

Articles

Jean Valjean's Nightmare: Rehabilitation and Redemption in *Les Misérables*

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I. INTRODUCTION

The “Champmathieu Affair”¹ comes at a critical juncture in Victor Hugo’s *Les Misérables*. It occurs after Jean Valjean appears to have achieved complete rehabilitation. The ex-convict has not only renounced crime, he has taken the name Monsieur Madeleine, settled in the northern town of Montreuil-sur-mer, and invented a manufacturing process that brings prosperity to the region. As a respected civic leader and elected mayor, he begins to intervene in the tragic life of Fantine, ordering her release from Inspector Javert’s custody² and promising to retrieve her daughter Cosette.³

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1. *Les Misérables* comprises five semi-autonomous “parts” that are divided into “books.” The books are subdivided into numbered, titled passages that this article refers to as “chapters,” though Hugo does not label them as such. “The Champmathieu Affair” is the title of Part I, Book Seven. VICTOR HUGO, *LES MISÉRABLES* 178–235 (Julie Rose trans., Random House 2008) (1862) [hereinafter *LES MISÉRABLES*]. The narrator and Jean Valjean himself later use the phrase to refer to the crisis Jean Valjean experiences in that book. *Id.* at 1134, 1141. See *infra* note 70 and accompanying text.

2. This provides one of the occasions where characters cite legal authority. When Javert is reluctant to release Fantine, Jean Valjean cites “article eighty-one of the law of December 13, 1799, on arbitrary detention.” *LES MISÉRABLES*, *supra* note 1, at 166. That article stated that “[a]ll persons who, without lawful authority, make, direct or execute the arrest of any person and all persons who, even when authorized by law, receive or retain the person arrested in a place of detention that is not publicly and legally designated as such, and all the wardens and jailers who violate the provisions of the three preceding articles are guilty of the crime of arbitrary detention.” 1799 CONST. 81 (translated by author). It is not clear which provision of the law Javert has violated, as the cited law does not expressly resolve the conflicting authority of the arresting officer and the mayor. Nevertheless, Javert releases Fantine. *LES MISÉRABLES*, *supra* note 1, at 166.

Jean Valjean’s citation of the Republican Constitution for the freedom from arbitrary arrest advances Hugo’s political agenda of defending the Revolution. He could have cited article 341 of the more recent Code Pénal de 1810. See CODE PÉNAL [C. PÉN.] (1810) art. 341, available at http://ledroitcriminel.free.fr/la_legislation_criminelle/anciens_textes/code_penal_1810/code_penal_1810_3.htm (on file with the *McGeorge Law Review*) (“All persons shall be punished by a term of hard labor who, without order of lawful authority and apart from cases where law authorizes detention, have arrested, detained or sequestered any person whatsoever. Any person who provides a place for carrying out such detention or sequestration is subject to the same penalty.”) (translated by author).

3. Fantine’s name provides the title for Part I, and Cosette’s the title for Part II. Hugo’s narrator recounts Jean Valjean’s statement to Fantine that he will either send someone to retrieve Cosette or will go himself. *LES*

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Resentful of the mayor's interference and suspicious of his identity, Inspector Javert initiates an investigation that discloses that another man, Champmathieu, in the next province has been identified as Jean Valjean and has been charged with stealing apples. True, Champmathieu insists he found the apples and denies he is Jean Valjean. But his denial only provides further evidence of his guilt. And being an ex-convict makes simple theft an offense punishable by life imprisonment.⁴ Jean Valjean understands the victim's plight all too well, for he has abandoned the name: "The name Jean Valjean batted down on [Champmathieu], seeming to dispense with any need for proof The man is believed to be a thief because he is known to be a convict."⁵

Champmathieu's future looks bleak. In addition to the pending charge for stealing apples, he faces the prospect of prosecution for Jean Valjean's former roadside theft of a coin—a crime that qualifies for the death penalty.⁶

The "Champmathieu Affair" confronts Jean Valjean with a choice. By doing nothing, he can allow Champmathieu to be wrongfully convicted and succeed in eluding the authorities forever. Yet the prospect of allowing the innocent stranger to be convicted causes him to suffer torment that the novel compares to the Passion of Jesus. The narrative follows Jean Valjean's train of thought as he considers arguments for and against revealing his identity.⁷ No legal duty

MISÉRABLES, *supra* note 1, at 170. Jean Valjean also makes a solemn promise to Fantine on her deathbed, but the narrator does not hear his words. *Id.* at 246. The content of the promise is revealed by the title of Part II, Book Three, "Keeping the Promise Made to the Dead Woman," *id.* at 313–14, and by Jean Valjean's conduct, *id.* at 349–51.

The novel in some places identifies the "author" as narrator, and some writers accordingly conflate Hugo and the narrator. Rosa discusses multiple identities of the "author" (as narrator). Guy Rosa, *Présentation, in VICTOR HUGO: LES MISÉRABLES* 3, 10 (Guy Rosa ed., 1995). Vargas Llosa explores the narrator's role as "main character" in the novel and the narrator's relationship to the author. MARIO VARGAS LLOSA, *THE TEMPTATION OF THE IMPOSSIBLE: VICTOR HUGO AND LES MISÉRABLES*, 11, 11–33 (John King trans., 2009) (2004). This article distinguishes between Hugo's activity as author and the narrator's role as a person within the novel.

4. Champmathieu is found carrying an apple branch that fell from a tree. After being identified as Jean Valjean, he is suspected of climbing a wall and stealing the branch. As Javert explains, the severity of the crime, punishable by life in the galleys, results in a transfer from the magistrate's court to the criminal court. LES MISÉRABLES, *supra* note 1, at 175.

5. LES MISÉRABLES, *supra* note 1, at 191–92.

6. Hugo made a note to research the applicable criminal law and consulted article 383 of the Code Pénal de 1810. Josette Acher, *L'Anankè des Lois, in LIRE LES MISÉRABLES* 151, 154 n.11 (Anne Ubersfeld & Guy Rosa eds., 1985). Article 383 provides: "Thefts committed on public roads are punishable by hard labor for life." *Id.* (quoting Code Pénal [C. pén.] (1810) art. 341 (Fr.)) (translated by author). The prosecutor at Champmathieu's trial observes that Jean Valjean's theft of the coin would be a violation of section 383 and announces the intention to prosecute him in the future for that crime. LES MISÉRABLES, *supra* note 1, at 223–24. In fact, he will be convicted of a different section of the Code that is punishable by death, though it is uncertain whether Hugo appreciated the difference. *See infra* notes 9, 112–14 and accompanying text.

7. The chapter is entitled "A Storm on the Brain." LES MISÉRABLES, *supra* note 1, at 184–98. Lowenstein describes "Hugo's exquisite tracing of Valjean's reasoning as he switches back and forth . . ." Daniel H. Lowenstein, *The Failure of the Act: Conceptions of Law in The Merchant of Venice, Bleak House, Les Misérables, and Richard Weisberg's Poethics*, 15 CARDOZO L. REV. 1139, 1230–31 (1994). Savy sees the narrative as an example of modern psychological realism. Nicole Savy, *Un roman de geste: Les Misérables, in VICTOR HUGO: LES MISÉRABLES* 40, 40 (Guy Rosa ed., 1995).

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requires him to save the stranger. Nor do utilitarian calculations offer a clear answer, for the town will suffer if Jean Valjean surrenders. Deeper reflection serves only to undermine Jean Valjean's confidence in his original altruistic impulses.

At the height of this emotional turmoil, Jean Valjean falls asleep and experiences a nightmare that marks a turning point, though this becomes clear only in Jean Valjean's subsequent conduct.⁸ After waking, he overcomes a series of obstacles to reach the courthouse just in time to reveal his identity.

Jean Valjean's response to the dream affects the outcome of two legal processes. First, it leads to Champmathieu's acquittal. Second, it leads to Jean Valjean's arrest. Though Jean Valjean escapes at the end of Part I, we learn in Part II that he is recaptured and convicted of robbery for the theft of the coin. We there learn that his death sentence is commuted to life at hard labor.⁹ He later escapes from the ship on which he is imprisoned. Risking his life, he climbs into the rigging to save a sailor before dropping into the harbor and disappearing.¹⁰

The "Champmathieu Affair" radically alters Jean Valjean's legal status. When he escapes for the second time, he does not just face the burden of prejudice visited on former convicts as he had at the outset. For the rest of the novel, as an escaped prisoner serving a life sentence, he faces the prospect of life imprisonment, possibly even death, if his identity is discovered.

The nightmare plays an important role in the novel. Hugo lavished special care on the literary presentation of the dream, revising the passage on two

8. Ricatte observes that the internal debate described as the "tempest in the skull" reaches no conclusion. Robert Ricatte, *Hugo et ses personnages*, in VICTOR HUGO: LES MISÉRABLES 84, 98 (Guy Rosa ed., 1995). Lowenstein also describes Jean Valjean's behavior as postponing a commitment to make a decision as long as possible. See Lowenstein, *supra* note 7, at 1229, 1232.

9. The crime is described later in this article. See *infra* text accompanying note 116. Jean Valjean is convicted of the capital crime of conspiring with others to commit armed highway robbery and sentenced to death. LES MISÉRABLES, *supra* note 1, at 302. He is certainly not guilty of such conspiracy, but he offers no defense at trial and does not appeal. *Id.* at 301–02. Acher concludes that this conviction "conforms to the letter of the Code and could well have actually occurred." Acher, *supra* note 6, at 155. Conservative critics have objected that this sentence and his first sentence were unrealistic and that the courts were not so severe. See VARGAS LLOSA, *supra* note 3, at 116, 168.

The novel communicates the proceedings against Jean Valjean by quoting a newspaper account. LES MISÉRABLES, *supra* note 1, at 301–02. Based on this account, it appears that Jean Valjean was probably not convicted of theft on a highway but of a separate offense punishable by hard labor for life: violation of article 382 (theft with violence accompanied by two of the aggravating factors contained in article 381). See Code Pénal [C. pén.] (1810) arts. 381–82 (Fr.), available at http://ledroitcriminel.free.fr/la_legislation_criminelle/anciens_textes/code_penal_1810/code_penal_1810_3.htm (on file with the *McGeorge Law Review*). Aggravating factors include committing theft at night, acting with others, possessing arms, and making threats or using arms. *Id.* at art. 381. Under French criminal law at the time, apart from the false accusation that Jean Valjean acted with others, the robbery might still have qualified for the death penalty. See *id.* at art. 56 (authorizing death penalty when person previously convicted of crime commits second crime punishable by hard labor for life). Theft on the public road constituted an offense punishable by hard labor for life. *Id.* at art. 383.

10. LES MISÉRABLES, *supra* note 1, at 310–12. He is presumed to have drowned. *Id.* at 312.

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occasions.¹¹ Yet, while the preeminent Hugo scholar Anne Ubersfeld reads the dream as the central text in the novel,¹² most scholars have overlooked it. With one exception,¹³ the nightmare has likewise been omitted from all popular representations of the novel.¹⁴ Like a real dream, it has proven to be forgettable, a digression that does not relate directly to the principal events in the novel.¹⁵ Devoid of meaning for both Jean Valjean and the narrator, the nightmare nevertheless troubles the hero who, in the novel's first form, felt compelled to talk about it many times. It troubles him in the published form of the novel where he reduces his memory of the nightmare to writing and carries the document with him until his death. It troubles the narrator who labels it the adventure of a diseased soul (*âme malade*) and asks what it could mean. It troubles Professor Ubersfeld, who searches the dream for evidence of Hugo's identification with his character and for residues of the author's repressed memories.

