

# The Death of Rumpelstiltskin

Notes for a Law Lecture  
by Russell Fox

Translation of the Tale by Lucy Crane  
Illustrations by Walter Crane, *at al.*



ANCIENT LIGHTS BOOKS



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Translation by Lucy Crane  
and illustrations by Walter Crane, H.J. Ford,  
John B. Gruelle and George Cruickshank  
are in the Public Domain.

*With thanks to my father,  
and to my stepchildren & children.*

**Ancient Lights Books**

Great is Justice;  
Justice is not settled by legislatures and laws . . . . it is in the soul,  
It cannot be varied by statutes any more than love or pride or the  
attraction of gravity can,

It is immutable . . . . it does not depend on majorities . . . . majorities or  
what not come at last before the same passionless and exact tribunal.

– Walt Whitman  
From *Great are the Myths*  
LEAVES OF GRASS, 1855 ED.



*Jacob & Wilhelm Grimm, by Hermann Grimm*

## Acknowledgment

Dortchen and Lisette Wild, sisters, probably first told the story of *Rumpelstilzchen* to the brothers Jacob and Wilhelm Grimm in 1808, the year after Napoleon's armies occupied the Kingdom of Hesse. The Wild and Grimm households were across the street from each other in the Hessian city of Kassel, which had come under the rule of Napoleon's incompetent brother, Jérôme Bonaparte, whom Napoleon had installed on the throne of the redrawn Kingdom of Westphalia. The Kingdom of Hesse was thereby abolished – like the other defeated kingdoms and fiefdoms and free cities of the Holy Roman Empire, which the French had overrun. Jacob and Wilhelm Grimm, in their early twenties and both former law students at the University of Marburg, were now idled scholars.

Living under the French occupation like that, the Grimms became politicized. Both of them spoke French, but neither wanted anything to do with living as subjects in a vassal state of the Napoleonic Empire. Instead, they dreamed of a day when all the former dominions of the conquered Holy Roman Empire would come together in a new nation of the German speaking peoples, once the French were out. It would be the nation that it always should have been, the people of its some two hundred kingdoms and principalities united into one country by their common language and literature and culture, high and low. A heritage. The Grimms, being philologists, looked to the kind of story traditionally told by the peasantry to their children – the folk tale – and saw in these stories the cradle of the Deutschland nation.

So while they were under the French occupation, the brothers Grimm turned to gathering the stories for their collection of the folk tales of the German

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speaking peoples, KINDER-UND-HAUSMÄRCHEN (*Children's and Household Tales*). As the legend would have it, some of the tales were indeed recorded on the Grimms' trips into the countryside, collected from old peasant women. Others were researched in university libraries, where the Grimms found suitably *volkish* stories and copied them out of old books and manuscripts. But most of the tales were told to the Grimms by middle-class schoolgirls like the Wild sisters.

The first volume of KINDER-UND-HAUSMÄRCHEN – eighty-six stories including *Rotkäppchen* (*Little Red Riding Hood*), *Sneewittchen* (*Snow White*), *Rapunzel*, and *Rumpelstilzchen* – was published in 1812, the year before Napoleon's armies retreated across Europe and withdrew from the city of Kassel. A second volume of seventy more stories appeared in 1815, and six more editions followed. Wilhelm Grimm published a selection of the fifty tales deemed most suitable for children in 1825, the same year that he and Dortchen Wild were married after a long engagement. Wilhelm and Dortchen would have three children; Jacob Grimm never married.

In his earliest incarnation, Rumpelstilzchen came to a different end: he simply “ran away angrily, and never came back.” It was probably Wilhelm Grimm who revised the story for later editions of KINDER-UND-HAUSMÄRCHEN, until the 1857 version, in which the little man accomplishes his *denouement* in a manner that is quite more spectacular, and memorable.

Lucy Crane's was one of many nineteenth century translations of *Rumpelstilzchen* into *Rumpelstiltskin*. She worked from the definitive 1857 edition of KINDER-UND-HAUSMÄRCHEN, rendering 52 of the Grimms' tales into English to provide the text for a book that was “done into pictures” by her younger brother, Walter Crane. Their collaboration, entitled HOUSEHOLD STORIES FROM THE COLLECTION OF THE BROS. GRIMM, was designed by the Macmillan company to capitalize on Walter Crane's popularity as a children's book illustrator: in the first edition, the table of contents listed his pictures, but was without any reference to the titles of the stories. Later printings remedied this, but *Illustrated by Walter Crane* was usually the only cover credit, and Miss Crane's translation was generally overlooked. HOUSEHOLD STORIES FROM THE COLLECTION OF THE BROS. GRIMM

first appeared in England in 1882, the year of Lucy Crane's death, at age forty. The book was reprinted in America a year later.

Walter Crane would live for another thirty-three years, until 1915. In that time he became an established member of the European arts and crafts school, designing *art nouveau* textiles and wallpaper, stained glass, and Wedgwood china. He also became a Socialist, and drew cartoons for Socialist magazines and newspapers. He lectured on art and design, and museums exhibited his easel paintings. His great professional disappointment, however, was that he achieved widespread fame only for his illustration of children's books; at the end of his life, he reportedly felt that his work as a serious artist had been unjustly disregarded. By then, Lucy Crane's accomplishment as a translator was largely forgotten.<sup>1</sup> Even today, the work of the illustrator Walter Crane gets a three page entry in *The Norton Anthology of Children's Literature*, which footnotes his sister's literary contribution to his books only once in passing, and mentions their sibling collaboration on *HOUSEHOLD STORIES* not at all.<sup>2</sup>

But while Walter Crane's illustrations are available today only in a paperback reprint, Lucy Crane's translation of *Rumpelstiltskin* has become the version of the story that most often appears in fairy tale collections and anthologies of children's literature, sometimes accompanied by the work of contemporary illustrators, and usually without crediting Miss Crane. This has been true for the better part of century, and persists: Borders' 2007 selection of the Grimms' tales and Barnes and Noble's gilt edged, gold embossed, deluxe 2008 edition both use Lucy Crane's translation of *Rumpelstiltskin* in

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<sup>1</sup> Also forgotten is Lucy Crane's early role in the Arts and Crafts movement, advancing the aesthetic that the "the common things of life" should be both practical and beautiful. See, Crane, Lucy, *ART AND THE FORMATION OF TASTE: SIX LECTURES* (Chautauqua Press, Boston, 1885), published posthumously. Charles Goodrich Whiting's preface to these "unpretentious lectures" gives us the only description of the (by then, deceased) Lucy Crane that we are likely to get: "The lovely nature, both sweet and strong, of their author, informs her gracious and intelligent instruction with a fine charm; and she leads her disciples, by a hand as firm as it is gentle, to the safe and true ground of taste and judgment." A ghost hand, already then, and countenance.

<sup>2</sup> Zipes, et al., eds, 2005, pp. 399-401.



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the now standard fashion; *i.e.*, without attribution. So, although it was first published more than a century and a quarter ago, and other translations have come and gone and are re-made anew every few years, Lucy Crane's *Rumpelstiltskin* is still the rendition that most children are likely to know, if they are familiar with the story at all.

There is good reason for this, beyond the practical fact that Lucy Crane's work has passed into the public domain, and so is no longer protected by copyright. Miss Crane's translations of the Grimms' stories are spare, compelling, enchanting and haunting. Her retelling of the tales of the Brothers Grimm is, quite appropriately, magical.

So acknowledgment is hereby made for the extensive use herein of Lucy Crane's translation of *Rumpelstiltskin*, a German fairy tale collected by the brothers Jacob and Wilhelm Grimm during the Napoleonic occupation, when their beloved Kassel was a captive city in the foreign realm of the Kingdom of Westphalia — which, translated from the French, means *the best of all possible worlds*.



Part 1

*Miller's Daughter*

## There once was a miller who was poor, but he had one beautiful daughter.

So begins the story of Rumpelstiltskin, with a *miller* who *once was*, and who *was poor*.

That is the first thing we are told, and so it must be important. It tells us one of two things about the miller: either that he *is no more*, or that he *is no longer poor*, by the time this story is being told. We are not told which.

With such a beginning, we are led to expect that this may be a tale about the miller. And because we are told for a fact that the miller was *poor*, we might also expect the story to follow a standard fairy tale plot: will the miller get rich, or not, and how? There are many such tales in the Grimms' canon, in which a poor but aspiring protagonist sets out into the world, and encounters a magical helper and faces fantastic tests, and thereby either wins his fortune or foolishly loses it.

But those stories are never about millers. They instead tend to be about youngest sons, denied property and inheritance under the feudal rule of primogeniture; or roaming soldiers, summarily discharged and left penniless after the wars. There are also tales about apprentices escaped from harsh masters, and mistreated stepchildren, and forsaken daughters. And surprisingly many of the Grimms' stories concern impoverished tailors, who were typically without any fair prospect of making a living at the low-skilled trade of tailoring. Such protagonists can be clever or dense, kind or selfish, lucky or not, but what they have in common is that they have nothing to lose, and so venture abroad into an unknown and enchanted world.

A miller, on the other hand, was unlikely to strike out on the wide open road in search of his fortune. He had a trade, was bound to the mill ground. He either owned the mill or tended it. He might be poor, but because his livelihood was grinding flour, he would never go hungry, and so he would never go out wandering. He was neither a peasant, landless and destitute, nor a discontented

prince, who might go a-roving in search of a bride.

Rather, the millers in the KINDER-UND-HAUSMÄRCHEN are an unadventurous lot, and worse. Too accustomed to the dulling rote of the grindstone, they are afflicted by “habitual and uncreative thinking” and have been said to symbolize greed. (Olderr 1986). Examples abound. In one story, appropriately entitled *The Maiden without Hands* (KHM 31), an ignorant miller barter his beautiful and pious daughter to the devil, and later cravenly does the devil’s bidding by cutting off her hands. In another, *The Robber Bridegroom* (KHM 40), a miller blithely marries off his beautiful daughter to a mysterious stranger who, yes, turns out to be a robber bridegroom. *The Devil with the Three Golden Hairs* (KHM 29) features a miller and his wife who obediently allow an evil king to dispatch their foundling child with a sealed letter to his queen, which commands that the child is to be immediately killed and buried. And in *The Nixie in the Pond* (KHM 181), a poor miller bargains with a water witch, who thereby claims possession of his newborn son.

Accordingly, a miller in the Grimm’s tales may be a coward or a cuckold or a fool, but he is also, almost invariably, a *bad parent*.

So a miller is never the hero in the Grimms’ tales, and *Rumpelstilzchen* is not about the miller. Neither will it truly be about Rumpelstiltskin. Instead it will be about the miller’s *one beautiful daughter*. She is immediately eligible to be the protagonist of the tale, inasmuch as she is *beautiful*. But, curiously, her beauty will never be mentioned again in the tale, nor will it help her.

She may not have been his only daughter – the poor miller may have been burdened by other daughters, ugly or plain – but she is his *one beautiful daughter*, and the only reason the miller is at all notable.

And, typically for a miller, he will carelessly put this one beautiful daughter at great risk, and for next to nothing.

It happened one day that he came to speak  
with the king, and to give himself consequence,  
he told him that he had a daughter  
who could spin gold out of straw.

The king said to the miller,

“That is an art that pleases me well;  
if thy daughter is as clever as you say,  
bring her to my castle tomorrow,  
that I may put her to the proof.”

Now, keep in mind that the people who are almost always being told this tale are *children*. And some of them are little girls, who are likely to swiftly identify with the miller’s *one beautiful daughter*. If you are a little girl listening to the story, you are already paying close attention to the circumstances of miller’s daughter, and probably feel sorry for her. The miller, her father, is a poor provider. And now the miller introduces himself to *the king*, with the reckless boast that he is a person of consequence because his daughter *can spin gold out of straw*.

This is positively frightening, for every little girl knows that she herself cannot spin gold out of straw, and could never. And even if little girls nowadays do not quite know what *spinning* is, they know that the miller could not be *poor* if his daughter could truly *spin gold out of straw*. So the miller cannot be telling the truth to the king. And children know, too, that a *king* is always a person of truly great consequence and power, and that the miller’s false claim of his daughter’s magical abilities to such an exalted personage may very well put her in real danger.

Because even children know about *kings*. But most adults have either forgotten, or never learned in school, that there was ever a time when there really were kings, and very many of them. Kings are now the stuff of fairy tales, but the brothers Grimm were born at a time, and in a part of the world, when a mere locality was apt to have its own sovereign regent, with all the royal prerogatives and regalia attendant thereto.

For more than a thousand years, since the coronation of the emperor Charlemagne on Christmas day in 800 A.D., the German speaking peoples had lived in a fragmented territory of some three hundred separate and sovereign principalities – kingdoms and dukedoms and fiefdoms, bishoprics and archbishoprics, margraves and free cities – which would come to be called the Holy Roman Empire. It was more a conglomeration of medieval dominions and freeholds than an actual empire, and it was Roman only insofar as its titular emperors were crowned by the Roman Catholic popes. After Martin Luther, in about 1500, it would no longer even be uniformly Roman Catholic. From then on, the religion of each principality was a matter to be decided by its particular sovereign, along with everything else of consequence.

