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RESEARCH ARTICLE

A secular empire? Estates, *nom*, and religions in the Mongol empire

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Abstract

Recent work in religious studies has emphasized how European colonial empires used the defining and constructing of religions and secularism as tools of rule. This article explores parallel processes in the Mongol empire (1206–1368) where 'religion-making' occurred in three areas: 1) a precise and legal definition of professional service estates among the conquered peoples that included the clergies of designated religions; 2) a broad and imprecise classification of *nom* or 'way of life' that partially overlapped with the clergies defined in the first category; and 3) a realm above all such sectarian distinctions destined for the Mongol ruling elite who alone were capable of living in free obedience to Heaven. The parallels and differences with classifications of the religious and the secular in European colonial empires shed light on how power interacts with cultural classification and practices.

Keywords: Mongol empire; secularism; clergy; *nom*; ritual; ethics

Introduction

European colonial empires created both religion and secularism (that is, the absence of religion). This is the conclusion of much of the recent work in religious studies. Here, creating religion and secularism refers to several different processes: grouping practices found among a single people as a 'religion'; separating out a certain set from the range of practices and their practitioners that will be classified as a species in the genus of religion; separating those religious practices from other, that is, 'secular', aspects of adherents' lives; and defining certain religions as 'world religions', that is, they seem to exist in a transcultural, transnational space. Empires engage in 'religion-making' (Dressler and Mandair 2011) through a process that is both directed from above and dictated by administrative needs, and also generated from below, as different communities and their leaders engage the imperial apparatus

and seek protection, immunities, and advantages through being classified as 'religions'.

In the colonial empires formed in the post-Enlightenment second wave of European colonialism, the concept of the secular played a range of crucial roles in the process of religion-making.[1] By separating the 'religious' and the 'secular', the European colonial state created a secular space in the lives of the colonized, where the colonial state's jurisdiction could not be legitimately challenged by local 'religious' authorities. By deploying the concept of secularity, the colonial apparatus also distinguished those aspects of the metropole's culture which could be appropriately imposed on the colonial subjects as universally applicable and those which were to be treated as 'religious' and hence irreducibly culture-bound. Finally, the colonial regime's own ability to distinguish secular and religious served as a key marker of the colonial state's greater rationality and universality, marked by the colonial administrator's ability to be self-conscious about his own culture, value commitments, and own relation to the transcendent. In a Hegelian sense, this critical distance marked the colonial administrator as a mature person from a mature culture. By contrast, the colonial subject, bound with religion, was still 'asleep' and immature.

Similarly, colonial subjects found that cooperating in the distinction between religion and secular could enable certain spheres and practices to be walled off from the interference of the colonial state.[2] Embracing this distinction could also mediate crucial alliances between communities that were held to be separate by the colonial authorities as different 'religions'. Those colonial subjects shaped and educated within the colonial regime could deploy the secular–religious divide both to enhance their own claim to leadership as 'secular' and hence able to operate in the modern, international sphere, yet also maintain their ability to claim an organic and natural (because 'religious') connection to their colonial constituency.

Contemporary research in the history of religions has heavily stressed the contingent European roots of this secular and religious distinction. In particular, the Protestant distinction of inward faith and outward works, in its Weberian reading, has been taken as the necessary grounds for the imperial distinction of religion (internal, holy, spiritual) and secularism (external, profane, corporal).[3] Yet the question remains: given the demonstrable administrative utility of the classification of populations into particular communities, and the inevitable negotiation between ruling and ruled populations of certain predictable boundaries of control and autonomy, was there anything analogous to the distinction of religion and secularism drawn in previous empires and, if so, how? While the particular cultural background of second-wave European colonial powers such as Britain, France, and Russia undoubtedly shaped the

[1] The Iberian colonial empires formed in the first wave of European colonialism from 1492 to the eighteenth century were obviously vastly different in their relation of religion to rule.

[2] Johnson (2011) illustrates this, while avoiding the rhetorical and conceptual pitfalls of unmasking and the reinstatement of authenticity.

[3] See, for example, Mandair and Dressler (2011, 7–11).

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distinction of religious and secular, which all of them drew in their colonial territories (British India, Algeria, Indochina, Central Asia), do we find an analogy of the religion-making process in other, non-European empires? Have non-modern, non-European, and non-Christian empires found it useful to designate both a genus of 'religion' (presumed to be universal such that all of the empire's subjects should belong to one) and a set of species belonging to that generic category? And does this process of non-European imperial religion-making similarly create a concept analogous to 'secularity' and 'secularism'?

The Mongol empire is a particularly advantageous site from which to investigate this question. The extent of its empire made the Mongols rulers over many communities that European colonial powers would later parcel out among 'world religions': Buddhism, Christianity, Islam, Daoism, Judaism, Confucianism, and Bon. The empire was also famous for its policy of religious 'tolerance' which involved some form of separation of spheres whereby adherence to a religion on the part of rulers was legitimate, but only if it did not influence governance. It is this imperial policy of 'tolerance' that seems to have been revived in a modified form in the policy of 'peace with all' (*sulh-i kull*), as Moin's framework article in this special issue argues. Indeed, this might well be the case because in Islamic areas under Mongol control, the distinction of the *jasaq* or *töre*, on the one hand, and the *sharīʿah*, on the other, created a seeming analogue of secular and religious law.[4] In all of these ways, the Mongol empire seems to present an example of another wave of 'secularism and religion-making' that offers a fruitful field for comparison with the more familiar wave that began in the eighteenth and nineteenth centuries.

