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Research Article

A Regional and National Investigation of Sogdians Settled in China and Its Modern Enlightenment

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Abstract

As a core commercial ethnic group on the medieval Silk Road, the Sogdians were active across Central Asia, the Western Regions and the Central Plains. Within a regional context featuring the absence of unified sovereignty and the convergence of multiple civilizations, they established an autonomous commercial governance system. From the research perspective of Area Studies, this paper integrates research methods of history, jurisprudence and international political economy, and systematically analyzes the operational logic of the Sogdian transnational commercial network, the Sabao system, commercial customary law and diversified dispute settlement mechanisms from four dimensions: spatial network, organizational carrier, rule system and dispute resolution. The research indicates that the Sogdians constructed a spatial framework consisting of "native city-states, regional settlements and mobile caravans", took the Sabao as the compound governance hub, adopted cross-civilization compatible customary law as the core of rules, and guaranteed implementation through progressive dispute settlement and community constraints. Within specific historical periods, they eventually developed a cross-civilizational governance model with low cost, high adaptability and strong resilience, which realized the effective operation of cross-civilizational trade order against the complex backdrop of absent unified sovereignty. Existing scholarship has predominantly examined Sogdian merchant groups from a historiographical perspective, focusing on their migration trajectories and trade practices, while few studies offer a holistic jurisprudential analysis of their commercial normative system from the lens of cross-civilizational governance. The core contribution of this paper is twofold: first, it adopts an overarching perspective of Area Studies integrated with legal anthropology and institutional analysis, to systematically unpack the closed-loop autonomous governance system composed of Sogdian commercial customary law, threefold informal constraints and hierarchical dispute settlement mechanisms; second, it reveals the logic of order supply by

non-state actors in pre-modern cross-civilizational contexts. The Sogdian experience breaks through the state-centric governance paradigm, and carries significant historical reference and practical value for deepening the theoretical construction of Area Studies, promoting the integration of economic and trade rules between China and Central Asia, and advancing the high-quality development of the Belt and Road Initiative.

Keywords

Area Studies, Sogdians, Cross-civilizational governance, The Silk Road, The Belt and Road Initiative

1. Introduction

As a cutting-edge discipline with strategic, fundamental and interdisciplinary attributes within the contemporary philosophical and social science system of China, Area Studies features the core characteristics of cross-region, cross-civilization, interdisciplinarity and cross-temporality. It emphasizes in-depth holistic, historical, social and institutional research on specific countries and transnational interactive fields. Different from monodisciplinary research approaches such as traditional international politics, history and jurisprudence, Area Studies further incorporates local knowledge, civilizational genes, social structures, folk orders, transnational networks and governance practices into a unified analytical framework, and strives to construct explanatory middle-range theories between grand narratives and micro empirical evidence.

The Silk Road is not merely a material trade corridor across the ancient Eurasian continent, but also the largest, longest-lasting and most densely civilized cross-regional public interactive field in human history. For centuries, the Silk Road sustained a weak-center governance state marked by the absence of a unified sovereign authority, unified legal system, military guarantee and monetary order. Nevertheless, it maintained stable and large-scale cross-border trade, personnel exchanges and cultural communication, with commercial contracts generally fulfilled and cross-regional credit sustained over a long period. This historical phenomenon constitutes a core proposition of great theoretical value and practical significance in Area Studies research: in a complex field defined by cross-civilization, weak authority and high mobility, how does social order emerge spontaneously? How can commercial governance operate effectively? And how do non-state actors provide cross-border public goods?

The Sogdians were the most representative commercial ethnic group and mobile community on the medieval Silk Road. Dwelling for generations in Sogdiana of Central Asia (eastern Uzbekistan and western Tajikistan), they took oasis city-states such as Samarkand and Bukhara as core settlements and formed the ethnic community of the Nine Sogdian Clans. From the 3rd century to the 8th century AD, the Sogdians expanded eastward along the Silk Road with caravans as basic organizational units and commercial settlements as pivotal nodes. They gradually established a transnational commercial

network covering Central Asia, the Western Regions, the Hexi Corridor, northern Central Plains, the Mongolian Plateau and even southwest China, serving as a critical bond connecting East Asia, South Asia, Persia and the Mediterranean world.[1]

Sogdians were not only commodity transporters, but also institutional innovators, order suppliers, cultural intermediaries and rule integrators. Without a unified state, standing army or codified law, they independently developed a feasible and cross-culturally inclusive commercial governance system. Existing studies on Sogdian civilization have yielded fruitful achievements. Historiography and archaeology mainly focus on sorting out Sogdian migration routes, settlement distribution, tomb iconography and document interpretation; religious studies concentrate on the spread and functional roles of Zoroastrianism, Manichaeism and Buddhism in Sogdian society; while legal history only touches sporadically on specific issues such as Sogdian contracts and lending relations.[2]

Overall, however, current research still has prominent limitations. First, disciplinary barriers remain prominent, with fragmented studies across history, jurisprudence and international politics, lacking the holistic and interdisciplinary vision advocated by Area Studies. Second, the governance perspective is largely absent; most studies regard the Sogdiansrely as a trading group rather than systematically analyzing them as a complete autonomous governance system. Third, theoretical sublimation is insufficient. Few studies refine the legal connotation and governance logic of Sogdian customary law, dispute settlement and credit mechanisms, failing to effectively connect with contemporary global governance, cross-border rule of law and Area Studies theories. Fourth, practical concern is inadequate, with insufficient in-depth connection between Sogdian historical experience and major agendas including the Belt and Road Initiative and cross-regional governance.

On the whole, abundant academic achievements concerning the Sogdians have been accumulated, yet three obvious limitations remain. First, disciplinary perspectives are relatively unitary. Most existing works belong to historiography and archaeology, while cross-disciplinary research combining jurisprudence and Area Studies is scarce, lacking a holistic governance interpretation of Sogdian commercial institutions. Second, research contents are fragmented. Most papers separately discuss contracts, the Sabao official system or Zoroastrian functions, without integrating customary law,

[1] Cai, Hongsheng. *The Nine Sogdian Clans and Turkic Culture in the Tang Dynasty*[M]. Beijing: Zhonghua Book Company, 1998.

