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**REASSESSMENT OF THE STATUS SYSTEM IN
15TH CENTURY CHOSŎN**

Chung Ku-bok

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The Academy of Korean Studies, Korea

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Introduction

It is the sixtieth anniversary of Korea's liberation from the colonial rule of Japanese imperialism in 1945. Over the last sixty years since the national independence, a debate over the status system of the fifteenth century has been emerging in interpreting to the history of Chosŏn dynasty(1392-1876).¹

Han Young-woo, who started the debate of "the freeborn-lowborn status system" (*yangch'ŏnje sinbunnon* 良賤制身分論), asserted that there only were freeborn (*yang'in* 良人) and lowborn (*ch'ŏnmin* 賤民) in the hereditary status system of the early Chosŏn period²; it was strikingly opposed to the earlier research that Chosŏn had the four levels of social status: *yangban*, middle people (*chung'in* 中人), freeborn, and lowborn.³ On the other side, Lee Sŏng-mu accelerated the debate by proving the freeborn were stratified into *yangban*, middle people, and commoners (*sangmin* 常民) though the early status was broadly divided into the freeborn and lowborn statuses.⁴ After the publication of these articles, Yoo Soeng-won and Kim Sung-woo more elaborated Han's opinion.⁵

According to them, all the freeborn having military duty could also enjoy the privilege serving in the bureaucracy as official. The issue of the freeborn and the lowborn statuses is significant not only to reveal the status system in the fifteenth century but also to interpret the meaning of the founding of Chosŏn as well as the later periods of the dynasty.

In this paper, I will introduce the varied approaches to the early Chosŏn status system conducted by scholars and will offer comments on their opinions.

¹ The status system means that the social class or position is handed down to generation to generation. The current issue is whether such a system was legally supported in traditional Korean society.

² Han Young-woo criticized the other opinions of the Chosŏn status system in his following article, "Chosŏn chŏnji yŏn'gu ūi chemunje: sinbun, t'oji, sasangsa yŏngurŭl chungsimuro" [Some Problems in the History of the Early Chosŏn Period: Focusing on Status, Land, and Ideological Studies] in *Trends in the Contemporary Study of Korean History*, comp., by The Association for Korean History, (Seoul : Iljo-gak, 1982).

³ Kim Suk-hyung, "Yangbannon" [On Yangban], *Yŏksa nonmun-jip 3* (P'yŏng'yang, 1959); Lee Sŏng-mu, *Chosŏn ch'ogi yangban yŏn'gu* [A Study of *Yangban* in the Early Chosŏn Period], (Seoul: Iljo-gak, 1980).

⁴ Lee Sŏng-mu, *Chosŏn ch'ogi sinbunsa yŏn'gu ūi chaegŏmt'o* (Reexamination of Studies of Social Status in Early Chosŏn) *Yŏksa hakpo* 102, 1984.

⁵ Yoo Soeng-won, *Chosŏn ch'ogi sinbunje yŏn'gu* [A Study of the Status System in the Early Chosŏn Period], (Seoul: Ŭilyu munhwa-sa, 1987); Kim Sung-woo, *Chosŏn chunggi kukga wa sajok* [The State and the Literati Family in the Middle Chosŏn Period], (Seoul: Yŏksa pip'yŏngsa, 2000).

Issues of the *Yangban* Status System and the Freeborn Status System

As opposed to Lee Sŏng-mu's suggestion that the *yangban* were the ruling class in the early Chosŏn period, Han Young-woo's article shows the *yangban* class actually did not appear in the texts of early period as they only mentioned those of the freeborn origin at that time. Lee explains, in actual practice, the *yangban* class monopolized many parts of education system and state examination due to their hereditary privileges. However, Han says *yangban* in the early period only refers civil or military officials; because they gained the official posts not by heredity but by their ability, it can be said that it was only the freeborn and lowborn whose status solely became hereditary. In spite of a series of researches by the two scholars, their discourses could not continue any longer because they did not approve the validity of documentary evidence they have suggested each other.⁶