The clerical service estates

Despite the vast gap in the quality of documentation—no archives of the Mongol empire have survived and most Mongol-language private writings have been lost as well—there are many prima facie parallels between the religion-making of the Mongol empire and that of the European colonial empires. To take the largest of these empires—the British—as an example, both the Mongol and the British empires conquered vast, culturally diverse territories in which they engaged in extensive mapping and census activities. In both empires, the census activities recognized, in some sense, specific religious communities, which are named in list form, evidencing the imperial understanding of them as comparable categories. Both empires saw a number of conflicts over the specific boundaries of these communities, in which particular clerical figures sought to use the census positions to advantage their own community and disadvantage others. This classification of religions also came with an implicit theory of what 'religious' behaviour was—in the Mongol case, it involved prayer to the supreme god, with the aim of securing benefits, particularly long life (Atwood 2004).

[4] See Aigle (2015, 134–156, 301–315); on the Mongol impact on the *'ulamā'* or religious scholar class, see Moin (2018, 378–381).

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The Mongol rulers, even if members of one or another of the religions so classified, held themselves to a rule of impartiality, refusing to show bias to co-religionists of that same religion. To this extent there appears to have been something analogous to secularity or a space where membership of a particular religion would not be allowed to influence public behaviour.[5] This space included a number of technical fields that were favoured by the Mongol rulers: 'economics, accountancy, for "balancing the budget" and the estimates of revenues and expenditures, medicine to keep bodies and constitutions (in health), and astrology' (Kolbas 2006, 313).

Yet examined more closely, there are as many differences as there are similarities. First of all, the Mongol imperial records hardly record lay communities at all. The lists of religions are recorded not by the abstract name of particular religions, but by the collective names of their clergy: *toyit* (Buddhist monks), *erke'üt* (Christian priests), *sinšing-üt* (Daoist priests), and *dašmat* (Muslim clergy). Terms for lay believers are much rarer: for example, only occasionally mentioned are *Musulman* for Muslims or *Kiristan irgen*, literally 'Christian commoners', for Christendom.[6]

This rarity of terms for lay members of the community is explained by the context in which these lists of different clergy appear and by the Mongol registration practices. Ordinary subjects among the conquered peoples were, as far as is known, never listed by religion. Instead, they were listed by occupational categories, which hereditarily determined the specific duties they owed to the imperial government. These include civilian households, military households, post-road households, as well clerical and professional households. Thus legally, at least, those outside the ranks of the clerical registration had no recognized religious status. However, many lay folk were affiliated with religious establishments as menial labourers on estates belonging to monasteries, churches, temples, lodges, and shrines.[7]

It is an open question as to what degree the Mongol understanding of different religious categories was assimilated by the lay adherents of the clergy. In Western Eurasia, the categories of clergy the Mongols employed, particularly Christian and Muslim, corresponded to pre-existing religious communities with relatively strong boundaries. There the main effect of Mongol rule appears to have been to throw Christians of various communions into a sometimes welcome, and sometimes not, new familiarity.[8] In China, however, where distinctions between religions among the laity had previously been quite ambiguous, Mongol rule, with its broad exemptions given to trusted clergy, heightened clerical involvement in secular affairs enormously. One can also find evidence in the social history of the time that lay populations in North China increasingly defined themselves and their communities in terms of

[5] See the citations from Islamic sources (Juvaini 1958, 26 and Amitai 2007, 226) discussed below.

[6] For *Musulman* see, for example, Chinese documents translated from Mongolian in Song et al. (1976, 5.83, 12.246) and Chen et al. (2011, 57.1894); for *Kiristan irgen,* see Mostaert and Cleaves (1952, 450, 451, 460).

[7] On the census in general, see Allsen (1987, 116–143). On the household categories, see Huang (1977).

[8] See Heng (2018, 316–323, 341–379).

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Daoist or Buddhist affiliations.[9] Mongol rule also separately recognized the clergy of three new Buddhist-based religions which under the previous regimes had been subject to periodic persecution as heretical sects. The Dhūtaist community in North China and the 'White Lotus' and 'White Cloud' communities flourished under Mongol rule and reached an apex of self-awareness as separate religions only to disappear in the bloody fall of the Mongol empire and the renewal of persecution under the Ming that followed.[10]

Here the closest parallel is with the estate (*soslóvie*) paradigm in Russian history (Freeze 1986). This paradigm combined broad occupational divisions (nobles, clergy, peasants, and merchants) with groups that shaped modern-day ethnicities such as among the Muslim peoples of the Russian empire (Frank 2016). An estate was a

> legal and fiscal status granted to individuals or communities that established their fiscal liabilities, but more important also imposed service obligations, and established privileges that were typically negative in form. That is, they constituted exemptions from various types of service obligations, including military recruitment, the poll tax and corporal punishment (Frank 2016, 139).

The negative definition of an estate category exactly fits the Mongol categories for clergy, physicians, and *ortaq* ('partner') merchants (that is, merchants trading with capital supplied from the treasury of the state or the Mongol ruling class), all of which are defined in surviving documents precisely by being *not* subject to some or all of the duties expected of common residents.[11] Yet the basis for the estate classification in the expanding Russian empire was quite different from that of the Mongol empire. In its pre-Petrine form, among the Volga peoples and Siberia, as Allen Frank (2016, 147, cf. 142 n. 8) writes, 'The most enduring and common types of the estate organization among Muslims were community-based and community-derived. These often coincided with the boundaries of religious communities and were based on ancestral affiliation.' Later on in Central Asia, however, they used 'broad socially undifferentiated colonial legal categories' (Frank 2016, 142).