[2] Regarding research on Sogdian commercial activities along the northern route of the Silk Road, the earliest systematic work is *Sogdian Traders: A History* by French scholar Étienne de la Vaissière, which provides a comprehensive overview of Sogdian business practices across the entire Silk Road. Haitao Chen examines Sogdian communities in the Qu Gaochang period through the lens of Turfan manuscripts in his study *From Foreign Merchants to Registered Households: Sogdians in the Qu Gaochang Kingdom as Reflected in Turfan Manuscripts*. Xinjiang Rong explores Sogdian settlements in the Gaochang region in his monograph *Medieval China and Sogdian Civilization*. Fang Li investigates the living conditions of the Nine Sogdian Clans in Xizhou of the Tang Dynasty via a case study of Shi Xuanzheng in *A Glimpse into the Lives of the Nine Sogdian Clans in Tang Xizhou: Centered on Shi Xuanzheng*. Yanyan Zheng's *On the Operation of Sogdian Commerce in the Gaochang Region*, the most detailed study on this topic in recent years, focuses on the internal scale and operational mechanisms of Sogdian merchant caravans.On the international scholarship front, Étienne de la Vaissière has systematically delineated the overall structure of the Sogdian trade network. The merchant diaspora theory proposed by Philip D. Curtin provides a classic analytical framework for cross-cultural trade governance, while the theory of legal pluralism lays the theoretical foundation for interpreting the validity of non-state commercial norms

constraint mechanisms and dispute settlement into a complete autonomous governance system. Third, theoretical sublimation is inadequate. Few studies connect theories of cross-civilizational governance, merchant diaspora and legal pluralism, failing to engage the frontiers of global governance, cross-border law and Area Studies.

Against this backdrop, this paper takes Area Studies as the overarching perspective and integrates analytical frameworks of legal anthropology and international political economy. It has two core marginal contributions: first, it constructs an integrated analytical framework of Sogdian commercial governance covering "space-organization-rule-enforcement", reconstructing Sogdia institutional research from a governance dimension; second, it extracts the logic of order supply by non-state actors in pre-modern stateless spheres, providing historical and theoretical references for contemporary China-Central Asia economic and trade cooperation as well as the institutional development of the Belt and Road Initiative.

Against the above academic context and research gaps, this paper adopts Area Studies as the overarching methodology and integrates multidisciplinary research tools including historical textual research, legal anthropology, international political economy and comparative regional studies. This paper adopts an interdisciplinary research framework, with core methodologies and archival materials specified as follows. First, historical textual criticism: the core primary sources include ancient Sogdian letters from Dunhuang, Chinese bilingual contracts unearthed in Turfan, and epitaphs of Sogdian elites dating from the Northern Dynasties to Sui and Tang dynasties. All adopted documents are authoritative, collated and published versions accepted by academia, and close textual reading is deployed to extract detailed institutional provisions of commercial activities. Second, legal anthropology is applied to analyze how customary law took shape within ethnic communities and how informal restraints operate without state coercion, breaking the narrow framework of mere statutory text sorting. Third, comparative regional studies are utilized to contrast differentiated governance models of Sogdian settlements across Central Asian homelands, the Western Regions, Hexi Corridor and Central Plains, so as to verify their cross-civilizational adaptability. On this basis, this paper carries out a systematic analysis on the formation, operation and modern implications of Sogdian commercial customary law from the perspective of Area Studies, intending to deliver new insights into historical ties and contemporary cooperation among countries along the Silk Road.Regarding Sogdians' cross-cultural commercial governance as an integrated institutional system of "space–organization–rule–enforcement–efficiency", this paper systematically addresses the following core questions: how did the Sogdians construct a transnational commercial network and spatial order to underpin governance? How did the Sabao system form compound authority and serve as the organizational hub of cross-cultural governance? How did Sogdian commercial customary law take shape, integrate multi-civilizational legal elements, and realize self-enforcement? How did the

Sogdians establish a multi-layered dispute settlement mechanism to resolve cross-cultural commercial conflicts? And what historical enlightenment can Sogdian governance experience bring to the theoretical innovation of Area Studies and contemporary cross-civilizational governance under the Belt and Road Initiative?

Breaking through the research limitations of traditional state-centrism and modernism, this paper incorporates core research topics of Area Studies such as folk autonomy, transnational networks, customary law, cross-cultural intermediation and soft law governance into the research of pre-modern cross-border governance. Taking the Sogdians as a typical case, it explores the internal logic of how non-state actors supply order, rules and credit in weak-center fields. This study provides typical cases with historical depth and legal implications for Area Studies, and meanwhile draws on historical institutional resources of the Silk Road to support the construction of commercial rules, cross-border dispute settlement and credit system development under the Belt and Road Initiative.

2. Regional Foundations of the Sogdian Cross-Civilizational Commercial Network

2.1. The Three-Tier Spatial Framework of Cross-Regional Governance

Rather than constituting a loose cluster of itinerant merchants, the Sogdians established a highly organized, settlement-based and node-structured spatial system, which furnished a solid material carrier and social foundation for cross-civilizational commercial governance. Their spatial governance adopted a three-tier hierarchical structure, namely indigenous city-states, regional sedentary settlements, and mobile merchant caravans, jointly shaping an integrated governance network spanning the eastern and central sectors of the ancient Silk Road.

In their Central Asian heartland, oasis city-states including Samarkand and Bukhara functioned as the institutional origin and core hub of the Sogdian commercial order. They assumed key functions such as capital accumulation, normative supply and information integration, serving as the civilizational matrix and institutional fountainhead of the transregional commercial system. In peripheral areas covering the Western Regions, the Hexi Corridor, the Central Plains and the Mongolian steppe, the Sogdians founded permanent commercial settlements. These settlements were far beyond ordinary immigrant residential zones; instead, they evolved into comprehensive autonomous units equipped with self-administration, commercial arbitration, credit supervision, religious operation and defense mechanisms, forming the grassroots institutional nodes of cross-regional governance.

