

Merchant Associations in Yüan China: The *Ortoy*

PREFACE

Aspects of the *ortoy* (wo-t'o 斡脫) institution as it functioned in Yüan China have been addressed by a number of Chinese, Japanese, and Western scholars, although no comprehensive work has yet been written.¹ The *ortoy* merchant companies of the thirteenth and fourteenth centuries were composed mainly of Muslims and Uighurs whose travels took them from China through Inner Asia to western Central Asia and Persia. Both overland caravan routes and maritime routes were involved. Receiving loans in the form of silver from the Mongolian government and members of the Mongolian elite, the *ortoy* merchants financed the trade caravans and engaged in moneylending at usurious rates. The reputation of these Muslim merchants in the Chinese sources of the Yüan period for apparently limitless profit-making and lawless behavior is one topic examined in this essay. Understanding the operation of these merchants within the Yüan state will allow greater insight into the fiscal and social policies of the ruling Mongols, and the social reality of foreign merchants in Yüan China.

Information on the *ortoy* merchants' activities within Yüan China must be culled from scattered sources: literary collections, legal compendia like the *Yüan tien-chang* 元典章, and *T'ung-chih l'iao-ko* 通制條格. Unfortunately, the Monograph on Officials ("Po-kuan chih" 百官志) of the *Yüan shih* 元史 (*Yüan Dynastic History*) does not devote any space to the government agencies that regulated the activities of the *ortoy* merchants: the Wo-t'o tsung-kuan-fu 斡脫總管府 and its successor, the Ch'üan-fu-ssu 泉府司. This type of omission in the *Yüan Dynastic History* is not unusual. There is, for example, no

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¹The most significant contributions to the literature on the *ortoy* include Weng Tu-chien 翁獨健, "Wo-t'o tsa-k'ao" 斡脫雜考, *YCHP* 29 (June 1941), pp. 201-18; Murakami Masatsugu 村上正二, "Genchō ni okeru senfushi to attatsu" 元朝に於ける泉府司と斡脫, *THGH* 13.1 (May 1942), pp. 143-96; and Otagi Matsuo 愛宕松男, "Attatsu sen to sono haikai" 斡脫錢とろの背景, *Tōyōshi kenkyū* 東洋史研究 (Tokyo) 32.1 (June 1973), pp. 1-27; 32.2 (Sept. 1973), pp. 23-61.

section per se on the Mongolian office of Daruyaci, even though this office was the single most important Mongolian institution in thirteenth- and fourteenth-century China.

Modern historians concerned with *ortoy* merchant activities ask questions that are different from those that engaged the attention of the court-employed compilers of the *Yüan Dynastic History*. One would like to judge, for example, how the Mongols viewed trade and what sort of impact the Mongols' commercial policies and the *ortoy* activities in particular had upon the Yüan economy. The traditional view, that the Mongols themselves did not directly engage in trade in thirteenth- and fourteenth-century Eurasia, but rather simply taxed commerce, has been adopted by Charles Halperin in his recent work.² Halperin, however, postulates (without any reference to the Mongols' investment of resources through *ortoy* merchants) that Mongolian commercial policies generally had positive effects on sedentary economies. In the case of the Russian economy, which is Halperin's primary focus, the initial Mongolian conquest proved devastating, but the Mongols of the Golden Horde followed a policy of protecting both merchants and trade routes, so that such cities as Novgorod and Moscow prospered. Hanseatic League merchants were even granted tax exemptions as they entered Russia through Novgorod and proceeded southwest, perhaps as far as Sarai on the lower Volga. As far as China is concerned, Yüan governmental controls over foreign commerce, developed mainly during Qubilai's reign, enriched the government treasury.³ At times members of the imperial family reaped great profits from money invested with the *ortoy* merchant-moneylenders. At other times Mongolian princes themselves incurred enormous debts to the *ortoy* merchants (discussed below, "The *Ortoy*: 1294-1368"). Clearly the Mongols' dealings with *ortoy* merchants in Yüan China stimulated trade far more actively than Halperin's portrayal would lead one to believe.

Another problem that the primary sources allow us to investigate in some depth is the extent of the *ortoy* merchants' actual power and privilege in Yüan China. The tighter governmental controls over the *ortoy* that date

² See Charles J. Halperin, "Russia in the Mongol Empire in Comparative Perspective," *HJAS* 43.1 (June 1983), pp. 239-61, esp. p. 243, and *Russia and the Golden Horde: The Mongol Impact on Medieval Russian History* (Bloomington: Indiana U.P., 1985), pp. 28, 80-81, and 148, n. 12. Halperin is apparently unaware of the existence of the *ortoy* institution in the Mongolian empire; I have not seen a reference to it in his work.

³ On the positive effects of Yüan governmental regulation of commercial activity, see Herbert Franz Schurmann, *Economic Structure of the Yuan Dynasty* (Cambridge, Mass.: Harvard U.P., 1956; rpt. 1967), pp. 222-23.

from Qubilai's reign (1260-1294) did indeed place limits on these merchants' operations.⁴ Why did contemporary observers like Wang Yün 王恂 aim negative comments at the *ortoy* merchants if in fact the Yüan government was refusing to grant them tax exemptions and other privileges, as the sources indicate? Can we refine the exceedingly negative and somewhat one-dimensional views of Muslim merchants in Yüan China that have dominated the modern scholarly literature?⁵

In the following section, "Etymology and Early (Pre-1260) History," I explain the linguistic background of the term "*ortoy*," as well as contemporary Chinese interpretations of it. This section is best read in tandem with Thomas Allsen's section "The Partners and Their Partnerships" in the preceding article, which looks at the social background. My subsequent sections are chronological, beginning with Qubilai's reign and ending with an epilogue on the use of the term *ortoy* in a Ming-dynasty source and some conclusions about the handling of *ortoy* merchants in traditional sources generally.

ETYMOLOGY AND EARLY (PRE-1260) HISTORY

In Chinese sources of the Yüan period, we find the expression *wo-t'o*, which represents the Mongolian pronunciation *orto*[y], from the Turkic word *ortaq*.⁶ The meaning of the Turkic *ortaq* is usually given as "partner," and the history of the Turkic word can be traced at least from the eleventh century into virtually all modern Turkic language groups and dialects, where it survives as *ortog* and *ortaq*.⁷ Similarly, the Persian word *urtāq* is also

⁴ H. F. Schurmann and Murakami Masatsugu have described the *ortoy* merchants' loss of privilege in this period. See Schurmann, *Economic Structure*, pp. 214-15, and Murakami, "Genchō ni okeru," pp. 152-58. See below, "The *Ortoy*: 1294-1368."

⁵ A rather typical view is represented by Sun K'o-k'uan's opening sentence in his article on *ortoy* funds: "People within the Mongolian empire, besides military calamity, also had to suffer economic exploitation at the hands of the *se-mu-jen* 色目人, especially Muslims from Western and Central Asia." See Sun K'o-k'uan 孫克寬, "Wo-t'o-ch'ien yü hsi-yü-jen ti tui-hua po-hsüeh" 斡脫錢與西域人的對華剝削, in Sun K'o-k'uan, *Meng-ku Han-chün yü Han wen-hua yen-chiu* 蒙古漢軍與漢文化研究 (Taipei: Wen-hsing shu-tien, 1958), pp. 173-81.

⁶ See Paul Pelliot, "Notes sur le 'Turkestan' de M. W. Barthold," *TP* 27 (1930), p. 33, and "Sao-houa, Sauya, Sauyat, Saguata," *TP* 32 (1936), pp. 231-32, n. 4. See also V. M. Nadeliaev et al., eds., *Drevneturkskii slovar'* (Leningrad: Nauka, 1969), p. 371. Nadeliaev gives as definitions of the Turkic *ortaq*: *drug*, *kompan'on*, i.e., "friend, companion." See also N. N. Poppe, *Mongol'skii slovar' Mukaddimat Al-Adab* (Moscow and Leningrad: Izdatel'stvo Akademii Nauk SSSR, 1938), part 2, p. 271.

⁷ See Gerald Clauson, *Dictionary of Pre-Thirteenth-Century Turkish* (Oxford: Oxford U.P., 1972), p. 205.

derived from the Turkic *ortaq*.⁸ (See Allsen's discussion of this etymology in the introduction to his essay, and the additional sources cited in his notes. The idea of "partnership," following Allsen's descriptions, is assumed in the context of the Yüan sources to refer also to the relationship between merchants and rulers.)

Specific definitions of *wo-t'o* exist in the Chinese sources. *Li-hsüeh chih-nan* 吏學指南 (*Guidance to Bureaucratic Standards*), a Yüan vocabulary the preface of which is dated 1301, says of *wo-t'o*: "the name for [the practice whereby] government funds used for trade were distributed as capital to earn interest."⁹ Another Yüan-period vocabulary, *Chih-yüan i-yü* 至元譯語, unfortunately does not list the term *wo-t'o*.¹⁰ *Hua-i i-yü* 華夷譯語, a work of the early Ming (1389), glosses the expression *pieh-chi-erh-ko-t'i wo-erh-t'o-wu-ti* 別積兒格楊斡兒脫兀的 as *shang-ku* 商賈, or "merchant." *Pieh-chi-erh-ko-t'i* represents the Turkic and Persian for the plural of **bedzirgen* - *bedzirget* (= *bedzirged*), meaning "merchant," while *wo-erh-t'o-wu-ti* is the plural of *ortoy* - *orto'ud*.¹¹ The contexts of the *Hua-i i-yü* document in which the terms *bedzirget* *orto'ud-iyen* occur are examined below in the epilogue.

Some earlier scholars incorrectly identified the term *wo-t'o* as a reference to Jews.¹² This error can be traced back to Hung Chün's 洪鈞 *Yüan-shih i-wen cheng-pu* 元史譯文證補, published in 1897. Although it was clearly demonstrated to be mistaken by Rudolf Löwenthal and Weng Tu-chien almost half a century ago, the reference continues to surface in modern scholarly literature.¹³

⁸ For a listing of references to the word *ärtäq* in Persian literature, see Gerhard Doerfer, *Türkische und mongolische Elemente im Neupersischen* (Wiesbaden: Franz Steiner, 1965) 2, pp. 25-27.

⁹ HsüYüan-jui 徐元瑞, *Li-hsüeh chih-nan* 吏學指南 (Taipei: Ta-hua yin-shu-kuan, 1969), p. 101. For a discussion of the editions of the *Li-hsüeh chih-nan*, see Paul Heng-chao Ch'en, *Chinese Legal Tradition under the Mongols: The Code of 1291 as Reconstructed* (Princeton: Princeton U.P., 1979), p. 60, n. 62; pp. 101-2.

