CHAPTER NINETEEN

JARQU AND JARQUCHIN

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JARQUCHIN

The institution of jaruchi (pl. jaruchin) in the Mongol Empire comprised a small but very powerful group of individuals, who shared the distinction of having been appointed as judges by the Mongol conquerors in order to arbitrate disputes and keep order in their far-flung possessions. Like the keshig (guard) and postal system, this institution was present throughout the Mongol Empire, even after its dissolution. Its roots were not in the administrative traditions of any of the subject peoples; rather, it has been described as one of the most ‘Mongol’ institutions in the empire.1

The jaruchin never assumed primary responsibility for the non-Mongol peoples of the empire, though they sometimes, especially in China, functioned as a kind of appeal court.2 Rather, they dealt with cases among those who had access to the court – imperial princes, officials, governors of provinces, and subordinate rulers, as well as jumping into negotiations about which aspects of Mongol law should or should not be applied to the various ethnicities under Mongol rule. Rather than being judges who decided according to a rule-book, they were more like negotiators between members of the elite and ethnicities.

In the Mongol fashion, judgment in a jaruchi court (called yarghu or jarqu) was not about following a traditional set of laws (whether written or oral). Rather, the jaruchi’s skill lay in, first, gathering the various participants in a legal case and, second, allowing emotions3 and opinions to be vented until a consensus (or majority opinion) was reached or was near. While a jaruchi would in fact deliver a ‘judgment’ at the end, this judgment was always carefully calculated to maintain such unity as was possible amongst the often warring Mongol factions.4 Their specialty in negotiation prepared them for later encounters, and compromises, with non-Mongol ethnicities.5

ETHNICITY

Despite their attachment to, and sometime support of, ‘Mongol’ legal practices and punishments, the jaruchin were not necessarily Mongols. A number of them came from peoples who had submitted early to Mongol rule, whose culture was perhaps
not too different, or who had time to mingle with the Mongols and learn their ways. In fact, in Ögödei’s time, the majority of recorded jarquchin were not Mongols but Uyghurs and Central Asian Muslims.

Jarquchin in Ögödei’s time included Shigi-Qutuqu, the foster-son of Chinggis Khan;6 the Uyghurs Eren Temür and probably also Tang Guzhi and Bül-Qaya;7 the Central Asian Muslim Sayyid Ajall; and the Han Chinese Shi Tianlin. In addition, Isma’il of Ghuz-Ordo (probably a Khitan or a Turk) was appointed jarquchi but declined.

During Möngke’s time, there were more Mongol jarquchin, though other ethnicities were also represented. The most prominent was Menggeser, a Jalayir Mongol, who was appointed during the reign of Güyük8 but became Möngke’s assistant and right-hand man, playing a major role in the trials and executions following Möngke’s rise to power in 1251. Other jarquchin included Qadan (not much is known about him),9 Mahmud Yalavach (a Turkic speaker from Khwarazm),10 Bujir (a Mongol),11 Toghto (a Mongol),12 Boroqan (of the Mangghut, a branch of the Mongols), and Torchi (perhaps the son of Menggeser, thus a Mongol).13

After the United Empire broke up, in Yuan China, the majority of jarquchin were Mongol, though there were still exceptions. Qaidu (not to be confused with Qaidu Khan, Chinggis Khan’s great-grandson), who was the son of a Chinese father and a Mongolian mother,14 was employed as a jarquchi around the year 1310. The Chinese Shi Weiliang 史惟良 was involved in assembling the materials for the legal compilation known as Da Yuan tongzhi while employed as a jarquchi in the mid-1320s.15 In addition, Yinashili, a Tangut, was appointed at an unspecified time during the mid-14th century. Thus, Mongol ethnicity as such was not a requirement for becoming a jarquchi.

The only place where this diversity does not hold true is in the Ilkhanate. All of those described in the sources as ‘yarghuchi’ (the Persian form of jarbuchi) were Mongols. On the other hand, occasionally Persians are named as ‘amir yarghu’ or head of the yarghu/jarqu trials.16 The great historian Rashid al-Din, a Persian descended from a Jewish family, participated as judge in one of the yarghus, even judging Mongol amirs, though he was not a military man; he is not described by the title of yarghuchi.17 Rashid’s son Ghiyath al-Din, having studied Islamic sciences, was involved both in the administration of Islamic law and of Mongol yarghus and was called amir yarghu.18

APPOINTMENT

The jarquchin were an elite class of official, only twenty or so being known from the Ilkhanate, and no more than forty or so being in office at the same time in the Yuan dynasty. Most were concentrated in the capital, Daidu.19 Here we will examine how, of the thousands of military men and officials in the Mongol Empire, a few came to be appointed as jarquchin.