Mobile caravans undertook the critical connecting function across geographic boundaries. Operating in scaled groups ranging from dozens to hundreds of members, caravans traveled regularly between regional settlements to deliver commodities, transmit intelligence, enforce commercial

contracts and maintain communal bonds, thereby integrating scattered local nodes into a cohesive and interconnected institutional network.

Empirical evidence derived from systematic collation of Dunhuang documents, Turfan manuscripts and medieval epitaphs has confirmed that the Sogdians developed a continuous, long-term and geographically extensive settlement system along the Silk Road. Large and stable Sogdian communities were widely distributed across major regions: Gaochang, Karashahr, Kucha and Khotan in the Western Regions; Dunhuang, Jiuquan and Wuwei along the Hexi Corridor; Chang'an and Luoyang in the Central Plains; and the Six Hu Prefectures on the northern steppe. These communities sustained robust ethnic identity and internal organizational discipline, providing indispensable social conditions for the implementation of commercial customary law and the operation of communal autonomy. This hierarchical spatial logic — with city-states as the core source, settlements as basic nodes, and caravans as connecting arteries — enabled the Sogdians to maintain normative consistency, institutional stability and cross-regional credit sustainability within a highly fluid transnational commercial environment.

2.2. Nodal Embeddedness: Regional Adaptation and Cross-Civilizational Articulation

Area Studies emphasizes the theoretical significance of localized embeddedness and contextual regional adaptation, which are distinctly reflected in the operational logic of the Sogdian settlement network. The Sogdians refrained from imposing a unified, rigid governance model across diverse territories. Instead, they formulated context-oriented adaptive strategies in accordance with local political regimes, legal traditions, social structures and cultural conventions, constructing an embedded governance model featured by contextual institutional arrangement.

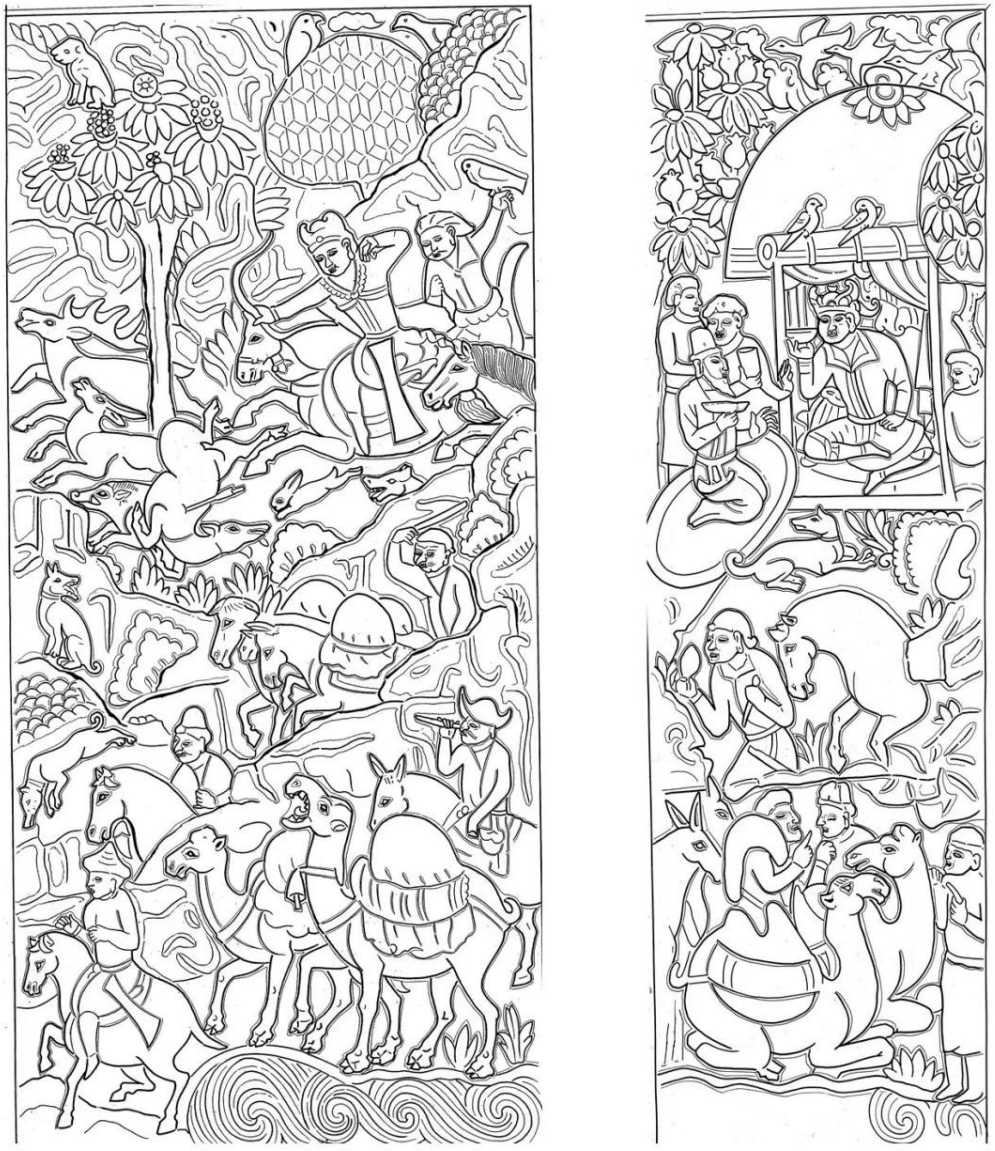
In their Central Asian homeland, Sogdian settlements inherited the autonomous tradition of oasis city-state polities, with urban councils and commercial elites as the core of endogenous self-governance. Within the oasis political landscape of the Western Regions, Sogdian communities deeply integrated into local market mechanisms and developed pivotal transit trade hubs based on commercial contracts and partnership institutions. In the Hexi Corridor and Central Plains under dynastic rule, Sogdian communities proactively accommodated the dynastic loose governance system and prefecture-county administrative framework. Endorsed by state authority through the Sabao institution, they achieved an institutional balance between ethnic communal autonomy and dynastic jurisdictional governance. In nomadic steppe territories, the Sogdians adapted to tribal alliance structures and constructed long-term mutual trust via interethnic marriage, political alliance and commercial suretyship, ensuring the sustainable operation of agro-pastoral trade passages.[3]

[3] Rong, Xinjiang. Sabao and Sabo: Sogdian Caravan Leaders Reflected in Buddhist Cave Murals [C]. Paper presented at the International Conference on Sogdians in China.

