

COMMUNAL SOCIETY AND THE “DUAL SYSTEM”.
EQUALITY AND INEQUALITY IN THE CARPATHIAN VALLEYS

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ABSTRACT

The present study is dedicated to the socio-historical research of community-egalitarian societal formations and of their perpetuation in different geographical areas for thousands of years. Such a societal formation, relying on the system of the free villages, persisted in the area of Romanian Land, stretching around the Carpathian Mountains, since immemorial time until nowadays. This study is focused, therefore, on the causes of its continuity in Romania in defiance of the fact that, at a certain historical moment, the societal inequalities have supervened themselves to back up the societal state-system. In Romania, the communitarian culture has propagated unchanged for thousands of years next and often under the layers of superimposed nomads with their own systems of dominations, taxing apparatus and military bodies. Research of the continuity of community-egalitarian, non-hierarchical and rankless social formations along with the ascent of hierarchical, inequality-based formations is the main purpose of the present study.

Keywords: communal society, inequality, communitarian culture, dual system, free villages.

I. THE COVENANTAL SOCIETY AND COMMUNITARIAN CULTURE

“The collective psychology of rejecting bad deals is a necessary condition for the survival of a communitarian culture; however it is not sufficient.” (Joseph Livni)

I. COVENANTAL OR CONTRACTUAL SOCIETY?

A long period of history, the social organization of human society was based on what Joseph Livni used to call in his recent studies the communal equalitarian

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structure and organization¹. When justice system and land property, its partitioning between family households, belong to the community that manages them without intervention of any kind of external hierarchy and intrusion we may speak of a communitarian society. We say, in such situations, that the community takes precedence over the political and military system, however complex it would be. Based on its communal organization, the community takes control of even economy. Relying on such a basic assumption, we may conclude that the beginning of historical era equates with the beginning of historical inequality. Mircea Eliade used to make distinction between a historical society and historical society, based on the study of a significant shift from a society living in a “time at once primordial and indefinitely recoverable”² to a society living in a “profane, chronological time”. In Daniel Judah Elazar’s and Livni’s analyses dedicated to the socio-historical study of what Elazar called covenantal society, such a historical shift equates with the transition from covenantal, non-hierarchical, egalitarian society to a hierarchical, elitist, inequality-based society, that overlapped with the transition from Proto-Israel to Historical Israel, a transition marked by “the conflict between Levites and the elders of the other tribes”, of the elitists with egalitarians³. “How was it possible, then, that the ‘free’ villages dominate at the moment when the state was born?” Here’s the question the great sociologist H. H. Stahl put referring to the Romanian case. This question will remain out of an appropriate answer if we do not search the ways of exploiting the village communities in the West and in the East. Such a task requests firstly a clarification of the theoretical and methodological issues involved by such an approach.

As a rule, sociology takes its guidance from the relation between the surface phenomena, *i.e.*, the practical and moral concerns of everyday life, and the deep structures of society. No matter how extensive the social transformations are, that deep unit through which such transformations become comprehensible is continually recomposing. Looking for an appropriate response to the challenging issue of cutting-out such a deep comprehensive unit with a leading role in the research of societies, some sociologists, like H. H. Stahl (in Romania) or Daniel J. Elazar (in USA and Israel) coined a new concept to designate such a profound unit. The new concept is the *communal society (with Stahl’s notion) or covenantal society (with Elazar’s concept)*, in opposition with Spencer’s phrase: *contractualist societies*. Spencer’s response to the challenge of coining a key-concept for a theory

¹ Joseph Livni, *The Battle of the Covenantal Society against the Elitism, An Overlooked Chapter in the History of Social Inequality*, manuscript, 2018.

² Mircea Eliade (1963). *Myth and Reality*, New York: Harper & Row, p. 18.

³ J. Livni, *op. cit.*: “(The Roman Commander Titus [son and heir of Emperor Vespasianus] marched with his army in 70 A.D. to the Temple. He destroyed it... 70 CE marked the end of Ancient Israel and of the battle between covenantal and elitist Judaism. Without the Temple, the priesthood lost. The covenantal model survived not because it was superior but because in the conditions of diaspora it became the fittest” – p. 32)

of society assumes a model of societal organization where economy takes precedence over the community. This is but a particular situation and it denotes, apparently, a defining model for a late historical era and for a small area, that of Western Europe. In reality, in other geographic areas and for long historical periods, the organizational model was one in which “community seems to take precedence over economy”⁴.

The communal society and culture lays on a “geometrical” resolution, as J. Livni argues, to designate the underlying order of a “good society” and to make intelligible the idea of the “good man” (as ideal-type) in the science of society. Such a definiens must be concomitantly general and intuitive-concrete in order to be on the same time intelligible to common people and at hand for the purpose of giving the salutary answer to the more general (universal) / challenge: *how to live honestly, rightly, that is, justly*. The *keyword* in the language used by the common people to circumscribe intuitively the right answer to this fundamental challenge on how to live justly (that is, how to organize justly everyday life) is, Livni argues, “*the straight line*” (J. Livni)⁵. This phrase suggests that people guides his everyday life based on the pattern of “the straight line”. The core element of the communitarian culture is, Livni argues, the “living science” of „drawing straight lines” to mark the separation of two or more land ownerships. In Romanian language, God’s ordinances and commandments are called *dreptare* (*i.e.* what in things, in ways of doing and living etc. is consistent with their divine design), a term that encompasses the meanings of at least four different words: a) “straight” (like in the phrase, *straight lines*, meaning that type of *good boundary* which marks a clear-cut separation between two land’s ownerships but also between things to be used them correctly and clearly); b) “teachings” about how to live honestly, “rightly”, based on a “straight” (right / correct) pattern of life; c) *guidance* for good practice and successful activity and finally for how to live in order to be pleased to God; d) *standards* invoked in a communalist justice (communal judgement).

In a way, we may assume, as J. Livni underlines, that “***justice and seeing straight*** have remained associated since land have been owned, the connection is not only found in Indo-European cultures; the Hebrew Bible also uses the term *straight* for *just* (Jud, 21>2).”⁶ In the Proto-Romanian communalist society and culture, the partitioning land between villages and, within them, between family households, was based, as researches of H. H. Stahl disclosed, on this pattern of the “straight line”. Basically, everything happens as if a special type of social world

⁴ On this issue and, therefore, on the definition of the communal structure see also: S. Mithen, B. Finlayson, S. Smith, E. Jenkins, M. Najjar, and D. Maricevic (2011). *An 11,600 year old communal structure from the Neolithic of southern Jordan*. *Antiquity*, 85 (328). p. 350–364. Presenting a “communal and monumental structure in Western Africa”, the authors conclude that it is representative for a type of organization “in which community seems to take precedence over economy”.

⁵ J. Livni (2016), manuscript, p. 5, italics added by the author of this article, I. B.

⁶ *Ibidem*, italics added by I. B.

stemmed from a word: “straight”, as J. Livni underlines in his paper. We may notice that the Bible is just a universal codification of such a “geometrical” resolution for this semasiological challenge. The issue of the land appropriation is part of the same deep root, and it lays the foundation of the “natural” societal order itself. Therefore, land appropriation, with its semantic biblical denouement, along with the issue of order and law, form a single semasiological unity, a single word, finally, and this unity has a divine origin (see *The Book of Genesis*).

The Book of Genesis discovers us that God Himself made man to be the master of land and, following the consequences of the lapsatory moment, not only that God has not taken back from man the creational gifts but He, additionally, bestowed upon man a superadded ability, that of being able to work the land and to harvest its fruits in a way that is pleased to God, that is, by living and sharing everything justly, *i.e. straight*.

The culture raised on this complex *system of orderliness* (recognized by the multitude as having a divine origin) is a basic *covenantal culture* and it stems from that very biblical moment disclosed by the *Book of Genesis* as a narration about the secret destiny of human being. That biblical narration reveals us that human destiny is deeply „hidden in God” and that the whole story of human being is founded on *the covenant between God and man* (starting with the first one between God and Adam whom God created upon His own image and likeness), a covenant that man has broken by not observing God’s *protecting commandment* of not eating from the forbidden tree (as a matter of fact, from *the mortal fruit*). Therefore, God has called man not to an interdiction (to a so blamed “divine prohibition”), but to a divine lovingness, caring (watching out) lest man should do “bad deals” because such “deals” transform man from the condition of being destined to an eternal life into a mortal being. The first covenant was referring, therefore, to the secret issue of death. God only advised man, warning him of the wrong path (way), lest the man wish to know *the reality of death*, but man has not respected this *protective covenant* and, consequently, he discovered death but with the price of dying, of becoming a mortal being, sharing an *opposed destiny, contrary to what he was created to be*, that is, to be an *immortal being*. “*The collective psychology of rejecting bad deals is a necessary condition for the survival of a communitarian culture; however, it is not sufficient.*”⁷

The main purpose of the communitarian culture is, in all times and places, the preservation of the foundational semasiology enabling us to discern intuitively the profile of a *good orderliness* in society and to deposit it in the vernacular languages by those families of words through which, a kind of pre-reflexive semantic paradigms are propagated in large populations. The “covenant society” (communitarian culture) is a guarantee that any vernacular language holds in its depth a latent “sociological tongue” so that, consequently, ordinary people bear

⁷ *Ibidem*.

unconsciously in their mind a “sociological self” that establishes dynamic anchor points between *covenant and contract*. This sociological self, that Mead named *social mind*, is our inner mirror playing the role of assessing variations *around the pattern of a just society*, so that, within our latent mind, we do not mistake as to what is the ideal-type of societal justice, *i.e.*, a latent societal type helping us, pre-reflexively, to recognize the state of a given society as being a just/right or an unjust one. This inner social mind has universally and irretrievably been testified in Bible through what D. J. Elazar called the *covenantal type of society*. Thanks to it we are self-reinforced within a primeval “looking glass self”, as Cooley named it, and which makes us spontaneously able to comprehend the fundamentals of a “straight society”, and to make the difference between *social justice* and *societal injustice*. That is why, we, as humans, are endowed with self-assurance and why are we entrusted to conclude that *self-assurance and not angst* is the core of human spirit (as a theologian like Eugene Drewermann has argued in his debatable studies).

In Drewermann’s view, the biblical “stories” (as he called them) are “the portrayals of how anxiety deforms human existence. People lose a sense of hold and security when anxiety takes over, and in their desire to obtain an absolute or metaphysical security, people only make things worse.”⁸ Human life is an incontinent endeavor to reconquer a sort of metaphysical security and craving for self-assurance he is making things worse and worse. Sociologists like Spencer considered that our social mind uses, as a keyword of the latent sociological reflexing on societal order, the word “contract”. We may call it the “Spenserian keyword”. In such a view, the latent societal type is what Spenser named the *contractual society*. In the same meaning Rousseau wrought *Social Contract* sharing the same basic contractual assumption. His image of the latent social mind looks like a sort of abstract legist mind. The ultimate measurement of the latent ideal society is in such a view the *group of legists*. Such a view is all of what might be more different, even opposite to Elazar’s ideas of “covenant” as the foundational element of society. *Therefore, in such a legist view, not contract but covenant is the angular stone of societal edifice.*

The Covenantal order makes of the social memory a mirror of time and of all that are passing in the world, mighty or minor, great or insignificant, the powerful of history and the humble of fate.

Between me, as an individual, and the higher order, there is nothing to interfere, nothing to watch, but God. Here it is a facet of distinctions between covenantal patterns and archetypes. The societal order based on the ranks and the king, as a ruler with supreme power in this world, is an alternative to the covenantal order, because the king alleges for him the role of a mediator, who interferes between me and incorruptible divine order, claiming for him the role of the representative of a higher order. In a certain sense, the history of mankind is

⁸ E. Drewermann, *Structures of Evil*, <http://www.drewermann.info/structures.shtml>.

like a mirror of the incessant struggle between two types of social order, as Livni himself underlines: a rankless and non-hierarchical one, based on the common observance of divine orderliness, and a hierarchical, non-egalitarian one, based on the implicit obedience to the power of the ruler and his elite.⁹ Is there beneath of such a struggle a more deep order in which the model of a “good society” is mirrored? We share Elazar’s view that the main epistemological tool to look for an appropriate answer to such a challenging question is not the *contract* as for Spencer but the *covenant*, as for Bible.

2. WHAT DOES IT MEAN A “GOOD SOCIETY”?

The entire social building is founded on the covenant, as the Bible teaches us. “It is possible that covenant ideas emerged spontaneously in various parts of the world. If, indeed, covenant thinking is rooted in human nature as well as nurture, it is to be expected that some people everywhere would be oriented toward the idea somehow. In the course of this book we will explore some examples of such spontaneous developments outside of what became the covenantal mainstream: Scandinavian oath-pacts, Bedouin and American Indian tribal confederacies, and the Hungarian national covenant, to mention a few. In fact, it is not sufficient for random individuals or even groups to be disposed to it for an idea to take root and spread.”¹⁰ The covenant became a concept as well as the phrase “covenantal society” became also a concept, meaning that foundational sociology stemmed itself from the biblical root. The Bible as the Book of the revealed Law certifies that the real society, whichever and wherever, has its own mirror in the covenant society whose fundamentals can be decoded in the Book of revealed Teachings (storying upon the Covenant between God and Abraham as the Patriarch of a people reinforced by just this covenant). In this perspective we may repeat with Elazar that “covenant thinking is rooted in human nature as well as nurture”.

Such a way of living and thinking stems from a deep rooted culture which on its turn backs up what we may call the Good Society.

Some people considers that a good society equates with the welfare *state*, some others will think that it equates with a “just society”¹¹ and so further.

