

# **A DISCUSSION ON VICTOR HUGO'S LES MISERABLES PROTAGONIST CHARACTER JEAN VALJEAN'S 'OFFENDING BEHAVIOUR' SHOWCASING ELEMENTS OF MARXIST CRIMINOLOGY THEORY**

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## **ABSTRACT**

Literature, within classical-fiction genre, has been used as a tool to discuss societal norm themes. One theme is when there are differences of opinion between governments and its citizens. This gives rise to censorship by the government towards its people because they are the ones who hold the power. An example is the literary theme of revolution, the criminal acts committed by citizens experiencing that revolution due to necessity, and its ultimate affects.

Victor Hugo's *Le Miserables* was written during a time when France was in the cusp of revolution. The theme gave rise to a political theory that was attempted to be applied in the real world to try and create a more just society. The discussion of this essay is on the influences that *Les Miserables* had on the founders of Marxist Criminology Theory, and what causes the citizenry to revolt against supposed oppressive governments.

It will be centred on the protagonist character of *Les Miserables*, Jean Vealjean, and how he is comparable to the common-day folk. The Lens of Jean Valjean will be viewed from environmental influences, class struggles, and redemption perspectives through his interactions with other characters of the novel. One will be able to see the causes of lawful and deviant behaviours on an individual through these interactions.

It is the aim of this essay to act as a starting point from law makers, academics, and interested readers alike, to further dissect observations for possible future research and personal study by what they digested here.

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## ESSAY

Marxist Criminology Theory (“*Marxist Theory*”) essentially ‘views crime as an outcome and reflection of class divisions in society.’<sup>i</sup> The propensity for crime, then, is not by choice or motivation. Rather, it equates to one’s outward social and environmental influences.<sup>ii</sup> These influences are largely determined by who is in control of production ultimately determining what is right and wrong conduct.<sup>iii</sup> Karl Marx himself commented on individuals’ circumstances that people ‘make their own history, but...do not make it just as they please; [or] under circumstances chosen by themselves, but under circumstances directly encountered, given and transmitted.’<sup>iv</sup> Victor Hugo’s *Les Miserables*, comparatively, depicts the story of Jean Valjean (“*Jean*”) who lived in France during the 18<sup>th</sup> and 19<sup>th</sup> centuries. During his life, *Jean* experienced poverty, was deemed deviant resulting in imprisonment, was a fugitive under the law, participated in the French Revolution, and experienced an inner change due to chance encounters resulting in success.<sup>v</sup> In this context, a synopsis of *Jean* will showcase *Marxist Theory*’s position on crime in society.

The bourgeoisie and proletariat division serves as a *Marxist Theory* central theme. Here, bourgeoisie represents the minority but the most powerful and the proletariat represents the converse. It is a struggle between the capitalists and workers. Cohen explains that ‘capitalists and workers are, respectively, owners and producers.’<sup>vi</sup> He illustrates this metaphorically by saying that it is the bourgeoisie that has the money where it ‘insulates him against the impact of things in the world.’<sup>vii</sup> Whereas for the proletariat, because they are the producers of that which is ultimately owned by the bourgeoisie, sees first-hand the struggles they go through to create the production. And, despite the struggle, they are not compensated fully for it since the main proceeds from the production goes to the owners and not the workers. In other words, ‘suffering is a mode of knowledge’ because ‘workers know that they are alienated, while the capitalists do not.’<sup>viii</sup> If a member of the proletariat wished to transfer to bourgeoisie status, *Marxist Theory* opines that it would be done by any means necessary or by mass societal changes in perception. Criminally speaking, Marxist theorists believe that the proletariat is more likely to commit a crime because of economic exploitation by the wealthy where ‘the accumulation of wealth in capitalist society generates...inequality, sanctions anti-social behaviour and generates...waste, ...notably unemployment.’<sup>ix</sup> This cycle continues until it is stopped. *Jean* succeeded not through choice, but by an act of compassion and forgiveness from

an unexpected outward influential source. The very source who, during the 18<sup>th</sup> and 19<sup>th</sup> centuries in France, would have been classed as Bourgeoisie because of his position and thus would have been expected to consider Jean's act as criminal worthy of punishment.

