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Letter to My Judge



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Translated by Howard Curtis



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Lettre à mon juge



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Translator's Note

The 'Judge' of the title is not the kind of judge who presides over a trial but what in French is called a *juge d'instruction*, usually rendered in English as 'examining magistrate', who is involved in the pre-trial investigation, questions the defendant and the witnesses, and examines the evidence and prepares it for trial.

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I

*To Monsieur Ernest Comélieau,
Examining magistrate,
23b Rue de Seine, Paris VI*

My dear Judge,

I would like one man, just one, to understand me. And I really hope that man can be you.

We spent many hours together during the weeks you were investigating my case. But it was too soon then. You were a judge, you were my judge, and it would have looked as if I were trying to justify myself. You know now that's not what this is about, don't you?

I don't know what impression you had when you came into the courtroom. Obviously, you know the place well. But I remember your arrival quite distinctly. I was all alone, between my two guards. It was five in the evening, and the light was starting to wane, forming something like clouds in the room.

It was one of the reporters – their table was very close to me – as I say, it was one of the reporters who was the first to complain to his neighbour that it was getting harder to see clearly. His neighbour told *his* neighbour, a rather shabby, cynical-looking man, probably a veteran of the courts. I don't know if I'm

mistaken, but I think he's the one who wrote in his newspaper that I looked like a crouching toad.

That's partly why I wonder what impression I made on you. The dock is so high in relation to the bench we sit on that only our heads can be seen over it, which made it only natural that I should keep my chin on my hands. I have a broad face, an excessively broad face, and I sweat easily. But why call me a toad? To amuse the readers? Out of spite? Because he didn't like my face?

These are details, forgive me. They don't really matter. The old reporter, who's on familiar terms with the lawyers and magistrates, gave a little sign to the presiding judge, who leaned towards his associate on his left, who in turn leaned towards someone else. Eventually, the order reached the court bailiff, who switched on the lights. The only reason I'm mentioning these things is that all these goings-on held my attention for a while, which reminds me that when I was a boy, what fascinated me most in church was the sight of the sacristan lighting and extinguishing the candles.

Anyway, it was just then that you sneaked in, almost apologetically, your briefcase under your arm, your hat in your hand, and made your way through the law students blocking the entrance. Apparently – as one of my lawyers told me with sadness in his voice – for most of the trial I didn't behave well. But then they came out with so much nonsense, all said with such an air of solemnity! I'm told I sometimes shrugged my shoulders and even smiled sarcastically. One evening newspaper published a photo of me smiling, emphasizing that it was during the most moving part of one of the witness statements.

'The defendant's hideous smile.'

Like the hideous smile some people say Voltaire had!

You came in. I'd only ever seen you behind your desk. You reminded me of a surgeon making a flying visit to the hospital where his pupils and assistants are waiting for him.

You didn't immediately look in my direction. Whereas I was dying to say hello to you, to have some human contact with you. Is that so ridiculous? Is it another example of my cynical attitude, to use the word that was used a great deal about me?

We hadn't seen each other for five weeks. For the two months of the investigation, we had met almost daily. Do you know, I even loved waiting in the corridor outside your office, and I still sometimes feel nostalgic about it?

I can still see the dark doors of the various magistrates' offices, all in a line as if in a monastery, the benches between the doors, the colourless floor stretching into the distance. I was between my two gendarmes and on the same bench, and on other benches sat witnesses – free men and women – as well as people with handcuffs on their wrists.

We would look at each other. This is the thing I need to explain to you, although I realize it's an almost impossible task. It would be so much easier if you, too, had killed someone!

The fact is, for forty years, like you, like everyone else, I was a free man. Nobody suspected I would one day become what's called a criminal. In other words, I am, in a way, an amateur criminal.

Well, when I was sitting in your corridor and I looked at the witnesses, male or female, some of them people I knew, since they were witnesses in my case, the way we looked at each other was pretty much the way a man might look at a fish and vice versa.

Those of us in handcuffs, in contrast, felt an instant sympathy for each other.