Such highly flexible regional adaptation enabled the Sogdian commercial network to operate sustainably amid culturally heterogeneous civilizational contexts. While preserving the intrinsic coherence of internal communal norms, this institutional arrangement fully respected local institutional pluralism, effectively mitigating transaction costs arising from cultural frictions and institutional incompatibility. As Étienne de la Vaissière elaborated in A History of Sogdian Merchants, the enduring prosperity of Sogdian commercial civilization relied not on military coercion or hegemonic domination, but on its institutional adaptability and cross-cultural integration capacity, which constitutes the core connotation of cross-civilizational governance.[4]

Figures 1 & 2

Caravan Reliefs on the Stone Sarcophagus of the Shi Jun Tomb



2.3. The Dynamic Synergy between Mobility and Stability

[4] Xi'an Institute of Cultural Relics Conservation and Archaeology (written by Yang Junkai & Sun Wu). Excavation Brief of the Northern Zhou Shi Jun Tomb of Liangzhou Sabao in Xi'an[J]. Cultural Relics, 2005(3).

A fundamental institutional dilemma confronting cross-regional governance lies in reconciling the fluidity of commercial activities with the sustainability of social order. Through deliberate spatial and institutional design, the Sogdians realized a sophisticated dynamic synergy: commercial mobility expanded transregional trade scale, while settlement consolidation guaranteed sustained governance effectiveness.

The high mobility of long-distance caravans facilitated the efficient allocation of goods, capital and information within the transregional network, facilitating the continuous expansion of cross-border trade. By contrast, fixed sedentary settlements provided stable institutional venues for contract enforcement, commercial dispute resolution and credit regulation, securing the practical implementation and normative effectiveness of customary law.

Sogdian settlements were strategically situated along key Silk Road arteries, near oasis water resources and military-administrative strongholds, securing both transportation accessibility and regional security. Major frontier towns in the Hexi region, including Dunhuang and Wuwei, functioned simultaneously as military strongholds and multi-ethnic commercial hubs. The large-scale Sogdian settlements established therein gained institutional protection and occupied geographically advantageous commercial junctions. Meanwhile, Sogdian caravans reduced long-distance operational risks through armed escorts, collective travel and centralized hierarchical management. Visual materials on the stone sarcophagus of the Shi Jun Tomb explicitly depict the complete operational mechanism of caravan reconnaissance, armed defense and cargo transportation, offering direct historical evidence of their mobility guarantee system.

The organic integration of fluid commercial mobility and solid communal consolidation endowed the Sogdian commercial network with both expansive vitality and institutional resilience. Against the medieval Silk Road context marked by frequent regime transition, recurrent conflicts and multi-ethnic entanglement, this institutional system maintained stable operation for centuries, establishing a classical paradigm of pre-modern cross-regional governance.

The Sogdian transnational commercial network furnished essential spatial and contextual support for long-term cross-civilizational governance, while the institutional core sustaining the orderly operation of this network resided in the uniquely structured communal governance mechanism of medieval Sogdian society: the Sabao System.

3. The Sabao System and Compound Authority

3.1. The Triple Identity of the Sabao

The Sabao system functioned as the organizational hub of cross-civilizational commercial governance for Sogdians residing in China, representing a localized institutional innovation that integrated indigenous Sogdian chieftain traditions with the official bureaucratic system of the Central

Plains. Derived from the Sogdian language, the term “Sabao” originally referred to the leader of a merchant caravan. With the maturation of Sogdian commercial settlements, it gradually evolved into a compound authority integrating three overlapping roles: commercial leader, administrative governor, and religious officiant, assuming comprehensive governance responsibilities within local communities.

As caravan leader, the Sabao oversaw route planning, commodity coordination, manpower organization, security maintenance and commercial negotiation, serving as the supreme decision-maker for transregional trade activities. As the administrative head of settlements, the Sabao managed household registration, industrial operations, contractual affairs, dispute settlement and public governance to sustain communal order. As a religious leader, the Sabao presided over Zoroastrian rituals and reinforced ethical restraints through Zoroastrian doctrines emphasizing integrity, contractual observance, and karmic retribution, thereby endowing communal norms with sacred legitimacy and normative authority.

The Northern Zhou tombs of An Jia and Shi Jun unearthed in Xi’an explicitly record the tomb owners as “Liangzhou Sabao”. Their sarcophagus reliefs visually depict caravan expeditions, trade negotiations, religious sacrifices and ethnic feasts, providing tangible iconographic evidence for the Sabao’s integrated identity combining political, commercial and religious power. Based on textual research of epitaphs, documents and institutional records dating from the Northern Dynasties to the Sui and Tang dynasties, scholarly studies have confirmed that the Sabao was not an informal communal leader, but an institutionalized governance core with defined powers and duties, formal subordinate officials and standardized operational mechanisms. With authority extending across commercial, administrative and religious spheres, the Sabao embodied the institutionalized carrier of Sogdian autonomous governance.

3.2. The Dual Legitimacy Structure: Communal Autonomy and State Recognition

The greatest institutional sophistication of the Sogdian Sabao system lies in its organic integration of communal autonomous authority and dynastic official endorsement. It constructed a dual legitimacy framework ofinternal self-governance coupled with official authorization, which substantially enhanced governance efficiency and normative enforcement.

