The Headless State

ARISTOCRATIC ORDERS, KINSHIP SOCIETY, &
MISREPRESENTATIONS OF NOMADIC INNER ASIA

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Introduction

This book has two aims: the first is to expose a misconception that became firmly rooted in twentieth-century social science, journalism, policymaking, and popular culture. Since the colonial era, representations of Inner Asia and its traditions and histories have been dominated by images of fierce and free nomads organized by the principles of prestate kinship society into clans and tribes. Anthropological fieldwork in Inner Mongolia and Mongolia in the 1980s and 1990s convinced me that nothing like the popular image of kinship society had existed recently in Mongolia, and the more I studied the history of Inner Asia, the more apparent it became that colonial-era notions of tribalism had powerfully distorted representations of steppe societies and their past. On closer inspection, it was not “kinship society” but aristocratic power and state-like processes of administration that emerged as the more significant features of the wider organization of life on the steppe.

This brings me to my second aim: to rethink the traditional dichotomy between state and nonstate society and to approach the state in a different way—in terms of the decentralized and distributed power found in aristocratic orders. Viewing the state as a form of social relation rather
Rather than one of the "earliest acts of human intelligence," as Morgan supposed, the organization of people into named unilineal descent groups with political functions was an act of state administration in much of Inner Asia. Comprehensive kinship organization, where it appeared, seems to have been a product of the state, not a precursor to it. In the Mongolian case, the units later described as clans (obog / obig / ovog) were largely imposed on common subjects by the Qing state as administrative devices, with limited success. In the tsarist Russian state, the roд, or administrative clan, was also used as a unit for the government of Inner Asian subjects. However, this should not be seen simply as a case of "secondary tribalism," in which the tribe becomes a product of the colonial state. These units never operated in the way that the theories of kinship society supposed, but they provided an idiom of administration that could be misread by later scholarship as evidence of autochthonous kin organization.

The discourse of tribe and clan also obscured the continuities between the state and decentralized aristocratic power in Inner Asia. The notion of a timeless, traditional, nomadic, tribal society organized by kinship made the emergence of steppe states a puzzle to be explained away in terms of contact with the urban and agricultural polities on their borders. But a critical reevaluation of the material shows that the dichotomies of tribe and state, tradition and modernity, kinship and class, have been projected onto material that cannot be usefully analyzed in these terms. The earliest Inner Asian steppe society for which we have historical records, the Xiongnu empire of the third century b.c.e., for example, was ruled by an aristocracy of three noble families who governed their subjects using a military-civil administrative system of decimal units. These characteristics—aristocracy and decimal military-civil administrative units—persistently appear in steppe societies until the twentieth century. But the exotic image of the nomadic pastoral lifestyle and the dominance of notions of kin-organized tribal society meant that scholars were inclined to contrast steppe polities with agricultural and urban-based states, rather than exploring their common features.

Classical social theory sought a clear distinction between territorialized, stratified state societies and nomadic, egalitarian nonstate societies. These narratives conditioned the understanding of Inner Asian mobile pastoral society, and images of nomadic life were fed back into them and used to support wider theories of state and society. Deleuze and Guattari, for
example, represent an influential strand in Euro-American social sciences, which essentializes "the State" as a single timeless form, closely identified with its titular head. In Deleuze and Guattari’s case, this is also characterized by the dual nature of this head (magician-king and jurist-priest) and by state order being internalized. As we shall see, the trope of the free, egalitarian nomad provided an irresistible counterpoint to the notion of the interiorized, disciplinary state for these theorists.

But steppe society was stratified for much—probably all—of its history, and the study of these aristocratic orders demonstrates the implausibility of the dichotomized distinction between state and nonstate societies. In actual polities, power is evidently distributed between myriad sites, practices, and persons. Given the aristocratic values apparent in the historical literature, the key distinction between noble and common status has as much reason to be thought of as interiorized as the governmentality posited for state subjects. The political relations of aristocrats determined the size, scale, and degree of centralization of political power, and these varied in historical time. The history of the region shows no clear dichotomy between highly centralized, stratified “state” society and egalitarian, kin-based “tribal” society, but rather displays principles of descent deployed as technologies of power in a range of more or less centralized polities, ruling subjects engaged in various kinds of productive practices—pastoral, artisanal, and even agricultural.

Without the a priori separation of social forms into tribe or state by their presumed essences, we can see state and state-conditioned processes distributed throughout the lifeworlds of those subject to all manner of political authorities. This appears to have been as true of pastoral aristocratic orders as it is of the industrial “governmental” state. Power relations were inescapably present; certain configurations—such as domestic and aristocratic orders—have been reproduced and have acted as the substrata of power in a series of historical polities that have resembled the centralized, bureaucratized “state” to a greater or lesser degree, depending on historical contingency. The early Chinggisid and Qing empires, for example, had high levels of centralization, while the Ottom and Ming-era Borjigin polities were relatively decentralized.

The broader picture that emerges is of power structures, more or less centralized, interacting in various modes of articulation, competition, and superimposition as part of contingent, path-dependent historical processes. An examination of the substrata of power that underpins these processes reveals aristocratic orders that include many of the power technologies associated with states—stratification, forms of territorialization, taxation, corvée, and military service. The local power relations that since ancient times have made the Inner Asian state possible were reproduced with or without an overarching ruler or central “head.” Although more and less centralized polities may be clearly recognized, the distinction between state-organized and stateless societies becomes meaningless here.

This political environment, in which almost all of the operations of state power exist at the local level virtually independent of central bureaucratic authority, I term the “headless state.” Inspired by the work of Gramsci and Foucault, recent scholarship has stressed the distributed, rhizomatic nature of power in liberal democracies, and there seems no good reason to exclude this as a possibility when examining techniques of power in other political environments. The aristocratic orders of Inner Asia were based upon decentralized power and exhibited aspects of both governmentality and sovereignty in the Foucauldian sense. It is not that these aristocratic orders simply stand somewhere between the state and “nonstate” forms, but rather that in Inner Asia many of the forms of power thought to be characteristic of states actually existed independently of the degree of overarching political centralization. The centralized “state,” then, appears as one variant of aristocracy.

Theories of the State and Its Other

Visions of society without the state have long served as elements of the origin myths of the state in political thought. Hobbes’s seventeenth-century vision of a stateless society was one condemned to the “calamity of a war with every other man” (1996 [1651], 222). Such societies were bound to be “fierce, short-lived, poor, nasty.” Escape from anarchic misery required a state or commonwealth whose members agreed to the absolute rule of a single authority so as to maintain peace, law, and order. But for Locke, concerned as he was with refuting justifications for monarchy, the basis of political power must be the general consent to obey one’s rulers on condition that they exercise their power for the public good. Thus, society without the state was one in which all men were equally free to choose to form a political society on this basis. These conditions existed, Locke thought, in the indigenous American societies of his day, where men “had neither kings nor commonwealths, but lived in troops” (Locke 1978 [1690]).
and the figure of the noble savage, free and uncorrupted by hierarchical civilization, also provided a starting point for Rousseau’s philosophy of the social contract as the basis for legitimate state authority.