According to the *Veritable Records of the Chosŏn Dynasty* (*Chosŏn wangjo sillok* 朝鮮王朝實錄) in the fifteenth century, the terminology of *yangban* ordinarily denotes the civil or military officials themselves. Occasionally, it just refers to a family of *yangban* class or his son who was assured of the aristocratic privilege. Instead of the *yangban*, "the literati family" (*sajok* 士族) were acknowledged as the privileged class in the early Chosŏn period as shown in the *National Codes* (*Kyŏngguk taejŏn* 經國大典).⁷ For instance, their privileges are codified in the *National Code* as follows: the shapes of their cloths and hats are distinguished from those of commoners(庶人); the government financially supported the marriage of their sons and daughters over thirty-year-old; and the arresting of a woman from the literati family might be possible under the king's approval.

The term *sajok* had a long history of use as an official terminology until the abolition of the *National Codes* system in 1894. One of the *Sirhak* scholars (practical learning school), Yu Hyŏng-wŏn (1622~1673) said in his book that the term *yangban* means an honorific title of *sajok*.⁸ In general, the literati family originated from "scholar-officials" (*sadaebu* 士大夫) included candidates or passers for state examination, their offsprings, and wives.⁹ The term of *sajok* began to be used since the founding of Chosŏn Kingdom. The literati status as noble class had a trend to hereditary tradition.¹⁰ Royal descendants and meritorious subjects also belonged to the privileged status.

⁶ See Chung Doo-hee, "Chosŏn ch'ogi yangbanŭi sahywoejŏk sŏnggyŏk e kwanhan nonjaeing" [Debates on the Social Characteristics of the *Yangban* in the Early Chosŏn period] in *Hanguk sahoe paljŏnsaron* [Studies of Social Development of Korea], (Seoul: Ilgogak, 1992).

⁷ The concepts of *yangban* and *sajok* are different: the former includes royal descendants and meritorious subjects, and the latter means scholar-officials. In *Comprehensive Stories of Yongjae* (*Yongjae ch'onghwa*) by Sŏng Hyŏn (1439-1504), 75 literati families have been listed. For details, see Kim Sung-woo, "Chosŏn sidae sajak ŭi kyaemyŏm gwa kiwŏn" [the Conception and Origin of the Literati Family in Chosŏn Dynasty], comp., by Kang Man-gil, *Chosŏn hugisa yŏn'gu ŭi hyŏnnwhang gwa kwaje* [The Present and Prospect on Researches of the Late Chosŏn Period], (Seoul: Ch'angjak gwa Pip'yŏngsa, 2000).

⁸ In his writings entitled *Essays of Pangye* (*Pangye surok*), Yu Hyŏng-wŏn recorded that only sajak could occupy the regular positions of the "two orders", *Tongban* and *Sŏban*, in the Chosŏn administrative mechanism.

⁹ According to the *Annals of King Sejong*, "sa(士)" defers to the lower position than 5 rank and "daebu(大夫) designates the higher position than 4 rank.

¹⁰ In this context, the "hereditary quality" does not imply an official position is handed down to the generations but means officials' sons could be officials. In Chosŏn society, the right of property was maintained by sons, thus, they hereditarily received political, social, and economical status to become officials.

When the debate of the freeborn-lowborn status system was emerging, Yoo Soeng-won further supplemented the issue.¹¹ He pointed out that the freeborn(*yangin* 良人) were qualified for official posts (*sahwan-gwan* 仕宦權), as a means of rewarding their military duty. Paradoxically, Yoo emphasizes the “equal quality” (*cheil-sŏng* 齊一性) that indicates the freeborn sharing the common duty to enter a military band, approving their different situation.¹² His thoughts of the freeborn-lowborn status system is well shown in the following sentences: “In the early Chosŏn period, among all the people, it was common to consider them as subjects for a king. They could join in the policy-making thanks to their qualification for official posts and thereby had to serve for the nation.”¹³

Despite Yoo’s analytic approach to the freeborn status, I think that some discrepancies are found in his opinion. In fact, there is no documentary evidence to confer a position of officialdom to the freeborn who had military duty. His idea of “equal quality” of the freeborn cannot be applied to the whole group of the freeborn, because all of them could not afford to be officials due to the limited number of posts even though they fulfill their military obligations. The similar phenomenon can be found in their education: Not every freeborn class-member could have an opportunity to be educated or to be a member of the county academy, because the education was not for the all the freeborn and only a small group of them shared the privileged position.