Either way, however, Russian estate practice differed from Mongol estate practice, which used finely graded occupational categories precisely among the imperial subjects, while the ruling population of the Mongols appears to have been given much less specific differentiation in census documents.[12] The only known categories applied to the Mongols themselves seem to be those of vertical status, separating out from the common mass the higher

[9] Wang (2018, 63–117 for Quanzhen Daoism, 118–165 for Buddhism, and 166–214 for Daoists and Buddhists in southern Shanxi).

[10] See Boretti (2004), Overmyer (1982), ter Haar (1999, 64–113), and Hua (2016).

[11] For the clergy, see Atwood (2004); for *ortaq*, see the documents edited and translated by Doerfer (1975, 190–194) and Herrmann (2004).

[12] Although much of the evidence is negative, the strong emphasis in the sources is that all Mongols paid both taxation and military service to their rulers; see Huang (1977, 200). The classic statement in the sources is that of Juvainī (1958, 30–31).

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commanders (captains of a thousand and above), the imperial family and in-laws, and those with rights of *darqan* (tax exemption) for services to the khan.[13] One may say that the service given by the Mongol population was always the same—taxation, corvee, and military service; the only question for the head of a Mongol household was to establish whether or not his family was liable to provide those services or if they were among the fortunate few of the rank not to provide them, but to receive them.

This absence of occupationally divided service estate categories within the Mongolian population explains why people who could be seen as the Mongolian clergy—the *bö'e* (shamans) and the *iduġan* (shamanesses)—are never listed alongside the other clergy in tax exemption documents. As far as we know, the indigenous clergy were not distinguished from other Mongolian members of the population. Thus, legally speaking, the concept of clergy, which was viewed as a subset of the category of professionals, did not include those who made a living from practising the Mongol religion. This is the exact opposite of the case in Imperial Russia, where it was the Russians' own Orthodox clergy which formed the paradigmatic clerical estate (*dukhóvnoe soslóvie*), which was extended only partially and with reservations to the non-Russian clergy (Werth 2010).

While clergy are most commonly listed separately, they are sometimes also listed next to physicians, yin-yang specialists, and diviners.[14] These other categories of what we can call the 'technical professions' also received certain tax exemptions like the clergy as well as legal autonomy; lawsuits involving physicians, like those involving Buddhist, Christian, Daoist, or Muslim clergy or other separately numbered household categories, would be judged by Joint Courts (*yuehui* 約會) staffed by representatives of the community in question (Cho 2014; Shinno 2016, 30–32, 51–52). Yet, while the tax exemptions and legal autonomy for physicians have significant parallels to those granted to the clergy, they were less extensive and not debated in the same contexts in which those of clergy were discussed. In other words, the Mongol empire clearly did have an implicit category that united the four main groups of clergy and others that would later receive exemption, such as Jewish rabbis, Tibetan Bon priests, and certain Buddhist and Daoist splinter groups. Yet this category of clergy was seen as a sub-set of those who delivered elite, professional services to the empire, not as a category of belief or mass membership—although untrained persons could be included within clerical establishments as subjects under the protection and administration of a temple, shrine, or monastery.

[13] See the sections 202–223 of the *Secret History of the Mongols*, which first lists the thousands, then describes the keeping of the *köke debter* 'blue notebooks', and finally recounts the various statuses accorded particular commanders. See Cleaves (1982, 141–61); Rachewiltz (2004, 133–52); Rachewiltz (1972, 114–27); Wulan (2012, 256–90).

[14] See, for example, Song et al. 1976, 8.169, where Confucians, physicians, Buddhist monks, Daoist priests, and Yin-yang specialists are to be exempted from military enslavement, and Fang (ed.) (2001, 17.497 (section 371)), where grain transport mariners; growers of sweet rice for the liquor monopoly; officials administering property; physicians; Confucians, Buddhist, and Daoist clergy; *Erke'üt* and *Dašmat* (Christian and Muslim clergy); transient tenants; and shipping merchants are listed as those whose position might allow them evade or engross the land tax.

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Precisely what united the service estate of Christian, Buddhist, Muslim, or Daoist clergy into a single genus appears from the exemption decrees they received, where their freedom from service requirements is explicitly said to have been given in return for prayers to Heaven for the long life of the khan (Atwood 2004). This type of prayer was not something that ordinary Mongols were considered to be able to do; as John of Plano Carpini said, 'They believe in one God . . . they do not, however, worship Him with prayers or praises or any kind of ceremony.'[15] To this one may add that these four religions had received written scriptures from Heaven. As Möngke Qa'an said to William of Rubruck, 'We Mo'als [...] believe that there is only one God, through whom we have life and through whom we die and towards him we direct our hearts . . . To you God has given the Scriptures and you Christians do not observe them . . .'[16]

In this 'confession of faith' Möngke Qa'an undoubtedly used *möngke tenggeri* for God and *nom* for scriptures. Taking this and the epigraphical sources together, one may define the common features of the clerical service estate as those who have received scriptures from Heaven, who have the specialized skill of praying effectually to Heaven, and who can perform this action on behalf of others. This Mongol analogue to religion might better be termed 'clerical service estates'. In this sense, alongside clergy are those who have certain technical skills that do not involve praying to Heaven, but which can improve and lengthen life: these include physicians, diviners, and Confucians.[17] These we could call 'professional service estates'.

