

## PART II: CHAPTER 4

Even when you're in the dock, it's always interesting to hear people talking about you. I must say, during the prosecutor's and my lawyer's speeches, a great deal was said about me, possibly even more about me than about my crime. Was there so much difference, anyway, between the two speeches? The lawyer raised his arms and pleaded guilty, but with mitigation. The prosecutor held out his hands and proclaimed my guilt, but without mitigation. There was one thing though that vaguely bothered me. In spite of all my worries, I'd occasionally feel tempted to intervene and my lawyer would always tell me, 'Keep quiet, it's better for you.' In a way, they seemed to be conducting the case independently of me. Things were happening without me even intervening. My fate was being decided without anyone asking my opinion. From time to time I'd feel like interrupting everyone and saying, 'But all the same, who's the accused? It's important being the accused. And I've got something to say!' But when I thought about it, I didn't really have anything to say. Besides, I must admit that the pleasure you get from having people listening to you doesn't last long. For example, I very soon got bored with the prosecutor's speech. It was only isolated fragments, occasional gestures or lengthy tirades which caught my attention or aroused my interest.

The basis of his argument, if I understood correctly, was that my crime was premeditated. At least, that was what he tried to demonstrate. As he himself said, 'I shall prove it to you, gentlemen, and I shall prove it in two ways. With the blinding evidence of the facts to begin with and then by exposing the dark workings of this criminal soul.' He summarized the facts as from mother's death. We were reminded of my insensitivity, of my ignorance when asked how old mother was, of my swim the next day, with a girl, of the cinema, of Fernandel and finally of my return home with Marie. It took me a while to understand him at that point, because he kept saying 'his mistress', and to me she was Marie. After that he came to the business with Raymond. His way of looking at things certainly didn't lack clarity. What he said was quite plausible. I'd written the letter in collusion with Raymond as a bait for his mistress in order to subject her to ill treatment by a man 'of doubtful morality' I'd provoked Raymond's adversaries on the beach. Raymond had been wounded. I'd asked him for his gun. I'd gone back with the intention of using it. I'd shot the Arab as I'd planned. I'd waited. And 'to make sure I'd done the job properly', I'd fired four more shots, deliberately and at point-blank range and with some kind of forethought.

'So there you are, gentlemen,' the Public Prosecutor said, 'I have retraced for you the series of events which led this man to kill, in full consciousness of his actions. I emphasize this point,' he said. 'For this is no ordinary murder, a thoughtless act which you might consider extenuated by circumstances. This man, gentlemen, this man is intelligent. You have heard him, have you not? He knows how to answer. He knows the value of words. And no one can say that he acted without realizing what he was doing.'

### Commented [1]:

Remember: The examining magistrate's words to him: 'What interests me is you.'

I was listening and I could hear that I was being judged intelligent. But I couldn't understand how the qualities of an **ordinary man** could be used as damning evidence of guilt. At least, that was the thing that struck me and I didn't listen to the prosecutor any more until at one point I heard him say, '**Has he even expressed any regrets? Never, gentlemen. Not once in front of the examining magistrate did he show any emotion with regard to his abominable crime.**' At that point he turned towards me, pointed his finger at me went on showering me with accusations without me really understanding why. Of course, I couldn't help admitting that he was right. **I didn't much regret what I'd done.** But I was surprised that he was so furious about it. I'd have liked to have explained to him in a friendly way, almost affectionately, that I'd never really been able to regret anything. I was always preoccupied by what was about to happen, today or tomorrow. But naturally, in the position I'd been put into I couldn't talk to anyone like that. **I had no right to be affectionate or to show any goodwill.** And I tried to listen again because the prosecutor started talking about my soul.