This article explores the role of Jean Valjean's nightmare in the novel. It does not claim to provide a key that unlocks all the secrets of the passage. On the contrary, while the dream imagery rewards Ubersfeld's psychoanalytic scrutiny, the dream itself resists reduction to its tropes and achieves literary force precisely because its images remain dream-like—surreal, unwelcome, and opaque to the understanding of dreamer, narrator, and reader alike. Nevertheless, this article proposes that careful attention to the content and context of Jean Valjean's nightmare enlarges and enriches an understanding of Hugo's goals in the novel.

11. According to Jean Gaudon, Hugo's composition of the second crisis coincided with the author's realization of the final form of the novel and of the hero's character. Jean Gaudon, "*Je ne sais quel jour de soupirail . . .*," in VICTOR HUGO: LES MISÉRABLES 194, 202–03 (Guy Rosa ed., 1995).

12. Anne Ubersfeld, *Le rêve de Jean Valjean*, 57 L'ARC 41, 41–50 (1974) [hereinafter Ubersfeld, *Le rêve de Jean Valjean*], reprinted with minor changes in ANNE ÜBERSFELD, PAROLES DE HUGO 117–31 (1985), and in *Les Misérables* 98, 99–109, L'AVANT-SCÈNE No. 438–39 (Marcel Bluwal ed.) (1995).

13. The dream is the subject of one of Yon and Perrichon's half-page wood engravings of a design by Gustave Brion. See *infra* fig.2, at 194. Gaudon discusses this illustration as an example of how the printed images contributed to a popular reading that eliminated ambiguity and ambivalence from the novel. Jean Gaudon, *Illustration/Lecture*, in LIRE LES MISÉRABLES 248–49 (Anne Ubersfeld & Guy Rosa eds., 1985).

14. The dream has been omitted from film and stage adaptations and from almost all abridgments.

15. The narrator emphasizes, "This dream, like most dreams, was only connected to the actual situation by something mysteriously forlorn and poignant, but it made an impression on [the dreamer]." LES MISÉRABLES, *supra* note 1, at 198. The first English-language abridgment omitted the dream and substituted, "[h]is slumber was disturbed by a poignant and mournful dream connected with his present situation, in the midst of which he woke up . . ." VICTOR HUGO, LES MISÉRABLES 93 (Lascelles Wraxall trans., 6th ed. rev. and abr., London, Hurst and Blackett, n.d.) (1862).

Vernier observes that flat narration of the dream chapter contrasts stylistically with the rhetorical tone of the preceding chapter and that the novel offers neither logical nor textual continuity for the dream-transcription. France Vernier, *Les Misérables: Ce Livre est Dangereux*, 57 L'Arc 33, 39 (1974). In contrast, Brown reads the dream as a revelation, the closing words of which articulate Valjean's moral dilemma and act as a stimulus to decision-making. She concludes that the "dream functions as an integral part of the plot." NATHALIE BABEL BROWN, HUGO AND DOSTOEVSKY 141 (1978). Brown provides the most sustained treatment of the dream in English, discusses the dream narrated in the first person in Hugo's *The Last Day of a Condemned Man* (1829), and argues that both dreams provided material for Raskolnikov's dream in Fyodor Dostoyevsky's *Crime and Punishment*. BROWN, *supra*, at 112–17.

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The dream illuminates Hugo's critique of law by revealing the need for Jean Valjean to move beyond civic rehabilitation and to undergo religious transformation. This article adopts six complementary approaches to the text. Part II describes the nightmare and engages in textual analysis of Hugo's revisions, considering their impact on the dream's contents. Part III employs a close reading of the dream to show how ascribing the dream to a document written by Jean Valjean subverts the authority of the narrator and destabilizes the text. Part IV places the dream in historical context and contends that widespread public concern with the frequency of child abandonment expands the range of meanings of the lost brother who figures in the dream. Part V examines the structural effect of the dream in repeating the splitting and doubling of the protagonist that occurs at three crisis points in the novel. Part VI borrows insights from psychoanalysis to probe imagery of earth and filth that the dream injects into the novel. Finally, Part VII reexamines the ambiguous status of Jean Valjean's criminal conduct and the tenuous rehabilitation that he achieves prior to the dream by giving up his true identity. Relating the nightmare to the tradition of confessional religious writing, this article suggests that the dream operates as a revelation that propels Jean Valjean from legal rehabilitation to religious surrender.

II. REVISING THE DREAM

In the nightmare, the dream subject¹⁶ walks with his long-forgotten brother in a strange countryside devoid of vegetation. It is neither day nor night. The brothers pass a naked man on horseback and walk down an excavated or sunken road where his brother disappears.

Everything is the color of dirt, even the sky. The man on horseback is naked and hairless with veins that protrude on his ash-colored skull and body. The rider carries a stick or baton that is both limp and heavy.

The dream subject enters a village, walks down a street and enters a house and garden. Along the way he meets three strangers and asks each in turn where he is, but each refuses to answer. Though the town seems deserted, people watch him from behind doors, trees and walls.

He walks outside of the town. On returning, he is overtaken by a crowd made up of the people who had been watching him. The first stranger he met now asks him, "Where are you going? Don't you know that you've been dead a long time?" Suddenly, the dreamer becomes aware that no one is present and wakes up.

16. Jean Valjean was named Jean Tréjean in the novel's first form. Ubersfeld emphasizes that the dreamer's proper name is never used within the text of the dream. Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 45. The relation between Jean Valjean and the person in the dream remains as problematic as that of all dreamers and their subjects.

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Hugo made two additions to the original depiction of the dream. In the first, Jean Valjean dreams he is talking to his brother about a woman who lived near them during their childhood and who always worked with her window open. Suddenly, due to this open window, he and his brother feel cold. Hugo's addition of this memory introduces the sole woman into the dream—a figure that Ubersfeld identifies with Hugo's dead mother.¹⁷ The window also injects imagery that for psychoanalysis signifies the vagina, female-centered imagery that contrasts with the marked phallic imagery that dominates the description of the erect, naked, hairless male rider on horseback holding a limp but heavy stick or baton.

In the second addition, the dream subject becomes aware that the town he reaches is Romainville, a real town outside of Paris.¹⁸ Hugo makes clear that this dream-awareness troubles Jean Valjean. Jean Valjean asks, "Why Romainville?" And the narrator adds a footnote to clarify that the question is written by Jean Valjean.¹⁹ Perhaps, the awareness troubles Jean Valjean because he had never visited Romainville. Nothing in the novel suggests his familiarity with the place, yet during the emotional crisis that precedes the dream, the place name obsesses him: he recalls seeing an antique bell for sale in a shop window with the inscription "*Antoine Albin de Romainville*,"²⁰ and the name calls to mind a song he once knew. "He thought (*songeait*) that Romainville was a small wood close to Paris where young lovers went to gather lilacs in the month of April."²¹

Along with the two additions to the dream's content, Hugo altered the form of the dream's presentation. In the first draft, the dream was recounted by the narrator in the third-person.²² Yet the narrator did not claim the same access to the contents of the dream as he did to Jean Tréjean's conscious thoughts, for the narrator felt obliged to explain a source for the dream: in later years, the dreamer

17. *Id.* Ubersfeld also identifies the chill with death based partly on the nineteenth-century association of chills with illness and death. *Id.* at 42. This association would have been even stronger for Hugo. See *infra* note 45.

18. The novel elsewhere lists Romainville with a score of other outlying towns as places that, while close to Paris, are the end of the universe for Paris's street children. LES MISÉRABLES, *supra* note 1, at 481–82.

19. Only the translations by Wilbour and Hopgood include this footnote. 1 VICTOR HUGO, LES MISÉRABLES 137 (Chas. E. Wilbour trans., Carleton 1863) (1862); 1 VICTOR HUGO, LES MISÉRABLES 226 n.1 (Isabel F. Hapgood trans., Thomas Y. Crowell & Co., 1887) (1862). This text is omitted altogether in Julie Rose's translation, LES MISÉRABLES, *supra* note 1, at 199, in 1 VICTOR HUGO, LES MISÉRABLES 186 (Norman Denny trans., The Folio Press 1976), and in VICTOR HUGO, LES MISÉRABLES 80 (Lascelles Wraxall authorized trans., W.I. Pooley & Co. [1863]). While the text of the note is plainly authored by the narrator, it is neither attributed to Hugo by name nor signed by Hugo or VH (as it is in some French editions and English translations), e.g., VICTOR HUGO, LES MISÉRABLES 237 n.1 (Lee Fahnestock & Norman MacAfee trans., based on C.E. Wilbour trans., New American Library 1987) (1862).

20. LES MISÉRABLES, *supra* note 1, at 192. In a rare slip of the pen, Rose renders *cloche* (bell) as clock.

21. LES MISÉRABLES, *supra* note 1, at 197. See 1 VICTOR HUGO, LES MISÉRABLES 288 (Marius-François Guyard ed., Éditions Garnier Frères 1963) (1862) [hereinafter LES MISÉRABLES (Guyard ed.)]. The connection of this waking memory with the dream had been established more directly in Hugo's first draft where it ended the chapter that preceded the dream. See *id.* at 1008.

22. 1 Les Misérables (Guyard ed.), *supra* note 21, at 1008.

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“recounted this dream many times.”²³ Such loquacity would be out of character for the protagonist, and, at least in the final form of the novel, he would have had no opportunities for such confessional conversations.

In reworking the passage for publication, Hugo presented the dream as the verbatim transcription of a document written by Jean Valjean in the first-person.²⁴ The narrator explains, “This nightmare struck him so forcefully that he later wrote it down. It is one of the papers written in his hand that he left [at his death]. We believe we should transcribe this document here.”²⁵

Ascribing the dream text to Jean Valjean required revisions throughout the passage, substituting pronouns and correcting corresponding verbs in most sentences. Hugo also modified the physical appearance of the dream text on the page. The first draft communicated the dream in a series of short paragraphs, each embodying a distinct image. While avoiding cadence, the visual appearance of the text on the page assimilated the dream to other passages where, through distiches and visionary verses, the novel assumed the form of poetry.²⁶ The dream had initially been set off from the following text by a line in the manuscript. In contrast, in its published form, Jean Valjean’s document describing the dream conforms to conventional prose paragraphs and is not physically set off from the adjacent text.

III. SUBVERTING NARRATIVE AUTHORITY

Hugo assigns written documents special roles in *Les Misérables*. Documents enhance narrative authority both by providing extrinsic evidence for the claims asserted by the narrator and by conflating the fictive narrator and the author. One example is where Hugo himself intrudes as “author” to refer to a document he claims to have seen that supports the narrator’s claim that the murderer Le Cabuc was a police agent.²⁷ Documents read by characters in the story—and reproduced

23. *Id.*

24. Hugo employed the first person in his first novel *Bug-Jargal* (1826) and in *The Last Day of a Condemned Man* (1829), including in the latter’s dream. See, e.g., VICTOR HUGO, *THE LAST DAY OF A CONDEMNED MAN* 88–90 (Christopher Moncrieff trans., One World Classics, 2009) (1829).

