

THE RETURN OF THE HUMAN

Germany in Autumn

Murder, it is true, is a banal fact: one can kill the Other; the ethical exigency is not an ontological necessity.... It also appears in the Scriptures, to which the humanity of man is exposed inasmuch as it is engaged in the world. But to speak truly, the appearance in being of these “ethical peculiarities”—the humanity of man—is a rupture of being. It is significant, even if being resumes and recovers itself.

—Emmanuel Levinas, *Ethics and Infinity*

Terrorism in postwar West Germany culminated in a series of traumatic events during seven weeks in the autumn of 1977.¹ On September 5, Hanns-Martin Schleyer, chairman of the Daimler-Benz Company and president of the Federation of German Industries (Bundesverband der Deutschen Industrie) was kidnapped by members of the Red Army Faction (RAF) in a gun battle on the streets of Cologne.² His four companions were shot to death. In a videotaped statement,

1. Chapter epigraph: Emmanuel Levinas, *Ethics and Infinity*, trans. Richard A. Cohen (Pittsburgh: Duquesne University Press, 1985), 87.

2. The RAF is also known as the Baader-Meinhof group, after Andreas Baader and Ulrike Meinhof, two of its founders and protagonists of the “first generation.” For a general account of the organization, see Stefan Aust, *The Baader-Meinhof Complex* (New York: Harcourt Brace, 1989); Jillian Becker, *Hitler's Children? The Story of the Baader-Meinhof Terrorist Gang* (New York: Lippincott, 1977); more recently, Wolfgang Kraushaar, ed., *Die RAF und der linke Terrorismus*, 2 vols. (Hamburg: Hamburger Edition, 2006).

Schleyer was forced by his kidnappers to appeal to the chancellor, Helmut Schmidt, for his release in exchange for that of eleven imprisoned terrorists. In contrast to a previous prisoner exchange, the government this time refused to negotiate. On October 13, a Lufthansa plane carrying eighty-six passengers was hijacked in an attempt to force the release of the captured RAF members. After a long ordeal, including several stops around the Mediterranean, the aircraft eventually landed in Mogadishu, Somalia. On October 18, an antiterrorist elite unit was able to liberate all hostages from this hijacking. On the same day, in the maximum-security prison of Stammheim, Andreas Baader, Gudrun Ensslin, and Jan-Carl Raspe, three members of the RAF, were found dead. The circumstances of these suspected suicides, two of them committed with handguns, were so mysterious that an international commission had to investigate the matter. On October 19, Schleyer's corpse was found in the trunk of an abandoned car on the road to Mulhouse across the French border.

Two Funerals

Germany in Autumn (1977/1978),³ perhaps the most famous omnibus project of the luminaries of the New German Cinema, including Rainer Werner Fassbinder, Alexander Kluge, Werner Herzog, Volker Schlöndorff, and Edgar Reitz, among others, was shot in immediate response to the events of what was later called the "German Autumn."⁴ It is a film about two funerals: the state funeral of Hanns-Martin Schleyer, murdered by members from the RAF; and the joint funeral of Andreas Baader, Gudrun Ensslin, and Jan-Carl Raspe. The film commences as a documentary of the funeral of Schleyer,⁵ which was notable for the number of well-known visitors among the congregation. Appearing first is ex-chancellor Kurt Georg Kiesinger, who had joined the Nazi Party in 1933 and worked in the German Foreign Ministry's radio propaganda department. Other political and industrial elites of West Germany follow, figures such as Flick, Quandt, Filbinger, and

3. *Deutschland im Herbst* (*Germany in Autumn*) (Filmverlag der Autoren, Hallelujah Film, Kairos Film, 1977/1978; US distributor: New Line Cinema), 134 min.

4. Among the critical literature on *Germany in Autumn* mention should be made of Thomas Elsaesser, "Antigone Agonistes: Urban Guerilla or Guerilla Urbanism? The Red Army Faction, *Germany in Autumn*, and Death Game," in *Giving Grounds: The Politics of Propinquity*, ed. Joan Copjec and Michael Sorkin (London: Verso, 1999), 267–302; Miriam Hansen, "Alexander Kluge's Contribution to *Germany in Autumn*," *New German Critique* 24/25 (Fall/Winter 1981/82): 35–56; Eric Rentschler, *West German Film in the Course of Time* (New York: Redgrave, 1984), esp. the epilogue, "Life with Fassbinder: The Politics of Fear and Pain," 191–202; Anton Kaes, *From Hitler to Heimat* (Cambridge, MA: Harvard University Press, 1989), 22–28; Marc Silberman, "Germany in Autumn," *Discourse* 6 (Fall 1983): 48–52.

5. For a discussion of the "documentary," "semi-documentary," and "fictional" segments in *Germany in Autumn*, see Alexander Kluge and Klaus Eder, *Ulmer Dramaturgien: Reibungsverluste* (Munich: Carl Hanser Verlag, 1980). On the intricate conception of "reality" in the work of Alexander Kluge, who coordinated the film and arranged its montage structure, together with editor Beate Mainka-Jellinghaus, see Alexander Kluge, "On Film and Public Sphere," trans. Thomas Levin and Miriam Hansen, *New German Critique* 24/25 (1981/82): 206–20.

von Brauchitsch, who are known to the German audience for having paved or accompanied the Nazis' route to power, and who also gained, rather preposterously, prominence after the war in the context of West Germany's foundation and economic rise. These very visible continuities in the history of the German elite are figuratively engraved into the face of a particular older gentleman, which is marked by scars ensuing from *Mensur* fencing, the traditional form of fraternity dueling in which the wounds resulting from a hit were seen a badge of honor. This man tries to avert his gaze from the camera yet remains as much a focal point of the lens as the entire assembly of the former elite gathering in the name of the Federal Republic of Germany. In the background flags of the oil company ESSO flutter—"ESSO"—four letters amid which the "SS" can hardly hide, that "SS" in which Hanns-Martin Schleyer held the rank of an officer, an *Untersturmführer*.

Notable are the many journalists with cameras and microphones. What is documented here for media distribution are condolences as part of a public act of grieving, that is, the passing of someone worth being mourned. The significance of this contiguity of mourning and public discourse, the discursive constitution of something notably grievable, becomes apparent in contrast to the funeral of Baader, Ensslin, and Raspe two days later. This funeral, shown at the end of *Germany in Autumn*, is contested with respect to both its legitimization and its legitimacy; only under difficulties and because of the dismissal of official authorities can a burial place be obtained. A friend of the Ensslin family tells Kluge of the difficulties Gudrun Ensslin's father, Pastor Ensslin, experienced in finding a grave for his daughter and for Baader and Raspe:

Father Ensslin tried hard, despairingly hard, to find graves. In Stuttgart itself he had unbelievable problems convincing the citizens or anyone at all to bury three terrorists, in any case, people who stand outside society [Leute die außerhalb der Gesellschaft stehen], within the city walls, or within the community [innerhalb von Stadtmauern oder innerhalb einer Gemeinde]. Outside on the land, all right, but not where so-called normal people are buried.⁶

Baader, Ensslin, and Raspe stand "outside society" as "abnormal people"; "normal people," by contrast, are buried "within a community." Perhaps "normal people" are humans, fellow human beings (*Mitmenschen*) whose death causes us pain, people we recognize and with whom we therefore identify, in whose doom we partake. Acts of grieving, *symbolically* taking into society those whom the event of death has placed physically outside society, binding affect energies in the course of mourning rituals, quelling a pain and filling a vacuum left by the deceased, thus ensuring societal order and continuity for the polity, such acts of grieving seem

6. While all quotations of *Germany in Autumn* are based on the English subtitles, many of those translations were modified.

entirely superfluous when it comes to the deceased Baader, Ensslin, and Raspe—or this at least is public opinion. Ensslin's sister tells us: "When I came back from my vacation, the first thing I read in the paper was, 'Into the sewage,' and I knew that the people had already begun to call, 'Let them rot!'" Evidently, Raspe, Baader, and Ensslin appear less worthy of grief and, as such, perhaps less human.

The cinematic narrative emerging here could be characterized as a surface discourse largely revolving, on the one hand, around the state funeral of Hanns-Martin Schleyer and involving the participation of the highest dignitaries, and, on the other, around the funeral excluded from public discourse of Baader, Ensslin, and Raspe. In addition, we find a more subterranean discourse emerging, juxtaposing one funeral aligned with the generation of the Fascist fathers with another aligned with a younger generation of sons and daughters who morally discredit their parents for their crimes of the past and their crimes of the present.⁷ What, we will have to ask, are the implications of Baader, Ensslin, and Raspe's funeral, which suggests that they are unworthy of mourning and should be deprived of any public form of recognition, in contrast to Schleyer's appearance as the grievable par excellence? "As to Eteocles, . . . there shall be such funeral / as we give to the noblest dead," Creon says in Sophocles' *Antigone*, as cited in the short *mise en abyme* television production later in the film. "But as to his brother, Polyneices, . . . / it has been proclaimed / that none shall honor him, none shall lament over him." We will return to the question of the interrelation of mourning and the dynamics of societal inclusion and exclusion, the public act of grieving for certain members of the socius, their stylization as "martyr" and paradigmatic "human," and the denial of public grieving as a means of excluding others, allegedly subhuman beings, *Untermenschen*.⁸

Clearly, the question of humanization or dehumanization is intimately bound up with the question of *presentation*, and it is the task of *cinematic presentation* that *Germany in Autumn* pursues. In the 1978 manifesto "What Is the Film's Bias [*Parteilichkeit*]?" the eleven filmmakers collectively proclaim: "Autumn 1977 is the

7. "The unreformed continuation of the country's affairs in the style of the old German ruling classes," Norbert Elias writes, "was certainly one of the main reasons why many young people in the upcoming generation had the feeling that, in essence, nothing had changed and they were still living in an authoritarian state, but whether that sentiment was right or wrong, the decisive aspect was quite simply the fact that a considerable group of young people, increasing numbers of whom had not experienced the past at first hand, arrived at this conviction. This is certainly where one of the roots of their radicalization lay and hence, in extreme cases, their later terrorism" (Elias, "Gedanken über die Bundesrepublik: Herbst 1977," *Merkur* 9/10 [Sept./Oct. 1985]: 745).