The social sciences that emerged in the age of the populist nation-state continued to conceptualize “primitive society” and its replacement term “tribal society” as a sort of inverted mirror image of life in the modern state (Sahlins 1968, 5). As Kuper (1988, 235), notes: “From Maine and Morgan to Engels and Childe, the basic assumptions were that kin-based communities gave way to territorially based associations, which developed into states.” Although various social theorists offered very different characterizations of the state, they all reflected rather similar visions of nonstate society as organized by kinship. In the Marxist tradition, the state is the instrument of repression necessary for the maintenance of class relations of exploitation. It ensures that, through control of the means of production, some are able to consistently exploit the labor of others. The other key feature of the state is that it claims to represent the “illusory general interest” of society, simultaneously representing the interests of the dominant class and representing itself as the guarantor of general social justice. So for Engels (1859 [1886], 236), “the state presents itself to us as the first ideological power over man.” Since in the Marxist scheme nonstate society must be composed of kin communities, the primary state was one that supported the Asiatic Mode of Production—kin communities, which still largely organized their own productive relations, dominated by a central power that extracted tribute. Clastres (1977, 167) follows in this tradition, distinguishing primitive society and state society in terms of the presence and absence of exploitation: “the difference between the Amazonian Savage and the Indian of the Inca empire is...the first produces in order to live, whereas the second works in addition so that others can live.” For Clastres, the state came before class. “The political relation of power precedes and founds the economic relation of exploitation...the emergence of the State determines the advent of classes” (Clastres 1977, 167–168). In this formulation, the impersonal and exploitative relations of class stand in contrast to the apparently personal and affectionate bonds of kinship. This has been widely echoed by other Marxian treatments of state formation. For example, Patterson (1991, 5) declares “when a class structure is erected, a state is born.”

The two central elements of this characterization of the state have remained highly influential. First, the notion of the state as an object of ideological reification was developed in the Gramscian tradition and is reflected in the work of those such as Abrams (1988) and Mitchell (1991). Second, although the direct identification of the state with class interest was seen as a characteristically Marxist argument, the notion that the state permits classlike stratification was widely accepted by scholars of state emotion (e.g., Fried 1967, 109; Service 1975, 285).

The Weberian tradition also linked the state to stratification and hierarchy, although the strata might be thought of as “status groups” rather than classes in the Marxist sense. A selective reading of Weberian thought was particularly influential in structural-functionalist approaches (Fortes and Evans-Pritchard 1940; Parsons 1951). Fortes and Evans-Pritchard took the Weberian characterization of the modern state as their starting point in the identification of state societies in Africa. Two aspects were selected in particular to capture its essential nature. The modern state was, Weber (1947, 156) wrote, “a compulsory association with a territorial basis. Furthermore, to-day, the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it.” In this tradition, the monopoly of the legitimate use of force in a given territory became the litmus test for statehood.

Alongside the old theme that states were territorialized, appeared the notion that they must be centralized. The state had, after all, long been seen as manifest in the authority of a ruler or centralized ruling authority, be it a monarch or senate. After all, the progressive centralization and bureaucratization of power had been one of the most striking features of the modern nation-state, which Weber (1947, 156) took to be the most fully developed form of the state idea. Fortes and Evans-Pritchard (1940, 5) thought of the state as a type of political organization with centralized authority, administrative machinery, and judicial institutions. In this tradition, Mann (1986, 26) defines the state, somewhat vaguely perhaps, as the “centralized, institutionalized, territorialized regulation of many aspects of social relations.”

But this Weberian characterization of the modern state has increasingly been seen as a poor place to start when approaching state forms more generally. First, as Giddens (1985) points out, premodern states were often not really territorial, in that their rule extended over subordinate rulers and nobles, some of who could be relatively independent or even ambivalent in their loyalty. The borders of such dynastic realms were often ambiguous: the sixteenth- to seventeenth-century domains of the Habsburg Holy
Roman Emperors, for example, were scattered throughout central Europe and encompassed domains that paid homage to other monarchs, such as the king of France. And the Roman Catholic Church retained control of significant parts of even the more centralized European kingdoms until well into the eighteenth century. Until the “modern” bureaucratic state began to develop in northwestern Europe from the sixteenth century onward, monarchies, in effect, ruled sets of aristocrats, who in turn governed their local subjects and tended to exercise many of the powers of government for themselves, such as taxation and law enforcement (Mackenney 1993).

The difficulties of attempting to apply the model of the centralized territorial state to other polities quickly became apparent in the study of South East Asian states. As Nordholt (1996, 2) notes, such states frequently lacked a stable monopoly of power:

The royal centre was unable to exert direct control over the whole realm. Instead the king controlled only a small domain, while the rest of the domain was divided between regional lords who managed to develop a considerable power basis of their own. At most, the king could exert some degree of influence in the territories of these lords, depending on the extent to which they were willing to recognize his authority. “Government” consisted in this context of a specific mixture of personal relationships between the king and his lords and a degree of bureaucratic administration, while no distinction was made between private and public interests.

As Gledhill (1994, 17) puts it:

Imperial governments always claimed to be masters of all they surveyed, but lacked the administrative, communicative and military infrastructures to make that claim a reality. “Traditional” states had frontiers rather than borders. The administrative reach of the political centre was relatively low and its control was patchy on the periphery of its domains. The Weberian definition of the state as an institution that possesses a monopoly of the legitimate use of force within a territorial domain is therefore appropriate only to the modern European state.

In fact, Weber’s work on the “premodern” state places much less emphasis on territorial control. In this case, the key step was the institutionalization of relations of dominance in the form of political office. For Weber, the “traditional state” emerged with the creation of patrimonial office, and in this early form, power is personalized and limited by nothing but the whim of the ruler. He called this “sultanism,” reflecting the influence of notions of oriental despotism at the time (Weber 1949, 346; Vitkin 1981, 447).

However, in the postcolonial era anthropological interest shifted away from the premodern state and become more concerned with the modern nation-state. In this work, the Gramscian and Foucauldian approaches have remained influential. As Hansen and Stepputat (2001, 3) put it, Gramsci’s understanding of state power was something that “emerged from the capacities, the will, and the resources of classes, or segments thereof.” This “will to class power” led to projects of political and cultural hegemony that consolidated class domination. This has drawn attention to the distributed, noncentralized aspect of state power, and in this respect found a degree of common ground with Foucauldian treatments of the state that emphasize the “closely linked grid of disciplinary coactions whose purpose is in fact to assure the cohesion of this same social body” (Foucault 1986, 240). Power could not be seen as flowing down or out from the centralized state, which organized the society about it. Rather, in this view, “the modern state is not the source of power but the effect of a wider range of dispersed forms of disciplinary power” (Hansen and Stepputat 2001, 3).

