Oaths in the Qalqa Jirum

by Henry Serruys, c.i.c.m.

The Qalqa code known as Qalqa Jirum dating from the first part of the eighteenth century repeatedly refers to oaths expressed through symbolic actions. Oath or "solemn appeal to God by way of attesting the truth of one's word" apparently is not the exact word to describe those symbolic actions; imprecation (or curse) seems to be a more precise word to describe this rite: the person taking the oath called a punishment upon himself if his statement was not true, or if he did not intend to carry out his promise. As an illustration, it may be recalled that such imprecations occur very often in the Bible, for example in 2 Samuel 3:35: "may God do thus and so to me if I eat bread...", and 19:14: "may God do thus and so to me if you do not become my general." In these two instances there is no statement of fact under oath, but a promise, and the speaker declares himself ready to accept a punishment from God if the promise is not carried out. The biblical formula "thus and so" is nothing but a euphemism because imprecations were considered efficacious of their own accord (nomen est omen), and the name of the punishment "death" is replaced with a euphemistic formula.

Various symbolic actions were used at one time or another by the Mongols to express such imprecatory oaths: breaking of an arrow, drawing a little blood from one's finger, walking between the two halves of an animal cut in two, drinking some blood, planting an arrow in the ground, holding an arrow to the tongue or the forehead, holding a sword over the head or against the neck, kissing a gun, holding a sword against the tongue, etc.1 These actions must have been accompanied for clarification by one or other formula. In the Secret History of the Mongols Ong-qan says: "Now if seeing my son (i.e. Činggis) I conceive any evil idea, may my blood be poured out like this", and pricking the ball of his little finger he let some blood drip into a little bucket2. According to the Man-chou shih-lu, the Mongols of the early Manchu period put meat, blood, bones (of an animal freshly killed), earth, and wine in separate containers and pronounced the formula: "If I am not faithful, may I become like this meat, like this blood..."3.

The Qalqa Jirum (QJ) nowhere goes into the description of any symbolic action for an imprecatory oath nor does it provide a formula, which everything considered is not surprising; those concerned needed no such explanation. The terms most often employed in the QJ are siqa- "to press", and its nominal forms siqaya(n), and siqalya(n) "pressing, pressure". The translator of the QJ, Ts. ŽAMTSARANO, usually renders these words with "oath".

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1 Henry SERRUYS, "A Note on Arrows and Oaths among the Mongols," in JAOS 78, 1958 (279-294) where the relevant bibliography will be found.
3 Man-chou shih-lu 2. 102b, 103ab; 4. 10a, 11ab; 6. 38b—39a; these references are to the Mongol text, because the Chinese text summarizes the oaths to brief classical formulas which do not describe the oath themselves.
In two instances, the QJ speaks of süke adqu-，“to hold an axe”, an expression which Zamtsarano also translates as “to take an oath”, and since at least on one occasion the expressions siqa- and süke adqu- appear in the same passage, it seems fair to conclude that they refer to the same symbolic action. Siqa- “to press”, siqaya, siqalya, “pressure” would seem to mean that the person taking the oath held a weapon, here an axe, against his own head, or neck, indicating his readiness to undergo a punishment, presumably death, by the gods.

A simple oral testimony without the imprecation and symbolic action, quite understandably, was of less value than one accompanied by such an imprecation. But the strange thing in the QJ is that some persons were not held to make statements of this kind on their own behalf but could have other persons, of lower social rank, make the oath with action and imprecation in their stead. Also there were places where, at least at one time, it was forbidden to take such imprecatory oaths.

Many articles of the QJ are formulated in rather elliptic language, and the precise meaning is not always easy to grasp even if one takes other passages into account. The grammar of the QJ often reflects Qalqa spoken language, and then the text is not always free of corruptions. I shall necessarily have to limit my comment on linguistic and grammatical questions to the strictest minimum. And needless to say, I am not qualified to go into juridical matters.

