

Studies and Articles**Types of Justice in Mihail Sadoveanu's
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Abstract: The problem of justice seems to be the common theme in *Hanu Ancuței* [*Ancuța's Inn*] – Mihail Sadoveanu's book of tales. The world portrayed by Sadoveanu functions according to archaic norms. Justice is made either by the ruler (or by his men), or on one's own (provided there is enough strength), in accordance with some ancient laws. The helpless (when the ruler is not on their side) hope for divine justice. A coherent system of laws and fair judges, devoted to unbiased justice (similar to the German one, mentioned in one of the tales), remain a desideratum in this literary masterpiece.

Keywords: the quest for justice; law and literature; Mihail Sadoveanu; archaic norms

1. Preliminaries

The quest for justice, seen at the same time as an attempt to restore the initial order or to restore a necessary balance to the life of the traditional society, represents a constant concern in Sadoveanu's work. The very idea of "revenge" must be taken, in this case, according to the primal, etymological, sense of the Rom. term *răzbunare* 'revenge'; thus starting from the action of making a *good situation* again, a state of things (that is, of repairing it, of straightening it up³).

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³ In this sense, see Fane's words, a character in Eugen Barbu's novel *Groapa*: "If justice would be a wire, I would straighten it." (in *Nea Fane* Chapter). Indeed, it is worth noting that one of the antonyms of the term *dreptate/righteousness* is the word *strâmbătate* 'injustice', which means that the moral beautiful and the aesthetic one appear to be together, conjugated, from the beginning. Besides, a "minor" aesthetics accompanies us all in everyday life. For this reason, we feel the need for things to be symmetrical, to have a regular shape, to be harmoniously arranged and properly proportioned. Not accidentally, in Romanian (as also in Spanish, cf. *hermoso*), the word *frumos* 'beautiful' inherits

This is what happens, for example, in the novels *Neamul Șoimăreștilor* and *Baltagul* [*The Hatchet*]. In the first mentioned novel, Tudor Șoimaru avenges his father, killing the boyar Stroie Orheianu; in the second one, Gheorghiuță is avenging his father (Nechifor Lipan), wounding him symbolically (also with a hatchet blow on his killer), Calistrat Bogza. In this way, the order is restored, things can re-enter on their natural course. Examples of this type are, in fact, numerous.

2. Forms of Justice in *Hanu Ancuței*

But to prove that this idea is a constant (almost obsessive) feature of Sadoveanu's writing, it is enough to look carefully at the contents of the series of short stories *Hanu Ancuței* [*Ancuța's Inn*] (issued in 1928, marking the passage to the maturity stage of the writer)¹. As it is well known, the stories included here are nine, linked by the technique of "storytelling": *Iapa lui Vodă*, *Haralambie*, *Balaurul*, *Fântâna dintre plopi*, *Cealaltă Ancuță*, *Județ al sărmanilor*, *Negustor lipscan*, *Orb sărac și Istorisirea Zahariei Fântânarul* [*The Voivod's Mare*, *Haralamb*, *The Dragon*, *The Well Among the Poplars*, *The Other Ancuța*, *The Justice of the Poor*, *Leipzig Wares*, *The Blind Beggar*, and *The Tale of Zaharia, the Water Diviner*]. All of them capture – to a greater or lesser extent in various forms – the idea of "justice". As for the rigor, it is noted, however, that justice is made by certain "patterns", which we are going to highlight below.

2.1. Absolute (or "Blind") Justice

Absolutely no one is above the law. *Pereat mundus, fiat justitia!* ("Let the world perish, [but] let it be justice!"). It is significant that the only story that, at first, seems to have nothing to do with the subject of justice, *Negustor lipscan* [*Leipzig Wares*], actually confirms such principle. In the *Negustor lipscan* [*Leipzig Wares*], Dămian Criștor – whom business carried him through various European countries – tells how many people of the bourgeoisie have to bribe² in order to bring his

the Latin *formosus* 'well formed', derived from Lat. *forma*. Consequently, even in the case of *right*, it is not surprising that this (as well as the law) is associated with the straight line and that in such an area we use terms such as *drept* in Romanian, *Droit* (in French) both from Latin *directus*] or *right* (in English), *recht* (in German) [coming from a common Indo-European root, **reg-*, which generated the Latin *rectus*, too] and so on.

