. The disconnect between living within the system that violates an idealized form of justice leads to the acceptance that the system is corrupt to a certain extent. In the case of Karl Moor, the system is corrupt because of the individuals who have corrupted it. However, in his quest to repair the corruption, which

is embodied by his brother, Karl must violate state laws to do so. In the case of Kohlhaas, it is once again the individuals who have corrupted an otherwise acceptable system of justice. Kohlhaas is also forced to violate all ethics in order to right the injustice, as the corruption of the system has already removed any possibility of reform from within the state's system of justice. The RAF, on the other hand, is faced with the interesting problem of facing moral and justice systems that are completely corrupt despite the morals of individuals. Every facet of society, in their view, is in some way a masked form of fascist control. Their refusal to accept 1960s and 1970s West German democracy as free of fascism marked their seemingly impossible task of destroying the entire system along with everyone and everything involved. The scale of their enemy outmatched the scale of their operation, and would ultimately work against them as public opinion saw their increased violence as being too far outside of societal norms to excuse or justify their beliefs.

Historically the idea that the postwar German government was continuously biased against leftists is somewhat true. Smith and Moncourt cite the limit on activities that the Communist Party of Germany, KPD, could take under the Adenauer chancellery and the CDU administration. In 1951, the KPD began a number of informal polling and petition gathering campaigns against the CDU to which Adenauer responds with arrests.

Suffice it to say that Adenauer was not amused [by the KPD's polling of people on the streets], and polling people soon became a risky endeavor: there were a total of 7,331 arrests, and the KPD Free German Youth front group was banned simply for engaging in what amounted to a glorified petition campaign. (Smith and Moncourt 21)

While it is impossible to say exactly how many of the former Nazis in postwar German society still held on to their beliefs, or how strongly they believed in the fascist ideal to begin with, the figures cited in Smith and Moncourt's work points to at least a general disapproval of the far left from the government standpoint. Although the first generation of the RAF operated under the more liberal government of Willy Brandt of the SPD, opposition to state authority in West Germany still remained strong among those outside of parliament. These kinds of historical problems concerning postwar politics lend themselves well to the supposed legitimacy that the RAF had in trying to struggle against a remilitarized state that had been, and allegedly was still, overshadowed by fascism.

Another part of the problematic of popular representations of the RAF with the historical events is the connection between the terrorist group and other non-terrorist groups and leaders (e.g. Rudi Dutschke showing support at Holger Meins's funeral). The conflation of terrorists and non-terrorists muddles the line between legal and illegal resistance against the West German state. Dutschke's SDS and, before their admittance into official German politics, *Die Grünen* followed a system of values outside of the purview of the state, but they remain non-violent, while the RAF sees violence as an appropriate means to struggle against the positive law of the West German state. This conflation re-introduces the question of legitimacy and justification into the understanding of terrorists in literature and film. Again, if one were to refer back to Kohlhaas and Karl Moor, there remains the unresolved question of whether or not these individuals who have violated state law in order to pursue their own ideas of justice should be viewed as heroes or villains. This was an ever present problem during the German Autumn, as the RAF had many supporters within and outside of West Germany,

and is made even more unclear as they become the heroes of popular action films and pop literature²⁶ (e.g. Edel's film or Scholz's novel) without consideration of the question of justice or violence. In Edel's film, the student group SDS is shown multiple times. Meinhof is present at the anti-Vietnam War rally that is headed by Rudi Dutschke, who is later shot multiple times. This is coupled with the earlier scene of the June 2nd riot when Benno Ohnesorg is shot and killed. This event is also referenced in Scholz's novel, where Baader and Ensslin are placed in the midst of the riot, fleeing from police, and Ensslin remarks on Ohnesorg's death later on. Although Baader calls Dutschke an "APO wicher" in Edel's film, Dutschke's attendance at the funeral of Holger Meins functions as a prominent transition scene for Edel's depiction of the creation of the second and third generation of the RAF. This long list of events and people are loosely connected to the RAF leaders as well as their cause, which makes them appear more sympathetic by juxtaposing legal opposition to the government with illegal opposition.

