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On the Term *Ortuq* (~ *Ortaq*) “Merchant” among the Old Turks

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Commerce has been the basis of political and economic development throughout history for the Turks. As is so today, in the old times too, merchants, the agents of commerce, as international and regional large scale businessmen, were respected and held an exclusive position in every society. One of the most important characteristics of entrepreneur merchants who invested their capital in large commercial projects was to be able to serve the state and thus the rulers in various ways. For example, because these merchants had capital, when it was necessary, they were able to provide loans to the state, or to important state officials. Moreover, regarding tax, they could be mediators between the state and the taxpayers. In addition to this, they were rather like the ruler’s ambassador in a foreign country. From these standpoints, big merchants with their exclusivity and rights, are evaluated in a category different from the merchants who sold their wares second-hand or the artisans, craftsmen and retailers that sold the wares that they themselves produced in an established setting (Ergenç 1995: 109-110).

This article will discuss the *ortuq* merchant organization, comprising big merchants, and that was active in Turkic commercial life in the middle ages.

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1. The technical terms for “seller, merchant” in Turkic vocabulary

There are many general terms in Turkic vocabulary that directly fit the concept of ‘merchant’: buyer and seller of products, working in commerce. Seen in our oldest written texts, the term *satıgçı*¹ meaning “seller, merchant”, is a derivative of the verb Tu. *sat-* “to sell”, the most basic function of commerce. In one of the Buddhist Turkic texts, *Maitrisimit*, in the hendiadyoin (duplication) *satıgçı yulugçı* (61, 16) meaning “merchant, seller”, the word *yulugçı* means “seller” and in the same text, another derivation of the same hendiadyoin, *satıg yulug*. is used to mean “commerce, shopping”. The root form of these terms is *yul-*, a verb, and *yul- al- ~ al- yul-*, often appears in Uigur civil documents as a hendiadyoin meaning “to buy, to shop”².

Moreover, in Old Turkic, *bayagut*, “rich merchant” (U. II, 36, 37; Suv. 597, 22) <baya-gut) in Buddhist Uyğur texts has the same meaning as the Sanskrit word *ṣīreṣṭi* (<*śreṣṭhī*) and appears as a hendiadyoin: *ṣīreṣṭi bayagutlar uguşında tugmakı* “to be reborn into a rich merchant’s family.” (U II, 36, 36-7). In the same text *ulug bay bayagutlar* “big rich merchants” (U II 97) appears.

¹ *satıgçı* < *sat-ıg+çı* “merchant, salesman” (ED 801a). OTu. *satıgçı er* “satıcı, tüccar” (ETY II, 180). KP *satıgçı* id., KB *satıgçı* “merchant, salesman”, Chag. *satıgçı* id., CC *satıgçı* id., IM *satıcı*, Hou. *satıcı* id. In the area of modern Turkic language Tat. *satıçı* “prodavec”, Kar. *satıvçu* id., Kum. *satıvçı* id., Nogh. *satıvşı* id., Kirg. *satıçu* id., Trkm. *satıgçı* id. Also in historical texts it is *satıguçı* < *sat-guçı*. A less common term Uig. *satıguçı* “satıcı, tüccar” (TT IV 8; U II 84), Chag. *satıguçı* id. (Sang. 229v 25). Here there is a difference between the terms *-ıg+ÇI* ile *-guçı*. The first suffix makes it a doer noun, the second is a adjective-verb suffix (Erdal 1991: 372).

² For more information see Takao Moriyasu “Notes on Uighur Documents”, Memoirs of the Research Department of The Toyo Bunko, No. 53, Tokyo 1965, 73-79.

In texts of the Maniheist Turkic, the term *sart*³ (ED 846a) is of Sanskrit roots and means “merchant, seller”. Clauson indicated that the word entered our language through the Sogds who played an important role in spreading commerce among the Turks. In addition, in Mahmūd al-Kāşgarī’s *Dīwān* and in *Kutadgu Bilig*, the word *sart*, having the meaning of “merchant”, does not appear after the 11th century. During the Middle Turkic period, the word meant “city dweller” an equivalent of nomad, a term used again pointing to a society, to the Iranians. The word *Sart* entered Mongolian from Turkic and was a technical term used especially for “Iranian merchants”.