8. As Volker Schlöndorff reports, the Filmverlag der Autoren had approached Rainer Werner Fassbinder and himself the day after the suicide of Baader, Ensslin, and Raspe, pondering what could be done in light of the univocity of all television channels, radio stations, and the press. There Schleyer was established as "demi-saint," as "martyr," whereas the RAF members were depicted as "subhumans" and "the scum of humanity." Thus they agreed that a more eclectic counter-public sphere needed to be constituted (interview with Volker Schlöndorff on *Deutschland im Herbst* [Kinowelt Home Entertainment, 2004], DVD, 119 min).

history of confusion. Exactly this must be held on to. Whoever knows the truth lies. Whoever does not know it seeks.”⁹ In a less sweeping voice, filmmaker Bernd Sinkel, in the context of an interview with the directors, says: “We did . . . not attempt to present the events of autumn 1977 or parts of them, *but to show what kind of statement film can or cannot make about them.*”¹⁰ When a film like *Germany in Autumn*, embarking on an exploration of that spectral atmosphere of autumn 1977, with its anxiety, paranoia, public denunciation, and state authoritarianism, does *not* seek to present the events of the tragic fall (“nicht versucht die Ereignisse des Herbstes 1977 darzustellen”), what then can it do or state or probe? What can or cannot a film “say” *about* the events of the German Autumn (“was der Film darüber aussagen kann oder nicht”) *beyond* their cinematic presentation? Those who rhetorically, cinematically, poetically eschew the dominant discourses of intelligibility and reason may be prepared for the traps of truth, whose narration is always only obtainable together with the lie. “Whoever knows the truth lies. Whoever does not know it seeks.”¹¹ Yet are the filmmakers of *Germany in Autumn* merely seekers? Is not every narration, even that of a documentary, allegedly objective, always also judgment? Does this then not inevitably present us with the question of the ethical stance of the film? Would it be imaginable that another, whether friend or enemy or merely *Other*, dies, and those who tell the story give their account from a “neutral” perspective? Beyond the ambiguous rhetoric of the “humane,” beyond the problematic efficacy of “humanist” endeavors, are not the question of “the human” and the act of grieving intricately linked?¹² Are not the problems of “what is a human” and what it means to present a human being one way rather than another or perhaps not at all—are not these the very questions *Germany in Autumn* raises?

Let us then begin with one of the longest scenes of the film, the twenty-six-minute Fassbinder segment immediately following the funeral of Schleyer. Here the various “conditions” (*Zustände*), political, social, juridical, psychological,

9. Alf Brustellin, Rainer Werner Fassbinder, Alexander Kluge, Volker Schlöndorff, Bernhard Sinkel, “Germany in Autumn: What Is the Film’s Bias?” in *West German Filmmakers on Film: Visions and Voices*, ed. and trans. Eric Rentschler (New York: Holmes & Meier, 1988), 133 (“Was ist die Parteilichkeit des Films?” in *Deutschland im Herbst: Terrorismus im Film*, ed. Petra Kraus et al. [Munich: Schriftenreihe Münchner Filmzentrum, 1997], 81).

10. “‘Deutschland im Herbst’ oder ‘Modell Deutschland,’” interview with the filmmakers, *Film-faust* 2 (1978): 3–15, here 4. Unless otherwise noted, all italics in this chapter are mine.

11. “‘Deutschland im Herbst’ oder ‘Modell Deutschland.’”

12. It should be noted that I by no means seek to advocate a form of “identity politics” here, as one so frequently encounters it when political analyses succumb to a rhetoric of the “humane,” a rhetoric susceptible to a sentimentality that limits the very possibility of political scrutiny. It would be interesting to ask to what extent the particular mode of presentation of the human faces depicted in the film invites or resists acts of identification. The very “*being of human being*” may turn out to have “more to do with *setups and sets* than with *subjects and objects*, unified in and through self-consciousness” (Samuel Weber, *Mass Mediauras: Form, Technics, Media* [Stanford, CA: Stanford University Press, 1996], 4, Weber’s italics). Cf. Samuel Weber and Laurence A. Rickels, “Theory on TV: ‘After-Thoughts,’” in *Religion and Media*, ed. Hent de Vries and Samuel Weber (Stanford, CA: Stanford University Press, 2001), 94–111.

are presented in the disputes between a representative of the parental generation and a representative of the descendants' generation, a mother, Lilo Pempeit, and her son, Rainer Werner Fassbinder.

The "Evil" of Democracy

The provocative Fassbinder episode is staged in the filmmaker's poorly lit Munich apartment. It commences with the shot of an exhausted, somewhat scruffy man with exposed belly introducing himself with "It's me, Fassbinder" to the person on the phone and to us, his viewers. In a staged interview with a journalist, Fassbinder (or his narrator double) characterizes marriage as an "artificial" institution and explains that he makes films in order that, among other things, marriages, rather than surviving unquestioned, "fall apart" (in die Brüche geht)¹³—only a minute later to call his wife, Ingrid Caven, in Paris to hear news about the hijacked aircraft in Mogadishu. At the same time, Fassbinder is bossing around his gay lover, Arnim, who for evident reasons nicknames him "bully." Fassbinder, no doubt, is not only the oppressed son but also a "patriarch," so that the mother against whom he rails does not merely epitomize the oppressive parent but also the oppressed. Yet what is it that really lies at the center of this episode?

The first shot shows Fassbinder speaking on the phone, alluding to his own "hysteria," stuttering inconsistently, dismayed, frantic, beleaguered, anxious, agitated. It is into this atmosphere that interlocutory scenes with his mother, Pempeit, are embedded, the first explicitly revolving around societal "hysteria." On the basis of her experiences during the Nazi period, the mother notes that she would not advise anyone to discuss the matter of terrorism openly, in light of current political problems: "Because I don't know what someone else would do." She recounts a recent experience of speaking favorably of the writer Heinrich Böll, who had called for "safe conduct

13. The link between the initial problematization of the institution of marriage and the question of terrorism emerges with respect to Fassbinder's understanding of "anarchy." The *institution of marriage* and the *institution of democracy* equally require "constant movement," "constant questioning and criticism," Fassbinder says. His notion of anarchy, much indebted to the classical, idealistic anarchism in the nineteenth century, is incompatible with any form of terrorism: "I am...an extreme advocate of democracy with a concrete utopia of anarchy in mind, another minority. Actually that's something one shouldn't even mention these days, the part about anarchy. *We have learned from the media that anarchy and terrorism are synonymous*. On the one hand there is a utopia of a form of government without hierarchies, without fears, without aggressions, and on the other a concrete societal situation in which utopias are suppressed. The fact that terrorism could develop here is a sign that the utopias have been suppressed much too long" (Rainer Werner Fassbinder, "The Winter Years," in *Politics, Poetics: Documenta X, The Book*, ed. Catherine David and Jean François Chevrier [Ostfildern-Ruit: Cantz, 1997], 480, 482). Cf. the interview with Beate Mainka-Jellinghaus on the DVD recording of Fassbinder's *Die dritte Generation* (Kinowelt Home Entertainment, 2004), 105 min.; Robert Fischer, ed., *Fassbinder über Fassbinder: Die ungekürzten Interviews* (Darmstadt: Verlag der Autoren, 2004), 194, 309f., 562f.; Rainer Werner Fassbinder, *Die Anarchie der Phantasie: Gespräche und Interviews*, ed. Michael Töteberg (Frankfurt a.M.: Fischer TB Verlag, 1986), 90–93.

for Ulrike Meinhof,"¹⁴ and consequently found himself in the cross fire of the conservative Springer Press, exposed to defamation, denounced as a "sympathizer" with the terrorists.¹⁵ "You understand," she says, "you don't know in this *hysterical situation* at the moment what will be made out of something that you say." What suggests itself as exceptional here, both on a private level (in Pempeit's, or her narrator double's, social environment), and on a societal level (with respect to the slander of Böll), is an atmosphere reminiscent of Nazi Germany: "You see, it reminds me a lot of the Nazi times, when people simply were quiet to avoid falling into the fat [in der man einfach geschwiegen hat, um sich nicht in Teufels Küche zu bringen]." This state of exception, as she perceives it, determines both the explicit discourse of subsequent dialogues and the performatively engendered atmosphere in the apartment.

Fassbinder then speaks to Ingrid Caven on the phone about the terrorists' suicides: Ensslin hanged herself, and Baader and Raspe shot themselves, unbelievably enough, with "real guns." To Fassbinder it strains credulity that pistols could have been smuggled into the cells of the maximum-security prison, implicitly raising the suspicion of a state-condoned assassination of the terrorists, a suspicion also expressed on the banners of attendees at the funeral of Baader, Ensslin, and Raspe.¹⁶ It is also during this phone conversation that the infamous *Kontaktsperregesetz* is mentioned, whose necessity the Social Democrat Herbert Wehner seeks to justify in a speech incorporated later in the film. To the German audience the *Kontaktsperregesetz* registers as a signal word: based on the assumption that the imprisoned terrorists continued to direct operations via communication through their lawyers, the federal minister of justice, Hans-Joachim Vogel, had directed his subordinates "to prevent any contact whatsoever between imprisoned terrorists and the outside world."¹⁷ The order had been harshly criticized because "the constitutional

14. Heinrich Böll, "Will Ulrike Gnade oder freies Geleit?" *Der Spiegel*, January 10, 1972, 54–57.

15. The jurisdiction of opinion (*Gesinnungsstrafrecht*) describes, in the words of Felix Guattari, the "collective emotional context in which these opinions take shape, that is, one of the essential components in the massive foundation of any opinion that becomes law" (Guattari, "Like the Echo of a Collective Melancholy," *Semiotexte* 4.2 [1982]: 102–10). Among the many theorizations of the sociocultural dynamics of terrorism, see Noam Chomsky, *The Culture of Terrorism* (Boston: South End Press, 1988); Jean Baudrillard, "Our Theatre of Cruelty," trans. John Johnston, *Semiotexte* 4.2 (1982): 108–15; Jean-Paul Sartre, "Schreckliche Situation," interview with Alice Schwarzer, *Der Spiegel*, February 12, 1974, 166–69; Jacques Derrida, *Rogues: Two Essays on Reason*, trans. Pascale-Anne Brault and Michael Naas (Stanford, CA: Stanford University Press, 2005). The painter Gerhard Richter subjects the problematic of the mythos of the RAF to critical scrutiny in his *Atlas*, then in the famous 1988 *October 18, 1977* series, and again in his 1995 *Stammheim*.