¹ We have used in our paper the edition in English, approved by the author himself: Mihail Sadoveanu, *Ancuța's Inn*, «The Book» Publishing House, Bucharest, 1954.

² We have here an ironic situation: Dămian bribes the customs officers with a special dress article ("a red woolen scarf from India"). The thief on the highway, who – in the first instance – wants to rob the merchant, has the following reaction (at the view of the third scarf): "When he saw it, the

goods in the country from abroad. Among other things, he describes the German civilization, showing the appreciation of the education in that geographic space enjoyed (“Everybody learns, both boys and girls.”), with which the discriminatory judgment of the Moldovans did not agree (“What, the girls too? That’s another custom that they should keep to themselves.”). However, Dămian records an almost incredible detail for the interlocutors: “And the Germans, honored Captain, have other good things, too: order and justice. I met a miller there who brought a suit against the emperor for a plot of land. And as justice was on his side, the judges passed a verdict in his favor and against the emperor.”

2.2. Justice on One’s Own

(A) At first glance, the issue of justice is recorded in the very title of the sixth story: *Județ al sărmanilor* [*The Justice of the Poor*]. But the “Justice” is not a “trial” in itself, but a vengeance such as “an eye for an eye, and a tooth for a tooth”. What is it about? A massive character, shepherd on the Rarău, named Constandin Moțoc, tells of what one of his friends has experienced at some point (thirty years ago) around those places. (Readers will then guess that the “friend” in question is, in fact, the shepherd himself.)

After a short happy marriage, the “friend” finds out from the mouth of the world that his wife, Ilinca, deceives him with the boyar of the village, Răducan Chioru (“a man in his prime and a widower”, who “from time to time he took a fancy to some villager’s wife”). After the man applies to Ilinca a “correction”, the wife (who claims to be innocent) fled to the boyar’s court. When he encounters the man, the boyar whips him and, as he does not show signs of wanting to quench, he submits him to a hard-to-bear tortures, being a miracle for he had survived. Being banned from the village, the “friend” seeks shelter on the fields of Rarău, and, after serving among the shepherds, he also becomes a shepherd for a number of years, “for he had learned the way of those lonely places”.

After a while, when he became friends with a famous outlaw, Vasile cel Mare, the shepherd tells him what he had suffered. The outlaw offers to help him to do justice. Therefore, the two descend to the plain and, on the holy feast of Ascension, appear in front of the church in the shepherd's native village to punish Răducan Chioru (who was also among those gathered at “holy service”). Vasile the Mare,

highwayman rejoiced greatly. He took it and rode away, *not without having thanked me first*”. The man of authority, an “inspector”, has a different kind of behavior: “I took the fourth scarf out of my pocket, and off he went with it. But this time *I got no thanks*”.

after reassuring the crowd, announces the purpose of their coming there (speaking in the name of the shepherd): “We have come to do justice according to the old custom [...]. On Judgment Day, God will meet out His justice, but, until then, there being none either from the sheriffs or from the court, we will take the law into our hands... For the woman you have robbed us of, most honorable master, we pardon you, but we have shaken with cold, our head in the hurdle, and our ankles in the ice at the mill; with shackled legs and eyes smarting with pimento smoke, spitting out our heart; and you lashed us with the horse-whip and tore out our nails. You poisoned life for us, for every day we have remembered all these things and found neither relief nor justice! And now we are come to settle our account, boyar!”

As for the settlement, it is not too hard to imagine: “When Răducan Chioru understood, his eye stood out of his head and he shouted to the villagers and to his men for help. He turned to every side for escape, but the outlaw and my friend barred his way with their horses’ chests and overthrew him. Then, they dismounted and stabbed him again and again with their knives. My friend stood by until he saw the blood forming pools in the dust. And when the fallen man had ceased to moan and given up his ghost, he turned him over with his foot to lie face upwards, his eye looking into the sky. And none of the people said a word – they witnessed the judgment, terrified”.

