

# THE INVESTIGATION AND THE TRIAL OF THE MONK AGATON (SANDU TUDOR).THE PARADOXICAL TWIN SITUATION VICTIM- EXECUTIONER

Review  
Article

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## Keywords

*Sandu Tudor;*  
*Alexandru Teodorescu;*  
*Monk Agaton;*  
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## JEL Classification

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## Abstract

*Father Daniil Sandu Tudor remains one of the most solar personalities in the perimeter of Romanian spirituality, a figure that indelibly imprinted the Romanian intellectuality, both the secular and the ecclesiastical one, through the conviviality of the Rugul Aprins (The Burning Bush). But in the following, as the title of the present study also states, the author intends to deal only with the issue of Sandu Tudor's reception during the Second World War, when, as it is known, he was mobilized. File no. 013495, vol. 1 and 2, Criminal fund, located at the Archive of the National Council for the Study of Security Archives (A.C.N.S.A.S.), represents a collection of disturbing documents that offers many clear (the author considers them as so) details related to this subject. From the first sheet of the aforementioned file, vol. 1, represented by the Cover of the File no. 1811/1950, of the Bucharest Court, the Third Criminal Section, „Posteucă Dumitru and Teodorescu Alexandru”, the mention „War crime” shocks. Of course, this raises multiple questions. In the following, the author will use an evolutionary, chronological x-ray of the data, meant to offer the potential reader a systematic form of exposing the conduct of the investigation and of the trial of the Monk Agaton.*

## INTRODUCTION

The current context, when several people of culture – theologians, historians, sociologists, philosophers, etc. – and even political personalities (Traian Bănescu, 2006) have come to suggest that Father Daniil Sandu Tudor is worthy of canonization (George Enache, 2007), compels the author to return with maximum attention to this emblematic presence, whose posthumous reception aroused contradictory reactions, especially in the post-decembrist culture, some people finding it appropriate to revile him, although his invalidation, in most cases, was based on data, facts, aspects, etc. which, on closer examination, proved to be inaccurate or even false. Of course, the newspaper activity of the one who was to become Hieroschemamonk Daniil Sandu Tudor set him up as a tenacious, tumultuous man with caustic verb, fully involved and influenced by the multiple tribulations of the interwar Romania, where the imperative of modernization often produced dramatic fractures and tensions. One must not forget, however, that the position of open fighter in the name of the Orthodox faith, publicly assumed by the poet-journalist Sandu Tudor, inevitably led to vehement, radical solutions.

### THE INVESTIGATION AND THE MONK AGATON'S TRIAL FROM A DIACHRONIC PERSPECTIVE

**June 2, 1950** – The moment of the arrest (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 241) of Sandu Tudor, who had already dressed the monastic robe and received the name of Monk Agaton. He was submitted to the Jilava Penitentiary on July 11, 1950 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, ff. 163-165). It should be mentioned that the Prosecutor's Office of the Bucharest Court issued the arrest warrant on the name of Alexandru Teodorescu (Sandu Tudor) since 1948 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 160). According to the customs of the Securitatea (Security) (the provision of article 8 of the law no. 291/947) (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 236, f. 238), the inventory and confiscation of the goods was ordered on the same day (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 20-22), meaning movable and real estate property of the prisoners (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 238-239), but, in the case of this subject, the address to which the Securitatea's organs descended was Cernica street no. 11, Bucharest, where, obviously, they did not find what they were looking for, the Monk Agaton being, at that time,

the abbot of the Crasna Monastery (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 19).

**June 13, 1950** – The Prosecutor's Office of the Bucharest Court, the Criminal War Cabinet, submits to the President of the Bucharest Court the Prosecutor's Office file no. 2961/1948, which contained the pursuit indictment no. 167/950, drawn up against Dumitru Gh. Posteuca and Teodorescu Alexandru, which contained several documents designed to justify the qualification of the Prosecutor's Office from that date, namely: „war criminals” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 3). In legal terms, Dumitru Gh. Posteuca was accused for the crime provided by the art. 3 let. E of the law 207/948, while Alexandru Teodorescu (Sandu Tudor), who entered under the same law, was incriminated for the crime provided by the art. 3 let. c (A.C.N.S.A.S., Criminal background, file No. 013495, vol. 1, f. 198, f.199, f. 247, passim). Continuing in the same discursive logic, the author will cite the purpose that the Prosecutor's request had to achieve, in order to justify the accusations against the two: „Considering that for the existence of the crime provided by the art. 3 let. c and let. e of the law 207/94 it is necessary to find that the inhuman treatment, as well as the acts of violence, terror, torture committed by an officer, official, in his public qualities were committed for political or racial reasons” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 207 and f. 248).

The path of the File is a natural one, under the given conditions: it is firstly submitted to the President of the Bucharest Court, who arranges the assignment to the Third Criminal Section, where it will be registered with the number 1811. At the same time, different terms have been set: for interrogation, for sending the warrants for bringing the accused and the witnesses, for trial etc.

**June 17, 1950** – The Bucharest Court, the Third Criminal Section addressed the President again to request, this time, an ex officio lawyer for both defendants: Posteuca Dumitru and Teodorescu Alexandru (A.C.N.S.A.S., Criminal Fund, file no. 013495, vol. 1, f. 5).

**June 21, 1950** – In response to the request of the Bucharest Court, the Third Criminal Section, the Bar Association of the Ilfov County appointed ex officio the lawyer Ciomescu Traian for Alexandru Teodorescu (Sandu Tudor) and the lawyer Constantin Harnagea for the case of Dumitru Posteuca (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 26).

**June 30, 1950** - The deadline for the Preliminary Interrogation was set. However, none of the accused appeared on this date. Even more, Sandu Tudor, although he would also be subpoenaed on July 4 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 13) (the date when Posteuca Dumitru appeared) (A.C.N.S.A.S., Criminal fund,

file no. 013495, vol. 1, f. 12), would appear only at the third convocation, on July 12, 1950 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14)).

**July 12, 1950** – The Preliminary Interrogation Minutes for Sandu Tudor are completed (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14). The sheets of the file do not provide conclusive data on the reasons for not appearing in the two previous hearings; the author can only speculate a short circuit of the communication between the security personnel from the Jilava Penitentiary, whose function implied the fulfillment of these duties of service, even if the things were different in the case of Dumitru Postecă, who was in the same prison.

At this point of the research, the author considers it important to highlight two aspects related to the statements of the Monk Agaton. The first aspect is that to the standard question (the preliminary interrogation was structured according to a classic type form, with template questions and answers completed by hand next to the empty spaces) – *Are you literate?* - The Father answers: „Bachelor of Philosophy” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14). If one would corroborate this information with the fact that his wife, Virginia Teodorescu, obtained a Bachelor Degree in Philosophy and Letters on June 6, 1930 (the document was exposed in the work „*The Image of the Rugul Aprins*” (Carmen Ciornea, 2015)) and with the data from the numerous Siguranța’s and Securitatea’s *Notes*, where it is mentioned that „Teodorescu Alexandru is a Bachelor of Letters and Philosophy” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 63, f. 65, f. 76, f. 90, f. 149 and f. 170), one can at least make flat the theory that he would not have completed his higher education studies. The next point the author is relying on is that although he was imprisoned for more than a month, he did not even know the fault attributed to him: (Question: „Do you recognize what is imputed to you?” Answer: „No” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14)). Under these circumstances, the presence of an ex officio lawyer does not seem to have only a financial reason (Question: *What wealth do you have?* Answer: *I do not have wealth.*) (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14), but it can be interpreted as the reaction of a man who is disgusted with the obstinacy of the politruks of the totalitarian communist regime to integrate him in the category of defendants, without being informed what would have been done in the order of the immediate confrontation.