I shall review a number of passages with translation; my translation is not a retranslation of Zamtsarano’s Russian version, but is based on the original text, although I have consulted Ts. Zamtsarano’s translation at every step. This Russian translation exists in two editions: 1. Qalq-a Jirum; traduit du russe par Dr. Zamcarano, edited by B. Rintchen (hereafter Z-R), and 2. Xalxa Dżirum. Pamyatnik Mongol’skogo Feodal’nogo Prava xviii v., edited by S. D. Dylykov (hereafter Z-D). It should be noted, however, that these two editions at times differ from each other; rewordings in the translation apparently due to the two editors.

The Mongol texts are quoted after Dylykov’s edition with proper references to its pagination.

1. (p. 127) "ulay-a sigüsü tasuluyad meljibesü. qosiyun-u dotor-a-aça (-ui) noyad-un tula noyad-i qaraçu-yin tula sayid-i songyuJu siqai-a": “Should (one) deny that he has refused mounts and food provisions [to messengers, etc. on official business], if he is an official, choose a sayid from his banner (‘press’); if he is a commoner, choose a sayid and let him ‘press’.”

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4 Studia Mongoliea. Tomus I, Fasc. 1, Ulaanbaatar, 1959. This edition does not contain the Mongol text.
6 Noyad-un tula: lit.: “for an official”. The plural noyad probably has singular meaning here. This is the way Zamtsarano understands it.
7 Throughout the QJ, an imperative is regularly preceded by a noun with the *accusative* suffix -i, -yi.
8 Sayid from sayin “good” (cf. the Greek Aristos) indicated a class of officials. Since there is no indication as to their specific functions, I prefer to leave this term untranslated.
In this case, as in many others to follow, it is not the suspect who is required to testify under oath, but another person, who presumably is supposed to testify to the truth of the suspect's denial.

2. "ulay-a sigüsü tasuluyad meljebesü otoy-un daruy-a-yi siqai-a": "If they deny that they have refused mounts and provisions, let the headman of the district 'press'." (p. 17, art. 3.)

3. "ulay-a sigüsü tasuluyad meljebesü otoy-un daruy-a-yi siqai-a": "If they deny that they have refused mounts and provisions, let the headman of the district 'press'." (p. 17, art. 3.)

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medegsen-i ünen geji orogula. urida oroqci (tere) sayid yartuyai, qoyitu (sayid) siqayan-aça bučabasu urida oroqci (tere) sayid-i dörben mori. tabun sidülen üker-iyer toryojí bere mal-i jasay-turm (inu) ab. [166] sayid ariyun kümün-i bujar geji toryoqula. qoyina tere qulayayici ariyun-dača ariyun-i qarci tödorabasu mün nökör aq-a sayid-i (inu) siqauq. torju li inu mün-kür urida yosuyar, siqayan-du bariysan sayid-un emüne albatu-yin tula (nøyan-i) bi orosu ene ariyun bile gegci-yi siqayan-du bariydaysan (sayid) ese orogula torju li ügei. yerü sayid. qan kümün-i albatu-yin-i tula emüneben bariqü ügei": "If a sayid in a 'pressing' for an (allegedly stolen) horse of a (suspected) thief, enters the 'pressing' declaring (the accused) innocent, and later on it should become evident that the thief declared innocent was (in fact) guilty [lit. 'dirty']: let an elder fellow sayid 'press': if (this sayid) should enter declaring that the aforementioned sayid had not conspired (with the accused) and declared facts to be true which he did not know about, the sayid who had first entered (the 'pressing') shall come out (free)13. But should the second sayid turn away from the 'pressing', the sayid who entered first shall be fined four horses and five three-year old head of cattle to be turned over to the administration. If a sayid should declare an innocent man guilty and (as a result) a fine should be imposed upon him, and later (the matter should) be cleared up and the (alleged) thief vindicate his innocence14, likewise his elder fellow sayid shall 'press', and his fine shall be the same (as stated above). If, in front of the sayid held to a 'pressing' an official says on behalf of his subject [albatu: serf, here the suspected thief] 'I am ready to enter (a 'pressing'): this man is innocent', and the sayid held to the 'pressing' has not gone into it16, no fine must be imposed. As a rule, a sayid shall not force a person of imperial lineage before himself (to testify under oath) on behalf of his (own)18 subject." The words oro- 'to enter" and buča- "to return" seem to indicate one's willingness or refusal to take the oath to testify to somebody's innocence. Oro- appears many times in the OJ, but I believe this is the only place where we find siqayan-aça buča- "to turn away, to refuse to take the oath". In the spoken language, buča-, apart from "to return", can also mean "to eat one's words"19. The two editions of Zamtsarano's translation (Z-D, p. 33, art. 18; Z-R, p. 14) differ a little from each other.