Eugène Sue’s serialized novel, *The Mysteries of Paris*, deeply influenced Hugo. 1 JOSEPH MARIE EUGÈNE SUE, *THE MYSTERIES OF PARIS* (New York, The Century Co. 1903) (1843–44). In an early chapter, the ex-convict Chournieur describes a recurring vision “like a nightmare” where he is surrounded by a mass of innocent men whom he slaughters like horses. *Id.* at 55. Hugo had originally envisioned Jean Valjean orally describing his experience in a similar way.

25. 1 *LES MISÉRABLES* (Guyard ed.), *supra* note 21, at 289.

26. See Henri Meschonnic, *La poésie dans Les Misérables*, in VICTOR HUGO: *LES MISÉRABLES* 63, 80 (Guy Rosa ed., 1995).

27. *LES MISÉRABLES*, *supra* note 1, at 917. The narrator-author elsewhere claims to have a letter that he quotes verbatim on the austerities of life in the convent. *Id.* at 410. Rosalina de la Carrera sees the insertion of documents into the narrative as evidence of Hugo’s vision that the novel provides a work of historical reconstruction. Rosalina de la Carrera, *History’s Unconscious in Victor Hugo’s Les Misérables*, 96 *MOD. LANGUAGE NOTES* 839, 851 (1981).

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verbatim—alter the course of events. This happens when Jean Valjean learns of Cosette’s love for Marius upon reading in the mirror the reversal of the reversed image of her letter,²⁸ when Jean Valjean intercepts and reads Marius’s letter to Cosette that leads him to the barricades,²⁹ when Jean Valjean reunites Marius with his grandfather after reading the note in Marius’s pocket,³⁰ and when Marius reads the newspaper article³¹ that proves Jean Valjean’s identity as Monsieur Madeleine.

Like other documents, the written record of the nightmare provides a guarantee of the dream’s “objective truth.”³² At the same time, the dream document is unique. It is the only autobiographical document written by Jean Valjean contained in *Les Misérables*. Its existence subverts the authority and omniscience of the narrator. Transcribing the document reduces the narrator to the role of passive compiler who sheds omniscient access to Jean Valjean’s thoughts and acquires understanding of the dream’s content only by virtue of possessing Jean Valjean’s papers. This introduces a personal connection between the narrator and characters that is neither explained nor suggested elsewhere in the novel. The existence of posthumous papers destabilizes the text by raising questions. What other manuscripts did Jean Valjean leave at his death? What happened to them? How did the narrator get access to them? Why did the narrator publish only the record of the dream? Does the narrator’s account of events or thoughts elsewhere in the novel derive from other manuscripts?

Moreover, the very existence of the dream document fits uneasily into the narrative of events. Jean Valjean would have had no opportunity to write down his memory of the dream until some time after his second escape from prison. Later, he must have stored it in the small locked case, the “inseparable” containing Cosette’s childhood clothes—that was the only thing, we are told repeatedly, that he carried when he changed residences.³³

The language of the transcribed document is anomalous. It employs a literate, educated voice that reflects its genesis as part of the narrator’s exposition. Free of slang and written in the *passé simple*, a tense generally reserved for written communication, the document evinces a verbal facility difficult to reconcile with the biographical facts that Jean Valjean was not taught to read in childhood and learned to write at age forty.³⁴

Finally, the content of the dream memory challenges the narrator’s authority because its meaning remains opaque to the narrator and because the recollection is not supported by prior experiences known to the narrator. This is especially

28. LES MISÉRABLES, *supra* note 1, at 946.

29. *See id.* at 953.

30. *Id.* at 1056–57, 1071–72.

31. *Id.* at 1181–82. The article had been quoted earlier. *Id.* at 301.

32. Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 41.

33. LES MISÉRABLES, *supra* note 1, at 724, 944.

34. *Id.* at 71, 76.

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true of the place name of Romainville. The narrator relates that this name obsessed Jean Valjean at the moment he fell asleep, yet the town of Romainville plays no other role in the novel, and the narrative provides no ground for supposing he ever visited the town.³⁵ One inference is that both the dream place and the dreamer's recognition of it are dream experiences, ones with no relationship with events in the principal narrative. Jean Valjean is himself troubled by the dream recollection, asking, "Why Romainville?"³⁶ Neither he nor the reader receives an answer.³⁷

The dream experience and dream memories, conflicting with waking reality, reinforce the verisimilitude of the dream, lending credibility to Ubersfeld's conjecture that it recorded a dream of Hugo's. Ubersfeld's analysis of the dream's imagery yields insights into the author's unconsciousness. Nevertheless, within the novel the dream resists interpretation because its literary representation creates a pervasive indeterminacy, a realm of uncertainty that both invites interpretation and fails to provide clues necessary for an authoritative resolution.

IV. THE FORGOTTEN BROTHER

The dream manifests Jean Valjean's emotional turmoil as he contemplates the consequences of continuing to live as Monsieur Madeleine at the cost of the wrongful punishment of the innocent Champmathieu. At one level, the dream represents an allegory where Jean Valjean as the dream subject confronts another person in the form of his own brother. The two are approached by an authority-figure on horseback. Powerless, the figure goes by without acknowledging them, and soon afterwards the brother disappears.³⁸ As allegory the dream-brother

35. Neither does the novel establish that he *never* went there, as Ubersfeld supposes. Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 43. Ubersfeld analyzes sources for Romainville, omitting the obvious identification of the place with the novel itself (*Romanville*, from the French *roman* meaning "novel" and *ville* meaning "town"), perhaps because she expects readers to draw that conclusion themselves.

36. *LES MISÉRABLES*, *supra* note 1, at 43.

37. Hugo's interest in reworking the text confirms the value he assigned to its place in the narrative. Perhaps the enduring appeal of the dream to the author provides one additional clue for unraveling the mysteries of Hugo's identification with Jean Valjean. Reading *Romanville* for Romainville, the object of the dream may be the novel itself. Ubersfeld seems to have wrongly read Romainville as the situs where the brother disappears and hence the locus of the fratricidal wish-fulfillment rather than as the goal of the dream journey. Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 44–45. She may, however, be conflating the dream with some other source of which the author is unaware. For example, she (twice) misquotes the line about Romainville "as the place where lovers go to gather lilacs on Sunday [rather than April]." *Id.* at 44 (translated by author). This error was retained in subsequent reprintings. For a separate repetition of this quotation, see UBERSFELD, *PAROLES DE HUGO*, *supra* note 12, at 98. These may be quotations to some passage in Hugo's diary of which the author is unaware.

38. Ubersfeld construes the naked rider as a "figure of the law who condemns without saying a word." Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 48 (translated by author). Yet what is striking about the encounter is the failure of the figures to acknowledge or engage with each other. The rider is laden with imagery that associates the phallus with death, but the limp stick seems to denote the impotency of the law.

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personifies Champmathieu and, perhaps, humanity. The representation of the brother is also laden with residues of Hugo's conflicted feelings for his older brother Eugène who had died in an insane asylum in 1837 convinced that Hugo and his family had conspired to imprison him.³⁹

For readers, the accuracy of the dream-brother memory remains doubly uncertain. First, the memory of the brother may form part of the dream and thus belong to the dream subject, not Jean Valjean. This uncertainty is a function of the uncertain relationship between the dream subject and Jean Valjean. Second, the dream memory is not congruent with the narrative's prior account of Jean Valjean's childhood, which identifies an older sister as his only relative after the early death of his parents.⁴⁰

Though the text is equivocal, readers have uniformly rejected the possibility that the memory of the dream-brother is Jean Valjean's waking memory and that the dream figure corresponds to an actual brother of Jean Valjean. Ubersfeld asserts *twice* that Jean Valjean had no brother and declares that this was not an oversight by the author.⁴¹ Gaudon observes, "The 'brother of my early years' who disappears at the end of the first sequence clearly seems to refer to the biography of Hugo rather than that of Jean Valjean"⁴² The narrator's account of Jean Valjean's childhood, while not explicitly ruling out the possibility of a lost brother, omits any mention of such a brother and the account, while concise, lays particularly strong claims to completeness and objectivity.⁴³

39. Eugène was two years older than Hugo. Intimate in childhood and inseparable until their mother's death, Hugo described his brother as the "companion of my whole childhood." Victor Hugo, *À Eugène Vicomte H.*, in *LES CHANTS DU CREPUSCULE, LES VOIX INTÉRIEURES, LES RAYONS ET LES OMBRES* 214, 215 (Gallimard 1970) (1837) (translated by author). The brothers both showed literary promise as young adults and competed for recognition. When Eugène's schizophrenia took an acute, violent form in 1822, he was institutionalized and remained in an asylum for the rest of his life, suffering from the delusion that he was being held without a trial in a prison where other prisoners were being murdered. According to Hugo, he remained in contact with his brother longer than other members of his family, but his brother refused to see him after 1830. ADELE HUGO, *VICTOR HUGO BY A WITNESS OF HIS LIFE* 170 (Charles Edwin Wilbour trans., Carleton 1866); GRAHAM ROBB, *VICTOR HUGO* 97–100 (1997).

Ubersfeld sees the loss of the dream brother as manifesting the author's repressed (and conflicted) wishes associated with his own brother and thus sees the dream as the projection of the shared ego of Hugo and the dream subject. Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 48.

40. *LES MISÉRABLES*, *supra* note 1, at 71.

41. Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 43, 49. Passing references make clear that other scholars implicitly reject any kinship between Jean Valjean and Champmathieu. See Acher, *supra* note 6, at 153 n.9 (describing the dream brother as an apparition of Eugène and Champmathieu as a spectral doppelgänger); Lowenstein, *supra* note 7, at 1232 (observing that there was no connection between the two except that Champmathieu had been wrongly identified as Jean Valjean); Yves Gohin, *Une histoire qui date*, in *LIRE LES MISÉRABLES* 29, 48 (Anne Ubersfeld & Guy Rosa eds., 1985) (failing to consider kinship with Champmathieu).