In traditional Korean society, the significant component of the lowborn class was the slave (*nobi* 奴婢) population. In the research of the freeborn-lowborn status system, lowborn status has not been emphasized in comparison to the freeborn status. Moreover, the view that many slaves were suspected as the criminal at the beginning of the *kija* (箕子) Chosŏn dynasty(B.C. 6th century) may have decreased interest in studying them. In addition to it, since the late Koryŏ period, the government had tried to distinguish slaves having the freeborn origin from slave group, however, the project was completely abrogated during the reign of King T’aejong (r. 1400~1418) and hereafter such a policy was no more undertaken.

The Chosŏn ruling class continued their economic profits, cementing the system of controlling the slave laborers (*sahwan* 使喚) and receiving a poll tax from the slaves being exempt for working (*sin’gong* 身貢). The *sin’gong* system was newly established in the Chosŏn dynasty. It determined the slave class as a means of “assets”. Since the *sin’gong* system was established in the early Chosŏn period, slaves were the most important assets of the ruling class until the sixteenth century.¹⁴

Following the freeborn-lowborn status system, in his recent publication, Kim Sung-woo says that the scope of the literati *sajok* was formed in the sixteenth century,¹⁵ however, it was

¹¹ Yoo Soeng-won (1987).

¹² He explains this phenomenon as the equalization of the freeborn except for slaves, however, he accepts that there were several classes in the freeborn status. See Yoo Soeng-won (1987), p.172.

¹³ Quoted in Yoo Soeng-won (1987), p.169.

¹⁴ The establishment of the *sin’gong* system remains unexplored. This system was caused by numerous government slaves originally owned by Buddhist temples due to the national policy to close the temples. Because there were so many slave remainders to give them laborious duty, the Chosŏn government designed the system in order to collect poll taxes from them. This system was first resumed in 1405.

¹⁵ Kim Sung-woo (2000).

already regulated in the *National Code*. In the *National Code*, instead, the freeborn who did not have the literati origin are referred to “commoners” (*sōin* 庶人) in order to distinguish from the literati *sajok*.¹⁶ It is notable that he stresses the in-depth study of periodical changes of the literati class.¹⁷

Codifying of Status and Historical Background

In the Koryō dynasty, there were no canonical records, however, the Chosōn codified such royal edicts or king’s behest as the *Six Codes of Governance* (*Kyōngje yukchōn* 經濟六典), *Supplemental Six Codes* (*Sok yukchōn* 續六典), *Chosōn National Codes* (*Kyōngguk taejōn* 經國大典), and *Collection of Royal Orders* (*Sugyo chiprok* 受教輯錄). The scholar-officials actively participated in government policy in order to set the framework for governing the country in the early Chosōn period. On the other side, in the Age of the Military (1170~1270) of the Koryō dynasty, the government military troop was gradually replaced by the private soldiers; later farmers were summoned to struggle against the Japanese marauders (*waegu* 倭寇) and the Red Turban Bandits (*hongkōnjōk* 紅巾賊). The meritorious soldiers and peasants could have an opportunity to gain add-official positions (*cho’msōljik* 僉設職) and received land under the name of Rank Land Law (*Kwajōnpōp* 科田法). As the Koryō military system ended, in Chosōn, peasants took charge of the military affairs, and it led to the freeborn to assuming military duty.

In late Koryō, Neo-Confucian scholars strongly worked to reform the administrative disarray and to achieve a Confucian society, attacking the Buddhist corruption. During the reign of King Sejong (1418~1450) the Neo-Confucian-dominated governance was established based on Chinese culture and institutions from ancient times to the Sung(宋) deeply, and this enabled Chosōn to make more practical laws.