From the Northern Dynasties through the Sui and Tang periods, central dynasties incorporated the Sabao into the formal official hierarchy to administer foreign ethnic settlements along the Silk Road. The imperial court established the Sabao Mansion, staffed with subordinate officials including Zoroastrian supervisors, ritual priests, administrative clerks, military officers and record keepers, forming a complete bureaucratic structure. The Sabao was elected from within the Sogdian community and formally appointed by the imperial court, thereby acquiring official status and institutional

legitimacy.[5]

This institutional arrangement bears three layers of legal significance. First, it respected indigenous autonomous traditions by allowing Sogdians to regulate commercial transactions and internal disputes in accordance with their own customary law, preserving an independent space for grassroots governance. Second, it afforded official institutional protection, enabling Sogdian contracts and arbitration rulings to gain indirect state recognition and coercive backing. Third, it established an effective buffer mechanism that bridged the institutional gaps between Central Plains statutory law and Sogdian customary norms, mitigating cross-civilizational institutional conflicts. Jiang Boqin conducted systematic textual research on the origin and evolution of the Sabao Mansion system, arguing that the Sabao institution epitomized the integration of dynastic loose governance policies and foreign ethnic self-rule. It facilitated effective state administration over border regions and ethnic groups while preserving the institutional vitality of communal autonomy, offering a classical institutional model for pre-modern cross-civilizational governance.[6]

3.3. Theoretical Implications of the "Intermediary Governor" from an Area Studies Perspective

From the theoretical perspective of Area Studies, the Sabao essentially operated as a cross-civilizational intermediary governor. Proficient in multiple languages including Sogdian, Chinese, Turkic and Persian, the Sabao was well-acquainted with diverse legal regimes, commercial conventions and cultural customs across Eurasian regions. This figure fulfilled critical functions including normative translation, conflict mediation, cultural buffering and institutional coordination.

Across fragmented civilizational spheres, competing political regimes and diversified legal systems, the Sabao acted as a pivotal intermediary and coordinator. The Sabao translated Sogdian customary law into locally acceptable norms and interpreted regional legal provisions in ways accessible to Sogdian merchants, thereby alleviating institutional estrangement and cultural misunderstanding.

Such an intermediary governor constitutes an indispensable nodal actor in cross-regional and cross-civilizational interactions. Within a decentralized governance landscape lacking overarching sovereign authority, intermediary governors realized order integration, trust construction and normative compatibility at low institutional cost. The historical practice of the Sogdian Sabao demonstrates that the essence of cross-civilizational governance lies not in the universal unification of rules, but in fostering intermediary authorities capable of connecting diverse normative systems. This conclusion delivers profound theoretical implications for contemporary cross-border governance,

[5] Bi, Bo. Chinese Translation and Annotations of Ancient Sogdian Letters[J]. Literature and History, 2004(2):73-97.
[6] Cheng, Yue. Commercial and Political Activities of Sogdians in Tang China[J]. Northwest Ethno-National Studies, 1994(1):61.

foreign-related rule of law construction and transregional cooperation.

4. Rule Structure and Practice of Sogdian Commercial Customary Law

4.1. Spontaneous Order and Contractual Practice

As pivotal textual sources, ancient Sogdian letters from Dunhuang and bilingual contractual documents unearthed in Turfan provide solid evidence for examining Sogdian commercial norms. The Sogdian letters record comprehensive commercial relations involving long-distance commission, lending, remittance, suretyship, debt recovery and risk sharing, demonstrating that a highly sophisticated contractual system and credit mechanism had taken shape within Sogdian communities. Bilingual contracts further illustrate the institutional integration between customary law and local statutes, revealing a complete operational chain of customary norms, contractual practice and cross-cultural enforcement.

Evolved from long-term repeated commercial interactions and universal normative compliance, Sogdian customary law regulated the full spectrum of commercial activities, including sales, lending, partnership, transportation, guarantee and compensation for breach of contract. Historical documents verify that Sogdian long-distance trade had developed mature mechanisms of entrustment and agency, credit financing, risk pooling and debt recourse. Sogdian contracts emphasized mutual consent, clear stipulation, contractual observance and remedial accessibility, which guaranteed stable institutional expectations and enforceability. Even amid regime succession and social turbulence, contractual bonds and debt relations remained well maintained, reflecting the trans-regional and regime-independent stability of customary law.

Systematic academic translation and annotation of Sogdian manuscripts confirm that Sogdian commercial transactions had transcended simple barter trade and established mature institutional arrangements for agency, credit lending and joint venture operations. Possessing core elements of modern commercial law, Sogdian customary law prioritized simplicity, efficiency and flexibility, which were highly adaptive to the complex institutional and geopolitical environment of the ancient Silk Road.

4.2. Multi-legal System Integration and Pragmatism-Oriented Normativity

The most prominent legal attribute of Sogdian commercial customary law lies in its cross-civilizational compatibility and pragmatic orientation. The inherent value of the Sogdian dispute settlement regime rests on its strong cross-system governance resilience, which sustained commercial order amid the coexistence of multiple empires, frequent regime changes and inter-state geopolitical competition.

Rather than adhering rigidly to a single legal tradition, the Sogdians selectively absorbed rational

institutional elements from Central Plains law, Persian law, nomadic customary norms and Western Regions city-state laws in pursuit of transaction security, cost minimization and mutual benefit, thereby forming a hybrid, cross-legal and universally applicable normative system. Firstly, it incorporated written formalities, official witnessing mechanisms and liability clauses from Central Plains law to enhance contractual standardization and public credibility. Secondly, it drew on Persian legal provisions concerning guarantee, commercial agency and partnership to optimize financial and trade institutions. Thirdly, it adopted nomadic conventions such as joint liability and communal suretyship to strengthen normative enforcement. Fourthly, it formulated flexible mechanisms governing interest rates, commissions and pricing in accordance with local market practices in the Western Regions.