By extrapolating (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 12), the author is dealing with one of the most cynical forms of torture of the Securitatea, which not only wants to annihilate its opponents, but feels the need to invent them. In

these conditions, all these short circuits of the communication, in fact, lead to the shift of the focus from the real adversity to the imagined one. In the viscera of this invented conflict, it is no longer the fighters in the flesh and the bones who matter, but the ghosts, the spirits and the ideologically enrolled pseudo-principles.

**July 19, 1950** – The date on which the first document from the file bearing the signature of Hugo Friedman, the brilliant Jewish lawyer of Sandu Tudor, appears: a request addressed to the President of the Bucharest Court, asking the approval of the complementing of proposed defense witnesses (A.C.N.S.A.S., fund Criminal, file No. 013495, vol. 1, f. 49).

**July 21, 1950** – The first public hearing was held. The court consisted of the counselors Gheorghe Ionescu and C. Dumitrescu, the popular assessor S. Tomiță, the prosecutor N. Stăvrescu and the registrar T. Buredei. Alexandru Teodorescu (Monk Agaton) and Dumitru Postecă were again subjected to interrogation procedures. This time, the examination, conceived according to the same standardized formula, with standard questions, involved informing the defendants – „After the offense for which he is subjected to the trial is considered” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, 54-55) – and the worthy position of the Father Agaton leaves no room for interpretation: „I do not recognize the facts that I am charged with” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 54).

At the same time, the present witnesses were heard, being subpoenaed by both the prosecution and the defense, their depositions being recorded separately (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 62). Unfortunately, only three of the witnesses proposed by Postecă Dumitru appeared on this date, namely: the former Commander of the 4th Battalion Instruction and Auto Repair – Vlădescu Gheorghe (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 60), Amzucu Gheorghe (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 56) and the former Commander of the School of 4th Battalion Instruction and Auto Repair – Popovici Anton (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 57), only one witness from Teodorescu Alexandru (Monk Agaton) – Mironescu Alexandru (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58) (his best friend, whose constant affection was proven numerous times throughout their lives) and one witness from the Prosecutor's Office – Nicolae Scumpu Radu (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 59).

The absence of witnesses leads to the establishment of another term: „The accused ask for a term, due to the absence of the witnesses of accusation, as well as of those proposed by them, namely Cojocarul Florea, Pavel Ion, Modest Alexandru,

Ivanov Serghie, Corbeanu Ștefan, Iacovici Vasile and Cristoforeanu Aurel, professor Constantinescu-Iași, Alexandru Mihăileanu, Scarlat Callimachi, Alex. C. Constantinescu, General Aurel Niculescu, Constantinescu Gheorghe, Petrescu Mihail, Gheorghe Marin and Iorgulescu Constantin.

Mr. prosecutor does not object to the determination of a term due to the absence of witnesses, declaring that with regard to the other witnesses, it is understood that he will use the depositions from the file, a request also espoused by the accused.” (A.C.N.S.A.S., Criminal fund, file No. 013495, vol. 1, f. 62).

**August 25, 1950** – The second public hearing took place. The court was composed of the counselors M. Zeleş and C. Dumitrescu, the assessors C. Gugu, M. Surdu, Șt. Ioniță, the prosecutor Th. Stănescu and the registrar I. Georgevici. This time, Alexandru Teodorescu was represented both by the ex officio lawyer – Ciomescu Traian – but also by the lawyer Hugo Friedman and would have three witnesses who would testify in his favor: Scarlat Callimachi (A.C.N.S.A.S., Criminal Fund, file no. 013495, vol. 1, f. 141), J. Lespezeanu (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 135-136) and Father Gala Galaction (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, 132). After hearing the witnesses present on this date „Gheorghe Marin, Petrescu N. Mihail, Iorgulescu Constantin, Ivanov Serghie, Priest Gala Galaction, Mumuianu Dumitru, J. Lespezeanu and Scarlat Callimachi, whose depositions were recorded in separate minutes, annexed to the file” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 143), the process continues, naturally, with the substantive proceedings, namely the deposition of the defense lawyers and of the prosecutor.

The scaffold of the defense had as its center of gravity the publishing activity of the former director of the newspaper „Credința” („Faith”), from which the lawyer Hugo Friedman would select six extracts, considered edifying in supporting the case of his client.

A long series of delays followed:

**August 30, 1950** – The public hearing was brought forward on September 6 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 144) and thereafter, for the 13th of the same month.

**September 13, 1950** – During this third public hearing, the file of the Court-martial of Ploiești is requested, by which the officers Modest Alexandru, Pavel Ioan and Cojocaru Florescu were tried in May 1944, the 4th Battalion Instruction and Auto Repair Bucharest, when they received the sentence of conviction to death on 05.06.1944, a sentence that was not enforced due to the powerful metamorphoses of the Romanian political scene at that time, whose strong reverberations produced cracks at all levels (A.C.N.S.A.S., Criminal fund, file No. 013495, vol. 1, f. 144). What was the

motive behind this decision? What is the connection with the trial of the case in which Alexandru Teodorescu (Monk Agaton) was incriminated? The author will clarify these issues in the next subchapter.

**September 15, 1950** – The Bucharest Court, the Third Criminal Section addresses to the Ministry of Armed Forces, the Contentious Service a request in which the reasons for requesting the file of the Court-martial of Ploiești are stipulated and also there are presented some references meant to facilitate finding it in good time (before the deadline of the hearing of September 13, 1950) (A.C.N.S.A.S., Criminal Fund, file no. 013495, vol. 1, f. 145).

**October 20, 1950** – Starting with this third appearance, the accused will be represented only by the lawyers Hugo Friedman, for Sandu Tudor, and Constantin Harnagea for Postolache Dumitru, respectively (no ex officio lawyers will be present). The defense side will request again a deferral that the Court will approve, one of the reasons invoked being the absence of the file from the Court-martial (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 146).

**October 23, 1950** – The Bucharest Court, the Third Criminal Section addresses a new request to the Minister of Armed Forces, the Contentious Service, to solicit the file of the Court-martial of Ploiești by which Modest Alexandru, Cojocaru Florea and Pavel Ion were tried, the former sentenced to death by the Court-martial of the 5th Army Corps (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 148).

**November 9, 1950** – The Bucharest Court, Third Criminal Section, addresses the third request to the Minister of Armed Forces, the Contentious Service (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 151) but, at this time, offering accurate indications regarding the location of the file. The information was provided by the lawyer of Sandu Tudor (Monk Agaton) – Hugo Friedman (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 149). Finally, the file will reach the Bucharest Court on November 22, 1950.

**November 23, 1950** – The public hearing number four. The court was composed of the counselors Constantin Petrescu and Constantin Dumitrescu, the popular assessors Victor Dumitrescu, Maria Grigore, Constantin Munteanu, the prosecutor Octavian Vasiliu and the registrar Gheorghe Orescovici. After the arguments of the prosecution and the defense were presented, the last word would be given to the accused. Again, Sandu Tudor (Monk Agaton) claims his integrity: „The accused Al. Teodorescu, having the last word, shows that he is innocent and asks for acquittal” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 171). The court will postpone the pronouncement for November 24, 1950, concomitantly demanding the

conclusions written by defense lawyers. It will come back later and will change the term to October 29.