¹⁰ Instead, it glosses *mai-mai-jen* 買賣人 (trader, merchant) as *huo-tan-tu-ch'ih* 或旦督赤 (Mongolian: *qodaiduci* ~ **qudalduci*, a *nomen actoris* in -*ci* of *qodaidu* (~ *qudaidu*), a noun meaning trade. See *Chih-yüan i-yü* 至元譯語 (Taipei: T'ai-lien kuo-feng, 1974), p. 18. For a thorough discussion of the noun *qudaidu* ("trade"), see Francis Woodman Cleaves, "The Lingji of Aruy of 1340," *HJAS* 25 (1964-1965), pp. 56-57, n. 34.

¹¹ See *Hua-i i-yü* 華夷譯語, in *Han-jen-lou pi-chi* 涵芬樓秘笈, *ts'e* 26-27, sect. 納門駙馬書, p. 4a. See also Marian Lewicki, *La langue mongole des transcriptions chinoises du XIV^e siècle: La Hou-yi yi-yu de 1389* (Wrocław, 1959) 2, *Vocabulaire-Index*, pp. 18, 67. Most important, see Nicholas Poppe's brief article, "The Turkic Loan Words in Middle Mongolian," *CAJ* 1 (1955), pp. 36-42, esp. p. 40.

¹² See Rudolf Löwenthal, "Jews in China," *The Chinese Social and Political Science Review* 24.2 (July-Sept. 1940), pp. 112-234, esp. pp. 157 and 214; and Weng, "Wo-t'o tsa-k'ao," pp. 202-4.

¹³ Huang Ch'ing-lien's M. A. thesis (1977) on Yüan household registers has an appendix listing categories of Yüan households, in which he cites Hung Chün's work as evidence for

One can find pre-1260 precedents for privileged merchant groups in China in the sources of Khitan Liao and Jurchen Chin history. It is not at all clear, however, whether such merchants were specifically entrusted with government funds to invest, as were the Yüan *ortoy* merchants. For instance, the *Liao Dynastic History* (*Liao shih* 遼史) refers to *yün-wei-hu* 云爲戶 (households involved in commerce) as both wealthy and able to avoid the corvée (from which they were apparently not exempt by formal regulation).¹⁴ The Liao government actually ordered these *yün-wei-hu* to turn back to the government all interest received when the amount of the interest exceeded the amount of the original loan. We also know from the *Liao shih* that Uighur merchants had a permanent settlement in Shang-ching 上京, the Liao Supreme Capital, but the Uighurs were a separate group from the *yün-wei* households, which were apparently Chinese.¹⁵

The *Liao shih*'s glossary of Khitan terms (the section "Kuo-yü chieh" 國語解) equates *yün-wei* with *ying-yün* 營運,¹⁶ which was a specially designated category of household in Liao times, composed of wealthy merchants but not necessarily favored by the Liao government. Not only were the excess interest earnings of these merchants to be confiscated by the government, but they were subject to the same taxation as commoners. Merchant households, like butchers, doctors, diviners, and slaves, were barred from taking examinations under the Liao.¹⁷

The term *ying-yün* reappears in Chin times in reference to wealthy

his description of *ortoy* households (*wo-t'o hu* 斡脫戶) as "households which loaned money and collected interest, most of whom consisted of Jews, though there were also a certain number of other Western and Central Asians." The thesis was published as a book; see Huang Ch'ing-lien 黃清蓮, *Yüan-tai hu-chi chih-tu yen-chiu* 元代戶計制度研究 (Taipei: Taiwan University, 1977), p. 202.

¹⁴ T'o-t'o 脫脫 (Toyto) et al., *Liao shih* 遼史 (Peking: Chung-hua shu-chü, 1974; hereafter *LS*) 59, p. 926. See also Karl A. Wittfogel and Feng Chia-sheng, *History of Chinese Society: Liao (907-1125)* (Philadelphia: American Philosophical Society, 1949; rpt. 1970), p. 190. The T'ang-dynasty category of *cho-li-ch'ien hu* 捉利錢戶 (wealthy merchant households) may also be seen as a precedent for the Yüan *ortoy*. Such merchants were allowed to manage government capital but did not form partnerships with the government. See Lien-sheng Yang, *Money and Credit in China: A Short History* (Cambridge, Mass.: Harvard U.P., 1952; rpt. 1971), pp. 95-96.

¹⁵ *LS* 37, p. 441; Wittfogel and Feng, *History of Chinese Society*, pp. 173, 179.

¹⁶ *LS* 116, p. 1547.

¹⁷ *LS* 27, p. 322; 59, p. 926; Wittfogel and Feng, *History of Chinese Society*, pp. 190, 194-95, 493, 496. I have understood *LS* 59, p. 926, differently from Wittfogel and Feng (p. 190), who wrote that each *yün-wei* family "was compelled to turn over all [the interest] to the government for equal distribution among the common people." The phrase *yü-min chün-ch'ai* 與民均差 seems rather to mean that "they were subject to the same taxation as commoners." Very similar phrasing occurs in Yüan-period sources. (See below, the translations from *T'ung-chih Piao-ko* 通制條格 [Peking: Kuo-li Pei-p'ing t'u-shu-kuan, 1930; hereafter cited as *TCTK*] 2, pp. 14a-15a, where the phrase *yü-min i-t'i tang-ch'ai* 與民一體當差 occurs.) I am indebted to Professor F. W. Mote for pointing out to me this similar terminology in Liao and Yüan sources.

families involved in commerce — *ying-yün fu-chia* 營運富家.¹⁸ Again, there is no evidence that these merchants formed associations along the lines of the Yüan *ortoy*, which were entrusted with government silver to invest and loan, but they should be acknowledged as possible institutional precedents for the *ortoy*.

The earliest mention of the *ortoy* in Mongolian Yüan history seems to occur in the *Hei-ta shih-lüeh* 黑鞑事略 (*A Brief Description of the Black Tatars*) of 1237. This report, written by two Southern Sung envoys who were sent to the Mongols during Ögödei's reign (1229–1241), testifies to the early practice whereby the Mongols entrusted Muslim merchants with silver in order to earn interest on it. While the term *wo-t'o* is not specifically used in the text, it is clear that the practice ascribed to Muslims (Hui-hui 回回), "whose craftiness is exceedingly awe-inspiring" in the words of one of the envoys (P'eng Ta-ya 彭大雅), is none other than that of the *ortoy* merchants.¹⁹ Ögödei is reported by Persian sources to have given enormous sums of cash to *ortoy* merchants and apparently to have reaped enormous profits therefrom. The drain of silver from the treasury into the hands of the *ortoy* merchants resulted in the imposition of ever more severe taxation schedules on the populace of north China.²⁰

Trade partnerships between those who provided the necessary capital (venture capital) and those who carried out risk-laden long-distance trade were well known in both the medieval Islamic world and medieval Europe. (See again Allsen's section "The Partners and Their Partnerships" for other aspects of *commenda* relationships.) *Commenda* contracts, found in Islamic law and in Europe, allowed investors to pool their capital and entrust it to a manager, who then traded with it and returned both the principal and a previously set share of profits to the investors. This is the type of business arrangement entered into by the Mongolian ruling house (the investors) and the *ortoy* merchants, although no commercial contract as such has come

¹⁸ T'o-t'o et al., *Chin shih* 金史 (Peking: Chung-hua, 1975) 46, p. 1039. Yang, *Money and Credit*, p. 97, writes that the Liao *yün-wei-hu* and the Chin *ying-yün-hu* were households that were entrusted with government funds: "Many of these households were apparently Uighur forerunners of the *ortoy* merchants." Neither the Liao and Chin governments' role as investor nor the ethnic backgrounds of these merchants can be positively ascertained, in my opinion.

¹⁹ P'eng Ta-ya and Hsü T'ing 徐霖, *Hei-ta shih-lüeh* 黑鞑事略, in Wang Kuo-wei 王國維, *Hei-ta shih-lüeh chien-cheng* 漢譯, in Wang Kuan-t'ang *hsien-sheng ch'üan-chi* 王觀堂先生全集 (Taipei: Wen-hua ch'u-pan kung-ssu, 1968), vol. 12, esp. pp. 5052–54.

²⁰ The Persian sources are quoted in Thomas Allsen's article in this issue, "Mongolian Princes and Their Merchant Partners, 1200–1260," in the section "The Apex of Merchant Influence: The Reigns of Ögödei and Güyüg."

down to us in the Chinese sources of the Yüan period.²¹ In a sense, the people of north China in the early Yüan period played the role of investors by bearing the brunt of exactions imposed by the Mongols, but they were excluded from any share of profits, which remained in the hands of the imperial family.

THE ORTOY IN QUBILAI'S REIGN (1260–1294)

The first record of the appointment of a Yüan government official or agency to supervise *ortoy* activities dates from January 9, 1253 (during Möngke's reign), when Po-lan Ho-la-sun 季蘭合刺孫 (Böral *Qarasun) was put in charge of the *ortoy*.²² The government's reasons for instituting controls over the *ortoy* are not stated, but it is easy to surmise that certain activities of the *ortoy* merchants were already unpopular, and some form of government supervision might allow the dynasty to exact taxes from the merchants.

While the initial regulatory impulse dates from Möngke's reign, the flood of regulations concerning the supervision of the *ortoy* occurred during Qubilai's reign. For instance, on January 13, 1268, the *Wo-t'o tsung-kuan-fu* 斡脫總管府, or General Administration for the Supervision of the *Ortoy*, was first established.²³ On September 5, 1272, the *Wo-t'o-so* 斡脫所, or Regional Offices for the Supervision of the *Ortoy*, were established.²⁴ Information on the number and location of such offices is scanty. We know, however, that a *Wo-t'o-chü* 斡脫局 had been established in Cho-chou 涿州, a Lower Subprefecture in the Metropolitan Province (*chung-shu-sheng* 中書省), at least as early as 1269.²⁵ It seems likely that *Wo-t'o-chü* was another name for the *Wo-t'o-so*.²⁶

²¹ On the *commenda*, see Abraham L. Udovitch, "Commercial Techniques in Early Medieval Islamic Trade," in D. S. Richards, ed., *Islam and the Trade of Asia: A Colloquium* (Philadelphia: U. of Pennsylvania P., 1970), pp. 37–62. Allsen, "Mongolian Princes," discusses in greater detail the question of whether the *ortoy* business arrangements can be equated with the *commenda*.