*Jean* admitted: 'I am...a convict...from the galleys.'<sup>x</sup> Monseigneur Myriel, a Catholic Bishop, in presence of the authorities, responded by not labelling him as a criminal but welcomed him: 'Sit down, sir, and warm yourself..., your bed will be prepared while you are supping.'<sup>xi</sup> *Jean* was convicted for stealing a loaf of bread to feed his family.<sup>xii</sup> He spent nineteen years in prison because of escape attempts before being released.<sup>xiii</sup> Society was not kind to him and no shelter could be found. The Bishop welcomed him. *Jean* repaid this kind gesture by stealing his silverware. The authorities caught him but when they presented to the Bishop, the Monseigneur insisted that the silverware was a gift for *Jean* and invited him to dinner. This was *Jean's* avenue to repentance. In fact, *Jean* 'was so greatly influenced by the Bishop's reception and hospitality...as an ex-convict that he was forced to wonder whether there was really and truly unselfish people in the world...Never had he encountered... altruism before.'<sup>xiv</sup> The influence from the Bishop resulted in *Jean* becoming 'a philanthropist, endowing hospitals, caring for the needy, and furnishing occupation for all.'<sup>xv</sup>

The redemptive change, however, was not possible if *Jean* was to keep identifying himself as *Jean*; the prisoner, the criminal.

The point of departure...for [*Jean's*] thoughts...was hatred of human law...that hatred which...becomes...the hatred of society, then the hatred of the human race, then the hatred of creation. It...was not without reason that Jean Valjean's passport described him as a very dangerous man.<sup>xvi</sup>

The passport description of being a "very dangerous man" rendered *Jean* still a criminal in the eyes of the Law, the protector of the status quo. Thus, he was still tormented by the criminal justice system itself symbolised by Javert, the Police Inspector and antagonist of *Les Miserables*. *Jean* only managed to evade capture under the pseudonym Monsieur Madeleine.<sup>xvii</sup> This shows what *Marxist Theory* postulates. Bonger, for example, proposes that the capitalist system of society gives rise to crime because whilst the poor are criminalised by the criminal justice system itself, the wealthy or those who are in control are protected by that justice system. He notes that 'illicit behaviour among members of the lower classes...is a consequence of their

moral depravity, itself a product of immoderate labor, which brutalises a man, makes him incapable of elevated sentiments.<sup>xxviii</sup> This cementing of a propensity to crime sentiment by society towards the proletariat ‘is increased by the politically dominant wealthy minority’s use of criminal sanctions largely as instruments of control and suppression.’<sup>xxix</sup> Such is the case of Javert, where he commented that

Jean Valjean was a convict whom I was in the habit of seeing twenty years ago... On leaving the galleys... Jean... appears... [to] have robbed a bishop; ... committed another theft... with violence... He disappeared eight years ago, no one knows how, and he has been sought [since].<sup>xx</sup>

The unwavering mindset of Javert to not stop searching and eventually capturing the “fugitive” *Jean* shows the criminal justice system that adheres to codified law. What applied to 18<sup>th</sup> and 19<sup>th</sup> century France applies today. Prior to his attempted escapes, the sentencing for stealing a loaf of bread was five years. And, ‘the terms of the Code were explicit.’<sup>xxi</sup> The law that would have applied then was the *French Civil Code* enacted by Napoleon Bonaparte.<sup>xxii</sup> This code is still officially used in France. Essentially, ‘the whole Code... is one system of penal law, making the breach or neglect of every common duty or transaction a punishable offence.’<sup>xxiii</sup> *Marxist Theory* suggests that essentially, Laws enacted are for the benefit of the Bourgeoisie to keep the Proletariat in check.<sup>xxiv</sup> This notion seems to be verified by a number of factors. First, Napoleon was a Bourgeoisie who developed the Code. And second, the five-year punishment can be viewed as a deterrent for *Jean*, a producer, from stealing the loaf of bread owned by the capitalist, an owner of a business.

According to *Marxist Theory* then, how was *Jean* a criminal? He was poor and worked as a producer who only earned enough to help support his family. When uncontrollable circumstances befell his family, to help support and feed them *Jean* chose to steal a loaf of bread.<sup>xxv</sup> Unfortunately, he was caught and ended up in prison. During his time there, *Jean* attempted numerous escapes that resulted in his being incarcerated for nineteen years.<sup>xxvi</sup> Upon release he already had the branding of a criminal so society-at large did not trust him. Thus, no support or encouragement from his immediate environment was there to ensure his rehabilitation. If it were not for a chance occurrence, *Jean* would have always been prone to his criminal tendency of theft and likely to be imprisoned again. All this through no fault of his

own but a result of the construct of society, an external factor. As faith would have it, a Catholic Bishop crosses his path. The Bishop, a good and generous man chooses to be kind to *Jean*, resulting in his eventual success in life.<sup>xxvii</sup> This success, however, was still under the guise of a pseudonym, Monsieur Madeleine, and not *Jean Valjean*, the man. In this instance, the application of *Marxist Theory* shows that *Jean's* eventual welcoming despite being an ex – convict was through external factors beyond his control.