⁹ See J. Livni, *op. cit.* The concept of “rankless society” is proposed by J. Livni to analyse the emergence of inequality in history, *i.e.*, of a hierarchical society based on the ruler power instead of the power of rule as in egalitarian type of society. For Livni’s analysis see the article with the same title which is to be published in *Review of Romanian Sociological Studies*, no. 1, 2020.

¹⁰ Daniel J. Elazar (1983). *Covenant and Polity in Biblical Israel*. Volume 1, Biblical Foundations and Jewish Expressions. See also Irving Louis Horowitz (2000). “Daniel J. Elazar and the Covenant Tradition in Politics”, in *The Journal of Federalism*, 31 (winter): 1–7.

¹¹ Dennis P. Hollinger (2002). *Choosing the Good: Christian Ethics in a Complex World*. Baker Books: 166. The issue of just society is approached in the essay of J. S. Mill, where he proposed a vision on a society wherein decision makers together with all the other citizens contribute to the “common good”. See also John Stuart Mill (1871). *Utilitarianism*. Longmans, Green, Reader,

Referring to the concept and idea of a good society, Andrea Nahles argues: "When we started the initiative for the Good Society – during what became the most severe economic crisis since the 1920ies – our starting point was: There is an alternative. We do have a choice. We do not have to go back to unbalanced growth that leads into crises. We do not have to accept high levels of inequality and anxiety in a market society. Instead we can build a Good Society"¹². Her idea is that the good society is different from the market society but she remains nevertheless attached to the materialist hypothesis. The traits of a good society in her vision are the followings: *social justice, sustainability and security*. These preconditions support "the right of everyone to achieve their own unique way of being human"¹³. Many will put the sign of equality for such a society with lot of things and riches and stuff from this world. They all appear to have fallen into an error. The stuff and riches they got in this world are provisionally, but a good society should still last even after they and their riches have passed away and it has left of them in this world no more but moth and rust. We may conclude that a good society is a way of living and of doing things, therefore a type of a *profound culture that guides and enables us to do good deals and to reject regularly bad deals*. D. Elazar called such a society, oriented towards a way of living based on deals pleased to God that enforces God's orderliness, covenantal society. A good society must be always here and there, easy to be noticed and found out so that everybody could look for it, use it as a guide for attainment a way of being that uplifts you at that place where "no thief approacheth, neither moth corrupeth."¹⁴ (Luke, 12: 33) A good society is a non-transient society and therefore it cannot be of a material nature which is transient but of a spiritual nature which is long-lasting, imperishable. So what is at the same time imperishable and guiding and trustworthy and rewarding and pacifying and reassuring and so on? Who does much the more than God that bears testimony and vouches for such over-positive attributes permanently beyond us and at the same time at our disposal, simultaneously un-destructible and non-subtractable? These attributes make the substance of the covenant culture. Therefore we have to evoke Weber's lesson upon what is the good capitalism opposed to a "bad", booty capitalism. And Weber concluded: the good capitalism is that brought forth by profoundly *faithful capitalists*, who look for God in all and over, who lay their riches at God's feet, for His glory and unto His glorification¹⁵ (*ad majorem Dei gloriam*). The issue is

and Dyer. (Among the answers to the question "What is a just society?" it seems this one to be relevant: "One which adheres to the morals and ethics of the majority of the populace rather than of a small ruling class").

¹² *Equality and the Good Society*, in <http://www.social-europe.eu/2011/03/equality-and-the-good-society/>.

¹³ *Ibidem*.

¹⁴ Luke, 12: 33. (*Bible*, King James Version).

¹⁵ See Christiano, Swatos, Kivisto, Kevin, William, Peter (2008). *Sociology of Religion*. New York: Rowman & Littlefield Publishers Inc., p. 7.

related to the theodicy of fortune and misfortune in Weber's approach of capitalism. The theodicy (i.e. how "members of different social classes adopt different belief systems, i.e., theodicies, to explain their social situation."¹⁶) within sociology looks for answer to this question: "how people understand themselves to be able to be in a right relationship with supernatural powers, and how to explain evil – or why bad things seem to happen to those who seem to be good people."¹⁷

The Weberian faithful capitalists knew all the time which is the way towards a good society because they had the One with them to be asked and give them correct answers, that is they used to live and doing deals within the Covenant with God.¹⁸ A *good society* is made up by *good men* who know goodness from the One who is in all good and so is for good. We may conclude therefore that within and through the fabric of a concrete society there lay a latently *good society* contending with manifestly *bad deals* and it is given so their net separation as a *moral inner distance* of "social mind" (H. G. Mead). The way towards a good society equates with the way towards gradual actualization of the latent spiritual order that makes of our collective life a good society. The people competent to remake the fabric of society to sustain a long-lasting good society are the people capable of doing straight deals. If they and their spiritual orientation will prevail within a given historical society the "rare word of God" will be reinforced in our language and our daily life. This prevalence leads to reinforcing the covenantal order within historical society and to reinforcing Biblical language through even the science's language.

3. BIBLICAL (COVENANTAL) FOUNDATIONS OF SOCIOLOGY¹⁹

In the book of Samuel, we are spoken about the transition to a new type of society facing the occurrence of intra-societal fractures and increasing external clashes with surrounding peoples. Whenever such a disruption emerged, the semasiology of righteousness is threatened itself to be dismantled.

As we read in 1 Samuel, 3:1 (NIV) ("The Calling of Samuel"): "In those days *the word of the Lord was rare*; there were not many visions". Thus, the Holy Book tells us that "the spiritual or noological powers" have weakened in the world, that is, the working of covenant semasiology faded and that the world no longer receives the word of the Lord. The house of the priest itself, through the sons of

¹⁶ See Plye, Davidson, Ralph, James. "Stratification". Encyclopedia of Religion and Society.

¹⁷ Weber, Max. *The Protestant Ethic and "The Spirit of Capitalism"* (1905). Translated by Stephen Kalberg (2002), Roxbury Publishing Company, p. 19, 35.

¹⁸ "the affluent embrace good fortune theodicies, which emphasize that prosperity is a blessing of God...[while] theodicies of misfortune emphasize that affluence is a sign of evil and that suffering in this world will be rewarded in the next" (Plye, Davidson, Ralph, James. "Stratification". Encyclopedia of Religion and Society).

¹⁹ This section retrieves previously drafted parts in a chapter of my book, *Noology. The Spiritual Order of the World*, edited in 2001, Bucharest, Valahia Press.

Eli, has become estranged from God and from His ways. Bridging this gap starts from a point of maximum anonymity, somewhere in the midst of the people, through the wife of a certain Elkanah as a witnessing on the latent perpetuation of covenant, communitarian culture, in the deepness (profoundness) of the folk mind. The noological or spiritual insurrection begins with a "pain and grief" which cannot be exhausted except through the greatest and highest commitment, the commitment to God: "Do not take your servant for a wicked woman (says Ana to his husband, Elkanah); I have been praying here out of my great anguish and grief."²⁰ Where had Elkanah's wife spoken? She had spoken in the *Tent of the Lord*, in prayer. The voice of the people, the wisdom of the people of Israel (that is the profound latent covenantal culture) was then heard through the voice of this woman, as extraordinary as she was anonymous, in the redeeming power of her faith. Properly it was not her who has spoken out there but the *latent covenant spirit* from the very mental backstage of her mind.

Her prayer is rewarded by the ending of the cycle of the droughty estrangement, as Hannah's voice acquires prophetic value and we find it in the prayer of praise which is preserved in the Old Testament by this very name, Hannah's Prayer of Praise.²¹ In the anonymous Prayer, we find the entire truth of the natural law and of the will of God, and everything occurs through "natural revelation", that is, in the words of an anonymous wife who, out of the thousands of wives, has given her child to God. It is the most moving restoration, and her voice comes from the noological depths, as it repeats "truths" that the deviations of richness and of vanity appeared to have been capable of burying. The natural voice of Hannah's prayer is sufficient for the unveiling of those depths, and they are memorized in 1 Samuel 2:2, 3, NIV: "There is no one holy like the Lord; there is no one besides you (...) "Do not keep talking so proudly or let your mouth speak such arrogance, for the Lord is a God who knows, and by him deeds are weighed (...)"

"The Lord sends poverty and wealth; he humbles and he exalts. He raises the poor from the dust and lifts the needy from the ash heap; he seats them with princes and has them inherit a throne of honor. For the foundations of the earth are the Lord's; upon them he has set the world."²²

"Hannah's Prayer of Praise" was rewarded, as the Lord blessed her with the gift of fertility, and so the one who was named child Samuel was born. And Samuel will be the one who will advise the House of Israel to return to the Lord, *i.e.*, to the covenantal order of society, if they want to defeat the Philistines. "If you are returning to the Lord with all your hearts, and rid yourselves of the foreign gods and the Ashtoreths and commit yourselves to the Lord and serve him only, and he will deliver you out of the hands of the Philistines."²³ It is evidenced that the

²⁰ 1 Samuel, 1:16, NIV.

²¹ 1 Samuel, 2, NIV.

²² 1 Samuel, 2:7-8, NIV.

²³ 1 Samuel, 7:3, NIV.

covenant culture is the culture of triumph, it guarantees the triumph. And Samuel was judge of Israel “all the days of his life”, until, again, as before, the sons of Eli and his sons, judges over Israel, become estranged from God and from the ways of Samuel, as they “turned aside after dishonest gain and accepted bribes and perverted justice.”²⁴ They had come to accept a new type of culture that reflected a new order with elite estranged from the genuine covenantal order on the way to take the leading role over the whole native society.

And when Samuel set the stone between Mizpah²⁵ and Shen, and he named it Ebenezer, saying “Thus far the Lord helped us!”²⁶, these words seemed to have a deeper meaning, speaking of the frontier between two ages, of judges and of kings. *And again doxology became estranged, as we have said, from noology, that is, the public voice spoke without the spirit of God and mostly it was broken away from the covenantal/communalist culture.* “So all the elders of Israel gathered together and came to Samuel at Ramah. They said to him, ‘You are old and your sons do not walk in your ways; now appoint a king to judge us, such as the other nations have’.”²⁷ The fracture’s threat started to be felt in the air. There emerged a typing point of societal becoming wherefrom the balance between equality and inequality started to incline towards inequality and to alienate the people from the egalitarian type of society.

We must take into account the fact that those who notice the “deviation” are “the elders”. Secondly, we can see in Samuel’s anger all the tension caused by the growing distance between the temporal power (through “the elders”) and the spiritual one (through the judges who propagated the word of the Lord). Thirdly, we must also notice that this “growing distance” expresses a great tension between the law of needs (the existence and the will of people are related to the nature, to the created being, but also to the Fall, to the necessities) and the revealed law (which in that period was transmitted through the word of the judges).

And the Holy Book bears witness that God does not set the revealed law against the natural law, so that, to Samuel’s anger, and to his prayer, He answered thus: “Listen to all that the people are saying to you; it is not you they have rejected, but they have rejected me as their king. As they have done from the day I brought them out of Egypt until this day, forsaking me and serving other Gods, so they are doing to you. Now listen to them; but warn them solemnly, and let them know what the one who will reign over them will do.”²⁸ And here we count the eight subordinations to the king, having an always-verified validity; and they are all servitudes, so that we can say that this is the first “monarchic catechism” in the

²⁴ 1 Samuel, 8:3, NIV.

²⁵ “But it was also called Mizpah (which means “watchtower”), for Laban said, “May the LORD keep watch between us to make sure that we keep this covenant when we are out of each other’s sight”.

²⁶ 1 Samuel, 7:1, NIV.

²⁷ 1 Samuel, 8:4–5, NIV.

²⁸ 1 Samuel, 8:7–9, NIV.

history of humanity and it speaks of the order through subordination, which certifies that the extension of the civil law, through the institution of royalty, means the addition of a new link. This link appears to be the same with a superposed institution that mediates the emergence of the subordination to a temporal power, expressed through the social hierarchy and the will of the ruler. God does not oppose, but the people had to know what that which they want means. What they want, as long as it is willed, is related to the free will, and God requests Samuel to "listen to all that people are saying", but also to enlighten them on the essence of what kingship is. For the king, kingship means the "rights of the king", and for the people, thus turned into subjects, kingship means "servitudes to the king". This is the new frontier which emerges in history when man decided to a social construction far away from the covenantal or communitarian culture, outside the culture of covenant. The new link, which emerges in order to rebuild the relation between the natural law and the civil (willed) law, within the order of the creature, is the link of obedience. Obedience emerges into the world and man willingly turns into a subject of his king. This is the crucial trait that makes the difference between the covenantal or communitarian, a historical culture / society (whose roots deepens profoundly in the covenantal layer of existence) and the historicized society and culture. Although human being preserves his free will (as long as he by his own choice decided to call the king in his life), it nevertheless loses the power of making a clean distinction between "good" and "wrong" society. That explains why and how it's possible for a communitarian society to assert oneself off the hierarchical society and to survive under such a quality for a good while.

"Now listen to them; but warn them solemnly and let them know what the one who will reign over them will do."²⁹ Samuel tells them what a king means and he concludes: "When that day comes you will cry out for relief from the king you have chosen, and the Lord will not answer you in that day. But the people refused to listen to Samuel. 'No!' they said. 'We want a king over us. Then we shall be like the other nations, with a king to lead us and to go out before us and fight our battles'. When Samuel heard all that people said, he repeated it before the Lord. The Lord answered 'Listen to them and give them a king'. Then Samuel said to the men of Israel, 'Everyone is to go back to his town'."³⁰

And, therefore, all happens, takes place in the dialogue between God, Samuel and the people, involving the revealed law and the natural law (of nature). And what is accomplished reaches its utmost fulfillment through a purely noological phenomenon of "renewal of the heart". Saul becomes a king only after the word of the prophets and the divine Spirit has descended upon him, which results in the "Renewal of his heart". It is only then that Saul truly becomes a king: "As Saul turned to leave Samuel, God changed Saul's heart, and these signs were fulfilled

²⁹ 1 Samuel, 8:9, NIV.

