



FROM HISTORICAL REALITY TO CINEMATIC ALLEGORY: THE CRISIS OF LAW AND ETHICAL AGENCY IN THE REPRESENTATIONS OF MICHAEL KOHLHAAS

Tarihsel Gerçeklikten Sinemasal Alegoriye: Michael Kohlhaas Anlatılarında Hukukun Krizi ve Etik Eylem

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ABSTRACT

This study examines how the political and ethical crisis resulting from the delegitimization of the legal order is reproduced in both literary and cinematic representations, based on a historical incident that occurred in 16th-century Saxony. Focusing on the transformation of the individual into a political subject when the pursuit of justice collides with the limits of the legal system, the Michael Kohlhaas narrative is explored not merely as a historical account but as a critical inquiry into modern legal thought. Originally documented in historical sources as a horse dealer seeking legal redress against the arbitrary actions of a corrupt nobility, the figure of Michael Kohlhaas is transformed into an allegorical character in Heinrich von Kleist's 1808 novella, where the structural tension between law and justice becomes manifest. The individual action that arises in response to systemic corruption in Kleist's narrative is transposed into a visual-aesthetic dimension in Arnaud des Pallières' 2013 film Michael Kohlhaas (Age of Uprising), which opens a new field of inquiry into the cinematic articulation of justice and the representational crisis of modern law. This article, through an interdisciplinary approach, aims to examine the transformation of the Michael Kohlhaas figure, from a historical episode into a literary myth and subsequently a cinematic allegory, within philosophical, legal, and aesthetic frameworks. The representational voids that emerge in the pursuit of justice, in both Kleist's text and Pallières' film, are analysed as zones of rupture in which legitimacy is destabilized and a subjectivity grounded in ethical commitment is cinematically reconstructed at the intersection of law, state, and society.

Keywords: aesthetic construction of justice, allegorical revolt, psychopolitical tension, cinematic representation, Michael Kohlhaas.

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Öz

Bu çalışma, hukuk düzeninin meşruiyetini yitirmesinin yol açtığı politik ve etik krizin, 16. yüzyılda Saksonya’da meydana gelen tarihsel bir olaya dayanarak hem edebi hem de sinemasal temsillerde nasıl yeniden üretildiğini incelemektedir. Adalet arayışının hukuk sisteminin sınırlarıyla çakıştığı noktada bireyin politik bir özneye dönüşümüne odaklanan Michael Kohlhaas anlatısı, yalnızca tarihsel bir anlatı olarak değil, aynı zamanda modern hukuk düşüncesine yönelik eleştirel bir sorgulama olarak incelenmektedir. Tarihsel kaynaklarda başlangıçta yozlaşmış soyluların keyfi eylemlerine karşı yasal çözüm arayan bir at tüccarı olarak belgelenen Michael Kohlhaas figürü, Heinrich von Kleist’in 1808 tarihli kısa anlatısında hukuk ve adalet arasındaki yapısal gerilimin belirginleştiği alegorik bir karaktere dönüştürülür. Kleist’in anlatısında sistemik yozlaşmaya tepki olarak ortaya çıkan bireysel eylem, Arnaud des Pallières’in 2013 yapımı filmi Michael Kohlhaas’ta (Age of Uprising) görsel-estetik bir boyuta aktarılır. Bu film, adaletin sinemasal ifadesi ve modern hukukun temsili krizi üzerine yeni bir araştırma alanı açar. Bu makale, disiplinlerarası bir yaklaşımla, Michael Kohlhaas figürünün tarihsel bir olaydan edebi bir mite ve ardından sinematik bir alegoriye dönüşümünü felsefi, hukuki ve estetik çerçeveler içinde incelemeyi amaçlamaktadır. Hem Kleist’in metninde hem de Pallières’in filminde adalet arayışında ortaya çıkan temsili boşluklar, meşruiyetin istikrarsızlaştırıldığı ve etik bağlılığa dayalı bir özelliğin hukuk, devlet ve toplumun kesişiminde sinemasal olarak yeniden inşa edildiği kopuş bölgeleri olarak analiz edilir.

Anahtar Sözcükler: adaletin estetik inşası, alegorik isyan, psikopolitik gerilim, sinematik temsil, Michael Kohlhaas.

Introduction

The figure of Michael Kohlhaas, first introduced through the historical events surrounding Hans Kohlhasé’s sixteenth-century legal grievance, has transcended its origins as a juridical anomaly to become an enduring allegory for the ontological crisis of justice, the limits of legal form, and the fraught relationship between sovereign power and ethical subjectivity (Butler, 2004: 24; Agamben, 2005: 3). This study considers the Kohlhaas narrative, refracted through the historical archive, Heinrich von Kleist’s 1808 novella, and Arnaud des Pallières’s 2013 cinematic adaptation, as an exemplary case for interrogating the aesthetic construction of justice and the epistemological tensions inherent in juridical representation. Far from treating the narrative as a static object of literary or historical inquiry, the present analysis engages Kohlhaas as a transhistorical and transmedial node wherein legal, ethical, and aesthetic discourses intersect and destabilize one another. The multiplicity of its iterations functions not merely as a

narrative repetition but as a palimpsestic inscription of modernity's most intractable juridico-political paradoxes (White, 1973: 5-6). This investigation is predicated on the conviction that the Kohlhaas figure operates not as a character in the conventional sense but as a philosophical topos, a site wherein sovereign violence, institutional illegitimacy, corporeal vulnerability, and the suspension of normative frameworks converge (Derrida, 1992: 35; Levinas, 1969: 50). In this regard, the study is situated at the crossroads of political theology, critical legal studies, continental philosophy, and cinematic aesthetics. Each disciplinary framework contributes not only a vocabulary but an ontological stance toward the dilemmas posed by Kohlhaas's revolt: What becomes of law when it ceases to be capable of delivering justice? What forms of subjectivity emerge at the limits of institutional legibility? What role can aesthetic representation play in staging, suspending, or exceeding these questions?

Giorgio Agamben's theorization of the state of exception is foundational to understanding the juridical topology within which Kohlhaas operates. In Agamben's view, the state of exception is not a peripheral event but the originary structure of sovereign power, a zone in which the juridical order is suspended in order to preserve itself, and wherein life is exposed to unmediated violence under the guise of legal rationality. As he writes, "the state of exception is the space in which law both applies and is suspended, where life is included in the juridical order through its very exclusion" (Agamben, 2005: 3). Kohlhaas, as a legal subject whose appeals are met with procedural delay, silence, or outright dismissal, inhabits this paradoxical threshold. He is governed by a legal apparatus that refuses to acknowledge his claim, thereby rendering his legal status as both included and abandoned. In this context, his recourse to violence is not a deviation from legality but a symptom of its internal collapse. Yet Agamben's own conceptual framework has not gone unchallenged. His critics argue that the abstract elegance of the state of exception tends to elide historical specificity and political contingency, universalizing a structural impasse in a manner that risks depoliticization (Zartaloudis, 2010: 28-31). While Agamben's theoretical apparatus is invaluable for mapping the empty formality of law that Kohlhaas confronts, it must be supplemented by analytic frameworks that retain a sensitivity to the affective, embodied, and narrative registers through which resistance is articulated.