Some were appointed after recommendation by others. Talichi, a Tangut, was appointed during the reign of Qubilai on the recommendation of the branch secretariat.20 Silbi was appointed around 1270, on the recommendation of another duanshiguan (jarquchi).21 Tuqluq, the descendant of an illustrious Qangli family, was recommended for office by a jarquchi named Sechegen around 1283.22 Nonetheless these are only a
minority, and the reason why these individuals in particular were recommended, apart from personal trust or liking by those who recommended them, is not made clear.

A majority of jarquchin had been members of the keshig, or guard, at some point in their career. It has been suggested that the keshig was the key stepping-stone for entry into office for jarquchin. For example, Menggeser and Bulghai were both part of Tolui’s guard and became jarquchin under Möngke. Arghun Aqa, a former bitigchi (secretary, a member of the guard) of Chinggis Khan, later carried out the duties of jarquchi in the Ilkhanate. But this does not explain why these people were chosen from among the other keshigten to be jarquchin.

One might think that legal knowledge should have been the deciding factor. However, the originally nomadic Mongols did not distinguish between governmental and judicial responsibilities, and for them, legal knowledge could not be separated from the status required to be able to judge others and enforce one’s decisions. This is seen in an anecdote from the biography of Menggeser, which contrasts this famous general, whose family had been closely connected with that of Chinggis, with the almost unknown figure of Hewo:

As soon as [Menggeser] had received the order [that made him head of the jarghuchi], he came out of the tent-palace, and sat on a bear[skin] rug, while his 14 subordinate officials sat around him. Menggeser said: “If the lord above has made me the head of these officials, can you all tell me, in what way should one supervise them?” All of [his listeners] were silent. Again he asked them, and Hewo of the Xia, who was sitting in a place for less senior people, approached and said: “The way of the jarghuchi is like cutting up a sheep when slaughtering livestock: to cut [the meat off] the shoulder without harming the ridge [of the scapula?], it requires keeping balance [i.e. impartiality] and that’s all.”

Here, Hewo came up with an ingenious analogy between an everyday action that was part of the Mongol lifestyle, that is, the slaughtering of a sheep, and the highly complex and abstract notion of fairness in judging. Moreover, the text further says that he “became famous.” Nevertheless, exactly the opposite seems to have happened: Hewo was forgotten to history, while the one appointed as jarquchi was Menggeser.

STATUS THROUGH CONNECTION WITH CHINGGIS KHAN

The missing factor in the appointment of jarquchin may in fact be a close and personal relationship with Chinggis Khan. For example, Guo Baoyu and Bujir, two early jarquchin, are both said to have been placed in a cow’s belly by the khan in order to help cure them from serious battle wounds. Shared experiences on the battlefield formed unity and loyalty, and Chinggis’ care for these warriors may have ensured their high status which later enabled them to be appointed as jarquchin. The biography of Bujir records that:

Once [Bujir and his father Niu’erjie] accompanied him [Chinggis Khan] on campaign. Niuerjie was granted the title of ba’atur (hero/champion). [They] took part in the conquest of the Huibui [Uyghurs], Russia and other countries. Every
time he fought on the battlefield, Bujir exerted effort with his body and fought with power. His body was shot with numerous arrows. [When] Taizu [Chinggis Khan] personally examined him, [he] ordered a person to take out his arrows; blood was flowing out and covered his whole body. He fell forward unconscious, and would soon have expired. Taizu ordered [someone] to take a cow, cut open its stomach, place Bujir into the cow’s stomach, and soak him in the warm blood. After a while, he regained consciousness.27

Looking at the biographies of jarquchin, we find that a significant majority had a close, personal relationship with Chinggis Khan or were descendants of people who had such a close relationship with him. Some were members of Chinggis Khan’s own family, such as Belgütei, Chinggis’ younger brother, and Shigi Qutuqu, his adopted son.28 During Qubilai’s time there were Baiqur, a son of Chinggis’ younger brother Qachi’un,29 and Zhibi Tiemuer, son of Köten, son of Ögödei.30 Tüshin may have been a descendant of Kouwen Buqa, the son of Belgütei the brother of Chinggis.31 Tian Sun (d. 1336),32 Maillü,33 and Anchuchua34 of the post-Qubilai period are also described as imperial princes.