Just as the definition of religion in European colonial empires carried with it an understanding of the secular, so too did the definition of a clerical service estate include an explanation of another category, one analogous to 'secular', although certainly not the same. Obviously, anyone who did not belong to the clerical service estate might be seen in some sense as 'secular'. But as I will show, the clerical service estate did not exhaust the concepts of religion in the Mongol empire, and it would thus be a mistake to see its negation as the only sense in which 'secularity' existed in the Mongol empire.

Nom: Customs of communities

As I mentioned above, while terms for religious affiliation outside of the clerical service estate are rare, they are not unknown. Terms such as *Musulman* 'Muslim', *Juqud* 'Jewish', and *Kiristan* 'Christian', while not common, are attested to in ways that make it clear they are referring not to clergy but to broad masses of the subject people. But at the same time, these terms for what we might think of as more purely religious communities (that is, ones

[15] See Dawson (1955, 9). But see Polo section 70 in the Ramusio edition, which reads, 'They say that there is the high, sublime, and heavenly God of whom every day with censer and incense they ask nothing else but good understanding and health' (Polo, trans Moule and Pelliot, 1976, 170).

[16] William of Rubruck xxxiv.2, in Jackson and Morgan (2009, 236).

[17] See, for example, Shinno (2016, 30) (based on Song et al. 1976, 125.3072), where Confucians are said to be like physicians or diviners, only better.

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that are not connected with service estates), on the other hand, show a pattern of usage that indicates a meaning that is not distinguished from what we might call ethnicity.

This ambiguity is centred on the use of '*nom*', which is the principal Mongolian term used in the Mongol empire for what we would call 'religion' in the abstract. Another term, *šaśin*, is the modern Mongolian term that translates as 'religion'. This word, however, is derived from the Sanskrit *śāsana* and before the eighteenth century it was only used for Buddhism and in Buddhist contexts (Kollmar-Paulenz 2012, 95–100). Before the modern era, one could speak of the Buddha's *šaśin*, but not a *šaśin* of shamans or Christians or others.

Where multiple norms or religions are in question, the term *nom* was used, borrowed from Uyghur and derived eventually from Greek *nomos* ('law'). In Uyghur, *nom* had come to be used to translate Sanskrit *dharma* and Tibetan *chos*, and had also acquired the sense of 'book'. *Nom* is thus used for religion; in the 1290 letter of the Il-Qan Arġun to Pope Nicholas IV, Christianity as a teaching is referred to as *Misiqa-yin nom* or the '*nom* of the Messiah'.[18] *Nom* is also used to distinguish, for example, the monastic way of life or the *nom* of the Buddha (*burqan-u nom*), as opposed to the householder's way of life or the *nom* of people, or the *nom* of *samsara* (*kümün-ü nom* or *sansar-un nom*).[19]

Nom thus appears to refer not to distinct religions, but to particular ways of life, such that householders and the monks they support can be understood to be different *nom*. Not having adopted the European distinction of an interiorized religious realm and an externalized secular realm, sources in Mongolian, and reflecting the Mongolian point of view, do not draw a sharp distinction between those customs that are associated with religion and those that relate to customs and habits often seen as ethnic. This lack of a distinction was very frustrating to missionaries like William of Rubruck. Thus, while the prince Sartaq was baptized, William of Rubruck notes that he did not wish to be called a 'Christian', quoting a Mongol saying to him: 'Do not say our master is a Christian. He is not a Christian; he is a Mo'al.' William comments unhappily that 'they regard the term Christendom as the name of a people'.[20]

To a certain degree, the objection may have turned on the fact that such terms for religious communities shared a certain subject-class connotation with those for the clerical service estate. To call Sartaq a *Kiristan irgen* or 'Christian commoner' or 'Christian subject' would have been obviously inappropriate, since he was a member of the Golden Lineage (*Altan uruq*) and hence far from common. Even less appropriate would have been calling him *Erke'ün*, which would have meant calling him a member of the service category of Christian clergy—as a Mongol, he could not be a member of that service category, even if he was a baptized believer. Similarly, when Möngke Qa'an got the (false) impression that

[18] Mostaert and Cleaves (1952, 450–451, 454).

[19] See Kollmar-Paulenz (2012, 96).

[20] William of Rubruck, xvi.5, in Jackson and Morgan (2009, 120, cf. 126). Their commentary assumes that 'Christendom' here meant 'Franks' but it is more likely that the term in question was *Kiristan irgen*, the term attested in the 1290 Mongolian diplomatic letter for 'Christendom' (Mostaert and Cleaves 1952, 450, 451, 460).

William of Rubruck had called him a *toyin* (Buddhist), he was quite upset (Jackson and Morgan 2009, 236)—not just because he was not, in fact, a Buddhist, but because what *toyin* meant was not someone who had taken refuge in the Three Jewels, but one who belonged to the service estate of Buddhist clergy.

But the linkage of ethnicity and religion was deeper than that. First of all, the Mongol habit of moving ethnic groups around and employing them as an intermediate class[21] meant that those from one region created immigrant minorities in another that were often denominated by terms that flowed seamlessly between ethnic and religious meanings. Thus, in the eastern part of the empire the term *Uyghur* ended up acquiring the sense of 'Buddhist', such that a person of known Mongolian background could be called a *Uyghur* just for adhering to Buddhism. Similarly, in the eastern part of the empire, the term *Sarta'ul*, translated into Chinese as *Huihui*, which in legal usage always meant 'Westerner' without regard to religion, would end up meaning Muslim. And in sociological reality, both the Muslim and Christian *Sarta'ul* in the Yuan dynasty did their best to secure clerical privileges for all of their adult male members.[22] As a result, ethnically based legal categories like *semuren* or 'various peoples' used in China for those moved by the Mongol empire (whether by force or incentives) and occupationally based categories like the clerical service estate tended to merge and be seen as a single body.