²² Sung Lien 宋濂 et al., *Yüan shih* 元史 (Peking: Chung-hua, 1976; hereafter cited as *YS*) 3, p. 46. This passage is also discussed in Weng, "Wo-t'o tsa-k'ao," pp. 208–9. On the Mongolian *böral* ~ *büräl* < *byural* ~ *byural* ("gray"), see Antoine Mostaert, *Dictionnaire Ordois* (Peking: Catholic U., 1941; rpt. New York: Johnson Reprint Corporation, 1968), pp. 97b, 99a. **Qarasun* is perhaps derived from *arasun* ("skin"). Po-lan Ho-la-sun is mentioned by Allsen, "Mongolian Princes," sect. "The Merchants Curtailed: The Reign of Möngke."

²³ *YS* 6, p. 117. ²⁴ *YS* 7, p. 142.

²⁵ *Ta-Yüan sheng-cheng kuo-ch'ao tien-chang* 大元聖政國朝典章 (Yüan edn.; rpt. Taipei: Kuoli ku-kung po-wu-yüan, 1976; hereafter *YTC*) 53, p. 27a. On Cho-chou, see *YS* 58, p. 1348.

²⁶ L. S. Yang assumes that these are two different names for the same institution. See Yang, *Money and Credit*, p. 97.

On November 30, 1280, the Wo-t'o tsung-kuan-fu was replaced by the Ch'üan-fu-ssu 泉府司, which one scholar has translated as "Supervising Money Bureau."²⁷ This bureau, according to the *Yüan shih*, "managed affairs pertaining to the expenditure and income of gold and silver of the emperor as well as the heir apparent, the empress, and the imperial princes."²⁸ In other words, it supervised the entrusting of imperial funds to *ortoy* merchants. In the opinion of one Yüan scholar-official, Yü Chi 虞集 (1272-1348), however, the Ch'üan-fu-ssu was also responsible for supervising merchants who were involved in spying. Yü Chi's epitaph dedicated to the Tangut Li-chih-li-wei 立只理威, who served as an official in the Ch'üan-fu-ssu, contains these observations:²⁹

His eminence (*kung* 公) was retained in office as Minister of the Supervising Money Bureau (*ch'üan-fu-ch'ing* 泉府卿).³⁰ As for the Ch'üan-fu, at the beginning of the dynasty it disbursed from and took into the [imperial] treasury valuables. The great merchants traded among the people [within China] as well as among overseas peoples. They made use of dynastic documents in order to travel without interruption far and wide. No one dared to impede them. For they used this as a pretext to penetrate remote and dangerous areas to spy. It was not really for profit. Therefore, at first the officials [of the Ch'üan-fu-ssu] were ordered not to look too thoroughly [into their accounts]. When it came to his eminence (Li-chih-li-wei), he rarely allowed this, instead examining

²⁷ See *ibid.* The term *ch'üan-fu* refers back to the Chou (1122?-256 B.C.) office of *ch'üan-fu*, or Treasurer for Market Taxes, whose duties included buying up with government funds certain market items and then reselling them at times of low supply. See *Chou li* 4, p. 69 (SPTK edn.; rpt. Taipei, 1967); and Charles O. Hucker, *A Dictionary of Official Titles in Imperial China* (Stanford: Stanford U.P., 1985), p. 198. It is also worth noting that according to *YS* 12, p. 255, the Wo-t'o tsung-kuan-fu was (re-)established on June 22, 1283. The Ch'üan-fu-ssu, however, continues to reappear in the *Yüan shih* from the 1280s onward, while the Wo-t'o tsung-kuan-fu is not mentioned.

²⁸ *YS* 11, p. 227.

²⁹ Yü Chi, *Tao-yüan lei kao* 道園類稿, early Ming edn. rpt. in *Yüan-jen wen-chi chen-pen ts'ung-k'an* 元人文集珍本叢刊 (Taipei: Hsin-wen-feng ch'u-pan, 1985), vol. 6, ch. 42, p. 30a. Li-chih-li-wei's (1254-1310) biography is in *YS* 120, pp. 2958-60. Wang Te-i 王德毅, comp., *Yüan-jen chuan-chi tsu-liao so-yin* 元人傳記資料索引 (Taipei: Hsin-wen-feng, 1982), vol. 4, p. 2447, has reconstructed Li-chih-li-wei's name as Ligirqui. Because the reconstruction of the Tangut language is still in an experimental stage, it seems prudent to leave Tangut names in their Chinese transliteration. I am indebted to Professor Yuan-chu Lam for pointing out to me this passage in the *Tao-yüan lei-kao*.

³⁰ The office of Ch'üan-fu-ch'ing 泉府卿 had the rank of 3a. For this and all other offices and ranks of the Ch'üan-fu-ssu, see *YTC* 7, pp. 2b-24b, 28a-b. See also Weng, "Wo-t'o tsa-k'ao," pp. 209-10. Li-chih-li-wei was appointed *ch'üan-fu-ch'ing* sometime before the year 1290, since in that year Yü Chi records his appointment as *hsing-pu shang-shu* 刑部尚書. The only mention of the office title of *ch'üan-fu-ch'ing* in Li-chih-li-wei's *YS* biography is a brief line: "He was temporarily appointed as *ch'üan-fu-ch'ing*." No date of appointment is given.

the most trifling as well as the largest disbursements and income. No one dared to hide [any amount from him].

This is the only reference in Yüan sources connecting the Ch'üan-fu-ssu with spying of which I am aware, yet the ancillary role of merchants as royal intelligence gatherers is well attested in world history. It is certainly possible that the *ortoy* merchants collected and reported information on foreign lands to the Yüan government.

The subsequent abolition and reinstatement of the Ch'üan-fu-ssu in the period from 1284 through 1286 were in part related to court politics in the capital, as we shall see. We know that on April 23, 1284, the Ch'üan-fu-ssu as an independent agency disappeared and was subsumed under the Ministry of Finance (Hu-pu 戶部).³¹ Yet, on September 19, 1285, it was once again reinstated with Ta-shih-man 答失蠻 (Dašman, 1247-1304) as its head. Dašman had written a memorial to reinstate the agency after it had come under attack by the Minister of the Right (*yu ch'eng-hsiang* 右丞相) Ho-li-huo-sun 和禮霍孫 (Qoryosun), who charged that it had caused suffering among the people with its merchants' requisitions for food and defense forces.³²

It is difficult to reconstruct the effect on *ortoy* policies of partisan politics and cliques operating behind the scenes in Yüan Ta-tu, but in the case of Dašman and Qoryosun circumstantial evidence points to the crucial role played by the Tibetan financial adviser Sang-ko 桑哥 (Sangha) in the events of 1284 and 1285. Dašman, a Mongol of the Kereyid clan, and Sangha served jointly (at an unspecified date) as Head Commissioners (*yüan-shih* 院使) of the Bureau of Buddhist and Tibetan Affairs (Hsüan-cheng-yang 宣政院).³³ In 1288 the Shih-chiao Tsung-chih-yüan 釋教總制院 was re-

³¹ *YS* 13, p. 265.

³² *YS* 13, p. 278.

³³ Biographical sources on Dašman include Yao Sui 姚燾, *Mu-an chi* 牧庵集 (SPTK edn.) 13 pp. 7a-11b; T'u Chi 屠寄, *Meng-wu-erh shih-chi* 蒙兀兒史記 (1934 edn.; hereafter *MWESC*) 50, pp. 7b-8b; K'o Shao-min 柯劭忞, *Hsin Yüan shih* 新元史 (Shanghai: K'ai-ming shu-tien, 1935; hereafter *HYS*) 133, p. 283. There is no biography of Dašman in the *Yüan shih*. Yang Chih-chiu 楊志玖 has convincingly shown that four Dašman who had previously been considered separate individuals were actually the same person. The Ch'ing scholar Wang Hui-tsu 汪輝祖, in his *San-shih t'ung-ming lu* 三史同名錄, had counted twelve separate Dašman in the *Yüan shih*, and the recent *Yüan shih jen-ming so-yin* 元史人名索引 (Peking: Chung-hua, 1982), p. 501, follows Wang Hui-tsu's count. Four of the twelve, as Yang Chih-chiu has demonstrated, were one person: the head of the Ch'üan-fu-ssu. See Yang Chih-chiu, "Yüan-tai ti chi-ko Ta-shih-man" 元代的幾個答失蠻, in his *Yüan shih san-lun* 元史三論 (Peking: Jen-min ch'u-pan-she, 1985), pp. 211-25. *YS* 19, p. 403, records Dašman in office as Commissioner of the Bureau of Buddhist and Tibetan Affairs (*hsüan-cheng-yüan-shih*) in April 1296. *MWESC* 50, p. 7b, records that Dašman and Sangha filled the head post of *yüan-shih* when the Shih-chiao tsung-chih-yüan was renamed the Hsüan-cheng-yüan (i.e., 1288). Petch places Sangha at the head of the Hsüan-cheng-yüan as early as 1275. Sangha died in 1291. Yang Chih-chiu believes that

named Hsüan-cheng-yüan, but L. Petech believes that Sang-ko was appointed Head Commissioner as early as 1275. Petech notes: "Sang-ko's work in the *tsung-chih yüan*, which in the seventies of the century performed above all financial duties, laid the basis for the dazzling second half of his career."³⁴ Apparently Dašman and Sangha were in agreement over fiscal policies, including those pertaining to the *ortoy* merchants. At least there is no indication that they diverged on policy matters.

Their opponent was Ho-li-huo-sun 和禮霍孫 (Qoryosun),³⁵ a high-ranking government minister who had clashed with the notorious court-appointed Muslim financier Aḥmad, and who later clashed with Sangha.³⁶ Qoryosun's origins are somewhat obscure, but he was most likely a Mongol. He served as Minister of the Right (*yu-ch'eng-hsiang* 右丞相) in the Central Secretariat (Chung-shu-sheng), in other words, in the most powerful civilian office in the Yüan bureaucracy, from the fourth moon of Chih-yüan 19 (May 9–June 6, 1282) through 1284. As such, he was involved in the undermining

the *YS* 19 date (1296) is incorrect, and I agree. Both T'u Chi's and Yang Chih-chiu's choice of the date 1288 is based on a line in Yao Sui's epitaph of Dašman indicating that he was appointed when the bureau was renamed. Yao Sui does not mention Sangha as Joint Commissioner in 1288, but the Hsüan-cheng-yüan was headed by two commissioners until 1329, when the number was increased to eleven. See Hucker, *Dictionary of Official Titles*, p. 250. This Dašman is also mentioned by the Persian historian Rashīd al-Dīn as "a person of authority: he is in charge of *yarlighs*, *paizas*, *ortays*, and incomings and outgoings." See John Andrew Boyle, trans., *The Successors of Genghis Khan* (New York: Columbia U.P., 1971), p. 297. See also pp. 279–80.