In a patchwork empire where all the important politics was truly local, culture, too, was parochial. Artists and composers were beholden to the patronage of petty monarchs or the caprices of rich archbishops, resulting in a lot of marches and masses. Mozart, incapable of such obsequy, has a strong claim to being the first modern artist: it was a courageous thing for Mozart to break out of his sinecure as a church music composer for the archbishopric of Salzburg, in 1791, with the untried idea that he might make a living on private commissions for his secular compositions, and by giving subscription concerts. He failed in financial terms, as great artists sometimes do, but Mozart's personal rebellion against the system of court patronage was a revolutionary act, some twenty years before Napoleon Bonaparte would finally deal the death blow to the Holy Roman Empire.

By then, Beethoven was celebrating Napoleon as the liberator of Europe, initially titling the first draft of his Third Symphony *Bonaparte* in homage to the First Consul of France. But when Napoleon proclaimed himself emperor, and thereby betrayed the ideals of the Enlightenment, Beethoven famously changed the

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dedication “to the memory of a great man.” In 1812, when the Grimms first published *Rumpelstilzchen*, Napoleon Bonaparte was still the conqueror of Central Europe, and parents were keeping their children in line with scary stories of *Old Bony*.

There was a tradition for this, going back well before Napoleon. There were good kings and bad kings; wise and generous sovereigns, and tyrants who were both capricious and cruel. In such a world, the character of a prince was important. A girl might thrill to a tale of a virtuous maid being wed to a good prince (often met while out wandering his kingdom *incognito*), but the fate of being married off to an evil king was frightening.

A little boy, having heard only this much of *Rumpelstilzchen*, might be impatient for something more happen. There is nobody, yet, to identify with. A little girl is more likely to wait with a feeling of impending dread, knowing full well that the miller’s daughter has an idiot for a father, to make such a ridiculous claim to a *king*, and all to *give himself consequence*. Puffery. And the king calls the miller’s bluff, but of course it will not be the miller who will be put to the test. The king decrees that the miller must deliver up his daughter, who must face a trial in which only her cleverness can save her.

We have, then, the first of the wildly asymmetrical exchanges that will structure the plot of *Rumpelstilzchen*. In exchange for a fleeting moment of self important preening before his king, on a whim, the miller trades all he has, his one beautiful daughter, to *give himself consequence*. It is for this that the miller makes his brief appearance at the beginning of the story, sets the tale in motion, and then is not heard from or told about again. So the Miller is a minor character, a small man.

But fortunately, the protagonist children of the Grimm’s tales are almost always able to transcend bad parenting, which is interesting. It’s a consistent theme, an optimistic take on the youth of the coming generation, whom the Brothers Grimm were betting on to people their new nation. So our attention now turns to the miller’s daughter, and to how she will meet her test.

When the girl was brought to him,  
he led her into a room that was quite full of straw,  
and gave her a wheel and spindle, and said,

“Now set to work, and if by the early morning  
thou hast not spun this straw into gold  
thou shalt die.”

And he shut the door himself,  
and left her there alone.

The poor girl. Our hearts go out to her. She is there for no fault of her own, locked in a stone castle room that has been pitched full of stable straw, probably at sundown, and told by the king himself that if by dawn she has not spun it all into gold, she shall die.

*It is not her fault. It is unfair.*

And that is the premise of a good many of the Grimms' stories: that life can turn suddenly and shockingly unfair, often to a mere youth, who must then set about the quest of confronting and outwitting such injustice. The tales are full of such youths — mere children put out in the woods, youngest sons cut off without inheritance, mistreated apprentices, cashiered soldiers.

But the miller's daughter does not look like this kind of typical Grimm's protagonist. She seems helpless, has said nothing in protest to the king, even when so cruelly put to such an absurdly impossible task. The very arbitrariness of the contest takes her breath away, leaves her speechless. She is unprepared and ill-equipped, neither lucky nor tricky, without the help of an older and wiser sibling,



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or the boundless optimism of a bootless son, or the clever tongue of an escaped apprentice, or the seasoned wit of some brigand soldier. She is not — at least, not yet — a trickster. And she did not, like many of the Grimms' heroes, decide (against advice or common wisdom) to strike out on her own into the great wide world, ready to take up any challenge that might happen along, to fight or outfox any adversary or circumstance, and thereby find her fortune. This business of spinning gold out of straw was not her idea.

Nor has the tale at its outset afforded the miller's daughter with any opportunity, as so often presented in the Grimms' tales, to demonstrate her deserving virtue. The story does not show her journey on the road to the palace, where she might have charitably assisted an old crone with her burden of tinder sticks at the wayside, or done something so simple as free a bird from a snare. We do not know whether she set out on the journey dutifully alone, or was followed or led all the way by her father, or what resolve she might have shown upon her approach to the gates of the castle.

Instead, the miller's daughter makes an abrupt appearance and is immediately ushered into a castle room, heaped to the ceiling with straw, where she is suddenly confronted with the insoluble riddle of turning, spinning, straw into gold. And she is put under the threat of death if she cannot do it, which is *doubly* unfair.<sup>3</sup>

Since this is a tale about transactions, it could be said that the miller's daughter must give the king a room full of spun gold, in exchange for her life. But, significantly, this is not proposed by the king as an offer, a bartered-for-transaction, a contractual bargain. It is an ultimatum. The king is the supreme authority, absolute, unchallengeable. And the king, ominously, has taken a personal interest in the matter. It is the king, himself, who cruelly shuts the door, and leaves her there in that straw-filled room, alone.

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<sup>3</sup> The prospect of one's *own* death being, always, *singly* unfair.

And so the poor miller's daughter  
was left there sitting,  
and could not think what to do for her life:

she had no notion how to set to work to spin gold  
from straw, and her distress grew so great  
that she began to weep.

The tale pauses for a simple picture: a vignette of the miller's daughter, poor and without influence or means, unable to think her way out of the predicament of her impending death. Any cleverness fails her now; she is utterly powerless, without knowledge. She has no idea of how she could even begin to accomplish such an incomprehensible thing as spinning gold from straw. It is a challenge even beyond the Arthurian feat of pulling the sword from the stone. *That*, at least, would be an achievement of human ingenuity; of the smelting of ore and the tempering of steel and the hammering of the white-hot metal into the shape and sharpness of a blade.

To turn straw into gold, on the other hand, was *alchemy*. The great preoccupation of occultist chemists since Hellenistic Egypt, and after that the futile pursuit of Faustian doctors in medieval times, *alchemy* was the attempt to transmute lesser substances, usually base metals, into gold. A grail. In the Mediterranean, and later northwards, the cellars and attics of the great timber-and-stone universities of Europe were habited by a faculty that fired and mixed powdered elements, boiled and smelted metals (especially lead, probably because it, too, was a heavy metal), and distilled and re-distilled the hot liquefaction of purified ores together with concoctions of arcane ingredients, herbs and oils and blood, all in the quest to alchemize gold.

And all to naught. But, in retrospect, alchemy is today regarded as a *proto-science* – perhaps *the* proto-science – inasmuch as the vaunted side-achievement of all those cold centuries of calibrated trial and inevitable error would come to be

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esteemed as *the scientific method* — the systematized solving of recognized conundrums by hypothesis and experimentation — a carefully prescribed approach that would eventually claim to illumine the movement of the heavens, explain the creation of the earth, and posit the evolution of its creatures, though never producing any gold.

Indeed, by the time of the rendering of *Rumpelstilzchen*,<sup>4</sup> alchemy had already been discredited, even among the peasantry, as a fraudulent scheme of charlatans, the hawking of mountebanks. But *gold* was still important, paradoxically because nobody had discovered how to transmute it from lead, or anything else.

And so, during this pause, a digression: concerning the medium of exchange in this tale that is so much about transactions, which is *gold*.

What is it about *gold* that makes it the stuff of so many myths and tales and entertainments, the device and excuse for so many plots, from Midas to the Sierra Madre? In *The Wealth of Nations*, serendipitously published in 1776, Adam Smith explained the allure and value of gold and silver as arising “partly from their utility, and partly from their beauty.” But far more important, in an economy of grasping prehensibles, is the fact of the comparative rarity of silver and gold. “The actual price, however, seems not to be necessarily determined by any thing but the actual scarcity or plenty of these metals themselves.” Small supply, big demand.

And if their scarcity is what makes certain metals valuable, it is also what for so long made them a dependable medium of exchange, a logical coinage. Adam Smith, in 1776, again:

This value was antecedent to and independent of their being used as coins, and was the quality which fitted them for that employment. That employment, however, by occasioning a new demand, and by diminishing the quantity which could be employed in any other way, may have afterwards contributed to keep up or increase their value.

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<sup>4</sup> Unintended pun, left in.

The critical insight, here, is about *money*, which Adam Smith suggested need not be coined from precious metals. A radical idea in 1776, more than half a century after Sir Isaac Newton (as Chancellor of the Exchequer) had effectively wedded Great Britain to the gold standard, and then for much of the now forgotten history of the United States, which was greatly concerned with the fiercely partisan issue of divorcing the dollar from gold.<sup>5</sup> Both Great Britain and the United States would suspend the convertibility of gold into notes during periods of grave national crises, the Napoleonic and Civil Wars respectively,<sup>6</sup> but both nations would return to gold as the standard of fixed currency when those wars were over. And this gold-based monetary policy, though now an aside in the survey-course history textbooks, was the great economic issue of the age.

This is because the fundamental problem with tying a currency to gold is that such “hard” money, redeemable in gold, is *tight* money. It has been said that all the gold ever mined would fit into an Olympic-sized swimming pool.<sup>7</sup> Whether or not this is factually accurate, there has certainly never been enough gold to go around, at least in a democracy subject to the demands of popular suffrage. William Jennings Bryant would valiantly campaign against this “Cross of Gold” as a three-time Democrat nominee for president, and would be a three-time loser. American currency would remain pegged to the price of gold<sup>8</sup> until Richard Nixon, in 1971, repudiated the post-war Bretton Woods Agreements.

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<sup>5</sup> In the American presidential election of 1892, for example, James Baird Weaver won several western states (Kansas, Colorado, Nevada, Idaho) on the People’s Party (or Populist, formerly Greenback) ticket, advocating the frankly inflationary policy that the gold standard should be abandoned and that money be coined in the more abundant (and domestically mined) precious metal of silver. The Populist Party’s electoral success has pretty much been omitted from the textbooks, probably because Weaver was a dangerous anti-corporation radical, with arguments and invective that are incisively damning, even by contemporary standards. See Weaver, James B., *A Call to Action* (1892).

<sup>6</sup> Great Britain would temporarily go off the gold standard during the Napoleonic wars, when the Brothers Grimm were busy collecting the tales of KINDER-UND-HAUSMÄRCHEN. Lincoln would put the U.S.A. on paper currency (while the C.S.A. had something like a cotton-backed currency, which famously busted) during the Civil War.

<sup>7</sup> Okay, okay – full disclosure, here: per the internet, and so possibly suspect. Doesn’t *sound* right.

<sup>8</sup> At approx. \$35 per ounce.

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What was left after Nixon was *paper* currency, backed by the full faith and credit of the United States, but intrinsically worthless in the view of the proponents of the School of Austrian Economists, such as Ludwig von Mises, and the popular polemicist Ayn Rand.<sup>9</sup> Rand peopled her most weighty novel with a cast of industrial titans who go underground and mint gold and silver coins to trade amongst themselves, refusing to accept any currency that is not based upon “*objective values*.”<sup>10</sup> Whatever this may exactly mean, it is squarely in the tradition of regarding precious metals as the only legitimate form of currency – a supposition that persists unto our own time.<sup>11</sup>

But, in fact, any commodity that is of limited (or limitable) supply may pragmatically work as a medium of exchange. Thus, across a whole swath of forgotten history, cowry seashells (being, then and there, rare) served as the currency for Muslim traders operating out of the Middle East. And consumables, unconsumed, have always been ready money in times and places of scarcity: hence, cigarettes have famously been the medium of exchange in concentration camps and black markets; and, today, copper pipes stripped from vacant properties, and cocaine in inch-square self-sealable plastic packets, and products so cumbersome as

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<sup>9</sup> Nixon had to do this, incidentally, because the French, under Charles de Gaulle, were trading in their dollar reserves for U.S. government gold, thereby deliberately undermining the U.S. dollar. A scant quarter century before, it should be recalled, America had rescued France from Nazi occupation, and had charitably put General de Gaulle right up at the front of the big military parade that marched into the liberated Paris. No good deed, alas, goes unpunished.

<sup>10</sup> *ATLAS SHRUGGED*, © Ayn Rand, 1957 (Centennial Edition, 2005), p. 727. Of her heroine, the only female industrial titan in the book, upon being hired as a maid and offered an advance, Rand memorably wrote this:

She was startled to discover, as her hand reached for the gold piece, that she felt the eager, desperate, tremulous hope of a young girl on her first job: the hope that she would be able to deserve it.