Sovereignty proved to be a central concern in these debates, since for some, such as Deleuze and Guattari (1986, 15), “the State is sovereignty.” Foucault treats sovereign power as the principle of monarchical government, which is embodied in the dominance of the sovereign over the subject and reflected in the legal codes and philosophies inherited by modern governments. However, the modern state was distinguished by the growing importance of an entirely different and ultimately incompatible form—disciplinary power—that Foucault saw as a key innovation of bourgeois society, based on the “biopolitical” normalizing practices of numerous institutions and disciplines. Agamben (1988), however, rejected the notion that sovereign power is an archaic type to be superseded by the disciplinary biopolitical forms. Following Schmitt, Agamben (1998, 2) defines as sovereign he who decides on the exception, that is, the ultimate authority, standing outside the law, who both guarantees the law and decides when it should be set aside. This form of sovereignty—ultimately, the power over “bare life”—Agamben argues, is as fundamental to the modern state as it was to its predecessors and, indeed, has expanded in scope with the increased power of the central authority over its population.
But do such treatises on the modern nation-state provide any insights that might sharpen our understandings of other types of states? I think they do. First, they further destabilize the notion that state power is necessarily about centralization, since this is not very clearly true of even the most centralized and bureaucratic nation-states. Second, they draw our attention to the distributed power of diverse practices and institutions that generate subjects and the political orders that define them. Third, the debates surrounding sovereignty emphasize that the key relationship of state is between the institutions of authority and its subjects, not territory.

This suggests we can regard the state as a form of social relation, rather than as the sort of distinct "extrasocial" structure that the state pictures itself to be. Chaudhoke (1995, 49) makes a useful point on this: "Any definition of the state, therefore, needs to relate it to the wider society in which it is located; which it regulates; and whose political organisation it is. The state is simply a social relation, in as much as it is the codified power of the social formation." But this leaves open exactly what the nature of the social relation is, and here it makes sense to return, selectively, to the Weberian and Marxist traditions.

Is it possible to retain the central intuitions of these classical characterizations of the state and still make the concept more genuinely suitable for crosscultural application? Again, I think the answer is a cautious "yes." Weber's notion that the state requires the existence of political office seems a plausible basis for the sort of social relation I have in mind, and the constitution of this office could serve as the codified power required by Chaudhoke. I could add to this the Marxist intuition that the state presents itself as the just arbiter in disputes between other social interests. Finally, the existence of rulers and ruled as distinct social strata, be they conceived in terms of Marxist notions of class or Weberian concepts of status groups, seems to be a persistent feature of descriptions of the state and accommodates the tradition of contrasting nonstate society with state hierarchy. In short, we might look for three features to identify the state as a social relation: political authorities, systems of rules or arbitration, and the distinction between governing and governed persons. This approach allows us to reconsider the old distinction between state and nonstate, to look for "state relations" in societies that do not seem to match the older models of the centralized, clearly bounded state. It also, I think, suggests we could usefully look again at societies that have been represented as nonstate "kinship" societies and rethink the nature of power relations within them.

ANTHROPOLOGY AND PROBLEMS WITH KINSHIP SOCIETY

At its outset, the anthropological specialization was concerned with presenting alternatives to the ancien régime of Europe, with its hierarchies, martial aristocracies, and monarchies that traced their origins to the Germanic invasions of the late Roman period. Morgan was passionately committed to showing that primitive "kinship" society was essentially democratic, and he was by no means alone. The impulse to find the nonhierarchical, ethnographic tribal "other" was deeply embedded in the emerging disciplines of sociology and social anthropology. As Thom (1990, 35) remarks:

Within sociology itself, the special emphasis upon ethnology expressed a need, on the part of lay, republican intellectuals such as Durkheim and his pupils, to counter polemical celebrations of the martial and monarchical values of the ancient German tribes within France's national boundaries with the distant, purely human, universal values of tribes from without, from Australia, from Polynesia and so on.

The emerging discipline of anthropology made primitive society its primary object of investigation, and since the evolutionist thinking of the time identified primitive society with kinship society, anthropology made the study of kinship an early priority.

Schneider's (1984) critique of classical kinship theory forced a reevaluation of the Western social science tradition that represented kinship as a sort of human universal. His work on kinship in America and the Pacific island of Yap showed that relatedness need not be seen as necessarily about genealogical connection and reproduction. He questions kinship's "distinctiveness, its systematicity" (Schneider 1984, 294), and its privileged position in anthropological accounts. He illustrated his critique by showing how the assumptions of kinship theory had led him to misrepresent Yap society. The tabinau, for example, was the landholding, officeholding, political unit of Yap village life, analogous perhaps to a family farm or estate; the word also means house or dwelling (Schneider 1984, 21). Schneider explains that as a young anthropologist, keen to identify generic kinship structures, he had originally described the tabinau as a
extended his landholdings in Chahar Mahall, and is described in a 1780 document as governor of a large part of the Bakhtiari (Brooks 1983, 346). It turns out that "the Great Khans held executive power" (Garthwaite 1983, 349) and were part of the top echelons of the Persian court. The closer the historical accounts are to the present day, the more hierarchical and satelike the descriptions of the political structure. Garthwaite (1983, 319) notes:

During the late nineteenth and early twentieth centuries, Bakhtiari confederation leaders, the Great Khans, could have been removed only by a combination of the tribes and the state, thus limiting the tribes' independence of action and power. The leaders of the confederation acted as government surrogates in their role as administrators in the collection of taxes and conscripts, and the maintenance of order.

In fact, the pastoral nomadic lifestyle that appeared to define the Bakhtiari "tribe" seems to have been an innovation brought about by major economic disruption in Bakhtiari territory. Brooks (1983, 347) mentions in passing that "raids by Nadir's forces, the crushing of tribal revolts and the removal of thousands of families from the region made agriculture impossible. This [the eighteenth century] appears to have been the period when the Bakhtiari turned increasingly to the long-range pastoral nomadism which has characterised them since." He also mentions that at the time, the nobles were expanding their landholdings in non-Bakhtiari areas and "the distance grew between them and the bulk of the tribal population who were becoming nomadic" (Brooks 1983, 348). Since the time that they became "nomadic tribes," then, it is clear that the Bakhtiari were ruled by powerful and wealthy aristocrats.