³⁴ L. Petech, "Sang-ko, a Tibetan Statesman in Yüan China," *AOASH* 34.1–3 (1980), pp. 193–208; quote on p. 197.

³⁵ Wang, *Yüan-jen chuan-chi tzu-liao so-yin*, vol. 4, p. 2542, transliterates Ho-li-huo-sun as "Qara Qas." This transliteration is in error. Ho-li-huo-sun is most certainly Qoryosun, a word meaning "sheep dung." The word *qoryosun* is attested in the *Secret History of the Mongols*, sect. 111. See Erich Haenisch, *Wörterbuch zu Manḡol un Niuca Tobo'ān (Yüan-chao Pi-shi): Die geheime Geschichte der Mongolen* (Leipzig: Otto Harrassowitz, 1939), p. 67. See also Mostaert, *Dictionnaire Ordas*, p. 372b, where *qoryosun* is registered.

³⁶ The *Yüan shih* editors included no biography of Ho-li-huo-sun, although numerous references to him are scattered through the dynastic history. There is a brief, rather uninformative, biography of him in Su T'ien-chüeh 蘇天爵, *Kuo-ch'ao wen-lei* 國朝文類 (SPTK edn., rpt. Taipei, 1967) 11, p. 114; and a longer biography in *HYS* 197, p. 391. It is important to differentiate Ho-li-huo-sun from Ha-la-ha-sun 哈剌哈孫 (Qalqasun, 1257–1308). Because Yao Sui's epitaph (*shen-tao pei-ming* 神道碑銘) in honor of Dašman gives the revised Ch'ien-lung orthography "Ha-la-ha-sun" 哈喇哈孫 as the name of the person who had memorialized to abolish the Ch'üan-fu-ssu, the *MWESC* and *HSY* biographies of Dašman, both sources using Yao Sui as their main, if not sole, source, assume that the memorializer is Qalqasun, who was a Head Judge in the Grand Court of the Imperial Clan (Ta-Tsung-cheng-fu 大宗政府). The *MWESC* explicitly states that the memorializer was a Head Judge. See *MWESC* 50, p. 7b. None of the many biographical sources on Ha-la-ha-sun (Qalqasun) mentions any memorial calling for the abolition of the Ch'üan-fu-ssu. See, for instance, *YS* 136, pp. 3291–95; Su T'ien-chüeh, *Kuo-ch'ao wen-lei* 12, pp. 121–22; *MWESC* 116, pp. 12–52; and *HYS* 198, p. 392. It should also be noted that Wang, *Yüan-jen chuan-chi tzu-liao so-yin*, vol. 4, p. 2542, gives the incorrect transliteration "Qara Qas" for this Ha-la-ha-sun. Ha-la-ha-sun is the Mongolian *qalqasun*, "willow switches," a word attested in *Secret History*, sect. 103. See Haenisch, *Wörterbuch*, p. 38.

of Aḥmad's clique, although the *Yüan shih* records that Qoryosun argued in favor of leniency toward 511 of the 714 officials in Aḥmad's clique who stood accused of malfeasance.³⁷ Nonetheless, Qoryosun was awarded the house in which Aḥmad had lived.³⁸ The *Hsin Yüan-shih* suggests that Qoryosun was instrumental in clearing out all of Aḥmad's appointees.³⁹ Qoryosun did favor restoring government in accordance with the policies of Qubilai's early Chinese advisers Liu Ping-chung 劉秉忠 (1216–1274) and Hsü Heng 許衡 (1209–1281).

Qoryosun was also a somewhat frugal-minded agency slasher, petitioning the court to abolish the Ssu-t'u-fu 農政院 and the Nung-cheng-yüan 司徒府 in July 1282.⁴⁰ Thus it is not surprising to find him presenting a memorial in favor of abolishing the Ch'üan-fu-ssu in 1284.

The particular piece of evidence that points to strong personal and policy-based hostility between Qoryosun and Sangha (who succeeded Aḥmad as the court's primary fiscal adviser) is an anecdote dating from the pre-1285 period (most likely 1282–1284), and recorded in Sangha's *Yüan shih* biography, which states that the Central Secretariat once ordered an agent to trade in oil (perhaps lamp oil).⁴¹ Sangha offered to carry out the oil deal himself, but Qoryosun said that "this is not something which it is appropriate for you to do." Sangha would not back down "to the point where they were about to exchange blows." Sangha said to Qoryosun: "It is better to give [the funds] to monasteries and government offices to earn interest than to allow Han-jen 漢人 to make illegal profits [by acting as middlemen]." Sangha, after dealing in 10,000 catties (*chin* 斤) of oil, later on presented his profits to the court. Qoryosun's reaction was to state: "Earlier, I could not comprehend this."

If Sangha had been interested in finding a precedent for direct government intervention in the buying and selling of market commodities, he might have turned to the *Chou li* 周禮, wherein the Ch'üan-fu 泉府 (after which the Yüan agency was named) is described as buying up overstocked market items and reselling them on credit when they were scarce and in demand.⁴² It seems that the Ch'üan-fu, according to the brief description in the *Chou li*, was operated neither for charitable nor for profit-making purposes (unlike the Yüan Ch'üan-fu-ssu, whose purpose was to enrich the government treasury). But Sangha did not allude to the *Chou li*, thereby sparing us a scene in which a Uighurized Tibetan arguing with a Sinicized Mongol might have cited one of the Thirteen Classics in defense of his fiscal policies!

³⁷ *YS* 12, p. 243. ³⁸ *YS* 12, p. 244. ³⁹ *HYS* 197, p. 391. ⁴⁰ *YS* 12, p. 244.

⁴¹ *YS* 205, p. 4571. ⁴² *Chou li* 3, p. 42; 4, pp. 66, 68, 69.

Early in 1285 Qoryosun was dismissed from his office as Minister of the Right and replaced by another Mongol, An-t'ung 安童, a descendant of Muqali of the Jalayir clan.⁴³ An-t'ung, like Qoryosun, opposed Sangha and his policies to no avail. After Qoryosun's dismissal, real financial power was in the hands of Lu Shih-yung 盧世榮, who restored Ahmad's fiscal policies and returned to office several of Ahmad's supporters. It was against this background of politics and personalities that the Ch'üan-fu-ssu was restored in 1285.

Ortoy policies clearly had become ensnared in personal animosities and ideological differences. Qoryosun had served as senior member of the Han-lin Academy, was in favor of reinstating state examinations,⁴⁴ and allied himself with Hsü Heng and Liu Ping-chung, often invoking their names and policies in his requests to the court. In 1283, for example, Qoryosun advised the court: "Moreover, in Ahmad's period of tyranny, government offices had too many supernumeraries, and unnecessary expenditures were made on official salaries; it would be beneficial to follow [the practices] instituted by Liu Ping-chung and Hsü Heng. The savings will be advantageous."⁴⁵ In this instance, the court followed his advice. A month after Qoryosun requested the reinstatement of examinations, however, he was dismissed (January 4, 1285). In contrast, Sangha was interested only in enriching the government's coffers.

Dašman, the Kereyid Mongol who headed the Ch'üan-fu-ssu in 1285, though from a Nestorian Christian family, nonetheless protected Muslims at Qubilai's court from attempts by other Christians to undermine them. Rashid al-Din tells a story of Dašman's interceding with Qubilai to prevent a *dānīshmand* (a Muslim divine) from being put to death.⁴⁶ As Yang Chih-chiu 楊志玖 aptly suggests, Dašman's administration of the Ch'üan-fu-ssu put him in close contact with Muslim merchants, and he undoubtedly developed lucrative connections.⁴⁷

It is unfortunate that the memorials pertaining to the abolition and reestablishment of the Ch'üan-fu-ssu are no longer extant, as they would undoubtedly shed direct light on these issues. It is clear, though, that Qubilai's court, like the courts of his predecessors, spent an inordinate amount of energy feuding over *ortoy* matters. This fact in itself tells us a great deal about the extent to which merchant interests influenced imperial policy.

⁴³ For a complete listing of biographical sources on An-t'ung, see Igor de Rachewitz, "Muqali, Bōl, Tas and An-t'ung," *Papers on Far Eastern History* 15 (March 1977), p. 62.

⁴⁴ *YS* 13, p. 269. ⁴⁵ *YS* 12, pp. 249-50. ⁴⁶ Boyle, *Successors*, p. 295.

⁴⁷ Yang, "Yüan-tai ti chi-ko Ta-shih-man," p. 217.

On August 25, 1286, the reinstated Ch'üan-fu-ssu was given jurisdiction over the Maritime Trade Bureaus (Shih-po-ssu 市舶司), which had been established in the major ports of Ch'üan-chou 泉州, Ch'ing-yüan 慶元 (Ningpo), Shanghai, and Kan-fu 漕浦. This was a step that in H. F. Schurmann's opinion "indicated the leading role which the *ortoy* mercantile interests were beginning to play in maritime commerce after the occupation of South China."⁴⁸ Control over the Maritime Trade Bureaus allowed the Ch'üan-fu-ssu access to enormous resources. According to an early Ch'ing local gazetteer of Ch'üan-chou, Maritime Trade Bureaus were established in both Hang-chou 杭州 and Ch'üan-chou in 1284. (Schurmann dates the establishment of a Bureau in Ch'üan-chou to 1277-1278.)⁴⁹ The gazetteer states: "Only Ch'üan-chou, in addition to the percentage levy (*ch'ou-fen* 抽分),⁵⁰ moreover collected one-third [of assessed cargo value] as tax. In all cases, as for gold, silver, copper, iron, and boys and girls (that is, slaves), it was forbidden private merchants to go to foreign lands [to trade them]."⁵¹ A virtual monopoly over the most valuable items of maritime trade by state merchants, that is, *ortoy* merchants, went hand-in-hand with the state's lucrative taxation of that trade.