**November 29, 1950** – The public hearing number five. The Court retains its composition from the previous public hearing and the Court's solution will be the restoration of the case, because „Since the evidence made in front of this court concerned only count one of accusation, and the oral and written defense of this accused referred only to this count of the accusation, without the discussion of count two of accusation by the representative of the Public Ministry and the defense. Because, in order to shed light on the case, the Court finds that it is necessary to hear in court the witnesses – that result from documents - regarding this last indictment, as this side of the accusation would be put in the discussion of the defense” (A.C.N.S.A.S., Criminal fund, file No. 013495, vol. 1, f. 171).

**December 14, 1950** – Public hearing number six. Except for the prosecutor, who is replaced by Gheorghe Asnel, the composition of the court remains unchanged. The defense will have the witnesses Mobloc Ioan (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 175-177) and Amzucu Gheorghe (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 178 ) for Dumitru Posteuca, and the prosecution will hear Ivanov Serghie (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 179). The long process and the repeated postponement of the terms justify the arousal of all the factors involved in the process and the correspondent reactions: „In the conclusions, Mr. prosecutor asked for a term the other witnesses of the accusation to come, pointing out that they are absolutely necessary in establishing the factual situation and required fining both the missing witnesses and the agents who did not fulfill the mandates.

The defenders of the accused request the trial of the case showing that the witnesses have changed their addresses in the meantime and would not come so that the accused remain in prison for nothing” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 180).

In turn, the Court will respond to the request of the prosecutor and will order fining the missing witnesses 1,000 lei, while the sanction of the agents will be even harsher, the amount of the fine being double (2,000 lei) (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 180).

**January 11, 1951** - The public hearing number seven. The court was composed of the counselors I. Ionescu and C. Dumitrescu; the popular assessors I. Mardare, I. Marin and T. Avram; the prosecutor Oct. Rotărescu and the registrar M. A. Marderos. After hearing the present witnesses – Ștefan Corbeanu (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 186), Aurel Cristofereanu (A.C.N.S.A.S., Criminal fund, file no. 013495, vol.

1, f. 187 , f. 189), Ioan Secăruș (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 190) and Alexandru Balaban (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 188) – the Court will postpone the case in order to bring the missing witnesses for their hearing, with the mention that this term will be the final one (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 191).

**February 8, 1951** – Public hearing number eight. The composition of the Court will be the following: Gheorghe Ionescu and Aurel Fărcașiu – counselors, Florica Șipoș, Tudor Avram, Ion Mardare – popular assessors, Camil Gall – prosecutor and Gheorghe Munteanu as the registrar. Changes also occur at the level of defense lawyers, in the sense that, besides Mr. Hugo Friedman, Sandu Tudor will also be defended by Dorel Tanenzapf (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 182), and the lawyer Alfred Victor will speak for Dumitru Posteuca (A.C.N.S.A.S., Criminal Fund, file no. 013495, vol. 1, f. 185). In these circumstances, after more than 6 months since the arrest of Alexandru Teodorescu and Dumitru Posteuca, **the prosecutor** orders the change of the qualification of „war criminal”: „Mr. Prosecutor asks to take note that he changes the qualification regarding the accused Teodorescu Alexandru to art. 4 par. III combined with art. 3 letter e of the law 207/948 (instigation to the crimes committed by Posteuca Dumitru) and states that he renounces the witnesses subpoenaed for today, understanding to operate on the basis of the evidence in the file’ (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198).

After the parties (the prosecutor and the defense lawyers) have presented their pleadings, the last word is given again to the defendants. Registered in the same orbit of distinction, *homo dignus*, the Monk Agaton „states that apart from what his defenders have said, he has nothing to add, except the fact that when Posteuca was at the garage he had no connection with him” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198). In the following, the author will return to the significance of this reply.

The Court, invoking the need for an optimal time to examine the documents in the file, will order the postponement of the pronouncement of the sentence until February 14, 1951, a term at which it will resort to a further prolongation.

**March 14, 1951** – The public hearing number nine, during which the sentence will be pronounced: Posteuca Dumitru will get 2 years and 6 months for *abusive investigations*, and Alexandru Teodorescu will get 2 years for the *instigation to abusive investigations* (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 199). The composition of the court retained its composition from the previous public hearing (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 205, f. 246). The author also

considers it necessary to indicate the following statement (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, *passim*): „According to the art. 64 of the Penal Code, the time spent in prevention is deducted from the punishment, starting on June 2, 1950” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 206, f. 247). At the end of the decision, the following matter was stipulated: „it is to be seen that **easing circumstances** militate in the favor of the accused” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 207, f. 248).

**May 4, 1951** – The public hearing number 10, as a result of the *Report* of the counselor Gheorghe Ionescu of the Bucharest Court, the Third Criminal Section, regarding the decision 806/951, in which he requested to rectify the material error related to the mitigating circumstances that would have occurred in the favor of the accused (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 211) Dumitru Posteuca and Sandu Tudor. As the nominal appeal found the absence of the parties, the Court ordered the postponement of the case „For lack of procedure with the today’s accused” until May 11, 1951, when the rectified subpoenas for the accused of war crimes will be issued” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 210), meaning Alexandru Teodorescu (Sandu Tudor) and Dumitru Posteuca, located in Jilava penitentiary.

**May 11, 1951** – The Court rectified the decision given at the hearing of March 14, 1951 „namely the last reason in the sense that due to a material error it was mentioned that there were easing circumstances in the favor of the accused Dumitru Posteuca and Sandu Tudor” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 212-213).

#### **SANDU TUDOR AND THE PARADOXICAL TWIN SITUATION VICTIM-EXECUTIONER**

Of course, browsing the route outlined in the previous rows raised many questions and it is necessary to bring additional clarifications. First of all, it is appropriate to elucidate the reasons for the arrest, which, moreover, determined Friar Agaton to be qualified as a „war criminal”, as they are found in the indictment drawn up by the prosecutor’s office.

In brief, on April 4, 1945, Dumitru Posteuca and Alexandru Teodorescu were reported by Modest Alexandru. Although he was at the prison of the Army C.5 Court-martial together with his comrades, Sergeants Cojocaru Florea and Pavel Ion, Sergeant Major Modest Alexandru decided to take advantage of the opportunity represented by the trial of Manea Cristea, a former judge of the Court-martial of the Valenii de Munte 5th Army Corps, and submitted a *Declaration* to the People’s Court, the Special Court for the trial of war

criminals, the Public Prosecutors’ Office, Bucharest, requesting his subpoenaing. Why this? Because the above-mentioned judge was, in Modest Alexandru’s terms, the „war criminal” who had ordered their death sentence on July 5, 1944: „for five minutes, saying in the public hearing that, for the Communists, he does not have a heavier punishment than death, then he ordered us to be immediately chained, he did not let us go to the Prison, but he put us in chains there, then told the blacksmith to knock the rivets, not using locks, because the life is finished for such communists as we are” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 235). The request was successful so that the next day all three would present their witness statements in front of the People’s Court, which also included the accusations against Alexandru Teodorescu (Sandu Tudor) and Dumitru Posteuca (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 217-219).