“Yes, sir,” she said, her eyes lowered. (p. 761)

<sup>11</sup> At this writing, the Libertarian Ron Paul has continued the quaint American tradition of basing a quixotic presidential campaign on the issue of monetary policy; in this most recent iteration, advocating a return to the gold standard and the abolition of the Federal Reserve System.

jugs of laundry detergent are readily bartered, at generally fixed values; all as fungible as the more precious metals. And, although not a consumable, even U.S. government issued paper currency, so long as its supply is sufficiently restricted, is still as good as gold, and can buy it. The fact that some ninety-seven percent of a scheming American citizenry has so far been unable to earn and accrue and accumulate so much as a single million dollars in such paper money is, I submit, conclusive proof that the United States' supply of printed currency is being quite effectively managed by the powers that be – the Federal Reserve System – for the most part. We might not like it, but there it is. And it works, at least for now.

So Ludwig von Mises and Ayn Rand and Ron Paul look like they are fundamentally wrong about economics. There is nothing intrinsically magical, after all, about gold.

That said, gold is still gold. It has been the McGuffin<sup>12</sup> of most tales, from Jason's quest for the golden fleece to every trove of bullion in the bank vaults of modern heist thrillers. And it does, at this point in the story, seem to be the McGuffin of *Rumpelstiltskin*, as well – precisely because we know that *gold* cannot be spun out of something so plenteous, and thus so worthless, as *straw*.

The miller's daughter knows this, too. And so she is mystified, clueless, terrified. She weeps with of the grief of the condemned, sitting at the idle spinning wheel and overwhelmed by the straw heaped high all around her. She is a poor and pitiable figure, and we have so far been given no reason to believe in her, cast our lot with her.

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<sup>12</sup> A McGuffin, per the pioneering movie director Alfred Hitchcock, is an object that is *perceived* as being of great value, such that it suffices to drive the plot, provides the scenario for the outright dialogue, makes for narrative. Hence the falcon statuette in Hitchcock's *The Maltese Falcon*, reputed to be a precious Egyptian artifact, is ultimately but a counterfeit: a plaster cast, painted black. Only when Bogart busts it open and spills out the diamonds hidden inside are we shocked into the recognition that the actual statuette, the Maltese McGuffin, has been a mere excuse for a plot, the physical thing of it worthless all along, as discardable as a cardboard box: packaging. But it doesn't matter. None of it. We see that even if there had been never been any diamonds cached in the fake plaster bird, all this has been to push a plotline: what people will do to get what they think will get them to freedom. It never does, of course, but that is the Moral of such Tales. *Rumpelstiltskin*, we will see, is not one of them.

## THE DEATH OF RUMPELSTILTSKIN

*Except for the fact that she is beautiful.*

We have been told only that about her. That she is the miller's *one beautiful daughter*. And so we picture her in helpless despair at the unspinning wheel, its pedal idle and the spindle empty; the miller's daughter sitting probably in the straw on the floor, downcast and beautiful with her head bent and golden hair hanging. The vignette could be one of those picturesque black cast-iron statues in a typical German town square: like the donkey, dog, cat and rooster, in Bremen; or the fairy-tale statue of the goose boy, with a fat bird under each arm, in old Nuremberg. *Miller's Daughter, at idle Loom.*



*Illustration by H.J. Ford*

Then all at once the door opened,  
and in came a little man, who said

“Good evening, miller’s daughter;  
why are you crying?”

“Oh,” answered the girl,  
“I have got to spin gold out of straw,  
and don’t understand the business.”

We have here – in this next single sentence – the abrupt & dramatic & magical entrance of the (ultimately) titular character of this tale – *Rumpelstiltskin* – although as to the *little man*, who so courteously greets the *miller’s daughter*, we have not yet in the narrative been outrightly given his name. But even a half-clever child, told beforehand the title of the story, has probably already guessed it.

This puts the child one step ahead of *the girl*, who in the very next sentence demonstrates that she is not only wholly ignorant of the business of spinning gold from straw, but also that she is so socially inept that she does not think to pause for the customary nicety of introducing herself. She neither offers the little man her own name nor asks him his, a discourtesy. This will play, later.

But neither does she even think to inquire as to how the little man might already know her to be the daughter of a miller. Rather, she blurts out her problem in her instant first words – “*I have got to spin gold out of straw, and don’t understand the business.*” Granted, the problem of having to spin gold from straw is daunting, and especially with the penalty of death looming at dawn if she cannot accomplish it, but the miller’s daughter is both impolite and incurious, abrupt and self-absorbed, obdurate. These are hardly endearing traits, even when considered by



## THE DEATH OF RUMPELSTILTSKIN

little girls who, while closely listening to the story, have been (so far) predisposed to empathize with a poor and beautiful miller's daughter. So, despite her understandable panic at being put in so immediate a plight, whether the miller's daughter will indeed be the heroine of the tale is called into question by the very first words that she speaks in it; neither asking the identity of her visitor, nor how he knows who she is.<sup>13</sup>

The little boys hearing the tale, on the other hand, have finally been given somebody to root for. Typically oblivious to female beauty, the immature male listenership of the tale has likely not bought into the idea of the miller's daughter as either interesting or sympathetic, does not *identify* with her. Rumpelstiltskin, on the other hand, is a different kind of character altogether. And what *he* is, so self-evidently, is a *little man* – somebody their own size, who is pretty cool, magically appearing & capably knowledgeable & already taking command of the situation, a potential rescuer. Little boys look for heroes, not heroines. And from the moment the door all at once opens and in comes Rumpelstiltskin, he is mysterious and magically powerful, and fascinates.

Good parents, of course, are more cautious. Rumpelstiltskin is a stranger. And not only a stranger, but strange. A *little man*. In the German original, *ein kleines Männchen*. And although not the German word for dwarf – *zwerch* – there is nonetheless immediately something about him that recalls the *volkish* archetype of the dwarf Alberich, chieftain of the Nibelungen and hoarder of the Rheingold, venal and intriguing and wicked.<sup>14</sup> Both little men are outsiders, underworld characters, who labor in the glow of gold. Unpredictable and dangerous to have

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<sup>13</sup> A possible alternative explanation: maybe she takes it for granted that her plight is known throughout the palace – that everybody who is anybody has already heard the backstairs gossip about the poor girl who has been so tragically shut up in a room full of straw and tasked with spinning it all into gold, upon pain of death – and that everybody knows that this unlucky girl is the unfortunate daughter of a foolishly boastful miller. But the girl does not ask about that, or for his name, or anything. She is impolite, myopic, self-ish. The little man thus skips the introductions and gets right down to business. He offers his help, but in the form of a proposal, inviting a transaction. *What will you give me, if – ?*

<sup>14</sup> And, according to Theodor Adorno, and many various others, the negative stereotype of a *Jew*. More on this later, in the second half of this *klein buch*. See, WIKIPEDIA entry, *Alberich*, circa 2012.

dealings with, diminutive tricksters. Adults somehow suspect this about Rumpelstiltskin, upon the moment of his inexplicable entrance, without being able to explain quite why.

But we should not forget that the little man comes in when she is weeping, abject & desperate & in tears; and that he does, after properly greeting her, ask her why it is that she is crying. The door that the king has so emphatically shut, perhaps locked, has magically swept open on its hinges, and the little man is manifestly there to solve all her problems, which are lethally serious, when nobody else will be coming to help her. And she is truly in need of somebody's help, awaits any champion, is facing death. The king isn't joking, even if he regards the miller's boast as an empty canard. This is a king that *will kill her*. We certainly have been given no reason to believe that he would not.

And so that is when & where Rumpelstiltskin comes in, enters the tale proper, although we have not yet in the narrative been vouchsafed his appellation, nor have we been told wherever it is that he is coming from. His true name we know from the outset, of course, it being the title of the story. So what is truly interesting about the tale is how we will discover where he actually lives, and what he does there, and something more about him. And it will be the miller's daughter who will find these things out, and it is *how* she shall do this which is what the tale is really all about.



Then the little man said,  
“What will you give me if I spin it for you?”

“My necklace,” said the girl.

This is the economical exchange of dialogue (two lines) that will set up the recurring plot device of the story, which is: *The Bargained-for-Transaction*.

To be sure, this is not the very first transaction of the tale. In the very second sentence of the story, the foolish miller effectively offered up his daughter to the king, remember, *to give himself consequence*. And the king, albeit unilaterally, states the conditions of a very high stakes deal upon the arrival of the miller’s daughter: she must give him a room full of spun gold by the next morning, in exchange for her life.

But the little man’s invitation to a trade, and the poor girl’s offer of her necklace, is the tale’s very first *bargained-for-transaction*. It seems, certainly, to be a drastically *imbalanced* exchange: any necklace possessed by a poor miller’s daughter would likely be a trinket, costume jewelry, and hardly fair value for a room full of spun gold.

Perhaps. But consider this: *how would a poor miller’s daughter come into possession of even a trinket of a necklace?* And here we have to speculate, admittedly, on the evidence of what has *not* been said in the story: to wit, the glaring omission of any mention in the tale of the poor girl’s *mother*. Think about it: there is no wife waiting at the mill to berate the stupidity of her boastful husband; no mother there to protect and hide her beautiful daughter, perhaps deep in the Black Forest, before setting out on trail and path and road to the castle, to plead for her child’s life before the king. The poor girl’s mother is unaccountably absent from the story, and from her life. We have already surmised, I think, that the girl is motherless – (and can even imagine that her mother perished in the travail of her first and only childbirth, given that the girl is the miller’s *one beautiful daughter*) – and so the

miller's daughter has come into possession of the necklace by inheritance, intestacy, forfeit; the necklace likely so worthless that the craven miller let her have it, even maybe told her to wear it, dressing her up for the king.

So there is arguably some inexplicit textual support for concluding that the necklace must be an heirloom, and hence precious to the beautiful girl, a token of her departed mother. But she gives it up, bartering this tangible connection to her dead mother in exchange for her own life.

It is the first step she will take in leaving childhood behind; separating from the memory of a parent and moving forward into her own life, and ultimately becoming a mother, herself. So this is not a trade of a mere trinket for a room full of gold. The beautiful girl is on the side of life, chooses breath and heartbeat and sex over death and memory, offers a valued heirloom for the chance to live and give life.

*Quid pro quo.*



❖ RUMPELSTILTSKIN ❖

*Illustration by Walter Crane*

The little man took the necklace,  
seated himself before the wheel,  
and whirr, whirr, whirr!  
Three times round and the bobbin was full,  
then he took up another, and whirr, whirr, whirr;  
three times round, and that was full;  
and so he went on till the morning,  
when all the straw had been spun,  
and the bobbins were full of gold.

What a picture, here! Filmic. Dissolve to dissolve, in cinematic vignettes of the mysterious *little man*, working away all night, with a crisp & proficient quickness, at the wheel. The magical worker, cross-cut with stationary camera-shots of the miller's daughter: standing and gazing at him, and then seated and heavy-lidded in the dead of the dark night, and then perhaps laid down and curled up and asleep in the tailings of the straw at dawn, the little man gone, and waking to find the gold glistening all around her.

*Horrorshow!* Yes, because this truly would be a horror, a shock to the Ludwig von Mises and to the acolytes of Ayn Rand and to the Ron and Rand Pauls, and to the whole school of Austrian Economists, all of whom have so consummately believed in the supremacy of the gold standard. *Because there is nothing perpetual and permanent about the relative value of gold.*<sup>15</sup>

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<sup>15</sup> Prediction: someday, surely, some deep cleft in the ocean floor will yield the pure *Au* element, hard & heavy & glowing yellow, in abundant cart-loads. Or it will be mined on an asteroid and imported in rocket cargoes. Or, indeed, gold will finally be transmuted from lead, or even straw, by some process of fusion or fission. Somehow or other, gold will become abundant, and thus cheap.

It is at this point in *Rumpelstilzchen* that the machinery of the plot is cranked up and wheeling in its first revolution. The miller's daughter will awake without the necklace, and the little man vanished, but with gold all around her. She has bargained for the labor of the little man, and may live another day, but none of the gold will be hers. By right, it will all belong to the king, on account of his ownership of the straw, the spinning wheel, and the room where it was spun. And so, regarding this arrangement, a segue, here:

A younger contemporary of the Grimms would base an entire utopian social system upon his conclusion that such an economic order is fundamentally unjust. Karl Marx was born in 1818, in the Rhenish city of Trier, then recently liberated from the French, albeit by the Prussians. Like the Grimms, he was a student of the great German jurist and legal scholar Friedrich Karl von Savigny. But unlike the Grimms and Savigny, Marx was an internationalist, in a land that had yet to become even a nation. And Marx, I think, can help us understand what is really going on in *Rumpelstilzchen*.



Young Karl Marx

At sunrise came the king, and when he saw the gold he  
was astonished and very much rejoiced,  
for he was very avaricious.

He had the miller's daughter taken into another room  
filled with straw, much bigger than the last, and told  
her that as she valued her life  
she must spin it all in one night.