The bilingual Sogdian-Chinese lending contract dated to 631 A.D. unearthed in Turfan vividly embodies such cross-civilizational integration. Adopting official Gaochuan institutional formats, the contract clearly stipulated interest rates, guarantee liabilities and breach sanctions, with both Sogdian elders and local administrative officials serving as witnesses. This institutional design realized localized formalization while preserving communal autonomy, endowing contracts with dual legitimacy endorsed by both state law and ethnic customary law. Such pragmatic legal rationality, free from dogmatic constraints, constituted the fundamental reason why Sogdian customary law could function efficiently across diverse civilizational contexts.

According to New Book of Tang: Records of Geography and Turfan manuscripts, Sogdian merchants maintained long-term commercial activities within Tang loosely-governed prefectures, the Turkic Khaganate and the Uighur Khaganate, practicing multi-jurisdictional application of laws and cross-regional credit interconnectivity. Independent of single political domination, Sogdian communities embedded flexibly into diverse institutional frameworks, ensuring the continuity of their commercial networks, contractual relations and credit systems despite frequent dynastic transitions. This capacity to maintain cross-system order through non-state communal networks endowed Sogdian governance with remarkable institutional resilience in turbulent historical contexts. The Sogdian experience indicates that the stability of cross-regional governance hinges not on the hegemonic strength of a single regime, but on the resilience of non-state networks, normative compatibility and universal mutual trust. This theoretical insight offers valuable implications for cross-border trade and regional governance amid contemporary geopolitical frictions.

4.3. A Progressive Dispute Settlement System

Effective dispute resolution and normative enforcement constitute the core of regional governance. The Sogdians established a multi-layered, progressive, flexible and interconnected diversified dispute settlement mechanism tailored to complex cross-civilizational commercial conflicts,

forming a three-tier governance framework prioritizing internal autonomy, ethnic arbitration and state judicial remedy.

First-tier: immediate caravan mediation. For minor, on-site commercial disputes, the Sabao or caravan leaders delivered on-spot rulings in accordance with customary norms. Characterized by streamlined procedures and low institutional costs, this mechanism ensured unimpeded trade operations and long-distance transportation. Second-tier: communal arbitration within settlements. In response to transboundary, complicated and high-value commercial disputes, the Sabao convened ethnic elders and commercial elites to conduct collective arbitration in Zoroastrian temples or public venues. Balancing customary norms, communal ethics and commercial conventions, arbitration rulings were enforced relying on community reputation and collective constraints. Third-tier: local state jurisdiction. For inter-ethnic conflicts, disputes involving substantial economic interests, real estate disputes and intractable internal frictions, parties resorted to local state judicial authorities, including Tang prefectural courts, Gaochang royal tribunals and Turkic judicial institutions, to secure final adjudication backed by state coercive power.

The manuscript *Official Report of Gaochang County, Xizhou Prefecture to the Anxi Protectorate Recording Interrogations of Cao Lushan and Li Shaojian (661 AD)* unearthed in Turfan vividly demonstrates the linkage between communal arbitration and state judicial authorities. Li Shaojian, a Han trader from Chang'an, traveled to Gongyue City for commerce alongside Sogdian merchant Cao Yanyan and borrowed more than two hundred bolts of silk from him. When Cao Yanyan disappeared, his younger brother Cao Lushan initiated litigation against Li Shaojian at the Xizhou local government. The trial embodied a hybrid combination of Sogdian customary rules and Tang statutory law. In terms of jurisdiction, the case was accepted by Xizhou and submitted to the Anxi Protectorate following the Tang legal principle of suing at the defendant's locality. For evidence collection, the court summoned fellow Sogdian traders as witnesses and verified debt relations against Sogdian partnership conventions, while cross-checking written loan contracts under Tang commercial statutes. Eventually, the local government issued a legally binding verdict backed by state coercive power. This case proves that Sogdian merchants could select dispute resolution channels from caravan mediation to state litigation according to the stakes and nature of conflicts, achieving complementary coordination between ethnic customary norms and imperial formal law. Commercial conflicts arising from profit distribution and accounting controversies were resolved successively through caravan mediation, communal arbitration and official litigation, empirically demonstrating the practical operation of the three-tiered Sogdian dispute settlement system.

4.4. The Rigid Enforcement of Soft Law

Distinct from coercive state jurisdiction, the Sogdian dispute settlement regime centered on

institutional authority, interpersonal trust, long-term transaction expectations and communal bondage, presenting typical features of flexible governance with four institutional advantages. First, low confrontationality. Prioritizing mediation and arbitration, it advocated negotiated solutions to sustain long-term commercial cooperation and prevent the fragmentation of transregional trade networks caused by intense institutional confrontation. Second, cross-cultural adaptability. Respecting diverse civilizational conventions instead of imposing unified legal norms, it bridged cultural divides through balanced consideration of rationality, ethics and legal norms. Third, high enforcement efficiency. Restrained by communal reputation and collective mechanisms, most arbitration outcomes were voluntarily fulfilled with far lower enforcement costs than formal state judicature. Fourth, extensive normative compatibility. Capable of interconnecting with nomadic law, city-state institutions and Central Plains legal systems, it exhibited outstanding institutional robustness.