Ingo Cornils attempts to tackle this question of the connection between the RAF and other leftist organizations in 1968 by dealing with Friedrich Delius. Since Delius himself was part of the general leftist movement known as the 68ers, his books concerning the paradoxical separation and integration of the violent and peaceful political resistances provide invaluable insight into the historical memory of the RAF. Cornils cites Delius's *Mein Jahr als Mörder*, which combines the personal experiences of Delius with a fictionalized, first-person character in order to deliver a narrative about the

²⁶ Pop literature is a genre of literature that arose during the late 20th and early 21st century, which focused on contemporary issues and is noted by using informal speech and had specific references to brand names, consumer culture, and other contemporary realities, such as the student movement and personal relationships of characters. The seemingly superficial style of pop literature creates a narrative that is more focused on personal views rather than historicity. This changes later ideas of the RAF due to the semi-fictional nature of the narratives, which differ from historical accounts.

progression from justified anti-state actions to a realization that the movement had been taken over by radicals. Cornils writes:

Following the “Schlacht am Tegeler Weg” where militant students for the first time beat the police in a protracted street fight, he [the narrator] realizes that the word violence had acquired “eine pathetische Aura” (MJ 34) and becomes acutely aware that the Student Movement has come to an end. The fanatics are now calling the shots. At this point he is swayed by Hellmut Gollwitzer’s admonition that any violence against people is inhumane. (141)

While Cornils cites works like Delius’s, he is still critical of the correlative aspect of the relationship between the 68ers’ movement and the RAF. He cites that Wolfgang Kraushaar’s research and views of the movement provide tenable evidence that the violence that groups like the RAF justified was also justified in the 68ers’ movement.

Kraushaar’s research in Rudi Dutschke’s correspondence and diaries had revealed evidence that violence was certainly always an option in his thinking. To Dutschke, it was the capitalist system that created violence by perpetrating oppression and exploitation. In order to defend oneself against a form of the violence that was not immediately obvious in the Western world, direct action seemed the appropriate strategy, though he qualified this by stating that revolutionary violence was always counter-violence. (138)

This kind of evidence is, however, countered by the historical evidence that Dutschke and the SDS did not engage in violent actions as the RAF did. In fact, Dutschke’s eventual support for the Green Party’s foundation and participation in parliamentary politics would demonstrate that, although he might have tacitly approved of violence as a means

of revolution, he did not actively engage in it. The idea that the general political culture surrounding leftism in the late 1960s and early 1970s led to the development and empowerment of the RAF may still hold. However, the idea that there is a direct causal link cannot be established via these kinds of examples.

The Bonnie-and-Clyde romanticized aspect of Baader and Ensslin's relationship is quite contrary to Ulrike Meinhof's slow descent into terrorism, madness, and eventual suicide. The terrorist couple grasps at emotional connections that the audience understands from the appearance of dramatic romances in films and novels and shows how their relationship endures and grows along with their conviction to forbidden ideals. Ensslin leaves the father of her child, Bernward Vesper, as well as her child in favor of following Baader and his armed conflict. She rejects the notion that Baader should serve time in jail for grand theft auto, instead opting for a grand escape plan involving Meinhof. This is coupled with the motherly figure of Ulrike Meinhof, whose husband cheats on her early on in the film. This leads her to take her two daughters with her as she joins the armed struggle. However, she needs to make the tough choice of leaving her children in the care of others, as her lifestyle ultimately prevents her from raising her children in legal West German society. The decision to never see her children again, in fact, is decided by Ensslin, as they negotiate with having the Palestinian militants take care of them, although that plan falls through, and Meinhof's daughters are returned to their father. The inclusion of the personal lives, trials, and tribulations of the members leads one to sympathize with the characters as humans who have been shown great injustices, as opposed to hardened, heartless criminals.

The actual events and relationships that these people held are almost inseparable from the fictionalized representations of their story, such as Scholz's, as well as dramatized representations of their story that are presented as a "true story," such as Edel's adaptation. Gerrit-Jan Berendse states in 2011 that he wants to avoid the conflation of literature and aesthetics with terrorist ideologies, which he admits to agreeing with in his earlier 2005 article. "Was das Verhältnis zwischen Ästhetik und Terrorismus angeht, will ich meine 2005 eingenommene Position korrigieren..." (11). Instead, Berendse wants to focus on the „Spezifik des RAF-Terrorismus und die Differenzierungen, die in die Dokumente der kulturellen Erinnerungen eingegangen sind..." (12). This focus is an interesting one since even within Edel and Aust's account of Horst Herold, head of the BKA and credited with the capture of the first generation of the RAF, and Herold claims that the group's ability to continue operations even with the moral and intellectual core captured is due to a myth that persists about them. In the film, Herold says in two different scenes that the RAF is kept alive by a *Mythos*. After the bombing of the German embassy, Herold is seen on the phone explaining that Siegfried Hausner cannot die under their custody, as with such deaths, "...verhelfen wir den Terroristen der RAF zur Unsterblichkeit!" This insinuates that the RAF is not only fueled by the members, but that public opinion of them helps protect them, especially if they are seen as victims of the state. Also, after the death of Buback, Herold and his advisor converse about what motivates new terrorists. Herold concludes that it is due to, "einem Mythos" (*The Baader Meinhof Complex*). This, along with Irmgard Möller's assertion that the deaths of Ensslin, Baader, and Raspe were not suicides, but extrajudicial killings,²⁷ demonstrates the problem that history and primary sources have with