Rather than "tribal solidarity" between kinsmen, historical records describe endless disputes between Bakhtiari khans, particularly in the early twentieth century, when the British controlled Iran. There is also ample evidence of class tension and the resentment of the khans by their Bakhtiari subjects at this time. A British political officer posted to Bakhtiari territory quoted one of his predecessors in his report: "In 1908 Col. Wilson wrote, 'The Khans are tolerated as a disagreeable necessity and feared and obeyed in proportion to their strength.' " (cited in Brooks 1983, 357).

As for the division between the Haft Lang and Chahar Lang described as "moieties," it turns out that these were administrative divisions. Garthwaite (1983, 322) himself notes they "emerged as bureaucratic devic-
es under the decentralised government of the late seventeenth century." The subsequent discussion shows that these units bore no resemblance to the marriage exchange groups of Morganian kinship theory. Garthwaite hardly mentions the distinction between nobles and commoners, the class division that Digard felt was of such central importance, but on closer examination it seemed that the organization of commoners into groups under named heads is more likely to have been an administrative act than the result of some indigenous kinship structure. And instead of chiefs acting as representatives of their kinsmen, it seems that local nobles held a range of state-defined aristocratic titles and official prerogatives from as long ago as the eighteenth century, if not before. The continuities and connections between "the state" and the Bakhtiari nobles are much more striking than the evidence of a distinctive "tribal" society confronting it. As Digard (1983, 335) notes, this was no bounded social unit responding to "the state" as an "external stimulus." Rather, the state in Iran had long served the interests of "tribal" aristocracies such as those of the Bakhtiari. Instead of casting them as the federated tribal "other" to the state, Brooks (1983, 362) shows the extent to which the Bakhtiari polity resembled it. He describes the Bakhtiari as a "failed state." Had the Bakhtiari khans managed to establish their own polity independent of Iranian suzerainty, we might be talking of the Bakhtiari state. The internal structure of Bakhtiari society was more indicative of political administration than kinship, but such was the influence of the segmentary lineage model that, at the time, it seemed plausible to describe it in these terms.

TRIBE AND CLAN IN INNER ASIA

Historically, the steppelands of Inner Asia have given rise to a series of imperial powers, including the Xiongnu, early Türk, Manchu, and Mongol empires. Scholars of Inner Asia have made much of the apparently incongruous phenomena of nomadic tribes periodically establishing vast and powerful states. Dominated by the notion of the pastoral nomadic society as an ideal type, these accounts commonly graft received wisdom regarding segmentary tribes onto their descriptions to fill the gaps left in the historical record.

Thomas Barfield (1989, 8), one of the best-known anthropologists of Inner Asia, summarizes the dominant view:
Inner Asian nomadic states were organized as "Imperial confederacies"... They consisted of an administrative hierarchy with at least three levels: the imperial leader and his court, imperial governors appointed to oversee the component tribes within the empire, and indigenous tribal leaders. At the local level the tribal structure remained intact, under the rule of chieftains whose power was derived from their own people's support, not imperial appointment.

Barfield (1989, 24-26) offers a description of a timeless, essentialized, steppe nomadic society that could have been written by Kradar or Sahlin:

"Throughout Inner Asia historically known pastoralists shared similar principles of organization alien to sedentary societies... Patrilineal relatives shared common pasture and camped together when possible... Tribal political and social organization was based on a model of nested kinship groups, the conical clan... an extensive patrilineal kinship organization in which members of a common descent group were ranked and segmented along genealogical lines... Political leadership was restricted to members of senior clans in many groups, but from the lowest to the highest, all members of the tribe claimed common descent... When nomads lost their autonomy to sedentary governments, the political importance of this extensive genealogical system disappeared and kinship links remained important only at the local level.

Although it was clear to a number of scholars that the application of the conical clan model was pure fantasy, the lack of historical evidence for the segmentary kinship system tended to be explained away by assuming that contact with, or conquest of, state systems caused them to decay. In any historical description, the argument went, one would only expect to find elements, remnants of the complete system of the past. The thirteenth-century Mongol state founded by Chinggis Khan (Genghis Khan), for example, created a rich fund of historical materials, particularly Chinese, Mongolian, and Persian sources. It is clear from these that this was a hierarchical society with a powerful pastoral aristocracy ruling common subjects, and, as discussed in chapter 4, the richer historical sources of the fourteenth century show that the lack of a segmentary lineage structure dates back to at least this time.

Thus the essentialized tribal society is envisaged as existing before the Chinggisid state, at a period for which we have almost no historical mate-
named groups living in Mongolia at the time. They have been described as a tribe (Cleaves 1982, 245) or a clan (de Rachewiltz 2004, 289), and from this it would appear they formed a homogeneous kin-based unit composed of clansmen. In fact, it is clear from section 139 of the Secret History that this political unit had originally been formed by a ruler (Qubul Khan) and that term “jūrmūn” more properly referred to the ruling lineage/house only. Chinggis Qa’an (emperor) made such arrogant people submit (to him) and he destroyed the jūrmūn obog (obog, “family,” “line,” “lineage”). Chinggis Qa’an made their people, and the subjects (they ruled), his own subjects.25 The conquest of other polities, such as the Tatar and Tayichi’ut, for example, are described in very similar terms, with the name of the polity attached most specifically to the nobility, who were clearly distinguished from their subjects.26

Instead of a map of a segmentary or conical clan kinship system, then, the Secret History of the Mongols describes sets of ruling lineages/houses with a large number of subjects.27 The standard translation of terms, however, gives the impression that it describes a prestate society of clans and tribes.

There is no single term that corresponds to the way that the word “tribe” has been inserted in the translations of the Secret History. Instead, a series of different words—îrγen (people, subjects), ulus (polity, realm, patrimony, appanage), and aimag (division, group)—have been translated as “tribe” in places in the text when the unit concerned is believed to be tribal. Similarly, there are two terms, obog (family, lineage, line) and yassu (bone, descent, lineage), commonly translated as “clan” depending on the context, and often the term “clan” has simply been inserted next to any group noun that the translator believes to be a clan.

Ratchetneyev (1991, 12) has a similar tendency. Knowing that the Secret History describes a clearly stratified society, he pushes the mythic nomadic kin-based era back to the turmoil before Chinggis is born. By the time of Chinggis, he writes, “the kinship group lost its homogeneous character.” This is a strange comment to make, as Ratchetneyev uses Persian sources to show that both predecessors of Chinggis Khan (Qutula Khan and Ambagai Khan) ruled steppe empires, but presumably he conceives of these empires as consisting of homogeneous kin groups, much as Krader conceived of Chinggis’s early empire.