³⁰ 1 Samuel, 8:18–22, NIV.

that day.”³¹ Thus, the kings may receive the divine renewal and then “God gives them another heart”, which transforms the link of obedience to the king into one of the common obedience of the king and of the people to the will of God. It is discovered us that the covenant culture may triumph over a royal society (read: a hierarchical societal order). But the kings can become estranged from the will of God, and then obedience loses any spiritual meaning and becomes obedience in need, blind obedience of the subjects to the masters of this world and not at all to God. The culture of covenant breaks away from the culture of a certain historical order.

The significance of “royalty” is again and clearly explained by Samuel to the people of Israel. And this significance is related, on the one hand, to the same feature of the Oriental empires, wherefrom God has just saved His chosen people, which do not prevent the latter, in their deep need, to want a king. But the king that they asked for is added to the previous order, although he brings diminutions in the natural order, because indeed, after the rule of the kings the servants and the servitude to the king appear.

“And [Samuel] said to them, ‘this is what the Lord, the God of Israel, says: ‘I brought Israel out of Egypt, and I delivered you from the power of Egypt and all the kingdoms that oppressed you’. But you have now rejected your God, who saves you out of all your calamities and distresses. And you have said ‘No, set a king over us’. So now present yourselves before the Lord by your tribes and clans’. When Samuel brought all the tribes of Israel near, the tribe of Benjamin was chosen. Then he brought forward the tribe of Benjamin, clan by clan, and Matri’s clan was chosen. Finally, Saul, son of Kish was chosen (...).”³² Two aspects should be remembered from all this noological “turmoil”: 1) Only the one who judges people in the name of God, who has acquired the right to be the judge of God within his people is entitled to judge the people, and the judgment is done between the respective person and the people, in front of God: “Now then, stand there because I am going to confront you with the evidence before the Lord as to all the righteous acts performed by the Lord for you and for your fathers.”³³ 2) The king was born from the state of estrangement, from the “sin of the people”, but this sin is not to fear, as it only reflects the will, and derives from the error of the people which lifted the law of need above the law of nature. This sin is pardonable, but the sin of estrangement from God is not:

“The people all said to Samuel, ‘Pray to the Lord for your servants so that we will not die, for we have added to our other sins the evil of asking for a king’. ‘Do not be afraid’, Samuel replied. ‘You have done all this evil; yet you do not turn

³¹ 1 Samuel, 10:9, NIV.

³² 1 Samuel, 10:18–20, NIV.

³³ 1 Samuel, 12:7, NIV.

away from the Lord, but serve the Lord with all your heart'.³⁴ Therefore, as long as the people and the ruler, in their new hierarchical order, do not "turn away from the Lord", i.e. from the covenantal order, the peace and security will prevail in their life. If and when the people and/or the king will estrange from the covenantal order they will be exposed to misfortunes and wars.

What is the conclusion that we can reach?

Any new institution is allowed by God, and the sin of pride is forgiven if it is associated with a noological or spiritual renewal under the inspiration of covenant. Otherwise, it is only sin and nothing more, that is, axiological overturn, because it moves the center from the authority of God to the exclusive authority of temporal power.

"Yet if you persist in doing evil, both you and your king will be swept away."³⁵ Thus, in this book of kings, we find the fundamentals of the science of order and changing of a society, a science which tells us that any change is desirable and fruitful as long as it is also a change of the heart, that is, a spiritual renewal in accordance with the covenant orderliness and, therefore, with the will of God. Otherwise, the change is futile, and the order is pure suborder and blind obedience. Therefore, we can speak of two types of order and of two types of change: the order of the created being and the order which derives from human necessity, and the latter is added, as the result of man's creation. When the created order is associated with a noological renewal, that order is added to the natural order, that is, to what is created by God.

When, on the contrary, the new order created by man is not associated with a spiritual renewal, of the individual and of the people, under the covenantal inspiration, then, the growing distance between man and God cannot be recuperated. The reconstructed order, instead of adding to the natural one, is superposed to it and, therefore, it becomes a burden and a lack of freedom. Therefore, noological sociology shows us the error of the Marxists, and of the atheist sociology in general, which either finds in any form of new order another form of subordination, that is, a super-structure, or does not even distinguish between the orders created by man in history and the order created by God, through the order of creation, as we see in the case of the family, which was created by God from the beginning, as such, when God made man, He also made woman, in order for them to be together and enjoy each other, multiplying the human race. It is on this distinction, between the order created by God, and the orders reconstructed by man in the spirit of God's orderliness, that sociology is founded.

³⁴ 1 Samuel, 12:19–20, NIV.

³⁵ 1 Samuel, 12:25, NIV.

II “COMMUNAL VILLAGES”, „GOOD SOCIETY” AND “DUAL SYSTEM”: THE ROMANIAN CASE

1. FROM COMMUNITARIAN / COVENANTAL CULTURE TO THE “DUAL SYSTEM”

When justice system and land property, its partitioning between family households, belong to the community that manages them without the intervention of any kind of external hierarchy and intrusion we may speak of a communal structure and organization. We say, in such situations that the community takes precedence over the political and military system, however complex it would be. It results then into a communitarian culture. Based on its communal structure, the community takes control of even economy. The communal organization and communitarian culture lasted unchanged for thousands of years, next and often under the layers of superimposed nomads, systems of dominations with their own taxing apparatus and military bodies. The burdensome states imposed by military occupation did not manage to destroy the old communitarian organization, so that the indigenous population continues to live in its own communitarian organization, which was that of the communal villages progressing toward the larger network of the Confederation of Communal Villages. They culminate in their first form of state organisation, the so called Voivodates. Stahl defines the communal social formation by the “family households association”, on the basis of a “shared territory”, in which the “community as such has rights prior to and above the rights of the comprising households”; these rights were controlled by a “governing body” called *obstie* (collective assembly).³⁶

Concomitant with the emergence of a hierarchical order in society, the buds of inequality appears themselves. The history of inequality, Livni argues, becomes intelligible as a progressive war escalation, waged against the genuine equalitarian society, that Israeli sociologist D. Elazar called “covenantal society”. What is odd at the process of the progressive escalation of inequality is that, in spite of the terrible force backing it historically; its vigour within certain societies and cultural areas appears to be rather weak, being marked by constant failures to enlarge over there. Such failures can be recorded within those types of societies called, as

³⁶ On the communal formations see H. H. Stahl, *Communal villages and “voivodal” formations*, in *Traditional Romanian Village Communities* (1977). Cambridge University Press, p. 24. (“Even in the province, during the high point of Roman domination, the slave or colonial latifundia existed only as an exception. It is true that the Roman domination created a flourishing urban life, imposing a general cultural influence that was decisive to the local population, without, however, being able to completely transform the villages, which remained as they had been: village communities of a deeply tribal character. After the Roman army left Dacia in 271, the cities fell into decay, drowned in the anonymous rural mass”). On very ancient social history and on this kind of formations see also: C. Daicoviciu, E. Petrovici, G. Ștefan, *La formation du peuple roumain et de sa langue*, Bibliotheca Historica Romaniae, *Etudes* series, no. 1, Bucharest, 1965. Also *Brève histoire de la Transylvanie*, Bibliotheca Historia Romaniae, *Monographies* series, no. 2, Bucharest, 1965.

already mentioned, communal societies. Their ideal type is provided by what Elazar called “covenant society”. “Elazar’s term of *covenantal society* relates to a particular *rankless*³⁷ societal model governed by a rule (covenant) rather than by a ruler.”³⁸

The roots of this type of society descend directly and deeply into Bible so that they can be looked for in the people of Bible, namely in the ancient Israel. Moreover, the scientist will discover this type of society also within some other areas, as in the ancient communal society within the Carpathian region of Romania. H. H. Stahl and N. Iorga have shown the ancient communal institution of “elders”, *i.e.* „good and old men” (*oamenii buni și bătrâni*), meaning those who were called to make justice based on the orally transmitted ancient wisdom and collective rule, Stahl used to explain this type of societal organization as one stemming from “that order based on the diffuse tradition”. This is a representative type of a society without ranks which is “governed by rule rather than by a ruler”. A ruler in such a society would have nothing to do, so that the hierarchy could not be born in such a community. I’d rather call it “communal society” or, by Elazar’s term, *covenantal society*.

The real power and resistance against the intrusion of that type of historical orders, based on hierarchy and on the authority of a ruler, come from the mechanism of communal order: the *diffuse tradition*. We may choose to call „communal society” such a type of order, and we shall notice that, as Stahl demonstrated in his researches, the communal type of society resisted long time to the historical arising of the hierarchical type of social organization (based on the authority of a ruler and its ruling elite). The history of inequality had to bypass such a rankless society, to develop externally, outside of it, so that we may find this non-hierarchical society evolving unbroken until the XXth century in rural Romania.

The study on inequality has a long tradition³⁹ but the study on the “non-hierarchical societies” has a short tradition rooted typologically in studies like the already mentioned Elazar’s ones on the covenantal society or, empirically, in the

³⁷ See J. Livni, *op. cit.* and Avraham Faust, “The Israelite Village: Cultural Conservatism and Technological Innovation,” *Tel Aviv* 32, no. 2 (2005). (Cited by Livni in the quoted chapter here, p. 1).

³⁸ See J. Livni, *op. cit.*: citations here are apud Livni from: Daniel J. Elazar and Stewart Cohen, *The Jewish Polity: Jewish Political Organization from Biblical Times to the Present*, (Bloomington, IN: Indiana University Press, 1985); Daniel J. Elazar, *Covenant and Polity in Biblical Israel* (New Brunswick, NJ: Transaction Publishers, 1998); Daniel Judah Elazar, “The Almost-Covenantal Polity” (paper presented at the Workshop in the covenant idea and the Jewish political tradition, Ramat Gan, Israel, 1982). (See reference note in Livni, c. w.)

³⁹ See some relevant references in Livni’s Introduction: *e.g.* Gary M. Feinman, “The Emergence of Inequality,” in *Foundations of Social Inequality* (Springer, 1995), 255, 56; Katherine I. Karen Wright, “Domestication and Inequality? Households, Corporate Groups and Food Processing Tools at Neolithic Çatalhöyük,” *Journal of Anthropological Archaeology*, 33 (2014); Benjamin P. Luley, “Equality, Inequality, and the Problem of “Elites” in Late Iron Age Eastern Languedoc (Mediterranean France), Ca. 400–125 B.C.,” *ibid.*, 41 (2016); Stephen A. Dueppen, “Reinventing Equality: The Archaeology of Kirikongo, Burkina Faso” (University of Michigan, 2008).

field-works like that of H. H. Stahl's on the communal society (ancient equalitarian village communities), in Romania and, historically, in Iorga's works on ancient institutions of those "good and old men" (*boni viri antiani* or *boni homines*) collectively assumed to be the most honest and righteous men within a free, non-hierarchical community. In Romanian "bătrân" (the oldest in a family or in the community) means not only the eldest (from the Latin *veteranus*) one, but also "forefather" (*moș*, a traco-illyric etymology), a sort of "patriarch", *i.e.* a genealogical predecessor.

A village is divided genealogically on more "forefathers" (*moși*) and their lands (*moșii*) a sort of genealogical estates. H. H. Stahl draws attention on the two totally different ways of feudalism penetration in rural local communities: the western type of feudalism based on the internal hierarchy of local communities (the first form of feudalism) and the Romanian type where the class of lords could exploit the peasants organized nevertheless in free, non-hierarchical village communities, *i.e.*, based on a system of internal non-hierarchical organization. The two component of such a society evolve totally parallel the only link between them being a tribute-based one in the form of fiscal dues in produce and labour. This type of social organization could be denoted as a dual societal system. Peculiarity of such a dual system consists in their contrastive evolution: while the first system, let call it the communal system, moves in a non-transformative, almost linearly and non-reflexive way, the other one, let's call it the hierarchical, un-equalitarian, reflexive, has a mirroring elite.⁴⁰

The hierarchical type and non-hierarchical one coexist next to each other. As Stahl showed, "the lords can exploit village communities without owning them, by the simple imposition of a tribute, according to a state fiscal system." (Stahl, 1977, 14)⁴¹ The only way of feudalisation by western type occurred, paradoxically, during the period of penetration of capitalism in the Romanian rural society beginning with the XIXth century. The two systems of societal organization, a hierarchical, un-equalitarian one and a non-hierarchical, one without ranks, co-existed and periodically have come into collision with each other. This historical path characterised by the *dual system* concluded into a second serfdom within the full capitalist age, but even then the free communal society continued to exist until nowadays. We are requested to explain the persistence of the communal society transcending the long cycles of inequality throughout history. Our hypothesis combines the two theories: Stahl's theory of a dual societal system and Elazar's theory of the covenantal origin of the free, rankless community. Our own hypothesis assumes the autochthonous theory of the "men's of land", that is, the men whose linkage with their property descends deeply up to the God's

⁴⁰ On the dual-system theory see: D. Kahneman (2011). *Thinking, fast and slow*. London: Allen Lane; and also A. Samson and B. Voyer (2012). Two minds, three ways: Dual system and process models in consumer psychology. *Academy of Marketing Science Review*, 2.