According to Neo-Confucianism, all occupations consisted of the four categories: the literati, peasants, artisans, and merchants. The literati class was forced to discipline their mind as a manner of governance. The peasants were perceived to cultivate agriculture technology, the government’s economic base, while the engineering and commercial developments were suppressed. Thus, artisans men and merchants were exempt for the public service thereby qualification of official posts. Such a traditional attitude of occupation elevated the *yangban* bureaucrats, however, since they thought a mean skill was not part of their business, middle people completely severed in the technical posts.

In the Chosōn legal structure, in surface, though there was no specific evidence to codify that the literati class only could be bureaucrats, the so-called secondary rule regulated the status of a candidate for an official position. Before selecting an official, officials of tribunal (*taegan* 臺諫) evaluated him through the screening process. In this step, the most important factor was

¹⁶ One of the distinctive samples of the commoners and the literati in the *Chosōn National Codes* is the regulation for ceremonial robe for ancestor’s worship. In the section of *Funerary Costume* in the *Codes of Rite* (禮典), the commoners and military soldiers should take the robe for one hundred days as opposed to three years for the literati. Another regulation for the literati and the commoners can be found in those for their cloths and hats in the section of *Miscellaneous Rules* in the *Codes of Rite*. In this case, the literati were confined to non-officials.

¹⁷ Kim Sung-woo, “Chosōnsidae sajokūi kaenyōm gwa kiwōnnae taehan kōmt’o” [Investigation of the Conception and Origin of the Literati Class in Chosōn Dynasty], comp. by Kang Man-gil (2000).

the candidate's identification: his four-generation-ancestors documented in household register and vice versa in his wife's. The system of the writing the subject's four-generation-ancestors on the letter of household register originated from the Koryŏ census administration. The *Chosŏn National Codes* allows the commoner candidate who did not know the four-generation-ancestors to just record his grandfather and father, but it would not be possible to recruit the candidate who submitted the insufficient household register. In the other hand, there are a paucity of records that the commoners becoming the freeborn could have the qualification for an official post, and some cases that the freeborn members of the county academy were socially lowered to the commoner class.

Given the status of the freeborn, it deserves to consider that why local civil functionaries (*sŏri* 胥吏) belonged to the middle people. In short, it was closely related to the social consciousness of the literati. They did not consider the functionaries to be the literati class and tried to keep their privileges from being shared among the freeborn class. Therefore, it can not be said that all the freeborn class have opportunities equally to serve in public offices through state examinations.¹⁸

As mention above, historically the literati class, *sajok*, denotes the social status ascending the bureaucratic position. Since the fifteenth century, the most powerful lineage among the local functionaries (*hyangni* 鄉吏) had handed down their status to the following generations.¹⁹ Sons by concubines of the literati were restricted to ascend the higher-raking positions, but the general freeborn were free from such a regulation. The peasant family who did not produce figures of officialdom could not have an opportunity for official posts. It implies that the Chosŏn ruling class persisted continued their hegemony and all legal regulations might not be applied as they were in certain cases.

The scope of literati class of the early Chosŏn period covered the Chosŏn senior officials, their followers, and descendants of the Koryŏ officials. The giving the qualification for official posts to the freeborn can be understood in that it was the governmental scheme to control such various group of the literati class.

In historical conception, the status of the literati just included officials, classics licentiate (*saeng'wŏn*, 生員), literary licentiate (*chinsa* 進士) and students (*haksaeing* 學生, *kyosaeing* 校生); all of them maintained their economic position by holding land and slaves. In the early Chosŏn documents, no case can be found that a literati class man was fallen to a low class. It definitely shows fallacy of the idea of the "equal quality" of the freeborn by scholars approving the freeborn-lowborn status system.