The results of this merger can be seen in Marco Polo's description of Mongolia's 'religion'. In the chapter titled 'Here Is Described the God of the Tartars and Their Law', Marco Polo describes not just the Mongols' practice of worshipping the household deity Načiġai,[23] but also their clothing, obedience to their lords, and their military organization. He then writes:

> Everything I have told you are the habits and customs of the true Tartars: but I tell you that now, these are quite bastardized: for those settled in Cathay follow the idolators' [i.e. Buddhist or Daoist] habits and ways and customs and have abandoned their law (*loy*) and those who have settled in the east follow the ways of the Saracens [i.e. Muslim].[24]

After this caveat, he adds a description of the Mongol judicial system. In other words, the chapter title 'the God of the Tartars and Their Law'; the phrase quoted above about the 'habits and customs of the true Tartars', including their military system, clothing, and national character; and their cult of Načiġai all seem to be referring to roughly the same thing.

At this level, the distinction of religious and secular appears particularly inappropriate for the Mongol empire. At the heart of the European definition of religion is the idea that it is *not* the same thing as race, ethnicity, or

[21] On this concept of the 'intermediate class', meaning those placed by their ethnicity in a status between the Mongol conquerors and the previously dominant conquered class, see Atwood (2010).

[22] Atwood (2016, 305–307).

[23] On the deity Načiġai, see Mostaert (1957).

[24] Section 69.24 (Tuscan) or section 70.28 (Franco-Italian), in Polo, (ed.) Ronchi (1982, 83–84, 391). Kinoshita (trans.) (2016) translates as 'faith' what I translate as 'law' (*loy* in the Franco-Italian text, *legge* in the Tuscan, and *le leur* in the French, referring to 'usages').

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nationality, and that while these things pertain to the body and outward action, religion pertains to the soul and inward belief. (As noted in the introduction, we see here we see the Protestant origins of the post-Enlightenment European colonial religion-making.) But, Mongol *nom*, in this sense, appears to be squarely on the 'ethnic' side of this line, even if it also has reference to gods like Načiğai and founders like the Buddha and the Messiah.

Ritual activity versus moral behaviour

So up to this point one would have to say that the analogy between religion-making in the Mongol empire and the European colonial powers has not been very illuminating, or if so, only in a negative way. Legally, the most salient classification of religion did not include lay adherents at all, but only clergy, and embedded clergy within a larger set of technical professionals. It thus has only very limited comparisons with such concepts found in the European colonial empires, where the distinction of, for example, Hindu and Muslim was vastly more salient than that of ordinary Hindu versus *sādhu*, or ordinary Muslim versus imams and Sufi pīrs. And the concept that includes lay folk—that of *nom*—shows such slippage between religious and ethnic categories, and between customs that would in post-colonial contexts be called religious and those that would be called secular, that it seems rather to illustrate the absence of 'religious' and 'secular' in the Mongol empire.

But an analysis of two letters of Mongol khans to the popes shows that the clerical service estates and the idea of *nom* as the ensemble of customs and habits is not the whole story. One of these letters is the famous one of 1246 from Güyük Qa'an to Pope Innocent IV, while the other is the less famous, but equally (if not more) revealing, letter from the Il-Qan Arġun written in 1290 to Pope Nicholas IV. I will discuss this later letter first.

It was written in response to Pope Nicholas's charge to the Il-Qan that he ought to be baptized and become a Christian. In response to this challenge, Arġun replies first that 'You are right to say that I should receive *silam* [baptism]. We descendants of Chinggis Qan say that, if our common Mongols are willing, whether they receiving *silam* [baptism] or not, Eternal Heaven alone decides.'[25]

Here, entering or not entering into a ritual community is stated to be one of those things that Eternal Heaven 'decides' (*mede*). It is thus implicitly placed alongside victory in war and the fate of parolees placed in the front lines, matters which the khans formally and institutionally refused to take as their own responsibility. Within the Mongols' peculiar vocabulary of statecraft, this is the same as expressing the idea that entry into a *nom*, whether by *silam* (baptism) or *suna* (circumcision) or some other practice, is a matter in which the Chinggisid state abjures competence.[26] Then he politely assures the Pope

[25] Mostaert and Cleaves (1952, 450, 451).

[26] *Suna* is the Mongolian reading of *sunna*, used for circumcision; see Cleaves (1992). On the controversy over *ḥalāl* and (incidentally) circumcision in the Mongol Yuan realm discussed by Cleaves, see also Elverskog (2010, 227–241).

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that he was one of those few baptized people who had sincere and pure thoughts, and that neither he nor his Christian religion (*Misiqa-yin nom*) would violate the legitimate imperial command (*ĵrliq*). But he observed that those who violate the commands and commit crimes are more common than such pure persons. He then concludes with a criticism of the Pope's attitude: 'Now since I have not receiving *silam* [baptism], you are also unhappy in your mind about me. If [one was/you were] to only pray to Eternal Heaven and think rightly, would not that be like receiving *silam*?'[27] It should be noted that the last sentence has no subject, so that it is a little ambiguous as to whether Arġun is saying that if he himself were to simply pray to Heaven and think rightly, then it will be just as if he were baptized, or that if the Pope would stop worrying about the Mongol khans' baptism (which after all Heaven alone would decide) and think rightly, then he would be doing a work as good as his baptism.