A regional branch of the Ch'üan-fu-ssu called a Hsing-ch'üan-fu-ssu is mentioned first in 1288 and again in reference to Ch'üan-chou and Hang-chou and the tightening of control over maritime commerce.⁵² Ch'üan-chou (present-day Chin-chiang 晉江 in Fukien province) was in Yüan times China's greatest port and the capital of the Fu-chien Regional Secretariat (Fu-chien Hsing-chung-shu-sheng 福建行中書省); it was the primary residence of most *ortoy* households involved in maritime commerce. The Muslims in Ch'üan-chou formed their own community within the city, living by their own religious and social precepts. In the eyes of a contemporary Confucian moralist, Ch'üan-chou's international character had adversely affected local customs.⁵³

Ch'üan [-chou] is the capital city of all of Fukien. It is a depot for foreign goods, items from afar, extraordinary valuables, and exotic trinkets. It is the residence where wealthy merchants and great traders from foreign

⁴⁸ *YS* 14, p. 292; Schurmann, *Economic Structure*, p. 224.

⁴⁹ See *Ch'üan-chou fu-chih* 泉州府誌, ed. Huang Jen 黃任 (1683-1759) (1870 edn.; facsim. rpt. T'ai-nan, 1964) 21, p. 91a; and Schurmann, *Economic Structure*, p. 223.

⁵⁰ On the term *ch'ou-fen*, see Schurmann, *Economic Structure*, p. 231.

⁵¹ *Ch'üan-chou fu-chih* 21, p. 91a.

⁵² *YS* 15, pp. 311, 320. The number and exact location of other Hsing-ch'üan-fu-ssu are not specified in the *Yüan shih*.

⁵³ See Wu Ch'eng 吳澄 (1249-1333), *Wu Wen-cheng chi* 吳文正集 (1484 edn.; rpt. *Yüan-jen wen-chi chen-pen ts'ung-k'an*), vol. 3, ch. 16, pp. 106-112.

lands and other regions live. They call it the empire's metropolis. Its people are often ingenious and profit-oriented. Those who are familiar with morality are indeed few. And in recent years it is even worse. It was not always so.

If the ties between *ortoy* merchants in Ch'üan-chou and members of the bureaucracy in Ta-tu, the capital, could be traced, they might reveal the political and financial reasons behind the continual changes in the *ortoy*-administering agencies. The early Ch'ing *Ch'üan-chou fu-chih* 泉州府誌 gives us no help on this matter, not even mentioning (to my knowledge) the term *ortoy*. These changes continued at least until 1311, when the Ch'üan-fu-ssu was abolished, apparently forever.⁵⁴ The abolition of the agency did not signal the end of the practice of entrusting imperial government funds to *ortoy* merchants. Even without a central supervising clearinghouse for such funds, the partnership between members of the imperial family in Ta-tu and the *ortoy* merchants continued (as discussed below, "The Ortoy: 1294-1368"). In fact, after the Ch'üan-fu-ssu was abolished in 1311, the *ortoy* merchants were comparatively free of restrictions and controls. Qubilai's reign therefore represented the height of government control over the *ortoy*.

POST-1260 TAXATION OF ORTOY MERCHANTS: EVIDENCE OF CURTAILMENT OF PRIVILEGES

This reference to *ortoy* merchants occurs in the section on the commercial tax (*shang-shui* 商稅) in the Monograph on Economics of the *Yüan* *Dynastic History*.⁵⁵

In the fourth year of the Chung-t'ung 中統 [reign period] of [the reign of] Shih-tsu 世祖 [Qubilai; February 10, 1263, to January 30, 1264], the proposals of A-ho-ma 阿合馬 (Aḥma[d]), Wang Kuang-tsu 王光祖, and others were adopted, [namely], that in all cases powerful and influential people in the capital who engage in trade as well as people who use government silver to engage in commerce should both go to the [commercial tax] bureau and pay the tax.

"People who use government silver to engage in commerce" is certainly a reference to *ortoy* merchants who received government loans in silver, as H. F. Schurmann has pointed out.⁵⁶ This would fit with his own conjecture

⁵⁴ *YS* 24, p. 543.

⁵⁵ *YS* 94, p. 2397. I have somewhat modified H. F. Schurmann's translation of this section. See Schurmann, *Economic Structure*, p. 217.

⁵⁶ Schurmann, *Economic Structure*, p. 220, n. 4.

that as the power of the Yüan central government grew during Qubilai's reign, "the *ortoy* merchants began to lose their privileged status, particularly in the matter of tax exemption."⁵⁷ I concur in this opinion.

What Schurmann did not mention is that the *ortoy* merchants were confronted with *two* categories of taxation: the commercial and the household taxes. In a set of documents dating from 1271 and preserved in both the *Tung-chih t'iao-ko* and the *Yüan tien-chang*, we find evidence that *ortoy* merchants received no special exemption from the household taxes that Yüan commoners were obliged to pay. The second *chüan* of *Tung-chih t'iao-ko*, a section concerned with household regulations, has a reference to *ortoy* households:⁵⁸

Concerning the sundry *ortoy* households (*wo-t'o hu* 斡脫戶) [according to] the imperial decree(s) (*sheng-chih* 聖旨) and the decree(s) (*ling-chih* 令旨) of the imperial princes that have been sent, [it is stated]: "People engaged in trade in all places, [in accordance with] the respectfully received imperial decree of the late emperor (Möngke), must undertake to pay the household taxes (*tang-ch'ai* 當差)⁵⁹ in their temporary places of residence together with the civilian population."

The same set of documents dating from 1271 contains this item:⁶⁰

As for Muslim (Hui-hui 回回) and Uighur (Wei-wu-erh 畏吾兒) households, [according to] the respectfully received imperial decree(s) of the late emperor (Möngke), [it is stated]: "No matter what sort of civilian household they belong to, people who have gone to [other] localities should pay household taxes (*ch'ai-fa*) only within that territory in which they reside and together with the civilian households of that same locale. . . . If among the Muslim households there are ones that have recently registered among the number of military households, exempt them at the solstices."

In other words, only by virtue of being registered as military households could Muslim and Uighur households be granted exemption from the

⁵⁷ *Ibid.*, pp. 214-15.

⁵⁸ *TCTK* 2, p. 14a. This item from the lengthy memorial of the Shang-shu-sheng 尚書省 is quoted in the text of an imperial decree (*sheng-chih*) of April 11-May 10, 1271. This document as well as the others cited from the *TCTK* can be found in *YTC* 17, pp. 6a-b, with a few minor differences.

⁵⁹ Ch'i-ch'ing Hsiao, *The Military Establishment of the Yuan Dynasty* (Cambridge, Mass.: Harvard U.P., 1978), p. 191, n. 229, also interprets *tang-ch'ai* as it appears in a *YS* passage as an abbreviated form of the phrase *tang ch'ai-fa* 當差發, i.e., to undertake the *ch'ai-fa* (household taxes).

⁶⁰ *TCTK* 2, p. 14b.

household tax. *Ortoy* households, as civilian, not military, were thus obliged to bear the burden of taxation.

There is, moreover, a direct reference to *ortoy* households a bit further on in the same set of documents:⁶¹

If Muslim clergy (*Ta-shih-man* 答失蠻; Mongolian: *Dasman*)⁶² and dervish (*tieh-li-wei-shih* 迭里威失)⁶³ households reside within Muslim mosques (Hui-hui *ssu* 回回寺), and moreover are without livelihoods, it is appropriate to exempt them. In addition, as for households entrusted with government funds as their livelihood (*yu ying-yün shih-ch'an hu-shu* 有營運事產戶數; that is, *ortoy* merchants),⁶⁴ in accordance with the regulations governing Muslim households, collect the household taxes [from them].

Yet, in spite of this evidence of *ortoy* households' liability for civilian taxes, we find a complaint lodged against them by a Yüan scholar-official, Wang Yün (1227-1304). Under the topic heading "Concerning the circumstances whereby Muslim households in the capital do not pay taxes," Wang Yün sets forth this observation:⁶⁵

I have humbly observed that those Chung-tu 中都⁶⁶ [officials] who are personally in charge of overseeing civilian households (*ch'in-kuan min-hu* 親管民戶) each year supply the "harmonious purchase" (*ho-mai* 和買),⁶⁷ corvée obligations (*fu-i* 夫役), and a host of other items [that are] truly more numerous and burdensome than in other routes (*lu* 路). At present I have investigated and found that this route's (that is, Chung-tu's) Muslim civilian households from the 1252 original register together with the 1263 supplementary record add up to 2,953 house-

holds. Among them, many are wealthy merchants and influential, monopolistic families. Their "entrusted funds" (*ying-yün* 營運)⁶⁸ with which they do business are multifarious. They snatch away from people the interest [from loans made by the merchants]. Moreover, they pay not one iota of tax or corvée (*ch'ai-i* 差役).⁶⁹

Whereas [according to] an excerpt from the respectfully received decree of the late emperor (Möngke): "Let the *ortoy* (*wo-l'o*), the Uighurs who are engaged in trade (*tso mai-mai* Wei-wu-erh 做買賣畏吾兒), [and] the Muslims (*Mu-su-erh-man* Hui-hui 木束兒蠻回回)⁷⁰ all go to [the offices of] the Chiliarchs (*ch'ien-hu* 千戶) and the Centurions (*po-hu* 百戶) in their home places of residence. If it is reported that they have lands and properties and if they do not go [to the offices of the Chiliarchs and Centurions to report their holdings], in accordance with the regulations of the previous imperial decree(s), let them pay the household tax (*ch'ai-fa*) in their temporary places of residence whether great or small. Let [those in charge of] the official courier horses (*p'u-ma* 鋪馬) and the provisioning (*chih-ying* 祗應) [in the postal system] together with the civilian households pay [the household tax]."⁷¹

Wang Yün presents evidence that *ortoy* merchants flouted Yüan regulations concerning tax and corvée obligations. But in fact, any image of these merchants as free-wheeling operators has been tempered by Thomas Allsen's discussion: even before 1260, under Möngke, they were increasingly subject to state control. After 1260, the financial wizards at Qubilai's court would not allow the *ortoy* merchants to profit at the expense of the state treasury. In other words, they were supposed to be taxed as households regardless of the favors they performed for the Mongolian imperial family, their primary investors.

During Qubilai's reign *ortoy* merchants were tightly regulated for specific reasons. With the conquest of the Southern Sung empire, the Mongols were able to rely on a far broader tax base for revenues, since Southern Sung

⁶¹ TCTK 2, pp. 14b-15a.

⁶² On the Mongolian word *dasman*, derived from the Persian *dānīshmand*, meaning "wise" or "learned," see Schurmann, *Economic Structure*, pp. 83-84, n. 20, and Hsiao, *Military Establishment*, pp. 78 and 188, n. 194.

⁶³ On the term *tieh-li-wei-shih*, see Francis Woodman Cleaves, "The Sino-Mongolian Inscription of 1362 in Memory of Prince Hindu," *HJAS* 12 (1949), p. 121, n. 174.