The effect of the *snowball* which involved the investigation is certified on April 9, 1945, when not less than 11 witnesses appeared in front of the People’s Court, the Special Court for the trial of war criminals, the Public Prosecutors’ Office, Bucharest. The majority of these were drivers who had worked under the lieutenant in reserve Dumitru Posteuca, at the time when they had been concentrated at the Battalion 4 Instructions and Auto Repairs – IVth Company, Mihăescu Garage. Thus, the former guild colleagues claimed in unison that during the concentration they had been beaten and harassed by Lieutenant Dumitru Posteuca, the persecutions being motivated by their boss’s unrelenting hatred for the communist propaganda work they would have performed (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 220-230). Although none of the 11 witnesses even mentioned the name of Alexandru Teodorescu (Sandu Tudor), the Special Court for the trial of those responsible for the country’s disaster sent the same day an *Address*, requesting the General Director of the State Security to deal with his prosecution, arrest and submission to the Third Public Prosecutors Cabinet in Bucharest (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 113). Two days later, probably noting the absurdity of the situation, Aurel Cristoforeanu was recalled as a witness, and, this time, he declared that: „(...) Lieutenant in reserve Posteuca Dumitru had a friend there, namely Lieutenant Sandu Tudor, who came frequently to the garage. Since I did not manage to become an instrument in the hands of the hangman Lieutenant in reserve Posteuca Dumitru, who terrorized the soldiers, I was criticized by the Lieutenant in reserve Sandu Tudor when he came to us. One evening, he started to comment on me; that is, my attitude and my outputs made him believe that I am a 100% communist and that he would know what to do to

these communists if he were our commander” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 231 ). Also on April 11, 1945, the arrest of Dumitru Posteuca (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 214) was ordered by the Ordinance of the Third Public Prosecutors Cabinet, who, in turn, responded in front of the People’s Court regarding all the accusations brought against him (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 232-233). In the same way, Sandu Tudor was put in the position of witness on April 28, 1945 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 216), his brief deposition speaking for itself about the consistence / seriousness of the accusations (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 234).

This should have been the end of the road and, indeed, the People's Court then decided to close the case against Dumitru Posteuca and Alexandru Teodorescu (Sandu Tudor). And yet, after the appearance of the Decree 207/12 of August 1947, it will be resumed for investigation by the War Criminals Cabinet, the investigation being based exclusively on the claims of Modest Alexandru, Cojocaru Florea and Pavel Ion. The paradox consists in the fact that these three accusers, the so-called victims, were then in detention, sentenced by the Court-martial of the Vălenii de Munte 5th Army Corps for the following facts: assassination attempt during the camouflage against an officer dressed in civilian clothes, theft of food and effects from the Company's warehouse, false in public documents, desertion. **It is astounding that the principal count of the indictment was the attempted murder committed on the night of May 22, 1944 against Alexandru Teodorescu (Sandu Tudor).** What were the reasons that led them to plot the murder of Sandu Tudor? From the examination of the file it appears that the Major Vlădescu Gheorghe, the battalion commander, being informed that Sergeant Modest Alexandru led an immoral life (there was a claim of the legitimate wife that he had brought his mistress in the Unit) and that he produced various irregularities in the management of the company, where he was a storekeeper (proven through the complaints of the students of the 4th Auto Battalion School), would delegate the lieutenant in reserve, Alexandru Teodorescu, to undertake a discreet investigation. At the end of the investigation, Sandu Tudor reported to the Commander that the suspicions regarding Modest Alexandru were confirmed, with the clear purpose of taking the necessary measures against the one who committed those wrongdoings. It is easy to understand that Alexandru Teodorescu (Sandu Tudor), who performed the duties of front officer, but also of the History teacher and class master at the 4th Auto Battalion School, easily learned from his students how things were and that his intransigent nature could not tolerate such

anomalies. For his part, Modest Alexandru finds out that he is under investigation and decides to kill the one in charge of conspiring him. So, in the above mentioned evening, together with sergeants Florea Cojocaru and Pavel Ion, from the same company, after having previously consumed a significant amount of alcohol (one liter of brandy) in order to make themselves courageous, he is heading to the residence of the Lieutenant Alexandru Teodorescu. Arriving at the destination, the three, equipped with automatic rifles, shoot in the area where they knew that their target’s bed is, and then, being confident that they have fulfilled their criminal mission, they retreat to the command. But their plan is foiled. Sandu Tudor is saved again. A miracle? A happy coincidence? The author leaves the reader with the freedom to choose the correct version, because, in the author’s view, however, the deed escapes a pure rational logic (†Antonie Plămădeală, 2002). The author said „again” because the event leads to the analogy with another *coincidence*, of August 1937, when the aircraft piloted by Sandu Tudor crashed. As it is known, the impact of the fall resulted in severe damage to the flight apparatus, but the protagonist did not suffer major physical injuries (Pr. André Scrima, 2012).

Returning to the events of May 22, 1944, Sandu Tudor began to investigate the perpetrators just in the evening of the attack, and, at the first hour of the next day, he went to the battalion commander, exposing to him the situation and his suspicions (A.C.N.S.A.S., Criminal fund, file No. 013495, vol. 1, f. 249). When the three find out that their plan didn’t work, they decide to desert to the Soviet army. At the request of the Sergeant Major Modest Alexandru – who accompanied them to the Company’s chancellery to order the Corporal Traian Ene to make them roadmaps – the noncoms Cojocaru Florea and Pavel Ion left the Command, leaving behind a ticket acknowledging that they were the authors of the attempted murder and that they deserted. The plan was, again, plundered by the same Alexandru Teodorescu (Sandu Tudor), who followed the fugitives to Bucharest and, knowing their residences, managed to arrest them. Brought to the Battalion, they were taken over by the special commissioner, Dumitru Posteuca, who, according to the tasks that came from the job description, was responsible for conducting the investigation. Later, they were sent to the Court-martial of the Vălenii de Munte 5th Army Corps, which decided their death sentence.

These are the facts. Of course, analyzing them from the perspective of a fair, normal, sound logic cannot provide truthful answers regarding this transformation of the actors’ positions. And yet, how was it possible? How can the victims and the executioners be so easily replaced in the eyes of justice? The author believes that a comprehensive

analysis of this value scale cannot be carried out outside the historical context. The victorious entry of the Soviet troops led, successively, to the dismantling and the resemantisation of all structures and hierarchies (either social, cultural or political in nature, etc.). The arbitrariness, the chaos is confirmed even by the data provided by Alexandru Modest in his *Declaration* of April 4, 1945: „Although the armistice was completed on August 23, 1944, he did not release us from the chains until August 29, 1944. Then, on September 3, **two Russian officers came to prison, and, separately investigating the case of each, ordered us to be released immediately;** presenting us at the Unit, several Romanian soldiers from our unit gathered and we told them that now we must fight and that now our true justice has come” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 235).

According to the same source, the three convicts were caught by the Battalion commander who reported them to General Nicolaescu Aurel, the latter ordering their reestablishment and submission to the Văleni Prison. In these circumstances, Modest Alexandru, Pavel Ion and Cojocaru Florea submitted a request for a review, which was not only approved, but (apparently) surprisingly, exactly the same Court, just a few months later – on November 14, 1944 – declared an extremely advantageous solution for them: to commute the death penalty to only 10 years in prison, although the facts were retained as established in the first resolution. Being encouraged, they also appealed this conviction, but however, by the decision of December 22, 1944 of the Court of Cassation and Military Justice, their appeal was rejected.