Karl Marx was a crank. Publicly a curmudgeon and a strictured thinker, wrong about a lot of things that, being who he was, and when, he did not foresee. But Karl Marx was also an idealist, and he liked children. His own children,<sup>16</sup> and grandchildren, anyway. His youngest daughter Eleanor, born a year before the 1857 publication of *KINDER-UND-HAUSMÄRCHEN*, recalled for posterity that he was a wonderful playmate, giving her piggy-back rides and, while writing *THE EIGHTEENTH BRUMAIRE OF LOUIS BONAPARTE*, letting himself be harnessed to pull “his three little children who sat behind him on chairs, cracking their whips.”<sup>17</sup> *Ouch*. But, according to Eleanor's reminiscence, her father “also read aloud to his children” – “the whole of Homer, the *NIBELUNGENLIED*, Gudren, *DON QUIXOTE*, the *THOUSAND AND ONE NIGHTS*” – and Shakespeare. “Shakespeare was our family Bible, and before

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<sup>16</sup> At least his *legitimate* children, anyway. Marx's bastard son Frederick, sired with the family's maid Helene Demuth in 1851, was given out to foster care and was never acknowledged by his father – (Friedrich Engels claimed paternity at the time, and not until he was on his deathbed, in 1895, did Engels disclose that Marx [dead, himself, in 1883] was Frederick's father; Fred having meanwhile grown up in London to become a mechanic and a good union man and a moderate labourite, never marrying, and deceased in 1929) – a sad orphan tale, full of tragic irony, which the Grimms or Hans Christian Andersen would have well understood, in full. *THE PORTABLE MARX*, Eugene Kamenka, ED., 1983, pp. xviii, cii.

<sup>17</sup> Eleanor Marx-Aveling, *Karl Marx – Lose Blätter*, in *ÖSTERREICHISCHER ARBREITER – KALENDAR FÜR DAS JAHR 1895*, pp. 51-54, cited in *MOHR UND GENERAL*, pp. 269-79; as quoted and attributed in *THE PORTABLE MARX*, Eugene Kamenka, ED., 1983. Admittedly, the dates don't seem to square, here: *THE PORTABLE MARX* gives the year of Eleanor's birth as 1856, and puts the publication of *EIGHTEENTH BRUMAIRE* in 1852. Certainly, though, Marx might well have read *Rumpelstilzchen* to his grandchildren.

I was six I knew whole scenes from Shakespeare by heart.”<sup>18</sup>

So, if we imagine Marx reading *Rumpelstilzchen* to his progeny – (a quite likely historical possibility, given the time-lines and his recitations of the *NIBELUNGENLIED* and the *THOUSAND AND ONE NIGHTS*) – if we can imagine this much, we must also picture Marx pausing right here in the tale, at the description of the *very avaricious* king, for a side lecture to his brood on his own budding theory of *Primitive Accumulation*.

Marx, typically, never provided a straightforward, succinct definition of *Primitive Accumulation*. It was his explanation of that primogenitive *leg-up* whereby, early-on, certain astute persons lifted a haunch to get themselves astride a heap of ill-begotten capital, thereby overlording their persons above everybody else:

This primitive accumulation plays in political economy about the same part as original sin in theology . . . . In actual history, it is notorious that conquest, enslavement, robbery, murder, briefly force, play the great part . . . . The so-called primitive accumulation, therefore, is nothing else than the historical process of divorcing the producer from the means of production. It appears as primitive, because it forms the pre-historic stage of capital and the mode of production corresponding with it.<sup>19</sup>

The avaricious king of *Rumpelstilzchen* seems, at first, explicable in the context of Marx’s theory of *Primitive Accumulation*, for how indeed does one get to be *king*? By being ruthlessly avaricious. Opportunistic, aggrandizing, brutal. And certainly this king is all that. And following this tangent, in frolic and detour, there is an argument for *Rumpelstilzchen* as an illustration of the process of “divorcing the producer from the means of production.” The king, after all, *owns* the spinning wheel, and will be the beneficiary of the wealth that is produced and accumulated thereby.

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<sup>18</sup> Ibid. See, *contra*, *KING LEAR*, Act I, sc. i. (“[Y]et was his mother fair, there was good sport at his making, and the whoreson must be acknowledged.”). Eleanor Marx died by suicide in 1898; her older sister Laura, and her French socialist husband Paul, together killed themselves in 1911. *THE PORTABLE MARX*, Eugene Kamenka, ED., 1983.

<sup>19</sup> *DAS KAPITAL*, chapter 26, *The Secret of Primitive Accumulation*. *THE PORTABLE MARX*, pp. 462-464.



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But the little man never gives up his trade secret of spinning gold from straw, and the king never achieves any power over the magical worker, nor even learns of his role in the tale. Instead, it is the miller's daughter who is put under duress, and exploited, with the king always at this one remove from the means of production. In Marxist terms, then, the miller's daughter is relegated to being a mere intermediary between the laborer and the primitive accumulator. And so, since the girl will emerge as the heroine of the tale, a Marxist economic analysis does not suffice to explain what is really going on here. This is not a polemic about the evils of primitive accumulation and the exploitation of labor, nor an apology for the deposition of unjust kings

That said, the brothers Grimm, it is fair to say, would not have liked this king. He was, after all, an exponent of everything that the Grimms were up against in Germany: the despots of fractured principalities – barons, earls, archbishops – whomever had the local franchise for bilking the peasantry, probably at the point of pike staffs. There is no sympathy here for the much burdened sovereign, who (after all) presumably had an army to be paid, and retainers, and all the petty expenses of running the biggest household around, to keep up appearances.

Rather, we see the king at sunrise, giddy with his ill-gotten wealth, immediately having the poor girl ushered to another room full of straw – “*much bigger than the last*” – to face her second trial. But the king now shows some glimmer of appreciation for her abilities, and future possibilities, since he is not so brutal so as to bluntly say again to her, as he did before, that unless she spins all the straw into gold before morning, “thou shalt die.” His phrasing has changed, gentled: “*as she valued her life she must spin it all in one night.*” This is no less an ultimatum, perhaps, but it has now been put in affirmative terms, leaving out the unequivocal guarantee that she will certainly be killed if *all* the straw is not spun into gold by morning.

To Marx, a distinction without a difference. But *different*, nonetheless.

The girl did not know what to do,  
so she began to cry, and then the door opened,  
and the little man appeared and said,

“What will you give me  
if I spin all this straw into gold?”

“The ring from my finger,” answered the girl.

So the little man took the ring,  
and began to send the wheel whirring round,  
and by the next morning  
all the straw was spun into glistening gold.

This is the second *bargained-for-transaction* of the tale, and it commences with an averment that makes us wonder about the fallibility of our narrator; to wit, that *the girl did not know what to do*. Certainly the girl *does* know what to do, since she begins to cry, which is exactly what prompted the magical little man to so mercifully appear in the first place. So now, in this second room full of straw, this second time around, we can imagine the girl with one tear-bleared eye agaze at the door, which predictably *does* open, just as before, to reveal Rumpelstiltskin there again in the threshold, and again offering to spin all the straw into gold. But, of course, for something in return.

The price, this time, will be *the ring from my finger*. Again, as with the trinket necklace, probably costume jewelry. A token. But a token of what? And here, once more, we have to speculate — but how would a poor miller’s daughter have come into possession of a *ring*?

## THE DEATH OF RUMPELSTILTSKIN

After all, she is just a *girl*, and *poor*. We can, I think, rule out that such a girl, to all appearances an innocent and without dowry, could have received the ring from some former suitor of her own. The ring, like the necklace before it, must be something that she has *inherited*.

So, if we suppose that the ring is another heirloom from her mother, as we probably ought to do, then this is undoubtedly the dead mother's *wedding ring*. Because when we read of millers in the Grimms' tales – dull & greedy & plodding & craven – the conclusion follows that it is quite out of character for a miller to give away *anything* unless it is something he must do, to get something in return, like a wife. And so this is where the ring must have come from.<sup>20</sup> For how else would the wife of a miller get a *ring*, and how else could her daughter have come into possession it?

It is this ring that, *as she valued her life*, the girl offers to the little man, who takes it in trade. And so her bartering of it, for her own life, must be of some significance. For if the trading of the bequested necklace can be understood as the girl's acknowledgement of her separation from her departed mother, then the giving up of a wedding ring betokens her severance and parturition from both parents – the ring being the symbolic link of their union – and in her surrendering of it, the girl lets go of not only the last tangible remembrance of her mother, but she also, as well, gives up on the father who cannot help her now, has deserted her. She is orphaned.

In this first part of the tale, there are three *bargained-for-transactions* between the girl and *Rumpelstiltskin*. This is the middle one, and it is arguably here where we first get a glimpse of how the girl, until now an abject and clueless and slobbering waif, may yet turn out to be the heroine of the tale. Because this is where she comes out fully on her own, comes to the cusp of childhood's end and must take the next step, to enter upon the unmapped territory of adulthood.

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<sup>20</sup> Notably, yet another *transaction*; this one pre-dating the tale proper.

Joseph Campbell, speaking of *the hero* in a television interview that he gave after he had retired from the last of his professorships, said this:

But then, [heroism] can be seen also in the simple initiation ritual, where a child has to give up his childhood and become an adult – has to “die” you might say, to its infantile personality and psyche and come back as a self-responsible adult – a fundamental experience that everyone has to undergo. We’re in our childhood for at least 14 years, and then to get out of that . . . posture of dependency, psychological dependency, into one of psychological self-responsibility requires a death and resurrection. And that is the motif of the hero journey – leaving one condition, finding the source of to bring you forth in a richer or mature or other condition.<sup>21</sup>

It may be possible to make too much of this next observation, push it too far, put too fine a point on it. But notice that, upon on the occasion of their first meeting, Rumpelstiltskin’s first words to the girl, and in the tale, were *Good evening, miller’s daughter*. This second time around, the little man does not address her in terms of her parentage, and indeed omits any mention whatsoever of her status. She is, appropriately in this middle encounter, between states and without status, neither child nor adult, *liminal*.

The little man accepts the offer of the ring, and spins all the straw in the room into gold, *glistening*.

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<sup>21</sup> Joseph Campbell, *The Power of Myth*. PBS series, interview with Bill Moyers, 1988. The series is marred by Moyers and his pre-scripted questions, pitched like follow-ups but typically missing whatever point the professor has just been trying to make – the interviewer delivering the canned lines as if in a state of rapt happiness, blissed-out, with his clenched grin and an eyebrow arched in affected bemusement – oblivious and unembarrassed and appearing to believe that he is much smarter than he obviously is, and that this is all looking seamless.

Moyers, for many years now a public television journalist and interviewer, or commentator, or whatever, has enjoyed decades on PBS posing as the scourge of hypocrites and plutocrats and oligarchs; the very picture of grandmotherly liberal piety, in aviator’s glasses. This, despite the fact that “Bill” Moyers has somehow gotten away with never permitting *himself* to be authoritatively interviewed about his own very questionable activities in the U.S. presidential administration of Lyndon Baines Johnson – even refusing (at this writing) to be interviewed even by LBJ’s still-living but elderly prodigy of a biographer, Robert A. Caro. Which is, as Moyers might insinuate about anybody else, shameful.

The king was rejoiced beyond measure at the sight,  
but as he could never have enough of gold,  
he had the miller's daughter taken into a still larger  
room full of straw, and said,

“This, too, must be spun in one night,  
and if you accomplish it you shall be my wife.”

This is the third and final of the trials that the king will put to the girl — and, in keeping with the *Rule of Three*, it is here, in its third iteration, that the terms of the heroine's ordeal are radically changed.<sup>22</sup> For no longer is the punitive threat of execution, explicit or not, held over the girl's head. Instead the king, *rejoiced beyond measure at the sight* of so much gold, rather hastily presents the girl with what, at first, sounds like a great opportunity: upon the delivery of this last (albeit biggest) room full of gold, she will become his wife — and will thereby rise in status to the rank of *Queenhood* — quite a leap across a good many class hurdles for a "poor miller's daughter."

But it should not be overlook'd that, whether threat or promise, this most recent of the king's decretals is still cast in unilateral terms, imposed, and is thus yet another ultimatum. For the girl is not free to refuse this last challenge, nor even to decline the king as her *husband* in the event that, upon the morrow, he should open up the door of this third and largest room to find still more gold heaped up and glistening there, spun from all the straw.

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<sup>22</sup> This sentence, as originally written, was bookmarked for the later insertion of a supporting footnote, on the pretty fair guess that somebody, somewhere, must have certainly at some time or another published a book or put out a monograph or (at least) flogged off a doctoral dissertation entitled something like *The Rule of Three in Folk Tales* — or myths or fairy tales or scriptures or whatever — since the *motif* of the hero/ine surmounting three variations of a given task or temptation or trial is so pervasive in folk & scriptural literatures so as to suggest all kinds literary theories, ethnographic and psychoanalytic and archetypical. Sure enough, the most cursory of computer researches, run today under the rubric of *Rule of Three*, turns up Vladimir Propp's MORPHOLOGY OF THE FOLKTALE (1928), availability (at this writing) unknown.