⁴¹ See H. H. Stahl (1977). *Traditional Romanian Village Communities*, Cambridge University Press.

distribution of the lands to humans within a God's covenant with them. "The Book of Genesis discovers us that God Himself made man to be the master of land and, following the consequences of the lapsatory moment, not only that God has not taken back from man the creational gifts but He, additionally, bestowed upon man a superadded ability, that of being able to work the land and to harvest its fruits in a way that is pleased to God, that is, by living and sharing everything justly, *i.e. straight*. The culture raised on this complex *system of orderliness* (recognised by the multitude as having a divine origin) is a basic *covenantal culture* and it stems from that very biblical moment disclosed by the *Book of Genesis* as a narration about the secret destiny of human being."⁴²

2. FREE VILLAGE AND COMMUNAL SOCIETY

The section surveys the organization of the society based on the diffuse tradition and on the Oral Law. Rural area preserved the sociological model of communitarian culture, which remained unchanged until the establishment of statehood⁴³ and after that moment, until XXth century. Free villages (*răzeși* and *moșneni*) still existed in the interwar world period when they were subjected to field research for a while of 20 years. The challenging aspect of this organizational pattern is its networking structure so that it could extend over large areas in the form of villages confederation so that information and goods circulated on this network basis.

The prototype of this archaic pattern was the local and extended genealogical structure. Large "family lineage" encompassed often the whole village and sometimes an entire surrounding village region. The genealogical character of villages' organization in Romania denotes the archaic pattern of communal villages in the area. In such a form of communal existence we encounter two traits: **1.** the inhabitants claim that "they formed a single large family lineage descended from a single ancestral hero believed to have been the founder of the village; **2.** they settled their patrimonial rights in the whole of the village territory according to a family genealogy, either memorized or written" (Stahl, 36). Regardless of their belief in the "myth" of the ancestral hero as a founder of the village, its genealogical structure is a prevailing one from the very beginning, although the myth of hero the founder merged later when "the original community begins to

⁴² I. Bădescu, *The Great Challenge. The faulty line between the modern society and the covenantal society*, in this book, p. 2 of the paper.

⁴³ For the Israel situation see Avraham Faust (2000). "The Rural Community in Ancient Israel During Iron Age I I," *Bulletin of the American Schools of Oriental Research*: 32, apud Livni, c. w., p. 12; and for the Romanian case see H. H. Stahl (1980). *Traditional Romanian village communities*, Cambridge University Press. ("Since free villages (*răzeși* and *moșneni*) still existed between the two world wars they could be subjected to field research, undertaken as monographs between 1925 and 1946 by the School of Sociology directed by my teacher, Professor Dimitrie Gusti").

decay and divides its property into unequal, hereditary parts, and then into private property.”⁴⁴

As a matter of fact, the genealogical pattern is not always the archaic founding structure of village but its function is nevertheless working even in non-genealogical villages as a “measure of hereditary rights to strip of land” (Stahl, 36). Moreover, there are villages where the genealogical type followed a non-genealogical one, so that village began as non-genealogical village. Therefore we need to understand the transition from one to another in order to make clear the traits of an originary communitarian culture and society. Hypothetically, we are tempted to locate a deeper structure we may invoke to understand such an originary structure. I am inclined to look for such a deeper structure at the level of the transformational network that helps us to observe not only the location of different types of villages but also to highlight their transition from one to another. Theoretically, communal villages could be defined by at least these traits: as a group of households, that are holders of a territory, maintain relations among them over a vast territory; share a package of the rules acknowledged by all and encompassed in what we may call the oral Law enforced by diffuse tradition and by the strict observance of representatives of the general assemblies⁴⁵ (in Romania, these representatives are denoted as the “old and good men”).

In those villages fallen under “the domination of a feudal lord, *the lord takes over, by force, the old rights of general assemblies* which, thus, lose their powers, even though the village remains ‘communal’.”⁴⁶ Only the market economy will provoke changes that undermine the communal organization of the villages. Let’s see first the internal organization of such a communal village and then we shall approach the way of transition from one type to another one in order to make clear the network structure that explain the process and also the conservative power of this type of organization and its role to provide the survival fitness not only to individuals and their households but also to the community itself, as a whole.

Anyway, the two types of societal order, one based on the enveloping hierarchical system (with a state apparatus destined to military functions and to tribute taxation) and the other one based on the general assemblies of community and, eventually, on the authority of “elders”, *i.e.*, “the old and good men”,

⁴⁴ Stahl, c. w., p. 35.

⁴⁵ On the incomplete definition see A. Tschuprow (1902). *Die Feldgemeinschaft, eine morphologische Untersuchung*, Strassburg, cited by Stahl in c. w., p. 36.

⁴⁶ Stahl, p. 36 (“Thus, although they are enserfed in the feudal manner, these villages remain communal as long as the common exploitation of the village territory is assured by the same primitive pastoral and agricultural techniques. This will remain the case as long as these communities do not make direct contact with a more developed market economy. In any case, the analysis of the village assemblies remains the keystone of the original system. Its breakdown begins the process of enserfment. For this it is useful to study its laws”).

continued to coexist until XXth century. Beneath such a co-evolutionary structure persist hidden conflicts and periodical clashes between the two societal systems.

3. COMMUNALISM VERSUS STATEHOOD: HOW TO RECONCILE THEM?

The concepts of “humanity” and “civilization” that defined the system as a whole were exclusively Eurocentric, argues C. Schmitt: “civilization” meant European civilization. Non-European space was considered to be uncivilized or half-civilized, leaderless, even empty. The belief in “European civilization” was essential to the whole structure of *Volkerrecht*, and was part and parcel of European consciousness.”⁴⁷ The challenging issue is that, as a matter of fact, social history testifies two evolutionary ways for the European civilization: one based on the passage from communal society to hierarchical order; the other one consisting in the dualist system, *i.e.* the persistence of a communal society without ranks, concomitant with the emergence of the hierarchical state order.

In Romanian area there was neither a feudal order like the western feudal system, nor even a slave state order, but a communal type of social organization parallel with a state hierarchical order. The only relationship between the two societal systems was a tribute-like one. All interpersonal issues within communal society (free villages) was solved based on the communal non-hierarchical, oral “institution” (“oral Law”) of what usually was called “*the good and old men*”, as an old judicial act testifies it: “Behold, coming Ion, our servant, with his woman and with their children, in front of us and our Moldavian boyars, of high and low ranks, presented in front of us a *zapis* (a testimonial file), as testimony from the *good and old men (oamenii buni și bătrâni)*, namely: Ionașcu from the Fair of Suceava (*Târgul Sucevei*) and Ion Vulpe of Nelinești and Isaia from there too, and Vasile sin Captain also from there, witnessing that, in front of those good and old men, Gligore from Lipăiești, the brother of Constantin, the son of the Patroaia, sold, willingly, untold of no one, nor oppressed, and gave his share (*o jerie*) from the village of Lipăiești with the place of land and village and with all his income to...”.

Here it is the retrieved document: (Land title deed signed before Vasile Lupu ruler of Moldavia (1595–1661); note elders (*oameni buni și bătrâni*) are witnesses – T. Codrescu (1887). *Uricariul cuprinzătorii de hrisoave, anaforale și alte acte*. Tipografia Buciumului român))

⁴⁷ See Introduction by G. Ulmen to C. Schmitt’s book, *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*.

Th. C.

Io Vasilie Vocevođa, cu mila lui D-zeu stăpănitor pământului Moldovei.

Eată că viind înaintea noastră și înaintea a lor noștri moldovinești boeri a mari și mici, sluga noastră Ionașco Dărman, cu femea lui Mărica și cu copiii lor, a arătat înaintea noastră un zapis, ca mărturie de la **oamenii buni** și bătrâni, anume: Ionașco Băzăceanul și Eremia Olăș de la Târgul Sucevei și Toader Boul de la Nelipești și Ionașco Boul, așijdere și Vasilie de la Bălșeani și Isaia tot de acolo și Vasilie sin. Capitan, așijdere, cum înaintea lor a vândut Gligorie de la Lipăești fratele lui Costandi, fiul Pătrășcoaei, de a lui bună voe, de nime șilit, nici asuprit și a dat o jerie, partea lui de la satul Lipăeștii, cu parte de loc pământ și sat și cu tot venitul, ear

Figure 1.

The *good and old men*, as the representatives within community, judging on the basis of the oral Law, known and shared by all members of community, came to serve as a pattern even for the organization of the early form of state, called voivode-state, in its first stage of historical evolution. N. Iorga argues: “Voivode-Rulers had no court, and they were rounding, necessarily, in those first decades (of the century), only by advisers (*șfetnici*), dressed in Romanian (traditional) clothes, similar to elders called to peasant judgments”.⁴⁸

Such communities have existed as the oldest type of social organization forms and continued to exist and preserve their autonomy until nowadays. Moreover, the communal villages were organized in confederations of free villages to serve afterwards as the basis for early forms of state called Romanian principalities. On the other hand, beyond and distinct of them, there emerged from outside of these free communal confederations a reorganized type of hierarchical state after a pattern partly rooted in local traditions, partly from influences of those types of voluminous conquering states brought in the area by invading peoples finally settled next or around the natives (autochthonous communal society). As Iorga argues: “in the Romanian Country, the first boyars were necessarily foreigners, but in short time, those Greco-Slavs beneficiaries remained very few and they can barely be recognized among the others” (Iorga, IV). In a certain sense, they have come to be assimilated thus forming the local elite. In spite of such a statist impulse, there was preserved, beyond and linked to that hierarchical organization of society, a different, communal order and its communal power proved to be decisive even for the affirmation of a more comprehensive social

⁴⁸ cf. N. Iorga (1925). *Scrisori de boieri. Scrisori de Domni // Letters of boyars. Letters of Rulers*, Vălenii de Munte, p. III.

order. This non-hierarchical social order relies on the genealogy that goes up to its spiritual origin confirmed and strengthened in the form of a covenant which asks to the people to keep the observance of spiritual teachings sheltered and enhanced by that originary covenant and springing out of it.

When in the community begin to appear the signs of a tendency to a type of hierarchical order in which a "race" claims for itself a leading role, a dominant position, the rank of the leading elite, the different genealogical stocks collide. But, even in the midst of such a contest there survive an older type of community where people look at those who respect the covenant as to the "brothers and sisters". They are looked so and this order is communally shared and respected and taken for granted so that the genealogical contest and clashes are lacking or vanishes in such a society. The observance of communal rule is the access gate into such a group. The European civilization evolved in that way, *i.e.* by the progressive sharing of the same Judeo-Christian covenantal teachings on the part of all European peoples (nations). This covenantal evolution represented the co-evolutionary line of European civilization, *i.e.*, parallel to a progressive development of the hierarchical order (statehood order centred on the ruler and on the leading elite). The only difference is that in some societies, the Romanian one being included, the communal order, parallel with the statehood, survived as a distinct social order, *i.e.* rankless, leaderless, and internally non-hierarchical communal order up to XXth century.

A rank-based social order could not emerge within a communal society by its inner evolution but by external admixture due either to an external source, an occupation, *i.e.*, a war and domination effect and therefore to an act of external imposition, or to the reaction against such an external intrusion. "The boyar was the owner only in the margins (within the boundaries) of the Lord's reward for his comrades in the battle, his faithful in the expelling, for his lenders on the hard days. What could the Lord have given? Of course, that only what he had: first of all, his voivodship's rights to the free peasant land, *i.e.* the tithe, from which then, in time and by coercion, could be taken out greater rights, and then from the possession of his inheritance, on the confiscated patrimonies from cunning or traitors, and on the wilderness without owner.

The colonization, more and more stretched, as well as the ever-increasing confiscation in the fights for the seat of the aspirants, established finally, from the 15th century on, the bond between the beneficiaries and the great owner, and these processes made so to emerge a Romanian aristocracy: when the aristocracy lacked the power of the rank, she had the houses of the estate, with the tithe of the harvest, with the dominion of the pond, the forest, the mill and of the tavern, ***but never the right of judgment and punishment***".⁴⁹

Therefore, and I stress on the last statement in the citation from Iorga's book, the ruler (*voivode*) and his elite could get a lot of rights in society and over the

⁴⁹ N. Iorga (1928). *Letters of boyars. Letters of Rulers*, Vălenii de Munte, p. V.

communal society “*but never the right of judgment and punishment*”. This was the right of community itself and it was granted by the oral Law. As I have already mentioned, this type of societal organization relies on that sort of order based on the diffuse tradition. With a supplementary observation: the order has its root in the spiritual authority not in the tradition itself, that is, it is founded on the authority of divine covenant not on the authority of a given tradition. Otherwise it will be hard to explain its power of subsistence and of withstanding to the test of time. The relation between the two types of social structures could take over either the form of coexistence or the form of the conflict. This conflict was between the two social patterns: based on equality one and on inequality or hierarchy, the other. The inequality exerted pressure over equality, the communalism reacting against this intrusion of the principle of inequality. This fight could take the form of a Reconquista or of a boycott form, *i.e.* a rejection by unassuming and thus by total abandonment of the system itself. The problem of such a dual society was to solve this conflict, to harmonize the parts, to transfigure the confines into confluences *i.e.*, to reconcile the statehood (and hierarchical organization) with communalism (an equalitarian pattern).

On the basis of the covenantal society theory, exclusively, we shall come to understand the crucial emphasis on the autochthony, *i.e.* on the right over the communal land which is different from the ownership rights over a certain land property, as in the feudal western feudal Law of Lordship. Based on this theory we may comprehend specific phenomena as the struggle for the right over a territory called country and the inter-ethnic disputes on the territorial areas, as in Transylvania where the communal order was primordial up against any historical regulation (written Law) ensuing from an ulterior hierarchical organization of society imposed by occupation and/or by conquest. That is the source of the distinction between the autochthony, *i.e.* the covenantal / communal (communitarian) rights over a country land, and the historically evolved rights resulting from a historical secular act and embracing the form of the written Law. The autochthony is founded on the covenantal oral Law, and embraces the form of an imprescriptible communal right known by all people as a truth rooted in the ancient immemorial times (*in illud tempus*).