The reputation mechanism constitutes the core binding force sustaining the Sogdian commercial network, and its practical operation can be concretely verified via the ancient Sogdian letters excavated from Dunhuang. Take Letter No.2 dated around 313 AD as an example: a caravan leader based in Samarkand wrote to the Sogdian settlement in Liangzhou, reporting that certain merchants had defaulted on debts and breached trade agreements. He explicitly demanded that the local settlement suspend all future cooperation and pursue arrears against the involved traders. Such cross-regional circulation of credit intelligence allowed records of dishonest conduct to spread rapidly across the entire Sogdian network stretching from Samarkand to the Hexi Corridor, creating a cross-regional blacklist system in practice. Defaulters would be excluded from caravan partnerships, credit support and all trading channels, with punitive consequences far exceeding losses from single transactions. Rooted in the closure of ethnic communities and sustained by long-term repeated transactions, this information-sharing reputation mechanism drastically cut cross-border trade expenses and consolidated mutual trust among commercial counterparts.Sogdian customary law functioned fundamentally as soft law yet generated rigid regulatory effects, attributed to its closed-loop institutional mechanism integrating normative constraint, ethical value and enforceable supervision. Firstly, a universal reputation mechanism was widely implemented. Information sharing within the integrated Sogdian commercial network enabled rapid dissemination of dishonest conducts via correspondence, caravans and regional settlements, forming a cross-regional blacklist mechanism. Defaulters would be excluded from communal networks and deprived of subsequent transaction opportunities, rendering reputational restraint more effective than formal legal sanctions. Secondly, religious doctrines strengthened normative compliance. Deeply influenced by Zoroastrianism, the Sogdians regarded integrity, contractual sanctity and moral discipline as core religious tenets. Zoroastrian temples served as venues for contractual oaths and arbitration hearings, while the Sabao, as religious officiant, endowed judicial rulings with sacred authority and transformed external

normative constraints into internal moral consciousness. Thirdly, communal suretyship provided institutional safeguards. Sogdian caravans and partnership organizations were bonded by kinship, regional ties and industrial connections, forming integrated communities of shared interests. Individual breach of contract would undermine collective credit, and mutual communal guarantee effectively reduced institutional risks in commercial transactions.

The combined effects of reputation restraint, religious deterrence and collective bondage realized the rigid operation of Sogdian soft law. In the absence of unified sovereign jurisdiction and coercive judicial power, this institutional framework maintained long-term stable commercial order across Eurasian frontier regions. In summary, the Sogdians constructed a self-sustaining closed-loop autonomous governance system grounded in spatial layout, centralized organizational mechanisms, systematic normative frameworks and diversified enforcement guarantees.

5. Historical Enlightenment of Sogdian Experience for China–Central Asia Cooperation

The spatial layout, organizational mechanisms, normative systems and governance models forged by Sogdians amid the multi-civilizational and decentralized political landscape of the ancient Silk Road provide referable historical resources for the high-quality development of the Belt and Road Initiative.

It is necessary to clarify the fundamental contextual differences between the ancient Silk Road and the contemporary Belt and Road Initiative. The medieval Silk Road operated in a weak-order field lacking unified sovereign authority, with non-state merchant communities as the primary governance actors. In contrast, modern Belt and Road cooperation is built upon the system of sovereign states and takes contemporary legal systems as its fundamental institutional framework. Sogdian governance experience cannot be directly copied for modern practice; its value lies in offering institutional wisdom and historical references for cross-civilizational economic and trade cooperation.

First, optimize the cross-border logistics system. Drawing on the Sogdian spatial structure of “city-state origins, settlement nodes and caravan connections”, contemporary cooperation should designate key border ports, logistics parks and overseas cooperation zones as core nodal hubs to remedy bottlenecks in cross-border transportation corridors. International freight trains, cross-border highways and air cargo routes can function as modern mobile caravans to advance multimodal transport efficiency. Promoting information exchange, resource sharing and standard convergence among regional logistics nodes will facilitate the construction of a resilient, risk-resistant and predictable cross-border logistics network, thereby realizing large-scale and normalized infrastructure connectivity.

Second, cultivate specialized cross-border intermediary service platforms to reduce institutional

docking costs. As comprehensive intermediaries integrating commercial leadership, communal administration and cultural coordination, Sogdian Sabao bridged diverse legal and governance systems. In the context of high-quality Belt and Road development, it is essential to cultivate cross-border chambers of commerce, commercial service centers and industrial associations as modern intermediary governance platforms, undertaking functions including policy interpretation, normative translation, credit endorsement and dispute early warning. Establishing a government-guided, market-oriented and non-state-operated cross-border service system will help enterprises mitigate information asymmetry, reduce compliance costs and enhance cross-cultural adaptability, so as to realize benign complementarity between non-state autonomy and intergovernmental cooperation.

Third, advance soft law development under pragmatic and inclusive principles to build mutually recognized economic and trade rules. Similar to the inclusive nature of Sogdian customary law, contemporary cooperation should adopt a pragmatic and mutual-beneficial governance approach amid diversified legal systems along the Belt and Road. In key areas such as cross-border trade, cross-border e-commerce, engineering contracting and investment financing, priority should be given to formulating industrial conventions, operational guidelines and unified joint standards. Promoting mutual recognition of contracts, commercial documents, inspection results and credit information will facilitate normative integration at low institutional costs, avoid frictions caused by forced institutional unification, and ultimately advance unimpeded trade and investment liberalization.

Fourth, establish a flexible and efficient dispute settlement framework and cross-border credit system by referencing Sogdian diversified dispute resolution and credit governance practices. The progressive mediation-arbitration-judication mechanism and community reputation restraint of Sogdian governance offer vital references for modern institutional construction. It is necessary to improve the hierarchical cross-border dispute settlement system and prioritize low-cost, non-confrontational mechanisms such as commercial mediation and arbitration. Meanwhile, by establishing cross-national enterprise credit information sharing platforms and improving performance evaluation, disciplinary restraint and incentive mechanisms, credit supervision can be transformed into hard institutional constraints to fundamentally curb default risks and safeguard long-term stable bilateral and multilateral cooperation.

In conclusion, the core theoretical implication of the Sogdian experience lies in that cross-regional cooperation relies not on institutional unification, but on consolidated nodal construction, effective intermediary coordination, pragmatic normative design and sound credit governance. The inheritance and innovative application of such historical governance wisdom will effectively enhance the resilience, sustainability and institutional efficiency of contemporary China–Central Asia cooperation, and promote the high-quality and connotative development of the Belt and Road Initiative.