8. (p. 166, art. 29) "nengjigül nengjigci kümün-i urida gereči-dü tuşiyaju bei-e inu arilyaju oroyul": "A person (assigned to) conduct an investigation shall first be entrusted to a witness who must enter (a 'pressing') and establish his innocence". Both editions of Zamtsarano's translation (Z-D, p.

11 Nasunfaljur's edition, p. 16: 15: qaraju. For qaraju = qari- "to come back?" or yar- "to come out (innocent)?" Cf. notes 13 and 14.
12 Nasunfaljur's edition, p. 16: orobasu which seems less satisfactory.
13 The text has aartuyal, which I interpret as yar- "to come out".
14 Par- "to come out to his innocence", or qari- "to return to his innocence?"
15 Namely of the sayid whose testimony was the cause of the erroneous decision.
16 The sayid has not confirmed under oath the noyan's testimony on behalf of his own serf.
17 Lit. "to seize". Bari- here is for sagayan-du bari-, as in the preceding lines.
18 Namely the subject of the qan kümün.
19 Ant. Mostaert, Dictionnaire ordos, 1941—1944, p. 100b.
33, art. 26; Z-R, p. 14) formulate this article somewhat differently, and both fail to note the meaning of oroyul- "to make him enter (a 'pressing')." In view of the foregoing passage (Nr. 7), there is no doubt about the meaning of oro- here. Otherwise the meaning of this article is not too clear, but I take it that it is the witness who must swear to establish the trustworthiness of the investigator.

9. (p. 167, art. 32) yerü siqayan-du kundi kündebecü yai ügei, unayaqula oro ögkü yala ügei bii": "Generally, when performing a 'pressing', even if one should touch the 'line', it does not matter; but should he cause it to fall down, he must provide a replacement, but there shall be no fine." (p. 34, art. 32.) The text is extremely difficult to interpret on account of its brevity and lack of parallel texts. Dylykov (p. 34) in a footnote says that another manuscript has "at the time of an oath by noyad". Zamtsarano's translation is worded differently in the two editions (Z-D, p. 34, art. 32; Z-R, p. 14); in Rintchen's edition, the word kili is translated as tagan "trivet", and between brackets explained as "hearth". Dylykov leaves kili untranslated. Kili originally means "line, boundary", but on p. 107, in note 47, Dylykov refers to a note by Zamtsarano (no reference) explaining kili as a rope strung between two posts, on which various objects such as old clothes, rags, etc. are hung. The suspect is supposed to pass under this 'door' without touching those 'relics' 21. But it is not clear whether this passage under the kili was an entirely different form of oath, or an integral part of the "pressing" performed with the axe or other cutting weapon. Another reason why this paragraph is so obscure is that we do not know what it was supposed to elucidate. It must refer to the questions treated in several preceding articles dealing with the investigation and search for lost objects. This is the reason, I guess, why the person who overturns the kili is obliged to provide a replacement for the lost object.

10. (p. 175, art. 37) "ken kümün-dü mör malay-a sijim-ün tedüi oroyad ese yarbasu daruy-a-yi siqaqu": this is an extremely obscure sentence and Zamtsarano's translation is different in its two editions (Z-D, p. 37, art. 37; Z-R, p. 16). Judging from the preceding articles dealing with theft and the

20 Künde- is explained in KOWALEWSKI, p. 2567, as "mouvoir, remuer, agiter". In his Mongol'skie Letopisi xvii veka, Moskva-Leningrad, 1935, p. 57; Rud. LOEWENTHAL (trsl.), The Mongol Chronicles of the Seventeenth Century, Wiesbaden, 1955, pp. 41—42. ZAMTSARANO commented on this word in connection with a passage in the Altan Tobči (Altan Tobči. A Brief History of the Mongols. Scripta Mongolica I, Cambridge, Mass., 1952, II, p. 138:8; C. R. BAWDEN, The Mongol Chronicle Altan Tobči, Wiesbaden, 1955, p. 76 (75) transcribes künde, and (p. 165) translates: "cut (marks in the queen's nose and ears)", which certainly is too strong). The word künde-appears another time in the QJ (Z-D, 80, 293, art. 3): "if the cattle touches (and disturbs) the grave..."