The things would not stop here. The desire for revenge, the petty character determines them to exploit the benefits of the legislative nebula and the incoherence of a deeply politically regulated justice, whose enslaved character does not escape even these gregarious consciences. Thus, they claim that they were persecuted for their Communist activity and that they decided to suppress Sandu Tudor, because they knew the serious consequences they were expecting if they were discovered. They had also established that, after the time of the crime, they would all escape to the Soviet Union – the country where they could fulfill their revolutionary-communist ideals. In order to be even more credible in their hallucinatory variant, they also bring other pseudo-information (that could provide consistency to their argumentative approach), such as the fact that Sandu Tudor would have been a notorious fascist, that he would have been a German language teacher at the School of the 4th Auto Repairs Battalion etc. – representing sufficient data, at that time, to lead to the aberrant qualification of „war criminal”. The *Arrest Warrant* no. 2961/948

specifies that the accused Alexandru Teodorescu is accused of „committing a crime against humanity, because, by the denunciation made and by his acts he caused the application of inhuman treatment to persons under investigation for communist activity” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 241). One must not lose sight of a detail, an extremely important one in the author’s opinion, that is, at a careful reading of the document cited above one would note that it is stipulated that the punishment provided for this qualification was – „according to the law no. 291/947 published in the Official Monitor no. 189 of August 18, 1947, amended by the law no. 207/948”: „forced labour for life” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 241).

This is why the author considered that Alexandru Teodorescu seemed to be the prototype of the paradoxical ambivalence victim-executioner, because, according to the circumstances described above, the one who saved himself from the raging attack of the aggressors (which went armed to his house and fired 15 shots at the cantonment he slept in, but no one got him) and did nothing but comply with the legal procedures in force at the time of committing the criminal acts, deferring the three to the special commissioner responsible for conducting the investigation, now is called a *war criminal*.

In an attempt to reconstruct this segment of the biography of Sandu Tudor as accurately as possible, the author will corroborate the data from the interrogations and the *Notes* signed by him within this process, with the information taken from the activity of defense vs prosecution.

At the preliminary interrogation, as it was already mentioned, the Monk Agaton did not know why he was incarcerated. Mirroring the two minutes of preliminary interrogation – of Dumitru Posteuca (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 12) and of Alexandru Teodorescu (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14) – represents an effective method of discovering the standard style and the clichés as manipulation techniques. According to the customs of the Securitatea, the first interrogation was recorded in a form with headings, the text of the document being completed in handwriting. The questions of an aggressive-accusatory character within the interrogations, the failure to inform the defendant about the counts of the indictment and the distortion of the answers offered by the investigated one, based on which the so-called evidence for the legal qualification of the investigated facts was made up – all these set the dimension of the *adaptation* of the act of justice. The success of the totalitarian domination also presupposed a blurring of the boundaries between truth and false, between reality and fiction, meant to turn people into an easily manipulable mass. In



order to achieve its purpose, the totalitarian state perfected the constraint of total terror, and the wooden language was ruthlessly exploited in this respect, proving to be an instrument of tremendous effectiveness.

The consternation of the victims translated by assuming ignorance (both defendants declare that they do not know the reasons for their arrest and that they do not have a lawyer) is complemented by the confrontation with the language as the „vehicle of power” of the investigator; the only right that belongs to them is to fit this *new identity* and to call witnesses for their defense. The blatant absurdity of the content of these documents (or, rather, the technique of camouflaging the evil intent of the Securitatea) is that the accused are invited to propose „new means of defense, either verbally today or in writing at the latest 10 days before the term”, while the previous heading provided the author with the information that they did not know their accusations. Instead of previously proving the accusation (see the grounds for suspicion) likely to lead to the detention of the defendant – procedures in force at that time too – the prosecutor or the criminal investigator of the Securitatea aberrantly required the defendants *to support* the work of the investigators and to identify themselves punishable facts. The second interrogation is kept on the same coordinates: again, the constraints of the standardized formulation that demand the uniformization and imposition of the illogical, of the abnormality, as a state of fact. This time, the accused were placed on guard against the prosecutor’s indictment. The court was composed of the counselors Gheorghe Ionescu and C. Dumitrescu, the popular assessor S. Tomiță, the prosecutor N. Stăvrescu and the registrar T. Buredei. Alexandru Teodorescu (Monk Agaton) and Dumitru Posteuca were again subjected to interrogation procedures.

As it was pointed out, this time, the interrogation involved informing the defendants – „After the crime for which he is being tried was considered” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 54-55) ) – but the absurdity (or, rather, the diabolical plan) arises from the fact that it is happening at the same time as the trial, because the Interrogation minutes were recorded during the first public hearing. In other words, the awareness consisted of hearing the prosecutor’s indictment, which obviously opened the public hearing, after which, immediately, it was arranged to take the interrogation of the accused and to hear the witnesses (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 62).

In these circumstances, Monk Agaton declares, in a natural language that strikingly contrasts with the wooden language, the facts meant to confirm, beyond any ambiguity, the sustainability of the firm position of a completely innocent man: „At the

order of the Battalion Commander, Major Vlădescu, I was doing an investigation on the Sergeant Major Modest Alex[andru] who had been rumored to have brought, in the room where the unit was, a woman he lived with and that he fed from the Unit’s boiler. His rightful wife made the complaint. I did an informative investigation (...) that night it was fired on me. I immediately went to the Commandment and reported. On the night of the assassination attempt I went with a patrol to Modest Alexandru and found him drunk, saying that he had not committed the fact, but he obliged to discover the perpetrators. I told the commander the facts as they happened and he delegated a captain, whose name I do not know, and that day Modest and the two sergeants Pavel and Cojocaru deserted leaving a ticket in which they said that they are the authors of the fact. I was not a German language teacher and neither did I have a fascist attitude, but, on the contrary, an anti-fascist” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 54).

Dumitru Posteuca, in turn, will confirm the veracity of the issues presented by the Monk Agaton (given that the statements were recorded separately): „I did not know that when they wanted to assassinate Lt. Teodorescu, the accused, Modest, Cojocaru and Paul did it for political reasons. The crime committed against Teodorescu in 1944 has no connection [with] the facts reported by the witnesses Cristoforeanu, Ivanov and others. The investigation for the assassination attempt against Alexandru Teodorescu was done by me based on the resolution of the Battalion commander” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 55).

Professor Alexandru Mironescu was the only witness from the Monk Agaton who reacted to the invitation to testify at this first public hearing. Being an intellectual of caliber, cultivated, subtle, he understands the size of the threat and, implicitly, the imperative to adapt his speech to the *straps* of the communist ideology. Therefore, the portrait of his good friend, compressed in just a few sentences, gave the opportunity for interpretations from this key. There are two directions on which his discursive strategy focuses: firstly, he shows that Monk Agaton was the director of some publications of the left-wing („Floarea de foc” („Fire Flower”) and „Credința” („Faith”)), and the evidence that he brings to this point is the enumeration of the progressive writers’ names, who published in the above-mentioned newspapers (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58), in order to point out later that he was an anti-fascist and the evidence that he invokes at this point are the suspension of his newspaper by the Goga government, the fight between the newspaper „Porunca vremii” („The Command of the Time”, a notorious publication of the extreme right, led by

Ilie Rădulescu, subtitled „A Daily Tribune of National and Christian Fight”) and „Credința” („Faith”) (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58), as well as the disapproval of the treatment to which the antifascists of Transnistria were subjected: „Meeting with Teodorescu when he came from Transnistria, he escaped many people from death, he was upset by the treatments applied to them” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58).