Please don't get the wrong idea. This is something I'll probably have to explain to you later. I have no sympathy for murder, nor for murderers. But everyone else is far too stupid.

I'm sorry. That's not exactly what I mean either.

You came in, and in fact, a little earlier, during the break,

after the reading of the interminable charges – how can a man, in all good faith, put together so many inaccurate statements about one of his fellow men? – I had heard someone talking about you.

Indirectly, that is. You know the little room where defendants wait before sessions and during breaks. It's like the backstage area in a theatre. But it reminded me more of my days in the hospital, and of the relatives waiting to hear the outcome of an operation, and how we would walk past them, talking of trivial matters as we put out our cigarettes and pulled on our rubber gloves.

'Did you know so-and-so has been appointed to a post in Angers?'

'Didn't he do his thesis in Montpellier at the same time as . . .'

There I was, sitting on a shiny bench, just like those relatives of patients. Lawyers walked past, finishing their cigarettes, looking at me vaguely, without seeing me, just as we might have looked at the husband of a sick woman.

'They say he's a good chap. His father was a justice of the peace in Caen. He had to marry one of the Blanchon girls . . .'

It's you they were talking about. Just as I would have talked a few months earlier, when we belonged to the same world. At that time, if we had lived in the same town, we would have met twice a week for a game of bridge. I would have called you 'my dear judge' and you would have called me 'my dear doctor'. Then, with time:

'My old friend Comélieau . . .'

'My good friend Alavoine . . .'

Would we really have become friends? It was when I heard them talking about you that I asked myself the question.

'No,' the second lawyer replied. 'You're confusing him with another Comélieau, his cousin Jules, who was struck off by the Bar Association in Rouen two years ago and did actually marry

a Blanchon girl . . . This Comélieau married the daughter of a doctor whose name escapes me . . .’

Yet another detail that connects us.

In La Roche-sur-Yon, I number a few magistrates among my friends. In those days, it never occurred to me to ask them if they think about their clients the way we think about our patients.

We lived through nearly six weeks together, if I can put it that way. I’m well aware that during that time you had other concerns, other clients, other cases, and that your personal life continued. But I suppose I was a particularly interesting case, as some patients are for us.

You were trying to understand, that much was clear to me. Not only as an honest professional, but as a man.

Here’s one detail, among others. Our conversations weren’t one-to-one, since your clerk and one of my lawyers, almost always Maître Gabriel, were present. You know your office better than I do, the tall window looking out over the Seine, with the roofs of the Samaritaine looking as if they were painted on a backdrop, the often half-open cupboard door with an enamel fountain and a towel hanging on it. (In my office I also have a fountain for washing my hands between patients.)

Despite Maître Gabriel’s efforts to constantly put himself forward, there were often moments when I felt as if we were alone, when, as if by mutual consent, we had decided that the other two men didn’t count.

We didn’t need knowing glances for that. We just had to ignore them.

And then of course there were the telephone calls! Forgive me for mentioning them. It’s none of my business. But you inquired about the most intimate details of my life, so why shouldn’t I have been tempted to do the same? Five or six times, almost always at the same hour, towards the end of the

interview, you received calls that disconcerted you, made you uncomfortable.

You would reply as far as possible in monosyllables. You would assume a detached air and check your watch.

'No . . . An hour at least . . . That's impossible . . . Yes . . . No . . . Not right now.'

Once, you inadvertently let slip the words:

'No, my dear.'

And then you blushed and looked at me, as if I alone counted. To the two others, or rather to Maître Gabriel, you simply apologized:

'Sorry for the interruption, Maître . . . Where were we?'

There are so many things I understood, that you know I understood! Because, you see, I have one immense advantage over you, whatever you do: I've killed someone.

I must thank you for having, in your report, summarized your investigation so simply, so dispassionately, that the prosecutor wasn't pleased, because, as told by you, the case, as he put it, seemed for all the world like a trivial news item.

As you see, I'm well informed. I even know that one day when you were talking to other magistrates about me, someone asked you:

'Having had plenty of opportunities to study Alavoine, can you tell us if, in your opinion, what he did was premeditated or if he acted in a state of intense emotion?'