4. COMMUNITARIAN CULTURE AND EMERGING INEQUALITY: LIVNI'S ASSESSMENT METHOD

The free villages are the sample illustrating a more comprehending cradle of communal society. In 1864 the statistical data allows us to determine the number of totally free villages compared with the number of serf villages and mixed. We may apply the Livni's three-faceted hypothesis on the relation between the survival fitness provided by a cultural trait (in this case we are told about communal or free-villages trait).

Livni proposes the following equation to assess the "survival fitness provided by a certain trait" (as, in his example, the egalitarian view).

$$\dot{p}(x) = M \left(\frac{\partial^2 p}{\partial x^2} \right) + \alpha p(1-p)$$

In Stahl's socio-historical researches, the survival fitness provided by the communal trait refers to the communality itself, as a way of life and type of social organization. We may use the letter α to symbolize the survival fitness provided by communal trait, in our case, *i.e.*, what Stahl called free villages.

If $\alpha = 0$ then the communitarian culture and capitalist organization will coexist.

"The existence of these free village communities explains the particular forms that serfdom took in these regions and the special forms of serfdom explain, in turn, the particular ways in which capitalism made itself felt. A study of this social history is particularly apt in the Romanian provinces because nowhere in the Ponto-Baltic zone were the forms of village communities as recent or typical as in Romania, especially in Moldavia and Wallachia (which we will study almost exclusively). In these two Romanian provinces, the village communities were so alive that even in the mid twentieth century they could be found in large numbers and, in addition, many were still for free', *i.e.* they had never had a local lord." (Stahl, 8)

If $\alpha < 0$ then the equation predicts the extinction of the communitarian culture⁵⁰. The communal power of individual and of community itself will go down and the resistance against external influences will weaken itself so that the members of the group will be attracted to other models and the group will enter a disintegration cycle caused by the force of imitation. "The more negative the survival fitness of egalitarianism is, the faster will p reach zero."⁵¹

In Stahl's analysis, the free villages, as a trait of the communal society, is prevalent in the mountain area, where, the survival fitness of the alleged trait is higher than 0 (zero), *i.e.* $\alpha > 0$. Throughout highlands of the Romanian rural area there emerged progressively a new social system based on the exploitation not of "slaves or conquered peoples but free village communities, by purely fiscal means, and only acquired property rights over the land and inhabitants much later" (Stahl, 1977, p. 7). "A positive α means that in spite of surplus and land disputes, the communal system thrived."⁵²

⁵⁰ On the hypothesis see also Livni, q. w., manuscript.

⁵¹ Livni, q. w., p. 9.

⁵² Livni, q. ch. in his manuscript, p. 9: "This implies that in the highlands of the Land of Israel, the previous pastoralist existence of the settlers contained traditions compatible with a positive survival fitness."

In the case of mixed system and even that of the former serf villages the evolution of communities followed a “polymorphic way”. It is the case that Livni associated to the hypothesis of $\alpha = 0$, where free villages and serf villages, respectively, communal and capitalist traits will coexist. The communitarian culture and, therefore, the village communities survived until twentieth century which “was no longer the case in the rest of Eastern Europe”, as Stahl underlines.⁵³

In plain areas, on the contrary, prevailed the villages already fallen into a second type of serfdom, so that, the penetration of capitalism in that area stressed the serfdom, leading communal villages towards the second serfdom currently associated to Eastern Europe. Here it could be applied the hypothesis of $\alpha < 0$ (α negative).

Stahl got an overview of the situation on the basis of statistical data from 1864:

Hypothesis	Types of villages	number	percentage
$\alpha > 0$	free	1,710	19%
$\alpha < 0$	serf	5,822	64.8%
$\alpha = 0$	mixed	1,462	16.2%
	Total	8,999	100%

Figure 2. – Number and percentage of villages formerly free, serf or mixed.
Source: H. H. Stahl, c. w., p. 10.

The most powerful hypothesis regarding the evolutionary trend in Romania is the one of $\alpha = 0$, being that in the census of 1912 the number of villages with over 51% percentage of free population amount at about 70% from total number of mixed villages. In 70% of this type of villages the free population exceeds the number of the enserfed people so that we may conclude that the survival fitness provided by the communal trait is itself a prevailing one. The rural Law of 1864 has deepened the traits of the communitarian culture in the Romanian villages. In 1912 the rural population lived in 5,827 formerly serf villages and in 1,710 free villages, the number of mixed villages amounting at 1,462 villages. 1,020 mixed villages where lived by an “absolute majority of free peasants (69.8% of such villages).”⁵⁴

⁵³ Stahl, c. w., p. 7. See also: *Nerej, un village d'une rigion archaïque*, Monographie sociologique dirigée par H. H. Stahl (part of the monograph series on Romanian rural life, published by the Bibliothèque de Sociologie, Ethique et Politique under the guidance of D. Gusti), 3 volumes, Bucharest, 1939; ‘L’habitat humain et les formes de la vie sociale’, *Arhiva pentru știința și reforma socială*, Year XII, nos. 1–2; ‘L’organisation collective du village roumain’, *Arhiva pentru știința și reforma socială*, Year XIII; *Contribuții la studiul satelor devălmașe românești* (Contributions to the study of Romanian communal villages), 3 volumes, Bucharest, 1958–1965.

⁵⁴ Stahl, p. 11.

The challenging issue is that, by comparing two censuses of 1722⁵⁵ and 1912, Stahl concluded that in the last 200 years the number of free villages (those which had no lords) decreased in favour of a "trend toward enserfment of villages."⁵⁶ The most probable hypothesis is "that the free communal villages existed from the beginning of the state and that they were subjected over the course of history to a process of enserfment, which nevertheless did not succeed in enserfing all of them, even though the process began long ago."⁵⁷ There has emerged the challenge of inquiring the phenomenon of the free villages and of their survival until 20th century and beyond.

"This exceptional opportunity for learning the laws of these archaic forms of social life is also important for methodological reasons."⁵⁸ How they survived, here it is a troubling issue and to look for a response to such a question is contributory to an accurate knowledge of social and cultural evolution of society not only in the European area but also elsewhere.

We are requested firstly to examine the issue of the free villages in relation with the idea that such a social order is related to a special type of culture, that Elazar called covenantal culture and Stahl has chosen to call communitarian culture. Such a hypothesis is the only one allowing us to solve the issue of two opposed social types of villages within the same society and country: free and serf villages. By using the social map, Stahl highlights two completely distinct types of villages and zones:

"There are even 'zones without lords', where the free peasants make up the absolute total. On the other hand, there are also 'zones of serfdom', where free peasants do not exist or where, at most, they are but rare exceptions. And there are regions where free and serf villages co-exist. These diverse types of villages are sometimes so inter-mixed in the same geographical areas that any hypothesis of two civilizations confronting each other, giving birth to two distinct social histories, or of the decisive influence of geographic conditions, falls flat. The hypothesis of a difference in agricultural techniques could not be seriously considered either, for free and serf villages had the same agricultural level, the same economic occupations and the same work procedures, as we shall see."⁵⁹

⁵⁵ On the census of 1722 used by Stahl, see C. Giurescu, *Materiale pentru istoria Olteniei sub austriaci* (Materials on the history of Oltenia under the Austrians), volume II, Bucharest, 1909, p. 304–330, apud Stahl, c. w., p. 11.

⁵⁶ *Ibidem*.

⁵⁷ *Ibidem*.

⁵⁸ Stahl, q. w. p. 7. ("Without knowledge of the communities of recent times, interpreting the old act would be impossible. Moreover, Romanian historical documents are mainly those written by the boyar class and are about serf villages or those becoming enserfed. If one followed the method stating that 'nothing exists Outside the texts', then one might believe that the free villages did not even exist. In fact, some of our historians, believers in this method, do not hesitate to draw this conclusion. However, the free communal villages did exist".)

⁵⁹ Stahl, c. w., p. 12.

Therefore we need another hypothesis and Stahl biases to the idea of a unique culture underpinning different social organizations. As Stahl argues himself:

“We will then have to call upon other purely social circumstances to explain this phenomenon of the co-existence, in the same territories, in the same geographic and cultural conditions, of such contradictory social phenomena as those of the free and serf villages.”⁶⁰

So, the social phenomena are contradictory but the geographic and cultural conditions are the same. A cultural focused explanation appears to be preferable to any other hypothesis when looking for a response to the communal trait shared by the villagers from different villages, either free or serf villages. If we want to explain the differences between the plain area villages and highland area villages, the cultural explanation must take into account the factors which proved powerful enough to generate opposite social structures within a unique type of communitarian culture. Two aspects are remarkable: the fact that “the mass of free villages is found deep in the mountainous regions, the sub-Carpathian depressions and the hills where the earliest political States were born. This is proved by an act of 1247 and by the internal documents of the fourteenth century which indicate this as being the region where the state, properly called ‘the Romanian country’, also called ‘Muntenia’ (Land of the mountains), was founded.”⁶¹

The serfdom of villages in the Danubian plain can be explained by the conquering fight from the part of Tartar invasion upheld by the action of Carpathian boyars who “threw themselves against the Tartars to reconquer the Danubian plain, a region of mostly serf villages”, as Stahl mentions. For the paradox of encountering free villages where the state was born Stahl proposed his ingenious answer consisting in the what will become his theory of a distinct type of communal society that sociologist must adopt to give his answer to such a sociological apparent paradox.

5. FROM COMMUNAL SOCIETY TO STATE-SOCIETY

The Village confederation and the Voivode-state show that the voivode-like state (*Voivodates*) did not eradicate the pre-state communal society (upholding that “old habits die hard”).

“How was it possible, then, that the ‘free’ villages dominate at the moment when the state was born? This problem would be insoluble if one committed the error of believing that there was only one way to exploit an agrarian population: that known in the west, where the feudal lords were landowners, receiving as such the feudal dues in produce and labour. Actually lords can exploit village communities without owning them, by the simple imposition of a tribute, according

⁶⁰ *Ibidem*.

⁶¹ *Ibidem*, p. 13.

to a state fiscal system. Thus, the central head of the warrior class could command a repressive state fiscal apparatus and distribute the 'national revenue' – if one can call it such – to the members of the seigniorial class, / without owning the land, which continued as the patrimony of the / communal villages. A basis for the state could then be established by an ascendancy over the men without actual possession of the land."⁶²

Concluding, the communal society in Romanian areas preserved its egalitarian profile due to a mix of two factors: **1.** an almighty communitarian culture entrenched on the land the natives lived on since immemorial time; **2.** state's option (from the very moment it was born) of "exploiting the free villages by taxation" so that the land continued to be the "patrimony of the communal villages". The inequality as a societal pattern operated from the outside of the communal society (as a burdensome casing) and the relation between the social system hierarchically built and the egalitarian communal society took over the form of the simple imposition of a tribute.

The state evolved toward a "repressive state fiscal apparatus" outside of the local communal society. The two societal systems have coexisted laying so the foundation of a dual societal system. The social structures could be destroyed only if you had previously dismantled the communitarian culture which is not easy at all being that the old cultural pattern passed over into the written, literate culture, so that the communal village survived as a "village inside of idea" (within idea), as Stahl used to suggest half way ironically. More surprising is to find out that the free villages, covering large and long strips in the mountain regions, the sub-Carpathian depressions and the hills, *i.e.*, survived until XXth century, as Stahl proved by mapping the entire region, based on the census of 1912. And what is even more surprising is to discover that communitarian culture and social organization survived where the state was born so that the two societal systems, a communal, egalitarian one and a hierarchical, ruler-based another, coexisted within the same mountain region, as the map regarding the genesis of Romanian feudal state unveils. (Source: H. H. Stahl, *q. w.*, p. 14)

On the other hand, the Carpathian boyars threw themselves against Tartars in the plain Danubian region to reconquer the serf villages. This is another paradoxical aspect: the class of lords and free villages coexisted and supported each other. The Romanian case is but one example that allows us to speak of another face of the world where prevailed a totally different culture, a distinct evolutionary route when compared with the western path. On this side of the line and on the other side, besides and beyond, two different social worlds have evolved: one that preserved a type of communal, egalitarian culture and a non-hierarchical societal organization without ranks, and, beyond of the line, the other one, which has chosen a different way, towards a hierarchical, non-egalitarian

⁶² *Ibidem*, p. 14.

culture and rank-based social organization. In the hither part of the world (eastern one), the (communal) culture appears to have been stronger than the social system, while, beyond the line, the social system proved stronger than the communitarian culture and finally defeated it and so it was born over there what we call the “feudalism”. Don’t forget: the two sides of this world rooted in the same Judeo-Christian culture. The fact that the two worlds followed diverging social ways does not mean they separated spiritually each other. On the contrary: the Judeo-Christian fundamental of the European culture triumphed by the victory of the covenantal pattern in the process of constitutional building of all European societies.

Finally, even in Western area, the covenant society (and, therefore, communitarian culture) re-conquered the elites so that, the covenantal pattern has been generalized itself from bottom up and top-down over the entire new world built so on the cradle of covenantal culture. The new Christian era brought the triumph of covenantal culture, has generalized it as a mindset within the hierarchical society, putting thus the Judeo-Christian foundations for the whole Europe. Returning to the Romanian case, we hold over Stahl’s finding about the way in which the alternative social system of serf villages expanded in the geography dominated by free village pattern and, therefore, by the communitarian culture. It is an example of co-habitation of the two opposed societal system – a non-hierarchical, rankless one and a hierarchical, rank-based the other –within the same society.