For, he thought,  
“Although she is but a miller’s daughter,  
I am not likely to find anyone richer  
in the whole world.”

*Wrong.*

Here, in this very first *aside* of the tale,<sup>23</sup> the previously fearsome king is exposed as somebody who is plainly fallible, can be played false. Because even a marginally attentive child, upon hearing the story for very the first time ever, by now knows something that the king certainly does not: it is the *little man* (about whom the king knows nothing at all) who has been all along spinning the straw into gold. And so, whatever other earthly gratifications the king may get by making the miller’s daughter his wife, *we* know that riches of gold will not be among them.

Probably, for this avaricious king, a sharp disappointment. And, looking ahead, we may well worry for the girl when the king, wed in haste, discovers his mistake and repents his over hasty promise to make the indigent miller’s daughter his queen. *She’s in big trouble*, we may think. And maybe, too, *She has it coming*.<sup>24</sup>

But is the king really being cheated? In legal terms, has the miller’s daughter

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<sup>23</sup> True, in the very second sentence of the tale, the narrator almost immediately departs from the straightforward recitation of outwardly observable facts – (*There once was a miller who was poor, but he had one beautiful daughter*) – in order to depict a character’s thinking – (the miller’s false boast, made *to give himself consequence*, that his daughter could spin gold from straw). But the king’s rationale for making the miller’s daughter his wife is the first *explicit aside* in the narrative. And it will soon be followed up by another such aside, disclosing the miller’s daughter’s own thoughts.

<sup>24</sup> This is the stuff of old folk ballads, penned to commemorate (and profit by) the fate of some poor unfortunate – poacher or poisoner or cutpurse or attendant-maid-pregnant with the king’s bastard progeny – narrative songs in rhymed quatrains which, since the earliest days of moveable type, were crudely printed up as broadsides and sold for a ha’penny in the public squares, often upon the occasion of the miscreant’s hanging. See, e.g., MARY HAMILTON, and the like.

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made any fraudulent representation, so as to induce the king's reliance and result in his injury? Has she said *anything* that would render voidable the king's contractual promise, or be actionable in tort, or even constitute the grounds for a royal divorce, or at least an annulment? Of course not: whenever in the presence of the king, the girl has been silent, utterly. She never claims to have spun the gold from the straw.

But did she have some *duty to speak*, so as to set the king straight on the facts? This is an often convenient legal theory; one of those utile inventions of the common law, of dubious validity. But again, no. Because, curiously, this time around, the king has omitted to stipulate just *who* must turn the straw into gold. Instead, he says, *This, too, must be spun . . .*

Which is interesting, as least syntactically. Because when the king put the miller's daughter in the first room, he was very clear in stating that she would die "if by the early morning *thou* hast not spun all this straw into gold." And before shutting her up in the second room, he was just as explicit about the terms of the trial, specifying that *she* must spin all the straw into gold, in one night. But notice that in this third iteration, the king has neglected to require that the girl personally spin the straw into gold, because he has instead employed that bane of second-rate pedagogues and grammarians: *the passive voice*. And, to the delight of them and their ilk, he will *pay* for it.



As soon as the girl was left alone,  
the little man appeared for a third time and said,

“What will you give me if I spin the straw for you  
this time?”

“I have nothing left to give,” answered the girl.

“Then you must promise me  
the first child you have after you are queen,”  
said the little man.

Cut to the chase. No more with the miller’s daughter knelt down at the halted wheel and weeping at the hopelessness of her situation, as in the dwindling twilight of the first night; nor her crying begun with one eye fixed to the door, as must have happened on the second evening. None of that. *As soon as the girl was left alone, the little man appeared for a third time* – and promptly gets down to the final deal that he has been setting up since before his inexplicable first entrance – *What will you give me if I spin the straw for you this time?* Right to the point. No dancing around *this*.

Her reply is stark: *I have nothing left to give*. Which the little man knows already, and more. He holds both her necklace and the ring, betokening that the girl has lost her mother, has no father she can call upon, is an orphan. She has *nothing* now, except, crucially, an *expectation* – of being wedded to the king, and so bearing the royal progeny. It is *this* that the little man is putting a lien on: the first-born of the union that he can bring about.

Congruent with the Rule of Three, this third tableaux in the triptych of the girl’s encounters with the little man looks radically different than the previous two



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scenes. Before, we pictured the poor girl as supine and tearful, her head bent and the little man at eye-level, maybe seen through the spokes of the unspinning wheel.

But now she is standing — hasn't had the chance to sit down or well up with tears — and so she is bargaining on her feet, clear-eyed and with picture-perfect good posture, squared off and looking down upon the little man.

Moreover, as before with the king, the terms of the deal that the girl is presented with in this third iteration have undergone a *qualitative* change. The king went from putting the girl under the ban of death, twice, to offering her the banns of marriage. Tritely put, but true. And the little man has gone from taking two paltry trinkets in trade to making his play for a *child*. This is a big difference, and it is the first time that the little man has named his price, dictated the terms of a prospective deal. A necklace and a ring, whatever their talismanic significance to the girl, are things of fixable value; whereas the worth of a *child* is obviously incalculable, of an entirely different order of magnitude.

But something else is happening here, too, which becomes obvious when the plot mechanics are charted out, categorizing what each of the parties receives, per transaction:

#	Rumpelstiltskin	Miller's Daughter	King
1.		Deliverance from death	Gold
2.	Necklace	Straw/gold	
3.		Deliverance from death	+ Gold
4.	Ring	+ Straw/gold	
5.		Queenhood	++Gold; Wife; <i>Promise</i> of unlimited wealth
6.	<i>Promise</i> of child	++Straw/gold (Queenhood)	

Whereas the first four transactions are straightforward trades, the final two bargains introduce the element of *promise*: the king's assumption that marrying the miller's daughter entails the promise of unlimited wealth, and the little man's more explicit extraction of the girl's promise of the firstborn child. In legal terms, the element of a *bargained-for-promise* is the difference between a simple swap and a *contract*. And just as there was a preliminary question as to whether the marriage contract between the king and the girl was voidable on the grounds of *fraud in the inducement* — (which it was not, the girl neither having made any false representation nor having any duty to speak) — so, too, there is the issue of the enforceability of the contractual promise of the future queen's child. This time, an obvious legal challenge would be that the girl was under *duress* when she entered into the contract to deliver the child — except that she plainly wasn't. Unlike her dire situation during the first two trials, the girl is not under the threat of death when, for a third time, the little man offers to spin the straw into gold. Rather, she now stands to substantially benefit from his labor, by becoming queen.

Other legal theories, in addition to misrepresentation and duress, may avail to set aside a contract. Ultimately, the only one that will be arguably applicable to *Rumpelstiltskin* is that an agreement can be deemed null and void on the ground that it is *unconscionable*. And we may, reflexively, be quick to say that any deal by a mother to trade her child is patently unconscionable.

But *why*?



“But who knows whether that will happen?”  
thought the girl;  
but as she did not know what else to do in her  
necessity,  
she promised the little man what he desired,  
upon which he began to spin, until all the straw was  
gold.

So far, there have been three (3) times when the king has put the miller’s daughter to the test, and three (3) bargained-for-exchanges between the little man and the girl. Congruent with the *Rule of Three*, shouldn’t there be a third three of something else?

Well, of course, there is. For now we have a third instance of the narrator providing a character’s inner motivation for a decisive act: the girl’s rationalization that *Who knows whether that will happen?* This follows the narrator’s initial disclosure of the miller’s impetus for his empty boast (*to give himself consequence*) and the king’s incentive to promise her marriage (*I am not likely to find any one richer in the whole world*) – and like both of those, this third depiction of a character’s thinking displays what we can see to be obviously faulty reasoning. For there is no reason to doubt that the miller’s daughter will, as the king has promised, marry and become queen; and, since everything that the little man has promised has so far come to pass, there is every reason to believe that his prediction that the queen will have a child will come true. We certainly know where this is going, and that the girl will surely become a mother.

So is the girl being disingenuous here? And isn’t she rationalizing a bad bargain because *in her necessity* she does not know what else to do? We have already seen that she is no longer operating under the necessity of having to barter with the little man in order to save her own life, since the king, in this third trial, is not

threatening her with death. Shouldn't the girl, too, see that she is destined to become a mother if she strikes the bargain with the little man, but that she is not under any compunction to do so?

Well, no. Because at this point in the story, she is still a *girl*. A child herself. And while a child cannot truly *know* that she will succeed in becoming a wife and a mother, and cannot entirely comprehend how she will do it nor imagine all that will be required of her, she still nevertheless *must* make the transition from childhood to adulthood. And *this* is the necessity that she is now in: she has to *grow up*.

So it is here where she embarks on her own heroic quest, unsure that she can accomplish it but compelled to make the attempt. And this is what makes her the prospective heroine of the tale, and its central character. Her thinking, at this point, may be immature and confused, but there is nothing disingenuous about it.

Since the teller of the tale knows what the miller, the king, and the miller's daughter are all thinking, we might assume that we have, here, the typical *omniscient narrator*. The authoritative third-person author, once-removed, knowing all. But maybe not. This is a story that constantly plays with the idea that its personages have only a limited knowledge about their world, whether they know it or not: the plot is driven at every turn by a character who must decide, and act, despite the lack of some critical piece of information — be it how to spin gold from straw (the miller's daughter) or that a little man has in fact been spinning it (the king). The tale will end with the revelation that not even the magical little man knows all, and can be fooled. And one trick of the tale may be on *us*: that even its teller is not quite the abstract and all-knowing narrator that we have been led to expect.

And when in the morning the king came  
and found all done according to his wish,  
he caused the wedding to be held at once,  
and the miller's pretty daughter  
became a queen.

With the wedding being held *at once*, it is doubtful that the king paused to summon the miller to the castle to give the bride away. Probably not. There is no mention as to whether the miller was in attendance at the nuptials, and either way, it doesn't matter: the *miller's pretty daughter* has abruptly become *a queen*. She can never go back to her father, or live at the mill and sit idly by the millpond, or confide in the companions of her girlhood, as she must have once done. Rather, she is now suddenly the wife of a king, and will live in his castle, and will command servants and messengers, instead of having her childhood friends to rely upon. Clearly, a radical change in her status. And, in the context of the Grimms' tales, this is regarded as a *good* thing.

But she hasn't *earned* it, yet. So the news about her marriage, pretty bride and all, really serves only to demarcate the first and second parts of the tale. For to be truly a heroine, she still has to adultly meet and surmount a final and greatest test, as all the Grimms' protagonists have to do: drawing upon whatever assets she chances to possess, and confronting the enchantment or curse that most threatens her, and outwitting it. Her husband the king will be of no help to her in meeting this final challenge, and this is the last we shall hear of *him* in the tale. Exit the king.

She will be given a year, and be called the queen all that time, with all the rights and responsibilities and privileges attendant thereto. And then she will be tested.

*End of the First Part.*

Part 2

*Queen*

In a year's time  
she brought a fine child into the world,  
and thought no more of the little man;  
but one day he came suddenly into her room,  
and said,  
“Now give me what you promised me.”

It must have been a whirlwind of a year, of sexual initiation and quickening with child and being flattered by courtiers and treated like a queen all that time, for her to have actually forgotten the terrible & fateful promise that she made to the little man. Out of sight, out of mind. Hard to believe. But, as we shall see, we have it on quite good authority – Our Narrator – that she actually *did* think no more of the little man. Maybe she repressed it.

Anyway, he re-enters. Another magical appearance, without any flash of light or puff of smoke, but *suddenly*. Right into the room, the regal chambers, mysteriously past the sentinels & sentries & the chamberlain. And the little man is blunt, doesn't pause for introductions or any small talk, gets immediately down to the business at hand, cuts right to the bone. *Now give me what you promised me.*

In legal terms, the little man is demanding the queen's performance of her promised obligation under their contract. It is a *legal* claim, albeit not reduced to writing. But in this pre-literate province of the future Germany, any defense founded upon anything like the England's 1677 Statute of Frauds must, well, founder. A *fine child* cannot be valued in monetary terms, nor is it a parcel of land, and its gestation transpires within a span of nine months – well short of the year referenced in the Statute of Frauds.<sup>25</sup> For a the little man's claim, the queen will have to better than that.

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<sup>25</sup> Per *BLACK'S LAW DICTIONARY* (West Publishing Co., 1990 edition), the Statute of Frauds provides “that no suit or action shall be maintained on certain classes of contracts or engagements unless there shall be a note

We have previously ruled out the legal defense that the girl was acting under *duress* when she agreed to remit her child to the little man — (she was *not*, then, under the threat of death; hence, no *duress*) — and now we must concede that any theory based on *fraud* cannot avail her. The little man has been, so far, flatly upfront about what he will do, and for what in return. But, like the queen, we recoil at the thought of handing over an infant babe into the clutches of this odd and mystifying stranger. It will turn out that she *does* have a solid legal defense; but, acting without the assistance of counsel, the queen will miss it. Entirely. And the little man, quite the wiser, will extinguish this defense by a stratagem which, to the queen, looks like *mercy*. In fact, Rumpelstiltskin is something of a con-man.