Thus, after the ancient custom, people took justice into their own hands (see below, and *Cealaltă Ancuță* [*The other Ancuța*]), when they were not fairly judged by competent institutions. In addition to personal justice, in the outlaw’s speech (see above) it is also mentioned the divine justice, and the princely justice (“at the court”), as well as the judiciary that falls within the hands of the stewards.¹

(B) In the story *Fântâna dintre plopi* [*The Well among the Poplars*] we are also witnessing an act of personal (or somewhat “collective”) justice, i.e. a judicial act that does not derive from a proper trial. Feeling betrayed, the gypsies killed (according to an old custom) Marga, whom they have used as a bait for robbing Captain Neculai Isac.

¹ The steward was the governor who carried out the command of the rulers or the one who (later) ruled (as a representative of the ruler) a county or land; henceforth, a kind of head of administration and police in a county.

Indeed, the beautiful gypsy Marga had succeeded in luring Isac with her charms, but eventually the adventure ended tragically.¹ In the confrontation with Hasanache and his peers, Neculai Isac loses an eye and Marga loses her life: “They killed her and pitched her into the well...”, sadly concluded the protagonist of the incident. As it is well known, the Gypsies have their own court, Stabor (the Gypsy Court), a justice that works in parallel with the official one. Unfortunately, the fate of Marga is decided mercilessly, on the spot, without any procedural complications.

2.3. Justice of the Rulers

In the Romanian Lands, the supreme (earthly) authority was embodied in the rulers. Therefore, the ruler was the one who had the right to share justice in an exemplary manner, with prudence. But this quality also derives from the virtues of the man in question. A good ruler (i.e. a right one) will judge, indeed, wisely, and he will indeed do justice. On the contrary, an immoral, unjust ruler will commit many injustices, arbitrarily or willingly.

Returning to *Hanu Ancuței*, it is noteworthy that there are three stories here that “attest” to righteous judgments or decisions of righteous rulers. The three stories we will continue to refer to are *Iapa lui Vodă*, *Haralambie* and *Istorsirea Zahariei Fântânarul*. Obviously, the needed intervention of the ruler is requested every time there is a complaint (or complaints) in this respect. To the three mentioned stories it may be added a fourth, *Cealaltă Ancuță*, in which we have, however, a counter-example, with a hypothetical act of ruler’s justice.

(A) Thus, in *Iapa lui Vodă* [*The Voivod’s Mare*], the clerk Ioniță reports an extraordinary event from the time of the ruler Mihalache Sturza. Traveling through the country *incognito* (however, as nobleman), he finds out – during the stop at Hanu Ancuței – about the clerk Ioniță, the cause of his anger and the reason for his departure towards the voivod’s court: “I have a lawsuit, worthy sir, which has been dragging on endlessly. [...] For, most worthy sir, our quarrel began before Voivod Calimah’s reign. We have had hearings, and generation after generation went to the Divan; there have been interrogations, and boundaries have been fixed, and sworn statements were made, and some of our family have died while the suit was pending, and others were born to continue it. And justice has not been done to this very day. Nay, worse: the enemy I am fighting has encroached twelve feet and five

¹ The girl knows what awaits her, she knows the unwritten rules of the nomadic community to which she belongs, but accepts the sacrifice: “And me, they will stab, for they know I love you and will understand why you got away; but it’s all the same to me now!”

span upon my patrimony, down by the beehives at Vela. Yet, lodging another complaint with the prefect, I still found no sympathetic ear, for my opponent, saving your presence, is a real bird of pray – a boyar...”

The only remaining, desperate solution was to ask the lord himself to judge him: “Seeing how matters stood, I again hauled the bag of papers and the old seals down from the garret, spelt my way through them and sorted them out. And then, tucking under my belt the documents I thought valid, I mounted my bay mare and reckoned never to stop till I reached the Voivod to have justice done by him!”