Other than this, the word *tüccar*, which is the plural of Ar. *Tācir*, is widely used in the singular today for those who buy-sell in commerce. Also, the Persian root term *bāzīgān* often appears. Although there is no exact date, we can say that the term *bāzīgān* began to be used as of the 12th century. Among the Mamlūks and the Golden Horde the word, which means “merchant”, was used during the first periods of the Ottoman area to mean big merchants having capital. The mentioned term has meanings that change according to historical periods. For example, in lawbooks as of the Sultan Mehmed the Conqueror period, the term *bāzīgān*, meaning “travelling merchant, commercial expert, silk merchant”, during one period had the negative meaning of “trickster and usurer merchant”. Whereas among the Ottomans as of the 17th century, *bāzīgān*, was the name of non-muslim, especially Jewish, commercial experts, even, European merchants. On the other hand, among the Ottomans, the more respectful title of *Hāce* (~ *Hoca*) ve *Hācegī* was

³ *sart* < Skr. *Sartha*, Man. *nigoşaklarig sartlarig* (TT II 6, 16), DLT *sart* “dealer, merchant” (I, 342), KB *sart* id., Chag. *sart* “a persian town dweller” (Sang.), TZ *sart* “city dweller, common people, folk”. In the *Kuanşi im Pusar sartbav* < Skr. *sārthavāha* as the words “caravan head, guide”. Here the term *sarbav* is used for *satigçılar ulugi* (Tekin 1993).

used for big merchants (Köprülü 1977: 550-552) In commerce these types of merchants were regarded as real entrepreneurs who invested large amounts of money and were exempt from accounting regulations, or sharia rules for the price control of goods and inspection measures. This was one of the most important characteristics that made these merchants different from the regular tradesman (İnalçık 1965: 98-100).

Apart from these general terms, especially in written sources, there is rich terminology for the small merchant classes of tradesmen and artisans and the various subgroups according to their branches of work, which is not discussed as it is outside the scope of this article.

This article concerns the term Turkic *ortuq* meaning “merchant”, and how it took on a technical meaning in commerce during the Uigur period. The word *ortuq* (~ *ortaq*) appears in old and modern Turkic language with the basic meaning of “the name given to those who do work together, work colleague”. In the Turco-Mongolian state, the term *ortuq* is remarkable as an institutional structure within the framework of commercial law. Possibly this institution passed to the Mongolians from the Uigurs. The word *ortuq*, meaning “merchant” was at the same time the name of a company that was made up of a commercial union of merchants who were backed by low-interest, credited state capital. In one meaning, *ortuq*, was the general name of both the company and the merchant members. In the merchant group, the *ortuq* organization (or company) was mostly comprised of Uigurs and also other Muslim merchants from the Asian Turk geographical region. In old periods the Sogds acted as intermediaries for the Turks as well as the Uigurs and Mongolians. In 13th -14th centuries, in Uigur civil documents, the word *ortuq* meant “partner, work colleague”. The word, which did not directly go by its institutional structural meaning of “merchant”, was determined

to have its basic meaning, in the form of *ortuq* in a will and a sales document. (Yamada 1993-II: 269).

In ED (205a), Clauson gave the orthography of the word as *ortuk* (~ *ortok*) and determined that the word was derived from the word *ortu* “orta” (middle) by the -k, a noun suffix. The role of the -k which is normally a diminutive suffix is not apparent in this derivation. In old Turkic language the word in its basic meaning was recognized first in Mahmūd al-Kāşgarī’s dictionary, in historical texts and in the modern field⁴.

In Mahmūd al-Kāşgarī’s *Dīvān*, the word *ortaq* occurs in a quatrain in the work:

ortaq bolup bilişdi/meniñ tawar satıştı, bista bile yaraşdı/kizlep tutar tayımı “He met me as a *ortaq*/ and helped me to sell my goods. He reached an agreement with *bista* /, and is secretly keeping my colt ” (DLT III, 71).

In the quatrain, the word *ortaq* means “merchant”. There is something else that is remarkable, which is the term *bista* (~*biste*), which is used in *Dīvān* by the Tohsi, Yagma ve Çigil Turks (ED 372a). Mahmūd al-Kāşgarī gives the meaning of *bista* as “the owner who helps the merchant carry goods to his house and sell his sheep”. There is also an entry about *bista* in *Dīvān* “ortak is one twentieth of the profit partnership of the sheep that are sold”. From this *ortaq* we can come to the conclusion that in the merchant’s possibly far away commercial