How anxious I would have been, Judge, if I'd been there! I would have had such a strong desire to prompt you that my whole body would have been tingling. Apparently, you hesitated, coughing two or three times.

'In all conscience, I strongly believe that Alavoine, whatever he claims, whatever he may think, acted in a moment of diminished responsibility and that there was no premeditation.'

Well, Judge, that hurt me. I thought about it again when I

saw you among the law students. There must have been something reproachful in the look I threw you, because a little later, when you left, you came face to face with me for a few seconds and looked up at me. I'm sorry if I got it wrong, but it seemed to me you were apologizing.

If I'm not mistaken, what you were telling me was this:

'I did everything I could to understand, honestly. Now it's up to others to judge you.'

That was the last time we saw each other. We'll probably never meet again. The gendarmes are bringing in other clients to see you, other witnesses with varying degrees of intelligence or passion.

Pleased as I am that it's all over, I envy them, I admit, because they still have the opportunity to explain themselves, whereas I have nothing to rely on now but this letter you may well dismiss as a stupid mistake without even reading it.

That, Judge, would be a pity. I say this without any vanity. Not only a pity for me, but for you, too, because I'm going to tell you something you suspect but would rather not admit, something that secretly torments you, something I know is true, having more experience than you since I went over to the other side: you're afraid.

You're afraid of the very thing that happened to me. You're afraid of yourself, of a kind of frenzy that might take hold of you, you're afraid of a revulsion you can feel growing inside you as slowly and inexorably as a disease.

We are almost the same, you and I.

So why, since I was brave enough to go all the way, can't you be brave enough to understand me?

As I write, I can still see the three green-shaded lamps on the judges' bench, another on the prosecutor's and, at the table reserved for the press, a rather pretty woman reporter to whom, from the second hearing onwards, a young male colleague

brought sweets. She would generously pass them around to everyone, even the lawyers, even me.

I had one of her sweets in my mouth as you glanced at the audience.

Do you usually sit in on the trials of defendants you've investigated? I doubt it. The corridor outside your office is always full. One defendant automatically replaces another.

And yet you came back twice. You were there when the verdict was read out, and it may have been because of you that I didn't lose my temper.

'What did I tell you?' Maître Gabriel said proudly to his colleagues when they came to congratulate him. 'If my client had behaved better, I'd have got him acquitted.'

The idiot! The happy, self-satisfied idiot!

Wait, though – if you're looking for a good laugh, here's something you'll enjoy. An elderly, bearded lawyer in a robe faded to russet with age took the liberty of retorting:

'Steady on, my dear fellow. If he'd used a gun, yes. Or a knife, at a pinch. But using his hands, never! There's absolutely no precedent of an acquittal in such a case.'

Using his hands! Isn't that wonderful? Wouldn't that be enough to make you want to come over to this side?

My cellmate is watching me write, unable to hide the mixture of admiration and irritation he feels. He's a strongly built lad, only twenty, a kind of bull with a red face and clear eyes. He's been with me barely a week. Before him, I was stuck with a sad sack who spent his days pulling on his fingers until the joints cracked.

This bull of mine smashed an old tobacconist's head in with a bottle, after breaking into her shop one night to 'collect the takings', as he puts it.

Apparently, the presiding judge was particularly indignant about that.

‘With a bottle! Aren’t you ashamed of yourself?’

To which he replied:

‘How could I know she’d be stupid enough to cry out? I had to shut her up. There was a bottle on the counter. I didn’t even know if it was empty or full.’

Right now he’s convinced I’m requesting a review of my trial or appealing for some kind of pardon.

What he’s incapable of understanding, even though he himself killed someone, however accidentally – he’s almost right, it was almost the old woman’s fault – what he’s incapable of understanding is that I’m determined to prove that what I did was premeditated, that I was fully aware of what I was doing.

Do you hear that, Judge? *Premeditated*. Until someone’s ready to acknowledge that, I’ll be alone in the world.