And one more thing, before we get to that: notice that we have not been told whether the *fine child* is a baby girl or a baby boy. In this place, at this time, a distinction of great and political consequence. For if she had brought into the world a male child, he would be the heir presumptive to the throne, the potential regent of the kingdom. But, if a female, the child would be merely the bargaining chip for some alliance, with the burden of dowry.

The story leaves this quite significant fact out, and I think for a reason. Those little boys hearing the tale, who before now may have been rooting for the exciting and magical little man, may reconsider upon the prospect of being, as a babe, actually delivered unto his sole custody. For little boys, too, need their mothers. Then again, it could be a baby girl. Doesn't matter.

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or memorandum thereof in writing signed by the party to be charged or by his authorized agent (e.g., contracts for the sale of goods priced at \$500 or more; contracts for the sale of land; contracts which cannot, by their terms, be performed within a year, and contracts to guaranty the debt of another).”

*BLACK'S LAW DICTIONARY* is the customary gift of family and well-wishers to aspiring students who have been accepted into law school. But the book is seldom if at all useful in law school, and is even more rarely consulted by practicing attorneys. I had to *buy* mine (thus the afore-referenced 1990 edition) — but have since cracked it at most a dozen times, and not at all in more than a decade and a half of an active trial and appellate practice, until this very footnote. A better send-off gift might be a coffee pot, with a few cans of good coffee, Fair Trade Certified.



The queen was terrified greatly,  
and offered the little man  
all the riches of the kingdom  
if he would only leave the child;  
but the little man said,

“No, I would rather have something living  
than all the treasures of the world.”

Scary stuff. The Aristotelean shock of recognizing that what has really been driving the tale all along has never been *gold*, after all, but *the child*. Not sterile & inorganic *riches* but *something living*, valued by the little man above *all the treasures of the world*. And so gold has been a mere *McGuffin* in the tale: a comparatively worthless thing that has been the mistaken objective of the contestants. The little man really wants a *child*, something incalculably more valuable than transmuted metal. This is where he has been heading since before his first entrance: what he would *rather have*, more than anything and everything else in the world.

Because the little man, by himself, may be able to spin out his nuggets of white gold from shafts of straw, fed through his hand and pumping the treadle, but he cannot accomplish the making of a *child* by the performance such solitary labors. That is quite something else, beyond his masturbatory magical powers, beyond *him*, so strange & stunted & mateless. And so he must scheme and plot and barter with a pretty & fecund & mated female to obtain and have, all to himself and for himself, *something living*.

Why? What does he intend to do with the child, once he has it? We do not know, and neither can the queen. The little man has no social status in this feudal world, is neither lord nor vassal, nor a member of any guild. In a tale wherein the characters are denominated throughout in terms of their societal roles (miller, king, miller's daughter), the little man is conspicuously without any such referent. He is

outside society, subject to nobody. The queen, without the benefit of being told the title of the tale at the outset, does not even know his name. He is a stranger, and strange. Suspect & sinister. The idea of handing over a vulnerable babe to him is abhorrent, and the imagination quails at envisioning what he may want the child *for*.

Is it going too far, then, to see the little man as that archetypal outsider of European history, alien & unfathomable & evil – *the Jew*? Have we not heretofore imagined him as hook-nosed and dark, and distrusted his trick of spinning of gold from straw as ill-gotten wealth, and regarded him as crafty and subversive and a sharp dealer? And now there is his staked claim to a *child*, hearkening back to the ancient Blood Libel, the superstition that Jews murder children to use their blood in religious rituals and for the baking of matzos for Passover – the blood of Christian infants being particularly prized.

True, the Grimms were elsewhere more explicit in KINDER-UND-HAUSMÄRCHEN when reporting folktales about the purported evils of this alien race – stories which relish in recounting the cruelties visited upon the venal and cheating Jews.<sup>26</sup> Whether the *little man* is a Jew, or analogous to a Jew, awaits more textual support. Which is, in fact, shortly forthcoming.

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<sup>26</sup> In *The Good Bargain* (KHM 7), a Jew cheats a gullible countryman. The tables are turned when the bumpkin, lying to the king, claims that the Jew has not, in fact, lent him the fine coat he is wearing for his appearance at court. "Ah, said the peasant, what a Jew says is always false – no true word ever comes out of his mouth." The king agrees, and has the Jew beaten.

An even more sadistic tale, *The Jew in the Thornbush* (KHM 110), recounts the torture of a Jew by a released servant who has set out over hill and dale, and has fortuitously been given a magic gun and an enchanted fiddle. This "honest worker" encounters a Jew admiring the miraculous voice of a songbird perched in a high tree. The servant shoots the bird dead, and it falls down into a thornbush. "All right, you lousy swindler," the worker says, "go and get the bird." But once the Jew is under the bush, the worker is overcome by a "mischievous spirit" and takes out the enchanted fiddle and plays, making the Jew dance, such that "the thorns ripped the Jew's coat to shreds, combed his goatee, and scratched and pricked his entire body." Only when the Jew gives the "good servant" his bag of gold does the fiddler relent. Ultimately, after the Jew goes into the city and seeks redress from a Judge, he is hanged on the gallows for his trouble. The tale is seldom anthologized, for obvious reasons. (Zipes, *THE COMPLETE FAIRY TALES OF THE BROTHERS GRIMM* (1987).

But see, in fairness, *contra*, *The Bright Sun Brings it to Light* (KHM 115), wherein a tailor, who "thrust God out of his heart" and robbed and murdered a Jew, is ultimately brought to justice as the Jew had prophesied in his death throes. It is noteworthy, however, that the tailor is finally undone by the Jew's dying utterance of a fatal curse, indicating that his alien race harbors preternatural and dangerous powers.

Then the queen began to lament and to weep,  
so that the little man had pity upon her.

“I will give you three days,” said he,  
“and if by the end of that time  
you cannot tell my name,  
you must give up the child to me.”

We have had three attributions, so far, as to what personages of the narrative were *thinking*, what motivated them. Miller, king, miller’s daughter. All rang true. Now, in this second part of the tale, we are provided an explanation for the motivation of the magical *little man* in proposing his tripartite riddling contest – that he is relenting out of *pity* – and this one, I think, we should distrust.

First, because we are led to distrust everything about the little man. He is beyond the pale, not a part of society, without the responsibilities and obligations of any social role, an outsider. Anything surmised about the little man – and particularly the attribution that he is now acting charitably, out of an impulse to be merciful– feels unreliable, should be warily regarded. He is simply unknowable. And, hence, untrustworthy.

Second, because there is a sound legal basis to reject *pity* as the little man’s motivation for proposing this new bargain. And that is because his original bargain for the as yet un-conceived child was made a mere *girl*, who had yet to become a queen & wife & mother, and an adult. And, as a mere child, *the girl* lacked the legal *capacity* to make such a bargain. This is affirmed by the most exalted legal mind of the Grimms’ generation – their mentor and friend (who would, in fact, later be in his life one of the young Karl Marx’s professors) – Friedrich Karl von Savigny, who wrote this:

The capacity to act must be judged exclusively at the time of the juridicial fact, in regard to both the facts and to the subsisting law. If, therefore, a minor

without guardian concludes a contract, that contract is and remains invalid, even after [s]he has attained full age . . . .<sup>27</sup>

We have seen how, by the trading off of the necklace and ring, that the *girl* became a *minor without guardian*. The *judicial fact*, then, is that she made her bargain with the little man when she was an unprotected and legally incompetent *minor*. The deal she made as a child is, thus, unenforceable — unless the queen, now an adult, can be inveigled into *ratifying* their contract.<sup>28</sup> And this is exactly what the little man snookers her into doing.

This means that Our Narrator is neither omniscient nor entirely reliable, since crediting the little man with the quality of mercy, while failing to recognize his calculated deception, is demonstrably erroneous. So, if we do not have the traditional omniscient narrator, who is telling the tale?

I think that this is a story that a parent tells a child, and that it is the queen who is telling it. Only the queen would know the miller well enough to say why he would so recklessly boast about his daughter, and she would likewise be familiar enough with the ilk of her husband the king to surmise his base motivation for offering to marry her. She knows, too, her own mind. But she cannot begin to guess what cunning and guile the little man is capable of, perhaps to her credit. Instead, she over-estimates the efficacy of her own lamenting and weeping in prompting him upon his first appearance to offer his assistance, and now to propose the riddling contest. Our Narrator *never* recognizes that this magical helper has, all along, been helping only himself. She does, however, now recognize him as her enemy.

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<sup>27</sup> Friedrich Karl von Savigny, *TREATISE ON THE CONFLICT OF LAWS*, § 388 (Wm. Guthrie, trans.), Edinburgh, 1880. The Grimms made the acquaintance of the young professor von Savigny at the University of Marburg in 1803; Marx, decades later, was a student in von Savigny's lecture hall at the University of Berlin, *circa* 1836. We will come back to von Savigny, whose writings were certainly well known to his colleague and later sometime collaborator, the legal scholar and tale collector Jacob Grimm.

<sup>28</sup> *Ratification* is, in contract law, "the act of adopting or confirming a previous act which without ratification would not be an enforceable obligation, or confirming an obligation by one without the authority to make or do (or who was incompetent at the time the contract was made). The act of ratification causes the obligation to be bind as if such was valid and enforceable in the first instance." *BLACK'S LAW DICTIONARY* (West Publishing Co., 1990 edition).

Then the queen spent the whole night  
in thinking over all the names  
that she had ever heard,  
and sent a messenger through the land  
to ask far and wide for all the names  
that could be found.

She does not sleep. Can't sleep. Whether the king is a-snore in the same bedchamber this night, we do not know, but probably he is not. There is an estrangement between this queen & king – certainly she does not confide in the regent, as she might, calling upon his royal powers to save their child – she is alone in this, perhaps feels for good reason that she has to conceal it. Her dilemma is that she must save both herself and her child, and she must marshal all of her own resources to do so.

And this she does, turning first to her own mind & imagination to solve the riddle, but not only that. She draws upon every resource at hand, and under her royal command there is *a messenger*. Whom she sends out to discover any names she might not know, augmenting her own knowledge & experience with the vantage point of another, free to wander the kingdom, of greater scope than her own perspective. This is quite an *adult* thing to do when confronted with a problem. Significantly, the queen does not resort to mere guesswork to solve the little man's riddle, but after mature consideration, adopts the intelligent stratagem of enlisting help.

The messenger is the fifth, and final, personage specifically mentioned in the tale, and the only character who makes his first entrance in its second act. Probably he has not been entrusted with his queen's exact secret, but he has clearly been taken into her confidence, since he does not run and tell the king that she has sent him out, *far and wide*, on the highly suspect errand of gathering *all the names that could be found*. The messenger's fealty is to the queen, and she has chosen wisely: his only actual message will be delivered to her.

And when the little man came next day  
(beginning with Caspar, Melchior, Balthazar),  
she repeated all she knew,  
and went through the whole list,  
but after each the little man said,

“That is not my name.”

The morning dawns, and sometime during this day will begin (again) the tripartite ordeal of *three days* – the recurring motif of this tale – and so of course it is three names that the queen begins with. They are strange names, although *proper* names, and in fact all three derive all from the same medieval legend. Trivia quiz: see if you can guess which one it is. Answer below.<sup>29</sup>

These first three names are only the beginning. How long must it have taken her to repeat *all she knew*, all the names on her list? Hours and hours, surely, and after each, the same flat answer of the little man, *That is not my name*. Rote, no hints, mechanical. Maddening. By the end of this day, she has exhausted every proper name that is known to her and can be found in the kingdom. She must be truly terrified. But she does not weep and lament, or plead, or give herself up to prayer. Instead, she acts like an adult, and as a queen: she will send out her messenger again, but in a different direction.

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<sup>29</sup> Give up? These are the traditional names of the biblical magi, the so-called three wise men, though the bible does not provide their names and nowhere even says how many there were – the supposition that there were three of them was in later legend extrapolated from the three gifts (gold, frankincense, myrrh) that they presented to the infant Jesus. Upon departing the manger scene, the magi were warned in a dream not to report back to Herod, who secretly wished to destroy the child, and instead returned to their own country by another way (Matt. 2:1-12).

So, is it significant that the queen commences the riddling game with these three names? Not so much, I think. Yes, it grounds the queen in the Christian tradition. But this is the only such religious reference in the tale, and it occurs as a mere parenthetical. The queen is not depending upon divine intercession to save her child, but is all the while taking practical measures of her own. A little superstitious invoking of the names of the three magical wise men can't hurt, but this is decidedly not one of the Grimms' many religious tales. The queen, except for the messenger, is on her own.

The second day the queen sent to inquire  
of all the neighbors what the servants were called,  
and told the little man  
all the most unusual and singular names, saying,

“Perhaps you are called Roast-ribs,  
or Sheepshanks,  
or Spindleshanks?”

But he answered nothing but

“That is not my name.”