16. This assumption, lending itself to one of the most viable legends permeating the history of the RAF, had deliberately been evoked by Baader and Raspe, who theatrically shot themselves in the neck from behind. See "Mythos RAF: Im Spannungsfeld von terroristischer Herausforderung und populistischer Bedrohungsphantasie," in Kraushaar, *Die RAF und der linke Terrorismus*, 2:1186–1210, here 1195–97; Karl-Heinz Weidenhammer, *Selbstmord oder Mord? Das Todesermittlungsverfahren: Baader/Ensslin/Raspe* (Kiel: Neuer Malik Verlag, 1988), 45f.

17. *Dokumentation zu den Ereignissen und Entscheidungen im Zusammenhang mit der Entführung von Hanns-Martin Schleyer und der Lufthansa-Maschine 'Landshut'* (Bonn: Presse- und Informationsamt der Bundesregierung, 1977), 18, after Wolfgang Kraushaar, "Der nicht erklärte Ausnahmezustand: Staatliches

principle had to take second place to a reason of state";¹⁸ it indeed was associated with the notion of the "state of exception" (*Ausnahmezustand*), which does not appear in the German constitution but had been popularized by the legal theorist Carl Schmitt since the 1920s.¹⁹ The extraordinary emotive status of this law mentioned by Fassbinder corresponds to a grotesque reenactment: Fassbinder sits on the floor, deplores the disproportionality of the state actions, at the same time facing the camera, naked, with spread legs, masturbating, his bare body, skin soft as an infant's, appearing heavy and massive and at the same time vulnerable.

In another telephone conversation with Caven, Fassbinder discusses the government's call for the population to help out with the investigation of Schleyer's kidnappers by reporting suspicious behavior of fellow citizens to the police via anonymous phone calls. Fassbinder asserts that this is a more general tactic to fortify state authority: "It forces people to denounce others; it actually forces them to give names! You don't really believe that... you don't really believe that something will change. It remains the same, that's exactly what they want."²⁰ Suddenly, Fassbinder, infuriated, shouts at the wall: "Yes, feel free to listen to my conversation." This seemingly random remark alludes to the wiretapping to which Fassbinder considers himself subject, and corresponds biographically to his infamous personal encounters with Ulrike Meinhof and Andreas Baader that indeed subjected him to wiretapping. The widespread implementation of wiretapping—also commented

Handeln während des sogenannten Deutschen Herbstes," in *Die RAF und der linke Terrorismus*, 1015f. For a detailed discussion of the legal complexities of the *Kontaktsperre*gesetz, see Kraushaar, "Der nicht erklärte Ausnahmezustand," 1011–25, esp. the section "Die Einführung des Kontaktsperregesetzes," 1015f.

18. Kraushaar, "Der nicht erklärte Ausnahmezustand," 1014.

19. See, among others, Ernst-Wolfgang Böckenförde (former judge at the Federal Constitutional Court in Germany), "Der verdrängte Ausnahmezustand: Zum Handeln der Staatsgewalt in außergewöhnlichen Lagen," *Neue juristische Wochenschrift* 31.38 (September 1978): 1881–89. It should be noted that the "term of a 'state of exception'... as a constitutional concept in the Basic Law [*Grundgesetz*]... does not appear; instead [there are] varying degrees of deviance from the 'standard constitution' (emergency legislation, case of tension, internal emergency, case of defense and, in addition, catastrophe and disaster)" (Ulrich K. Preuß, e-mail message to author, April 11, 2007). It is in this vein that Wolfgang Kraushaar, a political scientist working at the Hamburg Institute for Social Research, talks of "a state of exception applied but not announced" (Kraushaar, "Der nicht erklärte Ausnahmezustand," 1017). See also Wolfgang Kraushaar, "Die Schleyer-Entführung: 44 Tage ohne Opposition; Die Linke im Zirkelschluss von RAF und Staat," in *Revolte und Reflexionen: Politische Aufsätze 1976–87* (Frankfurt a.M.: Verlag Neue Kritik, 1990), 91; Carsten Polzin, "Kein Austausch! Die verfassungsrechtliche Dimension der Schleyer Entscheidung," in Kraushaar, *Die RAF und der linke Terrorismus*, 1026–47; Herfried Münkler, "Sehnsucht nach dem Ausnahmezustand," *ibid.*, 1211–26; Uwe Wesel, "Strafverfahren, Menschenwürde und Rechtsprinzip," *ibid.*, 1048–57.

20. This concern regarding the instrumentalization of terrorism finds a tragicomic manifestation with a joke in Fassbinder's film *The Third Generation*: "Capital hires the terrorists to force the state to protect it better. In other words: everything serves to protect the powerful; even the apparent threat is only a dramatized threat in the sense of securing the continuation of existing power relations." Fassbinder expressed the same thought in an interview, saying: "It's not terrorism that appalls me personally so much, but what the state makes out of it to equip itself with more authority and more power." See Fischer, *Fassbinder über Fassbinder*, 564.

on by Max Frisch later in the film—again epitomizes a strong emotive momentum in the cinematic production of an exceptional atmosphere.²¹

This purportedly “political” narrative is permeated by a subsequent allegedly “private” moment, presenting a transgression, a destabilization of borders: Fassbinder jumps up, runs to the bathroom, and throws up. The spectator is invited to follow Fassbinder’s deteriorating condition—as both a politically troubled and physically suffering human being, a condition aligned to a discursive establishment of showing and recognizing “the human.” “What are you looking at?” Fassbinder asks, having just vomited, now gazing at Arnim and gazing into the camera at us, that is, at other humans who are in a position to *recognize* or *not recognize* him as human. We will have to return to this question of what it means to present a human being one way rather than the other, what the valences of representation can be or imply. Fassbinder shouts: “I’m depressed! I don’t know . . .” The private appears as little private here as the political remains confined to the outside world: Fassbinder’s psychological deterioration (depression) and his physical deterioration (emesis) emerge both as product and as impulse of a perceived state of exception. This perceived state is concretized in the disputes between mother and son:

FASSBINDER: When the pilot was shot in Mogadishu or in Aden, you said that for everyone shot in Aden you’d like a terrorist to be shot in Stammheim.

MOTHER: Yes, publicly. . . .

FASSBINDER: And that’s democratic!

MOTHER: *No, that’s not democratic. Neither was it democratic to hijack this plane and say: “Now we’ll shoot each, one by one . . .”* If you’d been sitting there, or if I’d been there, how would you react!

FASSBINDER: An eye for an eye, a tooth for a tooth.

MOTHER: Not an eye for an eye, a tooth for a tooth, *but in such a situation you can’t get by simply with democracy.*²²

21. Wolfgang Kraushaar considers “implementing bugging operations” and the law on limiting contact of detainees with the outside world (*Kontaktsperregesetz*) as the two central moments that justify characterizing the period as an “applied state of exception.” For the period of the German Autumn, he diagnoses “under the conditions of the Schleyer kidnapping which were removed from any public and parliamentary control, one of the largest bugging operations in the history of this still relatively young republic” (Kraushaar, “Der nicht erklärte Ausnahmezustand,” 1021f.). As *Der Spiegel* noted in one of its issues of August 1987, “The breach of the constitution was so blatant that Richard Meier, then director of the Cologne Federal Office for the Protection of the Constitution, rejected telephone eavesdropping. But his minister Werner Maihofer insisted on it.” (“Die Deutschen sind irrsinnig geworden,” *Der Spiegel*, August 31, 1987, 111). Paragraph 34 codified “the legal concept of the justified state of emergency [Notstand].” According to Kraushaar, “*This paragraph defines the entire period,*” i.e., as relying on a supralegal state of emergency. “As . . . utilizing Paragraph 34 to justify the illegal bugging praxis shows, the legal concept contained within it was converted into an instrument of state action against the constitutionally guaranteed rights of the individual citizen. It was used as an all-purpose weapon for operations that could not be made compatible with the Basic Law (*Grundgesetz*). In the hands of an executive that had become uncontrollable, it served as a legal anti-tank gun” (Kraushaar, “Der nicht erklärte Ausnahmezustand,” 1021f.).

22. As the motto for his film *Die dritte Generation* (The Third Generation), Fassbinder selected a comment made by Chancellor Helmut Schmidt in a *Spiegel* interview, on the freeing of the Mogadishu

Fassbinder's mother does not contemplate the suspension of the legal order "*in such a situation*" as a *permanent* solution, but solely as a temporary response to the terrorists, "who also did not act democratically." What she ponders here is explicitly not to be understood as a form of retaliation ("Not an eye for an eye, a tooth for a tooth"), but as a means of serving the protection of the passengers of the hijacked aircraft and the political order putatively threatened by the terrorists. The logic of this argument according to which the exceptionality of a societal situation justifies an exceptional juridical response (resembling Carl Schmitt's notion of "situational law")²³ is reenacted in the subsequent scene. Here, Fassbinder—whose elaborations on democracy are continuously undermined by his own performance, that is, his abusive behavior toward Arnim and Lilo Pempeit—suffers through a panic attack precipitated by the sound of police sirens on the street. He flushes cocaine and marijuana down the toilet lest he be charged by the police—who turn out to be going up the stairs to a higher floor. This scene, seemingly entirely dissociated from the kidnapping of Schleyer, gains significance precisely with regard to the ubiquitous paranoia, the seeming undermining of constitutional reason, shedding uncertainty on the constituency of the legal framework of the FRG. "If they'd have come in . . . !" Fassbinder says, seeking to defend his overreaction in front of Arnim. "And if one of us makes a wrong move, they shoot." The "situation" echoes Lilo Pempeit's words—"But in such a situation you can't get by simply with democracy" (*in einer solchen Situation, da kannst du einfach nicht ankommen mit Demokratie*)—with respect to the retrenchment of basic rights because of an *emergency situation*. Once again, we are witnessing an "intrusion" of the political into the private sphere and the transmutation of seemingly private views into political acts, that is, the interlacing of the private and the political. In this atmosphere of a state of exception, private paranoia and public paranoia have become interdependent and indistinguishable. The dispute between Fassbinder and his mother aims precisely in that direction:

MOTHER: . . . *in such a situation!*

FASSBINDER: You just said laws didn't interest you. But you are a democrat. . .