Walter Benjamin's distinction between law-making, law-preserving, and divine violence provides such an alternative. In his "Critique of Vio-

lence,” Benjamin (1996) offers a dialectical genealogy of legal force, culminating in the notion of divine violence, an unmediated act that neither institutes nor sustains law but interrupts its mythic cycle. Benjamin writes: “Divine violence is law-annihilating; it stands outside the law, neither just nor unjust, and strikes privilege and power with the same indifference” (Benjamin, 1996: 297). This radical exteriority is embodied in Kohlhaas’s rebellion, which lacks the teleology of revolution or reform and instead enacts a revelation of juridical emptiness. His violence does not demand a new legal regime; it exposes the impossibility of any regime to contain the moral singularity of justice when it becomes unmoored from form. However, Benjamin’s concept of divine violence also generates significant theoretical risk. It hovers uneasily between messianic rupture and aestheticized nihilism, potentially valorizing violence as a purgative gesture without sufficient accountability. In this regard, Judith Butler’s theorization of grievability, precarity, and corporeal exposure introduces a crucial corrective. Butler’s work, particularly in *Precarious Life* (2004) and *Frames of War* (2010), shifts the locus of political intelligibility from sovereign abstraction to embodied vulnerability. As she argues, “it is the body that suffers the regime of power most immediately and visibly, and it is the body through which ethics finds its ground” (Butler, 2004: 24). In des Pallières’s film, Kohlhaas’s body is not merely the instrument of resistance but the very terrain on which the ethical crisis unfolds. The film’s meticulous visual emphasis on stillness, silence, and physical endurance transforms the body into a site of political enunciation, one that resists the legal order not through discourse but through the persistence of pain and presence.

Butler’s emphasis on the affective labor of resistance foregrounds the ethical surplus that escapes juridical containment. It is through the body’s exposure, its openness to wounding, that political demands for justice are rendered legible. This insight radically reconceptualizes Kohlhaas’s rebellion: not as a quest for juridical reparation but as an aesthetic praxis of endurance, one that renders visible the structural conditions under which justice becomes impossible and yet remains ethically necessary. His refusal to be subsumed within the logics of legal legibility becomes itself a form of corporeal testimony, a performance of justice that exceeds the law’s representational capacity. This constellation of theoretical engagements, Agamben’s sovereign suspension, Benjamin’s annihilative rupture, and Butler’s embodied vulnerability, comprises the triadic matrix through which the Kohlhaas narrative is interpreted in this study. Yet it would be both method-

ologically and ethically irresponsible to neglect the substantial body of legal and political thought that resists the central premises of these approaches. Within the canon of liberal jurisprudence, for instance, the emphasis lies not in the radical deconstruction of law but in its internal rationalization through principles of equality, due process, and institutional accountability. Thinkers such as Ronald Dworkin insist on a hermeneutic conception of law, in which legal principles must be interpreted in their best moral light, thereby preserving the normative legitimacy of legal institutions even in the face of individual failures (Dworkin, 1986: 272–275).

Moreover, Jürgen Habermas’s theory of communicative action and procedural legitimacy articulates a vision of justice rooted in discursive consensus rather than rupture. In his *Between Facts and Norms* (1996), Habermas posits that law derives its legitimacy from the democratic procedures through which norms are generated and justified. From this perspective, Kohlhaas’s failure lies not in the juridical system per se but in its procedural blockage, a failure that, while ethically troubling, does not necessitate extra-legal rebellion but institutional reform. Similarly, Hannah Arendt’s work emphasizes action, speech, and public appearance as the foundational elements of political life. In *On Violence* (1970), she warns against conflating violence with power, arguing that “violence can destroy power; it is utterly incapable of creating it” (Arendt, 1970: 56). The Kohlhaas figure, in this light, might be read as a tragic exemplar of political failure: his silence, isolation, and eventual death mark the foreclosure of action and the impossibility of a shared world. This study does not seek to reconcile these divergent theoretical trajectories but to stage their productive tension within the interpretive matrix of the Kohlhaas narrative. Each theoretical framework foregrounds different dimensions of the crisis at hand: the suspension of law (Agamben), the ethical excess of justice (Benjamin), the embodied performance of resistance (Butler), and the normative structures of procedural rationality (Habermas, Arendt, Dworkin). It is precisely in their mutual irreducibility that the theoretical richness of the narrative is revealed.

Historical Foundation: The Origin of Michael Kohlhaas and the Constructed Reality of the Records

The historical origins of the *Michael Kohlhaas* narrative lie in the real-life figure of Hans Kohlhaase, a sixteenth-century horse trader from Cölln, whose legal conflict with the Saxon nobility in 1532 has become emblematic of early modern tensions between individual rights and feudal power.

According to records housed in various regional legal archives, Kohlhasse's horses were unlawfully confiscated by the servants of Junker Günter von Zaschwitz as a punitive act stemming from unpaid tolls. Despite repeated attempts to reclaim his property through legal petitions to Saxon and imperial authorities, his appeals were met with silence or deliberate obstruction (Schröder, 1971: 83–91). This initial episode, while seemingly mundane, functioned as a microcosm of systemic legal dysfunction within the fragmented polity of the Holy Roman Empire. W. H. Bruford (1957: 221) contends that Kohlhasse's ordeal illuminates the sociopolitical vulnerability of the burgeoning mercantile class in early modern Germany, which often found itself at the mercy of landed elites unbound by consistent legal accountability. The judicial records, preserved in municipal and imperial repositories, portray Kohlhasse as an aggrieved citizen forced into rebellion not out of anarchic proclivities but as a last resort when the legal order had demonstrably failed him. This theme is further corroborated by Blickle (1998: 143–147), who reads the incident within the broader framework of peasant and proto-bourgeois resistance to feudal privilege during the Reformation era. Notably, the historical Kohlhasse never fully abandoned legal rhetoric. Even his manifestos during his rebellion were steeped in the vocabulary of justice and restitution, signalling a persistent belief in the normative validity of legal principles.

The construction of Kohlhasse's story as a historical and symbolic figure was shaped not only by factual records but also by the interpretive frameworks of subsequent chroniclers. The 1594 *Annales Saxonici* and other contemporaneous narratives were already engaging in what Hayden White (1973: 5) terms "employment," the imposition of narrative coherence upon historical events. These early accounts, while preserving chronological data, employed rhetorical devices to cast Kohlhasse as either a subversive element or a tragic exemplar of virtue betrayed by law. As Drews (Benjamin, 2003: 54) highlights, even the most ostensibly neutral archival sources are imbued with ideological investments, thus making Kohlhasse's story a site of historiographical contestation. The line between archival document and proto-literary representation was therefore always blurred, preparing the ground for Kleist's later allegorical transformation. Moreover, the legal structure of the Holy Roman Empire exacerbated these tensions. Its decentralized organization, comprising hundreds of semi-autonomous jurisdictions, produced a legal pluralism that often-undermined procedural fairness (Whaley, 2012: 412–415). Local lords frequently exercised *de facto*

sovereignty over their territories, including judicial authority, resulting in unpredictable and often arbitrary enforcement of law. Gagliardo (1980: 97) asserts that in such a setting, law did not function as a universal safeguard but as an instrument of domination cloaked in the language of order. Kohlhasse's legal entanglements are best understood within this contradictory space, where imperial authority was theoretically supreme but practically fragmented and contingent.