**He said he'd peered into it and found nothing, gentlemen of the jury. He said the truth was that I didn't have one, and that I had no access to any humanity nor to any of the moral principles which the human heart.** 'Of course,' he added, 'we can hardly reproach him for this. We can hardly complain that he lacks something he was never able to acquire. **But here in this court the wholly negative ethic of tolerance must give way to the stricter but loftier ethic of justice.** Especially when we encounter a man whose heart is so empty that it forms a **chasm** which threatens to engulf society.' That was when he started talking about my attitude towards mother. **He repeated what he'd said in his opening speech. But he went on for much longer than when he was talking about my crime, so long in fact that in the end I was only conscious of the heat of the morning.** That is until the prosecutor stopped and after after a moment's silence, continued in a very deep and very earnest voice, '**Tomorrow, gentlemen, this same court will judge the most abominable of all crimes: the murder of a father.**' According to him, the mind recoiled at the mere thought of such an atrocity. He ventured to hope that human justice would be unflinching in its condemnation. **But he wasn't afraid to say that though this crime filled him with horror, he felt no less horror at my insensitivity.** Again according to him, **any man who was morally responsible for his mother's death thereby cut himself from the society of men to no lesser extent than one who raised a murderous hand against the author of his days. In any case, the former paved the way for the latter, one act somehow heralded and legitimized the other.** 'I am convinced, gentlemen,' he added, raising his voice, 'that you will not think it rash of me to suggest that the man who is sitting here in the dock is also guilty of the murder which this court is to judge tomorrow. He must be punished accordingly.' Here the prosecutor wiped his face which was glistening with sweat he concluded by saying that his duty was a painful one, but that he would fulfil it resolutely. **He announced that I had no place in a society whose most fundamental rules I ignored, nor could I make an appeal to the heart when I knew nothing of the most basic human reactions.** 'I ask you for **this man's head**, and I do so with an easy mind,' he said. 'For though in the course of my

**Commented [2]:**

Compare to earlier examples where he exhibited goodwill

**Commented [3]:**  
comment

**Commented [4]:**

chasm  
'kaz(ə)m

"the chasm between rich and poor"

**Commented [5]:**

parricide

**Commented [6]:**

take note of the word, insensitivity

long career I have often had occasion to demand capital punishment, never before have I felt this onerous task so fully compensated and counter-balanced, not to say enlightened by a sense of urgent and sacred duty as well as by the horror which I feel at the sight of a man in whom I see nothing but a monster.'

**Commented [7]:**

<http://www.capitalpunishmentuk.org/guillotine.html>

When the prosecutor sat down again, there was quite a long silence I was so hot and so surprised that I felt dizzy. The judge coughed slightly and in a very low voice asked me if I had anything to add I stood up and since I felt like talking, I said, rather haphazardly in fact, that I hadn't intended to kill the Arab. The judge replied that this was a positive statement, that so far he hadn't quite grasped my system of defence and that before hearing my lawyer he would be happy to have me specify the motives which had inspired my crime. Mixing up my words a bit and realizing that I sounded ridiculous, I said quickly that it was because of the sun. Some people laughed. My lawyer shrugged his shoulders and immediately afterwards he was asked to speak. But he announced that it was late and that he would need several hours, and he asked for an adjourned until the afternoon. The judges agreed.

That afternoon the huge fans were still churning up the dense atmosphere in the courtroom and the jurymen were all waving their little coloured fans in the same direction. I thought my lawyer's speech was never going to end. At one point though I listened because he said, 'It's true that I killed a man.' Then he went on like that, saying, 'I' every time he meant me. I was very surprised. I leant over to one of the policemen and asked him why this was. He told me to be quiet and a moment later added, 'Lawyers always do that.' It seemed to me that it was just another way of reducing me to insignificance and, in a sense, substituting himself for me. But I think I was already a very long way from that courtroom. Besides, I thought my lawyer was ridiculous. He made a quick plea of provocation and then he too started talking about my soul. But he didn't seem to have nearly as much talent as the prosecutor. 'I too,' he said, 'have peered into this man's soul, but unlike my eminent colleague from the State Prosecutor's office, I did find something there and in face I read it like an open book.' He'd read that I was an honest chap, a regular and tireless worker who was faithful to the company that employed him, popular with everyone and sympathetic to the misfortunes others. To him I was a model son who had supported his mother for as long as he could. In the end I'd hoped that an old people's home would give the old lady the comforts which my limited means prevented me from providing for her. 'I am amazed, gentlemen,' he added, 'that such a fuss had been made of this home. For after all, if proof were needed of the importance and usefulness of these institutions, one need only say that it is the state itself which subsidises them.'

