

p.505, 26:1a)

Slaves (noye ^{奴隸}). With regard to male and female slaves, ^{從母從法}
~~the~~ the matrilineal status succession law (chongmoyök chi pöp) will be adopted uniformly and equally. (T!!!) (Note: According to the present law, male and female official and private slaves inherit the labor service (status) of their mothers (in mixed marriages), but in the case of a male slave who marries a commoner woman, their offspring also follows (adopts) the father's status, This is because the law is not applied uniformly (hoeg'il ^{書一}) and (no matter what the mother's status is) only base (slave) status is followed (inherited). We ought to establish the law so that it (is applied) uniformly (and consistently), and ~~x~~ the offspring of a marriage between a male slave and a commoner woman should also follow (inherit) the mother's status.

apply law uniformly!

with regard to indented section: I note that/slaves (ch'önja ^{賤者}) (note: the practice in our country is to refer to both official and private male and female slaves as ch'ön'in (賤人) (end note), the matrilineal status succession law (chongmo chi pöp) began in the Koryö dynasty during the reign of Chöngjong (靖宗 :1034-46). To know who one's mother is, but not to know who one's father is is the way of animals.

Koryö

What kind of law is it that treats human beings (illyu ^{人類}) like animals?

But if you trace the origin of this unlawful (improper) law, then (we find) that (it stems from the fact) that the custom in our country frequently is to order slaves around ~~with~~ by force without any leniency, no different than one would treat oxen, horses, chickens and dogs.

Given the fact that they are treated like this, if you then would want to have (the offspring of mixed marriages) inherit the status of their fathers, there would be no end to the bother (frequency) of lawsuits by cunning and lawless people. It is for that reason that we have had ~~no~~ choice but have things this way, and that is all there is to it.

weak excuse

Nevertheless, the wrong (fault) is not with the matrilineal succession law

not to know one's father is inhuman

Korean custom to order subordinates around

CATERS TO interests of slaveowners

Limit on his radicalism

p.505, 25:1b) (in mixed marriages); the error (is to be found) in the slave law (itself).

(note: That is to say the law by which slavery is inherited nobi i se chi pöp 奴婢以世之法). But in later ages (after Chŏngjong of Koryŏ?),

even though they continued the use of the matrilineal succession law, if the mother happened to be a commoner, then they still made (the offspring)

(inherit) the status of the father and become a slave. This is a law which is no law at all (a bad law)(which should not stand as a law);

also a law for all it does is to force people to become slaves. This is/wrong

law in the midst of a wrong law. (this is tantamount to compounding a wrong law by making it doubly bad)

--. Male slaves who stand for labor service in each of the bureaus in the capital and each of the district towns (in the provinces) will be

all be provided with salaries (p'umnyo 廩料). (note: All people who stand for labor service will have regular salaries. For the amounts,

see the section on salaries. If the number of male slaves in the capital bureaus who stand for labor service is small in number, then

do not do as is done at present with the sŏnsang system (選上 : slaves, from the provinces? Pyŏnggyŏng, 4, 351: selecting and sending up candidates?) to serve

on duty on rotation. Those who are qualified to serve should be chosen to come and live in the capital bureau.)(end note)

--. Those (slaves) who do not stand for labor service will pay the "personal g tribute" tax (sin'gong 身貢) (note: Local products that

are paid (to the government) are called tribute (kong). There is no reason why individual people should be called "tribute" (items), but

in our country when "outside resident male or female slaves (nobi oegŏja 奴婢外居者)

) pay a fee in lieu of personal labor service, this is called "personal tribute" (sin'gong 身貢) (end note) Male

slaves will pay 2 p'il of cotton cloth; and female slaves will pay 1 p'il and both will make their payments to the Saomŏmsi (司賸寺).

(note: Capital bureaus or district magistrates will not be allowed to privately

1) inheritance is wrong
2) matrilineal law is ok. if you accept inheritance
3) failure to observe the matrilineal law compounds the problem

equal pay for equal work on labor service

or personal tribute

p.505, 26:1b) receive tribute (payments) from slaves outside the regular quotas of those standing for labor service in the ~~exit~~ capital and in the provincial district towns.) (end note)

東伍軍
exempted from
身貢

Those ~~x~~ (slaves) who function as **sog'ogun** (東伍軍) will be exempted from tribute payments. (note: Those who are enrolled as sog'o troops will be completely exempted from tribute. The same goes for those who are support personnel (pobu 保夫), mokcha (牧子 :herdsmen), and chapsaekkun (雜色軍 :petty clerks or runners?). In the case of male or female slaves who are under 16 yrs of age or over 60, those who are seriously ill or who have an incurable disease (p'yejilcha 廢疾者), and those who have 3 children or more, and who owe ~~taxxxxxxxxi~~ tribute service, they will be exempted from tribute service. Private slaves who become sog'o soldiers ought to be completely exempted from tribute payments, but ~~xxxx~~ prior (to the time when we can) abolish slavery, the situation is such that this would difficult to enforce, and so it would be all right if we were to reduce (the tribute payments on) male slaves to 1 p'il.) (end note)

26:2a)