⁴ Historical: KB *ortuq* “partnership”, Chag. (Sang.) *ortağ/q* “associate”, Kipc. CC *ortaq* “partner”, KI., Hou. *ortaq* “partner”, TZ *ortaq* “mediation”, Ott. *ortaq* “partner”. Modern: TTu. *ortaq* “the person you do business with”, Trkm. *ortaq* “in the interests of more than one person”, Tat. *urtaq* “That which is used as a partner, 50/50 partnership”, Nogh. *ortaq* “in the interests of more than one person, owned by more than one person”, Kirg. *ortoq* “friend; used as a partner”, Kzk. KKlp. *ortak* “in the interest of more than one person, shared”, Alt.Tel. *ortoq* “joint, partnership” see Hasan Eren, *Türk Dilinin Etimolojik Sözlüğü*, Ankara 2001, 310; RSI. I 1067a; TMEN II 446.

activities, he uses someone's house as a commercial place or a depot and gives the owner a specific sales partnership percentage. In commerce these kinds of intermediaries exist. In *Codex Cumanicus* the word **astlançı** "intermediary, usurer" (Grønbech 1942: 43) with the meaning of "intermediary seller, commission agent" must be a derivative of the word *asla-m/n* (Tenişev 1997: 345-346) meaning "beneficial, benefit". There are market intermediaries creating ties between the supplier and customer and the distributors and the sellers as modern economy and today's understanding of commerce necessitates. In primitive and simple organizations there was no need for intermediaries. Such terms as these are important because they characterize a sophisticated commercial life (Safran 1993: 147).

The term *ortaq* in the meaning of "merchant" is confirmed in written Turkic texts in the field of the Golden Horde. The term *ortaq*, and its synonym the word *bāzīrgān*, used *together* as a hendiadyoin, have been found in the yarliks (edicts) of the Golden Horde. In 1393 in the 20th line of the yarlik sent by the Golden Horde ruler Tokhtamish Khan to the Lehistan king Yagayla the following passage is found:

burunğı yosunça bāzīrgān ortaqların taqı yörüşünler (21) ulug ulus-nıñ turuşına taqı yahşısı ol bolgay "According to the previous regulation, *ortak* merchants should be able to come and go. For the strength of the great nation it will be better." (Özyetgin 1996: 105)

In the mentioned documents, according to a previous organization that had been in effect for a long time, it is emphasized that the intermediary *ortaq* merchants should continue commerce. Here it is evident that *ortaq* merchants also play an important role in international commerce. Moreover, in the yarlik, Tokhtamish Khan mentions that King Yagayla's ambassadors are *bāzīrgān ortaq*. This makes us think

that after a certain period the terms *bāzīrgān* and *ortaq*, as a hendiadyoin, could have possibly been used for foreign merchants. As a matter of fact, in Eastern sources in the field of the Golden Horde, there is information about the term *ortaq* being used for Iranian merchants under the Turco-Mongolian administration. Another idea is that this term was possibly the name given to people doing international commerce meaning big “merchants”. Since the same hendiadyoin is found in Ulug Muhammed’s edict, it supports our claim.

In the *yarlik* that the Golden Horde King Ulug Muhammed sent to Ottoman Sultan Murad II in 1428 the term *bāzīrgān ortaq* is found as a hendiadyoin. (Özyetgin 1996: 108):

(3-5) *sizinñ rūm vilāyetin bilgen atalarınız agalarınız birle ilçi keleçi ıyışıp bölek selām alışıp **bāzīrgān ortaq** yörüüşüp yahşı barış keliş qılurlar ermiş erdük* “...We had many good exchanges with your ancestors who administered your Rum province, by exchanging ambassadors, gifts and ‘*ortak*’ merchants with your rulers”

(14-15) *burungı yahşılarımız yosunınça yahşı barışalı aramızda ilçi keleçi ıyışıp selām böleklerimiz yitişip **bāzīrgān ortaqlarımız** yörüüşse keçer boy qalur mengü at yahşısı ol bolgay mu erne* “Like in previous systems, for our good, let’s be at peace with one another. If we send ambassadors and gifts and exchange ‘*ortak*’ merchants “life can be lost but reputation lasts”. Won’t this be good for reputation?”

According to the general context of the *yarlik*, once there were good diplomatic and commercial relations between the Kings of the Golden Horde and the Ottomans but later some disagreement occurred to end the relations. Ulug Muhammed, in this document as with the Ottoman sultan addressed in the *yarlik*, wishes to renew old relations and have the possibility for *ortaq* merchants to be recognized and to come and go on land and on sea. The term *ortaq* here could be considered the

king's representative and even his partner. As a matter of fact, we know that *ortaq* merchants played important roles in state bureaucracy especially in Turco-Mongolian states.