Sent *whom* to inquire what the servants were called? Why, her messenger, of course. Who by now has searched far & wide throughout the kingdom, beyond the baptismal registries with all the proper names of the kingdom’s gentry, to the hearsay reportage of the nicknames of the unlettered peasants and sundry characters inhabiting its hovels, and the messenger now comes back with an inventory of the most bizarre names to be found in the realm – (again, giving us a listing the first *three*) – Roast-ribs & Sheepshanks & Spindleshanks – which seem to be descriptive of the *little man*. We thus imagine him with burnt-oranged & visible ribs, and wooly haunches, and spavined legs, dwarvish & stunted.

A frightening picture, then, of the little man. But *That is not my name*.

We do not imagine him ever inflecting his response, saying *That is not my name*, or *That is not my name*, or *That is not my name*, or *That is not my name*. No. Like the knell of a dull bell, repetitiously intoned and without variation, *That is not my name*.

The third day the messenger came back again,  
and said,

“I have not been able to find one single new name; but  
as I passed through the woods  
I came to a high hill,  
and near it was a little house,  
and before the house burned a fire,  
and round the fire danced a comical little man,  
and he hopped on one leg and cried,

*“To-day do I bake, to-morrow I brew,  
The day after that the queen’s child comes in;  
And oh! I am glad that nobody knew  
That the name I am called is Rumpelstiltskin!”*

The messenger enters on the fatal third day and tells the queen that he has not found *one single new name*, when of course, in fact, he has done exactly that. Maybe he is abashed because he has discovered this name by subterfuge: climbing up to the summit of that wilderness hill and trespassing on the little man’s territory, peeking out from behind the jack-pines rather than forthrightly making his presence known. Moreover, this trespassing peeper has remained in hiding for long enough to not only watch the *comical little man* dancing about on one leg around a fire, but throughout the entirety of his weird rhyme.

What the messenger has witnessed has all the elements of a *ritual*: the fire burning out *in front* of the house for no discernable practical purpose, the little man’s inexplicable hopping around it, and his crying out of the indecipherable



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chant. Sacrificial fire, ceremonial dance, sacramental mantra. But this is not a ritual that is culturally intelligible to the messenger or the queen. It is either the little man's own radically personalized mythological construct,<sup>30</sup> or the rite of some alien race.

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<sup>30</sup> Some thirty years ago, in a college thesis, I argued that this bizarre ritual is a manifestation of "schizophrenia." After two decades of working with actual afflicted people as a family court lawyer, I don't agree with my purely social-dynamic portrait of mental illness anymore, nor my conclusion that what the Grimms were getting at in *Rumpelstiltskin* is that the little man an exemplary schizophrenic. Still, it's an alternative reading of the tale, and coherent in theory, and arguable. So, relegated to a footnote, here goes:

[Many persons labeled as schizophrenic] seem to have adopted a highly effective strategy for controlling the cosmos: out of the combination of image and logic they are able to create distinctly personalized and concretized metaphors; these metaphors, in turn, support a meta-cosmic systematization of rituals and symbols which amounts to a lived mythology.

I would posit that the process whereby whole cultures evolve and inhabit mythological structures is different only to the degree that the reification is consensually shared; in order to continue to be meaningful to its various participants, a mass-mythology [such as Christianity] must be comprehensive, flexible, and amendable, or it will be discarded. The individual "schizophrenic" crystallization is, on the other hand, a radically individualized construct; it is hence a closed system, and can be relatively free of anomaly and resistant to change. It is significant that schizophrenics are said to be unable to communicate with one another: their closed constructs are mutually exclusive, and reminiscent of Kuhn's description of paradigms that "talk past" each other. (Kuhn, 1970). At least for some who are labeled as "schizophrenic," then, the adoption of such an autotelic mythology seems to indicate an insular strategy whereby hurt, ambiguity, and unpredictability can be excluded from one's experience of existence, with *relationship* being the price that such an individual must pay for absolute control over the world.

[Thus, in *Rumpelstiltskin*] the queen's act of naming has tremendous power because it socially *identifies* the little man. Because he cannot operate in the world except anonymously, the little man *cannot socially exist*. He is a social non-entity who lives in the *woods*. Furthermore, his *ritual*, which consists of hopping about on one leg around a fire, is so personalized that we cannot decode it. Because it is so alien to common conventions, we cannot even interpret from his chant whether he is celebrating the portended arrival of the queen's child because he loves little children or because he likes to eat them. With his lack of social role and status, his indecipherable ritual and chant, and the apparent inability of the omniscient narrator to describe him in any terms except for his physical stature and gender, Rumpelstiltskin is outside the net of relationships that constitutes society. Children, too, are in many ways excluded from the larger society, and we can see how a child might identify with a character who is twelve times described as a *little man*. To an adult, however, Rumpelstiltskin's magic and mysteriousness are not appealing, but imply power in unpredictable hands. He is radically *asocial*, and hence a potential threat.

Rumpelstiltskin is, then, a "schizophrenic." His naming by the queen finally puts him under the power of social authority, and this is a condition which destroys him. The little man cannot allow himself to be socially integrated, for he would lose the total control over the cosmos which he has

The queen is a person of status in the body politic; her previous recitation of the traditional names of the three wise men puts her in a Christian cultural context. The little man is quite outside all this. The messenger has to pass through *the woods* to reach his isolated little house; the ritual that he witnesses, together with the chant of baking and brewing with the queen's child coming in, lends further support to the conclusion that the little man is, or is at least analogous to, *the Jew*.

Again, it is true that the messenger never says that the little man is specifically dancing the hora, nor is his baking ever explicitly said to be of matzos, nor is his brewing explained as a beverage recipe for the imbibing of the blood of a Christian infant. But it sure *looks* like it. And it would certainly explain why the bargain between the queen and the little man is not only legally unenforceable in this culture, but why the little man may be derided and persecuted with impunity, as well.

For the legal analysis, we turn again to the most esteemed German legal scholar and jurist of the age, that longtime close colleague of the Brothers Grimm and sometime professor of Karl Marx – Friedrich Karl von Savigny. But first, we ought to put Dr. Savigny – one of the founders of the influential “historical school” of German jurisprudence – into the proper historical perspective:

In 1814 the wave of German nationalism inspired by the liberation against Napoleon led the Heidelberg law professor A.F.J. Thibaut to demand a unified civil code for all the German states. Savigny opposed this demand for an immediate codification of German law in a famous pamphlet, *Vom Beruf unserer Zeit für Gesetzgebung und Rechtswissenschaft* (1814: *Of the Vocation of Our Age for Legislation and Jurisprudence*), that started juristic thought along a new path. To Savigny, a hasty legal codification was something to be avoided, since the

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established through ritual and magic. Consequently when the queen names him, Rumpelstiltskin loses his power over her, and presumably loses his transformational magical power as well. The “little man,” a social nonentity with his own set of ritualized conventions, an outsider operating solely in accordance with the dictates of a radically personalized mythological structure, *loses control* when the queen is able to identify him in terms of his distinguishing social referent, his name. His private cosmos, previously inviolable and impenetrable, is destroyed by the queen's ability to manipulate it. And so, with his strategy for absolute control no longer efficacious, Rumpelstiltskin loses control of himself as well, succumbing to what is instantly recognizable, even by a child, as a tantrum.

one essential prerequisite for such a codification was a deep and far-reaching appreciation of the spirit of the particular community. Savigny's jurisprudential perspective was in part inspired by the Romantic movement, which took the form in Germany of a movement harking back to the simplest tribal origins of the German people, to their folk songs and tales and to their distinctive ethos, or *Volksggeist* ("national spirit"). To the Romantics, the national spirit thus became the ultimate datum to be explored in its various manifestations. From this point of view law is not something that can be devised by means of rational formal legislation but rather originates in the unique spirit of a particular people and is expressed spontaneously in custom and, much later, in the formal decisions of judges. In Savigny's classic words, law "*is first developed by custom and popular faith, next by judicial decisions – everywhere, therefore, by internal silently operating powers, not by the arbitrary will of a law-giver.*"<sup>31</sup>

We can thus see why the tale-bearing Grimms and the law-giving Savigny were allied in their vision of what German nationalization would look like. The law must hark back to *the simplest tribal origins of the German people, to their folk songs and tales and to their distinctive ethos, or Volksggeist* ("national spirit"). And, once we see just what Savigny had to say about what a legal system based on such tribal values and tales meant for the enforceability of contracts with *Jews*, we can see why Karl Marx – born a Jew, albeit never identifying as such – would reject Savigny's "historical school" for the more rigorous construct of dialectical materialism, and might prefer internationalism to Teutonic nationalism.

For Savigny accepted, without demur, "the many laws which restrict the acquisition of immoveable property by Jews." Savigny explicated that "[i]f our law forbids to Jews the acquisition of landed property, our judges must forbid such acquisition not only to native Jews, but also to those foreign Jews in whose state there is no such prohibition."<sup>31</sup> Savigny also noted, again without registering any exception, that the Jews are "incapable of acquiring rights to debts, except under

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<sup>31</sup> Friedrich Karl von Savigny (German jurist and historian) – BRITANNICA ONLINE ENCYCLOPEDIA.

<sup>32</sup> Friedrich Karl von Savigny, TREATISE ON THE CONFLICT OF LAWS (Wm. Guthrie, trans.), Edinburgh, 1880; §349, *Conflicting Territorial Laws in Different States*. Pettifogging, the professor allowed that "conversely, the foreign state whose law lays no such restriction upon Jews will admit Jews belonging to our state to possess landed property, without respect to the restrictive laws of their personal domicile."

certain very strict conditions.”<sup>33</sup> That was just the way it was, and thus, ever should be.

Savigny’s acquiescence to the Jews’ lack of capacity to have property rights and to act to enforce them was in complete accordance with the “unique spirit” of the German people, “expressed spontaneously in custom” and, “much later, in the formal decisions of judges.” The judiciary should *enforce* such historical folkways, as *rules*. This is, incidentally, a fundamentally *democratic* method of law-making, reflecting the popular will, majoritarian. On the downside, it reflects the deliberate rejection of a logical, pragmatic, and principled law; it is, essentially, the ratification of tribal prejudices. And that is why this book, which you are now reading, is subtitled *Notes for a Law Lecture*. Because we can not only now witness and understand the historical juncture at which the incipient nation of Germany went so tragically wrong, but we should recognize, as well, what is so fundamentally wrong with so much of our own law.<sup>34</sup> But American law, at least, begins with a principled constitution that acts as a check on democratic majoritarianism.<sup>35</sup> Not so with Savigny’s vision of the German nation.

In addition to lacking the legal capacity to own title to real property and to collect debts, the Jews of Prussia were also lawfully disqualified from holding posts in the civil service. Karl Marx, whose grandfathers on both sides of the family were rabbis, grew up with what must have been a formative experience of such legally

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<sup>33</sup> ID.; §365, *Status of the Person (Capacity to Have Rights and Capacity to Act)*.

<sup>34</sup> Take, as one obvious example, the present criminalization of the possession and personal use of a certain variety of natural vegetation; to wit, the plant marijuana. Non-addictive, positively useful in alleviating depression and pain, and, for many people, a help to creativity and relaxation and aspirations to a broader understanding. And yet, federally *illegal*, whereas the much more addictive and destructive and dulling ingestion of grains and fruits, fermented and distilled, *isn't*. This is solely because, historically, alcohol has been the popular recreational drug of the majoritarian *white* people, whereas marijuana has historically been the recreational drug of *black* and *brown* people, minorities. Von Savigny would be perfectly fine with this, but it doesn’t make any logical or pragmatic sense.

<sup>35</sup> Indeed, the one lamentable exception that flaws the otherwise principled lawmaking of the U.S. Constitution – the codification of slavery by distinguishing between “free Persons” and “all other persons”, and infamously counting the slave as three fifths of a person – was a concession to the kind of historical custom that Savigny held to be the basis of *all* law.

sanctioned discrimination. His father, Heinrich Marx, was a respected and prosperous lawyer. However, about a year before Karl was born, Heinrich Marx was baptized a Christian:

. . . Heinrich entered into baptism only because Prussian legislation forced him to choose between remaining a Jew and remaining a State Legal Counselor in the city of Trier. In 1815, when the Rhineland was reattached to the Prussian Crown, Heinrich had addressed a memorandum to the Governor-General respectfully asking that the laws applying exclusively to Jews be annulled. In the memorandum he spoke of his “fellow believers” and fully identified himself with the Jewish community. In 1816 the President of the provincial Supreme Court recommended that Heinrich and two other Jewish officials be retained in their posts and that the King grant them the special exception made necessary by the the decision to apply Prussian legislation to the Rhineland. The Prussian Minister of Justice failed to recommend such an exception, and Heinrich Marx was baptized.<sup>36</sup>

Eugene Kamenka, the editor of a standard anthology of Marx’s writings, further notes that “[s]ome seven years later, on 24 August 1824, the six-year-old Karl Marx (with his five sisters) stood at the baptismal font.” Accordingly, “at least one shadow must have hung over the young Karl’s earliest years.”<sup>37</sup>

Thus, it entirely understandable that Marx, in one of his earliest published writings, rejected the argument that the Jew must give up Judaism in order to be politically and civilly emancipated. Rather, Marx called for “the *emancipation of the state* from Judaism, from Christianity, from *religion* in general.”<sup>38</sup> Marx credited the “free states of North America” as being the only place where “the political state has reached its highest development,” inasmuch as “the constitution imposes no form of religious faith and no specific religious practice as a precondition for political

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<sup>36</sup> THE PORTABLE MARX, Eugene Kamenka, ED., 1983, p. xiv.