42. Gaudon, *supra* note 13, at 249 (translated by author).

43. Guy Rosa singles out this passage as an example of techniques Hugo employs to establish the authority of the narrator. Guy Rosa, *Jean Valjean (I, 2, 6): Réalisme et irréalisme des Misérables*, in *LIRE LES MISÉRABLES* 204, 234–35 (Anne Ubersfeld & Guy Rosa eds., 1985). Hugo's failure explicitly to exclude the possibility of the brother contrasts with Eugène Sue's presentation of Chournieur's dream, where Chournieur

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Nevertheless, the possibility that the memory belongs to the dreamer, Jean Valjean, and not just to the subject in the dream—the possibility that Jean Valjean really had a brother whose existence he forgot—is consistent with Hugo’s words. Indeed, such an attribution seems encouraged by Hugo’s decision to alter the tense of this and only this part of the dream recollection from past imperfect to present (from “the brother of whom he was never thinking” to “the brother of whom I should say that I never think”).⁴⁴

The possibility that such a brother exists, notwithstanding his absence from the account of Jean Valjean’s childhood, does not depend on one controversial reading of the dream text that attributes the memory of the brother to the waking Jean Valjean. Even if the memory of the brother occurs solely within the dream (as it does more clearly in Hugo’s first draft), this does not eliminate the possibility that Champmathieu is Jean Valjean’s biological brother. On the contrary, the dream may project Jean Valjean’s unconscious recognition of a brother of whose existence he remains unaware. The extraordinary coincidences that result in Champmathieu’s misidentification as Jean Valjean are all equally consistent with a blood relationship between the two. Champmathieu looks like Jean Valjean, hales from Jean Valjean’s home region, engages in the family’s traditional occupation, and bears a name that derives from Jean Valjean’s maternal family. Psychoanalytic theory might even find a suppressed memory of their common birth in the imagery where the brothers feel chilled on remembering the open window of the woman who had lived in their neighborhood.⁴⁵

The question, then, is not whether it is linguistically possible to read the dream as a recollection of a lost brother. Rather, the question is whether the text would have suggested for Hugo’s readers that Champmathieu was Jean Valjean’s brother. Such a reading is made more plausible by the fact that the reunion of lost siblings was a common literary device,⁴⁶ one that Hugo deploys in other writings.⁴⁷ It plays a prominent role in *Les Misérables* when Gavroche shelters his two abandoned brothers. In that episode, the narrator assumes control over the

explains, “I never had a brother.” 1 EUGÈNE SUE, *supra* note 24, at 55. Though he had no brother, in his nightmare, all his victims seemed to be his brothers, “and I loved all of them.” *Id.*

44. The use of the present tense may signal Hugo himself forgetting Eugène. The latter part of the dream may also draw on Hugo’s childhood memories of traveling with his mother and brother in Spain during the Napoleonic occupation. The inhabitants refused to open their doors, remained “savagely silent,” and left their houses when the Hugo family entered. ADELE HUGO, *supra* note 39, at 55–56.

45. For Hugo, however, a dominant meaning of the chill was death, not birth, because his own mother died from a chill caused by drinking water when she was overheated from working in her garden. *Id.* at 99.

46. An early example is Marie de France’s twelfth-century lai (a form of lyrical poem) *Le Frêne* that recounts the abandonment and rediscovery of one of two twin girls. Marie de France, *Le Frêne*, in *THE LAYS OF MARIE DE FRANCE* 21, 21–28 (Edward J. Gallagher trans., 2010).

47. See ROBB, *supra* note 39, at 73 (describing Hugo’s composition in 1839 of three acts of a drama based on the legend of the Man in the Iron Mask).

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events, explicitly establishing both the relationship of the brothers and their lack of mutual recognition.⁴⁸

Whether fantasy or fact, the forgotten brother embodies a recurring theme in the novel—child abandonment. Abandonment of infants and young children was an issue of great public debate in mid-nineteenth century France. Hugo addresses the issue didactically through Combeferre's impassioned speech describing the horrific fate of orphaned children. The practice of child abandonment was both widespread and officially approved. Rates of abandonment had doubled during the eighteenth century,⁴⁹ and by the early nineteenth century fifteen to twenty percent of all children born in the Department of the Seine were abandoned, most within a few weeks of birth.⁵⁰ Combeferre, the student of science, cites a mortality rate of fifty-five percent for abandoned children.⁵¹ Historians now think the actual rate was even higher.⁵²

Child abandonment peaked in 1831, the year following the July Revolution and the year preceding most of the action in *Les Misérables*.⁵³ After 1830, the *tour*, the turntable portal where infants could be abandoned anonymously at hospices, became the focal point of controversy.⁵⁴ Critics feared that growing numbers of abandoned children were providing a source of vagabonds and criminals⁵⁵—the sort of social deviants personified in the novel by Gavroche, Champmathieu, and Jean Valjean himself. In the late 1840s, as Hugo worked on the first draft of the novel, France was suffering from a severe economic depression with accompanying food shortages that resulted in another upsurge of child abandonment rates.⁵⁶

Historical context leaves little doubt that Hugo's novel responded to the ongoing cultural debates about abandonment and crime. The frequency of child abandonment and its familiarity to the author's contemporaries increase the likelihood that the novel's initial readers would have perceived the possibility of a biological brother in Champmathieu. When Jean Valjean arrives at court, he immediately recognizes Champmathieu, a man who appears to be at least sixty

48. "Gavroche had no idea that on that horrible rainy night when he had offered two little mites the hospitality of his elephant, it was for his own brothers that he had played the part of Providence." *LES MISÉRABLES*, *supra* note 1, at 880.

49. RACHEL GINNIS FUCHS, *ABANDONED CHILDREN: FOUNDLINGS AND CHILD WELFARE IN NINETEENTH-CENTURY FRANCE* 10, 12, 64 (1984).

50. *Id.* at 31, 34.

51. *LES MISÉRABLES*, *supra* note 1, at 973.

52. The annual mortality rate for infants alone ranged from sixty-six to seventy-five percent in the first third of the century. The rates were significantly higher in Paris. FUCHS, *supra* note 49, at 193, 198.

53. *Id.* at 34.

54. *Id.* at 42.

55. *Id.* at 40, 264.

56. *Id.* at 70. The novel addresses the consequences of starvation in its clinical description of the starving child who died from eating plaster. *LES MISÉRABLES*, *supra* note 1, 973.

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years old,⁵⁷ the right age for an older brother.⁵⁸ He thought “he was looking at himself, older, not of course absolutely the same in the face, but alike in attitude and general appearance.”⁵⁹

Yet Jean Valjean does not respond with sympathy. He is revolted. He fails to acknowledge a brother in this stranger in stark contrast to the Bishop who had addressed the ex-convict twice as “my brother.”⁶⁰ Jean Valjean distances himself from Champmathieu, precisely because of his fear that he will regress to the criminal mentality displayed by the double:

He felt as if he was looking at himself . . . with that hair sticking up, with those wild anxious eyes, with that smock—himself as he was the day he walked into Digne, full of hate and hiding in his soul that hideous store of frightening thoughts he had spent nineteen years hoarding on the paving stones of jail. He said to himself with a shiver: “My God! Is this what I’d come to again?”⁶¹

V. DOUBLING AND IDENTITY

The encounter with the dream brother expresses the theme of doubling⁶² and anticipates Jean Valjean’s confrontation with Champmathieu in the courtroom. Such doubling occurs on three occasions in the novel, each associated with a moral crisis and a change of identity—and specifically with a change of names.

The doubling that occurs in the dream with the appearance of the brother recapitulates Jean Valjean’s first transformative experience. Following his theft of the coin from Petit Gervais,⁶³ he had experienced a vision:

[H]e saw himself for what he was, and he was already so dissociated from himself that he felt he was now no more than a ghost. What he saw, in front of him, in flesh and blood, with his stick in his hand and his smock on his back and his sack filled with stolen goods over his

57. LES MISÉRABLES, *supra* note 1, at 222.

58. Gohin’s chronology gives Jean Valjean and Champmathieu the same year of birth (1769), but the basis for doing so is evidently Javert’s assertion that the latter was the same age, itself a conclusion based on the misidentification. Gohin, *supra* note 41, at 31.

59. LES MISÉRABLES, *supra* note 1, at 222.

60. *Id.* at 66, 90.

61. *Id.* at 222.

62. Grossman sees the brother as the alter ego of Jean Valjean when she observes, “[i]n losing . . . his self-as-other, the dreamer himself dies.” KATHRYN M. GROSSMAN, FIGURING TRANSCENDENCE IN “LES MISÉRABLES”: HUGO’S ROMANTIC SUBLIME 290 (1994).

63. “Petit-Gervais” is the title of the chapter. LES MISÉRABLES, *supra* note 1, 90. For other titles Hugo considered for this chapter, see editor’s note, 1 LES MISÉRABLES (Guyard ed.), *supra* note 21, at 982.

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shoulder, with his grim and granitelike face and his mind full of abominable schemes, was the hideous galley slave Jean Valjean.⁶⁴

This first appearance of the double presented in visual form the crisis of Jean Valjean's identity: "He truly saw this Jean Valjean, that sinister face, before him. He was on the point of asking himself who this man was, and he was horrified."⁶⁵ Recognizing himself in the other, he broke down, "shed hot tears," and repented.⁶⁶

The second doubling occurs during the Champmathieu Affair, first in the nightmare and then in the courtroom. This doubling repeats the doubling that occurs after the theft of the coin and also anticipates doubling that occurs in Jean Valjean's third and final moral crisis, "*Immortale jecur*."⁶⁷ Just as the novel compares Jean Valjean's suffering during the Champmathieu Affair to the Passion of Jesus, it compares his suffering during the third crisis, when he resolves to reveal his name and legal status to Marius, to the Crucifixion. Hugo thought his depiction of the second crisis was so memorable that he communicated the force of the third crisis by comparing it to the second: it was a "tempest more furious than the one" he experienced before.⁶⁸ "What was the Champmathieu affair beside the marriage of Cosette and all that it implied?"⁶⁹ Jean Valjean himself refers to the crisis in addressing Marius, who knows nothing about it: "Ah, you think I didn't tell myself that this wasn't the Champmathieu affair, that in concealing my name I wasn't doing anyone any harm"⁷⁰

64. LES MISÉRABLES, *supra* note 1, 96. Nicole Savy sees in the novel the transformation of medieval Manichaeism into a system of dramatic contradictions, coupled with the transformations of the embodiment of the opposed principals, such as the transformation of the Bishop into Jean Valjean. Savy, *supra* note 7, at 44. At the crisis points, however, Jean Valjean confronts this opposition within himself and visually appears to himself as doubled.

65. LES MISÉRABLES, *supra* note 1, at 96. See generally VARGAS LLOSA, *supra* note 3, at 19 (observing that Jean Valjean "is given the two most dramatic dialogues in the novel" in the context of the Champmathieu Affair and in revealing his identity to Marius).

66. LES MISÉRABLES, *supra* note 1, at 96–97.

67. This is the title of Part V, Book VI, Chapter 4. This Latin phrase, italicized in the French, derives from a passage in Virgil describing the myth of Prometheus. Cf. 2 LES MISÉRABLES (Guyard ed.), *supra* note 21, at 650 n.1. For the ancients, the liver was the seat of the soul and emotions. Prometheus was punished eternally by having his liver plucked out every day. The phrase is retained as "Immortale Jecur" (without italics) by Charles Wilbour, Lascelles Wraxall and Julie Rose, and translated as "Immortal Jecur" by Fahnestock and MacAfee and as "Immortal Faith" by Denny. Only Hapgood translates the Latin as "The Immortal Liver," and adds a note explaining its allusion to Prometheus. The over-determined *jecur* is consonant with "Jacob," whose struggle is referred to in the chapter's second sentence. As a French verb form, *je cure* comes from a verb meaning to clean out something hollow such as a canal or sewer and may evoke Jean Valjean's continuing quest for redemption. Hugo contemplated an alternative title, "Duty: The Chain without End." 2 LES MISÉRABLES (Guyard ed.), *supra* note 21, at 800.

68. Les Misérables, *supra* note 1, at 1134.

69. *Id.* at 1134.