Regardless of the interpretation, here the khan Arġun is clearly opposing two methods of achieving merit or a good conscience—what Möngke Qa'an called in the version translated for William of Rubruck 'an upright heart' towards Heaven. The first is through ritual action and membership of a specific community headed by one of the clerical service estates, for example, the Christian Church. The second way is through thinking right thoughts and obeying the *ĵrliq*, by which must be understood the ensemble of commands and powers ordained through Chinggis Qan and his legitimate successors. It is tempting to read Arġun's comments as entirely ironic, as if he was saying that empty rituals and religious group membership are obviously bogus and false methods of being a good person. Yet it is important to remember that the receiving of baptism is something that Heaven decides, even among the Mongols, and that those who dispense, for example, baptism—the Christian clergy—are among the most honoured members of the Mongol imperial elite, alongside other members of the clerical service estate, each disposing of their own rituals of entry into their particular *nom*. In other words, only an interpretation of Arġun's letter as accepting the validity of both ritual activity and moral behaviour would make sense of known Mongol statecraft. Nicholas's fault is not that he is peddling baptism, rather than simply acknowledging obedience to the *ĵrliq*, but that he is doing the former in specific contexts in which the latter is more appropriate.

This same analysis makes sense of Güyük's letter to Pope Innocent almost 50 years earlier. Here too, the Mongol khan opposes the demand for moral behaviour, understood as obedience to Eternal Heaven, to the Pope's call to baptism. The various Magyars and others in Christendom (probably *Kiristan irgen* here as well) had killed envoys and rejected the call to surrender and so were being justly chastised by the khan. Güyük paints a contrasting picture of being a 'trembling Christian' who 'worships God' and is 'an ascetic', and implicitly contrasts that with his own situation as one who ruled 'from the rising of the sun to its setting' precisely because he has followed the commands of

[27] Mostaert and Cleaves (1952, 450, 452).

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Eternal Heaven, that is, God.[28] Once again, one might be inclined to think that Güyük has no use or role for 'trembling' clergymen and 'ascetics'—except that we know very well that those of that description, especially Christians and Buddhists, received both full tax exemptions as well a great measure of the khan's favour. Once again, Pope Innocent's fault is not that he is a clergyman and trembling ascetic who worships God, but that he seeks to extend to those following the other ethic—that of moral behaviour and upright heart towards Heaven—the demands of ritual and communal justification that is proper only in its particular limited sphere.

In-between these two letters comes Möngke's famous confession of faith. In this statement as well, we see the assertion that members of the clerical service estates mostly do not keep the rules of their scriptures, but that the Mongols do indeed obey Heaven. Clearly, the idea is that the rules preached by clerical service estates were incapable of broad application: that it is impossible for the masses to actually follow the various *nom* (scriptures) peddled by the clergy is a fixed and acknowledged part of the Mongol ideology of rule. What is new, however, is the designation of the Mongolian shamans as the medium through which Heaven speaks to the obedient Mongols. Möngke Qa'an said to William of Rubruck, 'God has given the Scriptures and you [Christians] do not observe them; whereas to us he has given soothsayers and we do as they tell us and live in peace' (Jackson and Morgan 2009, 237). While this statement clearly envisions some kind of comparability between Mongol shamans and the clerical service estates, it is notable that Möngke does not place Mongolian clergy in an analogous position with the Christian and other clergy, but rather with their scriptures. The focus on the scriptures is significant as all of the exempt religions were well-known to have written scriptures which played a prominent role in their cult.

There is one final example of a contrast between what may be characterized as a confident, ethical type of justification before Heaven and an insecure sectarian type of justification. After describing Qubilai Qa'an's acts of charity to the poor, Marco Polo adds (section 104) that 'the Tartars according to their first custom, before they knew the idol law, did no alms'. Rather, they would drive away the poor, saying 'Go with the bad year which God give thee; for if he had loved thee as he loves me he would have done thee some good.' But because the 'wise men of the idolators', and in particular the *baqśi* or Buddhist monks, suggested to the great khan that 'the provision for the poor was a good work for him, and that their idols would greatly rejoice at it, he thereupon provides like this for the poor'.[29] This passage, found only as an additional passage in Ramusio's text, was appended to Polo's description of Mongol 'law' (in Mongolian, *nom*) and its changes due to 'idolators' and 'Saracens' (that is, Buddhists and Muslims). The original *nom* of prosperous

[28] Dawson (1955, 83–86).

[29] See R II 24 (= section 104) in 'Ramusio, Giovanni Battista, ed. Samuela Simion and Eugenio Burgio, Dei viaggi di Messer Marco Polo gentiluomo veneziano (Navigationi et viaggi, II, 1559)', available at http://virgo.unive.it/ecf-workflow/books/Ramusio/testi_completi/R_marcato-main.html, [accessed 29 July 2021]; Polo, (trans) Moule and Pelliot (1976, 251).

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Mongols was based on confidence in God/Heaven that their prosperity was due to right living; under the influence of the 'idol law' (or Buddhist *nom*), they sought to leverage a now ethically ambiguous prosperity into divine approval through alms-giving.