The next day, Ioniță appears as the lord’s court “panting after justice as the hart panteth after water brooks”. He is received in audience (hopelessly fast) and he finds “frightened” that the lord is even the boyar at the inn. He is invited to present his case and to present “the documents out of the leather purse”¹. Presenting himself, the ruler decides: “All right, yeoman, I’ll do you justice. One of my men, with full authority, shall go with you to Drăgănești to put things right.”²

(B) In *Haralambie* [*Haralamb*], the lord must make a decision to restore balance to a world disturbed by iniquities. A former “prince’s body-guard”, Haralamb, took the path of the forest, becoming an outlaw, who along with his comrades committed robberies and crimes: “And so many atrocities and murders had he to his account that at last a number of boyars and merchants as also the common people fell at the Voivod’s feet in tears, telling him of Haralamb’s crimes and wrongdoings”.

After several unsuccessful attempts to catch the outlaw with the help of his soldiers, Vodă Ipsilant assembled the Divan: “And on the 15th of August, the Holy Vergin’s Day, the Divan assembled”. At the advice of a governor, the lord commands to Captain Gheorghie Leondari to hunt his brother, Haralambie: “Captain Gheorghie [...], I have prized your loyalty and integrity in service, in consequence of which you have been fully rewarded, and under my rule you have acquired a manor and an estate in the county of Jassy. But, as you know, your brother Haralambie is causing great trouble in the country. And now the time has

¹ See, for such situations, the origin of the rom. formula *Ai carte, ai parte* (‘You have documents, you have rights’), which originally did not have anything to do with exalting the benefits of learning. It was the old meaning of the Rom. *carte* ‘book’, that of ‘document’. So the one who had such a “document”, that is, a “voivod’s document”, could claim a property (according to Dumistrăcel, 2001, pp. 78-80).

² A similar situation is found in the novel of Sadoveanu *Neamul Șoimăreștilor*, where Tomșa Vodă, at the request of Tudor Șoimaru, finally does justice to those whose land had been taken by the boyar Stroe Orheianu. In this way, the land returns to their right holders.

come for you to answer for his conduct. Captain Gheorghie, I give you two weeks. Pick out the men you want and bring your brother to me, dead or alive, within this fortnight. Failing this, you'll neither look on my face nor see daylight again!"

In the face of such perspectives, Gheorghie has nothing to do but to hunt his brother, whom he will eventually kill. After bringing to the lord – as proof of the accomplishment of the mission – the head of the wanted one, Gheorghie spoke through tears: "Your Highness, I have carried out your command! But I pray you let me retire now to my home and peace, for I have shed the blood of my parents which flows in my own veins".

Reflecting the old ordinance, Gheorghie did, however, through his act, a capital sin; that is why he must straighten up his blame. The monk narrator, Gherman (the son of the murdered one), ends his story: "It was a pitiful sight, and the Voivod and the boyars wept in the Council Hall. And Captain Gheorghie of the guards was given leave to withdraw to his estate, and, in his sorrow, to make amends for his crime, and, in order that the soul of his misguided brother may be forgiven, he raised the church where I am going to kneel..."

(C) In the last story of the nine, namely *Istorisirea Zahariei Fântânarul* [*The Tale of Zaharia, the Water Diviner*], there is a story that involves Calimah-Vodă. Invited to a hunt by the boyar Dimachi Mârza, the lord will solve a problem for the benefit of the two lovers who loved each other in secret: Aglăița (daughter of Mârza) and Ilieș Ursachi (son of a man serving the boyars, so inferior in rank, a fact that disliked the boyar).

The happy ending takes place due to the help of Zaharia Fântânarul (called by the boyar to make a fountain built in a slopes chosen as a place for the lord). Aware of ancient craftsmanship, Zaharia used a hornbeam to detect the water springs ("two round, twin sticks of old polished wood" between which "a ball of silver" was acted). When the ruler comes to the well, he does things in such a way that the lord (who had noticed the sorrow of the boyar and wanted to see Aglăița) to find the young lovers: "At that moment, Zaharia, the water diviner, plucking up the courage he needed at such a hunting party, drew the stick you have just seen from his belt, and held it firmly between his fingers. The silver ball moved like a light. Nobody understood what was happening. The boyar himself did not know what answer to give to his prince. [...] Zaharia dared not answer. Going in the direction shown by his stick, he opened the door of the bower which had been prepared for the prince. And there the prince saw the two young people on their knees, with bowed heads.