²⁷ Taken from her interview with *Der Spiegel* in 1992 (7-8). Edel's film, however, shows that the lawyers

constructing an objective truth and separating them from representations of a truth.

Berendse's critique of how the RAF is remembered is split into five categories:

erstens gibt es Literaturwissenschaftler, die sich bei ihren Analysen von einer so genannten Poetik des Extremen inspirieren lassen...Für sie ähneln literarische Prozesse, jenen Transformationsvorgängen, die auch terroristische Aktionen bzw. Denk- und Lebensweisen in Gang setzen....Ein *zweiter* Themenbereich beschäftigt sich mit der psychologischen Konstellation der Terroristen im wirklichen *und* im fiktiven Leben....Ein *dritter* Ansatz beim Besprechen, insbesondere literarischer Darstellungen des Linksterrorismus, ist auf Körperlichkeit bezogen...Dieser Ansatz reflektiert den morbiden Hang der RAF zum öffentlichen Vorführen von Körpern im Schmerz. *Viertens* wird ein erinnerungs- und gedächtnistheoretischer Apparat eingesetzt, mit dem Literaturwissenschaftler an die mit der RAF liierte Fiktion herangehen....Schlussendlich und damit *fünftens* hat die Globalisierung die Rede von der RAF eingeholt. Durch den globalen Schrecken, der am 11. September 2001 aller Welt medial vorgeführt wurde, wurde die kulturelle Erinnerung an den deutschen Linksterrorismus in neue Bahnen geleitet. (12-13)

These categories reveal how Berendse understands representations of the RAF, which can be accurately applied to the two sources that I have already discussed.

However, Berendse's categories do not offer a method of analyzing the representation of the characters; rather they only group how certain works represent their actions in relation to historical records. Both Leander Scholz and Stefan Aust are established authorities in the social sciences, and their works fit into the cultural memory

of the RAF smuggled weapons in. In addition, at the end of the film, Brigitte Mohnhaupt reveals to the group that all of the members committed suicide (*The Baader Meinhof Complex*).

of the events in Germany as outlined in Berendse's third and first category, respectively.²⁸ These five categories explain how one could view the reciprocity of fiction and terrorism. However, they also present the idea of the reciprocity of fiction and terrorism as an aesthetic kitsch, one that Berendse seems to regard as *Mythos*. In Berendse's first section detailing all of the categories of terrorist writing, he defines the literary aspect of terrorism as part of the radicalization that occurred during the 1970s. He states, "Im Konzept des unnachsichtigen Extremismus verbarg sich für die RAFler ein Schlüssel zur Unmittelbarkeit der Rezeption, von der die Literatur nur träumen konnte" (13). The violence and intrigue that surrounded the RAF and their actions reflect the extreme ideal that leftist terrorism had a place in popular imagination. For Berendse, the level of real-world success for the RAF to create their own *Mythos* and romance is incomparable to Schiller and Kleist's literary works.

However, Berendse does recognize the existence of famous novels like *Die Räuber* and *Michael Kohlhaas* as "terrorism" literature, and notes that these stories also have themes of using "Mord und Totschlag" as politically motivated actions. He notes that, "Ästhetik und Terrorismus treffen sich jedoch nicht erst seit der literarischen Moderne in der ersten Hälfte des 20. Jahrhunderts. Während sich 'Terror' schon am Ende des 18. Jahrhunderts in der europäischen Kunstgeschichte bemerkbar machte..." (13). However, I feel it is important to stress the fact that not only do these stories prove that violence as a political action has existed in literature, but also that Kleist's story is actually based on the actions of Hans Kohlhase, who was a 16th-century arsonist, and