MOTHER: [The terrorists] disregard the laws, not I.

FASSBINDER: An ordinary murderer does that, too!

MOTHER: Then they're murderers, the terrorists.

hostages: "I can only thank the German jurists retrospectively for not adhering to constitutional procedures" ("Leistung liegt im Deutschen drin," Interview mit Bundeskanzler Helmut Schmidt, *Der Spiegel*, January 15, 1979, 42). Significantly, this comment is excerpted from a discussion in which Schmidt was asked to explain what he understood by "state of emergency."

23. Rather than succumbing to a logic of "calculability" and "certainty," *Situationsrecht* is characterized by such concepts as "state of danger" and "case of necessity." On Schmitt's conception of *Situationsrecht*, see his *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge, MA: MIT Press, 1985), 13f. (*Politische Theologie: Vier Kapitel zur Lehre der Souveränität* [Berlin: Duncker & Humblot, 2004], 19f.); Schmitt, "Staat, Bewegung, Volk," in *Die Dreigliederung der politischen Einheit* (Hamburg: Hanseatische Verlagsanstalt Hamburg, 1934), esp. 43f.

FASSBINDER: Of course they are. For all I care. *But there are not exceptional laws for murderers...* An ordinary murderer doesn't simply have what's called... bad reasons or none at all for his murderous deed. The bad thing about the terrorists is that *they may have reasons which you understand.*

MOTHER: *Surely, but they don't use the right means, Rainer.*

FASSBINDER: But you're not interested in laws either. You said you didn't care [das Gesetz ist dir wurscht, wenn es drauf ankommt].

MOTHER: *In this situation...*

FASSBINDER: *Is it at all acceptable that there are situations where you aren't interested in who makes the laws? And which?*

The relation between means and ends in the conflict between state and terrorists seems to lie at the crux of this exchange. The mother's statement of the deficiency of the terrorists' means ("*but they don't use the right means*") for "reasons [one] could understand" is as comprehensible as it is incommensurable with the logic of action of the RAF, whose entire reasoning is along the lines of natural law, that is, based on the conviction that revolutionary justice will eventually justify the violent means. The interview later with Horst Mahler will revolve precisely around this assumption. Fassbinder aptly relates the terrorists' dismissal of the constitutional order of positive law to the idea of situational law—as advocated by the mother—according to which constitutional loyalty may have to suffer: "You're not interested in laws *either*. You said you didn't care [das Gesetz ist dir wurscht, wenn es drauf ankommt]." It seems that the precarious proximity is one between the state's putative suspension of law (in the sense of pre-legal or extra-legal forces) for the preservation of state order, on the one hand, and the pre-legal or extra-legal forces upon which the terrorist's actions are settled in the name of some higher natural law, on the other.²⁴

What keeps erupting at the surface in almost every segment of Fassbinder's contribution to *Germany in Autumn* is the exceptionally paranoid atmosphere: Arnim invites a stranger home, offering him a place to sleep only to have to make him leave

24. Social contract theorists "from Hobbes to Rousseau [have argued that] only those who cede their natural, admittedly precarious, rights can recover some of them in a *guaranteed* form. However, since contract theorists assumed that the few guaranteed rights were more than the many uncertain ones, they were able to view, overall, the establishment of the state and the transition from 'the state of nature' to 'civil society' as progress." By contrast, the terrorist, who does not accept that the state has, in the words of Max Weber, a "monopoly on the legitimate use of physical force within a given territory," appeals to a natural right prior to or beyond positive law, because s/he is no longer ready to accept the purpose of this natural law and natural force in the sense of some kind of social progress. Terrorism discredits the concrete dogma of a society's progress, even if not necessarily the belief in progress per se, which, in the case of the RAF, was only supposed to be given a new ideological connotation that was "in some way" Marxist (Herfried Münkler, "Sehnsucht nach dem Ausnahmezustand," in Kraushaar, *Die RAF und der linke Terrorismus*, 1212; Max Weber, "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. Wright Mills [New York: Routledge, 1991], 77–128, here 78, translation modified; Weber, *Politik als Beruf* [Stuttgart: Reclam, 1992], 4).

the very next moment upon receiving Fassbinder's dictate. Fassbinder: "Where's he from?" Arnim: "Don't really know. Hamburg, I think." Fassbinder: "Throw him out." That the stranger comes from Hamburg amounts to yet another signal moment, for Hamburg's anonymous residential housing projects were known as relatively safe hideouts for terrorists from police operations. The manifestation of the tense political situation as an atmospherical state of exception in the Fassbinderian world is solidified when the exasperated Fassbinder, peering through the window after the intruder departs, breaks down both physically and mentally, sobbing and pressing his face against the floor. Immediately after, the dialogical to and fro between Fassbinder and his mother reaches its ineluctable pinnacle:

FASSBINDER: Democracy is the most human form of government, isn't that right?

MOTHER: You see, it's the least of all evils [es ist das kleinste aller Übel].

FASSBINDER: The least of all evils.

MOTHER: At the moment, it's really an evil.

FASSBINDER: Democracy? What would be better... something authoritarian? ...

MOTHER: The best thing would be a kind of authoritarian ruler, who is quite good and quite kind and orderly.

What throughout has been identified as an exceptional state, substantiated by constative landmarks such as the *Kontaktsperre*gesetz, wiretapping, the subordination of jurisdiction under executive authorities as a form of situational law, and a corresponding atmospherical dimension of hysterical outbreaks, panic attacks, vomiting, and crying fits, reaches its amalgamation in the projected "good," "kind," "orderly" "authoritarian ruler," the personified embodiment of a sovereign. The cinematic production of the atmosphere of a state of exception marks the emotive topography for the subsequent contributions of *Germany in Autumn*.

Faces of Friends and Foes

The incipient documentation of Schleyer's funeral resumes with the High Mass in the St. Eberhard's Church in Stuttgart. A long escort of Mercedes limousines carries those who come to collectively mourn the death of the industrialist Schleyer, some perhaps the *Untersturmführer* Schleyer, others certainly the former chairman of the Daimler-Benz Company. Gigantic flags flutter, resembling idiosyncratic shots in the films of Leni Riefenstahl,²⁵ though this time showing the Mercedes emblem rather than swastikas. Officials in uniform mingle in front of the church, and hundreds of men in black are seated inside, among them Chancellor Schmidt;

25. See also Melissa Goldsmith, "Montage, Music, and Memory: Remembering *Deutschland im Herbst*," *Kinoeye* 2.20 (2002): 1; James Franklin, *New German Cinema: From Oberhausen to Hamburg* (Boston: Twayne Publishers, 1983), 48–53.



Figure 3.

Franz Josef Strauß, minister-president of Bavaria; Helmut Kohl, opposition leader; ex-chancellor Kiesinger; Walter Scheel, federal president of West Germany; and so forth. An orchestra plays Mozart's *Requiem*; priests walk to the altar. The *cinematic picture* drawn here assembles the trinity of politics, industry, and church. At issue is the question of the (re)presentation of political power and powerful people, that is, conceptually speaking, the connection between the "political" and "the human" with respect to forms of presentation. Then a sudden rupture: Alexander Karadjordjevic, the king of Serbia, on a state visit to France, being driven through the streets of Marseille in an open limousine. The crowds are cheering—and suddenly a gunman steps from the street and shoots the king, who is instantly dead (fig. 3). "The King of Serbia. A murder committed by the German Secret Services in 1938 in Marseille." The ostensible statement of this fragment of historical footage is that a high state official, a king, falls victim to the Macedonian terrorist Vlado Chernozemski, and, as such, resembles Schleyer, who also is murdered by terrorists. In addition to this explicit narrative analogy, however, the performative dimension, the question of the concrete cinematic presentation, is no less significant. For what is not being said here is that this piece of historical footage was the first assassination captured on film: the shooting coincidentally occurred right in front of the cameraman.²⁶ The newsreel of Alexander I's assassination, depicting the face of the dead monarch close-up, raises a number of questions concerning the politics of representation and the representability of politics, both of which lie at the

26. See François Broche, *Assassinat de Alexandre Ier et Louis Barthou* (Paris: Balland, 1977); Robert Seton-Watson, "King Alexander's Assassination: Its Background and Effects," *International Affairs* 14.1 (1935): 20–47.



Figure 4.

center of *Germany in Autumn*: What does it mean to be shown on film? What does it mean for one's face to be filmically or photographically captured, distributable to others and recognizable by others? What does it mean for us to look at this face of a human whose humanness depends on the recognition of the onlooker?