Nobody understood what had happened, and the prince was much taken by the miraculous working of the stick. Shortly after, Their Highnesses, the prince and his lady, were sponsors at the wedding of the two young people in Jassy. For, everybody having become reconciled, there was much rejoicing and the prince's meet turned into a wedding party".

The symbolism is not lacking either: the stake in question (with its silver ball, which acts as a pointer) is meant to discover what is true and right. Therefore, like the balance, it can symbolize justice itself in this context. As the narrator says, even the lord was astonished by the "the miraculous working of the stick".¹

(D) Judgment of the rulers (that is, of a certain lord) can also be unfair (affected by the prejudices), to the detriment of lovers, as is shown by the story *Cealaltă Ancuță* [*The Other Ancuța*]. A yeoman – a "handsome and bold man" – Todiriță Catană, had the "brazenness" to fall in love with the sister of the boyar he was serving (governor Bobeică): "And he dared to come to an understanding with the sister of His Highness, the noble lady Varvara, and last night they tried to elope. But His Highness had smelt something and posted guards who overtook him and caught him at Moara de Vânt".

For the two lovers, the prospects are bleak. Jupân Costea wants to say with a kind of satisfaction: "Ah, the noble lady Varvara! The boyar will send her to the convent at Agapia, according to the law, to weep over the sin of her youth. And this brainless yeoman will be taken to the tower at Golia and imprisoned there to await the prince's verdict. His end will be under the club, as any sensible man should know".²

That it is a world full of prejudices, proves the following finding, which came immediately after the words of Costea Căruntu (who had captured Todiriță): "And all the shopkeepers in the street agreed: that is, they wagged their beards, thus showing that they, too, thought such judgment equitable".

Under these conditions, Todiriță Catană chooses to do justice on his own. As a consequence, he will escape, then – by setting a trap with the help of the other

¹ In other words, the fountain made by Zaharia brings luck to the two lovers, unlike the "fountain among the poplars" in Neculai Isac's story.

² It is the end of the son of a former ruler, Alecu Ruset, beaten by the tyrant Gheorghe Duca at the end of the novel *Zodia Cancerului sau Vremea Ducăi-Vodă* ('The Cancer Sign or the time of Duca-Vodă') (published in 1929), after trying in vain to abduct Miss Catrina, whom he was madly in love with.

Ancuța – will severely punish Costea Căruntu (the one who had knocked him and beaten), administering him (according to the law of the retaliation) a terrible beating. Moreover, he will kidnap from the guard also Varvara, running away with her in the Hungarian Land.

2.4. The Divine Justice

In the case of the weak, who cannot do justice on their own, the act of personal justice is replaced by that of divine justice, which intervenes and works here through the elements. This is what we discover in the other two remaining stories: *Balaurul* and *Orb sărac*.

(A) In *Orb sărac* [*The Blind Beggar*], an old blind man raises the stories of his own life, including both an old song (*Cântecul mioarei*¹) and a “a miracle worked by Saint Paraschiva” (whose relics were still at the time of the Trei-Sfetite in Jassy). This last story holds our attention, for it has to do with the tyrannical reign of Duca-Vodă: “In those days the Voivod Duca had risen over the Moldavian land like Antichrist. Having an insatiable thirst for silver and gold, he burdened the people with many taxes. [...] The soldiers rode across the country, armed with lances and firebrands. They took the cattle, the beehives; they took clothes and money. And from those who opposed them they took their lives”.

But through the intercession of the Saint Paraschiva, God returns, at a given moment, the judicial look to Duca: “The prince’s robberies were many in the country. Nobody could escape the scourge. People fled beyond the frontiers. Until one autumn, some poor wretches arrived in Jassy and went to complain to the relics of the saint. They denounced the prince to her and bathed the shrine in their tears”. The complaint has its effect, for divine wrath is immediately revealed by terrible signs: “And immediately after these prayers, the saint’s shrine shook. And on the 14th of October at noon, before the people who had assembled, the sky darkened and the elements became troubled, and a hurricane with snow and rain set in. By the following morning, snowdrifts had piled up, and the people seized with fear”.