If, with regard to Sandu Tudor’s antifascist status, Alexandru Mironescu’s statement fully corresponds to the historical truth, then the things related to his communist *vocation* do not. The transformation of the newspapers „Floarea de foc” („Fire Flower”) and „Credința” („Faith”) into left-wing publications is, at least, a forced generalization, of which the professor was fully aware. It was a hard exercise of mystification for the Professor Alexandru Mironescu, who was forced to defend his best friend from a possible punishment of „forced labour for life”, which forces people, today, to reflect on the interpretation of the **human condition in relation to „the method of creation” (read of mystification), imposed by the totalitarian political regime of those times.**

The testimony of J. Lespezeanu was not in the same tone: although he confirmed that he collaborated with Sandu Tudor, publishing articles that served his progressive conceptions in both newspapers led by him, he considers that he stopped the collaboration because „there were too many legionary elements” and concludes his deposition as follows: „When I received the subpoena, I read the file in order to orientate myself and I saw that accused Teodorescu finished his liberal activity in the uniform of Lt. and as a German language teacher in the High School of the Hitlerist War. I deduced the attitude from this.” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 135).

What is the key to interpreting this position of the one that Sandu Tudor called to support him? A free gesture of betrayal or a form of a hesitating character manifestation? Certainly, in this context, the terror became diffused, the totalitarian regime stretching its dominant tentacles over everything that defines the human. Or, assuming the collaboration with a man over whom the suspicion of such weight hovered, was capable of intimidating even those who were recognized as defenders of the communist ideology. However, one cannot fail to notice that his speech reconstructs all the incriminating patterns, clearly violating the natural rules of logic. For example, in the terminology adopted with fidelity by J. Lespezeanu the Second World War becomes the „Hitlerist War”, a symbolism on which the author will return in the following.

The other two witnesses – Scarlat Callimachi and Father Gala Galaction – who appeared at this second public hearing, will respect their position as the witnesses who testify *in favour* of the one who called them. Both appeal to their notoriety of anti-fascists and anti-legionaries who, over time, have collaborated with Sandu Tudor in this direction.

Indeed, Scarlat Callimachi, who had signed an important number of articles in the newspaper „Credința” („Faith”), was an adherent of the extreme left and had carried out an intense activity against the bourgeoisie regime during the interwar period. Currently, he was the director of the Romanian-Soviet Museum, a function by which the Communists recognized his loyalty and, at the same time, exploited his noble descent, which served as their legitimation. Scarlat Callimachi, who had two rulers in his family tree – Grigore Callimachi, a ruler of Moldova (1761-64, 1767-69) and Scarlat Callimachi, a ruler of Moldova (1806, 1807-10, 1812-1819) and then of Wallachia (1821) – was valuable by the power of the example (Stelian Tanase, 2009). His presence was a demonstration that the boyars recognized the Marxist-Leninist truths, the communist ideology, which was tantamount to voluntarily relinquishing their old positions and, implicitly, acknowledging the righteousness of the dictatorship of the proletariat. Therefore, the deposition of such a witness was not without weight in carrying out this process. Callimachi will declare that: „The accused Teodorescu together with Constantinescu Iași and I worked in the anti-fascist movement from 1933 until its dissolution”, completing his persuasive approach with a necessary clarification: „As the director of the newspaper „Credința” („Faith”), the accused published articles on our topics. The accused had signed workers’ statements” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 141). Father Galaction Gala (Gheorghe Perian, 2005), who, at that time, also held the position of a deputy, would strengthen the portrait of the journalist Sandu Tudor as an anti-fascist and anti-legionary and, in order to give sustainability to the declared aspects, he would refer to the patriarchal authority, which, according to given the deposition, was willing to guarantee the probity of Monk Agaton: „Being considered the main enemy of the legionaries and fascists, I knew my enemies. I never considered the accused Teodorescu to be part of them. The newspaper „Credința” („Faith”), that he issued, had a humanitarian attitude. I have the impression he was attacked on this matter. It seems to me that the newspaper was burned on the square [...] after the armistice, the attitude of the accused evolved towards the situation in which he is today, that of a monk and a priest. His Beatitude the Patriarch can give you relations about the accused” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 132).

On the other side, the prosecution witnesses prove at most the abusive way of investigating the three. Following the insistence of Sandu Tudor's lawyer, as the author has shown, the file no. 5440/1944 of the Court-martial of the 5th Territorial Corps was found, from which it was clear that Dumitru Posteuca's investigation began on May 22 and lasted until May 28, when the files drawn up for the three were submitted to the battalion commandment, who, in turn, sent them to the Court-martial of Ploiești. All of the depositions of the witnesses of the Prosecutor's Office made a direct reference only to Dumitru Posteuca. Thus, Serghe Ivanov, being present since the second public hearing, confirms the portrait of his former boss as a violent man. The pleiad of people who had been concentrated during the war as drivers at the Auto Battalion under the direct lead of Dumitru Posteuca – Vasile Iacodi, Ștefan Corbeanu, Ionescu Constantin, Geantă Niculae, Racoviță Vasile, Cristoforeanu Aurel, Avramescu Dumitru, Secărae Ioan, Balaban Alexandru – who have given testimony in the same sense, confers a certain degree of sustainability to the indictment drafted by the prosecutor in this matter and on this accused: „That from the depositions of all of the witnesses heard in this case, it is found that the said tortured and beaten the soldiers under his command for however small deviation [...] (A.C.N.S.A.S., Criminal Fund, file no. 013495, vol. 1, f. 198)”. In fact, Dumitru Posteuca admitted himself, during one of the public hearings, when he was invited to say the last word, that: „he gave 2-3 slaps to certain drivers, precisely to make them stop doing wrong things in order not to be sent to the Court-martial” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198).

Of course, the question arises: how does the prosecutor, who has renounced the aberrant qualification of „war criminal” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 250) for the two accused, manage to convince the court regarding to the role of Sandu Tudor as the „instigator” to committing the respective „inhuman behaviors”?

## INSTEAD OF CONCLUSIONS

Consequently, people were arrested following a denunciation or a categorical suspicion, unconfirmed at the individual level, and the investigation and entire trial examination had no other purpose than to deduce, through cheap sophistries, some legally frameable counts of indictment. As his lawyers repeatedly pointed out, there was no evidence to justify the position of the instigator of Dumitru Posteuca, the guilt of Sandu Tudor, being, in these circumstances, a completely imaginary one. The alleged connection between the

events, the pseudo-instigation was equivalent, even in the eyes of the accusers, with the fact that Sandu Tudor mediated the capture of the perpetrators (i.e. of those who tried, no more, no less than his liquidation): „from the deposition of these noncoms it follows that lieutenant Alexandru Teodorescu, immediately after the fact of the assassination attempt, tied and put in chains the Sergeant Modest Alexandru and then personally followed and captured the other two non-commissioned officers in Bucharest, arresting them in Serdaru commune and passing them to lieutenant Posteuca, who carried out the investigation” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 249).

In the first chapter, the author pointed out the reply of Monk Agaton within the public hearing of February 8, 1951, when he wanted to point out that „when Posteuca was at the garage he had no connection with him” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198), which, in the light of the data presented above, reveals its meanings.