Those who were not descendants of Chinggis Khan had a close relationship with him. Isma’il of Ghuz-Ordo had played an important role in the campaign against the Khwarazmian empire and was rewarded by Chinggis.35 Sayyid Ajall’s grandfather had surrendered Bukhara in 1220 at the head of a thousand horsemen, and his father had fought alongside the Mongols.36 Eren Temür was descended from a Uyghur state minister, and his brother had helped pave the way for the submission of the Uyghurs to Chinggis.37 Bül-Qaya participated in Chinggis Khan’s western campaigns, his biography claiming that he shirked no fatigue.38 Tang Guzhi entered the keshig of Chinggis, who remarked that he could manage great affairs, and was later appointed jarqhuchi by Tolui’s widow Sorqoqtani Beki.39

Menggeser and Bulghai were the two most powerful jarquchin under Möngke, though Menggeser was first appointed under Güyük. Menggeser’s grandfather was someone who, like Mahmud Yalavach, had refused to abandon Temüjin during his difficult times.40 Bulghai’s forbears likewise had first served in the guard of Chinggis Khan.41

During the time of Qubilai, Mengsus, who had served under Chinggis, is described as becoming “closer and closer to [Qubilai]” before he was appointed.42 Shiban, of Uyghur background, was the son of Kelbi Otchi, who had submitted to Chinggis Khan and had participated in the conquest of the Uyghurs; Shiban himself had also served in Qubilai’s keshig.43 Darichi, of Tangut origin, was the son of an Assisting Official of the Military Administration and dispatcher of army horses under Chinggis.44 Silbi, a Mongol, was connected with Chinggis through his grandfather Kegürtü, who had followed the conqueror in the conquest of the Xi Xia.45

In the post-Qubilai period, Toghon’s great-grandfather Xiochou had impressed Chinggis Khan with his bow-making skills. Jürchedei Chagur had warned Chinggis of a plot against him. His son Nachin served Qubilai as jarqachi, and Nachin’s son Bansal and grandson Goroghtuyi inherited the post.46 Dorjibal was in fact a seventh-generation descendant of Muqali, who had been one of Chinggis Khan’s most trusted generals.47 Bodasha was the grandson of the already-mentioned Menggeser, and his son inherited his position.48 Nangjiatai49 may have been the son of Bayan of the
Baarin, a general descended from Alagh, mentioned in the *Secret History of the Mongols*. Örüg Temür, a Mongol from the Dörbëtei clan, was the great-grandson of Guiyu, who had served Chinggis Khan as a *keshig* official.

Only a few *jarquchin* did not have a direct connection with Chinggis but seem to have represented, or been responsible for, various tribes. Boroqan was appointed around 1255, at sixteen years of age, to be *jaruchi* of the Mangghut. Liu Haoli, a Chinese from Kaifeng, who was good in languages, became *jaruchi* of five [Kirgiz] tribes around Yilanzhou [today around Tuva] in approximately 1270. Gürgi was appointed *jarghuchi* after serving in the campaign against the Song and remained involved with the Asud tribe his whole life.

A handful of *jarquchin* with no clear link to Chinggis Khan were appointed late in the Yuan dynasty. For example, Fu Shou was a Tangut who was promoted through the ranks at the palace, starting with the palace guard. In 1351, he was praised for dealing promptly with a rebellion, which might have turned dangerous for the Emperor; the next year he was promoted to *yeke jarquchi*. His appointment was due to Emperor Shundi's approval of Fu Shou's prompt response to the rebellion. This recalls earlier *jarquchin* who were given this appointment as a reward for saving Chinggis Khan's life.

In the Ilkhanate, a number of *jarquchin* were also closely connected with Chinggis Khan. For example, there is the family of Sorqan Echige, an ötégü bo’ol (a meritorious servitor) of Chinggis Khan. Sorqan had a son named Kököchu, who in turn had three sons, one of whom was Noqai Yarghuchi, also known as Bugha Ba’urchi or Buqa Yarghuchi. Noqai’s son Alghu was a *jaruchi*, and Alghu’s son is described as one of the leaders of a *yarghu*. Moreover, a certain Todai Yarghuchi was a relative of theirs. That makes four (or three, if we only take those explicitly described as such) *jarquchin* in one family closely and personally connected with Chinggis Khan. Moreover, the family married into the royal dynasty, as Bulughan Khatun, Abaqa Khan’s wife, was a cousin of Noqai Yarghuchi.