The insertion of kinship has been accompanied by the deletion of stratification; the importance of aristocratic power and heritage has been consistently downplayed. At some points in the text, for example, the term ulus is commonly translated as “nation,” which is the current meaning of the term (see Onon 1990, 17; Cleaves 1982, 11); elsewhere, translators have habitually translated it as “people”—for example, when the khan of the Kereyid tells Chinggis that he will help him reunite his scattered ulus (Peliot 1949, 25; Onon 1990, 28; Cleaves 1982, 33; de Rachewiltz 2004, 30)—and this helped support the impression of egalitarian tribalism. In general a more accurate translation for the term in this period would actually be “patrimony” or “domain,” as Morgan (1986, 95) and Jackson (2005, 367) suggest, and in Chinggisid states such as the Yuan and Ilkanate it was consistently used for the appanages assigned to nobles. But it has been assumed that this usage was a state-induced distortion of an original, more “tribal” concept. The more probably correct translation of the Kereyid Khan’s offer, “I will reunite for you your divided patrimony,” appeared rather too feudal, so most translators chose to render this in more romantic tones: “I shall unite for you your scattered people.”

A clearer example of the way in which colonial-era models of tribal society were used to distort the historical evidence is provided by the treatment of Latin sources. The observant Franciscan Friar Giovanni Da Pian Del Carpini, for example, traveled to the court of Gliyik Khan (Chinggis Khan’s grandson) in 1246 and left the first detailed eyewitness account by a European of the Mongol polity. He describes a hierarchical and aristocratic society:

The dukes [daces] have like dominion over their men in all matters, for all Tartars [Mongols] are divided into groups under dukes. . . . The dukes as well as the others are obliged to give mares to the Emperor as rent . . . and the men under the dukes are bound to do the same for their lords, for not a man of them is free. In short, whatever the emperor and the dukes desire, and however much they desire, they receive from their subjects property.

(Dawson 1955, 28; Beazley 1903, 59)

Carpini used the Latin word dux for senior Mongol and European nobles alike, and early translators such as Hakluyt in the sixteenth century translated these as “duke” (Beazley 1903, 121, 59), as I have done in the passage above. However, nineteenth- and twentieth-century translators such as Rockhill (1900) and Dawson (1955) introduced an astonishing dual system whereby when dux referred to a European noble, such as the Russian nobleman Vassilko, it was translated as “duke,” but where it applied to a
The Headless State

* Aristocratic Orders and the Substrata of Power *

On September 20, 1640, a great assembly was held in Western Mongolia. It was attended by the most powerful lords of the eastern Eurasian steppes—the Zasagtu and Tüshiyetü khans of the Khalkha (Outer Mongolia); the Oirat rulers Erdeni Baatur Khung-Taiji, Khoo-örlög Taishi, and Güışshi Khan; along with some twenty other senior nobles. They were meeting to form a new "state" (töv) and to draw up its code of laws. But although it was described using the word for a state, the political formation they created would seem impossible in terms of the Weberian model of the ideal-typical bureaucratic state. It had laws, rulers, and subjects, but it was to have no capital, no center, and no sovereign. It was a distributed, headless state formed by independent nobles and their subjects and sharing a common law code and aristocratic social order. We know more about its internal structure than most nonimperial steppe polities because its code of laws, the Mongol-Oirad Chaaji, has survived.

The standard historical narrative has represented both Oirat and Mongol society of the time as tribal (e.g., Soucek 2000, 170). This is understandable enough, since there was no identifiable imperial state ruling their territories at that time. There had been little by way of real political centralization among the Mongol princes since the collapse of the Yuan.
dynasty at the end of the fourteenth century, (although Batmonkh Dayan Khan and his queen Mandukhail had briefly revived the dream of Mongol unity at the end of the fifteenth century). In the sixteenth century, even the Khalkha Mongol territory was divided between three dynasties, the Tushiyetü khans, and Zasagtu khans in the west, and the Setsen khans in the east. At this time, the Oirat rulers controlled much of western Mongolia and what is now northern Xinjiang, and there had been a series of clashes between them and the Chinggisid Mongol princes since the end of the fifteenth century. But, perhaps spurred on by the growing power of the Manchus in the east, the leading Mongol and Oirat lords had decided that it was time to put aside old grievances and form a new political union. The confederation endured for forty-eight years before fracturing as war broke out between the Oirat Galdan Khan (1678–1697) and the Khalkha Tushiyetü Khan Chakhdondorji (1655–1699), which led to Galdan’s 1688 invasion of Mongolia.

After swearing fealty to the Qing in 1691, the Borjigid Mongols of Khalkha replaced the Mongol–Oirat code with the a set of similar laws, the Khalkha Jirum, in 1709. But the 1640 law code continued to be used by the Oirats, and among the Volga Kalmuks it remained in force until the abolition of the nobility’s authority by the tsarist colonial government in 1892 (Atwood 2003, 389). Riasanovsky (1965 [1937], 47) notes that it was the most widely applied of Mongol laws, apart perhaps from those of Chinggis Khan himself, for which we have only fragmentary records. The Mongol-Oirat laws of 1640 closely resemble an earlier code made by Alan Khan in the sixteenth century and are part of a tradition of state that stretches back to the Chinggisid era, if not earlier. It is the closest thing we have to what would be conventionally described as “tribal law.”

But the political entity that was governed by this law was not an empire in the conventional sense, and it was certainly nothing like a centralized state. The territory of the union was not even contiguous. It included the domains of Khoo-öölö Taishi on the Volga, which later became the Kalmuks’ khanate, some three thousand kilometers to the west. It is hardly surprising that the Mongol-Oirat Chaaqjii has generally been treated as a treaty rather than as the charter of a new state, since it matched so few of the criteria of the state as it is usually conceived. But the union described itself unambiguously törü (törü), which Humphrey and Hürelbaatar (2006) describe in this period as meaning “state,” “sovereignty,” or “government,” indicating a concrete political formation as well as a principle of rulership. The Mongol-Oirat union can be described as a confederation—not the “tribal” confederation of Morgan, but a joint project of rulership by powerful aristocrats.

Core features of the state as conceived of in nineteenth-century social science are present: codified law, a hierarchy of political offices, stratification, and property in the form of institutionalized rights over both resources and people. The provisions of the law stipulate punishments for various offenses, usually livestock fines in units of nines and fives. But for the aristocracy, these fines included subject households, listed along with other possessions so that they are indistinguishable from property. For example, section 8 of the code reads:

If a great noble (yekhe noyan) goes to battle and flees from the enemy, one hundred sets of armour, one hundred camels, fifty households of people, and one thousand horses will be taken. If a datch in or chüdger level of noble goes to battle and flees from the enemy, fifty sets of armour, fifty camels, twenty five households of people and five hundred horses will be taken. From a lesser noble (baqa noyan), ten sets of armour, ten camels, ten households of people and one hundred horses will be taken.