Yet the confident assertion that success is adequate proof of moral behaviour in the eyes of Eternal Heaven, to which Polo's God is certainly referring, links this statement closely to the arguments Güyük made against Pope Innocent. Once again pleasing Heaven by moral behaviour, which is then directly rewarded by power and prosperity, is contrasted with sectarian ways of justification. To the Pope, this meant *silam* or baptism, but to the *baqśi*s or Buddhist monks, it is alms to the poor which please their 'idols'—not, be it noted, Eternal Heaven. In other words, what we see here is another example of a broader opposition between a universal ethical route to 'an upright heart' and a sectarian ritual route to that same destination. Both were important parts of the Mongol system, but the two were not equal; rather, the universal and ethical pleasing of Eternal Heaven stood above, in a position to control and limit—but not abolish—the sectarian and ritual practices of the clerical service estate.

This opposition of sectarian ritual versus universal ethics went far beyond the limits of the clerical service estate. Not just the conquered people, but Mongols themselves were to be allowed to freely enter sectarian rituals as Heaven determined. Yet if they did, they were still subject to the demand that they obey the decree of Chinggis Qan and follow only the universal heavenly ordained *ĵrliq* in exercising public authority. The Persian historian Juvainī, in Mongol service, summarized his rulers' practice in this way:

> [Chingiz Khan] eschewed bigotry, and the preference of one faith to another, and the placing of some above others; rather he honored and respected the learned and pious of every sect . . . And as he viewed the Moslems with the eye of respect, so also did he hold the Christians and idolaters [i.e. Buddhists] in high esteem. As for his children and grandchildren, several of them have chosen a religion according to their inclination . . . But though they have adopted some religion they still for the most part . . . do not swerve from the *yāsā* [law] of Chingiz-Khan, namely, to consider all sects as one and not to distinguish them from one another.[30]

The Mamluk historian Yunini (d. *circa* 1325) described the same policy as followed by Ket-Buqa, the Mongol general defeated by the Mamluks at 'Ayn Jalut: '[Ket-Buqa] tended towards Christianity, but did not show an inclination towards the Christians, due to his belief in the laws of the *Yāsā* of Chinggis Khān. All of the believers in religions were equal in his eyes and this is from the laws of the *Yāsā*.'[31]

[30] Juvaini (1958, 26).
[31] Amitai (2007, 226).

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This distinction between the impartial *ǰasaq* (Persian *yāsā*) that the Mongols followed and the narrower sects was inherently hierarchical; it was only to the ruling Mongols, not the conquered population at large, to whom the universalist ethic of obedience to the *ǰrliq* of Chinggis Qan was open. Precisely because other peoples were incapable of following universal ethics, the Mongols became their rulers. We have seen how both Möngke Qa'an and his grandnephew Arġun charged the vast majority of Christians with not following their own law. Similarly Chinggis Qan famously claimed in the pulpit of Bukhārā that he was the punishment of God sent to discipline the Muslims of Central Asia for the treachery of their sultan.[32] Only a few years later, the Mongol commander Ögelen Čerbi explained to his Muslim interlocutor how 'You Tajiks[33] do such things, and tell lies. A [Mongol], were a thousand lives at stake, would choose being killed, but would not speak false; but false speaking is your occupation; and, on account of such things, it is that Almighty God hath sent a calamity like us upon you.'[34] Although it is not explicitly drawn out in the sources, one may hypothesize that it was precisely the inferior moral quality of Christians, Muslims, and the people of China that made ritual methods of appeasing God necessary, since they were incapable of living without lies and other moral faults. The Mongols, however, could do so and thus in the imperial ideology deserved to rule.

Conclusion

In conclusion, the Mongol empire did engage in what we can call religion-making, that is, in singling out certain expressions of cultural difference in particular social contexts as something that was beyond the state's ability to govern. At the same time, it also established a sphere within which these expressions of cultural differences would not be permitted to function, and which hence was, by definition, non-'religious'. And this non-religious sphere was constructed in both cases—at least if we consider the post-Enlightenment version of European religion-making—as of higher prestige and power than the religious, at least in some ways. The 'secular' or 'universally ethical' determined the bounds of the 'religious' or 'sectarian ritual', not the other way around.

The expressions of difference singled out for recognition as beyond the state's interference had certain areas of common ground and similar results with the same determinations in the European colonial states. Systems of law and custom that could claim a grounding in scriptures (*nom*) given by a transcendent authority were in both cases likely to receive recognition. Buddhism, Islam, Christianity, and Daoism were shaped by the two religion-making movements in roughly similar ways. Yet in other ways, the

[32] Juvaini (1958, 105).

[33] 'Tajik' was the usual Persian translation of Mongolian *Sarta'ul*, a term derived from the Sanskrit word for 'caravaneers' and designating all the broadly 'Caucasian' peoples in Central Asia and the Middle East. It is likely that *Sarta'ul* was what Ögelen Čerbi said in Mongolian.

[34] Jūzānī (1995, 1081).

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terminology and the expression of it differed sharply from the European type of religion making. That Confucianism, for example, was generally constructed as a religion in European religion-making, while being constructed as a technical profession in Mongol religion-making is one striking difference; the lack of hesitation in Mongolian religion-making in recognizing cultural expressions in China, Tibet, and Kashmir as all Buddhism, compared with the tendency of European colonial regimes to not recognize the unity of Buddhism (Masuzawa 2005, 122–38; Lopez 1996) is another. Another distinction was the refusal in the Mongol case to make any of the conquered peoples' indigenous, non-scriptural systems of belief into a religion. In the case of the Mongols, their own shamanic, non-scriptural practitioners were not seen as subjection to the limitations of book-based sectarian religion.