21 One wonders why this description of the kili is found in one edition only and where it came from. The reader will be struck by the similarity of the rite of purification of the relatives of a dead man as described by John de Plano Carpini: A. VAN DEN WYNGAERT, Sinica Franciscana, vol. I, Quaracchi-Firenze, 1929, p. 44, § 15; Chr. DAWSON (ed.), The Mongol Mission, Narratives and Letters . . . , New York, 1955, p. 14; P. RATCHNENSKY, "Uber den mongolischen Kult am Hofe der Grosskhane in China", in Louis LIGETI (ed.), Mongolian Studies, Amsterdam, 1970, p. 435. Was ZAMTSARANO by any chance thinking of this passage? Or is the kili rite a new meaning attached to this ancient custom?
recovery of stolen articles, this article, too, probably concerns the same subject. A tentative translation: "If tracks, a hat, a snare, and things like that point to a certain man, but (the stolen goods) are not forthcoming, let his headman 'press' (to prove the suspect's innocence)."

11. (p. 177, art. 42) "ulayan miq-a čini mini geküle süke-tü": "If a quarrel (lit.: yours-mine) breaks out) concerning the ownership of raw meat, (the contenders) are bound (to hold) the axe."

12. (p. 178, art. 47) "mör ba. aliči siq-a-yi noyad-un tula noyad-i, tayiji tabanang-un tula tayiji tabanang-i siqai-a, tayiji tabanang-un köbegüd tula, tayiji tabanang-un abai ügei köbegün-i siqai-a, şabinar-un tus yeke daruy-a-yi siqai-a, quwaray-un şabinar-un tus barayun-i tula barayun-i daruy-ı. jegün-i tula jegün-i daruy-a-yi siqai-a": "(In case of) tracks (leading to a suspect) or for whatever 'pressing' officials shall 'press' on behalf of officials; tayiji's and tabunang's, on behalf of of tayiji's and tabunang's, unmarried sons of tayiji's and tabunang's on behalf of sons of tayiji's or tabunang's. In case of şabinar (of the Gegen), the great headman shall press; in case of disciples of a monk, for (one of) the West, the headman of the West shall 'press'; for (one of) the East, the headman of the East."

22 Siq-a-yi probably is for siqay-a-yi.

23 The QJ always spells tabanang instead of the more regular tabunang "son-in-law of nobleman".

24 Following ŽAMTSARANO (Z-D, p. 38, art. 47; Z-R, p. 17) I take the first şabinar to indicate the qara şabi: lay subjects of the Urga Qutuytu; quwaray-un şabinar, I presume, are the monastic disciples (sira šabi) studying with a particular monk. See David M. FAIRQUAR, "Some Technical Terms in Ch'ing Dynasty Chinese Documents relating to the Mongols", in Ligeti, Mongolian Studies, pp. 123–124.

25 KOWALEWSKI, p. 40b.

26 Dict. Ordos, p. 36b. It may be noted that during the Ming, abai was also a masculine personal name: e.g. in Ch'ü Chiu-ssu, Wan-li wu-kung ju (Kuo-hsūeh wén-k'u 39) 8, pp. 204: Uijing-abai (again on p. 205) Dalai-abai-tayiji; 135, 208: Abai. H. SERRUYS, Genealogical Tables of the Descendants of Dayan Qan, 's Gravenhage, 1958, pp. 123.
13. (p. 179, art. 48) "qulayayici olan çöken gekü. mal bii ügei gekü. keüken bii ügei-yin tus yisün aldanggi-tu ülug eden-i tus-tu daruy-a-yi siqaqu. tabu aldanggi-aça dorosyi-ki-du siülengge-yi siqal-a. mal-un ejen-ü mal olan çöken gekü-yin tus mön mal-un ejen-ü daruy-a-yi siqaqu bii": "In cases of disputes concerning the number of thieves [lit. saying the thieves (are) many or few], whether there are cattle or not, whether there are children or not, if upon the possessions a fine of nine aldanggi had been levied, the headman (of the suspect) shall 'press'. In case of (goods) below a five-aldanggi fine, the siülengge shall 'press'. In case of a dispute about the number of cattle in the possession of the owner, the headman of the owner shall 'press'." In Z-R, p. 17, the sentence regarding the oath of the siülengge has been omitted.