The archival materials relating to Kohlhasse's petitions, trials, and proclamations further expose the strategic silencing mechanisms embedded within the bureaucratic apparatus of the time. Gerlach (1995: 203-209) documents how imperial councils deliberately delayed proceedings and suppressed correspondence, thereby constructing a juridical impasse. More tellingly, the reclassification of Kohlhasse as a criminal rather than a petitioner in legal documents marks a deliberate semiotic shift aimed at delegitimizing his resistance. Foucault's (1995: 42) observation that the state must control the narrative of violence in order to retain its monopoly on legitimate force becomes acutely relevant here. Kohlhasse's transformation from plaintiff to outlaw was not merely a legal redefinition but a political strategy that shielded the state's failure by pathologizing dissent. In this context, the figure of Hans Kohlhasse functions not only as a historical actor but also as a discursive construction whose meaning has shifted according to the ideological needs of each retelling. Whether viewed as a proto-revolutionary, a rogue dissenter, or a tragic idealist, Kohlhasse's legacy has been consistently refracted through the lenses of law, sovereignty, and rebellion. His story demonstrates that the legal archive is never neutral. It is a space of narrative contestation, where voices are authorized, repressed, or rewritten in accordance with hegemonic priorities. Therefore, the historical foundation of the Kohlhaas narrative should not be treated as a static repository of facts but rather as a dynamic arena in which power, discourse, and representation collide. The persistence of this figure across.

Cinematic Allegory and Aesthetic Resistance: Justice in Arnaud des Pallières's *Michael Kohlhaas*

Arnaud des Pallières's 2013 cinematic reworking of Heinrich von Kleist's novella *Michael Kohlhaas*, the question of justice is not so much dramatized as it is ontologically staged across a visual, sonic, and affective register. The film does not offer a narrative in which juridical failure is resolved through personal retribution or institutional reform; rather, it constructs an aesthetic apparatus in which the very notion of justice is suspended, ren-

dered opaque, and persistently deferred. Through its extreme minimalism, radical use of silence, and its choreographed relationship to time, embodiment, and landscape, *Michael Kohlhaas* enacts an allegorical inquiry into the representability of ethical action and the political figuration of resistance. What follows is not simply a filmic adaptation of Kleist's narrative, but a cinematic allegory that distills the philosophical tensions of sovereign power, bodily exposure, and the illegibility of suffering within modern regimes of legality. Unlike conventional historical dramas that rely upon linear causality, psychological characterization, and narrative closure, des Pallières's film dispenses with expository framing entirely. The viewer is immediately immersed in an aesthetic world stripped of ornamental excess, narrative redundancy, or rhetorical explanation. In this regard, the film refuses the mechanisms of audience identification and affective immersion that typify commercial cinema. Instead, it adopts what Gilles Deleuze has termed the *time-image*, a cinematic mode wherein movement no longer structures the perception of time, and time itself becomes the object of contemplative attention (Deleuze, 1989: 35-38). Within this logic, scenes unfold not according to narrative necessity but as temporal suspensions: a wide shot of an empty landscape stretching indefinitely; Kohlhaas riding silently across wind-swept plains; the static framing of bureaucratic interiors devoid of affective color. These images do not merely illustrate delay, they produce it as an aesthetic and ethical condition, compelling the spectator into a posture of patient witnessing and philosophical reflection.

The temporality of the film is thus neither linear nor goal-directed. Instead, it constitutes a duration in which justice is not achieved but dwelt within, a suspended ethical space that neither resolves nor redeems. Here, temporality functions as the materialization of legal impasse. Kohlhaas's long waits in corridors of authority, his prolonged silences in the presence of institutional actors, and the film's persistent refusal to cut or accelerate these sequences become formal indices of juridical non-responsiveness. This strategy is not merely symbolic; it is a cinematic reenactment of the legal void in which Kohlhaas finds himself. The state has neither denied nor acknowledged his petition, it has delayed it indefinitely, rendering him structurally invisible within the economy of rights and recognition. This temporal dilation is mirrored in the film's radical use of silence, not as absence, but as political density. There is an acute sonic austerity that governs the film. Dialogue is sparse and strategically withheld; even ambient sound is minimal, and musical scoring is nearly non-existent. Such sonic

restraint operates in profound contrast to the traditional courtroom drama, where justice is rendered through rhetorical contest and speech acts. In *Michael Kohlhaas*, by contrast, the absence of speech is the index of juridical abandonment. Judith Butler's assertion that political subjectivity is conditioned by the capacity to be heard, to be intelligible within dominant regimes of recognition, becomes acutely relevant here. As she argues, "there is no justice without addressability," and Kohlhaas's mute endurance signals the foreclosure of this address (Butler, 2004: 33). The film literalizes this foreclosure not by dramatizing his silencing, but by staging silence itself as a durational mode of dispossession.

Moreover, the body in des Pallières's film functions not as a vehicle of violence or an instrument of agency, but as a fragile, exposed, and ethically saturated site of resistance. Mads Mikkelsen's corporeal performance is governed by a rigorously choreographed stillness. His gestures are sparse, his posture controlled, his expressions restrained to the point of near impassivity. And yet, precisely in this corporeal economy, the body becomes legible as the locus of ethical demand. In resisting expressive excess, the film allows the body to signify not what it wants, but what it endures. This reversal aligns with Butler's concept of *corporeal vulnerability*, the idea that bodies signify politically not by acting upon the world, but by revealing the conditions of their exposure within it (Butler, 2010: 45). The film's most striking articulation of this principle occurs in its final execution sequence. In Kleist's novella, Kohlhaas's death is juridically staged, a final capitulation to the legal order he has resisted. In des Pallières's version, however, the execution is devoid of dramatization. There is no visual spectacle of violence, no reaction shots, no music to cue pathos. Instead, the camera maintains a contemplative distance, observing Kohlhaas's final walk to the scaffold with solemn detachment. This refusal of spectacle is itself an ethical gesture. Drawing on Susan Sontag's argument that the overrepresentation of suffering can lead to aesthetic desensitization, one might suggest that des Pallières's restraint counters the cinematic impulse to consume pain (Sontag, 2003: 71). Instead, the image becomes an occasion for ethical stillness, for what Emmanuel Levinas might describe as the "infinite responsibility before the face of the other" (Levinas, 1969: 215).

The spatial logic of the film similarly contributes to its allegorical density. Landscapes are vast, depopulated, and somber, functioning less as backdrops than as participants in the film's ethical economy. Kohlhaas is often framed as a solitary figure engulfed by the immensity of the natural

world, a visual metaphor for the subject abandoned by the social contract. This spatial isolation echoes Agamben's description of the *zone of indistinction*, wherein the subject exists at the threshold of law and life, deprived of political agency but not excluded from juridical force (Agamben, 1998: 97-99). The terrain is juridically evacuated yet symbolically saturated. Fields, forests, and mountains take on a sacramental quality, as if bearing witness to Kohlhaas's ethical solitude. The camera's reluctance to enter private spaces, its preference for wide shots over close-ups, and its commitment to spatial detachment reinforce the ontological distance between Kohlhaas and the community that has cast him out. Importantly, des Pallières constructs the figure of Kohlhaas not as a revolutionary or martyr but as a symptom, a subject whose insistence on justice exposes the incoherence of the legal order itself. His rebellion is not framed as heroic or triumphant. It is slow, reluctant, and mournful. There are no rousing speeches, no transformative alliances, no ideological manifestos. Instead, there is only the persistent return to a juridical claim that the law refuses to recognize. This insistence operates not as fanaticism but as fidelity, to a principle of justice that the law no longer guarantees. In this, the film enacts a Benjaminian logic, whereby divine violence emerges not as a founding gesture but as a suspension, a refusal to legitimate the illegitimate.