²⁸ While Berendse only names Scholz's book explicitly in his article, Aust's original text fulfills the first category's role of connecting the terror, violence, and political agenda on equal footing with words. "Der erste Teilbereich bezieht sich auf die Radikalität, die einst sowohl das Wort als auch die Tat prägte" (Berendse 13).

therefore also plays slightly on the intrigue that is created through the mere act of terrorism, as opposed to artificially adding intrigue to a fictional work. The literary re-workings of actual terrorists provide them with a mythical quality, create a pop-icon, or as literary critic Gijsbert Pols criticizes it, the re-workings are “politische[] Pornos” (Berendse 24). By representing the terrorist figure as the protagonist of a story who is initially wronged, authors like Kleist and Schiller create an idealized version of the alleged criminal. This character is written multi-dimensionally, allowing readers to identify with the character’s emotions and motives and popularizing their fictional exploits. The idea of a terrorist as a sympathetic person is addressed in the fourth category of Berendse’s critique. However, Berendse’s critique of how literature and narratives are based on the RAF tries to avoid the idea that historical records are also problematic. The different stories that are presented by different first-person accounts (Aust’s, Möller’s, the state’s and BKA’s reports on them, and the news reports at the time) make the legitimacy of historical records questionable without bringing in the added removed step of fictionalized versions of the story.

Berendse’s fourth category revolves around the sympathy that is aroused during the actions of the first generation RAF, as well as post-RAF studies. With professional and public successes of more moderate leftists from the same period, such as Rudi Dutschke, and the general attitude that children of the Nazi generation began to hold the established authority figures with more skepticism (referring to the issue of how to best deal with former Nazi members in all established government positions), came the rise of the thought that it was possible that terrorists, like the RAF, were in some way correct or justified in their attacks. During Horst Herold’s efforts to apprehend and try the first

generation, public opinion polls indicated that at least a quarter of those under thirty (those who were born during and after Nazi Germany) supported the RAF's actions.²⁹ This is not without reason, especially if one considers that both Edel and Scholz's works begin with the June 2nd riot in Berlin, coupled with the fact that Horst Herold was a lieutenant in the German military during the Second World War (Jochem). Edel even goes a step further in having Bruno Ganz, who had played Hitler four years prior in *Der Untergang*, play the role of Herold. The multi-layered connection between the Nazi regime and post-war Germany in Edel's film speaks to how closely the literary and cinematographic world allies itself with a general mythology of the RAF, but also how the RAF, through Aust and Meinhof, was already connected to leftist publications before the fact. As mentioned previously, the idea that the RAF was able to create a *Mythos* surrounding themselves and their ideology is key to their ability to attract followers and supporters to their cause. In Edel's film, Horst Herold states that the RAF's ability to operate even with the core members inside Stammheim prison was not due to some secret method of transmitting operation plans and tactics to the outside members, but rather to the second and third generation's own initiative to act in accordance to this *Mythos* that had been built around Baader, Ensslin, Meinhof, and Raspe. Berendse's claim that the RAF was able to create this *Mythos* without the added help of fictionalized literature is supported by the fact that the second and third generations performed actions based on beliefs that the members held about the founders (e.g., the fact that Mohnhaupt kept the smuggling of weapons a secret from the second generation of RAF members, which helped radicalize the newer members into fighting based on the assumption that the state

²⁹ "Nach einer Umfrage des Allensbach Instituts hat jede vierte Deutsche gewisse Sympathien für die RAF. Das sind etwa 7 Millionen Menschen..." (*The Baader Meinhof Complex*).

had actually performed extra-judicial killings [*The Baader Meinhof Complex*]).

Therefore, the romanticized ideal of the RAF had already become part of the cultural memory without Edel's film or Scholz's novel. The added layer of interpretation that these later depictions of the RAF have has the possibility to change the cultural memory and exploit the public's fascination with romanticized rogue figures. However, if Scholz's pop-literature work or Edel's motion picture add any substantially new complexities to the debate on how the RAF, and terrorists in general, should be understood, these new questions are minor at best.