6. Conclusion

Based on the interdisciplinary perspective of Area Studies, this paper takes Sogdian merchant communities as a typical case, and systematically elaborates the internal logic through which non-state actors realized commercial autonomy by virtue of customary law, multi-layered restraint mechanisms and progressive dispute settlement systems in pre-modern cross-civilizational contexts. It makes up for the deficiency of existing studies that prioritize historical narration over institutional governance analysis. The historical experience of Sogdian merchant groups offers valuable enlightenment for the construction of commercial rules under the Belt and Road Initiative. Constructed upon a transnational commercial network as its spatial framework, the compound Sabao authority as its organizational pivot, cross-civilizational customary law as its normative core, and a flexible diversified dispute settlement mechanism as its enforcement guarantee, this governance system fostered the spontaneous generation of social order, universal observance of contracts, cross-regional continuity of credit, and sustained commercial prosperity amid a complex landscape of coexisting empires, parallel legal systems and intertwined civilizations.

The core revelation of the Sogdian governance model indicates that the success of cross-civilizational governance hinges not on coercive power, but on inclusive norms, flexible institutional arrangements, accessible mutual trust and culturally adaptive mechanisms. Amid the vigorous development of Area Studies, the in-depth advancement of the high-quality Belt and Road Initiative, and the profound transformation of the global governance system, revisiting the historical experience of the Silk Road and exploring the Sogdian tradition of cross-civilizational communal autonomy, customary law resources and flexible governance wisdom do not constitute mere nostalgia for antiquity. Instead, it aims to tap institutionally rooted and culturally embedded institutional resources for contemporary cross-border governance, foreign-related rule of law and inter-civilizational mutual learning.

The Sogdian experience demonstrates that the fundamental driving force for human cross-cultural cooperation invariably derives from communal contractual discipline, mutual benefit and trust, and normative innovation. Adopting the research perspective of Area Studies and integrating multidisciplinary resources from history, jurisprudence and international political economy, this paper systematically analyzes the structural logic, operational mechanisms, practical effects and historical value of Sogdian cross-civilizational commercial governance. It seeks to provide a typical research specimen with historical depth, legal connotation and practical implications for the theoretical development of Area Studies, and to draw on the historical wisdom of the Silk Road for advancing the building of a community with a shared future for mankind characterized by mutual respect, inclusive co-governance and inter-civilizational exchange.

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References

A. Monographs

[1] Rong, Xinjiang.Medieval China and Foreign Civilizations[M]. Beijing: SDX Joint Publishing Company, 2001.

[2] Rong, Xinjiang.Medieval China and Sogdian Civilization[M]. Beijing: SDX Joint Publishing Company, 2014.

[3] Rong, Xinjiang.The Silk Road and East-West Cultural Exchanges[M]. Beijing: Peking University Press, 2015.

[4] de la Vaissière, Étienne.Sogdian Traders: A History[M]. Translated by Wang Rui. Guilin: Guangxi Normal University Press, 2018.

[5] Jiang, Boqin.A Study on the Art History of Zoroastrianism in China[M]. Beijing: SDX Joint Publishing Company, 2004.

[6] Luo,Feng.Between Hu and Han: The Silk Road and Northwest Historical Archaeology[M]. Beijing: Cultural Relics Press, 2004.

[7] Cai,Hongsheng.The Nine Sogdian Clans and Turkic Culture in the Tang Dynasty[M]. Beijing: Zhonghua Book Company, 1998.

[8] Bi, Bo.Sogdian Hu People in Medieval China: Centering on Chang'an[M]. Beijing: Renmin University of China Press, 2011.

[9] Zhang, Guangda.Documents, Classics and Historical Geography of the Western Regions[M]. Guilin: Guangxi Normal University Press, 2008.

[10] E.Sogdian Traders: A History[M]. Leiden: Brill Academic Publishers, 2005.

B. Journal Articles

[1] Rong, Xinjiang. Sabao and Sabo: Debate and Analysis on the Chieftains of Hu Settlements from the Northern Dynasties to the Sui-Tang Period [J].Studies in the Western Regions, 2005(2): 1-10.

[2] Rong, Xinjiang. Sogdian Caravans Reflected on the Stone Sarcophagus of the Shi Jun Tomb of the Northern Zhou Dynasty [J].Cultural Relics, 2005(3): 64-72.

[3] Bi, Bo. Chinese Translation and Annotation of the Ancient Sogdian Letters [J].Literature and History, 2004(2): 73-92.

[4] Jiang, Boqin. A Brief Study on the Origin of the Sabao Mansion System [C]//Huaxue Studies(Vol.3). Beijing: The Palace Museum Press, 1998.

[5] Wu, Yugui. A Study on the An Clan of Sogdian Hu People in Liangzhou [C]//Tang Studies(Vol.3). Beijing: Peking University Press, 1997.

[6] Luo, Lin. Research on Area Studies with Chinese Characteristics: Disciplinary Construction, Practical Guidance and Theoretical Innovation [J].Journal of Area Studies, 2025(3).

[7] Li, Ruizhe. A Preliminary Study on the Commercial Activities of Sogdians on the Silk Road [J].Studies in the Western Regions, 2006(3): 54-60.

[8] Zhang, Zhongzhou. A Textual Research on Sogdian Trade in Xizhou during the Tang Dynasty [J].Journal of Dunhuang Studies, 2017(4): 33-42.

[9] Shi, Xiaoxiao. Research on International Trade Customs and Their Application [J].Zhejiang Academic Journal, 2002(6): 214-217.

[10] Henning, W. B. The Date of the Sogdian Ancient Letters [J].Bulletin of the School of Oriental and African Studies, 1948, 12(2): 204-228.

C. Policies and Legal Documents

[1] Foreign Trade Law of the People's Republic of China (Revised in 2025) [Z]. Implemented on March 1, 2026.

[2] The Supreme People's Court. Opinions on Promoting the High-quality Development of International Commercial Courts and Serving High-level Opening-up [Z]. 2025.

[3] United Nations Convention on Transferable Documents in Goods Trade [Z]. The 80th Session of the United Nations General Assembly, 2025.