Such a process was not carried out by the dislocation of the free villages, on the contrary. This pattern survived next the serf-villages pattern, so that, as *Figure 2* shows, the “serf villages cross the mass of free mountain villages, as if the feudal lords, at first exploiting the free villages by taxation, had then pushed forward, making their way through the villages along the valleys leading to the Danube, hurrying toward the plain reconquered from the nomads, where they were able to take full ownership of villages seriously depopulated by the series of wars. The lords then repopulated these villages by colonizing them with peasants who were enserfed by the mere fact of settling on conquered lands.”⁶³

The state building process has not dismantled the alternative social system based on the non-hierarchical, communal system, but, paradoxically, has strengthen it being that the lords and the Voivode relied on the free villages in a military purpose and as a source of income for transforming it into the financial support of wars and state military apparatus. Therefore, the way towards an alternative system, based on the coerced labor and serf villages, resulted almost exclusively from the military re-conquest of former conquered villages (by invaders, who had enserfed the former free villages by the effect of military occupation) and by “colonizing them with peasants who were enserfed by the mere fact of settling on (former) conquered lands.”⁶⁴

⁶³ Stahl, c. w., p. 14.

⁶⁴ *Ibidem*.

What is even more significant is that the system of free villages has organized itself in larger networking structures forming the so called quasi-autonomous "republics" some of them arising even near the center of the state, as it was the villages of *Câmpulung*, or, toward the south of Moldavia country where survived two other small "republic", that of Vrancea and of Tigheciu (Stahl, 15). Here, the pattern of state building is geographically reversed: the northern part of the country appeared to be the prevalent area of reconquest and of serfdom while the southern area was the free villages' area. The explanation is derived from the fact that the Moldavian state was formed by an act of reconquest from the Tartars executed by a group of Romanian warriors from Maramureş on the other side of the Carpathians, and not by local lords as in Wallachia. One can explain the nature of the serfdom in the villages of Northern Moldavia precisely by the effect of this reconquest and repopulation of a profoundly devastated zone."⁶⁵

The whole social history of Romanian society could be explained by the co-evolution of the two societal systems with a distinction for the Transylvanian country where, as Stahl underlined, "the Hungarians conquered all the Romanian villages. Two races were in conflict, the victorious race reducing to serfdom the vanquished one, leaving only a few free villages, for example, in the region of Făgăraş, which for a while was under the domination of the Wallachian State, and the military border zones where Maria Theresa and Joseph II later created the special Frontier's, Regiments."⁶⁶

We may understand why in this area, the clashes of the two systems took over a prevailing religious character and different judicial or legal acts and memoirs addressed to the emperor and the Court of Vienna adopted profoundly the covenantal spirit. The well-known Memorandum, *Supplex Libellus Valachorum* etc. are examples of covenantal-minded documents. Such a peculiarity could explain why in the South-Eastern Romanian Principalities the social uprisings are so infrequent while in Transylvania the social uprisings (peasantry revolts) are extraordinary frequent and so violent. We must hold over the fact that in Transylvania the societal organization was marked by the liquidation of the Romanian free villages system due to Hungarian conquest and peasants' enserfment while in Walachia and Moldavia prevailed other two forms of societal system both of them preserving the communal system until XXth century next the hierarchical system of the state which itself was influenced profoundly by the communitarian culture and relying on it whether it's taxation or direct military support by participating in the common army composed by free peasants with their own military equipment (lance and sword).

We must hold over, therefore, that in the three Romanian principalities followed three evolutionary lines (despite which, the three areas preserved their

⁶⁵ *Ibidem.*

⁶⁶ *Ibidem.*

unitary Romanian identity proving once more how important is the culture in the dynamic of history): in Transylvania almost all free communal villages have been enserfed by Hungarian warrior people while, in the other Romanian Principalities prevailed “two other forms created by the *reconquest* of the nomads, Wallachia’s being the work of a local class, Moldavia’s that of a class of Romanian warriors from Transylvania. If our hypothesis corresponds to reality, we should find the symptoms of these three types of social development, which, later on, in spite of their different origins, will slowly unify, tending toward the same final stage of belated capitalist penetration.”⁶⁷

6. VILLAGE BOUNDARY AS THE GRID OF COMMUNAL LANDSCAPE CULTURE

The landscape was originary the facet of the communitarian culture and it may be invoked as an “archaeological testament enabling one to reconstruct past stages of man’s social history.”⁶⁸ As a matter of fact, people have always spoken of the “eternal order of the fields.”⁶⁹

The geometry of rural landscape speaks about the most archaic and profound layer of social memory and the key-element of this memory is the straight line: “the territorial complexes of Romania are also formed by a series of long strips arranged parallel to each other” (Stahl, 16). This kind of memory is deeply encroached on the land so that such an arrangement worked as a method of communal thought and as a deepest layer of communal organization that explains the reproductive way of social evolution proper to the communal society. The social history memorizes three types of communal arrangements that are also three networking strategies of societal reproduction of this kind of communal organization. The first type is of the “communes under the same yoke” (*sate înjugate*); the second type is of the communes “related” (*însurărite*) and the third type is of the villages like “twin brothers” (*îngemănite*).⁷⁰

The three types of partitioning the territory cover a whole region witnessing so of the more profound layer of communitarian culture and type of social organization encroached on the land enhancing so the conscience of autochthony to the natives. It was as if the covenant and, therefore, covenantal society was written directly on the land and people have shown ready to die for the land. Of course

⁶⁷ *Ibidem*, p. 16.

⁶⁸ *Ibidem*, p. 16.

⁶⁹ See also Roland Maspétiol, *L'ordre éternel des champs*, Paris, 1946. On the same topic, H. H. Stahl cites also: Roger Dion, *Essai sur la formation du paysage rural français*, Paris, 1934; Gaston Roupnel, *Histoire de la campagne française*, Paris, 1932; Georges Lizerand, *Le régime rural de l'ancienne France*, Paris, 1942. (cf. H. H. Stahl, 16)

⁷⁰ Stahl, 16.

“this kind of partitioning of a whole region is not easily visible to the eye.”⁷¹ Here it is in a schematic form the two types of village boundaries as a framing thought of drawing the rural communal landscape at a regional scale:

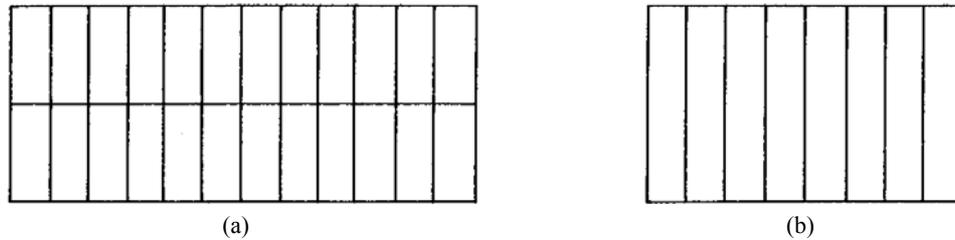


Figure 3 – Types of village boundaries: (a) the ‘related’ type; (b) the ‘twin’ type⁷².
Source: H. H. Stahl, q. w., p. 14.

This territorial grid working altogether as a system of territorial partitioning and as a social mind set has until now persisted in Romanian area so that we may conclude that the country is laid on grid villages, rivers’ and hill’s lines and therefore on a covenantal territorial memory encroached on land. Here it is below “an actual example of an area with ‘twin’ territories and ‘round’ ones; free, mixed, and serf villages co-exist in the region of the Jiu and Gilort valleys in central Oltenia”, as Stahl mapped it.⁷³

This geometry of strips has been encompassed, as a distinct socio-territorial communal system, in the state, hierarchical type of societal organization imbedding so durably dual system in Romanian society composition. Studying the chronology of the communal village boundaries, which, as I have already mentioned, served as a pattern of territorial reproduction of the communal societal organization in a given territory, Stahl proved that the village boundaries have existed from “time immemorial if not forever”. They, as a “vast operation of egalitarian inter-village

⁷¹ “Several remarks are in order here. It is hard to reproduce village boundaries on maps from the written description of the measurements found in the various documents. The peasant surveyors measured in ‘lengths walking on the land’, going over hills and through valleys in their own fashion without following the methods of modern surveying. There were no plumb lines and there was no way of sighting on a line with the horizon. Areas of equal size measured according to such ‘lengths’ can appear on a map as if they are unequal. It is just as important to note that measurement was not carried out on abstract surfaces but on real ones whose economic value was unequal. Land of inferior quality had to be compensated with grants of more land since a larger amount was needed to be considered equal to a smaller amount of better land. Also, surfaces were not measured as such. Only the three ‘lines’ were measured in order to determine the location of the ‘corners’ of the land.” (Stahl, 17–18)

⁷² Stahl, 18.

⁷³ See Henri H. Stahl (1946). *Sociologia satului devălmaș românesc* (Sociology of communal Romanian village), Fundația Regele Mihai I, București, *Contribuții la studiul satelor devălmașe românești*, (Contribution to the study of Romanian communal villages, II) (three volumes edited between 1950 and 1965). See also, c. w., p. 18.

partitioning, are parts of an immemorial communitarian culture upon which the state itself has been constructed and remained definitely the foundational socio-territorial landscape of Romania. The clash between the two societal systems embraced therefore a form of territorial disputes and conflicts not only between individuals but also between social groups sharing different types of culture and/ or different ethnical belonging. As social memory is deeply encroached on land it might be rediscovered by generations, long run after the old memorizing people have passed away. I may call it *the memory of land* and it is an important part of the covenantal culture as the Country of the Holy Land has proved it. At the upper level this culture is fixed under the territorial designation that, on the same time, played the role of administrative organization.

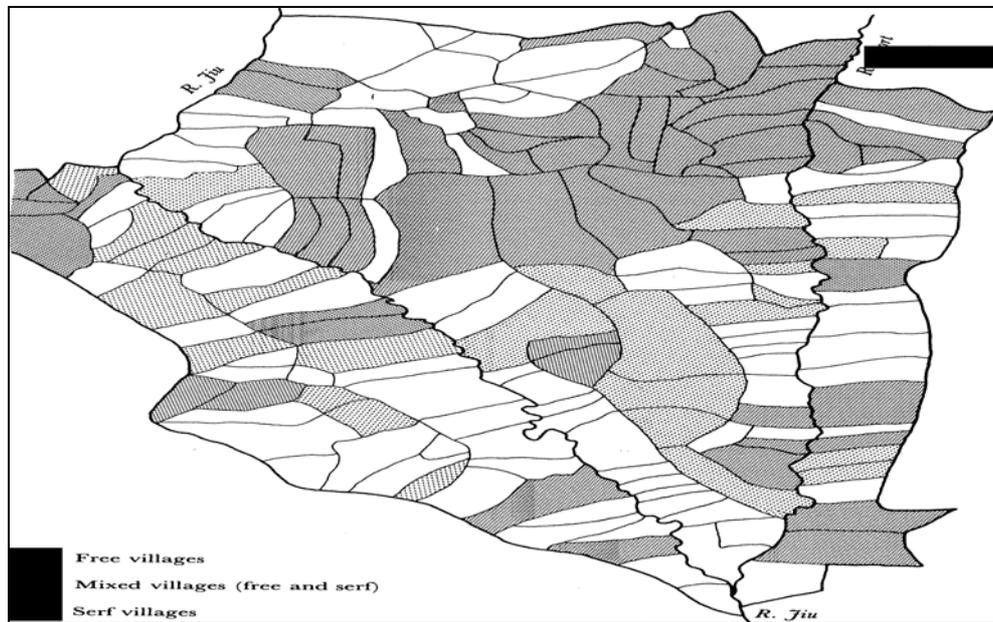


Figure 4 – Map of the region of the Jiu and Gilort valleys in central Oltenia with a communal landscape throughout an area with ‘twin’ territories and ‘round’ ones, where free, mixed, and serf villages co-exist.

Source: H. H. Stahl, c. w., p. 18.

“The village commune is organized by a double (dichotomic) rule: the commune is split in two, lengthwise, the two halves named ‘upper part’ and ‘lower part’. For a whole group of old villages in Moldavia, where the reconquest of the territory from the nomads was more recent than in Wallachia and where the local social forms kept a more archaic nature than in other provinces, the documents mention also the existence of two rather enigmatic people called *knez* and *judec*. In other regions inhabited by Romanians, these prove to be village chiefs. In those

villages with two *judeci*, the coupled halves of the village territory are designated by the term *judeci*. The names of the two *judeci* are sometimes used as geographic terms, based on their eponymous origin, while at the same time they are ‘socionyms’, that is, collective names for all those in one half of the village”.⁷⁴

This system of social organization referring to the partitioning the land into village groups was kept in mind so that the village-minded thought and village pattern has been a profound layer of the communitarian culture and it is preserved as such until nowadays. The country itself is, therefore, founded on the villages and through them on the communitarian culture. The socio-territorial landscape has the meaning of the covenant; it is known and memorized as the most valuable covenant. Stahl’s hypothesis is that such a memory could be dismantled after 3–5 generations. Probably, yes, but the memory of land and, therefore, the remembrance of the Promised Land lives in the covenantal memory for ever. This is another aspect which makes of the covenantal issue a permanent challenge for sociology and represents a facet of the actuality of such an approach. Its continuity is an imperative of sociology.