It is not by chance that this fragment interrupts the scene showing the High Mass and the obsequies for Schleyer, as it raises questions about the relatedness of (re)presentation, grievability, and humanness. Both events are televised, and the broadcast is picked up in the main hall of the Automobile Museum, where "*delegated employees and representatives of the plants from all over the world*" have gathered to pay a last tribute to Schleyer. The act of grieving centers, not fortuitously, on an image of this seemingly superior human, an image of Schleyer multiplied on television monitors and, in an enlarged version, posed *before the eyes* of the mourners (fig. 4). What is the dramaturgical status of this image in the context of the funeral ceremony with all its ritualistic pomp, the obsequies witnessed by an array of hundreds of workers, most of them uninvolved yet lined up like believers facing the altar? In honor of Schleyer, the workers at the factory assembly belts in the Mercedes plant in Stuttgart must—simultaneously with the memorial service in the Automobile Museum—stop their work "for three minutes of silence." "Ninety-five percent of the workers on this phase of the assembly line are foreigners," the voice-over comments while following the apathetic faces of employees, most of whom, as Volker Schlöndorff notes, probably invest little interest in the political drama around Schleyer.²⁷ Through this spectacular veneer Schleyer, as we see him in the

27. Interview with Volker Schlöndorff on *Deutschland im Herbst*.



Figure 5.

still photo, functions here primarily as a political signifier, as part of a discourse regulated by the state that invokes Schleyer as the martyr of German rebuilding after the war, German industry, German patriarchy. In contradistinction to Baader, Ensslin, and Raspe, Schleyer stands for the *good* dead, as a result of a meticulously programmed discourse, and as this picture of the sanctity appears on millions of TV screens in German households, it appears to establish “the human” that the viewers are to revere, absorb, and internalize.

Concerning a possible equivalent of the inflated Schleyer portrayal in the depiction of the faces of Baader, Ensslin, or Raspe, the focus shifts to the scene in which a female pianist is visited by an alleged terrorist who asks for emergency medical assistance. The image of the chairman of the Daimler-Benz Company and president of the German Federation of Industry finds its discursively regulated counterpart, perhaps unsurprisingly, in the mug shot of Raspe, as publicized in a newspaper lying on a table (fig. 5). Given the classic crime thriller atmosphere of the scene, the mug shot of Raspe appears amenable to the state’s discursive constitution of the enemy as “a gruesome thing to see” (as Creon anticipates the corpse of Polyneices),²⁸ certainly not

28. In line with our analysis of depicted faces of friends and foes, one could meditate on the corporeal representation of the political antagonists. It seems that Fassbinder’s massive naked body is concatenated, as it were, with Polyneices’ naked corpse, which in turn relates to the dead body of Gudrun Ensslin laid out in the coffin. Moreover, Ensslin’s corpse appears to correspond to the Communist freedom fighters’ corpses sung about in one of Alexander Kluge’s contributions. In contrast to the dead or naked children, representatives of the fathers’ generation are never displayed naked or dead—that is, their lives never appear bare.

grievable and perhaps not even inhuman but subhuman or nonhuman.²⁹ The female pianist's gaze out of the window at the departing intruder appears to be an intrafilmic reference to Fassbinder's gaze out of the window at the suspected terrorist from Hamburg. The scene protracts the atmosphere of exception of the Fassbinder segment and as such also precedes Edgar Reitz's contribution to *Germany in Autumn*, the episode at the border checkpoint where, again, mug shots evoke a sensation of the uncanny. The scene is atmospherically permeated by the music of Schubert's *Frühlingstraum* (Dream of Spring), notable for its turbulent minor variations, slow arpeggios, abrasive contrasts of meter (6/8 and 2/4), disjunctions of tempo, dissonances, alternations between diatonic and chromatic strains, changes of tonal direction—in sum, musical devices for sustaining a continual state of suspense as to the next disjunction. The border police officer, gently holding his submachine gun, compares a poster with mug shots of “Wanted Terrorists!” to the face of a woman hoping to pass the border with her lover. In a somewhat ironic, somewhat eerie tone, he compares the woman's physiognomy with that of one of the wanted terrorists: “Come here, young lady! That's not you, by chance? The chin . . . and the hair. . . . No, you haven't got the fanatical eyes. Don't be afraid, I know it's not you. But it could well be. All right, young lady. You can go!” The petrified woman shows relief when cleared to cross the border.

The pictographic logic of exclusion, which denies humanness through dehumanizing visualizations, finds yet another variation in Wolf Biermann's diegetic recitation of his ballad “The Girl From Stuttgart,” about Ulrike Meinhof:

Ich werde wohl bald ihr Foto sehen
 Es wird in der Reihe mit anderen stehen
 Beim Bäcker im Fenster
 Und eine Hand
 Mit Kugelschreiber *bewaffnet* wird dann
Auskreuzen mit einem Krakelstrich
Ihr Menschengesicht.

I'll probably be seeing her picture soon
 It'll be in a row with the others
 In the window of the bakery
 And a hand *armed* with a pen
Will scratch out with a scrawl—
Her human face.

29. For a discussion of the “inhuman” and “not human,” see also Slavoj Žižek, Eric L. Santner, Kenneth Reinhard, *The Neighbor: Three Inquiries in Political Theology* (Chicago: University of Chicago Press, 2005), 159f.

The face of the “enemy” Ulrike Meinhof must be effaced in order to deprive her of the politico-discursively *attributable* status “human.”

A Spontaneous Decision

Hanns-Martin Schleyer functions as the paradigmatic human and, concomitantly, as a political signifier of a discourse defining itself in contradistinction to the RAF and its “sympathizers.” As such, he serves as the embodiment of a *raison d'état*, whose veracity is recognized and verified by the funeral congregation and those witnessing the event on television. Yet what exactly is the reason here, what is the *raison d'état* of the FRG? Federal President Scheel notes in his oration:

Just as those who spiritually and materially support terrorism have completely misunderstood the meaning of a democratic way of life, so have those who recognize the human dignity of the terrorists envisioned the goals of democracy [die Demokratie zu Ende gedacht].

When the conservative press stokes the public rage with phrases like “Into the sewage!” it apparently is not too concerned about “the dignity of the terrorists.” According to Scheel they do not “think democracy to its end.” This begs the question, however, of what it means in this context “to think democracy to its end.” Federal President Scheel, in his role as the supreme representative of the people, and as such allegedly a democrat par excellence, exhorts: “We all affirm the principles of democracy, the struggle about different opinions and points of view. . . . We cannot improve our State without being aware of its shortcomings.” Scheel knows of the significance of speaking and being heard publicly. He knows that the eruption of the “struggle about different opinions and points of view” (*Kampf der Meinungen und der Argumente*) is a political act par excellence, an act allowing or not allowing for the “general,” the *demos*, to constitute itself as veritable subjects. In a similar vein, another speech later in the film, that of Max Frisch, presents itself as a plea for “more democracy,” uttered from the position of the guest speaker at the yearly convention of the Social Democratic Party. Frisch states and performs what lies at the center of any configuration of public speech, its participatory and distributional dynamics that ultimately distinguish intelligible speech from “noise.”³⁰ That is what Antigone, in the *mise en abyme* scene, insinuates when refuting Ismene’s

30. In his analysis of what happens in the case of a disruption of a dominant order of the political, Jacques Rancière differentiates “speech... understood as discourse” from “noise.” “Political activity... makes heard a discourse where once there was only place for noise.... This term means the open set of practices driven by the assumption of equality between any and every speaking being and by the concern to test this equality.” Rancière, *Dis-agreements: Politics and Philosophy*, trans. Julie Rose (Minneapolis: University of Minnesota Press, 1999), 29, 53 (*Mésentente: Politique et Philosophie* [Paris: Galilée, 1995]).

invocation to keep the burial plan secret: “No, but cry it aloud! I will condemn you more / If you are silent than if you proclaim my deed to all.”³¹ It goes without saying that the question is not one of dichotomizing the political and the nonpolitical or reason and nonreason per se. Rather, the question, alluding to the very frontiers and conceptual borders of “the human,” is one of making oneself heard in public discourse, being conceived of as a “reasonable” subject, recognized as an equal member of the polity, that is, being allowed to be “human.”

Given the political struggle between the German state and the RAF, *Germany in Autumn*’s bias (*Parteilichkeit*), to be sure, is not that of advocating one side over the other or even engaging in heretical or apologetic speech. On a primary level, the film plainly asks, What does it mean to be a citizen of the Federal Republic of Germany in 1977? The extreme cases of Hanns-Martin Schleyer, on the one hand, and Baader, Ensslin, and Raspe, on the other, epitomize an answer to that question. While the former is invoked as a model for national self-identification,³² the latter are a scandal; he is symbolically included into the socius, whereas they are symbolically excluded; while the one’s public “grievability” typifies “the human,” the disavowal of public “grievability” concerning Baader, Ensslin, and Raspe amounts to their dehumanization.

This differential allocation of humanness is similarly exemplified in a comparison of the two different funeral repasts, starting with the reception following Schleyer’s funeral in the New Palace. The maître d’ speaks of a buffet for an expected 1,100 guests. As if in a dress rehearsal, the waitresses and waiters walk down a grand staircase, receiving the last corrections of the maître d’, who, clapping his hands, comments on posture and mimics: “Quiet, I say! My God, always the same! Hurry up! Get a move on. As usual...keep smiling, polite, quick service. Remember, it must go fast. Please, don’t forget...trays held level to your chest. March, off you go.” The funeral reception revolving around the figure of Schleyer, staged in an aura of sublimity, is juxtaposed with the repast of the funeral of Baader, Ensslin, and Raspe, which comes into being only because of the spontaneous decision of an innkeeper.

INNKEEPER: I *decided spontaneously* [*spontaner Entschluss*], after I found out that Mr. Ensslin had been refused for certain reasons.

INTERVIEWER: How did you find that out?

INNKEEPER: A couple who own a restaurant told me this, with a corresponding commentary, and that made me so mad that I went straight to the phone and called Mr. Ensslin and told him that *out of purely humane reasons*, I would serve food for him at the funeral repast.

31. While Antigone, the “terroristic woman” (as she is called in the *mise en abyme*), refuses to figure as the wild woman in the attic of the house of reason, the RAF correspondingly stigmatized as “female” (that is, “unreasonable”), no longer seeks participation in public communicative discourse.

32. On the question of national self-recognition, see Judith Butler’s nuanced remarks in *Precarious Life: The Powers of Mourning and Violence* (London: Verso, 2004), 19–49 and 128–51.