Of course, many questions remain suspended. However, the author limits herself to formulate only two of them, in order to highlight other paradoxes of the time that Sandu Tudor was given to cross. What is the degree of imposture of these ideologically enrolled servants who, on the one hand, overzealously claim nonhuman behavior but, on the other hand, excel by unimaginable cruelties committed on the people investigated or imprisoned, most often for imaginary guilts? How could the criterion of measure and good-will be so easily evicted from the field of global society's behavior? Reflecting on the tribulations on the international political scene, Sandu Tudor himself offers a possible answer: „In order to be able to enslave another, you declare yourself superior to him, in a civilized way. This attitude of superiority gives you the right to exploit him as a dog. Usually, unintentionally and in good faith, you try to feel contempt for the one you can exploit. It's practical. Because the enslavement and exploitation of someone becomes easier if we can make our heart of stone to those who are our victims” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 112).

## NOTES

- [1] Traian BĂSESCU (2006). Un regim ilegal și penal [An illegal and criminal regime]. *Revista* 22, 876. Condemning the communist regime in his speech to the Parliament, president Traian Băsescu also referred to Sandu Tudor, whom he calls „a martyr of the Church”.
- [2] Father Daniil Sandu Tudor had been included in the martyrology since 2007 and had been in the attention of the Commission for the Canonization of the Holy Synod of the Romanian Orthodox Church for a long time. See, in this regard, *Martiri pentru Hristos, din România, în perioada regimului comunist [Martyrs for Christ from Romania during the communist regime]*, Bucharest, EIBMBOR, 2007, pp. 158-167 (the article dedicated to Father Daniil Sandu Tudor is signed by the historian George Enache).
- [3] See *Arrest Warrant no. 2961/948* issued by Gh. Diaconescu, the Chief Prosecutor of the Court of Bucharest, War Criminals Cabinet, on the name of the accused Alexandru Teodorescu (Sandu Tudor) (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 241).
- [4] See *Address no. 4/31191* of the Craiova Regional Directorate of Security by which it is brought to attention that the accused Alexandru Teodorescu (Sandu Tudor) is submitted to the Bucharest General Directorate of the Security of the People (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 164); the *Handover/takeover Minutes* of the detainee Alexandru Teodorescu (Sandu Tudor), concluded between the delegate of the Craiova Regional Directorate of Security and that of the Bucharest (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 165); *Address no.43/21494* of the Bucharest Directorate of Security to the Jilava Penitentiary, by which it is brought to attention that the accused Alexandru Teodorescu (Sandu Tudor) with the Arrest Warrant no. 2961/948 of the Prosecutor’s Office of the Bucharest Court is submitted (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 160) as well as the Address no. 8735/1950 of the Jilava Penitentiary to the Directorate of Security of the capital, confirming the receiving of the detainee Alexandru Teodorescu (Sandu Tudor) (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 163).
- [5] See the *Note* of the Directorate of the Security of the Capital no. 43/21494, of July 11, 1950, to the Jilava Penitentiary in which the following was mentioned: „We submit to you, together with the present, the said Teodorescu Alexandru, alias Sandu Tudor, monk, former publicist, with the last residence in Crasna commune, Gorj county, who is sentenced to forced labour for life, **by the mandate of the Prosecutor’s Office of the Bucharest Court No. 2961 of 1948, for war crimes**” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 160) [subl. C.C.].
- [6] See the Addresses of the Prosecutor’s Office of the Bucharest Court, War Criminals Cabinet, to the Ilfov Court, by which the disposition of the procedure for the inventory and confiscation of the movable and real estate property of the accused Alexandru Teodorescu (Sandu Tudor) and Dumitru Posteuca is requested (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 236, f. 238).
- [7] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 20-22. The Confiscation Minutes of the property of Posteuca Dumitru are likely to configure the poverty, his precarious social status: „**Movable property**: one suit of brown clothes, with stripes and one brown hat and one pair of black shoes, all old, worn. **Real estate property**: possesses nothing, being tolerated in this building by the parents of the wife who are tenants in this building. We didn’t find another property. The inventoried property remained at the place in the guard and custody of Mrs. Maria Posteuca” [subl. C.C.].
- [8] See *Ordinances* no. 2961 of June 2, 1950, issued by the Prosecutor's Office of the Bucharest Court, War Criminals Cabinet, by which the movable and real estate property of the accused Alexandru Teodorescu (Sandu Tudor) and Dumitru Posteuca was declared unavailable (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 238-239).
- [9] See *Report* no. 2014, of June 21, 1950, addressed to the Chief Prosecutor, in which the following was specified: „In reference to your address no. 2961/948 of June 2, 1950, to the Third People’s Court of Bucharest, by which you ordered the inventory of movable and real estate property belonging to the accused Teodorescu Alexandru, alias Sandu Tudor, domiciled in Bucharest, Cernica street no. 11 (eleven) – I have the honor to inform you that the accused does not currently reside at this address. Mr. Ionescu Virgil, an engineer student at the Politehnica in Bucharest, domiciled in Bucharest, Cernica street no. 5, former 11, who occupies the house formerly held by the accused, told us that the accused would now be the abbot of a monastery in Oltenia. I believe that more accurate information, in this regard, can be obtained from the Holy Patriarchate, Bucharest” (A.C.N.S.A.S., Criminal fund, file No. 013495, vol. 1, f. 19).
- [10] See *Address no. 2961/948* (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 3).
- [11] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198, f.199, f. 247, *passim*.
- [12] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1., f. 207 and f. 248.
- [13] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 5: „Please, assign an ex-officio lawyer to defend the defendants Teodorescu Alexandru and Posteuca G. Dumitru, war criminals, in the case that forms the object

of the file of this Court no. 1811/950 with a term set on July 21, 1950. The lawyer will be informed that he can contact the accused within the deadline of June 30, 1950, from the registry of this Court where the accused are subpoenaed for the preliminary interrogation”.