⁶⁴ On the term *ying-yün* 營運, see Yang, *Money and Credit*, pp. 97, 101, 103.

⁶⁵ Wang Yün 王惲, *Ch'iu-chien hsien-sheng ta-ch'üan-chi* 秋澗先生大全集 (SPTK edn., 1929) 88, pp. 5b-6a. On Wang Yün himself, see Herbert Franke, "Wang Yün (1227-1304): A Transmitter of Chinese Values," in Hok-lam Chan and Wm. Theodore de Bary, eds., *Yüan Thought: Chinese Thought and Religion under the Mongols* (New York: Columbia U.P., 1982), pp. 153-96.

⁶⁶ According to *YS* 58, p. 1347, the Yüan capital was called Chung-tu 中都 from 1264 to 1272, when its name was changed to Ta-tu 大都.

⁶⁷ On the institution of *ho-mai*, one of the main corvée obligations, see Paul Ratchnevsky, *Un code des Yuan* (Paris: Librairie Ernest Leroux, 1937) 1, p. 229, n. 2.

⁶⁸ On the term *ying-yün*, see above, n. 64.

⁶⁹ On the meaning of *ch'ai* in Yüan-period taxation terminology, see H. F. Schurmann, "Mongolian Tributary Practices of the Thirteenth Century," *HJAS* 19 (1956), pp. 319-20. I do not think that Wang Yün is referring exclusively to corvée obligations here, although strictly speaking, *ch'ai-i* would not include taxes.

⁷⁰ "Mu-su-erh-man" and "Hui-hui" are synonyms; both mean "Muslims."

⁷¹ At this point, Wang Yün's quoted imperial decree is similar, but not identical, in wording to the text of the 1271 imperial decree in TCTK 2, p. 14b. On the term *chih-ying*, see Peter Olbricht, *Das Postwesen in China unter der Mongolenherrschaft im 13. und 14. Jahrhundert* (Wiesbaden: Otto Harrassowitz, 1954), p. 73; and Ratchnevsky, *Un code des Yuan* 1, p. 130, on the *Chih-ying-ssu* 祗應司 and its functions.

agriculture was left relatively unscathed by the conquest. Thus from the late 1270s on this new source of revenue allowed the Yüan government to rein in the *ortoy* merchants.

Qubilai's attitudes toward merchants at the Ta-tu court also stemmed from deep fiscal concerns. A brief anecdote dating from the penultimate year of his reign (March 19, 1293) shows that Qubilai was adamantly opposed to emptying the court's coffers to pay for "gifts" — usually, but not always, pearls — offered by Muslim merchants, who expected generous payment in return.⁷²

On the *ting-yu* day [March 19, 1293], the Muslims (Hui-hui) Po-k'o 李可 (Mongolian: Böke)⁷³ and Ma-ho-mou Sha 馬合謀沙 (Maqmu[d] Sha [h]) and others presented to the court a large pearl, the asking price for which was several tens of thousands of *ting* 錠 in paper money. The Emperor (Qubilai) said: "What!? For a pearl? Let us retain this money to aid the poor."

The *Yüan shih* does not specify whether these merchants belonged to the *ortoy*, though it seems likely that they did. In fact, if Böke is shown through further study to have been a member of the *ortoy*, it will be the first evidence of a Mongolian *ortoy* merchant.

The 1293 anecdote was not an isolated instance. In 1291 Qubilai had issued an imperial decree (*chao* 詔) stating:⁷⁴ "As for Muslims (Hui-hui) who offer pearls to present to court and seek a price, return them [the pearls], and keep their estimated value in order to aid the poor." The *Yüan shih* reports another such episode in 1292:⁷⁵ "The Muslim (Hui-hui-jen) Hu-pu-mu-ssu 忽不木思 offered for sale a large pearl. The Emperor [Qubilai], regarding it as being of no use, declined it."

Morris Rossabi cited the 1293 anecdote in at least two of his works to illustrate "Khubilai's less than welcoming attitude toward some Muslim traders."⁷⁶ In fact, this anecdote and the other two instances cited above are not illustrative of any personal ill feelings of Qubilai toward Muslims or merchants. Rather, on all three occasions Qubilai was refusing to permit a

⁷² *YS* 17, p. 371.

⁷³ This is indeed a peculiar name for a Muslim. Po-k'o is not side-scored in the Peking, Chung-hua shu-chü, 1976 edition, implying that the editors did not view this as a proper or personal name. Yet, to what else can Po-k'o (Mongolian: böke or "wrestler") refer? Until contrary evidence is presented, we may tentatively view this person as a Mongolian Muslim merchant.

⁷⁴ *YS* 16, p. 352. ⁷⁵ *YS* 17, p. 364.

⁷⁶ See Morris Rossabi, *Khubilai Khan: His Life and Times* (Berkeley: U. of California P., 1988), p. 201, and "The Muslims in the Early Yüan Dynasty," in John D. Langlois, Jr., ed., *China under Mongol Rule* (Princeton: Princeton U.P., 1981), p. 294.

practice that Yüan sources refer to variously as *chung-mai pao-huo chih chih* 中買賣貨之制, or simply as *chung-mai pao-wu* 中賣寶物, the practice (or institution) whereby merchant-middlemen (*ortoy*) sold precious items to the court under the guise of simply presenting gifts. In post-Qubilai Yüan China this practice constituted a severe drain on the court's finances, and attempts were made to forbid government purchase of luxury items from merchants, as we see below in the section "The *Ortoy*: 1294–1368."

In spite of Qubilai's curtailment of *ortoy* merchants' activities at court, the merchants transacted business throughout China as a privileged and protected group. An imperial decree of August 26, 1264, orders protection of *ortoy* merchants (*wo-t'o shang-ku*) and others when they are lodging at country inns. The text in part reads:

Recently, as for travelers, *ortoy* merchants (*wo-t'o shang-ku*), as well as people engaged in transporting goods, it has been necessary to establish at the village inns defense patrols (*hsün-fang kung-shou* 巡防弓手). Among those places where they stop for lodgings, if a robbery should occur, command the defense patrols of those areas to establish a deadline for apprehending [the robbers].⁷⁷

Consideration of the composition of these defense patrols shows, however, that *ortoy* households were liable for service in patrols established for the benefit of merchants. The 1264 imperial decree's regulations stipulate that military, postal, artisan, hunting, falconing, and *ortoy* households all were subject to service in local defense patrols within their home routes (*lu*).⁷⁸ One "middle household" (*chung-hu* 中戶) from every 100 households would be exempted from the payment of the household tax in order to serve in a defense patrol; and the other ninety-nine equally distributed the one household's tax obligations among themselves. Towns at least fifty to seventy *li* 里 apart that had village inns and at least twenty households were required to establish defense patrols, which were permitted to use weapons.

The burdens of patrol service are shown by the penalties imposed for failure. If the defense patrol failed to catch armed robbers (*ch'iang-tao* 強盜) within a one-month deadline, they were to be beaten seventeen strokes; failure to catch thieves (*ch'ieh-tao* 竊盜) in one month resulted in a beating of seven strokes. Failure to meet a two-month deadline would result in beatings

⁷⁷ *YTC* 51, p. 2a.

⁷⁸ *YTC* 51, p. 1b. This part of the imperial decree can also be found in *YS* 101, p. 2595, under the topic heading "*kung-shou*" 弓手, "archers" or "police." On the *kung-shou*, see Ch'en, *Chinese Legal Tradition*, pp. 71–72.

of twenty-seven and seventeen strokes in cases involving armed robbers and thieves, respectively. Failure to apprehend robbers and thieves within the three-month deadline resulted in thirty-seven and twenty-seven strokes. Such penalties could conceivably result in severe injury or death. The significant point here is that *ortoy* households were not exempt from this type of state service.

It is important to determine whether the *ortoy* merchants were privileged to bear weapons just by virtue of their status as *ortoy* merchants. An imperial decree of 1263 allowed certain groups to bear arms (bows and arrows): Mongols (Ta-ta 達達), Uighurs (Wei-wu-erh), Muslims (Hui-hui), *ortoy* merchants (*wo-t'o*), *ta-lu-hua-ch'ih* (*daruyaci*), and others, including officially designated hunting households and police.⁷⁹ An imperial decree of 1279 refers to the earlier one and cites a complaint that civilian and peasant households prohibited from carrying weapons were nonetheless using bows and arrows to shoot rabbits and wild birds, and were even rumored to have become bandits. The decree then stated that Chinese (Han-erh-jen 漢兒人) who carried weapons were to be severely punished.

Thirty years later, however, toward the end of Qubilai's reign, the *ortoy* merchants were restricted in their use of weapons. Government regulations on maritime commerce, issued September 26, 1293, allowed merchants to arm themselves while traveling at sea, but required them to hand in all weapons upon return to port. The day that they left port, their weapons would be returned to them.⁸⁰

In a fascinating imperial decree, datable only to roughly the late 1200s,⁸¹ both merchants who traded abroad and *ortoy* merchants were ordered to eliminate horses, bows and arrows, the bamboo from which arrows were made, and other military weapons from their private overseas trading. This document, like others in the *Yüan tien-chang*, differentiates regular merchants from *ortoy* merchants. In other words, not all merchants engaged in overseas trade were *ortoy* merchants. The merchants were accused of illegally exporting the weapons in exchange for elephants. According to the decree, the merchants lied to the Indian (Hsin-tu 忻都) authorities, saying that they would present the elephants to their superiors back in China. The same decree also forbids trading private goods under false pretenses; thus, in effect, the *ortoy* merchants were violating several prohibi-

tions. The document does not say where the elephants ended up in China.⁸²

That the Yüan sources contain several regulations regarding maritime trade and none on overland caravan trade has relevance for the study of the *ortoy* merchants. If the volume of trade had indeed shifted from caravan routes to maritime routes, the cause probably lay in the ongoing rebellion of Qaidu, a grandson of Ögödei, who rebelled against Qubilai and his successor, Temür. The fighting, which engulfed much of the territories in the Čayadai realm for over thirty years (1269-1301), must have made overland routes unsafe for merchants. Nowhere do the sources explicitly state that they were preferable to overland routes, but it is clear that the need to establish regulations and rectify abuses pertained to the coastal ports and not to China's western regions.