What the “spontaneous decision” of the innkeeper leaves in suspense is a logic of friends and foes inculcated both by the RAF as well as the German state. It is a decision not for the RAF or for the state or against the RAF or against the state; rather, the innkeeper’s decision transgresses such logicity “out of purely humane reasons.” It remains to be seen how the film’s bias (*Parteilichkeit*) posits itself in relation to the two political discourses, whether it merely confines itself to citing “humane” positions, or whether it perhaps succeeds in producing something one might be tempted to call an “authentic” voice in the course of its cinematic performance.

The Transgression of Morality

Discursive thinking along the lines of a friend-foe logic, a logic of humanization and dehumanization, is of course brought to bear by the terrorists no less than by the state. Insightful in this respect is an interview with the prisoner Horst Mahler, a former lawyer and ostensibly the cofounder of the RAF, who has now served seven years of a fourteen-year sentence. The interview, which takes place in Mahler’s prison cell, revolves around the question of the legitimization of the RAF’s terrorist acts. “How does a person like Ulrike Meinhof,” Mahler ponders,

come to kill other people or, at least, to run the risk of doing so? A murderer [krimineller Mörder] departs from the moral value system [verlässt das moralische Wertsystem]; the revolutionary [Revolutionär] transgresses it [übersteigert es]. That is, the moral rigorousness [moralische Rigorismus] of the revolutionary, which can turn itself into arrogant presumptuousness [einem subjektiven, anmaßenden Eigendünnkel], at the same time provides the basis for overcoming the scruples that a leftist has about killing someone.

Mahler’s juxtaposition of the “murderer” (*krimineller Mörder*) and the “revolutionary” (*Revolutionär*) is noteworthy, given that §1 of the Basic Law (*Grundgesetz*) of the FRG—“Human dignity is inviolable”—also postulates an integral component of the “moral value system” of West German society.³³ For example, one could say: the “murderer departs from the moral value system” by dismissing the dignity of his victims. In contrast, “the revolutionary transgresses it [übersteigert es]” means that, adhering to Mahler’s examples, the dignity of the Vietnamese population massacred by the American military is also to be considered inviolable because human dignity is a universal value. The revolutionary, bound to his “moral rigorousness” (*moralische Rigorismus*), thinks of the American soldier and

33. In its well-known Lüth judgment, the German constitutional court postulated this principle of applying the Basic Law’s fundamental rights to create an objective value system for the entire legal system (see Thomas Henne and Arne Riedlinger, eds., *Das Lüth-Urteil in [rechts-]historischer Sicht: Die Grundlegung der Grundrechtsjudikatur in den 1950er Jahren* [Berlin: Berliner Wissenschaftsverlag, 2004]).

the German politician supporting him as “murderers” and, as such, as his enemies, both of whom he is ready to eliminate. Mahler, who at this point meditates from a somewhat distant perspective on the motivations of the RAF,³⁴ rightly notes that this “moral rigorousness” “can turn itself into arrogant presumptuousness” and at times produce entirely grotesque results. This is the case “in Mogadishu,” where, according to Mahler, the RAF’s “practical political action” solidifies, where indeed it almost would have caused a “massacre,” the murder of “defenseless civilian women, children and elderly hostages,” that is, the very scenario the terrorists were fighting in its Vietnamese version. To be sure, the “moral rigorousness” Mahler elaborates on is not at all radical but merely extreme. It deduces a set of ideas under the terms of a compulsive logicity geared toward a dead end that may still be logical, albeit void of meaning.³⁵ How then does the RAF’s “practical political action,” inspired by “moral rigorousness,” define the relation between the political and the human? Mahler explains:

[The revolutionary] sees the moral degeneracy of the capitalist system; one sees the people who deal corruptly with this system, morally judges them, condemns them, and with this moral judgment *evil has been personified* [*verkörpern sie das Böse*]. That is to say, one believes that personal guilt plays a role, and that it is *necessary for liberation and therefore also justified* [*es zur Befreiung notwendig und daher auch gerechtfertigt ist*] to destroy this evil, even if personified, that is, to kill people [*dieses Böse, auch wo es sich personifiziert, zu vernichten, dass heißt also, Personen zu vernichten*].³⁶

Of course the argumentation, “necessary . . . and therefore also justified,”³⁷ is never commensurable with justice, for justice, beyond all generalizability, can be thought

34. It should be noted that “the ideology of West German terrorism used to legitimate the group’s actions initially largely served an ethical-political argument by claiming the liberation of the suppressed and disenfranchised, the poor and suffering . . . in Germany and, first and foremost, in the Third World, as the group’s decisive political goal. However, after these ‘as affected suppressed third parties’ refused to become the political addressees of terrorism, the *anthropological* argument came increasingly to the fore: liberating people, through the struggle, to liberate themselves from a subject mentality ingrained by the state” (Münkler, “Sehnsucht nach dem Ausnahmezustand,” 1213).

35. What is at issue here is, in the words of Hannah Arendt, an “extremism of the utmost evil,” which “has nothing to do with a genuine radicalism” and in which “free and controlled thought . . . appears to suffer” (Arendt, *Elemente und Ursprünge totaler Herrschaft: Antisemitismus, Imperialismus, totale Herrschaft* [Piper: Munich, 1986], 978, my translation).

36. In another interview, Mahler focuses on this point: “It was a moral duty to kill, that’s what you can call it.” “In some way we subjectively were at war and accordingly regarded ourselves as soldiers” (Mahler, “Terrorismus und die Bewusstseinskrisen der Linken,” *Frankfurter Rundschau*, March 22, 1978, 14, after Klaus Wasmund, “The Political Socialization of West German Terrorists,” in *Political Violence and Terror: Motifs and Motivations*, ed. Peter Merkl [Berkeley: University of California Press, 1986], 215f.).

37. In line with the above-described political dynamics of terrorism, one could with Max Weber differentiate between the conceptions of *Verantwortungsethik* (ethics of responsibility) and *Gesinnungsethik* (ethics of conviction). Whereas the *Verantwortungsethiker* is in a position to effectively practice politics as a “profession,” the *Gesinnungsethiker* seizes his or her inspiration from “the flame of pure conviction.”

of only in terms of a universalizability by succumbing to the absoluteness of given singularities.³⁸ What matters, for this argument, is that the described logic of the elimination of persons does not signify the murder of humans as humans but as the “embodiment of evil” (*Verkörperung des Bösen*). As such, it posits an equivalent to the state’s political discourse that depicts Baader, Ensslin, and Raspe in mug shots as the epitome of dehumanized evil. This dynamics of dehumanization is illustrated even more drastically in a text by Ulrike Meinhof whose ideological thinking serves Mahler as a case in point. Meinhof outlines the “problem”:

When one... has to deal with the pigs [Bullen] the argument goes that, due to their function, they are naturally brutal and, due to their function, they have to beat people up and shoot and, due to their function, they have to engage in suppression, but of course it’s just the uniform and it’s only the function, and the man who’s wearing it is maybe a really pleasant person to be around at home.... That’s a problem and we say, *naturally, the pigs [Bullen] are pigs [Schweine], we say the guy in the uniform is a pig [Schwein], that’s not a person, and that’s how we have to encounter him*. That means we’re not there to talk to him and it’s wrong to talk at all to these people, and naturally shots may be fired. Because we don’t have the problem that these are human beings.³⁹

That the fight of the RAF, this extremist branch of the student protest movement germinating in the cultural revolution of the 1960s, that the “war” against

S/he follows the principle according to which the end justifies the means in order to attain “absolute justice on earth *by means of force*” (Weber, *Politik als Beruf*, 52f., 56, 58f., translation and italics mine).

38. While Mahler analyzes the RAF’s mission as *empirically* insufficiently informed (“our consciousness wasn’t in tune with the times”), he does not question its *normative* dimension, that is, its precarious logic of actions based on “natural law.” The nature of natural law that Mahler invokes here, this law always referring to some higher authority beyond the human sphere, is so intimately entangled with the possibility for abuse that Kant in *The Metaphysics of Morals* almost entirely abstains from it. Yet since there is always the possibility of a “despotic government,” Kant, in an importantly ambiguous move, *does* seem to allow for a *ius necessitatis* (*Notrecht*) when he speaks about the confrontation between moral responsibility and official prosecution: “Hence the deed of saving one’s life by violence is not to be judged *inculpable* (*inculpabile*) but only *unpunishable* (*impunible*), and by a strange confusion jurists take this *subjective* impunity to be *objective* impunity (conformity with the law)” (Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor [Cambridge: Cambridge University Press, 1996], 28, 93–96). Hegel, who decisively rejected the right of resistance, was equally decisive on the framework of *social* conflicts: “The person who is starving has the absolute right to violate the property of another; he violates the other person’s property only to a limited extent, however; the *ius necessitatis* implies that he does not violate the right of the other as a right per se. The interest is directed solely to the piece of bread; he does not treat the other as without rights” (Georg Wilhelm Friedrich Hegel, *Vorlesungen über die Philosophie der Religion*, ed. Walter Jaeschke [Felix Meiner Verlag: Hamburg, 1985], 341). Whereas Kant’s conception of the *ius necessitatis* pertains to an exceptional condition, Hegel’s notion is inspired by the everyday exceptionality of the poor: “The poor man feels himself to be relating to arbitrariness, to human fortuitousness, and this is what is outrageous..., that the arbitrariness puts him into this dilemma. Self-consciousness appears to be driven to this extreme where it has no rights anymore, where freedom does not exist” (Georg Wilhelm Friedrich Hegel, *Philosophie des Rechts: Die Vorlesung von 1819/20 in einer Nachschrift*, ed. Dieter Henrich [Frankfurt a.M.: Suhrkamp, 1983], 194–95).