(Butangoljej and Ge 2000, 34)

The code provides evidence of the entire apparatus of state other than a centralized authority. It mentions courts (örgüe), judges (jarguchin), military conscription, and a hierarchy of officials. There were distinctions within the nobility and a series of subaltern ranks, and this hierarchy and administrative structure was common to both Mongol (i.e., Chinggisid) and Oirat-ruled domains. The most senior figures were the “great lords” (yekhe noyan) holding the highest titles of rulership—Khans, Khung-Tajjis, and Taishis. Next came those with marriage alliances with the rulers, the tabuunng “sons-in-law,” and grouped with them in this strata were the “officeholding” nobles, the yamunu noyan. The term yamun indicates a senior office of state and was later used for the ministries of government, but at this time it may be that the office concerned was membership in a senior council (Atwood 2006, 216) or may have simply been the rulership of the largest administrative divisions—the ulus, or aŋgi (noble appanages), which were themselves divided into units called aogs—the peoples and pastures allocated to a noble, usually of a few thousand households in size and described by Atwood (2004, 430) as “the basic unit of Mongol socio-political life.” They seem almost identical to the “banner” (khoshkui)
unit, which is also mentioned at this time and later became the basic Mongol administrative unit under the Qing.\(^4\) The rulers of these otoqs may also have counted as officeholding nobles, or they may have been categorized in the next class down, the “lesser nobles” (baga noyad) and their sons-in-law (tabunang). All of these lords seem to have belonged to the ruling “bones”—Borjigin in the case of the Mongols and the Choros, Galwas, and other non-Chinggisid noble houses in the case of the Oirat. They raised taxes, levied military forces, and enforced the law in their own domains. Beneath them there were a series of ranked officials who administered the common subjects on their lord’s behalf. The otoq officials (tushmed, erkhe ten) ruled subjects grouped into units of forty households (döchön), headed by an official named a demchi; these were divided into “twenties” (khor) headed by a shigilengge, and these were divided into groups of ten households, with a head.\(^5\) Subjects were further classified into three ranks, the “good,” “middle,” and “base,” and slaves (bo’ol) had a separate legal status.

The fines and punishments are routinely related to the status of the injured party, and sometimes commoners are not mentioned at all, suggesting that certain offences were not applicable to them. For example, section 17 reads:

If [someone] attacks a great noble, confiscate all his properties. If [someone] verbally attacks an office-holding noble or son-in-law take one Nine, if they lay hands on them, take five Nines. If [someone] attacks a lesser noble or son-in-law, take a Five; if they lay hands on them and beat them heavily, take three Nines; lightly beat them, take two Nines. If [someone] attacks adjutants or shigilengge (tax collector or head of twenty households) verbally, take a horse and a sheep, if they beat them heavily, take a Nine, if they beat them lightly, take a Five.

\textit{(Buyanöljej and Ge 2000, 56–57)}

On the other hand, the lower classes are assumed to have less property, so for some crimes the fines are smaller for lower-status offenders.\(^6\)

The code also reveals an aspect of aristocratic power that is “pastoral” in the Foucauldian sense, concerned with the well being of subjects, and places a responsibility on rulers to provide for paupers. These “poor laws” appear in the additional clauses that were added to the 1640 document around 1677 by the Oirat ruler Galdan Khung-Taiji (1644–1697). The second of these articles reads “Demchis should look after the base [i.e., poor], if they cannot look after them, they should tell their heads of otoqs. Heads of otoqs should look after them all without discriminating between their own and others’. If there is no way to look after them, report to one’s superiors” (Buyanöljej and Ge 2000, 254).

This form of regulation penetrated every level of social life, including all manner of personal conduct.\(^7\) Fines are stipulated for failure to report a theft, failing to pay a court fee, impersonating an official, insulting a social superior, and inappropriately placing wood in a domestic fire. The regulations extend to stipulating the size of dowries and wedding feasts for people of different ranks, the age of marriagable girls, and the number of marriages that should take place within the administrative units of forty households each year.

There is little doubt as to whose rule the code represents. This is the collective sovereignty exercised by a steppe aristocracy stretching from Manchuria to the Volga. Section 18 reads:

If nobles holding offices and tabunangs (sons-in-law of a noble), junior nobles and tabunangs, demchi (head of forty households), shigilengge (head of twenty households) beat a person for the sake of the lords’ (ejed) administration, law and order, they are not guilty, even if they beat someone to death. If these officials beat people in order to show off, fine them a Nine for heavy beating, take a Five for a middling beating and a horse for slight beating.

\textit{(Buyanöljej and Ge 2000, 59)}

Here the plural form of ejed (lord) is used for the “the lords’ administration”; the laws refer to the nobility’s joint government of subjects. The code makes clear the mutual interest both aristocracies had in controlling their subjects and preventing commoners defecting to the jurisdictions of other nobles. “Those (people) who go to another kushuu and those who move between them shall be gathered and seized. If they have no otoq they shall belong to an otoq, if they have no aimag [administrative division] they shall belong to an aimag.” The regulations detail the punishments in the case of subjects leaving their allotted pastoral area (nutug) (Buyanöljej and Ge 2000, 258).\(^8\)

\textbf{THE STATE AS SOCIAL RELATION}

Recalling Chandhoke’s insight (1995, 49) that the “state is simply a social relation, in as much as it is the codified power of the social formation,” we
can see that in this sense the state is present in the power that any noble exercised over his subjects and in the wider political order that framed and empowered this rule—aristocracy. Indeed, we also find the key characteristics of the state according to classical social theory, since aristocracy entails both political office in the Weberian sense and class exploitation in the Marxian one. The use of descent to generate rulers and subjects permitted all the further political refinements represented both in the 1640 code and the more centralized political orders that could be established by imperial rulers. The “substrata of power” that underpinned each polity involved the construction of legal personhood in the form of rulers and subjects of various ranks, including slaves. The existence of slavery in most, if not all, steppe societies up until the nineteenth century has been generally recognized, but it has been downplayed (since it rather contradicted the egalitarian nomad model) on the grounds that slaves could have been very numerous (e.g., Khazanov 1983, 159). But it is the institution of slavery, rather than the absolute numbers of slaves, that is most revealing of the political order. The status of slaves was not an absolute one, but depended on that of their masters, at least in the Mongol case (Skrynnikova 2006), and they were not without some rights—the 1640 code stipulates fines for the killing of even one’s own slaves. But even in the forms mentioned above, slavery is evidence of unmistakable relations of dominance, subordination, and stratification. That it could exist in such a wide range of different steppe polities suggests that it did not require the apparatus of a centralized state and that a distributed political order is perfectly capable of enforcing relations of lifelong dependency, as in the case of slavery among the “headless” nineteenth-century Turkmen.

By finally discarding the tribal model of an essentialized and timeless nomadic society, we can recognize innovation and political change as well as continuity. As Atwood (2006b, 257) points out, the strong centralized monarchy of Chinggis Khan’s empire can be contrasted with the much more weakly centralized and relatively confederated Oirat polity. But by the seventeenth century, the Chinggisid domains were no more centralized than their Oirat counterparts, and the political union of 1640 represents another innovation in that it had no single overlord at all. It was, of course, a unique historical outcome, just as was the Chinggisid empire, but it was not entirely without precedent.