Summarising this discussion, *Marxist Theory* argues that it is capitalism that produces crime where the select few owners exploits the majority producers. It does, not, however explain other circumstances that may also be causes to criminal activity as shown in *Jean's* experiences including his sudden desire to reform after meeting the Bishop. In other words, *Marxist Theory* can serve as a starting point to the study of social aspects to Criminology and how the environment directly or indirectly influences criminal actions and deviant behaviour among individuals. It is, however, limited in scope and may be viewed as too general a theory. For example, Marxist Theory tends to focus on the division but not the solution. It can be argued by this theory that a revolution will stop this division but, will it? This question is open to argument. Thus, in the study of Criminology, Marxist Theory should only be used as a starting point to the study of a criminal's deviant behaviour.

## ENDNOTES

<sup>i</sup> Rob White, Fiona Haines, and Nicole L. Asquith, *Crime and Criminology* (Oxford University Press, 6<sup>th</sup> ed, 2017) 113-114.

<sup>ii</sup> See Frank Pearce and Lauren Snider, 'Special Edition: Crimes of the Powerful' (1992) 3(2) *The Journal of Human Justice*.

<sup>iii</sup> Richard Qienney, 'The production of a marxist criminology' (1978) 2(3) *Contemporary Crises* 277 and see also Ronald L. Akers, 'Theory and Ideology in Marxist Criminology: Comments on Turk, Quinney, Toby, and Klockars' (1979) 16(4) *Criminology* 527, 532.

<sup>iv</sup> Karl Marx, *The Eighteenth Brumaire of Louise Bonaparte* (Rise of Douai Publishing, 2015) 11.

<sup>v</sup> Victor Hugo, *Les Miserables*, tr Isabel F. Hapgood (Canterbury Classics/Baker & Taylor Publishing Group, 2012).

<sup>vi</sup> Gerald A Cohen, 'Bourgeois and Proletarians' (1968) 29(2) *Journal of the History of Ideas* 211, 213.

<sup>vii</sup> Ibid 216.

<sup>viii</sup> Ibid.

<sup>ix</sup> John Weeks, *Capital, Exploitation and Economic Crisis* (Routledge: Taylor & Francis Group, 1<sup>st</sup> ed, 2011) xiv and see White, Haines, and Asquith (n1) 126.

<sup>x</sup> Hugo (n5) 69.

<sup>xi</sup> Ibid 70.

<sup>xii</sup> Ibid 79.

<sup>xiii</sup> Ibid 87 and 89.

<sup>xiv</sup> Martha Virginia Sleet, 'Les Miserables, All in All: A Critical Study of Elements of the Romantic, the Realistic, the Psychological and the Historical Novel Found in Victor Hugo's Les Miserables' (MA Theses, College of William and Mary, 1931) 18.

<sup>xv</sup> Ibid.

<sup>xvi</sup> Hugo (n5) 87.

<sup>xvii</sup> Ibid 150-151.

<sup>xviii</sup> Willem Bonger, 'An Introduction to Criminology', tr E. Van Loo (S. Chan, Fate, Logic and Time, 1967) quoted in Robert L Birmingham, 'William Bonger: Criminality and Economic Conditions (Book Review)' (1970) 58(2) *California Law Review* 527, 528.

<sup>xix</sup> Robert L Birmingham, 'William Bonger: Criminality and Economic Conditions (Book Review)' (1970) 58(2) *California Law Review* 527, 528.

<sup>xx</sup> Hugo (n5) 186.

<sup>xxi</sup> Ibid 79.

<sup>xxii</sup> Code Civil [Civil code] (France) [John Cartwright, Benedicte Fauvarque-Cosson, and Simon Whittaker, Translators].

<sup>xxiii</sup> Napoleon Bonaparte, 'The Code Napoleon: An Introductory Discourse', tr Bryant Barrett (The Lawbook Exchange, Ltd., 2015) 78.

<sup>xxiv</sup> Birmingham (n19).

<sup>xxv</sup> Hugo (n5) 79.

<sup>xxvi</sup> Ibid 87 and 89.

<sup>xxvii</sup> Sleet (n14) 18.



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