One must also attend to the film's gender politics, which, though understated, are intricately woven into its structure. The female characters, particularly Kohlhaas's wife, occupy positions of ethical catalyst and narrative limit. Her death is the event that propels Kohlhaas's revolt, yet her subjectivity remains largely unvoiced. This absence may be read as a critical commentary on the gendered distribution of political legibility, or alternatively, as a reproduction of patriarchal narrative omission. The ambiguity here is significant: it marks the film's refusal to resolve its own ethical contradictions, inviting rather than foreclosing critique. Additionally, the bureaucratic spaces in which Kohlhaas attempts to seek redress are rendered with clinical sterility. Interiors are sparse, colorless, and rigidly symmetrical. The *mise-en-scène* evokes not power but its impersonality, the faceless administration of legality. These architectural choices align with Michel Foucault's analysis of disciplinary power, wherein authority is no longer embodied in sovereign figures but in the anonymized operations of institutional apparatuses (Foucault, 1995: 201). The magistrate who receives Kohlhaas's petition does not deny him outright; he simply delays, defers, and ultimately absorbs the request into the machinery of inertia. Here, the

visual economy of the film becomes a theory of power: authority is no longer seen but felt in the recursive absence of response.

The film's final moments do not offer resolution but reiterate the impossibility of closure. The execution does not restore order; it simply concludes the narrative without resolving its ethical impasse. The community remains fractured, the legal order unredeemed, and Kohlhaas's demand unanswered. Yet it is in this very suspension that the film finds its power. It refuses catharsis, closure, and redemption, offering instead an aesthetic practice of non-resolution. As Jacques Derrida reminds us, "justice is that which must always remain to come" (Derrida, 1992: 27). *Michael Kohlhaas*, in its cinematic form, embodies this deferral, not as failure, but as fidelity to the irreducibility of the ethical demand. In sum, Arnaud des Pallières's *Michael Kohlhaas* is not a film about justice, but a film in search of the conditions under which justice might still be thinkable. It does not present a solution to the dilemmas of sovereignty, law, and resistance, but rather materializes those dilemmas in visual, temporal, and somatic form. Its minimalism is not an aesthetic gesture but an ethical one; its silences are not empty but charged with the weight of juridical refusal. Through its affective restraint, spatial austerity, and temporal discipline, the film constructs a cinematic ethics, a grammar of resistance that does not promise redemption but insists upon recognition. In doing so, it challenges the viewer not to interpret justice, but to dwell in its impossibility, and in that impossibility, to begin again.

Kleist's Literary Allegory: Ethics, Law, and Revolutionary Justice

Heinrich von Kleist's novella *Michael Kohlhaas*, first published in 1808, offers a profound and stylistically distinct reworking of the historical material into a literary allegory that problematizes the intersection of justice, law, and individual agency. Rather than presenting Kohlhaas as a mere victim of feudal corruption, Kleist situates him as a paradoxical figure who embodies both legal righteousness and the destructive excesses of moral absolutism. The narrative unfolds with clinical precision, mapping Kohlhaas's transformation from a loyal citizen to a revolutionary outlaw whose actions interrogate the ethical foundations of the state and the coherence of its legal apparatus. Kleist's portrayal of Kohlhaas emphasizes a juridical crisis that is both systemic and personal. As Lützeler (1993: 107) argues, the novella operates as a critique of Enlightenment rationality, illustrating the impotence of institutional law when confronted with moral outrage that exceeds procedural constraints. Kohlhaas's persistent appeal to legal rem-

edies, and his ultimate recourse to violence, reveal the limits of a legal system grounded solely in codified legitimacy. In this sense, the novella prefigures modern anxieties about the state's failure to deliver justice, and the ethical imperative to act when the rule of law collapses.

Crucially, the novella's style resists sentimentalism and psychological depth, favouring a detached, quasi-juridical tone that mirrors the protagonist's obsession with legal consistency. Benjamin (2002: 300) notes that this stylistic austerity functions as a rhetorical device that elevates the narrative to the level of myth, making Kohlhaas not merely a character but a symbolic site of conflict between power and ethics. This allegorical register is further reinforced by the novella's refusal to resolve the tension between Kohlhaas's moral integrity and the chaos unleashed by his actions. The reader is left with an unsettling ambiguity: is Kohlhaas a hero of justice or a fanatic incapable of compromise? The ethical dilemma at the heart of the novella resonates with Agamben's (2005: 37) concept of the "state of exception," wherein legal norms are suspended in the name of their preservation. Kohlhaas's rebellion emerges within such a vacuum, where the law, by refusing to hear his case, effectively delegitimizes itself. His violent resistance, though unlawful, acquires a perverse legitimacy by highlighting the law's failure to uphold its own principles. In this regard, Kleist's narrative aligns with Walter Benjamin's theory of "divine violence," a force that disrupts legal continuity without founding new law, existing outside the economy of legal sanction and punishment (Benjamin, 1996: 297).

Furthermore, the novella's structure invites comparison with modern narratives of revolutionary ethics. Butler (2004: 25) observes that acts of resistance are often framed within normative constraints that foreclose their intelligibility. Kohlhaas's actions, situated at the threshold of legality and insurrection, challenge these normative frameworks. He refuses to be recuperated either as a criminal or as a sanctioned martyr, occupying a liminal space that defies clear moral categorization. In this way, *Michael Kohlhaas* operates not just as a story of historical injustice, but as a literary laboratory for interrogating the philosophical tensions between legitimacy, violence, and ethical action. Kleist's novella does not offer resolution but instead amplifies the contradictions inherent in the pursuit of justice under conditions of legal and institutional collapse. Its continued relevance lies in its capacity to provoke ethical reflection without prescribing doctrinal conclusions, making it a foundational text in the genealogy of political literature.

Between Law and Violence: Ethical Intervention and Aesthetic Resistance

The figure of Michael Kohlhaas occupies a liminal space between legality and justice, where institutional failure generates not only ethical urgency but also an ontological crisis of subjectivity. Both Heinrich von Kleist's novella and Arnaud des Pallières's film depict this figure not as a lawless insurgent, but as a tragic emblem of ethical resistance emerging in a juridical vacuum. Within this framework, violence becomes not an arbitrary or reactionary act, but an ethically saturated gesture that interrogates the foundations of modern sovereignty. It is precisely in this interstice, between the foreclosure of legal recourse and the refusal to accept injustice that Kohlhaas's actions gain their unsettling philosophical weight. Walter Benjamin's seminal distinction between *rechtsetzende Gewalt* (law-making violence) and *rechtserhaltende Gewalt* (law-preserving violence) forms a critical lens through which Kohlhaas's insurrection may be interpreted. Benjamin (1996: 287–300) identifies a third mode, "divine violence," which disrupts legal form altogether without instituting a new normative order. This form of violence is "pure" in the sense that it does not serve instrumental ends, nor does it aim to reproduce power; rather, it reveals the limits of legal legitimacy and exposes the inherent violence of the legal form itself. In this view, Kohlhaas's rebellion is not an attempt to replace one sovereign order with another, but to lay bare the irreparable rupture between law and justice when the former ceases to be responsive to the ethical claims of the governed.