The Kimek polity that ruled the eastern Russian steppe in the tenth century was a monarchy—noted the tenth-century writer Hudud al-Alam.

'According to the Hudud (our only source for this) the Kimek 'king' is called 'khâqân' and had eleven lieutenants who held hereditary feños’ (Golden 2006, 29). However, by the twelfth century, the Kimek kingdom had given way to the Cuman or Qipchaq polity, which was clearly not a monarchy and seems to have been another headless aristocracy for much of its history. Golden (1990, 280) notes, for example, that the late twelfth-century Jewish traveler Petahia of Ratisbon, who journeyed through Cumania, remarked that they "have no king, only princes and noble families." Similarly, the Oguz seem to have had no overlord but many lords (arkhâb), as the tenth-century Ibn Fadlân reports (Golden 2006, 28). The history of Borjigid rule provides a spectrum of more and less centralized political formations within a single tradition, with effective overlordship in the times of Batmûnkh Dayan Khan in the fifteenth century and Altan Khan in the sixteenth, but with the Chinggisid aristocracy jealously guarding its independence for much of the intervening time before finally swearing fealty to the Qing.

We also see political forms that might be notionally placed somewhere between autocratic and “headless” aristocratic orders, such as forms of elective monarchy. The khans of the Kazakh khanate were elected by senior nobles, and in the early Kitan polity the position of qagan appears to have been that of a “first among equals,” elected by the eight senior lords for a three-year period of office, until yesü Abajoji made himself a lifelong monarch in 907 and introduced imperial rule (Wittfogel and Peng 1949, 577; Atwood 2004, 317). When considering the histories of less exotic and more familiar political systems, it is very clear that socially stratified aristocracies need not exist despite a weak or absent center; they can actively promote one. The powerful patrician families of republican Rome, for example, famously resisted monarchy until the Augustanian period, and as Mosca (1939, 52) remarked, “what Aristotle called a democracy was simply an aristocracy of fairly broad membership.”

A rather less distant historical parallel is provided by the elective monarchy of Poland, which stands as a striking exception to the political trends in the rest of Europe. “In the early modern period the continent witnessed the emergence of a new style of government based on centralization of political authority through bureaucratic techniques . . . Poland, however, alone of all the great powers in Europe, failed to create the stable bureaucracy which could centralize political power within its sprawling domains” (Fedorowicz 1982, 2). Interestingly, the Polish case provides another ex-
government. Of course, the concept of aristocracy as an analytical and comparative term deserves to be developed more fully than I have been able to in this work. But it seems to me that it offers far better prospects of genuine insight into the political orders of "tribal" societies than the reproduction of nineteenth-century evolutionary schemes and the dubious analytic terms they generated.

| Notes |

1. **Introduction**

1. Abrams (1988) viewed the state as an "allegorical contrivance through which self-interest and sectional power are masked as independent moral entities." He writes: "The state comes into being as structuration within political practice; it starts life as an implicit construct; it is then reified—as the *res publica*, the public reification, no less—and acquires an overt symbolic identity progressively divorced from practice as an illusory account of practice." Similarly, Mitchell (1991, 77) considers one of the distinctive features of modern states to be the illusory nature of the separation of the state that stands apart from society as a "fair arbiter." He writes, "state-society boundaries are shown to be distinctions erected internally, as an aspect of more complex power relations."

2. This was by no means novel. Malinowski (1944, 166) had seen the "tribe-state" as the "executive committee" of the society, with political organization, a military class, and arms as instruments of power. For Malinowski, monopoly of force gave unity to the tribe, transforming it into a state whose hegemony extended over a determined territory.

3. With reference to elite theory, it might, perhaps, be useful to note the distinction between what Pareto called governing and nongoverning aristocracies (and what C. Wright Mills [1956, 162] termed the power elite) and the upper classes—law codes such as the 1640 Mongol-Oirat regulations and the Khalkha Jirum distinguish office-holding nobility from the rest.

4. In general, when rendering Mongolian names and terms, I have tried to use the most commonly found forms of words such as Khan (Qan, qan, and Khošhu (Khoshu), so that readers may more easily identify them. Otherwise I give transliterations of words as they appear in classical Mongolian script since the seventeenth century generally following Atwood (2004), in some cases alongside the more phonetic current transliteration from the Cyrillic script and placing the most appropriate version (classical or Cyrillic) first. For thirteenth-century Mongolian I have, as far as possible, followed De Rachewiltz (2004). In quotations I retain the original forms as far as possible.
5. A typical arrangement was for the herding family to retain all the wool and milk of the herd while the owner gained all the offspring. Other agreements were less generous, with the owner taking all the wool and giving the herding family a few livestock in payment.

6. The prerevolutionary monasteries, for example, could own more than 60 percent of the total livestock in a district (Lattimore 1940, 97–98).

7. This strata appears to have been quite small, but both nobles and commoners might own slaves, provided they had the wealth to support them. Legal documents from the eighteenth century bear testimony to both the suffering of slaves and a certain, if very limited, concern for them by the Qing authorities. In 1789, for example, a thirty-two-year-old slave woman named Dashjil tried to kill herself and her children, one of whom was killed before help arrived. She was the daughter of a khanjilga named Nomon who was so poor that he had sold her as a child to a taiji before himself dying of starvation. Unhappy with each of a succession of masters, the girl repeatedly ran home to her mother only to be sold to someone else. Eventually, in despair and pregnant for a fourth time, she had tried to kill herself and her children. The Qing authorities punished almost everyone connected with the case except Dashjil (Bawden 1968, 139–140).

8. In fact, they often became liable for such obligations in practice (see Bawden 1968, 150).

9. Legal documents from 1822, for example, describe a case in which a taiji punished a son of one of his khanjilgas for being slow to learn his lessons by leaving him tied up, naked, outside on a winter night. Of course the boy froze to death. The noble was fined “two nines”—eighteen head of cattle (Bawden 1968, 141).

10. This status is not to be confused with the Darkhad ethnic group of northern Mongolia. See Jagchid and Hyer (1979, 287–288) for a discussion of the rights and status of the Darkhad.


12. For example, the emperor had the right to give land to groups such as the Bargas in what is now Hulun Buir, Inner Mongolia. See Lattimore (1935, 158–160) and Tubshinnina (1985, 90–95). Sanjordor (1980, 1) takes a Marxist line and states that in the sixteenth and seventeenth centuries “the land . . . was the property of the feudal classes.”