Another *jaruchi* connected with Chinggis Khan was Nuregei Yarghuchi. He is described as an “officer and courtier” in the time of Abaqa Khan and Gaykhatu Khan. Rashid al-Din makes clear that he was a descendant of Quyildar Sechen, who had risked his life for Chinggis Khan and was highly respected by him. Together with Tegene and the liege men of Qonqurtai, Nuregei Yarghuchi sat in trial on the Ilkhan Ahmad Tegüder and had him put to death.

The brothers Doladay Yarghuchi and Qara Bulaghan (Yarghuchi) were sons of Chaghadai Qorchi, who came to the future Ilkhanate with Chormaqan. He was a senior commander in the campaign against the Isma’ilis and was ultimately assassinated by them, had status as one of the earliest to implement Mongol rule in this area, and was moreover a relative of Borghochin [Bo’orchí] Noyan, one of Chinggis Khan’s closest companions.

Thus, in the Ilkhanate and for most of the Yuan dynasty, the majority of *jarquchin* had a high status already before they were appointed, and this high status was derived precisely from their connection with Chinggis Khan. As a position created by Chinggis himself, it befitted only the most prestigious individuals. Chinggis’ successors, in large part, continued the tradition by appointing the descendants of those close to him or who had saved him from harm.
DUTIES AND LEGACY

The responsibilities of *jarquchin* were not initially limited to legal matters. Early *jarquchin* had far wider responsibilities and can be compared to ministers (and are also sometimes named as such in the sources). They fought military campaigns, collected taxes, and governed. Likewise, there was no single government office or organization to which *jarquchin* belonged; rather they served in a wide variety of government offices.

Nevertheless, they became progressively more specialized over time, as the distinction between legal and other administrative matters took hold. In the Yuan dynasty, they were institutionalized as part of an office known as *dazong zhengfu*, which though borrowing its name from a traditionally Chinese office nevertheless represented mostly Mongol concerns in the Yuan dynasty. Most but not all the *jarquchin* of the Yuan dynasty were based in this office.

This office’s main language until 1295 was Mongolian, which gives an indication of its character and role within the Yuan administration. In fact, it is known that it promoted ‘Mongol’ values and punishments and that its *jarquchin* were involved in shaping the punishments system of Yuan China. Due to the traditions of Mongol governance, they were frequently in contact with officials from other, more traditionally Chinese offices and were required to negotiate with them on policy or on the judgment of individual cases.

Where the *jarquchin* had a particular influence was the adoption of military exile into the traditional Chinese five-punishments system. Military exile was known to previous Chinese dynasties, though rarely used, but for the Mongols it was typical, because as a nomadic people for whom fixed prisons were not practical, it permitted an intermediate punishment between the death penalty and beating. The most ardent promoters of this punishment during the Yuan were the *jarquchin*, who at one point became the administrators for the system, keeping records and organizing travel to the place of service. Military exile came to be one level under the death penalty and was also used regularly in case of commutation of the death penalty. Moreover, this particular punishment continued, with some modifications, as part of the five-punishments system under the Ming and Qing dynasties.

CONCLUSION

*Jarquchin* remained powerful officials, at the apex of the legal system in the Ilkhanate as in Yuan China, where they co-existed uneasily with the ‘local’ legal systems. It would seem that the particular prestige of this office, which meant that it was accorded only to the most highly valued and trusted associates of the khans themselves, derived from the fact that ‘*jarquchi*’ was a title first granted by Chinggis Khan himself. Unlike other titles invented after the establishment of the individual khanates or adopted from other peoples and doled out to satisfy newly joined recruits, the title of *jarquchi* continued to signify an association with the conqueror himself.

NOTES

See, for example, the dramatic discussions preceding this judgment: RDRM, II, 1147–8; RDT, 559.

While the present article focuses on Yuan China and the Ilkhanate, for which sources are more plentiful, it is known that a jarquchi called Vazir, of Chinese origin, served Chaghadai (RDT, 379–380; Buell 1977, 148). For the Golden Horde, see Favereau 2016, 60–63.