Des Pallières's film engages with this Benjaminian problematic by reframing violence not as an act of domination but as an ethical ordeal inscribed upon the body and embedded in time. Kohlhaas's resort to arms is never framed as heroism or conquest; instead, it is depicted with stark restraint and existential gravity. The cinematography avoids visceral spectacle and instead focuses on lingering, desaturated tableaux, such as Kohlhaas slowly riding through a fog-laden valley or silently burying his wife. Violence is never glorified, but rendered slow, mournful, and inescapable. Here, Giorgio Agamben's (2005: 37) theory of the state of exception illuminates Kohlhaas's condition: when law suspends itself in the name of preserving order, thereby excluding certain subjects from protection, it reveals its foundational reliance on violence. Kohlhaas, whose petitions for justice are systematically ignored, becomes the embodiment of this excluded subject: one whose legal status is null, yet whose ethical demands remain

unextinguished. His revolt is not a political strategy but a response to juridical void, where violence becomes an existential condition rather than a tactical act.

Judith Butler's concept of *corporeal vulnerability* adds another dimension to this cinematic logic. In *Precarious Life*, Butler (2004: 24) asserts that the body becomes a site of political articulation when it exposes the fragility upon which justice must ultimately rest. Kohlhaas's body, exhausted, wounded, and exposed, becomes a medium of protest against the state's silence. His physical suffering, rendered in the film through protracted close-ups and his silent encounters with authority, forms an ethics of endurance. Violence, in this visual grammar, is not only what is done but what is endured. His speechlessness does not denote passivity but marks the limits of discursive justice. The film's unresolved conclusion intensifies this ethical tension. Though Kohlhaas is executed, the injustice he resisted is never addressed, the institutions remain intact, and the community remains fractured. This lack of closure denies both redemption and final judgment. Elaine Scarry (1985: 13) argues that pain resists language, yet compels representation. In *Michael Kohlhaas*, violence exists as ethical residue, unassimilable and undissolved, defying narrative containment. The film critiques liberal justice not by negation but by subtraction, offering a negative image of justice: not what is present, but what persistently fails to materialize.

Moreover, the film's formal austerity, its extended silences, static compositions, and minimal dialogue, performs a cinematic ethics that mirrors Kohlhaas's own restraint. These stylistic choices destabilize the viewer's expectations. There are no climaxes, no catharses, no explanatory monologues. Laura Mulvey's (2005: 144) notion of *delayed pleasure* becomes operative: the film withholds emotional release, instead compelling the viewer into a space of reflection. This discomfort is not a flaw but a method, one that activates what Jacques Rancière (2009: 48) describes as the *aesthetic regime of art*, a domain where perception and meaning are radically redistributed. The film suspends the viewer between judgment and empathy, between outrage and impotence. Ultimately, *Michael Kohlhaas* offers no stable resolution to the moral problems it raises. It does not affirm Kohlhaas's actions, nor does it condemn them entirely. Instead, it inhabits the undecidability at the heart of ethical resistance. By refusing to close its ethical inquiry with narrative certainty, the film constructs a cinematic space in which the fragility of justice and the ambiguity of violence are neither

solved nor escaped, but shown and endured. Through its aesthetic of restraint and its poetics of interruption, the film transforms rebellion into meditation, and suffering into critique.

Justice as Suspension: Temporality, Waiting, and the Aesthetics of Delay

In *Michael Kohlhaas*, justice does not culminate in a juridical resolution but instead emerges as a suspended condition, an aesthetics of waiting, delay, and ethical inertia. Arnaud des Pallières's filmic adaptation actively subverts narrative teleology, resisting momentum and closure in favour of a temporal architecture defined by suspension. Throughout the film, moments of stillness, extended silences, and prolonged hesitations mark not simply a slow pace, but a deeply political gesture. The deferral of action becomes an expressive medium that unsettles the normative understanding of justice as a procedural endpoint. Rather than presenting justice as a legal verdict or historical restitution, the film renders it as a lingering demand, an unfinished and unfinishable ethical tension. This cinematic deferral strongly resonates with the concept of the *state of exception*, wherein the law remains operative only in its suspension, leaving subjects caught in a temporal and juridical void (Agamben, 2005: 37). In the film, Kohlhaas's appeal for justice is neither directly denied nor granted; instead, it is continually postponed. The bureaucratic and noble institutions to which he turns vanish behind scenes of inertia: horseback travels through desolate landscapes, long pauses before closed doors, the absence of any spoken decree. These sequences dramatize juridical abandonment through the aesthetics of temporal suspension.

The film's temporal structure closely mirrors the theorization of the *time-image*, wherein time is no longer subordinated to movement but becomes an object of direct perception (Deleuze, 1989: 38). In *Michael Kohlhaas*, this is realized through protracted durations: the camera lingers on barren fields swept by wind, or on Mads Mikkelsen's unmoving figure beneath a grey sky. These moments evoke *durée*, not measured, mechanical time, but lived, affective time (Bergson, 1910: 45-48). Kohlhaas does not merely wait; he dwells in time, refusing to be assimilated into its productive logic. His suspended presence challenges both legal and narrative temporality, embodying a form of resistance that defies legal finality (Butler, 2004: 26). Ethical life unfolds in conditions where the subject remains radically exposed to the Other, unable to master or resolve the encounter (Butler, 2004: 25). This is precisely the condition inhabited by Kohlhaas, whose

waiting becomes a form of radical openness. Rather than turning to immediate retaliation, his long adherence to due process in the face of indifference expresses a temporized ethics, resistance without closure. In one exemplary sequence, Kohlhaas waits outside a noble estate for days, feeding and tending to his injured horses as petitions go unanswered. The film never cuts to the interior, never gives voice to authority. This scene, seemingly inert, becomes the ethical center of the film: justice as waiting, as demand, as a silent but enduring claim.

This reading is complemented by the concept of *écart*, a spacing or separation that makes ethics possible (Nancy, 1993: 12–15). Ethical subjectivity arises not in the fulfilment of justice, but in the very delay that resists its closure. Kohlhaas’s refusal to yield his demand, despite the erosion of institutional response, inhabits this *écart*. His stillness becomes a site of ethical intensity. Similarly, *désœuvrement*, or worklessness, is a temporal suspension wherein responsibility takes root (Blanchot, 1980: 29–31). Ethics does not arise from resolution but from the open wound of non-productivity, the very temporal mode staged repeatedly in des Pallières’s film. The film’s aesthetic of delay also functions as political critique. Political action becomes possible only when it enters a “space of appearance,” wherein visibility and recognition are enabled (Arendt, 1958: 198). Yet in *Michael Kohlhaas*, such a space is systematically denied. Authority does not answer, does not appear, and does not act. Instead, power operates through the *politics of delay*, wherein inaction becomes a mode of control (Fassin, 2012: 125–126). The deferral of justice becomes its negation. Kohlhaas is not executed immediately, nor granted audience swiftly; rather, he is held in a liminal time of anticipation and exhaustion. The time itself becomes a weapon.