John Dardess has linked the dearth of references to Central Asia in the *Yüan shih* after 1288 to a gradual withdrawal of the Yüan military and governmental presence.⁸³ Without government protection of travel routes, the *ortoy* merchants would have been well advised to avoid areas plagued by disorder. Historical precedent reinforces this point. The development of maritime trade in and around the port city of Ch'üan-chou in T'ang times was spurred on by the effects of the An Lu-shan rebellion (755-763), which rendered overland trade routes to the west unsafe.⁸⁴

The multitude of regulations governing maritime trade does not necessarily imply that overland trade in Yüan times was negligible. With the fall of the Southern Sung in 1279, the Yüan government was saddled with the problems of controlling and incorporating the Sung maritime trade ports into the newly evolving administrative structure. Thus the numerous maritime trade regulations probably reflect both administrative problems and an actual shift of trade away from the unsettled steppe to the port cities.

Returning to the question of *ortoy* merchants' status in Yüan China, it is clear that in the eyes of contemporary Chinese observers the *ortoy* mer-

⁷⁹ On the question of elephants in Yüan China, Hsiung Meng-hsiang 熊夢祥, a late Yüan official who held the office of Ta-tu Route Supervisor of Confucian Schools (Ta-tu lu ju-hsüeh t'i-chü 大都路儒學提舉), recorded the existence of an "elephant house" near the capital and the presentation of an elephant at court in 1357. In 1360 the "elephant house" was destroyed. See Hsiung Meng-hsiang, *Hsi-chün chih chi-i* 忻津志輯佚 (Peking: Pei-ching ku-chi ch'u-pan-she, 1983), p. 232.

⁸⁰ On Qaidu's rebellion, see John W. Dardess, "From Mongol Empire to Yüan Dynasty: Changing Forms of Imperial Rule in Mongolia and Central Asia," *MS* 30 (1972-1973), pp. 117-65; see p. 142 on the Yüan withdrawal from Central Asia.

⁸¹ On T'ang-period Ch'üan-chou, see the foreword to *Islamic Inscriptions in Quanzhou (Zaitun)* (in Chinese and English), compiled by Ch'en Ta-sheng 陳達生 (jointly published by the Ningxia and Fukien People's Publishing Houses, 1984), p. xiii.

⁷⁹ *YTC* 35, pp. 2b-3a.

⁸⁰ *YTC* 22, p. 51a. Twenty-two of the twenty-three regulations are summarized in Schurmann, *Economic Structure*, pp. 226-27.

⁸¹ *YTC* 35, p. 3b. The decree says only "twelfth day of the seventh lunar month of the Year of the Rat," thus somewhere in the series 1276, 1288, etc.

chants were recipients of undeserved privileges and prerogatives, including the right to bear arms. Wang Yün mentions the *ortoy* in passing in his impassioned piece on Yüan-dynasty weapons regulations.⁸⁵ Wang Yün portrays civil provincial officials of the third rank and below as defenseless in the face of armed, mounted highwaymen, since these officials were prohibited from carrying weapons. By contrast, he singles out military households, *ortoy*, police, hunters, and Muslims as groups that were allowed to go about with bows and arrows (*kung-chien* 弓箭).

Yet there is evidence that merchants' privileges, both at court and in the countryside, came under discussion at the imperial court in Ta-tu not only during Qubilai's reign but also under his successors. A minister within the Central Secretariat complained early in 1309 about the inappropriateness of permitting Muslim merchants (Hui-hui *shang-jen* 回回商人) to carry imperial letters, wear the so-called tiger tablets of authority (*hu-fu* 虎符), and ride government post horses; most offensive, in his view, was the merchants' presentation of a panther (*pao* 豹) to the court and their request for special return favors. Instances of this sort were far too frequent, according to the memorial.⁸⁶ The minister's suggestion that all such privileges be completely rescinded was granted. Even though "*ortoy*" is not specifically mentioned in this passage, it is reasonable to assume that Muslim merchants with such privileges were members of *ortoy* trading partnerships.

The beginnings of the *ortoy* merchants' notorious reputation can be traced to their involvement in the pre-Qubilai practice of selling franchises to collect certain taxes (tax farming or *p'u-mai* 撲買, discussed by Thomas Allsen in his article). While there is no evidence that tax farming survived into Qubilai's era, the earlier role of the *ortoy* merchants as bidders for franchises and as tax collectors earned for them lasting public opprobrium. Throughout the Yüan period, the moneylending practices of the *ortoy* merchants served only to reinforce the unfavorable public perception of their activities. For instance, the *ortoy* merchants extracted over 8 percent interest in one month on loans, while village-level interest rates for moneylending in Yüan times were about 3 percent. A sample form for private cash loans survives in a 1324 Yüan encyclopedia for daily use, *Hsin-pien shih-wen lei-yao ch'i-cha ch'ing-ch'ien* 新編事文類要啓割青錢. It clearly states that "every month in accordance with the regulations, he [the loan recipient] will pay interest of 3 percent. The fixed due date is x months."⁸⁷

⁸⁵ In Wang, *Ch'iu-chien hsien-sheng* 84, pp. 6b-7a.

⁸⁶ *YS* 22, p. 305. On the "tablets of authority," or *p'ai-tzu*, see Francis Woodman Cleaves, "Daruya and Gerege," *HJAS* 16, 1-2 (June 1953), pp. 256-57, n. 74.

⁸⁷ *Hsin-pien shih-wen lei-yao ch'i-cha ch'ing-ch'ien* 新編事文類要啓割青錢 (1324 edn.; rpt. Tokyo, 1963), pp. 752-53; see also Yang, *Money and Credit*, p. 98.

At times the government attempted to mandate a 3 percent interest rate and to establish regulations concerning interest collection on loaned funds, but enforcement must have been virtually impossible.⁸⁸ Punishment of defaulters, specifically of people who had borrowed *ortoy* funds and then had gone into hiding to avoid repayment, was decreed in 1295.⁸⁹ The exact punishment was left unspecified. While the *ortoy* merchants had government support on paper, it is not known to what extent they had recourse to local officialdom or the military to force repayment of loans.

The government exercised leniency in 1300 toward garrison troops stationed in Qara Qorum who had borrowed money from *ortoy* merchants and were unable to repay in full. The soldiers were ordered to pay back the principal; the interest was excused.⁹⁰ Under the Yüan military system, soldiers were supposed to equip themselves and travel to their assigned posts using their own funds. Garrison duty on the northwest frontier was thus an expensive undertaking. This might explain why the soldiers in Qara Qorum had become indebted to *ortoy* merchants. The occasion for *ortoy* merchants' presence in Qara Qorum may well have been the transporting of grain to garrisons in Mongolia that were unable to achieve self-sufficiency through agriculture.⁹¹

Certainly there were instances when people were driven to desperate measures to repay loans to the *ortoy*. Wang Yün, an unfriendly observer of *ortoy* activities, wrote a biography of Shih T'ien-tse 史天澤 (1202-1275), a member of the prominent Shih family, who supported the Mongols in the conquest decades. In the biography Wang claims that after 1235 people in debt to the *ortoy* merchants had no recourse but to sell their lands and possessions and their wives and children to repay the loans. Although "there were some who could not pay," we do not learn about their fate.⁹²

THE ORTOY: 1294-1368

While Qubilai's reign witnessed greater restrictions on *ortoy* merchants' activities and privileges, the post-Qubilai era generally was marked by the return of privileges. When Yesün Temür reigned as the Emperor T'ai-ting 泰定 (1324-1328), *ortoy* merchants were criticized for entering into very lucrative dealings with the Mongolian princes at the Yüan court. A memo-

⁸⁸ See, for instance, *YS* 12, p. 242. See also Li Tse-fen 李則芬, *Yüan-shih hsien-chiang* 元史新講 (Taipei: Chung-hua, 1978), vol. 5, pp. 180-83, for several references to moneylending in the Yüan shih.

⁸⁹ *YS* 18, p. 391. ⁹⁰ *YS* 20, p. 430.

⁹¹ See Hsiao, *Military Establishment*, pp. 24-25, 59.

⁹² Wang, *Ch'iu-chien hsien-sheng* 48, p. 13b.

rial of 1324 written by a high-ranking Yuan military official, Chang Kuei 張珪, refers to a new abuse involving *ortoy* merchants and the Mongolian princes. As Chang notes, this abuse did not exist in Qubilai's reign.⁹³

As for the merchant-middlemen selling precious items [to the government] (*chung-mai pao-wu* 中賣寶物),⁹⁴ in the time of the Emperor Shih-tsu (Qubilai), this practice was unheard of; [but] since [the reign of] the Emperor Ch'eng-tsung [1294-1307], this evil began.⁹⁵ For the tiniest fractions of gems the selling price is several tens of thousands. And, at that time, the people were angry and resentful [of merchant practices]. Offices of the Censorate made criticisms [to the effect that] the funds that [the court] repaid [the merchants] all were obtained bit by bit from the sufferings of the people in the empire, and this was accomplished through beatings. How can they (those responsible at court) act so unconscionably!? Even valuables that have some use for the dynasty are not items that aid the hungry and cold. Moreover, they are not [items] that the authorities allow to be used for "harmonious purchase" (*ho-mai*).⁹⁶ For the most part, all those involved are [Mongolian] nobility (*shih-kuei* 時貴) and the *ortoy*-middlemen (*wo-t'o chung-pao chih jen* 斡脫中寶之人).⁹⁷ [The *ortoy*] falsely claim to be presenting [these items to the court as though they are gifts]; and [the nobility] illegally rewards them in return. They (the *ortoy*) raise the prices of these items by tenfold. They (the nobility and the *ortoy*) are worms eating away at the dynasty's wealth. They act secretly and independently, like the followers of Sha-pu-ting 沙不丁,⁹⁸ who recently caused a scandal by raising the prices in such middlemen operations (*chung-*

pao 中寶).⁹⁹ All this is preserved in the government records. When the Emperor [Emperor T'ai-ting] first ascended the throne, and when he first learned of this abuse, he sent down an ordinance (*ling* 令) prohibiting it, and the empire rejoiced. I and others have recently heard that the Central Secretariat (Chung-shu) has again memorialized to repay [the *ortoy* merchants] the price of the accumulated unpaid valuables — more than 400,000 *ting* 錠; compared to the original price, the interest already exceeds it several times over. As for [a separate debt] accumulated over many years from long ago, this amounts to more than 300,000 *ting*. It was again ordered that foreign goods obtained through maritime trade be paid for. If one calculates all the household taxes (*pao-yin ch'ai-fa* 包銀差發)¹⁰⁰ levied at present in the empire, the yearly income is only 110,000 *ting*. This already amounts to four years' worth of levied income. At present, because monies available to spend are insufficient, this would lead to further urgent measures in tax assessment and collection.¹⁰¹ I and others propose the following: as for goods from foreign trade, they are appropriate when they benefit the dynasty and when they conserve people's energies; as for the price of such valuables, we request that we wait until the day when the dynasty's expendable funds are plentiful, [and then] we shall discuss it.