70. *Id.* at 1141. Ricatte discusses the similarity of the two crises and observes that the third, like its predecessor, does not end in a deliberate decision. See Ricatte, *supra* note 8, at 98–99. Instead, having survived

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The narrator presents each of the three crises as a dramatic conflict in which Jean Valjean appears to himself doubled.⁷¹ Jean Valjean emerges from each crisis not so much by resolute commitment to a course of conduct as by reasserting his true identity. The first crisis provides the place where Jean Valjean turns from crime and belatedly accepts the redemption offered by the bishop's words, "Jean Valjean, my brother, you no longer belong to evil but to good."⁷² It is only after the first crisis that Jean Valjean remakes his identity under the name Madeleine.⁷³ The second crisis, the "Champmathieu Affair," provides the occasion where the narrator formally acknowledges Madeleine's identity as Jean Valjean and resumes calling him by that name, though the reader has "no doubt" already recognized the protagonist as Jean Valjean.⁷⁴ Champmathieu is threatened with ruin by Jean Valjean's name: "an innocent, whose undoing is entirely due to your name, your name is weighing on him like a crime."⁷⁵ Jean Valjean sees his duty in blazing letters: "*Get going! Name yourself!*"⁷⁶ The crisis leads Jean Valjean publicly to reveal his identity in order to save the innocent Champmathieu. This anticipates the resolution of the third crisis when Jean Valjean reveals his true name and legal status to Marius proclaiming, "to live, I will not steal a name."⁷⁷

The nightmare that occurs in the midst of the second crisis itself manifests the theme of doubling and identity that occurs within each crisis. The dream reduces the doubling to the trope of brothers, which seems to operate at the level of symbol. Yet the dream provides no clue to the significance of the brothers, and proposed allegorical explanations often disregard the dream's contents.⁷⁸ All the people in the dream remain without names. When the dream subject confronts three strangers, he asks each where he is—not who they are—and they remain

the crises, Jean Valjean acts in conformity with the character he has established for himself, pursuing duty over pleasure.

One scholar sees Javert's confused ideas on the verge of his suicide as an inversion of Jean Valjean's dream, one that leads to suicide rather than rebirth. See Jean-Pierre Richard, *Petite lecture de Javert*, in VICTOR HUGO: LES MISÉRABLES 143, 152–53, 155 n.11 (Guy Rosa ed., 1995).

71. Anne Ubersfeld, *Les Misérables, théâtre—roman*, in LIRE LES MISÉRABLES 119, 132. Ubersfeld explores Hugo's explicit identification of reader and spectator in the Champmathieu trial and observes that beginning with this chapter, Hugo presents Jean Valjean in a dramatic fashion that supposes the existence of a third-person spectator.

72. LES MISÉRABLES, *supra* note 1, at 90.

73. Jean Valjean is not the only figure whose name is problematic. The relationship of characters and names is a recurring theme. See Claude Habib, "*Autant en emporte le vent!*," in LIRE LES MISÉRABLES 135, 146 (Anne Ubersfeld & Guy Rosa eds., 1985).

74. LES MISÉRABLES, *supra* note 1, at 184.

75. *Id.* at 196.

76. *Id.* at 191 (italics in original). See 1 LES MISÉRABLES (Guyard ed.), *supra* note 21, at 279.

77. LES MISÉRABLES, *supra* note 1, at 1143.

78. See GROSSMAN, *supra* note 62, at 290. For example, the brothers' encounter does not occur in Romainville as Ubersfeld supposes, nor is the dream subject's death linked to his brother's disappearance as Grossman contends. The dream's lack of clear allegorical significance contrasts with Chournieur's recurring nightmare, where his murder victims are his brother and upon waking, he tries to kill himself. 1 EUGÈNE SUE, *supra* note 24, at 55–56.

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silent. At the end of the dream, the first stranger asks the dream subject where he is going, not who he is, and informs him that he is dead.

As the brothers walk down the sunken road, they seem to become submerged in earth. Everything appears to be the color of earth, even the sky. It is at this point, not when they pass the naked man on horseback and not when they reach Romainville, that one of the dream brothers disappears.

VI. EARTH, REGRESSION, AND THE APPEAL OF CRIMINALITY

Despite the importance the dream holds for Jean Valjean himself, the novel makes no further reference to the nightmare after Jean Valjean wakes. This forgetting of the dream reinforces the narrator's judgment that the dream is a digression.

Yet, the dream plays a fertile role in the composition of the novel—understood both as process and product. The dream provides the place where the novel introduces imagery of earth, dirt, and filth. Devoid of sunshine and greenery, the dream landscape is reduced to earth. The dream subject and his brother descend further into this earth, walking down the trench-like path from which even the sky appears earth-colored. People assume the form of earth, their bodies the color of ashes, their faces the color of dirt. At the end of the dream, its lifeless world is revealed to be the world of the dead. When the dreamer realizes he too is dead, he wakes, ending the dream.

Earth imagery dominates later passages in the novel that associate historical and social phenomena with regression and criminality. Victor Brombert explores the important roles of dirt and muck in the novel and relates them to salvation.⁷⁹ These tropes are so strongly associated with *Les Misérables* and so frequently discussed that it is important to observe that they are almost entirely absent before their appearance in the dream.⁸⁰ Earth imagery is equally absent from Hugo's earlier writings on crime where we might expect to find it.⁸¹

79. See generally VICTOR BROMBERT, *VICTOR HUGO AND THE VISIONARY NOVEL* 134–35 (1984) (“God is present to him in the dark. Valjean's foot, in the mire, has found the beginning of the upward slope.”).

80. The earliest appearance of earth imagery arguably occurs when Jean Valjean hides in a ditch. *LES MISÉRABLES*, *supra* note 1, at 329. Earth imagery is notably absent from earlier passages that employ animal metaphors for the Thénardiens and Javert even though earth and dirt imagery might be appropriate. See *id.* at 130–31, 143–44. When Fauchelevent is being crushed by the wagon sinking into the mud, Hugo presents the threat of his being crushed and avoids suggesting death could result from submersion in the muck. *Id.* at 146–49. The clearest instances of earth imagery before the dream occur in the chapter “A Storm on the Brain” that precedes the dream. There the narrator describes how Jean Valjean relinquishes illusions and turns away from the “earth,” 1 *LES MISÉRABLES* (Guyard ed.), *supra* note 21, at 280. Jean Valjean recognizes that truths, like diamonds, are buried deep in the earth where they must be found. *Id.* at 283.

81. Hugo does not deploy the imagery in *Claude Gueux* or in *The Last Day of a Condemned Man*, except for one passing reference in the dramatic dialogue that accompanied the fourth edition of the latter. A character complains the work requires readers to look into prisons and galleys: “We know perfectly well that they're cesspits [*cloaques*] . . .” VICTOR HUGO, *THE LAST DAY OF A CONDEMNED MAN* 31 (Christopher Moncrieff trans., One World Classics, 2009) (1829).

The sunken road imagery may derive in part from early childhood memories. Hugo later remembered childhood visit to his father at Avellino where he and his brothers played in a deep, tree-covered ravine, “rolling down the slope, or climbing the trees.” ADELE HUGO, *supra* note 39, at 27.

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The location of earth imagery in the text suggests that Hugo was drawn to the trope in the process of composing the nightmare and that the imagery appealed to him more forcefully as he completed the remaining text. Such a biographical explanation for the sequence of the imagery draws attention to its unique importance in *Les Misérables* and to its increasingly prominent role in passages that occur after the dream. Yet such an explanation fails to see that the proleptic function of earth imagery in the dream was a deliberate creative choice, confirmed by Hugo's subsequent decision not to inject the imagery earlier. For example, in October 1860 he considered and rejected the idea of beginning the novel with the material on Waterloo that opens Part II.⁸² Waterloo contains descriptions rich in earth imagery and provides the place in the novel where the themes of submersion into earth, excrement, primitive language, and history converge in the Napoleonic general's defiant cry of *Merde!* (shit).⁸³ A genetic explanation also fails to account for the lack of earth imagery in key passages late in the novel, including in the final description of Jean Valjean's gravesite.

In the nightmare world, where earthen colored-people turn out to be dead, it is hard to avoid reading earth imagery as a symbol of death.⁸⁴ Nevertheless, earth is not the element Hugo usually associated with death. Earth imagery is absent from Hugo's own dreams and from the dreams of his characters in other writings where the dream subject confronts death.⁸⁵ From the waterfall in *Bug-Jargal* (1826), to the incoming tide in *The Toilers of the Sea* (1866), water provides Hugo's preferred element of death. So, too, in *Les Misérables*, water spells death in the form of rain for French forces at Waterloo,⁸⁶ the river for Javert,⁸⁷ and the ocean for human beings jettisoned by society.⁸⁸

Earth plays a special role in the novel. Filth, nonliving matter separated from the body, embraces by extension the human feces and refuse that will flow

82. BROMBERT, *supra* note 79, at 257 n.1.

83. LES MISÉRABLES, *supra* note 1, at 285–86. It is an indication of the power of Hugo's language that the French word was not translated into the English "shit" until Julie Rose's translation in 2008. The three previous complete English translations of the novel omitted the word, employed a euphemism, or retained the French. The French word provoked criticism. Hugo's defended it as "*le misérable des mots*" (the miserable one of words)—an expression that amalgamated the entire world of the novel and the novel itself with excrement. *Id.* at 1238.

84. See Ubersfeld, *Le rêve de Jean Valjean*, *supra* note 12, at 46 (cataloging imagery associated with death); GROSSMAN, *supra* note 62, at 290 (likening the sunken road to a grave).

85. Earth imagery is absent from the dream in HUGO, LAST DAY OF A CONDEMNED MAN, *supra* note 81, chapt. 42, at 88–90, and from the dream Hugo experienced in 1851 after seeing the corpse of the seven-year-old boy who had been shot twice in the head. ROBB, *supra* note 39, at 302. In an 1851 poem Hugo signifies death with the traditional "Black horse galloping beneath the black rider." VICTOR HUGO, *Insomnia*, SELECTED POEMS OF VICTOR HUGO: A BILINGUAL EDITION 192 (E.H and A.M Blackmore trans. 2001)(translated by author).

86. LES MISÉRABLES, *supra* note 1, at 261–69.

87. *Id.* at 1088.

88. *Id.* at 80–82. Hugo added the chapter of the drowning castaway, "*L'Onde et l'ombre*" (I, II, xii), after July 1861. See *Id.* at 981.

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through sewers later in the novel. The sewer itself becomes a sepulcher⁸⁹ in which Jean Valjean is interred, absorbed by the earth (“*terré*, no better word for the situation”).⁹⁰ When the novel associates death with earth and filth, it signifies a particular kind of death, uniquely shameful, ugly, and infamous.⁹¹

Martha Grace Duncan explores, from a psychoanalytic perspective, the powerful attraction of metaphors of earth, dirt, filth, and slime. “[F]ilth is a concept of exceptional richness and power, an archetypal symbol with roots lying deep in childhood, in early parental warnings and primordial experiences of the body. Contradictory and paradoxical, filth in its ultimate form of excrement unites radically opposed meanings.”⁹² Duncan proposes that the metaphors of filth and excrement are inseparable from our thinking about crime and criminals because they combine what is both strongly repelling and strongly attracting. The images evoke strong negative reactions that overlay powerful primitive attractions or desires. Duncan illustrates the ambivalent reaction to criminality with an example from *Les Misérables*. She identifies Inspector Javert’s exaggerated disgust for Jean Valjean as a particularly clear instance of a defense against a deep attraction. The Inspector, who was born to criminal parents and must fight the suspicion of criminality that he faces as a gypsy, represses with hatred and disgust the deep feelings of kinship and identification that he feels towards the criminal.⁹³

Earth imagery plays a similar role in the nightmare, where it materially embodies what is both powerfully revolting and attractive for Jean Valjean. The intensity of Jean Valjean’s fear of returning to his prior criminal self, his refusal to recognize his brother in his double, and his revulsion before the falsely accused Champmathieu—all serve to expose the powerful attraction of crime and the corresponding strength of Jean Valjean’s resistance to regression.