More fundamentally, there is no analogue in the European case for the distinction between *nom* as a system of behaviour, which had only fuzzy lines of distinction from ethnicity, but which could also encompass the conquerors, and clerical service estates whose boundaries were quite sharp and by definition excluded the conquerors. Similarly, the expectation that members of the Mongol ruling class would frequently adopt the *nom* of the conquered peoples resulted in a radically different cultural practice in the Mongol case. The key focus of the rejection of sectarian ritual lay not in containing its effects among the conquered, but in preventing it from shattering the solidarity and self-confidence of the ruling Mongol class. To this degree, religion-making and secularism in the Mongol case were focused, above all, on ways of intimately incorporating the skills of *nom*-rich clergy while limiting and managing their ability to generate sectarian conflict.

Thus, the difference between the religion–secular dichotomy of European colonialism and the clergy–*nom*–moral behaviour trichotomy of the Mongols stemmed from the different structures of hierarchy in the two cases. As I have already touched on, the repeated Mongol insistence that the common people are mostly bad, and hence cannot follow the scriptures, must be taken seriously as ideological statements and, similarly, so must the insistence that the Mongols themselves are mostly good and diligently follow the *bö'e* and *iduġan*. In this sense, the vast majority of non-Mongols can have a *nom* or religion only through being subject to, and under the tutelage of, the few who actually obey the scriptures—which (at least ideally) was the clerical establishment. As such, the clerical establishment, like the *ortaq* or partner merchants, and the client kings and officials were parallel members of the ruling class, that is, those possessing tax exemptions.[35]

While both second-wave European and Mongol empires were built on inescapable and often savage hierarchies, each faced different dilemmas. For nineteenth-century European colonialism, the dilemma was reconciling the presence of racial hierarchy with the political and intellectual structures of demotic nationalism at home (Osterhammel 2009, 392–468). Accustomed to

[35] From the general tenor of their statements, it would seem the khans generally felt the clergy often fell short as well; their exemption decrees explicitly threaten clergy who abuse their privileges.

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seeing religion and ethnicity as mass, populist phenomena, they naturally applied terms like 'Hindu' and 'Muslim' to ordinary tax- and corvee-paying subjects in ways that the Mongol empire never felt any need to do.

By contrast, the Mongol empire's dilemma was how to reconcile Mongol supremacy with the desire of Mongols to enter, in some sense, the *nom* of the conquered. The ruling Mongol ethnic group was open to the ruling elite of the imperialized in a way that the European colonial empires were not and, as a result, faced the problem of religious conversion in a way that the European colonial empires did not. While the role in the nineteenth-century intellectual history of Europeans converting to Islam, Hinduism, or Buddhism cannot be ignored (for example, Clark 2003; Fields 1992), this conversion was very far from acquiring the mass character that Mongol adherence to Islam or Buddhism eventually did in the later thirteenth and fourteenth centuries. As it expanded, the Mongol empire drew in to themselves the professional and clerical elites from the ranks of the conquered and made them valued members of the imperial ruling class. These members of the clerical service estate travelled free on the post-roads and received the taxes and labour services of their own plebeian subjects, while not paying taxes or labour service themselves. But this openness potentially threatened the ideological foundation of Mongol supremacy, of Mongol sacred kingship to be precise, and it was in defence of that supremacy that the idea of the Mongols as uniquely responsive through their shamans and khans to Eternal Heaven, the universal god, was created. Like European secularism, the Mongol analogue of it, whether we want to call it secularism or 'universal peace', was built to reinforce the distinctive and peculiar structures of imperial rule.

In the final analysis, the Mongol analogue of secularism or 'universal peace' cannot be separated from the Mongol conception of sacral kingship.[36] If we follow the categories of Moin and Strathern (2022), sacral rulership in the Mongol empire was a peculiar form of immanence, in which the ruler's person is made divine. However, it was coloured by an expectation of highly ethicized action, which was typically the hallmark of transcendentalist scriptural religions. As argued above, this ethicization of rulership came about as a result of engaging and competing with Buddhist, Christian, Confucian, and Islamic ideals. Counterintuitively, then, the ideal Mongol khan was, on the face of it, much like the model 'zealous kingship', often associated with monotheistic violence in favour of the one true religion. Yet far from being in the service of a transcendent, law-giving God, the Mongol rulers' zealous ethical violence was in the service of the immanentist goal of universal peace. In a reversal that often enraged those representatives of transcendentalist world religions who could speak freely, Mongol rule yoked the prayers of the clergy of an otherworldly God or Buddha to a purely this-worldly goal: the maintenance of the bodily life of the khan that made universal peace possible. Mongol privilege stemmed from the fact that they participated in this zealous and ethicized, yet immanentist, embodiment of Heaven's will. In the Mongol empire, it was

[36] I would like to thank the second of the anonymous reviewers for drawing my attention to the importance of this theme.

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an immanentist-zealous kingship that ultimately limited and defined the allowable claims of the clergy. In post-Enlightenment European rule, by contrast, sacral kingship of this immanentist type had only a vestigial existence. It is this Mongol difference in dealing with religion—one difficult to grasp from a modern Western perspective—that lived on in the varied policies of post-Mongol Muslim empires, especially in the style of sacred kingship of their direct descendants in South Asia.

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