The tell of the poor man also records an alleged appearance of the devil, who came to claim the soul of the prince, a soul that Duca sold under a signed contract

¹ This is a variant of the *Miorița* ballad. As it is known, Sadoveanu will take some of its content (the hypothetical death of the Moldovan shepherd, which became certain in his novel), which will serve as an intrigue for *Baltagul* [*The Hatchet*]. In other words, Sadoveanu chose as a motto of *Baltagul* the two lyrics of *Miorița*: “Master, Master / also call a dog ...” (which has prompted many commentators to place too much determination on a reading line only partially valid).

(allusion to the practice of Mephistopheles in Faust's German legend): "And that night, the demon riding on the whirlwind halted at the prince's court and knocking with his claws at the window, made it known to the Voivod that he would be leaving all the riches he had amassed in this world and go on a journey whence nobody returns. [...] For you should know he had made a pact, complete with signature and seals, which enabled him to unloose the scourge upon the world".

In vain Duca-Vodă runs away with his possessions. He is trapped and spoiled by some "Polish brigands" (Polish mercenaries). Out of their hands, he wanders towards the Polish country, but no longer arrives at the destination: "Straying with his white mare in lonely places and in the forests, he fell into a ravine and passed on to the other shore where there are everlasting curses".

(B) Finally, in *Balaurul [The Dragon]*, an astrologer, Moș Leonte, tells an extraordinary event from his adolescence: the emergence of a "meteorological" monster which he calls the "dragon." What is the content of the narrative? We are told that a boyar, Năstasă Bolomir, was famous for the fact that his wives would young. This is only until he marries Irinuța, "a young girl of about seventeen", who comes to rule him without mercy, making him suffer from love. But Irinuța meets in secret with her true lover, Alixăndrel, the son of governor Vuza. Both Ifrim (the father of Leonte) – the zodiac and healer, whom Bolomir sometimes calls – and the other Ancuța (the mother of the one who owns the inn at the time of the story) plot to protect the two young people from the suspicions and the fury of the boyar. Ancuța's reaction is, in fact, significant: "And he wants to kill her, too, does he, after having tortured and buried two other women? Why! In the next world he'll be Lucifer himself, but in the meantime, let one of us make him pay in this..."

Bolomir learns, however, that he is deceived (including his trusted zodiac) and trapped all the "traitors", planning to torture them. But Irinuța fought fiercely ("like a viper") the unfortunate man: "She had put down her sunshade and now thrust out her hands threateningly, ready to claw her husband. And emerging from her hair, I seemed to see the little horns with which she had tried to butt him once before". Ifrim starts shouting under torture: "My lord Năstasă, God's anger will fall upon you!" At that moment, the creatures are unleashed and the dragon appears: "I saw it and was terrified. It made straight for us. With its thin tail that looked like a black roll it touched the earth, while its body rose in the air and its mouth was open like a funnel in the clouds".

In fact, the dragon was a tornado that the imagination of the people at that time associated with the mournful monster of fairy tales: “It roared and advanced, poising itself on its tail, while its breath sucked in the maize stalks, the roofs of the houses and big trees, and kept them drifting in the air. And roaring still, it poured out hail and water, as if it had lifted the bed of the Moldova and had hurled it over us”.

The righteousness of God deviates from the whole scene, punishing Bolomir, who, plucked by the whirlwind, “carried him to a pit a little way off, more dead than alive”, dying from this happening.

3. Conclusions

From the above, it is clear that the problem of justice goes like a red thread to the volume of Sadoveanu’s stories *Hanu Ancuței*. The world contemplated by Sadoveanu is one that works according to archaic rules. Justice is done either by the ruler (or by his men) or one’s own (if there is sufficient force) according to some old customs. Those helpless (when the ruler is not on their side) put their hope in divine justice. A coherent system of laws and a well-designed courtroom are meant to maintain an unbiased justice (as it was the case of the Germans, according to the words of the “Leipzig trader”), remain in this literary masterpiece at the level of a desideratum.

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