14. (p. 196, art. 4) "eden-ece qulayai kigüen kümün meljige bolju siqaly-a bolqula. ýayun erüke albatu-tu noyad-aça degesiki noyad-un qoyar sayid-i songyuju siqaqu. ýayun erüke-ece dorosyik albatu-tu noyad-un nam-un (noyad-un) sayid-i siqalcaqu bii":

(p. 197, art. 5) "yaryaji ögküle qayas yala ögkü. sayid medeji bayiji oroqula. aqai-yi-i nige temege. qoyar soyolan mori. degüü-ece-i nige temege abqu": the text of article 4 seems somewhat jumbled. "If somebody who has stolen from these [i.e. aforementioned persons] denies (the fact) and there is (need of) a 'pressing', two sayid chosen from officials possessing more than one hundred subject families shall 'press'; and one sayid from the group of officials possessing fewer than one hundred subject families shall 'press' together with (the aforementioned two sayid)."

(Art. 5) "If (those sayid) bring out (the guilty), give them half the prescribed fine; but should those sayid enter (the 'pressing') with full knowledge (and make a false statement), from the elder sayid take one camel and two five-year old horses and from the younger sayid one camel." Medeji bayiji oroqula: in Z-D, p. 44, art. 5, this is translated as "if the sayid take a false oath knowing (the guilty)" which I have adopted, because the Mongol text is extremely elliptic. But in Z-R, p. 22, we read: "if the sayid knowingly take the oath" without mention of a possible false statement; but then it becomes hard to see why they should be fined.

15. (p. 208, art. 36) *quwaray-un sabinar keyid sakiycin. ködümürçin eden-i siqay-a-yi (sayin) sayid ende-yi yeke sayid tabanang-ud bii bolqula eden-i siqaqu bii": "[In case of] a 'pressing' on behalf of these: a monk's disciples, temple guards, and laborers, let a good sayid or the best sayid or the worst sayid and tabünang take the oath", which is totally unacceptable.

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27 Ulüg eden (same reading in NASUNBALJUB, p. 18:24) is a misspelling for Ulüg ed "possessions". The expression reappears in the QJ, pp. 157, 229.
28 Aldanggi is a unit of fine. See Z-D, p. 105, n. 30.
29 Siülengge, Sülenge is explained in Z-D, p. 38, footnote, as "a continuator of the family; tax collector". I hope to publish a note on the origin of this term in the near future.
16. (p. 225, art. 34: last four lines) "qar-a kümün bei-e kümün bosqul-dur-iyan kümün-i alabasu noyad-aça-i kümün-ü oro temege-ber bosqayad. dalan tabun anju-bar toryai-a. noyan inu anju ese güicebesü sigay-a-bar arilyaju mal-i inu gaviruslaşi öggü-e": "If a single man\textsuperscript{30} during his flight\textsuperscript{31} kills a man, raise\textsuperscript{32} (a man as) replacement for the (dead) man and a camel from his official, and fine (the official) seventy-five anju\textsuperscript{33} (units). If the official is unable to pay this fine and through a 'pressing' proves his innocence\textsuperscript{34}, give half of his possessions (to the family of the victim)." (Ż-D, p. 54, art. 34; Ż-R, p. 29).