Not only did the Emperor T'ai-ting reject the advice offered in Chang Kuei's memorial of 1324, but in 1327 the court approved the Central Secretariat's request to repay some *ortoy* merchants 102,000 *ting* in paper money for the accumulated sales of precious items.¹⁰² Earlier, in 1325, the Emperor T'ai-ting had shown special favor to Muslims in general by exempting them as well as Christians from the *corvée*.¹⁰³ This exemption apparently applied to all Muslims, including the *ortoy* merchants, not just to the clergy. In 1328-1329, the first year of the succeeding reign, that of the Emperor Wen-tsung 文宗 (Tuy Temür), an imperial decree forbade govern-

⁹³ *YS* 175, p. 4077. Note that this memorial mentions the *ortoy* specifically.

⁹⁴ *Chung-mai pao-wu* 中賣寶物 refers to a specific practice whereby *ortoy* merchants sold precious items to the court under the guise of presenting "gifts" and expected generous payment in return. The similar term *chung-mai pao-huo chih chih* 中買賣貨之制 appears in *YS* 94, p. 2403. Schurmann, *Economic Structure*, p. 234, translates this term as "the institution of [government] purchase of precious goods," but Schurmann offers no explanation of how this institution might actually have functioned. The slight disparity between the two expressions (*mai* 賣 versus *mai* 買) in no way alters my opinion that they both refer to the same practice involving *ortoy* merchants on one hand and members of the imperial court on the other.

⁹⁵ Rashid al-Dīn confirms the Emperor Ch'eng-tsung's business dealings with less than reputable merchants who attempted to overcharge the Emperor for "a large quantity of jewelry and precious stones." Rashid al-Dīn does not specifically refer to the merchants in this episode as *ortoy* merchants, although we may surmise that they were. See Boyle, *Successors*, pp. 329-30.

⁹⁶ In other words, they are not items that can be requisitioned by the state at state-fixed prices, and thus people cannot dispense with this *corvée* obligation through selling these items to the government. See n. 67 above.

⁹⁷ *Wo-t'o chung-pao chih jen* refers to *ortoy* merchants who engage in the practice of *chung-mai pao-wu*. *Chung-pao* here is an abbreviation for *chung-mai pao-wu*. See n. 94 above.

⁹⁸ Sha-pu-ting does not have a biography in the *Yüan shih*. His name has been tentatively reconstructed as Šābuddīn by Schurmann, *Economic Structure*, p. 233. See also Wang, *Yüan-jen*

chuan-chi tzu-liao so-yin, vol. 4, p. 2588. As a member of Sangha's clique, Sha-pu-ting served at various times as *hsing-ch'üan-fu-su* 行泉府司 and as Chiang-huai 江淮 Regional Secretariat Minister (*hsing-sheng p'ing-chang* 行省平章). His association with Sangha and the Ch'üan-fu-su is made clear in *YS* 205, p. 4572. Elsewhere (*YS* 173, p. 4050), we find a reference to "Sha-pu-ting bringing disaster upon Chiang-huai." The nature of the disaster is not specified.

⁹⁹ *Chung-pao* is here used again as an abbreviation for *chung-mai pao-wu*.

¹⁰⁰ On *pao-yin*, a designation for the household tax, see Schurmann, *Economic Structure*, p. 92. On the term *ch'ai-fa*, see *ibid.*, p. 88, and Hsiao, *Military Establishment*, p. 191, n. 229.

¹⁰¹ Probably this means raising tax rates and collecting taxes ahead of schedule.

¹⁰² *YS* 30, p. 678. The *Yüan shih* does not refer here specifically to *ortoy* merchants, but the one merchant mentioned by name, Ha-san 哈散 (Hasan), was most certainly a Muslim merchant with special ties to the court in Ta-tu. Most likely, he was an *ortoy* merchant.

¹⁰³ *YS* 29, p. 652.

ment purchase of precious items; but it seems likely that *ortoy* merchants and Mongolian princes were able to continue their transactions in the secretive manner described in Chang Kuei's 1324 memorial.¹⁰⁴

Chang Kuei's memorial is extremely significant. The collusion between Mongolian princes at court and the *ortoy* merchants was an open secret. Chang Kuei's use of the term *chung-mai pao-wu* and the existence of a similar term (*chung-mai pao-huo*)¹⁰⁵ in the Monograph on Economics of the *Yüan Dynastic History* demonstrate that this costly practice of enforced purchase of luxury items had become institutionalized. Whether we can accept at face value Chang's figures on taxes and debts is not of primary concern, since Chang may well have resorted to exaggerations to press home his point that repayment would constitute a severe drain on the dynasty's budget. The inability of the post-Qubilai Yüan court to distinguish between a governmental budget and an imperial family budget would eventually contribute to the late Yüan economic crisis. In a real sense the debts owed by Mongolian princes to the *ortoy* merchants were viewed as governmental debt, not as personal debt. Since no Yüan emperor, with the possible exception of Qubilai, ever had much success in controlling the princes either politically or fiscally, there is no reason to believe that the late Yüan court curtailed transactions between *ortoy* merchants and members of the imperial family.

EPILOGUE: POST-YÜAN ORTOF MERCHANTS?

The 1389 work *Hua-i i-yü* contains a letter written by Namun, a Mongolian imperial son-in-law, to the Hung-wu Emperor of the Ming dynasty.¹⁰⁶ The letter is dated November 6, 1388,¹⁰⁷ and asks the Ming "Qayan" to reestablish communication and trade routes between Ming China and the steppe. It reads in part:

Let the decree (*jarliy*) of the [Ming] Qayan decide [that it would be fitting for him] to despatch according to custom (that is, as in Yüan

times) his envoys and "conveyors of oral messages" 傳言語的 (*kelečin-iyen*); to make open the roads and highways for his merchants (*bedzirget orto'ud-iyen*); and that Prince Gunaširi¹⁰⁸ should seek to establish [the envoys' and merchants'] passage by way of Qamil [and thereby benefit] the foundations of a great nation.

Just as the term *keleči* has lost its narrow technical meaning of "interpreter" and in this early Ming document now means "conveyors of oral messages," so the term *orto'ud* in *bedzirget orto'ud-iyen* has, I believe, lost its specific meaning of trading company merchants who form investment partnerships with the ruling imperial house. Instead, *orto'ud* is used here as a synonym complementing *bedzirget*, the Persian word for "merchants" in the most general sense. Of course, if Namun did mean to refer to Muslim trading company merchants operating at the early Ming court, then collaborative evidence from Ming sources would be necessary to confirm the continuing presence of *ortoy* merchants in post-Yüan China. I know of no such evidence.

We cannot say when the term *ortoy* became a general word for "merchant." Because it would not be useful in a history of the *ortoy* institution merely to claim that Yüan sources at times used the term *ortoy* loosely, I have tried case by case to determine whether those referred to only as Muslim merchants were specifically *ortoy* merchants.

The inconsistent use of terminology by Yüan writers will continue to perplex historians. Chinese sources of the Yüan period are also quite casual in recording ethnic, sectarian, and other differences among Western and Central Asians. Morris Rossabi noted this flaw in Yüan sources:¹⁰⁹

The court also lumped all Muslims, be they natives of Central Asia, the Middle East, or China itself, into one group, which blurred the distinctions among them. These Muslims spoke different languages, belonged to different ethnic groups, and represented different religious orders within Islam. They surely had distinct, occasionally conflicting, economic and political interests, but the Yüan sources yield few details about these differences.

Certainly, Rossabi's observations also apply to the way those sources treated *ortoy* merchants as a group. In fact, the sources do not allow us to answer such basic questions as whether or not there were rankings of any sort

¹⁰⁴ TS 94, p. 2403, and Schurmann, *Economic Structure*, p. 234. ¹⁰⁵ See n. 94 above.

¹⁰⁶ In making the translation of Namun's letter, I have followed the translation of Antoine Mostaert, *Le matériel mongol du Houa i iu de Houng-ou (1389)*, ed. Igor de Rachewiltz and Anthony Schönbaum, *Mélanges chinois et bouddhiques 18* (Brussels: Institut Belge des hautes études chinoises, 1977), pp. 9, 25. The Chinese character text of the *Hua-i i-yü* is in *Han-fen-lou pi-chi 涵芬樓秘笈* (Shanghai: Commercial Press, 1918), part 2, pp. 3b-4b. The same edition is reproduced in Marian Lewicki, *La langue Mongole des transcriptions chinoises du XIV^e siècle: Le Houa-yi yi-yu de 1389* (Wrocław, 1949) 1; the letter of Namun is on pp. 205-7.

¹⁰⁷ Of the twelve Mongolian documents appended to the *Hua-i i-yü*, the letter of Namun is the only one that is dated. See Henry Serruys, "The Dates of the Mongolian Documents in the *Hua-i i-yü*," *HJAS* 17, 3-4 (Dec. 1954), pp. 419-27, esp. pp. 419 and 424. Serruys notes that Namun is mentioned nowhere in the *Ming shih-lu*.

¹⁰⁸ On Prince Gunaširi (Ku-na-shih-li 古納失里), a descendant of Čayatai, see Serruys, "The Dates of the Mongolian Documents," p. 424, and Paul Pelliot, "Le Hōja et le Sayyid Husain de l'histoire des Ming," *TP* 38 (1948), pp. 134-38, n. 103.

¹⁰⁹ Rossabi, "The Muslims in the Early Yüan Dynasty," p. 259.

within *ortoy* merchant companies. It is conceivable that ethnic background or political connections might have created hierarchical subgroups of *ortoy* merchants. One detects among Yüan-period writers a genuine lack of interest in such distinctions among the merchants. Compounding this problem is the likelihood that the imperial court would have attempted to guard its mercantile transactions with some degree of secrecy, as was the custom in matters pertaining to the imperial family and the military. Thus our attempts to reconstruct the *ortoy* institution are hindered on many counts by omissions — both negligent and purposeful — in Yüan sources.

LIST OF ABBREVIATIONS

- HYS *Hsin Yüan-shih* 新元史
 LS *Liao-shih* 遼史
 MWESC *Meng-wu-erh shih-chi* 蒙兀兒史記
 TCTK *T'ung-chih 'iao-ko* 通制條格
 YS *Yüan shih* 元史
 YTC *Ta-Yüan sheng-cheng kuo-ch'ao tien-chang* 大元聖政國朝典章