In order to accurately analyze Edel's film representation of the RAF and its members, one must realize that his work is separate from the historical accounts, but still informs and alters perceptions of those accounts. Although the film is presented as a true story, the analysis of the representation of these characters as terrorists must be treated more along the lines of Kleist's *Kohlhaas* and Schiller's *Karl Moor*. The corresponding moral change seen in Edel's *Meinhof* is comparable to *Karl Moor's* and *Michael Kohlhaas's* moral shifts. *Meinhof* is continuously disillusioned by the West German justice system just as *Kohlhaas* is continually disillusioned by the Prussian state law and *Moor* is disillusioned by his brother's usurpation of their father's position. The disregard that the members of the RAF show to the West German authority is blatantly due to a disagreement in governing moral values and ideas of justice that the members have versus what the state has.³⁰

³⁰ e.g. The RAF members believe that the FRG government is supporting the Vietnam War and is a puppet to United States' interests. They do not recognize the authority that is presented to them by the FRG state, allowing them to follow their own morals and ethics of armed resistance, even to the point of incarceration and death.

CHAPTER IV

CONCLUSION

Justifying one's decision to commit a violent act in order to further a personal goal is frowned upon as it violates the rights of other individuals to live freely without fear of this violence. However, if the state that is supposed to guarantee the safety of its citizens is somehow morally or judicially corrupt, when do individuals gain the right to revolt and to what extent is this revolt justified? Heinrich von Kleist establishes a morally unshakeable hero, who accepts the consequences of his own actions to demonstrate how a personal conviction is able to prevail in the face of widespread and constant corruption of a state government run on the whim of individuals. Friedrich Schiller also establishes Karl Moor as one who possesses an unshakeable conviction in justice, as even when he is cast out of civilized society, he retains these morals throughout his time as a bandit leader, eventually allowing him to avenge his father. These models of literary heroes do not accept the ethical systems that their respective authorities, Wenzel von Tronka and Franz Moor, follow. Instead they work outside of the system in order to revolutionize how men in their position should act as personally justified beings, and oppose the positive law according to their personal morals, as is described in the conditions of natural law. In addition, they are martyred as heroes and understand that they would necessarily be martyred due to their position outside the legal system. At the same time, Kleist and Schiller's heroes go through character development and develop their idealized sense of justice in the story, whereas their counterparts function only as corrupt foils.

On the other hand, Uli Edel's *The Baader Meinhof Complex* takes the similar problem of the representation of terrorism and brings it to an audience who remembers and feels the immediate effects of terrorism. The ability for readers to treat Kleist's and Schiller's stories as fictional works of literature is slightly removed, as Edel's film represents his story as close to reality as possible. However, unlike *Michael Kohlhaas* and *Die Räuber*, the RAF characters must also face their equally humanized opponents of the BKA. Horst Herold is responsible for the safety of the entire West German populace, and the police officers involved in bringing in the core members of the RAF have also had to work through the losses of their comrades, just as the RAF members did. The emotional connection that the audience forms with the characters indicates that the motivations and the justifications of the violence on the side of the RAF are understandable if not wholly reasonable given the cultural-historical world situation that Edel presents in his film. The emotional connection between audience and narrative is also present in Kleist's and Schiller's heroes, and further demonstrates the continued idea of presenting terrorist figures as relatable figures as opposed to inaccessible criminal minds.

Just as *Michael Kohlhaas* is based on an actual historical terrorist, yet maintains a separate identity as a literary figure, Edel's Baader, Meinhof, Ensslin, and others are also unique representations that stand in for the story that Edel is trying to tell through his film. Whether or not the film is one-hundred-percent true to the historical events is irrelevant, as the cultural memory has been already affected due to the multiple points of view that the historical figures had. Rather, the progressive acceptance of terrorist tactics and ethics that Meinhof demonstrates, and Baader's resolve to actively reject the

established legal system in favor of his idealized moral system connect Edel's representation of the infamous terrorists to Michael Kohlhaas and Karl Moor. The tradition of representing terrorism in German literature that pits heroes representing uncorrupt moral systems against a corrupt legal system endorsed by the state is reflected in the real-world history of the German Autumn and re-represented in Edel's dramatized film. The political situation in which Ulrike Meinhof finds herself, and against which Andreas Baader is determined to struggle, fits neatly into the motif of terrorism in German literature. The escalation and justification of the violence is also mirrored, influencing once again how the audience of literature and film understands terrorists, their motivations, and the idea of justified violence in the spirit of natural law against the positive law of the state. Whether or not this new understanding of literary representations of terrorism as using violence in accordance with Benjamin's concept of natural law is able to change the way that real-world believers in positive law understand it is still subject to debate.

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