17. (p. 236, art. 1) "qabčiyur-i yayu-tai iregsen bolqula tegüniyen abqu. tüsigülügci kümün yayu öggügsen bolqula tegün-iyan abqu. jabsar-un ürejigsen-i ijayur-un mal-iyan kiri-ber qubiyaqu. qabčiyur mini olyusun eyimu yayuma geküle tüsigülügücü-yin daruy-a-yi sigay-a. mön geşi orqula qabčiyur-tu ögkü. ese orqula urida yosuyar qubiyaqu bii": "When a refugee\textsuperscript{35} (leaves his place of asylum): what he had brought with him he shall take along. If (his) protector had given (him something in loan), he may take it back. The increase (of cattle during the time) of his stay, (refugee and protector) shall divide according to the size of their original herds. If the refugee should say that (some cattle) were acquired by him (and are not due to natural increase), the protector's headman shall 'press'; should he go into (this oath) declaring (that the refugee) is right, the (cattle in question) shall be given (to the refugee); should (the headman) refuse to take this oath, (refugee and protector) shall divide (the cattle) as indicated above." Ż-R, p. 31, remains close to the original, but Ż-D, p. 59, art. 1 is more a paraphrase than a translation.


\textsuperscript{30} Qara beye appears a dozen times in the QJ with the meaning "alone; without others being involved".

\textsuperscript{31} Bosqu "to stand up", in the QJ also means "to flee, to run away; to seek asylum". Bosqul, bosqytul, bosqayuly is "a refugee, fugitive". KOWALEWSKI, p. 1172b; DLYKOV, pp. 53, art. 27: 107, n. 60. VLADIMIRETSVO, Oběš. Strol, p. 163; Régime social, p. 210; W. Haissio, "Ein mongolisches Textfragment über den Olötenfürsten Galdan", in SinoLOGische Arbeiten 2, 1944, pp. 101, 132.

\textsuperscript{32} Bosqa- "to make stand up" in the QJ can meant not only "to make someone take to flight" but also "to 'raise' a payment in cattle".

\textsuperscript{33} Anju is a unit of fine: here one head of cattle or one sheep.

\textsuperscript{34} Sigay-a-bar arilya-, lit. "to make pure through 'pressing'". I take this here to mean "to swear that he is unable to pay the full fine". This sentence in Ż-D, p. 54, art. 34, is translated as pokayatsya: "to confess; to purge oneself"; and in Ż-R, p. 29 as očistiti' ego prisyaqot: "purify him with an oath". It seems to me that both translations fail to render the precise meaning of the original.

\textsuperscript{35} Qabčiyur and bosqytul are synonymous. See VLADIMIRETSVO, Oběš. Strol, pp. 172−173; Régime social p. 223, where the first part of this text is quoted. Originally, qabčiyur means "pincers": KOWALEWSKI, p. 762b.
kümün-dü arban-ača nigen-i ögkü. yurban ayimay-ača elći yarçu abçu. yurban ayimay-un elći arba-ača nige-yi idekü. nige ayimay-ača keltegei siğabaçu [244] yurban ayimay-un elći yarçu abçu. yurban ayimay-un elći arba-ača nigen-i ide. bayatan-du kürügsen-ü qoyina. baytan-ača erke berke ügel unuqu. baya ügel kümün-ece ügel unuqu ügel bii*: Localities where 'pressing' has been discontinued by order from above.36 Qan ayula, Kûseger, Tûlûnggu, Kûgene, the Two Töküm's, Sibar-tu, Ongyon-u berke qosiyu, the Two Saqatu's, Genen Dobi, Ongyon, Unjûle, Bayan ulayan, Joryol, Sumun ulayan, Adayačay, Qori, Ulayan nayûr, Ugû:37 in these places38 (the practice of) 'pressing' according to the old regulations must be discontinued. If in contravention (of this order) 'pressing' is practiced, take one three-year old camel from the elder of the community,39 and one four-year old horse from every inhabitant. If a question arises with regard to (the number of horses to be collected), the elder of the community shall 'press' (on behalf of commoners), but tayi7i's and tabunang's shall 'press' personally. Out of ten (horses collected) one shall be given to the witness. Representatives of the Three Ayimay's 40 shall come to collect (the fines), and out of (every) ten (horses collected) the representatives will receive one. Even if (a representative) from one ayimay should 'press' independently,42 the representatives of the Three Ayimay's shall come out and collect, and out of (every) ten (horses collected) the representatives shall receive one. After reaching (the place) of those obliged to pay the fines, by all means let (the representatives) ride (only) horses taken from them. They must not ride (horses taken) from those who are not subject to the fine." (pp. 62—63, art. 8).