**Commented [8]:**

note the word 'talent'

The only thing was that he didn't talk about the funeral and I felt that this was an important omission in his speech. But what with all these long sentences and the endless days and hours that people had been talking about my soul, I just had the impression that I was drowning in some sort of colourless liquid.

In the end all I remember is that, echoing towards me from out in the street and crossing the vast expanse of chambers and courtrooms as my lawyer went on talking,

came the sound of an ice-seller's trumpet. I was assailed by memories of a life which was no longer mine, but in which I'd found my simplest and most lasting pleasures: the smells of summer, the part of town that I loved, the sky on certain evenings, Marie's dresses and the way she laughed. And the utter pointlessness of what I was doing here took me by the throat and all I wanted was to get it over with and to go back to my cell and sleep. I hardly even heard my lawyer exclaim finally that the jury would surely not send an honest worker to his death just because he forgot himself for a moment, and then appeal for extenuating circumstances since my surest punishment for this crime was the eternal remorse with which I was already stricken. The court was adjourned and the lawyer sat down, looking exhausted. But his colleagues came over to shake hands with him. I heard a 'magnificent, old chap.' One of them even called me to witness. 'Eh?' he said. I agreed, but it was hardly a sincere compliment, because I was too tired.

However, the sun was getting too low outside and it wasn't so hot any more. From the few street noises I could hear, I sensed the calm of the evening. There we all were, waiting. And what we were all waiting for concerned no one but me. I looked round the room again. Everything was just as it had been on the first day. I met the eye of the journalist in the grey jacket and of the little robot-woman. That reminded me that I hadn't looked for Marie once during the whole trial. I hadn't forgotten her, only I'd been too busy. I saw her sitting between Celeste and Raymond. She gave me a little wave as if to say, 'At last,' and I saw a rather anxious smile on her face. But my heart felt locked and I couldn't even smile back.

The judges returned. They jury was very rapidly read a series of questions. I heard 'guilty of murder...'. 'premeditation...'. 'extenuating circumstances'. The jury went out and I was taken into the little room where I'd waited once already. My lawyer came to join me: he was very talkative and spoke to me in a more confident and friendly way than he'd ever done before. He thought that everything would be all right and that I'd get off with a few years of prison or hard labour. I asked him whether there was any chance of getting the sentence quashed if it was unfavourable. He said no. His tactics had been not to lodge any objections so as not to antagonize the jury. He explained that they didn't quash sentences just like that, for no reason. It seemed obvious and I accepted his argument. Looking at it coldly, it was completely natural. If the opposite were the case, there's be far too much pointless paperwork. 'Anyway,' my lawyer told me, 'you can always appeal. But I'm convinced the outcome will be favourable.'

We waited a very long time, almost three quarters of an hour, I think. At the end of that time a bell rang. My lawyer left me saying, 'The foreman of the jury is going to read out the verdict. You'll only be brought in for the passing of the sentence.' Some doors banged. People were running up and down stairs, but I couldn't tell how far away they were. Then I heard a muffled voice reading something out in the courtroom. When the bell rang again and the door to the dock opening, what greeted me was the silence that filled the room, the silence and that strange sensation I had when I discovered that the young journalist had looked away. I didn't look over

**Commented [9]:**

quash  
/kwɒʃ/

reject as invalid, especially by legal procedure.  
"his conviction was quashed on appeal"

Marie. I didn't have time to because the judge told me in a peculiar way that I would be decapitated in a public square in the name of the French people. And I think I recognized the expression that I could see on every face. I'm quite sure it was one of respect. The policemen were very gentle with me. The lawyer placed his hand on my wrist. I'd stopped thinking altogether. But the judge asked me if I had anything to add. I thought it over. I said, 'No.' That was when they took me away.