39. Ulrike Meinhof, “Natürlich kann geschossen werden,” *Der Spiegel*, June 15, 1970, 75.

the state of which Mahler speaks,⁴⁰ depleted itself in the perversion of the student movement's indignation, in the killing of uninvolved people in bloody shoot-outs, and so forth, seems, in the words of Volker Schlöndorff, to be continuing the tragic legacy of all German revolutions.⁴¹ Yet the panning shot to Mahler's prison window by the end of the scene, the long fixation of the window appears to portend a hope, a future, or at least an uncertainty. For the grammar of revolution, according to Rosa Luxemburg's dictum, cited in the film, follows the conjugation "I was, I am, I will be."⁴²

Unfaithful Officials, or the "Desert Fox" and His "Sovereign" Son

In *Germany in Autumn*, the dichotomization of two antagonistic forms of violence (the political violence of the German state under Helmut Schmidt's Social Democratic government vis-à-vis the terrorist violence of the RAF) is enacted within several semiotic systems: two funerals, two obsequies, two funeral repasts, two systems of pictographical representation, two conceptions of law (natural and positive law), and their sporadic problematization within the *mise en abyme* scene of the television production of *Antigone*. Yet what kind of political intervention does *Germany in Autumn* bring about? What is its ethos *beyond* the reenactment of these ostensible friend-foe dichotomies? Indeed, to reduce the film to a series of conflicting concepts or notions or positions or posittings (*Setzungen*) clearly would elide its artistic potential and the poetic force that characterizes it as a cinematic work of art. Such a form of "reconstruction" would be tantamount to an equation of the film's cinematic economy with the discursive dynamics of state violence and terrorist violence, a gnomic sphere *Germany in Autumn* may precisely transgress.

We thus shall follow the film into the infrastructure of yet another dualism, as part of a piece of historical footage contributed by Alexander Kluge, with an eye to what the film does and what it allows for beyond the dynamics of thesis and counterthesis, violence and counterviolence. "Field Marshal Erwin Rommel, hero of Africa . . . father of today's Mayor of Stuttgart, Manfred Rommel": the footage displays Erwin Rommel at work, driving in a military vehicle in a desert somewhere

40. Cf. Andreas Musolff, "Bürgerkriegs-Szenarios und ihre Folgen: Die Terrorismusdebatte in der Bundesrepublik 1970–1993," in Kraushaar, *Die RAF und der linke Terrorismus*, 1171–84.

41. Interview with Volker Schlöndorff on *Deutschland im Herbst*.

42. See also Rosa Luxemburg, "Die Ordnung herrscht in Berlin," *Die Rote Fahne*, January 14, 1919, in *Gesammelte Werke*, vol. 4 (August 1914–Januar 1919) (East Berlin: Institut für Marxismus-Leninismus beim ZK der SED, 1974), 538. "At the beginning of *Being and Time*," Alexander Kluge writes, "Heidegger asks extremely exactly why the 3rd person present singular has become the object of philosophy and not, for example, 'we are' ['wir sind'], 'you are' ['ihr seid'], i.e., the collective flections" (Kluge, *Die Patriotin: Texte/Bilder* [Frankfurt a.M.: Zweitausendeins], 391). In a different context, the Italian philosopher Adriana Cavarero notes: "Indeed, many revolutionary movements (which range from traditional communism to the feminism of sisterhood) seem to share a curious linguistic code *based on the intrinsic morality of pronouns*" (Cavarero, *Relating Narratives* [London: Routledge, 1997], 90f., after Judith Butler, *Giving an Account of Oneself: A Critique of Ethical Violence* [Assen: Koninklijke Van Gorcum, 2003], 25).

in North Africa. The voice-over proceeds: “[Rommel], killed with poison by the state in autumn 1944...followed by a state funeral, public mourning...his son witnesses the state funeral.” The fragment shows bits of the state ceremonies, including a brief shot of Rommel’s son, all accompanied by Haydn’s String Quartet in C Major, Op. 76, No. 3 (“Emperor”), which provides the melody of the German national anthem. The cinematic narrative of Erwin Rommel, who gained fame under the nickname “Desert Fox,” is continued later in the film, for Rommel’s son, briefly shown during the obsequies, again appears in his position as the mayor of Stuttgart.

Needless to say, there are several parallels between Rommel’s funeral in 1944 and Schleyer’s funeral in 1977: two acts of state, two official funeral services, and the visual appearance of Erwin Rommel’s son against the acoustical appearance of Schleyer’s son during the funeral. In fact, the parent-child dyad could be extrapolated further with respect to Fassbinder and his mother. Regarding the question of the bias (*Parteilichkeit*) of *Germany in Autumn*, Rommel’s funeral appears indicative, since what first presents itself as yet another manifestation of antagonistic forms of political violence, another binary opposition of Fascist parents and their anti-Fascist children, now begins to falter in that both political discourses are left performatively in suspense. Although the film does not remind us of this, in 1977 Erwin Rommel is not merely a father among fathers, one of Hitler’s helpers, but also one of those generals let into the planned plot to kill Hitler (albeit without having been involved in the planning or execution of the attempted assassination of Hitler on July 20, 1944). Yet because of his suspected involvement in the plot, on top of having openly expressed skepticism as to the feasibility of Hitler’s military objectives in North Africa, Rommel was forced into suicide in 1944. Within the cinematic topography of *Germany in Autumn*, then, the legacy of Erwin Rommel, Hitler’s all-too-critical general, is asymmetrical to the political discourse of the conformist generation of Fascist fathers. Similarly, Manfred Rommel, as we learn later, does not simply pose as a servant within an established political discourse, as one would expect of the mayor of a major German city, but instead acts against the official discourse. Feeling bound to a logic outside his political alliance, as Ensslin’s sister explains, Rommel had “*decided entirely sovereignly [ganz souverän beschlossen], without asking the city council,*” that Baader, Ensslin, and Raspe would be buried in Stuttgart’s Dornhalden Cemetery—next to deserving people, such as the industrialist Robert Bosch, ex-federal president Theodor Heuss, and former minister president Reinhold Maier. Manfred Rommel explains his motivations for rendering the funeral possible without the officially required approval:

MANFRED ROMMEL: About the question of the burial of the three dead terrorists, it seemed to me obvious [es erschien mir eine Selbstverständlichkeit] that it had to be decided on quickly and cleanly.

INTERVIEWER: Clean in what sense, in the sense of the administration, or in the human sense?

MANFRED ROMMEL: *Clean in the human sense.* It would have been unbearable for me to be responsible or collectively responsible that the question of the proper burial of the terrorists was discussed for weeks and months. Therefore, *I decided quickly*, so that the *decision* was binding.

To be sure, the political, ethical, and ultimately moral contexts within which one would have to situate the actions of Manfred Rommel and Erwin Rommel are disparate and too incongruous to be put into direct dialogue here. And I certainly do not mean to suggest that they are compatible or amenable to one another. The point is that *Germany in Autumn*'s concrete cinematic montage, rather than evoking simplistic identifications with preestablished political sides, produces a liminal space of poetic ambiguities, of blurred transitions, thereby unsettling and obliterating identifiable political positions. Perhaps it is such performative suspension that ultimately allows for a bias (*Parteilichkeit*) of the film on behalf of "purely human reasons," beyond antithetical ascriptions of Erwin Rommel as signifier of one political system and Manfred Rommel as signifier of another political system. Perhaps *Germany in Autumn*'s bias (*Parteilichkeit*) has to be thought of as a deposing (*Entsetzung*), that is to say, not in terms of the negation of political orders, nor in the sense of *another* politics but in the sense of eluding all political systematology.⁴³

Four Humans

"Fiat justitia percat mundus," Kant famously declares in his third *Critique*. "Let justice prevail, though all the knaves in the world perish!" "There is no doubt," writes Alexander Kluge, "that the Stammheimer proceed de facto in line with 'fiat

43. A similar dynamic of constative positing (*Setzung*) and performative deposing (*Entsetzung*) suffuses the stylized funeral reception revolving around Schleyer, whose sublimity is first established and then undercut, as the behind-the-scene view of the headwaiter turns the reception into a farce about servitude to the upper echelons of society. Still another example of *Germany in Autumn*'s peculiar cinematic dynamic manifests itself in the long Fassbinder episode. On the one hand, Fassbinder's statements in defense of democracy explicitly align him with the generation of anti-Fascist, antiauthoritarian, and antipatriarchal "children," who convene at the funeral of Baader, Ensslin, and Raspe at the end of the film. On the other hand, Fassbinder's own authoritarian behavior toward his mother (who hopes for an "authoritarian ruler") and his demeaning, if not abusive, treatment of Arnim (who, again, not by chance nicknames him "bully") align him with the detested parental generation assembling at the Schleyer funeral at the beginning of the film. That is to say, Fassbinder's actions performatively undermine his ostensible statements and expose them as "empty rhetoric." It is precisely this dynamic of positing and deposing that unremittingly threatens the film's oppositional narrative structure, its political dichotomies. Importantly, this dynamic eventually allows for the filmmakers' own ethical intervention, their *Parteilichkeit* to emerge—not in spite of but indeed as a result of their refusal to identify with political orders and, as we shall see, to logify what cannot be logified, namely justice.

justitia pereat mundus.' But the other side [the German state] does so too."⁴⁴ And in the *mise en abyme* television production later in the film, Creon also seeks to arrogate justice to himself through a political claim in the name of civic order, thereby succumbing to *hybris*. Antigone, who opposes Creon's secular order, follows this dictum with respect to a theological claim; she is equally prone to *hybris* given her insistence on being able to read the unwritten laws of the chthonic gods. To be sure, for the Greeks, justice, *dikē*, sunders the human from the animal in that the human's aspiration toward justice, *dikē*, allows one to enter into contractual relationships and orient social life according to certain laws, *nomoi*.⁴⁵ But justice still belongs to the gods, stands beyond all logic, beyond all human appropriation and instrumentalization. Disavowing justice's opacity, both the West German state and the RAF arrogate to themselves the role of its proprietor. As in a Sophoclean drama, a tragic fate befalls the West German state.