19. (p. 259, art. 2) *toyn kümün-i qara kümün kögeji orkiyulqu. yeke üger güjualqu. toyn süke baju43 adquyad ariyun-dayan qarqul.44 tere kümün-ece yurban jayun anju abqu. jayun tabin-i boda. jayun tabin-i qoni bii. anju-

36 Namely of the Qutuytu of Urga.
37 Only a few of these names appear in Magadbürin Halton, Mongolische Ortsnamen, Wiesbaden, 1966, pp. 186: Tûlengki oboya in Seçen-qan; 86: Kögen-e nîrûy in Tûsiyetü-qan; 184: several Töküm's, but no Qoyar töküm; 165, 169: several Sabartu, Sabartai, Sibartai, Sibartu, a popular name in many parts of Mongolia: 121: Ongyon in various combinations, but no Ongyon-u berke qosiyun; 25—26: Berke in various names of mountains; 92: Joryol: river in Seçen-qan; 190: Ulayan nayûr in Tûryüd, and one in Silli-yin yool, neither likely to be the one referred to in the text; 140: Qori: a lake in Tûsiyetü-qan.
38 Reading yalar-a instead of yalar-i.
39 Ayimay: Zamtssarang (2-D, p. 62, art. 8; 2-R, p. 32) leaves the word untranslated. I am not sure of its exact meaning here.
40 The "Three Ayimay's" must be the same as the "Three Banners" (2-D, pp. 125, 209, art. 2; 210, art. 3) explained by Drlykov (p. 102, n. 18) as an expression from the seventeenth and eighteenth centuries to indicate the Qalqa territory in general: Tûsiyetü-qan, Seçen-qan, Jasaytu-qan, and Sayin-noyan-qan. However, since Sayin noyan-qan was not one of the original subdivisions of the Ch'ing period, probably "Three Qosiyun / Ayimay's" originally referred only to the three earlier ones. The Qalqa were also referred to as the Seven Otoy's, and the Seven Banners, reflecting an earlier organization.

41 Zamtssarang always translates ide- as "receive as food provisions", but this too literal: ide- "to eat", can also mean "to appropriate".
42 Keltegei: "biased, unequal, etc." Dict. ordos, p. 257a also lists the meaning "independently".
ban ese güıçe besü qalayun ami-i mal-tai-ni tere toyin-du cöm bariju ögkü bi. tere toyin siqalyan-du kürül ügei ügeber arıyun-dayan qarqula.45 tere kümn-eçe jayun tabin anju abgu. qayas-i boda. qayas-i qoni bi. mal ügei gekü-yin tus tu albatu-yin tus daruya-ni. tayiji [260] tabanang-un tus abai ügei tayiji sigčin köbegün-i siqaqu": "If a layman should chase a monk (into the desert) and abandon (him), and with fierce words slander him, and the monk should hold the axe to vindicate bis innocence,46 take (a fine of) three hundred anju from the (lay)man: 150 shall be cattle, and 150, sheep. If he (is unable to) pay the fine in full, seize his warm life47 with his cattle and hand everything to the monk. If the monk without coming to a 'pressing', orally declares his innocence, take 150 anju from the (lay) man: half cattle, half sheep. In case he does not possess any cattle: if he is a subject (albatu), his headman shall 'press' (to testify to that fact); if he is a tayiji or a tabunang, an unmarried tayiji, or a sigčin, or a slave shall 'press'." In Z-D, p. 68, art. 24, the last sentence is rendered: "for an albatu make a daruya take the oath; for a tayiji or a tabunang, a tayiji who has neither daughter nor servant;" in Z-R, p. 36: "for a subject, make his daruya take the oath; for a tayiji or a tabunang, a tayiji who has neither daughter, nor sigčin, nor köbegün." Both translations are indefensible, because ügei refers to the word abai only. As has already been indicated, Žamtsarano in other passages always renders abai as "lady", and there is no reason to translate differently here. Abai ügei refers to tayiji only, not to sigčin and köbegün. As already indicated under Nr. 12, köbegün in a number of passages of the QJ has the meaning of "slave" and this seems to be one of them. Köbegün may have been a slave or servant lower than the sigčin. Sigčin originally is a title of a lower official but by this time it indicated some sort of servant in the household of noble families.48