13. This is reflected in the records of legal petitions made to the Bogd Khan, the ruler of Outer Mongolia after the collapse of the Qing in 1911. For example, in one document banner officials insisted that several commoners move with their animals south of a river, but by giving the officials over 160 sheep and twenty rubles the plaintiffs obtained permission to stay on the better northern side until the weather became warm (Rasidondug and Veit 1975, 142, 144). What was being acquired in this way was in no sense the ownership of the land, but rights to use territory at a certain time in the annual cycle.

14. For a detailed reconstruction of the pastoral system of Lamyn Gegen khoshuu (as Simukov called it) see Sneath (1999, 223–226).

15. See, for example, Simukov (1936, 55–56) and Bawden (1968, 109).

16. Such a review could not hope to be comprehensive in a work of this length. The studies examined in the rest of this book are by necessity a tiny selection from a large field, but my aim is polemical—to critically examine the common model applied to each—and I hope that the selection is sufficient for this purpose.

17. I use polity to mean a political unit, following Colson (1986, 5): “By polity I simply mean a unit that is self-governing, no matter what the nature of its political organisation or its size.”

18. After their defeat, remnants of the Cimmerians fled into Asia Minor—gaining footholds in Phrygia, Cappadocia, and Cilicia, finally establishing themselves in Pontis. The Scythians sent armies in pursuit of their ousted rivals and clashed with the Assyrian empire; in 678, the Scythian king Ishkapai mounted an unsuccessful invasion. Another Scythian king, Bartatuia, formed an alliance with the Assyrians and gained their approval to advance into Pontis to destroy the final power of the Cimmerians.

19. It seems that the Ashina had originally been Xiongnu nobles who had fled persecution in northern China with just five hundred subject families in 439 (Atwood 2004, 53).

20. The Hailai had also been subjects of the Rouran (Grousset 1970, 67) and seem to have originally been one of the ruling families of the Kushan empire. The Kushan empire stretched across the region of Bactria and the Hindu Kush in the first to the third centuries. It was formed by the Guishuang, one of five aristocratic families of the Yuezhi polity that ruled the northern Xinjiang and Gansu area before being ousted by the Xiongnu in the second century B.C.E. It seems that the Hailai may have been another of these five families (Enoki 1970).

21. It is thought that one of the effects of the Mongol rule of Persia was to stimulate the development of mobile pastoralism in areas such as the Zagros mountains, later associated with the Bakhtiari pastoralists of that region.

22. This reveals a number of continuities in traditions of state and techniques of rulership, such as the recurrent use of decimal administrative units. Another continuity is the ideology of the "heavenly mandate" justifying...
(1970, 60) wrote: “A nation is a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life and psychological make-up manifested in a common culture.” Bromley’s ethnus is “an historically formed aggregate of people who share relatively stable specific features of culture and psychology, an awareness of their unity and their differences from other similar groups, and an ethnonym which they have given themselves” (Bromley 1980, 159). Much of the Soviet-era work on ethnogenesis concentrated on identifying a core ethnus with recognizable elements of Stalin’s notion of nationality (see Shatin 1989, 10).

35. By “charisma,” Weber meant “a certain quality of an individual personality by virtue of which he is considered extraordinary and treated as endowed with supernatural, superhuman, or at least specifically exceptional powers or qualities . . . and on the basis of them the individual concerned is treated as ‘leader’” (Weber 1978, 24).


37. The “heavenly mandate” is the doctrine that imperial rulers are favored by heaven (ingrî) and, in the ancient Türk, Xiongnu, and Mongol cases, that emperors are of heavenly descent. This notion of heavenly favor is extremely old and remained important in the Qing period (see Di Cosmo 2006, Sneath 2006).

7. THE HEADLESS STATE: ARISTOCRATIC ORDERS AND THE SUBSTRATA OF POWER

1. They write: “It denoted not only the idea of ‘the state’ or ‘sovereignty’, but was also used to refer to actual political arrangements. One example is the lengthy speech of regret, attributed to Chinggis Khan by several seventeenth century chroniclers, where he admits his fault in failing in his duty to his töre in Mongolia while he was enjoying himself campaigning in Korea (Bawden 1955; Choji 1983, 404–415) . . . Töre here (a) is already conceptualised as one idea and (b) that it also refers to the concrete political set-up in Mongolia (Bawden 1955, 344) . . . In some seventeenth century contexts, töre has been translated as ‘government’. For example, Bawden’s translation of Ałtan Töre” (Humphrey and Hürelbaatar 2006, 267).

2. Service (1975, 15), for example, declares that “civil law and formal government” are the elements that characterize the state.

3. Dyllykova (1981, 117) translates the term ŏtog as “pasture and livestock keepers belonging to a nobleman,” and Atwood (2004, 431) notes there is evidence that in the sixteenth century ŏtogs were formed for leading nobles such as the grandsons of Batu-Mongke Dayan Khan.

4. The ŏtog seems to have also been called a khoshuu in some documents (Bold 2001, 96), and it seems they were similar if not identical administrative units from the references in the code. See Buyanölji and Ge (2000, 258).

5. These are mentioned in Chapter 8 of the laws added by Galdan Khung Tayji (Buyanölji and Ge 2000, 258).

6. For example, section 8 details fines for fleeing on the battlefield. For the most senior commanders, the fine is a hundred sets of armor, a hundred camels, fifty households of subjects, and a thousand horses. But lower ranks have proportionately smaller fines, so that for elite troops the fine is just four riding horses, and from the most junior commoner, one quiver and one horse. A slave was just humiliated (see Buyanölji and Ge 2000, 34).

7. As Durkheim (1994 [1895], 159) remarked: “The state exercised its tyranny over the smallest things.”


9. In the case of the Xiongnu, for example, Golden (2001, 35) uses Kyhanov’s 1907 estimate of 180,000 to 190,000 slaves out of a total population of 1.5 to two million—about 10 to 12 percent.

10. Horvath (1989, 45) notes the failure of one lord, Könchek Khan, to establish a monarchy in the late twelfth century. The Pecheneg or Kangar polity of the eighth to tenth centuries also appears to have had very weak central authority, but was composed of eight principalities, each with five subdivisions, ruled by a hereditary aristocracy. However, the Byzantine source Constantine Porphyrogentius notes names and titles of Pecheneg lords that suggest offices of court, an indication, perhaps, of another headless state form (Horvath 1989, 15). In the usual way, Horvath describes the ninth-century political subdivisions of the Pechenegs as clans while noting they were not actually kinship units at all. He writes: “These clans were no longer social units based on ties of kinship but the nuclei of territorial organization directed by a clan aristocracy. Power lay in the hands of noble clans which were separate from the common people” (Horvath 1989, 14).

11. Similarly, social organization in post-Chinggisid “Qipchak” polities such as the Nogai horde are described by contemporary observers in terms of lordly or kingly domains. The sixteenth-century English traveler Anthony Jenkinson, for example, noted that “every horde had a ruler whom they..."