In the field of the Golden Horde, a different form of the word *ortaq* related to its basic meaning but appearing as a technical term, is found in texts. In the *yarliks* of the Golden Horde, there is a hendiadyoin *sabançı ortaqçı* in which we come across the term *ortaqçı*, which has a different meaning. In the 1397 Temir Kutluk *yarlik* (Özyetgin 1996:107):

...basa salalarığa **sabançı ortaqçılarığa** kim kim erse küç oga tegürmesün “...Later no one should tyrannize the villages, farmers and ‘ortaqçı’s”

Here the word *ortaqçı* means agricultural partner “farmer, sharecropper”. *sabançı*, which means “sower, farmer”, occupied a basic place in the Golden Horde. It was the *sabançı*'s duty to sow the fields and harvest the drops in the kingdom (Yakubovskiy 1992: 96-97). From the usage of the term *ortaqçı* in the text of the *yarlik*, we could say that *ortaqçı* has the same or similar meaning. The concept of *Ortaqçı* can be found in another Turkic field, in the Ottoman state. The *ortaqçı* in the Ottomans, is distinguished from the Golden Horde meaning by its legal status. The state established an agreement for *ortaqçılıq* to work unoccupied lands. In the Ottoman Empire, prisoners captured in war became *ortaqçı* servants of slave status employed to work these unoccupied lands. They would sow the seeds given to them by the state and split the harvest with the state 50/50. It is also known that persons not belonging to the slave or prisoner class carried out *ortaqçılıq* with the state under the same conditions as with the state lands (Akgündüz I: 459). Traces of this traditional practice can even be seen in today's agricultural operations (cf. *ortaqçı ~ yarıcı*).

2. The Place of *Ortuq* (~ *ortaq*) Merchants in Commercial Life and their Privileges

Ortuq merchants were most active during the Turco-Mongolian Empire Period. Especially during the Mongolian (Yüan) period in China in commercial activities Uigur merchants were treated in a privileged manner. The Yüan administration gave a type of credit in money at a very low interest rate according to the period (0.8%) to Uigur merchants called ‘*ortuq* money’ (Wo-t’o ch’ien). This so-called money was used by Uigur *ortuq* merchants for internal and external commerce and provided important contributions to the Mongolian economy in China. *Ortuq* merchants who were given yarliks (edicts) and titles of privileges by kin were exempt from responsibilities and tax and occupied a more privileged place than the local merchant groups (Yang 1971: 97). During this period the *Ortuq* merchant accord, which united Asia minor, Eastern European and Far Eastern centers of commerce, was the only establishment that made it possible to use credit and pay by check (Togan 1981: 309). Moreover, *Ortuq* merchants facilitated commerce to a great extent through the use of paper money and transfer documents, which are the equivalent of checks today.

Chinggis Khan and kings after him provided ample opportunities to *Ortuq* merchants. Because of the *ortuq* companies that they established, these merchants with the name *ortuq* became in a way partners with the Turco-Mongolian kings and members of the dynasty who gave them capital through low interest credit. Sometimes *ortuq* merchants gave the capital that they got through low interest credit to small merchants at a higher interest, which caused some exploitation. During the periods in which China was not yet a central administrative power, the *ortuq* merchants, who had a say in state bureaucracy, took it upon themselves to collect tax, one of their most important duties. In this

period, the mayors who were to collect taxes or the *basqaq* officials, mostly came from the *ortuq* merchants. The merchants, who especially headed the *ortuq* companies, levied the specified tax amount in specific regions and collected the tax as silver money, doing this job on their own. Later they would collect a much higher amount than the money they lent, in goods. As a result, these taxes, which were collected in goods at a greater profit, were turned into silver and sent to the center. (Togan 1984: 81-82).

Preserving its exclusivity for a long time and creating, in commercial terms, a monopoly, the *Ortuq* merchant company was deprived of its exclusivity, tax exemption and status as revenue contractor by Möngke Khan, who came to the throne in 1251 and put commerce in control of the state. However, during this process, it was out of the question to limit the activities of the *ortuq* merchant company and stop its credits. Again during the Khubilai Khan period the Yüan administration, in 1267 a government office called *Wo-t'o tsung-kuan-fu*, “*ortuq* merchant center” was established to manage and audit the Uigur *ortuq* merchants and commercial activities. While this *ortuq* office kept the *ortuq* merchants under audit, it also provided some commercial activities that could only be done through *ortuq* merchants. In 1281, the central bureau was changed to *Ch'üan-fu ssü* “Currency Regulatory Inspection Bureau” (Yang 1971: 62-63). The *Ortuq* office continued without intervals until 1311. During the years that the *Ortuq* office was established, it excluded many rich merchants through heavy taxes and provided incentives for commerce through *ortuqs*. With the institutionalization of the *Ortuq* office, the *ortuq* merchants were no longer free merchants, but acted as state merchants. Reportedly an Uigur merchant named Ahmed, who was a financial adviser for a long time

during the Khubilai Khan period, played a big role in institutionalizing the state auditing of commerce (Togan 1984: 85).