<sup>37</sup> ID., pp. xiv, xiii.

<sup>38</sup> ID., pp. 97, 100. Marx, Comment on *Die Judenfrage (on the Jewish Question)* by Bruno Bauer, Braunschweig, 1843; published in *Deutschfranzösische Jahrbücher*, February 1844.

rights.”<sup>39</sup> This, of course, is a flat rejection of Savigny’s historical school of law. Marx later went down some rabbit holes (such as *communism*), but we can agree with this atheist grandson of rabbis that the state should not be in the business of dispossessing people of rights on account of religion and race.

Every illustration of Rumpelstiltskin in the two centuries since the publication of *KINDER-UND-HAUSMÄRCHEN* has portrayed him as a dark little man with a hooked nose, often surrounded by heaps of gelt. Look it up; it’s uncanny, and disturbing. But we do not have to conclude that Rumpelstiltskin is literally a Jew to see why the bargain he makes with the queen is unenforceable. Under a legal system derived from the *Volksgeist*, *anybody* who is not a member of the common tribe lacks the capacity to own property, collect debts, achieve status. Jews, Gypsies, homosexuals, Marxists. Rumpelstiltskin, whether a Jew or not, is obviously an *outsider*, and as such he lacks *standing* to demand the performance of his contract for a Christian child – and the *royal* child, at that.



Friedrich Karl von Savigny

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<sup>39</sup> ID.

You cannot think how pleased  
the queen was to hear that name,  
and soon afterwards,  
when the little man walked in and said,

“Now, Mrs. Queen, what is my name?”

she said at first,

“Are you called Jack?”

“No,” he answered.

“Are you called Harry?”  
she asked again.

“No,” answered he.

And then she said,

“Then perhaps your name is Rumpelstiltskin!”

How pleased, indeed. For now that the queen knows his name, the little man must forfeit his claim. The messenger's description of Rumpelstiltskin as a *comical little man* indicates that he is regarded as a derisible eccentric once he has been disempowered; the little man is further trivialized when, presently, the queen actually plays a kind of cat-and-mouse game with him before she oh-so-casually drops the name that will provoke him to destroy himself.

The little man begins this third trial, interestingly, by addressing the queen by the first proper appellation that we have yet seen in the tale, *Mrs. Queen*.<sup>40</sup> Having called her by her proper name, he now challenges the queen to reciprocate by guessing his own.

What he does not know, yet, is that this is no longer a riddling game, a matter of guesswork. Such contests are a recurring motif of traditional literature, since at least the myth of Oedipus and the Sphinx,<sup>41</sup> with the protagonist expected to solve the conundrum by reasoned deduction. The queen has not played by the rules, but has learned the little man's name by subterfuge — her spy has spied it out. Now, in addition to cheating, she taunts the little man while harboring her ill-gotten knowledge, is toying with him. In contrast to such odd and obscure names as *Melchior* and *Sheepshanks*, she now cites the prosaic *Jack* and *Harry*<sup>42</sup> before coyly proposing the (of course) *third*, and fatal, name.

This seems vengeful, petty, cruel. We may (and indeed, will) ultimately conclude that the queen has been finally right to do whatever she can, by whatever means necessary, to keep her child. But having made the heroic transition from being a helpless miller's daughter to attaining the status of a resourceful and capable royal adult, *Mrs. Queen* here abuses her power by abusing the powerless. She takes a malicious pleasure in baiting the little man, is privately gloating about his misfortune. In German, there is a word for this repugnant delight in the plight of another: *schadenfreude*.

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<sup>40</sup> *Frau Königin* in the original KINDER-UND-HAUSMÄRCHEN.

<sup>41</sup> "What animal goes on four legs in the morning, two legs in the afternoon, and three legs in the evening?"

<sup>42</sup> *Kunz* and *Heinz*, in the original.



## THE DEATH OF RUMPELSTILTSKIN

But isn't this exactly what the little man deserves? Derision, mockery, persecution. He has no right to own property, collect on a debt, have any legal status. And now he would presume to take the *royal child*? He is a *nobody*. It does not matter that such a *little man* has made the birth of this child possible; that without his intercession, the miller's daughter could not have survived and would never have married the king. *He has been plotting, all along*. A con-man. He is an outsider, a foreigner, an alien.

So it is easy to root for the queen as she sets up the little man for his come-uppance; to grin at her little jokes of Jack and Harry, Kunz and Heinz, before she pulls out the rug with her final line in the story: „*Heißt du etwa Rumpelstlzenchen?*„

*Schadenfreude.*

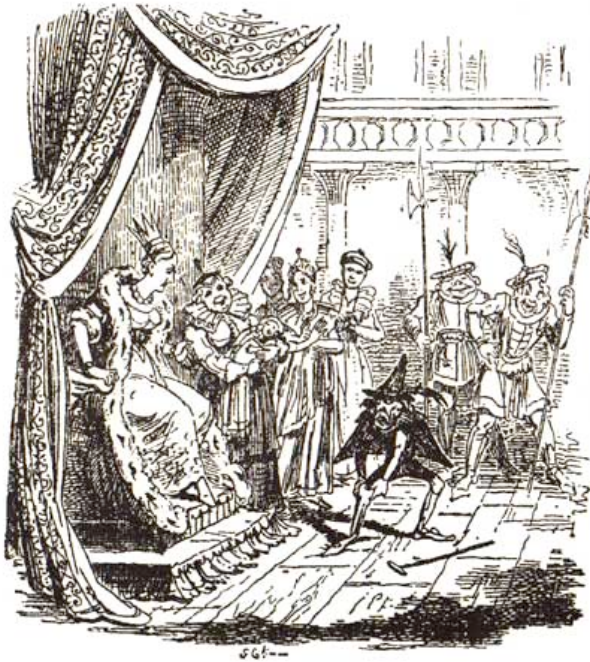


Illustration by George Cruickshank, KINDER-UND-HAUSMÄRCHEN (1825 ED.)

“The devil told you that!  
The devil told you that!”

cried the little man, and in his anger  
he stamped with his right foot so hard  
that it went into the ground above his knee;  
then he seized his left foot with both his hands  
in such a fury that he split in two,

and there was an end of him.

Children, upon first having the tale of Rumpelstiltskin read to them, are always shocked and astounded by its denouement. Try it. To a child, this is the story of a generous and magical little man who twice goes out of his way to save the life of a helpless stranger, getting only a simple necklace and a little ring in exchange for all that gold. Even a little child understands that this is hardly a balanced transaction. Finally, with his chance to get his first real reward of the story after enabling the poor girl to marry the *king*, the little man shows mercy. He promises to give up his claim if the queen should guess his name within three days, getting as many guesses as she wants. A riddling game, but the queen does not play by the rules. She never does *guess* the name, but her messenger finds it out by *spying* on the little man while he is singing and dancing. And then the queen even cruelly *teases* him, pretending that she doesn't know that his name is Rumpelstiltskin, being really mean when she finally says it. She has clearly cheated, but Rumpelstiltskin honors his promise. “The devil told you that!” he shouts, and unable to live in a world of such evil and injustice and deceit, he *rips himself in half*.

*It's not fair! He doesn't deserve it!* And that last part about *ripping himself in half* – you would have to be so *strong* to *rip yourself in half*! You *couldn't* do that! *Could you?*

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Kids always want to have that last part read to them over and over, grabbing their feet to act out the spectacular gymnastics of it, particularly fascinated with the feat of ripping themselves in half as a method of self-annihilation. Or maybe it is the very *idea* of self-annihilation itself which is so fascinating to children, since Rumpelstiltskin is probably the very first literary character they have encountered who is a *suicide*, and maybe the first time they have ever heard of such a thing, considered it as a viable possibility. In psycho-dynamic terms, the little man's ending works perfectly as a cautionary note to the little tantrummer: if you lose control, you could really *hurt* yourself, and be *dead*.<sup>43</sup>

It is thus hard for a child to grasp that Rumpelstiltskin is not the hero of the tale that bares his name.<sup>44</sup> A parent, on the other hand, immediately recognizes the girl/queen as the protagonist of the tale. Her portrait is far more nuanced than the repetitive caricaturization of the merely *little* man: she is consecutively depicted as *beautiful*, perhaps *clever*, *alone*, *poor*, in *distress*, *pretty*, *terrified*, *thinking*, and finally, *pleased*. She weeps and laments, thinks and acts, and emerges during the story as a well-delineated and understandable character. The parent, too, watches as the poor miller's daughter negotiates the transition from being a child to adulthood — something that Rumpelstiltskin, who comes to his end in a fatal tantrum, never achieves.

Then there is her dilemma. She is twice put under the threat of death, but it is her third predicament that a parent may envision as a fate even worse than death: losing her child. To a kid, going off with the magical little man may look like an adventure, a nice respite from parental control. To the parent, the idea is horrifying. This does not reflect the distinctive ethos of any specific community or tribe, for even in cultures where parenting is largely outsourced, such as our own, any non-defective parent is terrified at the prospect of a stranger permanently *taking* one's own child. We are, like elephants and whales, a species that is

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<sup>43</sup> In Structuralist terms, incidentally, the conjoining of the little man with his name results in the disjunction of the right and left halves of his body, thereby transforming him into a complimentary duality. See Von Roff, Ivan, *Deconstructing Rumpelstiltskin: A Structuralist Approach to the "Diminutive Troll" Motif in Myth and Folk Tale*; HUDSON RIVER REVIEW (Winter, 1997).

<sup>44</sup> Ouch.

evolutionarily hard-wired to protect our helpless progeny throughout its years of post-gestational immaturity, which is why the threat to take a child from a caring parent is simply *unconscionable*. Such a principle can be codified into law without recourse to the *Volksgeist* of any particular tribe or people, and a parent can see that the queen is acting in accordance with a basic tenet of survival.

It is the queen's cruelty to Rumpelstiltskin, her derogation of him as merely a comical little man and her derisive treatment of him, which is problematical even to an otherwise sympathetic adult. This is unnecessary, corrosive, persecutory. A flaw in her character, and a failing of her culture. Not that the Grimms or Savigny probably perceived it as such. Their passionate cause, the unification of the German speaking peoples into a single nation, seemed to them to require the concomitant exclusion of so-called alien elements, non-persons denied the protection of law, who could hence be mistreated with impunity.

But some of the queen's other shortcomings seem more forgivable to us, especially in view of some of the other social conditions then prevailing in the Holy Roman Empire. She willingly marries a capricious and greedy king, for instance, but women in patriarchal societies have often had to ally themselves with such men to in order to survive. And she does not come clean to her husband about how the gold was spun from straw, or that his infant is in jeopardy of being stolen away by a gnome, but this has hardly been our idea of a model marriage; further, we do not know what the king *would* do to the queen, or that he *could* do anything against the power of the magical little man. Finally, the queen's reliance on subterfuge to learn the little man's name is concededly less than honest, but adults know that people in the real world often must act in ways that are not strictly and pristinely correct. The lesson we can still take from *Rumpelstiltskin*, then, is that life's deck is stacked against us, and that in order to prevail we must make some uncomfortable compromises.

And this is what accounts for the difference between a child's and an adult's reaction to the story. The child wants things to be black or white, right or wrong, structurally clear, and simple. A child can be moved to pity by the plight of the poor miller's daughter, while also being confused and ambivalent about how she resolves her problems. To the parent, the queen is a heroine not because she

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breaks down crying in helpless distress, but because she regains control and acts responsibly and employs whatever power and assets she can command in dealing with an ambiguous and impossible situation. She persists and does what she has to do to survive, and to ensure the survival of her child. She cheats, but cheats death.

After all, this is a story that the *queen* is telling, and she is telling it to her child. It the story of *how you came to be*, and when we read it to our own children, we are telling them the same thing.

Which is this:

*I had to make some compromises, do some questionable things, to get you into this world. And then, once you were here, I had to protect you, and I somehow kept you sheltered and fed and as safe as I could, and not every thing that I did or had to do in the furtherance of all that am I proud of. But it had to be done, or you would not be here right now, and we would not be having this conversation.*

*For the world can be a dangerous and treacherous place, and life isn't fair. This is not something that you can understand until you grow up, and maybe not until you are a parent yourself, and some people never do.*

The *law* can be fair, and should be made to be so, but *life* is not fair. And if you do not understand this, then you can be in great peril and not even know it. And by then it can already be too late.

And that is the story of Rumpelstiltskin, *and there was an end of him.*

— **Finis** —



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