This aesthetic delay extends to the viewer, implicating the spectator in the film’s ethical temporality. Narrative suspense, traditionally propelled by absence and deferral, is prolonged indefinitely (Barthes, 1977: 75–76). The viewer, like Kohlhaas, is left waiting. The absence of narrative payoff becomes a source of discomfort, forcing the audience to reflect rather than consume. Interruptions in cinematic flow disrupt visual pleasure and open a space for critical reflection (Mulvey, 2005: 12). The film’s denial of climax thus performs an ethical function: it displaces the viewer’s expectation and renders justice as a question, not a conclusion. Even the visual grammar of the film reinforces this logic of suspension. Long, static takes of Kohlhaas walking through fog or standing motionless beside a dead horse invite a

mode of perception that restructures how we see and feel justice (Rancière, 2009: 89). Justice here is not dramatized but sedimented in atmospheres, gestures, and absences. These charged moments evoke a detail that punctures consciousness not by signifying but by wounding (Barthes, 1981: 27). In one moment, the camera lingers on the crushed hoof of Kohlhaas's mutilated horse, an image without dialogue, without narrative progression, but dense with affective force. This is justice not seen in verdicts, but felt in wounds. In sum, *Michael Kohlhaas* offers a radical reconception of justice, not as an endpoint, but as an open and suspended temporality. Through its aesthetic of delay, the film invites us to witness justice not in the declarative logic of verdicts but in the unresolved tension of ethical waiting. In its silences, its inertial sequences, and its refusals, the film stages a political ontology of deferral. Justice, in this formulation, is not a product but a process, not a resolution but a resonance.

Theoretical Antinomies: Sovereignty, Resistance, and Legal Legitimacy

The moral and juridical paradoxes at the heart of the *Michael Kohlhaas* narrative are not merely narrative tensions but conceptual antinomies, irreconcilable polarities between sovereign power and ethical agency, law and justice, procedural rationality and radical interruption. While prior sections of this study have traced these tensions through both literary and cinematic registers, this section aims to interrogate their theoretical substratum. Specifically, it examines the antagonistic philosophical terrains that undergird the narrative's ethical architecture by bringing into critical dialogue two rival epistemologies of law and resistance: on one side, the paradigms of Giorgio Agamben, Walter Benjamin, and Judith Butler; and on the other, the frameworks advanced by Hannah Arendt, Jürgen Habermas, and Ronald Dworkin. This juxtaposition is not merely comparative; it is diagnostic. It enables us to read the *Kohlhaas* figure not only as a symptom of juridical collapse, but also as a contested site wherein divergent philosophies of justice converge and clash. To begin with, the theoretical edifice constructed by Agamben, Benjamin, and Butler posits law as an unstable, often violent mechanism whose claims to normative legitimacy are undercut by their structural exclusions and operational suspensions. In Agamben's view, sovereign power constitutes itself by producing a *state of exception*, a juridico-political space in which the law is suspended in the very act of being enforced. It is precisely this paradoxical zone, wherein the subject is at once included within and excluded from the legal order, that defines Kohlhaas's

predicament. His legal petitions, systematically delayed or ignored, do not signal the breakdown of law's procedural mechanisms but rather expose their founding emptiness. For Agamben, the law does not fail by accident; it fails by design (Agamben, 2005: 1). In this context, Kohlhaas's turn to violence becomes not merely understandable but philosophically inevitable, a radical expression of ethical fidelity in the absence of institutional responsiveness.

Yet the implications of Agamben's position are ambivalent. While his diagnosis of law's violence is compelling, his politics of abandonment risks lapsing into a form of conceptual fatalism. The *homo sacer*, once stripped of all legal protections, is left with no recourse except for mute exposure or sacrificial death. Resistance, in this schema, is paradoxically rendered both urgent and unthinkable. Walter Benjamin attempts to escape this impasse by articulating a notion of *divine violence*, a form of force that interrupts the legal continuum without reproducing its logic. In his famous *Critique of Violence*, Benjamin (1996) distinguishes between *law-making violence*, which founds new juridical orders, and *law-preserving violence*, which maintains them. Divine violence, by contrast, does not establish law but annihilates its mythic foundation, thereby disclosing a justice irreducible to legality. Kohlhaas's insurrection, read through this lens, is not an attempt to replace one regime with another; it is a non-foundational act that exposes the falsity of all regimes premised on coercion and exclusion. However, this theorization carries its own risks. Benjamin's divine violence is enigmatic and ethically fraught. Its purity lies in its inaccessibility to instrumental reason, yet this very inaccessibility renders it difficult to distinguish from arbitrary or destructive force. How does one differentiate divine violence from fanatical terror, or principled insurrection from nihilistic rupture? Judith Butler's intervention offers a corrective by reframing the question of resistance not as a metaphysical rupture but as a performative rearticulation of embodied vulnerability. In her view, the subject is constituted not through sovereignty but through precarity, through its exposure to norms that both sustain and subordinate it. For Butler, "the body signifies politically when it exposes the conditions of its unlivability" (Butler, 2010: 25). In the context of *Kohlhaas*, this implies that justice does not emerge through heroic defiance but through the sustained visibility of corporeal suffering. Resistance becomes not a violent negation of law but an embodied protest against the conditions that render certain lives ungrievable and unintelligible within its framework.

Yet Butler, like Agamben and Benjamin, ultimately shares a commitment to the deconstructive critique of juridical modernity. Her analytics of performativity, while offering a powerful account of normative reproduction and resistance, do not provide a procedural model for restoring legal legitimacy. Indeed, all three thinkers, Agamben, Benjamin, and Butler, operate within a critical tradition that treats law as a problematic instrument of exclusion and domination. In contrast, the liberal and proceduralist traditions advanced by Arendt, Habermas, and Dworkin offer an alternative account, one that seeks to salvage law from within by affirming its reformability, discursivity, and institutional rationality. For Hannah Arendt, the crisis of legality is not to be resolved by disrupting its structures but by recovering the conditions of political action, speech, and plurality. In *On Revolution* and *The Human Condition*, Arendt posits that politics is not the administration of violence but the performative appearance of subjects in a shared world. Freedom, for Arendt, is realized not in solitude or defiance but in the co-presence of others who see and hear one another (Arendt, 1958: 175). From this perspective, Kohlhaas's revolt is symptomatic of a world in which political action has been replaced by juridical calculation and bureaucratic inertia. His tragedy is not merely that he is denied justice, but that he is denied a space of appearance in which to articulate his demand publicly. The absence of deliberation, of dialogue, of recognition by equals, marks the death of politics proper and reduces justice to private vengeance.

Jürgen Habermas offers a more institutional articulation of this insight. In *Between Facts and Norms* (1996), he defends a theory of law grounded in *communicative rationality*, where legitimacy arises from the uncoerced agreement of all affected by a norm. Unlike Agamben's sovereign exception or Benjamin's divine rupture, Habermas conceives of law as an ongoing discursive project, an intersubjective process in which claims are justified, challenged, and revised through rational deliberation. If Kohlhaas were situated within a Habermasian system, his grievances would not be met with silence but with argument; not with abandonment but with reasoned justification. His revolt, in this light, represents the failure not of law per se but of its communicative infrastructure, a failure that is tragic but theoretically repairable.