Yes, I was fully aware of what I was doing!

You’ll understand in the end, unless, like some of my colleagues, who felt humiliated seeing me in the dock, you prefer to think that I’m mad, either completely or a little bit, in any case not responsible for my actions or with diminished responsibility.

Not that it’s got them anywhere, thank God. Even now, when you would think everything has been said and it’s all over, they’re still worked up about it, and I suspect my friends, my wife perhaps, and my mother, of urging them on.

The fact remains that after a month I haven’t yet been sent to Fontevrault, where I should in theory be serving my sentence. They’re observing me. I’m constantly being taken to the infirmary, where they ask me lots of questions, questions I’m as familiar with as they are and that make me smile with pity. The governor has come several times in person and peered at me through the hatch, and I wonder if the reason they put the young bull in my cell, instead of the sad sack, was to stop me killing myself.

It’s my calm that terrifies them, what the newspapers called my indifference, my cynical attitude.

I am calm, that's a fact, and this letter should convince you of that. Although I'm just a family doctor, I've studied enough psychiatry in my time to recognize a letter written by a madman.

Too bad, my dear Judge, if you think the opposite. That would be a great disappointment to me.

Because I'm still under the illusion that I have a friend, and this friend, strange as it may seem, is you.

I have so many things to tell you, now that I can no longer be accused of trying to save my life and Maître Gabriel is no longer there to pull me up every time I state a truth that's too simple for him to understand!

We both belong to what in this country are called the liberal professions, which in some less-developed countries are known more pretentiously by the word *intelligentsia*. I assume that word makes you laugh – am I right? Never mind. Basically, we belong to a more or less cultivated middle class that supplies the country with civil servants, doctors, lawyers, magistrates and often with deputies, senators and ministers.

From what I've been able to gather, though, you're at least one generation ahead of me. Your father was already a magistrate when mine was still living off the land.

Don't tell me that's of no importance. You'd be mistaken. You'd be like those rich people who like to claim that money doesn't matter.

That's because they have it, damn it! But what about when you don't? Have you ever known what it's like not to have any?

Take my toad face, as that witty reporter called it. Supposing you'd ever found yourself in the dock instead of me, he wouldn't have said you have the face of a toad.

One generation more, one generation less, is the kind of thing that matters, you're proof of that. You already have a long face, smooth skin, and an ease of manner my daughters are

only just acquiring. Even your short-sightedness . . . Even the calm, precise way you wipe your glasses with your little cham-
ois leather . . .

If you had been appointed to a post in La Roche-sur-Yon instead of obtaining a position in Paris, we would in all likelihood have become colleagues, even friends, as I've already said. Inevitably. You would probably have considered me your equal, and you'd have been sincere, but deep down I'd always have envied you a little.

Don't object. Look around you. Think of those of your friends who belong, like me, to the first *rising* generation.

Rising where, I wonder. But let's move on.

You were born in Caen and I was born in Bourgneuf-en-Vendée, a village a league from a small town called La Châtaigneraie.

I'll have something to say about Caen, because I have a memory connected with that town, a memory that lately, since my crime – to use the word – I've started to consider one of the most important of my life.

Why don't I tell you about it right now, since that places us in terrain you know well?

I've been to Caen a dozen times, I have an aunt there, a sister of my father's, who married a porcelain merchant in Rue Saint-Jean. I'm sure you know his shop, about a hundred metres from the Hôtel de France, where the tram comes so close to the pavement that pedestrians are forced to flatten themselves against the buildings.

Whenever I went to Caen, it was raining. And I love the rain in your town. I love that it's light, gentle and silent, I love it for the halo it casts over the landscape, the aura of mystery it gives men, and especially women, walking in the streets at twilight.

Anyway, this was one of my first visits to my aunt. Night had

just fallen, and everything was shiny with rain. I was probably not quite sixteen. On the corner of Rue Saint-Jean and some other street where there were no shops, which means it was almost completely dark, a girl in a beige raincoat stood waiting. There were droplets of rain on her blonde hair, which escaped from under a black beret.