Therefore, “one must thus place this division into village communes before the birth of the state”. (Stahl, 22) Of course, we may assume hypothesis of a moment when the memory of land itself will vanish in the sense that the land itself loses the encroached signs of the old times and, therefore, of the ancient communitarian culture. For instance, the organization based on the mound formations, arranged in a rigid geometrical pattern, might disappear being faded in time. But such an arrangement with a grid laid by the lines from a “central high mound, there is a whole line of lower mounds. Along this same line, on the map, one invariably finds other series of mounds, farther away and out of sight. These lines reveal a perfect knowledge of the terrain: they fit with the lines where streams separate land or where different geomorphic zones come together. (...) The peasants of today are perfectly aware of these things. They call the lines of mounds *măguri înșirate* (strung mounds) and the meeting point *crucea măgurilor* (cross of the mounds). And, even more importantly, these mounds still serve today, often enough, as reference points for the village communes, with the 4 corners of the communes coinciding with these mounds, as though the surveyors who measured out the village communes had taken these tribal triangles as their basis. It follows that at the time of the nomads, or just at the time of the reconquest of the territory

⁷⁴ Stahl, c. w., 22 (“All of the statistics and the texts of cited documents come from *Documente privind istoria României* (Documents relating to the history of Romania) published by the Romanian Academy, Bucharest, 1951–1960. This includes twelve volumes plus a two volume place-name index for Wallachia from 1247 to 1627 and ten volumes for Moldavia from 1384 to 1620. For later documents we have used the collection *Documente privind relațiile agrare în veacul al XVII-lea și XVIII-lea* (Documents relating to agrarian relations in the seventeenth and eighteenth centuries), Bucharest, 1961 and 1966”, note from Stahl’s citation in c. w., p. 22.

by the indigenous people, a local population already existed, which took over, by groups of villages, these tribal cells left by the riders of the steppe.”⁷⁵

We shall hold over that the land in such an organizational pattern was partitioned equally between villages so that they were “equal in rights” and that “this division took place before the formation of the autochthonous state”. (Stahl, *ibidem*) Neither the Roman Empire nor any other state domination transformed totally the communal landscape and free communal villages continued to have and display a deeply communal character. “Not even the wave upon wave of invaders that swept across the region – Goths, Huns, Gepids, Avars, Slavs, Bulgars, Hungarians, Petchenegs, Cumans and Tartars – could ever wipe out the communal character of proto-Romanians areas.”⁷⁶

During all this period of invasions there survived the same networking communal organization based on the *cnezi* in each village “and on the confederations of villages under the leadership of a voivode”. It is only by assuming such an issue that we may answer the following question: “what were the forms of social organization that enabled the Romanians not only to survive in spite of the oppression of the migratory people, but also to evolve in such a way that there were, at the beginning of their written history, *Voivodates* and then ‘states’?”⁷⁷

The answer is one: the communal pattern of social organization based on the communal villages and on the regional networks called confederations of villages wherefrom stemmed out *Voivodates* and then states enabled the Romanians to survive and also to evolve throughout history until nowadays.⁷⁸ In the present time we assist to the most terrible collision of the two opposite societal and cultural systems sliding into a final battle between them, equating with a confrontation between the equality and inequality, between the covenantal pattern and artificial orderliness, imposed by a different, in-egalitarian societal system.

7. CULTURAL COMMUNITARIANISM AND HISTORICAL CHANGE

In Romanian culture there is a saying (a proverb): “*de la lume adunate și napoi la lume date*” (“*From people collected, to people returned*”). This proverb speaks about the way a communitarian culture functions. H. H. Stahl called such a type of order, based on the sharing of cultural traits by the members of a

⁷⁵ Stahl, c. w., p. 23.

⁷⁶ *Ibidem*.

⁷⁷ Stahl c. w., p. 25.

⁷⁸ *Ibidem* (“The old blood ties, real or fictitious, which held the tribes together, were replaced by the ties of neighbourhood. Spatial proximity replaced kinship as the main basis of social cohesion. This evolution was slow. Villages that were formerly a part of the tribe remained under a confederate authority which comprised a whole region. This tribal authority, having undertaken the work of partitioning the land which led to the territorialisation of villages, continued to safeguard the larger group. It thus fulfilled the duties of a quasi-state: to defend the area and settle disputes between villages.”)

communitarian culture, the "order through diffuse tradition". This type of culture involves a permanent circulation of cultural traits from the communal group to individuals and back from them to the entire group, in the form of the bivalent assumption: individual and collective.

What is common to all is to me and vice versa, but by sharing, so that the individualisation is not excluded, only that it is transparent and instantly assimilable. "The shared traits constitute a *communitarian culture*;⁷⁹ its destruction leads to the disappearance of the collectivity explaining why communities don't hop models."⁸⁰ What stems from here is the idea that the power of a community does not equate with ability to produce changes, but with the ability to eliminate them or, if someone from the outside has introduced some valuable changes, then, the community power can be attested by its capacity to assimilate them.

Therefore, the power in the covenantal society equates with the capacity of refraining from any change, of not hopping between its own model and the alien one, from the traditional local model to a completely different one. The collision between religious congregations is an example of refusal to hop models, as Livni argues. "A functional community resists the innovation because it threatens its quasi-equilibrium". (Livni, 6) The covenantal communitarian culture (i.e. society) "resists any forced alteration" and it fights against anyone who tries to affect the way of life based on such a culture. It is legitimate to inquire about the outcome of such a conflict, through general approach⁸¹ and by case studies as that about the village communities in Romania. The Biblical case of arising royalty in a covenantal society is a universal example of how such a phenomenon is occurring and on what happens to a covenantal / communal society in such a transition from one type of organization to another. Does it take place, in this case, a hop from one model to another, the opposite, or the new organization is adopted by still preserving the original model? Livni's finding is that the covenant in its form of the dialogue between God and "every member of the faith" is a recurrent one, *i.e.*, it is occurring generationally, to each subsequent generation. "The "you" in the "Lord spoke to you" does not refer only to the generation of the Exodus but also to every subsequent generation. (Deut., 5.3) This model of direct interaction between each faithful and divinity is recurring. (*e.g.* Exodus, 20:18, 20:22, Deut., 4.33)"⁸²

The calendars, oral and written, themselves, stand apart as to the definition of the over-year traditional feasts that the village respects in the whole rural area: the oral (popular) calendar assumed the religious feasts; the written does not assume the popular (ethnographical) feasts. The oral (ethnographic) calendar is more comprehensive than the official, written one. Communal village people "read" in

⁷⁹ Menachem Topel in *The Communal Idea in the 21st Century* (2012), ed. E. Ben-Rafael, Y. Oved, and M. Topel, Leiden-Boston: Brill, p. 208.

⁸⁰ Livni, *op. cit.*, p. 6.

⁸¹ *Ibidem.*

⁸² *Ibidem.*, p. 7.

the written calendar events, feasts signs and symbols which are not written in that calendar. And this was because the people of communitarian culture knew to adjust them.

The communitarian culture is based on a system of signs, communally memorized and shared, largely distributed at all levels of existence. As Paul Anghel argues: “You can, of course, identify signs of general use, the sign of the sun and the moon, the Christian signs, the signs of the Gromovnice⁸³ and Trepetnice⁸⁴, of the cosmic or of the human organism symptomatology, and below, on a Scale, all signs of existence and, therefore, the prescriptions and prohibitions that have been codified in a certain way.”⁸⁵

People of such a culture use a sign-language to communicate with each other and to memorize the structure of the world. “In their practical relationships people manufacture their own signs – signs of notch, hierarchical signs and signs of possession – and the community respect them, without questioning from who they emanate. We will draw the conclusion that the sign is opaque for the rest of the world and bright for the one who uses it. The important thing is, in all cases, to respect the sign as such, the sign of the neighbour, the sign of another community, the dress sign, the sign of the boundary, the customary sign, even the sign of the devil, for the organization of the world to remain in accord with itself. Therefore, you have to defend the sign.”⁸⁶

In the oral calendar time measures are different so that the way of insertion in the flow of time is rather a qualitative one. Time measures are: “As you would blink”, “for how you bake an egg”, “for how long you fly up to the Sun”, “as long as a human life”, (in Romanian: *cât ai clipi, cât ai coace un ou, cât ai zbura pân’ la Soare, cât o viață de om* etc.), therefore, they are so concrete, as meteorology and the movements of the celestial bodies are concrete, reported to man and to its world: “by the snow of the lambs”, “by the lunch of the calves”, “by the Tuesday of the Lightning”, “by the green Thursday”, “by the sting of the moon...” (*de zăpada mieilor, pe prânzul vițeilor, de marțea trăznetelor, de joia verde, de pișcatul lunii...*).⁸⁷

The calendar is the densest spiritual concentration of cultural signs, names and symbols, thresholds and cycles. It is by itself a sort of condensed oral library, because beneath any name of a day or of a feast a huge amount of rituals and

⁸³ Folk Book of astrological character, which includes predictions of human fate and weather (According to the definition given in the *DEX*, i.e. the Explanatory Dictionary of the Romanian Language).

⁸⁴ Popular book that includes predictions made on the basis of involuntary, seizures movements that the eyelids and lips sometimes have (According to the explanation in the *DEX*).

⁸⁵ Paul Anghel, c. w., p. 112.

⁸⁶ Cf. Paul Anghel, q. w., p. 112. A comprehensive treatment of the issue of the sign, in the legal customary, in Romulus Vulcănescu, *Etnologia juridică (Legal Ethnology)*, Bucharest, Editura Academiei Române, 1970, *Semnele juridice populare* (chapter: *Popular Legal Signs*), p. 117–161.

⁸⁷ *Ibidem*.

ceremonies, prescriptions and prohibitions are treasured, suggesting an extraordinary communal memory. "We will not stop on those who have been laicized in the fairy tale – dragons, huge anacondas, Mother-of-forest, and so on – nor on the Saints in the Christian calendar (all with magical functions), but we will grasp the good and bad deities of the great magic primitive pantheon. The things we spoke about, but behold their secret name: The Fairies, the Saints, the Saints of Night, the Whispers, the Beauties, the Beloved, The Themselves, the Ladies, the Virgins, the Mercifully, the Empress, the Mighty, the Goddess, as the name with collective value (in Romanian: Zânele, Sfintele, Sfintele de noapte, Frumosele, Mândrele, Dânsule, Doamnele, Iezmele, Fecioarele, Milostivele, Miluitele, Împărătesele, Puternicele, Zeițele, Șoimanele, Măiestrele)." ⁸⁸

The days get extremely rich meanings and the oral calendar is like a memoriser of them all and they are transmitted through the oral diffuse tradition, meaning by oral memory, so that, man of the communal culture has always super-added over the written calendar, a parallel time, a parallel realm.

"Taking an example, we will notice that the days of the week, or the holy days evoke the concrete image of some women. If the moon or sun has a diffuse portrait, the temporal realities that are the days are perfectly incarnate. When someone escapes a misfortune <a day has been made for him>."

The days are directly responsible for the life and activity of the people; they are good-fated or ill-omened, insofar as the prescriptions are respected or violated. Moreover, they have personality, sympathies and intolerances. So, on Mondays, do not sew, do not sweep, do not remove the trash from the house, do not bring land for soldering and do not take eggs from the nest. On Tuesdays do not start on the road, do not start various actions (although some are forbidden on Mondays!), do not spin "lest the Marțolea comes", the vengeful deity, a kind of foolish and crazy one, who "spoils the work of women, poke them with the spindle, even kill them", collaborating with bad guard (*piaza rea*) and *bad watch*. On Wednesdays, no wool is scratched, no flocks, no leach is made, no salt is powdered, nothing is given from the house, the patron of the day being a pure saint, who claims to abstain from any temptation. Thursday is a day free for any activity, and Joimita is the deity of this great day, the woman worthy and fierce, with the mission to supervise the spinning of the hemp and punish lazy women. Friday is the most holy day, she is old and anchorite, a kind of pure grandmother, who helps clean people up to the extent that they respect her counsel with innocence. Like Saturday, it is a good-fated day, when the dragons cannot hurt either, because they cannot walk anymore, as they would get crippled. Sunday is the greatest day, respect for her is absolute. The Three holy days, Holy Wednesday, Holy Friday and Holy Sunday, dominate the week. Of course, prescriptions and prohibitions are contradictory, often cancelling each other; the magical calendar is the most confusing calendar possible." ⁸⁹

⁸⁸ *Ibidem*.

⁸⁹ *Ibidem*.

The task of communal culture is therefore extremely difficult being that it has to synchronize different qualitatively calendars so that, while the common behaviour is ordered on the basis of the *oral calendar* to also comply with the prescription of the written calendar. The names of the days possess magical powers so that the time is empowered with different predispositions from one day to the next. “To know how to name exactly, to know all the names under which a deity manifests itself means to get access to her powers, to use them or to neutralise them.”⁹⁰

The moments of oral calendar matched the successions of seasons so strict that when the reform of calendar was decided (the transition from the Julian to Gregorian calendar) the beat of activities did not matched any more the periodical manifestations in the natural environment. Here are some reactions after changing the calendar: “The old style is the good one: the trees still based on the old style come into leaf and into bloom and after the new will not”; “there was St. Elijah (new style) and apples did not bake; but on the old style they will be (will bake)”. “And this is because time goes on after the old style”. “It will be St. Nicholas tomorrow, but you will eat baked corn? All things are settled, with more righteousness, upon the old style.”⁹¹

Year after year different manifestations in the world of nature occurred on approximately the same date. The man of the communitarian culture had projected on the written calendar the “name and the day” just because they were in possession of the previously more comprehensive oral, therefore, communal calendar. At the date of adopting the Julian calendar they held the reconciliation method to eliminate the risk of discrepancies between the two calendars. When the new Gregorian calendar was adopted, the discrepancies between solar succession of seasons, between written calendar and oral calendar had already and again emerged. The comprehensive power of the oral calendar and its universal share over a vast area, along with a social order based on the diffuse tradition and utilization of the same system of land measuring, the same pastoral and agricultural techniques, partially explain the survival fitness provided by the communitarian culture and, therefore, its triumph over the historical time.