Z. Velidi Togan said that the *ortuq* merchant organization (~ company) existed during the Karakhanids, the proof of which is in the especially in the written Muslim canonical jurisprudence books in the Kharezm region (1981: 125). However, aside from the Turco-Mongolian states, our knowledge of this subject today is still limited with regard to other Turkic areas. Especially after the intensive Islamization process, in the Turco-Mongolian states, some pious rulers showed reactions to credit with interest; therefore the *ortuq* merchant companies were negatively viewed in this respect and in time it has been observed that this organization was eliminated entirely in that geographical area.

Within the framework of commercial law, the *ortuq* organization, an equivalent of the concept of the company, has historical roots as far back as Mesopotamia, in Babel during the Hammurabi period and in Jewish, Ancient Greek, Roman and Byzantine law (Gedikli 1998: 33). It is possible to see the idea of people coming together and doing business together in almost every age. In the Ottoman field, we come across the meaning of the western commercial partnership *Commenda* as the term *Mudārebe* having the meaning of commercial partnership~or the commercial company concept and institutional structure. *Mudārebe* is a partnership in which sides put in equal capital or one puts in capital and the other labor, in a commercial operation. (İnalçık 1969: 98-100) In the Ottoman empire, merchants would run commercial operations with a type of credit money from members of the military class through *mudārebe*

As a subject that has escaped the notice of Turkic economic historians and jurists, conducting a comparative study of the Turco-Mongolian *Ortak* company in the area of the Western and Ottoman *commenda* and *mudārebe*., has, without a doubt a great advantage from the standpoint of commercial law. Moreover, the place of the *ortuq* organization in Turkic social and economic history has still not been completely studied. In the literature in Turkey Zeki Velidî Togan in *Umumî Türk Tarihine Giriş* (An Introduction to General Turkic History) touched upon this subject and Prof.Dr. İsenbike Togan (Arıcanlı) (1984) wrote an important article about the main aspects of *ortuq* merchant activities in China.

A broad investigation of the *ortuq* merchant company in the Middle Turkic period, especially taking into consideration the rich Chinese and Eastern resources on the subject and doing a comparison of similar implementations in the Turkic area is awaiting the interest of experts in the field.

Abbreviations

Alt.: Altay Turkic

Ar.: Arabic

CC: *Codex Cumanicus*, see Grønbech (1942)

cf.: Compare

Chag.: Chaghatay Turkic

DLT *Dīvānu Lugatī't-Türk*, see Atalay (1985-1986)

ED see Clauson (1972)

ETY : see Orkun (1987)

Hou. See Houtsma (1894)

İM : *İrşādu'l-Mulūk ve's-Selātin*, see Toparlı (1992).

Kar.: Karaim Turkic

KB: *Kutadgu Bilig*, see Arat (1991)

- Kİ : *Kitabu'l-İdrâk li Lisâni'l-Etrâk*, see Caferoğlu (1931).
 Kipc.: Kipchak
 Kirg. Kirgizh
 KKlp.: Karakalpak
 KP: *Kalyanamkara Papamkara*, see Hamilton (1998)
 Kum.: Kumyk
 Kzk.: Kazakh
 Man.: Maniheim
 Nogh.: Noghay
 Ott.: Ottoman Turkish
 OTu.: Old Turkic
 RSl.: see Radloff
 Sang. Senglah, see Clauson (1960).
 Skr. Sanskrit
 Suv.: *Suvarnaprabhâsasûtra*, see Clauson (1971).
 Tat.: Tatar
 Tel.: Teleut
 TMEN: see Doerfer (1963-75)
 Trkm.: Turkmen
 TT: *Turkische Turfan Texte*, see bibliography
 TTu. Turkish
 Tu.: Turkic
 TZ *Ettuhfetü'z-zekiyye fî'l-lugati't-Türkiyye*, see Atalay (1945)
 U: *Uigurica*, see bibliography
 Uig.: Uigur (Old Turkic)

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