- [14] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 26.
- [15] See *Address no. 1811/950* of July 10, 1950, to the Director of the Jilava Prison, by which the writ of summons (subpoena) for Alexandru Teodorescu (Sandu Tudor) is submitted to him, in order to carry out the preliminary interrogation on the term of July 12, 1950. The document mentions the absence of the accused Alexandru Teodorescu (Sandu Tudor), although he had been subpoenaed and not brought on two terms: June 30, respectively July 4, 1950 (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 13).
- [16] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 12.
- [17] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14.
- [18] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14.
- [19] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14.
- [20] Ciornea, Carmen, *Chipul Rugului Aprins [The Image of the Rugul Aprins]*. Bucharest: Ed. Eikon, p. 280.
- [21] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 63, f. 65, f. 76, f. 90, f. 149 and f. 170 with the mention that this last sheet is from the detention file of 1958, where the section of *studies* only specifies: „Faculty of Letters”.
- [22] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14.
- [23] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14.
- [24] The same *innocent* answer was given by Dumitru Postolache within the preliminary interrogation: " Do you recognize what is imputed to you? **No**" (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 12).
- [25] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 49.
- [26] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 54-55.
- [27] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 54.
- [28] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 62.
- [29] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 60.
- [30] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 56.
- [31] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 57.
- [32] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58.
- [33] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 59.
- [34] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 62.
- [35] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 141.
- [36] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 135-136.
- [37] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 132.
- [38] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 143.
- [39] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 144: „Closure / Public hearing of 6 September 1950 / The Court / On the today’s pronouncement, / Still needing time to study the documents and writings from the file and to deliberate on the case / DISPOSES / Postpones the case until September 13, 1950”.
- [40] «The Court / Considering that it would be good to study the case of the Court-martial of Ploiești within which the non-commissioned officers Modest Alexandru, Pavel Ioan and Cojocaru Florea were sentenced to death by the Court-martial of Ploiești for an assassination attempt, finds that, in this purpose, it is appropriate to restore the case and to ask the Ministry of Armed Forces to investigate and forward us the file of the Court-martial of Ploiești, by which the non-commissioned officer Modest Alexandru, Pavel Ioan and Cojocaru Florea were sentenced to death for assassination attempt” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 144).
- [41] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 145.
- [42] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 146.
- [43] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 148.
- [44] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 151.
- [45] See *Request* no. 1811, of November 8, 1950, submitted by the lawyer Hugo Friedman to the President of the Bucharest Court, the Third Criminal Section, in which the following was stipulated: „Being informed by the attached letter about the today’s location of the file regarding Sergeant Major Modest Alexandru and others, which was requested by this honored court within the address no. 1811 of September 22, 1950 for the resolution of the case that forms the object of the file 1811/950 of this court with a deadline of November 23, 1950, in order to avoid a new postponement, please order to request this file again from the Ministry of Armed Forces, Directorate of Military Justice, where it was sent since 28 October, 1950 from the Otopeni deposit, where the Military Court of Stalin city had stored its archive” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 149).
- [46] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 171.
- [47] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 171.

- [48] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 175-177.
- [49] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 178.
- [50] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 179.
- [51] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 180.
- [52] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 180.
- [53] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 186.
- [54] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 187, f. 189.
- [55] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 190.
- [56] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 188.
- [57] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 191.
- [58] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 182.
- [59] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 185.
- [60] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198.
- [61] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198.
- [62] See *Penal Decision* no. 806 given by the Bucharest Court, the Third Criminal Section, in the File no. 1811/950: „The Court / For the reasons to be seen / In the name of the law / Decides / Acquits Dumitru Gh. Posteuca, born in the commune of Stăniștea de Jos, Rădăuți county, clerk by profession, with the residence in Bucharest, General Budișteanu street no. 8, currently detained in the Jilava penitentiary, for the crime provided and punished by the art. 3 let. e. of the Law 207/947. Sentences the said defendant for the crime provided and punished by the art. 289 of the Penal code, abusive investigations, to two years and six months of correctional prison.
- Acquits the accused Teodorescu Alexandru, alias Sandu Tudor, born in Bucharest, publicist by profession, with the residence in Bucharest, Cernica street no. 11, for the crime provided and punished by the art. 3 let. c. of the Law 207/948. Sentences the said defendant for the crime of instigating to abusive investigations provided and punished by art. 120 combined with art. 289 of the Penal code, to two years of correctional prison.
- According to the art. 64 of the Penal Code, the time spent in prevention is deducted from the punishment, starting on June 2, 1950. The said defendants are obliged to pay to the state two thousand lei each for penal expenses. With recourse” (A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 199).
- [63] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 205, f. 246.
- [64] The citation is meant to elucidate the period during which the first detention of Father Daniil Sandu Tudor took place, which, unfortunately, is often inaccurately presented in the public space.
- [65] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 206, f. 247.
- [66] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 207, f. 248.
- [67] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 211.
- [68] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 210.
- [69] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 212-213.
- [70] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 235.
- [71] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 217-219.
- [72] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 220-230.
- [73] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 2, f. 113.
- [74] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 231.
- [75] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 214.
- [76] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 232-233.
- [77] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 216.
- [78] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 234.
- [79] The event is also reported by the Metropolitan Antonie Plămădeală in his monograph –Plămădeală, †Antonie (2002). *Rugul Aprins [The Burning Bush]*. Sibiu: Ed. Archiepiscopiei Sibiului, electronic edition, p. 27: „He told me, at some point – because he was my monastic godfather, so he was very close to me, he came to Prislop where I was a monk –, he told me once how, being on the front line and being sheltered during the night in a country house in a village, the partisans attacked it. They fired with machine guns, with everything they had. He was carrying an icon. And he told me the story about how the partisans fired at him, but instead of getting him, they got the icon. He concluded that the icon sat in front of him in order to protect him. He took over the bullets that were intended for him. You see, in every man’s life there are some great events that mark him forever and that really mean divine interventions, which put a seal on a man’s destiny.”
- [80] See Father André SCRIMA (2012). *Timpul Rugului Aprins [The Time of the Rugul Aprins]*. With a foreword by Andrei Pleșu, a vol. curated by Anca Manolescu. Bucharest: Humanitas, pp. 156-157.
- [81] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 249: „following the indications given by Sandu Teodorescu that there were automatic weapons only at the company at which the perpetrators of the

assassination attempt were located, and that these belonged to them, the suspicion toward Sergeant Major Modest Alex occurred.”

- [82] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 235.
- [83] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 241.
- [84] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 241.
- [85] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 12.
- [86] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 14.
- [87] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, ff. 54-55.
- [88] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 62: „The indictment was read, / Afterwords, the interrogation of the accused was taken and the present witnesses were heard, whose depositions were recorded separately”.
- [89] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 54.
- [90] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 55.
- [91] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58: „I know that the newspaper „Credința” („Faith”) was a left-wing newspaper and Alex. Constantinescu, today at the newspaper Universul (Universe) and the director of the magazines Licurici (Firefly) and Zaharia Stancu collaborated with this newspaper. I know that Al. Teodorescu had a magazine „Floarea de foc” („Fire flower”) with which the progressive writers Lespezeanu and Alex. Sahia collaborated”.
- [92] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58: „I know that the newspaper „Porunca vremii” („The Commandment of the Time”) had a campaign against the newspaper „Credința” („Faith”) and the latter was burned in the public square”.
- [93] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 58.
- [94] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 135.
- [95] Tanase, Stelian (2009). Prințul Roșu [The Red Prince]. In *Sfera Politicii*, no. 135.
- [96] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 141.
- [97] Gala Galaction (the literary pseudonym of Grigore Pișculescu) was born on April 16, 1879, in Didești, Teleorman. He was a writer, an Orthodox priest, a professor of theology, a translator of the Bible into Romanian. Perian, Gheorghe (2005). *Despre Gala Galaction [About Gala Galaction]*. Cluj-Napoca: Ed. Limes, *passim*.
- [98] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 132.
- [99] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198.
- [100] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198.
- [101] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 250: „As it is undoubtedly established that the defendants Alexandru Teodorescu and Dumitru Posteuca did not commit the torture, violence during the investigation ordered against the non-commissioned officers Modest Alexandru, Cojocar and Pavel Ion because that they had a communist activity and that they wanted to discover their connections through these violence and torture, but the fact of violence and torture done by the accused Posteuca at the instigation of the other accused was in order to establish and discover the crime of attempted murder, committed against the accused Teodorescu, according to the considerations mentioned above in this decision, it cannot constitute a crime against humanity, provided by art. 3 let. c and art. 3 let. e of the law. 207/1948”.
- [102] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 249.
- [103] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 198.
- [104] A.C.N.S.A.S., Criminal fund, file no. 013495, vol. 1, f. 112 or Sandu TUDOR (1936). Masca ducelui [The mask of the duke]. In *Credința*, no. 501.