20. (p. 261, art. 1: second paragraph) "öber-e noyad (-un) (albatu-yi) alabasu mön kümn alay̤san (-u) anju-bar boluyad. kümn-ü oro-yi kiri-yin kümn-iyer bosqaju. kümn ügei noyan bolbasu sayin temege mori qojar-iyar [262] bosgatuyayi. kümn mal (ügei bolbasu. ügei) gekü-yin tula naman-aca-ni noyad-i siqai-a": "If (an official) should kill the subject of another official, the fine shall be as for the murder of an (ordinary) man, and as replacement of the (dead) man, he shall provide [lit. 'raise'] a man of (comparable) quality. If the (guilty) official has no subjects (of his own), he must provide a good camel and horse. Should he be without subjects and cattle, and claim to be poor, officials from his group shall 'press' (to confirm his claim)" (p. 69).

21. (p. 269, art. 14) "(noyad) noyad-tu ama yarçu var kürbesü yala anu ene yosuyar. hei-e-yi inu dayariydaysan noyad(-un) [270] albatu dotor-a mayu kümn-dü bariju ögkü. tasiyarabasu. tasiyaray san-i bodatai bolqula qayas-

46 ŽAMTSARANO's translation contains no clue as to how he reads qarqula: qarqula, or yarqula. On the strength of NASUNBALJUR's reading I take the verb to mean "to come back to one's innocence" (Z-D, p. 69, art. 24; Z-R, p. 36).
47 The expression qalayun amin occurs a dozen times in the QJ always when a person is reduced to the state of slavery.
48 For the term sigčin, see my forthcoming article "Mongol sigčin / čigčin", in Monumenta Serica, where I also briefly discuss this passage.
iyar torqu. meljebesü noyad-un tula noyad-i. qaraçu-yin tula sayid-i
(qosi şun-u dotor-a) songyuju siqaqu bii"; "If somebody should have an
altercation with an official and they come to blows, the fine (of the guilty)
shall be according to this [i.e. the above], and (the guilty) shall be seized and
handed over to (become) a lowly person 49 among the subjects of the official
who has suffered bodily injury. If (the injury) was caused inadvertently,
being (liable to a fine) in cattle for inadvertent injury, he shall be fined half
(the prescribed penalty). Should he deny the fact, if he is an official 50, an
official shall 'press'; and if he is a commoner, a soýid must be chosen inside
the banner to 'press'." The first noyad of this article which Dylykov puts
between brackets, although it appears also in Nasunbaljur’s edition (p. 33:13),
is unnecessary. Any way from the last words of this article where it appears
that the attacker could be a commoner, we may safety conclude that there
is no question of fights between officials only. With regard to the expression
maýu kümün-dů bariýu ögkü, Żamtsarano translates "to hand him over to the
worst of the subjects" (Z-D, p. 72, art. 14; Z-R, p. 39), but in article 13 im-
mediately preceding this one, we find exactly the same construction: čöm
albatu-yin dotor-a köbegüd-tů bariji öggü-e, and Żamtsarano translates:
"turn (him and his family) over as köbegüd of the subjects" (Z-D, p. 72, art. 13)
and "turn (him and his family) over as lads [otrok] among the subjects" (Z-R,
p. 39). I think that köbegüd simply means "slaves". The meaning of this
expression becomes clear when we compare it with a similar expression
qosiyun dotor-a kitad-un kitad-tu bariji ögtügei "turn them over as slaves of
slaves in the banner" (Z-D, pp. 30, 159, art. 17; 50, 213, art. 9; 70, 263, art. 2;
Z-R, pp. 12, 26, 37); it has the same meaning as -dur toya-, and -dur bodo-
"to count as . . . ."

Summary. Mongols could be compelled to take an oath, accompanied by
such symbolic action as holding an axe, or walking under a kili-line; this
impricatory oath could be taken either to corroborate their own claims, or
on behalf of others: the headman of a community for his subjects; a tayiji
or tabunang on behalf other tayiji’s or tabunang’s sometimes unmarried
younger members of the nobility, or persons of low status such as servants
and slaves on behalf of members of the nobility.

49 Lit. "a bad man".
50 Lit. "on behalf of an official".