Ronald Dworkin, working within the Anglo-American jurisprudential tradition, complements Habermas's proceduralism with a moral theory of legal interpretation. In *Law's Empire* (1986), Dworkin argues that law is best understood as an interpretive practice aimed at rendering the community's

political morality coherent and just. Judges, in his view, must interpret statutes not mechanically but with an eye to their underlying principles of fairness and equality. The legitimacy of law thus derives from its capacity to treat each citizen “as a person of equal concern and respect” (Dworkin, 1986: 272). Under this framework, Kohlhaas’s legal grievance, if just, ought to have been acknowledged and redressed through principled adjudication. His turn to violence signals not the inescapability of law’s failure, but the moral cowardice of those tasked with its interpretation. Nevertheless, these liberal and procedural accounts are not immune to critique. While they offer valuable models for legal legitimacy, they often understate the structural violence embedded within ostensibly neutral procedures. As critical race theorists and postcolonial scholars have shown, deliberative structures can themselves be sites of exclusion, and juridical formalism can serve to legitimize deeply inequitable social arrangements. In the *Kohlhaas* narrative, one might argue that it is precisely the formal rationality of the law, its commitment to procedure, precedent, and institutional form, that enables its moral blindness. The magistrates do not oppose justice; they delay it. They do not deny Kohlhaas’s humanity; they ignore it. The injustice lies not in active malice but in passive neutrality, a violence all the more insidious for its bureaucratic banality.

Accordingly, the theoretical antinomy between deconstructive and procedural traditions is not absolute. Rather, it reveals a productive dialectic: while Agamben, Benjamin, and Butler highlight the limits and exclusions of legal normativity, Arendt, Habermas, and Dworkin articulate the conditions under which those limits might be overcome. Each framework illuminates different aspects of the Kohlhaas figure: his ethical absolutism (Agamben), his mythic force (Benjamin), his embodied protest (Butler), his political isolation (Arendt), his deliberative foreclosure (Habermas), and his unmet demand for moral recognition (Dworkin). The strength of the *Kohlhaas* narrative lies in its refusal to resolve these tensions. It does not vindicate revolt, nor does it exonerate law. It presents, instead, a juridico-political impasse in which both law and its negation are ethically compromised. In cinematic form, this impasse is neither dramatized nor explained, it is embodied, felt, and endured. Des Pallières’s film does not tell us what justice is; it shows us what it means to wait for it, to demand it, and to be denied it. It does not argue for revolution or reform; it compels us to dwell in the discomfort of their undecidability. It is for this reason that theoretical plurality is not a limitation but a necessity. No single framework can ex-

haust the ethical density of Kohlhaas's revolt. Only by staging their confrontation, by letting Agamben speak to Habermas, Benjamin to Arendt, Butler to Dworkin, can we begin to apprehend the irreducible complexity of justice when law no longer guarantees it.

Justice as Suspension: Temporality, Waiting, and the Aesthetics of Delay

In *Michael Kohlhaas*, justice does not culminate in a juridical resolution but instead emerges as a suspended condition, an aesthetics of waiting, delay, and ethical inertia. Arnaud des Pallières's filmic adaptation actively subverts narrative teleology, resisting momentum and closure in favour of a temporal architecture defined by suspension. Throughout the film, moments of stillness, extended silences, and prolonged hesitations mark not simply a slow pace, but a deeply political gesture. The deferral of action becomes an expressive medium that unsettles the normative understanding of justice as a procedural endpoint. Rather than presenting justice as a legal verdict or historical restitution, the film renders it as a lingering demand, an unfinished and unfinishable ethical tension. This cinematic deferral strongly resonates with the concept of the state of exception, wherein the law remains operative only in its suspension, leaving subjects caught in a temporal and juridical void (Agamben, 2005: 37). In the film, Kohlhaas's appeal for justice is neither directly denied nor granted; instead, it is continually postponed. The bureaucratic and noble institutions to which he turns vanish behind scenes of inertia: horseback travels through desolate landscapes, long pauses before closed doors, the absence of any spoken decree. These sequences dramatize juridical abandonment through the aesthetics of temporal suspension.

The film's temporal structure closely mirrors the theorization of the time-image, wherein time is no longer subordinated to movement but becomes an object of direct perception (Deleuze, 1989: 38). In *Michael Kohlhaas*, this is realized through protracted durations: the camera lingers on barren fields swept by wind, or on Mads Mikkelsen's unmoving figure beneath a grey sky. These moments evoke *durée*, not measured, mechanical time, but lived, affective time (Bergson, 1910: 45–48). Kohlhaas does not merely wait; he dwells in time, refusing to be assimilated into its productive logic. His suspended presence challenges both legal and narrative temporality, embodying a form of resistance that defies legal finality (Butler, 2004: 26).

Ethical life unfolds in conditions where the subject remains radically exposed to the Other, unable to master or resolve the encounter (Butler, 2004: 25). This is precisely the condition inhabited by Kohlhaas, whose waiting becomes a form of radical openness. Rather than turning to immediate retaliation, his long adherence to due process in the face of indifference expresses a temporized ethics, resistance without closure. In one exemplary sequence, Kohlhaas waits outside a noble estate for days, feeding and tending to his injured horses as petitions go unanswered. The film never cuts to the interior, never gives voice to authority. This scene, seemingly inert, becomes the ethical center of the film: justice as waiting, as demand, as a silent but enduring claim. This reading is complemented by the concept of *écart*, a spacing or separation that makes ethics possible (Nancy, 1993: 12–15). Ethical subjectivity arises not in the fulfilment of justice, but in the very delay that resists its closure. Kohlhaas's refusal to yield his demand, despite the erosion of institutional response, inhabits this *écart*. His stillness becomes a site of ethical intensity. Similarly, *désœuvrement*, or worklessness, is a temporal suspension wherein responsibility takes root (Blanchot, 1980: 29–31). Ethics does not arise from resolution but from the open wound of non-productivity, the very temporal mode staged repeatedly in des Pallières's film.

The film's aesthetic of delay also functions as political critique. Political action becomes possible only when it enters a "space of appearance," wherein visibility and recognition are enabled (Arendt, 1958: 198). Yet in *Michael Kohlhaas*, such a space is systematically denied. Authority does not answer, does not appear, and does not act. Instead, power operates through the politics of delay, wherein inaction becomes a mode of control (Fassin, 2012: 125–126). The deferral of justice becomes its negation. Kohlhaas is not executed immediately, nor granted audience swiftly; rather, he is held in a liminal time of anticipation and exhaustion. The time itself becomes a weapon. This aesthetic delay extends to the viewer, implicating the spectator in the film's ethical temporality. Narrative suspense, traditionally propelled by absence and deferral, is prolonged indefinitely (Barthes, 1977: 75–76). The viewer, like Kohlhaas, is left waiting. The absence of narrative payoff becomes a source of discomfort, forcing the audience to reflect rather than consume. Interruptions in cinematic flow disrupt visual pleasure and open a space for critical reflection (Mulvey, 2005: 12). The film's denial of climax thus performs an ethical function: it displaces

the viewer's expectation and renders justice as a question, not a conclusion.