Through the oral calendar the whole community takes part to cosmic frames⁹² like the life cycles or the phases of Moon etc. so that different human events receive cosmogonic explanations. The wedding, for instance, is framed cosmically

⁹⁰ *Ibidem*.

⁹¹ Ion Ghinoiu (2017). *Calendarul țaranului român. Zile și mituri (The Calendar of the Romanian Peasant. Days and Myths)*, Bucharest, Univers Enciclopedic, p. 11; see also, R. Heinberg (1993). *Celebrate the Solstice: Honoring the Earth's Seasonal Rhythms through Festival and Ceremony*, Quest Books.

⁹² See Tudor Pamfilie (1915). *Cerul și podoabele lui (The sky and his adornments)*, Bucharest, Socec, p. 2–15 and I. Otescu (1907). *Credințele țaranului român despre cer și stele (Romanian Peasant's beliefs about heaven and stars)*, Bucharest, Analele A. R., Tom XXIX, p. 44–60.

and liturgically, as in a mythic and religious scenarios and everything in the communal life of villages is part of a profound synergism.⁹³

In a Bukovina legend (a) it is stated that "The sun and the moon, not having heaven, walked on the Earth", among the people. So people lived with the heavenly, celestial bodies on a perpetual day, in an equal regime of light, which represents not only a cosmogonic novelty, but also a support of the subsequent intimacy between people and the stars."⁹⁴ The issue is that the *egalitarians* (the communal people) had a highly comprehensive way of life, very rich in mysterious meanings and anagogical interpretations. If you wish to transform such a communal society you have to deconstruct and dismantle a dense and harmonized culture, starting, obviously, with the system of beliefs centred on the profound feeling that one's way of living and behaving is in deep accordance with God's will and ordinance. To succeed in such a deconstructive process you have to secularize firstly this world, to empty the universe of the divine, to remove the divinity from the soul and from the everyday life of the people. To fulfil such a task you need to transform firstly the elite and so to create an ample room for disagreement between the elite and the communitarian culture and society.

Such a task has been accomplished hardly and with reduced effects and extremely late so that in the XXth century the traditional type of culture was still in full power and had deeply conquered the high culture, what allowed literary critic Eugen Lovinescu to speak about the faulty line and, therefore, structural clash between culture and society, between what he used to call the reactionary rural-minded literature and modern urban-minded society. As a matter of fact, this was the surface expression of a deep conflict between "egalitarians and elitists", as Livni denoted it in his chapter. The two components of the dual society were diverging on most aspects of social life and they have not reconciled to each other even until now. That is one of the facets of what we may call the Eastern challenging issue, and this disagreement has not been yet eradicated nowhere in the East.

8. THE "NOVEL OF SOL" AND THE X-FACTOR OF THE COMMUNALIST MIND

The study of the communitarian culture includes the research of the mental system the man belonging to this culture operates with. This system is reflected in the myths and legends of this culture. These narrative frames work as a mirror of reality by giving us the access key to a deeper social order. Let us consider an example: if A is the forest, B is the animal, and C is a man whoever, we shall find out that in their mental and experiential combination a factor X interferes, over-adding to those elements a new meaning, the value of a model, *i.e.*, the power to

⁹³ See E. N. Voronca (1903). *Datinile și credințele poporului român (The traditions and beliefs of the Romanian people)*, Cernăuți.

⁹⁴ See Paul Anghel, c. w. manuscript, and E. N. Voronca, *op. cit.*, p. 28, cited by Paul Anghel in c. w.

mediate the people's participation to a higher unity. This factor is transmitted by the vehicle of tradition but has its root in the primordial cosmogonic scenario, meaning the divine way of doing things in *illo tempore*, so that we can say: "That's how God did it. Let's do as God has done". In each thing is the call of God to respect his will and order he has established by his creation.

Any of the peoples who live in the communal society seeks in each thing something like its divine reason and strives to repeat by fulfilling it into a model, a pattern. Such men are lingering after models as the only proof that by following a certain model they fulfil God's will. This is like an unwritten covenant with God, as if God has planted in each thing ways of doing and behaving that God calls humans to naturally respect. To live in a communal society equates with sharing a way of life we may call the communal strategy of life and so we can understand the odd fact that this way of living can survive in time, as if it had a special power to subsist, to last indefinitely. Such a strategy of life "stems from the direct, immediate, human's rapport with external forces, from the fact that the demarcations and hierarchies were not yet visible organized, neither within the society nor in nature, so that God Himself walks, travels here in the world, among men, mixing with them. The community of the communal horizon is the *centre of Existence*, the *Centre of the world*, and its horizon extends to the sky. The last visible borders are the stars. Blaga is right: 'The Village integrates itself into a cosmic destiny, in a totalitarian movement of life, beyond whose horizon there is nothing.' The sacrament mixes with the profane, the celestial with the terrestrial, the real with the unreal, without any of the elements separating from the actual, understood as what is existing."⁹⁵

In the analysis I carried out on Paul Anghel's book dealing with the magic model in folklore I have fixed some traits of communitarian culture that I will resume here by excerpting some citations from various popular legends and from my own analysis.

In the era of communitarian culture the popular narrator shares the same vision with that existing in the *Book of Genesis*.⁹⁶ Here is an example offered by a legend from Dolj County: "the sky was very close to the Earth; but the man is careless by his nature, so he did not heed this godly goodness, because there was not little thing to man to have God around him, that he might ask his counsel as from a good father, whenever he needed" (apud *ibidem*).⁹⁷ And here is another example from a legend of Valcea County: "Before the time, the sky was near to the ground, so that you reached out to it when you were climbing on a stray, and God,

⁹⁵ Paul Anghel, *The Magic Pattern*, manuscript.

⁹⁶ On a comparative analysis of Jewish and Romanian cultures (Biblical themes and folklore included in analysis) see Madalina Mandita (2017). *Compared noology of Jewish and Romanian peoples: a sociology of communities*, Aachen: Shaker Verlag.

⁹⁷ The legends cited here are from Tudor Pamfilie, *op. cit.*, p. 2–15 and from I. Otescu, *op. cit.*, p. 44–60 (apud *ibidem*.)

with the saints, whenever they wanted, they came up and descended because they often walked on earth." "Not having heaven, the Sun and the moon walked on Earth"⁹⁸ among men. "Therefore, people lived with the heavenly bodies on a perpetual day, an equal regime of light, which is not only a cosmogonic novelty, but also a support of the subsequent intimacy between people and the stars, as we will see. We are not spoken of by death yet; the world seems to be a *sui generis* paradise, in which human and cosmic hold out in the eternal". (Anghel, 189)

As I concluded: "Paul Anghel's analysis shows a total match between this popular vision and the *Book of Genesis*, due to revelation and transmitted to mankind through Moses. Indeed, we learn from the *Book of Genesis*, "in the beginning God made the heavens and the earth. And the earth was untraced and empty (in Septuagint: "invisible and unfinished"). St. Basil records that "the heavens and the earth were of equal rank (honour)" and both "incomplete", and St. Ambrosie added, referring to the same issue: "Scripture stresses that things were first created and then put in order". And then God made the light: "And God said, let there be light; and it was light." "And God saw that light was good."

The settlement of man in the garden of Heaven is precisely the expression of the undivided world, and only sin brings to the separation, a very suggestive thing formulated in folklore, where the one who sins brings "The Rise of Heaven", the extraordinary revelatory metaphor for the banishment from heaven (and again, the evidence collected by Paul Anghel is enlightening, as illustrated below):"⁹⁹ "In the Legend of Valcea, an old aunt, <neither one nor two, throws away with muddiness in God>. The consequence is the same <if he has seen so God, that men neither heaven can keep it clean, he lifted it higher>. Or: <As punishment for the human race, (God) magnified the sky and lifted it up, up, where it is today with the moon with everything...>¹⁰⁰ "And, as in the *Book of Genesis*, the sun and the moon had the rank of simple things of the earth, bathed in the light that was not owed to them. The popular narrator knew as Moses himself in the *Book of Genesis*, so, by means of the intercession of Revelation toward Moses, transmitted to the anonymous narrator through mysterious channels, that the regime of light is not due to the sun, neither to the Moon, but to God directly, the first stage of creation, when the day and the night were not yet put apart from each other, and the evening still did not exist, because God made firstly the light and then separated the "light of darkness and called the Light Day and the darkness called him Night", "and it was evening and it was morning: first day." (Genesis, I, 1–5). The disturbing thing, referred to by Paul Anghel, refers to the distinction that the popular narrator knew to do, also based on the knowledge revealed, between the orderliness of things and their separation, as that of sky from earth, which do not hold to the orderliness of

⁹⁸ E. N. Voronca, *op. cit.*, p. 28. (apud P. Anghel, *op. cit.*, p. 189).

⁹⁹ Ilie Bădescu (2018). *Paul Anghel – the Genial Wallach. The Eight Worlds of the Romanian Literature*, Bucharest, Walachia Press.

¹⁰⁰ P. Anghel, *ibidem*.

creation but to the consequences that human sin provokes in the orderliness of Creation.”¹⁰¹ “If God thus saw that men nor the heavens could keep him clean, he lifted him up” (apud P. Anghel, *ibidem*).

The communitarian culture is backed on three pillars: 1) the cosmogonic vision on the existence which is totally related to the biblical vision, and works as a mental mechanism, so that the people of communitarian culture see in everything a divine ordinance; 2) the cosmic vision that provided Proto-Romanians a standard time unit that helped people to see, in any events, in the happenings of the everyday life, a divine metric and to use it as a measure in all those around him and his daily life. When somebody abates from this divine metric, the community supervenes directly, through diffuse tradition or by means of the “old and good men”, communal institutions, in order to set matters straight.

We may consider such a supervening as the root of restorative justice system. If someone was caught stealing, he was walked in front of the community, being determined to parade up and down, on the streets of the village to be seen by everybody. If he stole a hen he would wear the stolen thing hanging around his body like a belt so that the people could see that he was a chicken thief. This communal supervening meant to restore the divine orderliness of life when someone had harmed it has its source in what people knew: that God himself made when humans defaced the divine orderliness, as the legend says itself through the mythical communal memory. Here it is an example of such a legend known and upheld narratively by common people in Vâlcea County: “If God so saw, that neither men nor the heavens could keep him clean, he lifted him up.” Or: “As the punishment of the human race, (God) magnified the sky and lifted it up, up, where it is today with the moon with all...” Or: “God was terribly angry (with fire) and has so far removed the sky from earth that not incidentally we say: far as the sky of the Earth.” Or: “God fled with heaven all up; and now he sits backwards with his back to us...”¹⁰²

These are conclusions of the cases A, B, C and D that exemplify different ways in which people defaced divine orderliness of the existence. “According to Mircea Eliade, this “retreat in heaven”, this “removal of God”, a theme with a capital role in the Romanian religious folklore, signifies the disengagement of the Creator towards the evil in the world and the sinful world. The people of communal society dissociates themselves from such a defacing because God has done the same, and even applied the ultimate punishment: He has withdrawn from the world, and if man does not turn things, that is, he does not bring them to the divine orderliness, then God will leave him. The same is the denouement in the book of the Old Testament; 3) communal society makes use also of the weekly feasts and of the cyclical feasts as the seasons or yearly feasts are, moments when

¹⁰¹ *Ibidem*.

¹⁰² See P. Anghel, c. w, mss. The examples are taken from E. N. Voronca, *op. cit.*, Tudor Pamfilie, *op. cit.*, p. 2–15 and from I. Otescu, *op. cit.*, p. 44–60.

people cast their minds back over the traditions and refresh the memory of the divine orderliness of the world.

There are many arguments to conclude on the Judeo-Christian profile of the Romanian communitarian culture, which appears to be, properly, the cradle of the Romanian people. In his study, Paul Anghel shares the idea of a difference between the folklore's popular vision and Biblical vision. As a matter of fact, in folklore, the mythic theme of *Deus otiosus*, of a God leaving the world, retreating from it, has the regime of a revelatory metaphor suggesting mythically but the idea of God's disengagement towards evil and sinful humanity, as Mircea Eliade himself has noticed, and this vision is in total accordance with the Judeo-Christian view (as it was transmitted by Moses) from the *Book of Genesis*. On the other hand, the wording of "the exculpating of God", which appears in folklore through the theme of the Divine reaction to the defacing act of man, noticed as such by Paul Anghel, clearly has a metaphorical meaning, suggesting that the popular narrator did not understand to bind the imperfections of the world to the Creative act of God. In the popular vision those imperfections are not due to the Creator, but to His creature. From this there stems the obsessive concern of the popular narrator on the matter that Paul Anghel frames thematically and metaphorically in the theme of "Creator's discharging" for the imperfections of the world.

The world was created in unaltered light, but it was deformed by the sin of man, the evil of sin committed by man himself. This new orderliness of existence, after God has removed the sky from the Earth, is the second order in which the responsibility of man increases up to the assumption of justice on human account. Such a new task that God sets on the human role embraced the form of the covenant: "If you respect my ordinance, saith the Lord, you will be well. If not, my punishment will fall upon you, because I'll leave you and you'll miss my help when you're in trouble". The vision is the same with the one of Moses Law Tables. The two visions are alike and, as a matter of fact, they are noologically one.