The tram passed, with its big damp yellow eye and its rows of faces behind the steamed-up windows. A young man who'd been standing on the platform got off acrobatically, just in front of the fishing supplies shop.

What happened next was like a dream. At the exact moment he landed on the pavement, the girl's hand gripped his arm. In one almost balletic movement they turned together into the dark street, and suddenly, without a word, in the first doorway, their bodies came together, with their clothes all wet, their skin all wet. Looking at them from a distance, I had something like the taste of unfamiliar saliva in my mouth.

It may have been because of that memory that, three or four years later, by now a student, I decided I wanted to do exactly the same thing, again in Caen. As exactly as possible, anyway. But there was no tram, and nobody was waiting for me.

I'm sure you know the Brasserie Chandivert. In my opinion, it's the most beautiful in France, along with another one I often went to, in Épinal, when I was doing my military service.

On the left, there's the lighted entrance to the cinema. Then there's the vast room itself, divided into several parts: the one where people eat and there are tablecloths and place settings on the tables; the one where people drink and play cards; and finally, at the far end, the watery green of the billiard tables under their reflectors and the almost hieratic poses of the players.

And on a platform there's the band, its musicians in worn dinner jackets, with long oily hair and pale faces.

There's the warm light inside and the rain streaking the windows, the people coming in and shaking out their wet clothes, the cars stopping, their lights visible for a moment.

There are the families who've dressed up for the occasion and the regulars, their faces red from drink, playing their games of dominoes or cards, always at the same tables, and calling the waiter by his first name.

It's a world, you know, an almost completely self-sufficient world, a world in which I was delighted to immerse myself and where I dreamed I could stay for ever.

As you can see, at the age of twenty I was a long way from being in court.

I remember I used to smoke a huge pipe that gave me the illusion I was a man, and I looked at every woman with equal greed.

Well, what I had always hoped for, without daring to believe in it, actually happened one evening. Sitting alone at a table facing me was a girl, or a woman, it doesn't really matter, in a navy-blue suit and a little red hat.

If I could draw, I could still sketch her face, her figure. She had a few freckles at the base of her nose, a nose that turned up when she smiled.

And she smiled at me. Gently, with kindness. Not at all the sort of provocative smile to which I was more accustomed.

We smiled at each other like that for quite a while, long enough for the cinema patrons to overrun the café during the interval then leave again when the bell rang.

Then, with her eyes, just with her eyes, she seemed to ask me a question, to ask me why I wasn't coming to sit down beside her. I hesitated. I called the waiter and paid for my drink. Awkwardly, I crossed the aisle separating us.

'May I?'

A yes with her eyes, still with her eyes.

'You were looking bored,' she finally said once I was seated on the banquette.

What we said after that, I've forgotten. But I know that it was one of the happiest and warmest hours of my life. The band was playing Viennese waltzes. Outside, it was still raining. We knew nothing about each other, and I didn't dare hope for anything.

The film next door finally came to an end. People sat down to eat at the next table.

'Shall we go?' she simply said.

We left. And, outside, in the light rain, which didn't seem to bother her, she took my arm as if it were the most natural thing in the world.

'Are you staying at a hotel?'

Because I'd told her I was from the Vendée but was studying in Nantes.

'No. I'm staying with my aunt in Rue Saint-Jean.'

'I live not far from Rue Saint-Jean,' she said. 'Only, we mustn't make any noise. My landlady would throw us out.'

We walked past my uncle's shop. The shutters were closed, but through the glass part of the door light could be glimpsed, coming from the back room of the shop, which they used as a living room. My uncle and my aunt were waiting for me. I didn't have a key.

We also passed the fishing supplies shop, and I drew my companion into the quiet street, as far as the first doorway. Do you understand? That was where she said:

'Wait till we get home.'

That's all, my dear Judge, and in telling it, I realize how ridiculous it is. She took a key from her handbag. She placed a finger on her mouth. She whispered in my ear:

'Be careful on the stairs . . .'

She took me by the hand and led me along a dark corridor.