Later passages in the novel expand the associations of earth and filth using such imagery to manifest the past physically as a regressive force that resists historical progress. The abandoned, filthy elephant edifice in which Gavroche makes his home surrounded by rats survives as an artifact of a bygone era that is in the process of slowly sinking into the earth.⁹⁴ The novel didactically associates historical regression with criminality in the chapter “Mines and Miners,” presenting society as strata of soils with the possibility of divine and monstrous forms at the lower levels.⁹⁵ The chapter “The Lowest Depths” depicts abysses

89. *Id.* at 1045.

90. *Id.* at 1046; 2 *LES MISÉRABLES* (Guyard ed.), *supra* note 21, at 530.

91. *LES MISÉRABLES*, *supra* note 1, at 1059.

92. MARTHA GRACE DUNCAN, *ROMANTIC OUTLAWS, BELOVED PRISONS: THE UNCONSCIOUS MEANINGS OF CRIME AND PUNISHMENT* 121 (N.Y. Univ. Press 1996).

93. *Id.* 114. For Javert’s parentage and birth, *see* *LES MISÉRABLES*, *supra* note 1, at 144.

94. *LES MISÉRABLES*, *supra* note 1, at 785.

95. *Id.* at 593.

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(*abîmes*) of lawlessness where “disinterestedness vanishes”⁹⁶ and ignorance prevails. The four criminals who attack Jean Valjean inhabit this lowest social stratum,⁹⁷ speaking a grotesque criminal language described as a monstrous fossil embedded in the lowest stratum where earth ends in mire.⁹⁸

The novel’s association of the regressive past with filth and criminality endows it with repulsive features that serve Hugo’s progressive political agenda. Hugo associates earth imagery precisely with those places Rosalina de la Carrera identifies, “where the continuity of progress and history is being undermined and potential disorder and discontinuity are beginning to seep through.”⁹⁹ But this association simultaneously reveals the profound attraction of those very places. Just as individuals succumb to the “call of the abyss,”¹⁰⁰ as Marius does when he seeks death on the barricades,¹⁰¹ so too can entire nations become corrupted by the appeal of filth and death.¹⁰²

VII. REVELATION

The tradition of confessional religious writing yields one final insight into possible sources and meanings of Jean Valjean’s nightmare. Shortly before his death in 1772, the New Jersey Quaker John Woolman recorded in his journal a dream-like vision he had experienced more than two years earlier.¹⁰³ His memory, still vivid, begins with the fact that he had forgotten his own name:

In a time of sickness with the pleurisy a little upward of two years and a half ago, I was brought so near the gates of death that I forgot my name. Being then desirous to know who I was, I saw a mass of matter of a dull gloomy color, between the south and the east, and was informed that this

96. *Id.* at 594. Rose translates the title of this chapter (*Le Bas-Fond*) as “The Dregs.”

97. *Id.* at 595.

98. *Id.* at 597. *See id.* 805–06 (“[T]he awful teeming of slang, thus laid bare It does indeed feel like a sort of horrible animal of the night that has just been dragged from its cesspool.”).

99. Carrera, *supra* note 27, at 852.

100. LES MISÉRABLES, *supra* note 1, at 932.

101. *Id.* at 932. *Cf.* 2 LES MISÉRABLES (Guyard ed.), *supra* note 21, at 369, 792 (Hugo added the words “the call of the abyss” (*l’appel de l’abîme*) to the original manuscript).

102. “A nation . . . gorges on muck [*mord dans la fange*], and finds it good” LES MISÉRABLES, *supra* note 1, at 1018. In a later poem Hugo celebrates this positive appeal of earth and death: “The earth equalizes everything in the grave and commingles with dead cowherds the dust of Caesars and Alexanders. It releases the soul to the heavens while retaining the animal. In its vast erasure of evil, it ignores the difference between the ashes of the two.” HUGO, *La Terre: Hymne* [1871], SELECTED POEMS, *supra* note 85, 322–23 (translation by author).

103. A reader may understand Woolman’s experience as a dream, and it is so described by his biographer. JANET WHITNEY, JOHN WOOLMAN AMERICAN QUAKER 361 (1942). Woolman himself did not call the vision a “dream” in contrast to his other dream experiences. *Cf.* THE JOURNAL AND MAJOR ESSAYS OF JOHN WOOLMAN 24, 46, 161, 184–85, 191, 297 (Phillips P. Moulton ed., Friends United Press 1971) (1774) (explicitly describing other experiences as dreams). The other dreams were omitted either by Woolman or his editors from the early printings of the journal.

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mass was human beings in as great misery as they could be and live, and that I was mixed in with them and henceforth might not consider myself as a distinct or separate being. In this state I remained several hours.¹⁰⁴

At this point Woolman heard a pleasant voice that spoke his name and reminded him who he was:

I then heard a soft, melodious voice, more pure and harmonious than any voice I had heard with my ears before, and I believed it was the voice of an angel who spake to other angels. The words were, “*John Woolman is dead.*” I soon remembered that I once was John Woolman, and being assured that I was alive in the body, I greatly wondered what that heavenly voice could mean. I believed beyond doubting that it was the voice of an holy angel, but as yet it was a mystery to me.¹⁰⁵

Woolman did not inform those present about the dream vision, nor did he record it at the time in his diary. But he recited words on waking that were inspired by the divine power: “I am crucified with Christ, nevertheless I live; yet not I, but Christ that liveth in me, and the life that I now live in the flesh is by faith in the Son of God, who loved me and gave himself for me.”¹⁰⁶

These words comprised an almost verbatim quotation from the King James rendering of Paul’s Epistle to the Galatians.¹⁰⁷ Reciting the words had an immediate effect upon Woolman: they expressed the heavenly joy over the repenting of a sinner and they revealed to him the meaning of the angel’s announcement in his dream vision of his own death. That announcement, he understood, “meant no more than the death of my own will.”¹⁰⁸ Attaining this understanding of the dream vision prompted Woolman’s waking or return to consciousness—his “natural understanding now returned.”¹⁰⁹

The words Woolman recited express a truth of surpassing importance for both Paul and Woolman. The quoted passage occurs at the climax of one of Paul’s most forceful expressions of anti-legalism. The words follow Paul’s observation that death to the law is a prerequisite for identity with Jesus,¹¹⁰ and they precede Paul’s repudiation of salvation through law.¹¹¹

104. JOURNAL AND MAJOR ESSAYS OF JOHN WOOLMAN, *supra* note 103, at 185. The account of this vision or dream was included, with minimal stylistic alterations, in the earliest printed edition of Woolman’s writings and was reprinted in the standard editions of the journal up through the late twentieth century that omitted his other dreams.

105. *Id.* at 185–86.

106. *Id.* at 186.

107. *Galatians* 2:19 (King James).

108. JOURNAL AND MAJOR ESSAYS OF JOHN WOOLMAN, *supra* note 103, at 186.

109. *Id.*

110. *Galatians* 2:19 (King James) (“For I through the law am dead to the law, that I might live unto God.”).

111. *Galatians* 2:21 (King James) (“I do not frustrate the grace of God: for if righteousness *come* by the law, then Christ is dead in vain.”) (emphasis in original).

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The dream vision marks the turning point for Woolman's medical crisis. After waking and reciting the words from Paul, Woolman "coughed and raised much blood matter" and soon after recovered.¹¹² The dream vision also marks the turning point for a moral crisis. Woolman had fallen ill and experienced his dream vision after returning home from a failed effort to carry his anti-slavery message to the West Indies.¹¹³ At the moment when he had planned to embark for the West Indies, he had been unable to come to a decision, and he suffered painful doubts about his own motives. The content of the vision responds directly to Woolman's moral doubts. Through his two-hour submersion into the "mass of matter of a dull gloomy color,"¹¹⁴ the vision reveals his fellowship with suffering humanity. The southeast direction from which the mass appears points to his concerns with slavery—and the direction of his aborted sea voyage.

The angel's words announcing Woolman's death provoke the paradoxical awareness that he was alive. Tormented by lingering self-doubts over his decision not to proceed to the West Indies, Woolman understands his dream vision as revealing the death of his individual will and his unity with the divine. In reciting Paul's words, Woolman gives voice to the truth he now understands, that he died with Jesus and that Jesus lives within him. In the context of his dream vision, these words express his recognition that he, with humanity as a whole, shared in the suffering of Jesus.¹¹⁵ After experiencing the dream vision, Woolman will undertake the final stage of his mission marked by his avoidance of silver, his year-long silence, and his voyage to England.¹¹⁶

Jean Valjean's nightmare bears striking similarity to Woolman's dream vision.¹¹⁷ In each, the dream subject confronts other humans as an external, dead

112. JOURNAL AND MAJOR ESSAYS OF JOHN WOOLMAN, *supra* note 103, at 186. The discharge of blood from the lungs suggests a diagnosis of pneumonia rather than pleurisy.

113. *Id.* at 155–62.

114. JOURNAL AND MAJOR ESSAYS OF JOHN WOOLMAN, *supra* note 103, at 185.

115. Woolman considered this an important theological insight and repeated it in his final Epistle to Friends in America: "[T]hey who are baptized into Christ are baptized into his death, and as we humbly abide under the sanctifying Power, and come forth in newness of life, we feel Christ to live in us . . . [a]nd when, under travail [sic] of spirit, we behold a visited people entangled with that which is not of the Father . . . [.] under a sense of these things sorrow & heaviness is often experienced, & thus in some measure is filled up that which remains of the afflictions of Christ." John Woolman, *An Epistle to the Quarterly and Monthly Meetings of Friends*, in THE JOURNAL AND ESSAYS OF JOHN WOOLMAN 475, 479 (Amelia Mott Gummere ed., New York, The Macmillan Company, 1922). The essay was originally published in 1772. *Id.* at 475.

116. There is a break in the published journal between his near-death illness in early 1770 and his decision in early 1772 to travel to England. JOURNAL AND MAJOR ESSAYS OF JOHN WOOLMAN, *supra* note 103, at 162, 163.

117. Hugo may have known of Woolman's journal. Reprinted in scores of editions before the Civil War, the journal formed a core part of anti-slavery literature familiar to literate English speakers. Although Hugo did not read English, see A.R.W. JAMES, *Waterloo sans 'Cambronne' ou les méfaits de Lascelles Wraxall*, in VICTOR HUGO ET LA GRANDE-BRETAGNE 195 (A.R.W. James ed. 1986), he could have learned of the dream second hand. Moreover, five French translations of parts of Woolman's journal appeared between 1823 and 1855, though it is uncertain whether any of them included the dream or whether Hugo had access to them. I am grateful to Eva Guggemos, special collections librarian at Yale, who consulted the French translation of Woolman's journal held at Yale and confirmed that it omits the dream. E-mail from Eva Guggemos, Special

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mass. Each realizes that he, too, is dead. Upon attaining this understanding, each wakes up or returns to consciousness. Like Woolman, Jean Valjean experiences his dream at a moral crisis point, and the experience points the way forward; not by commanding a particular course of conduct, but by embodying a state of religious surrender that rejects the claims of the self. For Jean Valjean, as for Woolman, the dream operates as revelation leading to the recovery of true identity through a loss of separate will.