For the last two, it is not clear exactly when they were appointed, but it is likely it was during Ögödei's time.

YS 124: 3054.

YS 3: 47.

Allsen 1993a, 122.

Allsen 1993a, 131–132.


YS 157: 3707.

Xiao 1999, 75.

Ratchnevsky 1993, 75–77.

Not all who are described as presiding over 'yarghu' trials are specifically given the title 'yarghuchi' – the Persian equivalent of jarachui – in the sources.


Al-Safadi 1959, IV, 329; Umari, 158; Ibn Bazzaz 1987, 88–89; Melville 1999, 32.

YS 24: 551.

(Presumably that of Henan / Jiangbei, where Talichi’s family was based) YS 135: 3275; Liu 1998, 59; Jagchid 1980, 321, n. 37.

This was the duanshiguan attached to the Bureau of Military Affairs. YS 133: 3234.


Exceptions include Liu Haoli, originally from Kaifeng, who knew Chinese and Mongolian and seems to have followed a civilian rather than military career before being appointed as jarachui. Darmashiri entered office as a translator and followed a career of mainly junior, clerical roles until he became Minister of the Ministry of Punishments and then was appointed to the Constabulary Offices. He became jarachui in 1366. Harghasun was appointed jarachui in 1285. His identity and importance, however, were not primarily derived from his membership in the keshig; rather, his membership in the keshig was due to his family history. His great-grandfather Qixili had served Ong Khan, Chinggis’ patron and ally, and had warned Chinggis of Ong Khan’s plot against him.


YS 124: 3054; SHM §275; Juwayni 1912, I, 58; HWC, 587; Yao Sui 1975, 13.

YS 124: 3055.

YS 121: 3021. For the story regarding Guo Baoyu, see YS 149: 3521.

SHM § 203.

YS 7: 132. Unfortunately, Baiqur has no Yuanshi biography.

YS 7: 140; 107: 2717. Zhibi Tiemu’er also has no YS biography.

YS 119: 2943.

YS 39: 833–834.

YS 26: 578, 587.

Yuan Dian Zhang 1976, 49, 处断盗贼新例.

YS 120: 2970. Though he was offered the position of jarachui, he did not actually take it up.

Buell 1993, 467–468. Sayyid Ajall was appointed duanshiguan (jarachui) of Yanjing district (today Beijing).
37 YS 124: 3049–3050.
38 YS 125: 3070–3071.
39 YS 134: 3253.
40 YS 124: 3054.
41 YS 3: 1447; Allsen 1993b, 397.
42 YS 124: 3059.
43 YS 134: 3246–3247.
44 YS 135: 3275.
45 YS 133: 3234.
47 YS 139: 3357.
49 YS 26: 590; 131: 3184–3186.
51 YS 144: 3434.
52 YS 167: 3924–3925.
53 YS 144: 3441–3442.
55 RDT, 97, n. 2.
56 Ahri 1954, 51. Later when Abu Sa’id threw off the influences of others and became powerful, there is a similar list of high appointees, but a jarquchi is not mentioned (p. 56).
57 He conducted the yarghu of Tashtemur together with Shaikh-Hasan and Ghiyath al-Din.
58 RDT, 555.
59 RDT, 97.
60 SHM § 171, 175, 185; RDT, 102, 104.
61 RDT, 559.
62 RDT, 42, 555, 558; Ahri 1954, 40.
63 Kirakos Gandzakets’i 1986, ch. 25 Concerning the destruction of the city of Lorhe; ch. 29 Concerning the sending of prince Awag to the Khan in the East; ch. 32 A brief description of the T’at’ars’ appearance.
64 RDT, 91. See also Gandzakets’i Kirakos ch. 61 Concerning the destruction of the city of Martyropolis and 32 A brief description of the T’at’ars’ appearance.
65 See, for example, the assertion in the Spirit-Way-Inscription of Shi Tianlin that “[the position of duanshiguan] was like that of a minister.” Xiao 1999, 758. Also, Arghun Aqa 阿裡侃 is described as a duanshiguan (jarquchi) in the Yuanshi but as a sahib-divan in Persian sources.
69 Bodde and Morris 1967, 88.

BIBLIOGRAPHY


RDRM, See List of Abbreviations.

RDT, See List of Abbreviations.


SHM, See List of Abbreviations.

Umari, See List of Abbreviations.


YS, See List of Abbreviations.