Even the visual grammar of the film reinforces this logic of suspension. Long, static takes of Kohlhaas walking through fog or standing motionless beside a dead horse invite a mode of perception that restructures how we see and feel justice (Rancière, 2009: 89). Justice here is not dramatized but sedimented in atmospheres, gestures, and absences. These charged moments evoke a detail that punctures consciousness not by signifying but by wounding (Barthes, 1981: 27). In one moment, the camera lingers on the crushed hoof of Kohlhaas's mutilated horse, an image without dialogue, without narrative progression, but dense with affective force. This is justice not seen in verdicts, but felt in wounds. In sum, *Michael Kohlhaas* offers a radical reconception of justice, not as an endpoint, but as an open and suspended temporality. Through its aesthetic of delay, the film invites us to witness justice not in the declarative logic of verdicts but in the unresolved tension of ethical waiting. In its silences, its inertial sequences, and its refusals, the film stages a political ontology of deferral. Justice, in this formulation, is not a product but a process, not a resolution but a resonance.

Conclusion: Justice Beyond Law, Resistance Beyond Resolution, The Ethical Afterlife of Michael Kohlhaas

What remains of justice when law has exhausted its legitimacy? What persists of ethical demand when its institutional addresses have fallen silent? What endures of political subjectivity when visibility is foreclosed, and speech no longer resounds in the ears of power? These questions, which resonate at the very heart of *Michael Kohlhaas*, across its historical, literary, and cinematic incarnations, cannot be answered through jurisprudence alone, nor settled by aesthetic analysis in isolation. Rather, they demand a synthetic and transdisciplinary reckoning, one that traverses philosophy, legal theory, aesthetics, and political ontology. The preceding sections have laid the groundwork for such a reckoning. In this final movement, the aim is not to conclude but to gather unresolved tensions and allow their friction to generate further thought.

The figure of Kohlhaas, historical subject, literary allegory, and cinematic presence, occupies a liminal space wherein juridical language falters and ethical force emerges not in law's name but in its rupture. From Kleist's novella to des Pallières's film, what is persistently staged is not the triumph or failure of legal action, but the impossibility of resolving the demand for

justice within the form of law itself. What makes Kohlhaas an enduring theoretical and political site is his resistance to legibility within existing moral and legal grammars. He is not a hero, nor a criminal; not a revolutionary, nor a conservative. He becomes what Derrida might call a “specter of justice,” a figure who haunts law by demanding what law cannot provide, and by persisting despite its refusal to respond (Derrida, 1992: 36).

In Kleist’s text, this haunting takes the form of narrative detachment and syntactic opacity. Kohlhaas is never rendered psychologically transparent but remains a structurally enigmatic figure, one whose juridical absolutism is ethically undecidable. He asks for nothing beyond what the law has promised: reparation, fairness, recognition. Yet the system, encumbered by its own bureaucratic logic, refuses to hear such clarity and pushes him to the threshold of insurrection. As Benjamin observes, the difference between law-making and law-preserving violence lies not in form but in legitimation (Benjamin, 1996: 236–252). Kohlhaas’s turn to violence, however tragic, must be read not as instrumental but as revelatory, it reveals the law’s reliance on force to constitute itself as just.

Des Pallières’s film intensifies this ethical ambiguity. The execution of Kohlhaas is not spectacularized. There is no cathartic closure. Justice is neither achieved nor definitively denied. It is suspended, deferred, left haunting the screen. This deferral aligns with Deleuze’s theory of the time-image, where time ceases to serve narrative propulsion and becomes a space of thought (Deleuze, 1989: 38). The film does not conclude Kohlhaas’s story; rather, it restages it in slow motion, demanding that the viewer dwell in discomfort, in silence, in unresolved ethical attention.

This demand is not ethically neutral. To remain open to the address of the other, even when that address is unheard, constitutes the very basis of ethical life (Butler, 2004: 25–26; 2010, 12–13). In *Michael Kohlhaas*, it is never clear that anyone hears him, the state remains silent, the people passive, the audience suspended. Yet through his bodily endurance, his refusal to abandon the demand for justice, Kohlhaas insists on being seen. His grievability, denied by law, becomes visible through his wounded, silent, and suffering body. This corporeal exposure, as Levinas asserts, is a primordial call to justice, one that precedes and exceeds juridical categories (Levinas, 1969: 198–201). Yet the film’s portrayal of institutional power is not one of tyranny, but of administrative indifference. The violence inflicted upon Kohlhaas is procedural, delayed, routinized. As Arendt described, the banality of injustice lies in its execution by clerks, not monsters (Arendt,

1970: 43). Kohlhaas is not silenced, but unheard. He is not condemned outright, but indefinitely deferred. In this procedural abyss, Habermas's notion that legal legitimacy derives from public reasoning and communicative rationality appears almost utopian (Habermas, 1996: 107–110). There is no forum, no Exchange, only sterile institutions and the long abandonment of the subject.

Against this void, Dworkin's model of interpretive integrity in legal reasoning (1986: 225) appears insufficient. What is required is not better interpretation of law, but a transformation of its foundations, an ethical-legal architecture that does not convert moral demand into sovereign authority or bureaucratic postponement. Yet such a law may be unachievable within the logic of modern legal sovereignty. As Agamben claims, the state of exception is no longer an anomaly but the paradigm of governance (Agamben, 2005: 3). Kohlhaas's position is not marginal but central, he stands where we all do. Still, the film does not abandon justice; it repositions it. It relocates justice from the courtroom to the screen, from the verdict to the visual. Justice appears not as resolution but as slowness, silence, spatiality. The ethics of *Michael Kohlhaas* reside in its refusal to conclude, its insistence that the viewer wait, dwell, and see justice not delivered, but delayed. This delay is not symbolic. It is performative. The film does not depict the absence of justice; it enacts it.

And this performativity is political. As Rancière proposes, politics emerges when the aesthetic configuration of visibility and audibility is disrupted (Rancière, 2009: 89). *Michael Kohlhaas* performs this disruption not by supplying new content, but by fracturing narrative structure, visual rhythm, and moral expectations. The result is not conceptual clarity, but affective urgency. The viewer is not given a resolution but an ethical demand: to remain with the image, to feel the time, to witness justice's absence as lived experience. As Mulvey explains, when narrative pleasure is withheld, the viewer is forced into reflection rather than consumption (Mulvey, 2005: 12). This reflection is not abstract but embodied, the time, the silence, the corporeal density of Kohlhaas's suffering invites not sympathy but ethical resonance.

What, then, is Kohlhaas, not as a man, but as a theoretical figure? He escapes every category: too lawful for anarchism, too violent for liberalism, too solitary for democratic politics. He is not a remnant of the past nor a prophet of the future. He is a remainder, an enduring trace when all systems have failed. His persistence is his radicality, not what he achieves, but that

he endures. And in this endurance lies the central question of *Michael Kohlhaas*: Can justice survive its institutions? And if not, where does it go? This study offers no definitive answer. Instead, it offers a scene for contemplation, a space where legality, recognition, and aesthetic resistance may be thought together. What it affirms is not the certainty of justice, but its persistence as a question that refuses disappearance. To conclude would be to close that question, to finalize what must remain open. Let us end, then, as the film ends: in suspension, in endurance, in the afterlife of law, where justice does not resolve but resists.

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