For Jean Valjean, the nightmare also reveals the incompleteness of his former moral progress. It exposes the limits of legal rehabilitation. After Jean Valjean steals the silverware from the bishop, the bishop forgives him and makes a further gift of the silver candlesticks. In parting, he addresses Jean Valjean as “my brother” and says, “you no longer belong to evil but to good. It is your soul that I am buying for you . . . and I am giving it to God.”¹¹⁸

But the bishop’s charity does not prevent Jean Valjean from committing his third and most malicious crime. After leaving the bishop’s residence, Jean Valjean takes to the road. Sitting in a deserted area as the sun sets, he is approached by the young Savoyard chimney sweep Petit Gervais. The boy drops a coin. The narrator calls it a “forty-sous piece” to emphasize its value to its young owner. French readers would have understood it as a two-france piece, a five-gram silver coin comparable to a half dollar.

Jean Valjean puts his foot on the coin. When Petit Gervais demands its return, Jean Valjean ignores him. Then, while holding his staff or cudgel (*batôn*), he orders Petit Gervais to leave. Only after Petit Gervais flees in tears does Jean Valjean realize fully what he has done. He seeks to return the coin to Petit Gervais but is unable to find him.¹¹⁹

Hugo’s presentation of the circumstances surrounding Jean Valjean’s encounter with Petit Gervais is studiously ambiguous. The ambiguities affect both the extent of Jean Valjean’s moral blameworthiness and the legal classification of his conduct. It is uncertain whether Jean Valjean was aware that his foot covered the dropped coin, whether he had the intent to steal, and whether stepping on the dropped coin constitutes the act required for theft. It is equally uncertain whether the remote area where the events occurred was a public highway, whether the events occurred at night, and whether Jean Valjean possessed or used a weapon.¹²⁰

Collections Librarian, Yale Univ., to Michael Hoffheimer, Professor of Law, Univ. of Miss. School of Law (Sept. 14, 2010) (on file with the *McGeorge Law Review*).

Woolman’s imagery later appealed to another socially engaged author who incorporated his vision wholesale into a novel. Cf. THEODORE DREISER, *THE BULWARK: A NOVEL* 329–330 (Doubleday Company 1946). See generally Gerhard Friedrich, *Theodore Dreiser’s Debt to Woolman’s ‘Journal,’* 7 AM. Q. 385, 389–90 (1955) (discussing impact of Woolman on Dreiser’s fiction).

118. *LES MISÉRABLES*, *supra* note 1, at 90.

119. *Id.* at 90–97.

120. *Id.* Jean Valjean carried a staff or cudgel (*batôn*) during the encounter with Petit Gervais. The term describes an object that may be used as a weapon or as an insignia of authority. See *infra* note 131.

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Because Jean Valjean is relatively wealthy as a result of the bishop's recent gift, his theft of the coin from the child is especially senseless and cruel. Jean Valjean realizes the crime is "even more cowardly and monstrous for coming after the bishop's pardon,"¹²¹ and feels remorse for the crime that he did not feel after stealing from the good bishop. His remorse for this final crime provides the occasion for his moral awakening and legal rehabilitation. Linking his legal reform to religious transformation, Hugo's narrator observes, "What the bishop had wanted him to become, [Jean Valjean] became. This was more than a transformation, it was a transfiguration."¹²² The narrator tells us twice that Jean Valjean devotes his life to the dual goals of concealing his name and sanctifying his soul through good works.¹²³ On the eve of the "Champmathieu Affair," a reformed Jean Valjean achieves rehabilitation under the new identity of Monsieur Madeleine.

The nightmare reveals that Jean Valjean's redemption is not compatible with the goal of concealing his name. Neither positive law nor situational ethics requires Jean Valjean to expose his identity. The nightmare signifies the moral way forward, presenting Jean Valjean's identity with other dying humans and motivating the surrender of his ego to the claims of the divine. Awakening from the dream and without further decision-making, Jean Valjean travels to the court where he discloses his identity. Just as John Woolman regains his self-identity only after attaining awareness of his identity with humanity and with the suffering Jesus, so Jean Valjean, after his dream, takes back his rightful name and commences the course of conduct where he will appear as the "coming of God."¹²⁴

VIII. CONCLUSION: DREAM TRACES

Jean Valjean's nightmare has failed to earn a central place either in the popular imagination or in critical scholarship on Hugo. In a novel whose vivid characters and events receive new life through film, radio, and stage productions, Jean Valjean's dream is largely forgotten. This is understandable, for the dream

There is similar uncertainty as to whether Jean Valjean is armed during his first crime, the theft of bread. The narrator observes that he "had a gun" without specifying whether he was carrying the gun at the time of the theft. *LES MISÉRABLES*, *supra* note 1, at 72. The French (*avait un fusil*) is ambiguous. 1 *LES MISÉRABLES* (Guyard ed.), *supra* note 21, at 108.

When Jean Valjean steals the silverware in the presence of the sleeping bishop, he carries "a short iron bar, sharpened at one end like a hunting spear." *LES MISÉRABLES*, *supra* note 1, at 85. It is clear that he plans to use the instrument to break open the silver cabinet but less clear whether he plans to use it to kill the bishop if necessary. *Id.* at 87. The narrator reports that the criminal's thoughts are unknowable and describes Jean Valjean's face: "He looked as though he was ready either to smash the old man's skull in or to kiss his hand." *Id.*

121. *Id.* at 97.

122. *Id.* at 185.

123. *Id.* at 185, 191.

124. *Id.* at 364. *See also id.* at 351.

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explains nothing while challenging the stability of characters and events in the novel.

Like a real dream, Jean Valjean's nightmare disappears. Yet the nightmare leaves traces. Just as Jean Valjean preserved the document in which he recorded the dream for the rest of his life, images the dream introduces—the attraction and repulsion of filth and of death embodied in the earth—reappear at key places, dream fragments or residues that suffuse the novel, providing thematic cohesion to a sprawling text. The dream offers a resting point in the montage from which the whole becomes visible: it exposes the appeal of the primitive and lawless that establishes the common bond between Jean Valjean's inner struggle and the social conflict between progress and reaction that bursts into violence at the barricades.¹²⁵

The nightmare represents a nonrational response to a carefully framed legal problem for which law and utilitarian considerations provide no solution. A revelation of the dreamer's unity with other humans and an annunciation of his death, the dream propels Jean Valjean from rehabilitation towards redemption and apotheosis. It both challenges and enriches the legal discourse of the novel, and in doing so, it moves the novel beyond the world of law and into the borderland of fiction.¹²⁶

125. Hugo expressed this parallelism in an alternative title he considered for a chapter in volume five that refers to the sources of the violence that erupted in 1832, "Form That Disorder Assumed in Order." This provisional title (ultimately rejected for "Disorder the Partisan of Order") mimics the title of the chapter that contains Jean Valjean's nightmare ("Forms That Suffering Assumes During Sleep") [*"Forme que prenait le désordre dans l'ordre"*] echoes "*Formes que prend la souffrance pendant le sommeil*". See 2 LES MISÉRABLES (Guyard ed.), *supra* note 21, at 450, 797.

126. Early readers understood LES MISÉRABLES as a religious work with practical legal and social consequences. In one of the first North American reviews, the prominent Boston critic Edwin Percy Whipple denounced Hugo's "new gospel" as a "morbid" work and feared it would "do infinitely more harm than good" by weakening social abhorrence of crime. Edwin Percy Whipple, *Fantine by Victor Hugo*, THE ATLANTIC MONTHLY (July 1862), available at www.theatlantic.com/past/docs/unbound/classrev/lesmisfa.htm (on file with the *McGeorge Law Review*).

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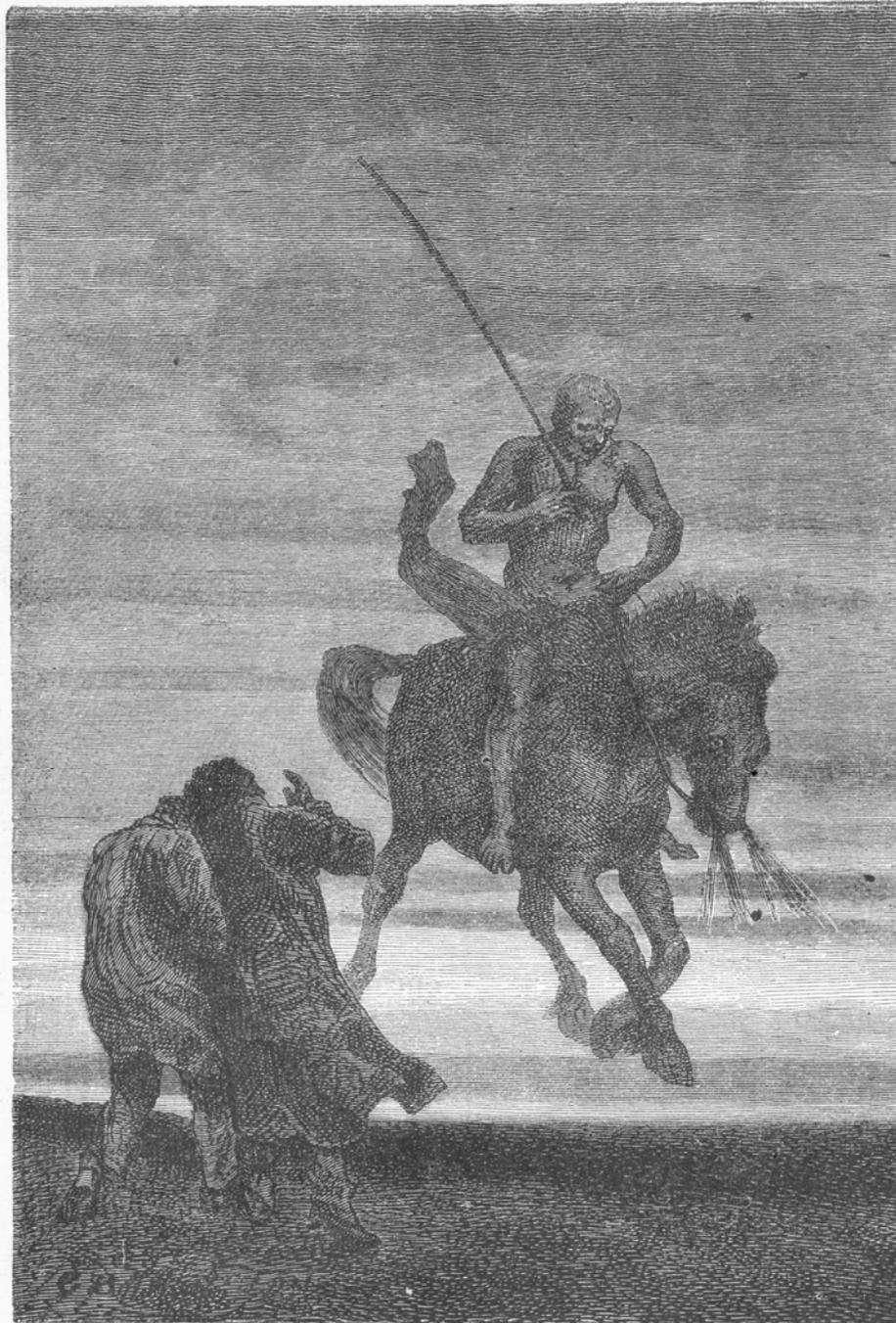


Figure 2. "The man was stark naked, the color of ash." Wood engraving by Yon and Perrichon of painting by Gustave Brion. From VICTOR HUGO, *LES MISÉRABLES*, ILLUSTRÉS DE DEUX CENTS DESSINS PAR BRION GRAVURES DE YON ET PERRICHON 129 (J. Hetzel & A. Lacroix eds., 1865). This gathering of pages was printed from stereotype or electrotpe copies of plates by Bonaventure et Ducessois. This reproduction duplicates the optical effects caused by the carved wavy lines and contains the ink splotches contained on the original impression.