¹⁸ According to *Chosŏnsidae saeng'wŏn chinsa yŏn'gu* [A Study of Classics Licentiate and Literary Licentiate in the Chosŏn Dynasty] by Ch'oi Chin-ok, there was no one belonging to county academy among 996 applicants who passed the classics or literary licentiate examination in the fifteenth century. Likewise in the sixteenth century, there was no one among 4788 passers. For details, see Table 3-6 in Ch'oi Chin-ok, *Chosŏnsidae saeng'wŏn chinsa yŏn'gu*, (Seoul: Chimmun-dang, 2000), pp. 78-81.

¹⁹ The local functionaries applicants who passed the state examinations were recoded as "tribute students" (*kongsaeing* 貢生). In the fifteenth century, 32 *hyangni* occupied the position among 996 passers, in the early sixteenth century, 41 among 2197, and later on the *hyangni* passers were gradually decreased. Probably they were the high-raking functionaries. See Ch'oi Chin-ok (2000), 101-106.

Historical Significance of the Freeborn-Lowborn Status System

Though there was no great turmoil in dynastic transition from Koryŏ to Chosŏn, the military system was newly programmed by the peasant soldiers and the freeborn had to fulfill their military obligations. The lowborn owned by the government or ruling class were treated as “assets”. In the early Chosŏn period, as slaves were not considered public people because of their criminal origin; it caused the military burden on the freeborn. The poll tax of the lowborn was equal with the military burden. Therefore the freeborn class gradually fell to the low class. The inter-marriage of lowborn and freeborn classes was prohibited by law or edicts in order to maintain the number of troops. But such a legal prohibition was not practiced. In the late sixteenth century, the fact that over one third among the population occupied the slave status resulted from the freeborn-lowborn status system. The regulations for the lowborn class in the *Chosŏn National Code* show the attitude of discrimination, describing the relationship between master and slave as those between king and subject or father and son.

In framing the legal structure of the Chosŏn dynasty, the freeborn seemed to be assured their qualification for official posts in reward of military duty, in fact, not all of them had an equal opportunity due to the limited numbers of positions. Nevertheless, when compared to the Koryŏ state examination in which applicants of *hyangni* or of higher positions could participated, the Chosŏn state examination system was more accessible to the lower class. In Koryŏ, one of the privileges for officials, the protected appointment (*ŭmsŏ* 蔭紱) was opened to sons of officers of over the 5th rank, but this system was available to sons of officers of over the 2nd rank in Chosŏn dynasty. Sons of officials of lower ranks could ascend the official rank through the alternative system, “father’s passing over the rank(*pum* 品) to his son” (*taega* 代加). This shows the literati status was hereditary.

The idea of “equality” existed among official colleagues of the same rank, but it never was parallel to the status of the freeborn. Extra Military duties given to the freeborn testify the “inequality” of the status, because only sons of *yangban* officials could have a privilege to enter the higher-ranking military band. Therefore, to argue the equality of the freeborn is to distort the historical facts because research concerning the freeborn-lowborn status system only have dealt with the freeborn status and not yet discussed the lowborn status. However, the system has been discussed in the context to understand the historical significance of the founding of Chosŏn.

Concluding Remarks

The freeborn-lowborn status system was the legal framework in the *Chosŏn National Codes*, and it played a key role to reexamine the fifteenth century society, transcending the view focused on late Chosŏn. The *Veritable Records of the Chosŏn Dynasty* written in the early period contains details of political discourses. But It was written during the early Chosŏn period when the literati class was created and the freeborn had to fulfill military duty. The population of slaves, one of the hereditary classes, became more extensive and important component of

properties for the government and the private literati. The privileges of the literati families are recorded in the *National Codes*. In the early Chosŏn society, the subject who really possessed legal privilege was the literati class *sajok* included *yangban*. The formation of the literati status system accompanied the establishment of practice to consider the salves as assets. While upholding the king's authority, "scholar-officials" (*sadaebu* 士大夫) endeavored to maintain their interests in ratifying the early codes.

To sum up, the freeborn-lowborn status system in the fifteenth century has significance because it reflected the flexible attitude toward the status as opposed to the fixed status system of the late Chosŏn period. In particular, the periodical changes in the scope and conception of the literati will be the important subject of a forthcoming study.