Toward the end of the film, Alexander Kluge reads a letter by Schleyer written during his captivity on September 9–10, 1977, and addressed to the entrepreneur Eberhard von Brauchitsch: "If they're going to refuse to give in, they should do it soon. *Even though the human in one [der Mensch], as it always was during the war, would like to survive.* It is never sweet and agreeable [süß und angenehm] to die for the fatherland." Schleyer himself speaks of two Schleyers, "the human" Schleyer and the political functionary. The political functionary is ready to die just as the SS officer Schleyer was ready to die, to sacrifice himself even though it is not pleasant to die for the fatherland, neither during the Nazi period nor in 1977. By contrast, "the human" "wants to survive," the human whose image—already shown during the funeral ceremony, multiplied and inflated—now appears once more, decontextualized this time, torn out of any discursive environment, shown as a long-take close-up (fig. 6). The Schleyer presented here is not primarily chairman of the Daimler-Benz Company and president of the German Federation of Industry, or SS officer, and perhaps not even husband of the mourning widow shown during the funeral or father of the son whom we get to know as the addressee of a letter. What comes to the fore here is the individual Schleyer,⁴⁶ elusively located somewhere in the fissures and chasms of stratified representational systems, a Schleyer who qua human defies conceptualization. Immediately after the Schleyer image two more images are

44. Kluge, *Die Patriotin*, 35.

45. Cf. Marcel Detienne, *Les maîtres de vérité dans la Grèce archaïque* (Paris: F. Maspero, 1967); Detienne, *Dionysos mis à mort* (Paris: Gallimard, 1977).

46. At the same time, to be sure, a picture of a human can never really capture that human but, in accordance with Levinas, always depicts its own failure to represent this human. "The face is signification, and signification without context. . . . The face is meaning all by itself. . . . In this sense one can say that the face is not 'seen.' It is what cannot become a content, which your thought would embrace; it is uncontainable, it leads you beyond" (Emmanuel Levinas, *Ethics and Infinity*, trans. Richard Cohen [Pittsburgh: Duquesne University Press: 1985], 87).



Figure 6.

depicted, one of Raspe (fig. 7) and one of Baader and Ensslin (fig. 8). In the context of the diversified relationships of the film, they are invoked without any disparagement or discursive contradistinction to the Schleyer portrayal.

Shown here are not terrorists or state enemies or political warriors. In the cinematic space of *Germany in Autumn*, Raspe, appearing so different from his mug shot, does not, however, merely figure as a “private” person either. And Baader, who caresses his girlfriend Ensslin in this legendary shot during a court hearing, does not just pose as the lover. Ensslin, in turn, does not appear merely as Baader’s lover or as the daughter of Pastor Ensslin, who so frenetically tries to ensure a proper burial for his daughter, and also not solely as sister of Christiane Ensslin. After one and a half hours of discursive representation of friends and foes, state servants and state antagonists, Fascists and anti-Fascists, “subhumans” and “martyrs,” and even husbands and fathers and daughters and sisters and lovers, what emerges, beyond the multitude of discourses in the crevices of an ambiguous semantic field, are four humans. Four humans: Schleyer, Baader, Ensslin, and Raspe, all of them dead now, all of them—and perhaps this is the bias (*Parteilichkeit*) of the film—treated alike with respect to their individuation.

“We have to treat the dead equally,” Alexander Kluge insists in light of the irreverent media coverage during the first meeting of the contributors of *Germany in Autumn*,⁴⁷ echoing Antigone’s claim for equal burials for her brothers, Eteocles and Polyneices. Antigone maintains that if all humans enter life at the moment

47. Interview with Volker Schlöndorff on *Deutschland im Herbst*.

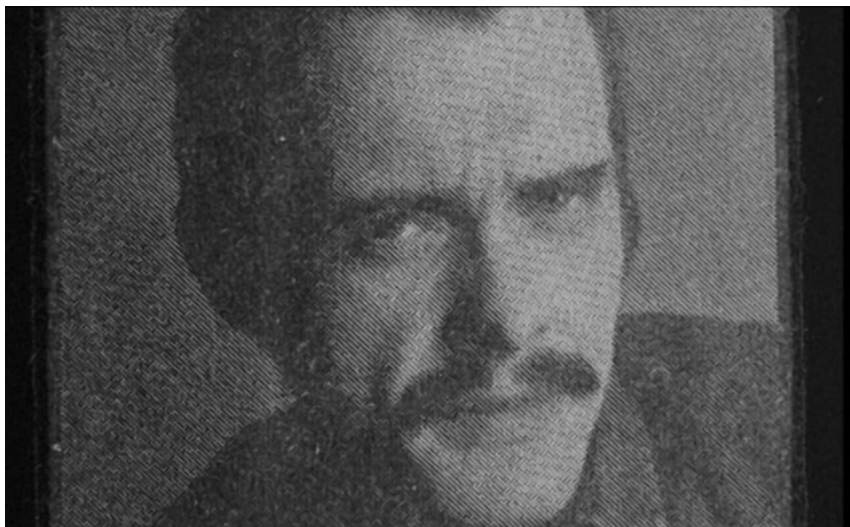


Figure 7.



Figure 8.

of birth, it must be insisted that death—the moment of exiting life—is a question of human dignity, an absolute value and, as such, is not susceptible to Creon's secularist power.⁴⁸ Antigone's all-encompassing insistence on *philia*, bound to cycles and

48. See also Alexander Kluge and Oskar Negt, *Geschichte und Eigensinn* (Frankfurt a.M.: Zweitausendeins, 1981), 768. For discussions of the act of mourning with respect to the cultural codification of "the human" in Greek antiquity, see Walter Burkert, *Structure and History in Greek Mythology and*

rhythms of generations, a temporality of the *dead* and perhaps the *unborn*, disrupts Creon's linear and politico-pragmatic discourse of the living,⁴⁹ his logic of friends and foes, inclusion and exclusion, his decisionism as to the precarious nexus between the political and the human. What is at stake here, then, may be not so much a problem of conflicting political conceptions but ultimately an epistemological difficulty as to the conceptualizability of "the human." It may be this sphere *beyond*, a sphere suspending any dynamics of re-presentation, identification, decision, to which *Germany in Autumn* aspires.⁵⁰ It is precisely in the context of such a transgression of the temporality of the living that we must situate the drawing of an embryo, an *unborn*, by Leonardo da Vinci—placed right before the funeral of Baader, Ensslin, and Raspe, the *dead*. Perhaps it is this imagery invoked by Leonardo da Vinci's embryo that soon after is undergirded by yet another child, the child of the hippie mother walking down the street, accompanied by Joan Baez's "Here's to You." Perhaps, indeed, it is this pictorial conglomerate to which we might want to allot the long, seemingly arbitrary shot focused on a blond young boy watching the caskets being placed in the grave, which cuts then to a boy the camera still follows in one of the departing cars after the funeral. What is not said is that this is Gudrun Ensslin's son, who as a result of the mother's death is now an orphan (the father, Bernhard Vesper, had died in 1971). It is hard to make sense of or find truth in the child's situation along the lines of any "political" logicity.

The frailty of the human emerging here *beyond* the contours of politico-discursive violence, *beyond* the logic of whence and whither, surges to the surface once more with the very last shot of the film, a textual quotation that at the outset of the film already appeared as follows:

When atrocity reaches a certain point, it no longer matters who initiated it; it only matters that it should stop. [An einem bestimmten Punkt der Grausamkeit angekommen, ist es schon gleich, wer sie begangen hat: sie soll nur aufhören.]

8. April 1945—Frau Wilde, 5 Kinder

We do not know Frau Wilde, but from the note we can infer the following: Frau Wilde, presumably a German woman, mother of five, utters this sentence on April 8, 1945, shortly before the capitulation of Germany after twelve years of Nazi domination and a war causing a loss of human life of roughly 72 million people including 47 million civilians, 61 million on the Allies' side, 11 million on the side

Ritual (Berkeley: University of California Press, 1979); Nicole Loraux, *The Invention of Athens: The Funeral Oration in the Classical City*, trans. Alan Sheridan (Cambridge, MA: Harvard University Press, 1986); Maurice Bloch, *Ritual, History, and Power: Selected Papers in Anthropology* (London: Athlone Press, 1989).

49. For a detailed discussion of the notion of temporality in Sophoclean drama, see Hans-Thies Lehmann, *Das politische Schreiben: Essays zu Theatertexten* (Berlin: Theater der Zeit, 2002), 32f.

50. Sophocles' language, Hölderlin writes, allows human understanding (*des Menschen Verstand*) to wander likewise "amid the unthinkable" (*unter Undenkbarem*) (Friedrich Hölderlin, "Anmerkungen zur Antigonä," in *Sämtliche Werke*, ed. Franz M. Knaupp and D. E. Sattler [Frankfurt a.M.: Stroemfeld/Roter Stern, 1988], 16:413).

of the Axis powers. “It no longer matters who initiated it” does not mean that it *does not matter* who initiated it; rather, “no longer” addresses a certain rupture of temporality, a rupture denoting the point where a human being discovers an incapacity to think toward a promised *telos*, and the incapacity to think the logic of friends and foes. This is how Frau Wilde’s sentence appears a second time at the end of the film:

When atrocity reaches a certain point, it no longer matters who initiated it; it only matters that it should stop. [An einem bestimmten Punkt der Grausamkeit angekommen, ist es schon gleich, wer sie begangen hat: sie soll nur aufhören.]

Who is speaking here, and what do we make in this second sentence of the absence of Frau Wilde’s name, her role as a mother of five, her role as a German woman on April 8, 1945? Of course, we know or believe we know, or remember, that “Frau Wilde” is speaking here, that this is her sentence. Yet what is the semantic efficacy of this so-evident presence of the absence of an author, what may be implied here without being uttered? “When atrocity reaches a certain point,” when “it no longer matters who initiated it,” when all that matters is that the atrocities stop, it perhaps no longer matters who signs the plea. It no longer matters whether Frau Wilde signs it or, in her name, the eleven filmmakers, without her but for her and perhaps even for one another—as humans who, after all, also recognize each other and themselves, under the impression of the traumatic events of the German Autumn, beyond all discursive calculation, in a state of distress.