*McGeorge Law Review / Vol. 43*APPENDIX A: JEAN VALJEAN'S NIGHTMARE (1862 VERSION)¹²⁷*Translated by Michael H. Hoffheimer*

Whatever this dream may be, the history of that night would be incomplete if we left it out. It is the somber adventure of a diseased soul.

Here it is. On the envelope we find these lines inscribed: *The dream I had that night.*

“I was in a rural area. A vast, sad rural area where there was no grass. It did not seem to me to be either day or night.

“I was going for a walk with my brother, the brother of my childhood years, the brother of whom I should say that I never think and whom I almost no longer remember.

“We were talking, and we were passing other people out for a walk.¹²⁸ We were talking about a woman who had once lived in our neighborhood and who, since she dwelled on the road,¹²⁹ worked with her window always open. While we were talking, we became cold because of that open window.¹³⁰

“There were no trees in the rural area.

“We saw a man pass by near us. The man was stark naked, the color of ash, mounted on a horse the color of earth. The man did not have any hair. His skull and the veins on his skull were visible. He held a stick¹³¹ in his hand that was

127. I thank Guy Rosa for permission to translate the versions of the texts that he edited. VICTOR HUGO, LES MISÉRABLES (Guy Rosa with J. Seebacher eds., 2009), http://groupugo.div.jussieu.fr/Miserables/Lecture/Final/Cadres_lecture_Final.htm (on file with the *McGeorge Law Review*); and Victor Hugo, Les Misères (Guy Rosa with J. Seebacher eds., 2009), http://groupugo.div.jussieu.fr/Miserables/Lecture/Miseres/Cadres_lecture_Miseres.htm (on file with the *McGeorge Law Review*). See also Victor Hugo, Les Misérables, available at <http://www.educnet.education.fr/dossier/francais-tice/bibliotheques-numeriques/romans-nouvelles/victor-hugo-les-miserables?searchterm=Victor+Hugo> (on file with the *McGeorge Law Review*) (listing the texts, accompanying links, and draft).

I compared the on-line texts with other published sources and with the photograph of the ca. 1847 manuscript printed in L'ARC, no. 57, at 40 (1974). I altered one paragraph break to conform to the original manuscript as I read it (from the photograph copy). See, e.g., http://groupugo.div.jussieu.fr/Miserables/Consultation/Tableau/Tableau_010704.htm [hereinafter Nightmare Passage History] (on file with the *McGeorge Law Review*) (comparing three versions of the nightmare sequence).

128. [*Nous recontrions des passants* (we encountered bypassers)]. This seemingly unproblematic phrase discloses the challenges of translating Hugo's prose. The substantive *passant* assumes special meaning. The narrator applies it repeatedly to Jean Valjean, and Hugo considered it as a title for book one, BROMBERT, *supra* note 79, at 257 n.5. The narrator-Hugo also applies it to himself when he (Hugo) visits Waterloo (II, I, i). Brombert discusses Hugo's use of the word. *Id.* at 91.

129. The term “rue” is employed throughout for the streets except for the *chemin creux*. See *infra* note 132.

130. Hugo added the two sentences about the neighbor woman later. Nightmare Passage History, *supra*, note 127.

131. *Baguette*. This could denote a stick, wand, or baton. It would not have meant a loaf of bread in the mid-1800s when “French bread” was not yet formed into long thin loaves later called baguettes. The object carried by the man on horseback evokes the *bâtons* (staves or truncheons) that Jean Valjean carried and that Hugo invariably depicts carried by prison guards. 2 LES MISÉRABLES (Guyard ed.), *supra* note 21, 105; VICTOR HUGO, LE DERNIER JOUR D'UN CONDAMNÉ, in 11 OEUVRES DE VICTOR HUGO 348, 381 (Paris, Furne et cie., 1844) (1832).

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supple like a segment of grapevine and heavy like iron. This rider went past and said nothing to us.

“My brother said to me: Let us take the sunken road.¹³²

“There was a sunken road where one could see neither the bushes nor a sprig of moss. Everything was the color of earth, even the sky. After a few steps, no one answered me any more when I spoke. I noticed that my brother was no longer with me.

“I went into a village that I saw. I imagined that it must be Romainville (why Romainville?).¹³³

“The first road that I went down was deserted. I went down a second road. Behind the corner where the two roads met, there was¹³⁴ a man standing against the wall. I said to this man: What place is this? Where am I? The man did not answer. I saw the open door of a house; I went in.

“The first room was deserted. I entered the second. Behind the door of this room, there was a man standing against the wall. I asked this man: Whose¹³⁵ house is this? Where am I? The man did not answer. The house had a garden.

“I left the house and went into the garden. The garden was deserted. Behind the first tree, I found a man who was standing up. I said to this man: What garden is this? Where am I? The man did not answer.

“I wandered through the village, and I noticed that it was a city. All the roads were deserted; all the doors were open. No living being was out on the roads, or about in the rooms, or going for a walk in the gardens. But behind the corner of every wall, behind every door, behind every tree, there was a man standing who was keeping silent. No more than one was ever visible at a time. These men watched me go by.

“I left the city and set out to walk in the fields. After some time, I was returning and I saw a large crowd coming behind me. I recognized all the men that I had seen in the city. They had strange heads. They did not seem to hurry

132. *Chemin creux*. Literally a dug out or excavated route. The expression denotes a road or path whose bed is sunk visibly below ground level because it was excavated or has eroded over time. The term generally evokes an older, established rural route, often lined with shrubs and overhung with tree limbs. A sunken road figures prominently in the novel’s reconstruction of Waterloo where Napoleon, unaware that a deep excavated road traversed the battlefield, ordered a cavalry attack with devastating losses. *LES MISÉRABLES*, *supra* note 1, at 263, 272, 276. The sunken road at Waterloo is historically problematic. See Drew Middleton, *Introduction to VICTOR HUGO, THE BATTLE OF WATERLOO: A ROMANTIC NARRATIVE 7* (Westport: The Limited Editions Club 1977) (1862) (“No contemporary description of the battle mentions this [sunken road], nor do reputable historians.”).

Grossman sees both the sunken road in Jean Valjean’s dream and the sunken road at Waterloo as examples of folds or gaps in the novel where a ditch turns into a grave. *GROSSMAN*, *supra* note 62, 290. A *chemin public* (public road) has legal meaning relevant to the narrative because theft on a public road is a serious offense. See *supra* note 6. A *chemin creux*, however, is not necessarily a *chemin public*.

133. The parenthesis is in the hand of Jean Valjean. [This footnote is by Hugo. It and the accompanying text were added after the first draft. Nightmare Passage History, *supra* note 127.]

134. Changed from “he saw.” *Id.*

135. “A qui” (1862) altered from “Quelle” (ca. 1847). *Id.*

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and yet they were walking faster than me. They made no noise while walking. In an instant, this crowd caught up with me and surrounded me. The faces of these men were the color of earth.

“Then the first one whom I had seen and asked a question when I went into the city said to me: Where are you going? Don’t you know that you’ve been dead a long time?”

“I opened my mouth to answer, and I noticed there was no one around me.”

APPENDIX B: JEAN VALJEAN’S NIGHTMARE (CA. 1847 VERSION)

Translated by Michael H. Hoffheimer

He fell asleep and had a dream.

He recounted this dream many times and, whatever it may be, the history of that night would be incomplete if we left it out. This was his dream.

He was in a rural area.

A vast, sad rural area where there was no grass.

It did not seem to him to be either day or night.

He was going for a walk with his brother, the brother of his childhood years, the brother of whom he never thought and whom he almost no longer remembered.

They were talking,¹³⁶ and they were passing other people out for a walk.

[They were talking about a woman who had once lived in their neighborhood and who, since she dwelled on the road, worked with her window always open.

While talking, they became cold because of that open window.]¹³⁷

There were no trees in the rural area.

They saw a man pass by near them.

The man was stark naked, the color of ash, mounted on a horse the color of earth. The man did not have any hair. His skull and the veins on his skull were visible. He held a stick in his hand that was supple like a segment of grapevine and heavy like iron.

This rider went past and said nothing to them.

His brother said to him: Let us take the sunken road.

There was a sunken road where one could see neither the bushes nor a sprig of moss. Everything was the color of earth, even the sky.

After a few steps, no one answered him any more when he spoke.

He noticed that his brother was no longer with him.

He went into a village that he saw.

[He imagined that it must be Romainville.]¹³⁸

136. First draft: “They were talking between themselves” (*tous les deux*). *Id.*

137. Text in brackets added after first draft. *Id.*

138. Text in brackets added after first draft. *Id.*

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The first road that he went down was deserted. He went down a second road. Behind the corner where the two roads met, he saw a man standing against the wall. He said to this man:—What place is this? Where am I?¹³⁹

The man did not answer.

He saw the open door of a house; he went in.

The first room was deserted. He entered the second. Behind the door of this room, there was a man standing against the wall.

He asked this man:—What house is this? Where am I?

The man did not answer.

[The house had a garden.]¹⁴⁰

He left the house and went into the garden. The garden was deserted. Behind the first tree, he found¹⁴¹ a man who was standing up.

He said to this man: —What garden is this? Where am I?

The man did not answer.

He wandered through the village, and he noticed that it was a city [ville].

[All the roads were deserted; all the doors were open.]¹⁴²

No living being was out on the roads, or about in the rooms, or going for a walk in the gardens.

But behind the corner of every wall, behind every door, behind every tree, there was a man standing who was keeping silent.

No more than one was ever visible at a time. These men watched him go by.¹⁴³

He left the city and set out to walk in the fields.

After some time, he was returning and he saw a large crowd coming behind him.

He recognized all the men that he had seen in the city. They had strange heads.

They did not seem to hurry and yet they were walking faster than him. They made no noise while walking.

In an instant, this crowd caught up with him and surrounded him. The faces of these men were the color of earth.

Then the first one whom he had seen and asked a question when he went into the city said to him:

—Where are you going? Don't you know that you've been dead a long time?

He opened his mouth to answer, and he noticed there was no one around him.

¹⁴⁴

139. Dash was omitted here and used (inconsistently) to introduce quotations in the first draft. *Id.*

140. Text in brackets added after first draft. *Id.*

141. Altered from “saw” (*vit*) in first draft. *Id.*

142. Text in brackets added after first draft. *Id.*

143. First draft adds: “but did not speak to him.” *Id.*

144. The passage is separated from the following paragraph by a line. *Id.*