--. If there happens to be more slaves than (the quotas call for) at each of the capital bureaus (note: that is, slaves in excess of ~~these~~ the quota for those who are supposed to stand for service) (end note), then it will be allowed to transfer them to other bureaus that have a shortage (of slaves) or (transfer them to) people who have a royal certificate (sap'ae 賜牌) (see other volume of Pyongyang transl). (note: In the case of outside resident male slaves, if there is a shortage (of slaves) in their home district town, then they may be transferred to that district town and exempted from the tribute payments) (end note).

more surplus slaves around to fill shortages

In the case of each of the district towns (where the above case fits), it is permitted to transfer (surplus slaves) to neighboring towns where there is a shortage (of slaves). (note: the same goes for post-stations) (end note)

--. In the case of official and private male slaves who become **so'go'gun**,

p.505, 26:2a) those who pass the tests on military skills in first place several times will be given special permission for exemption from slave status. (note: In the case of private male slaves, the official will provide a substitute for them, or pay them a fee. For details on this point, see the section on the military system.)(end note)

exemption from permission for military skill

indented section: At the present time in the bureaus in the capital,

in many cases there are no male or female slaves in them, and the labor service (usually) performed by slaves is performed in their place by soldiers on tour of duty in the capital (sangbŏn kunsu 上番軍士) or by tribute middlemen (kongmul chuin 貢物主人). What we ought to do is have chŏnbok (典僕) live in the bureau and stand for service in accordance with regulations. (Pyongyang 4, 399: chŏnbok means yamen attendants, a category created by Yu Hyŏngwŏn)

at present, soldiers + tribute middlemen are performing slave's tasks in capital bureaus replace them with slave menials

menial? slave

In the governors (and military commanders') yamen, district towns, local schools (hyanggyo) and post-stations in the provinces, the slaves nearby there should all be made to live at those places. With regard to those people who have served there for a long time and for whom it would

be inconvenient to send them back (home), transfer their registration to the district towns where they live. If there are any cases (of officials) privately on their own authority collecting tribute payments or releasing slaves from service and collecting fees instead, then officials (who do this) will be indicted for criminal action and will be forced to pay a cloth fine in accordance with the penalty for

Opposes unauthorized release of slaves in return for fees (not remuneration?)

v.s. arbitrary release of slaves!

releasing men from military duty. (note: After my land reform is put into practice, we will be able to put an end to this evil.)(end note)

26:26 what until land reform? →

indented note: In the reign of Sŏnjo, Yulgok submitted a memorial which talked about the hardships of the sŏnsang (送上: selection and sending up to the capital) of official slaves. He said: "The basic intention behind the sŏnsang system was not to require the payment of cotton cloth. Because there was a shortage of chŏnbok (典僕: yamen attendants)

YULGOK vs. 送上 sending official slaves to serve in capital bureaus as yamen attendants

p.505, 26:2b) official slaves in the provinces were sent to the capital to serve on duty on rotation, and this (system) was called, sŏnsang. Because the impoverished official slaves had to provide for their own food where they stayed and were subject to all kinds of demands, they could not bear the hardships, and (the officials) began to compensate them for their service with the payment of cotton cloth. At the present time, however, they are only required to pay cotton cloth (instead of performing service), and that is all. Not a single man comes (to the capital) to serve on duty. The livelihoods of the people are put in greater difficulty by the day, and the population shrinks by the day. Official slaves are also people. How could they bear this? To send them back and forth and (force them) to take flight (for their lives) without being able to support themselves, and still to force them to pay cloth to pay for the sŏnsang labor service, ~~there are~~ there are few people who can do this and avoid the destruction of their families. If they have to pay personal tribute for two years and then the sŏnsang (cloth levies) for 1 year, then in 3 years time their families would be bankrupted and the bitter difficulties of the officials slaves ~~is~~ is extreme. Add to this the fact that the/Ministry responsible (for them) distributes (jobs, burdens) on them unequally. Even in the case of a district town where there are a large number of slaves, if they pay a bribe, then (the work, payments) required of them is ~~small~~ set at a small figure. And in district towns where there are only a few slaves, if they don't pay bribes (then the payments required of them) ~~is~~ are large. And if (one slave) cannot perform the designated labor, then the officials force it on their families, and all the people suffer from this. And once they are plunged into difficulty, even though a fair and intelligent (king) were to set (their requirements) in fair and equal fashion, he still would not be able to save them. If we do not make a change (reform) in this, there will be no limit to the future regrets (problems). In my stupid opinion,

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Service has been replaced by a cloth tax on slaves.
Prefer actual serv. to substitute cloth payment!
Not submission

Bribes
Bribe not accurate
Bureaucratic oppression of families

p.505, 26:2b)(we ought to eliminate personal labor service and collect cotton cloth, and if this is contrary to the law in the dynastic code, then at the present time we might also abolish sönsang and add on personal tribute payments (sin'gong)))

the elimination of personal labor service and the collection of cotton cloth (from slaves in its stead) is contrary to the law in the dynastic code, and so at the present time we should abolish the sönsang and require the payment of personal tribute (sin'gong). I request the king to order the responsible officials to give close study of the slave registers and in accordance with the actual number of slaves existing have every male slave make a payment of 2 p'il of cotton cloth per year, and every female slave ~~xxxx~~ 1 1/2 p'il. We should calculate the total amount (to be received) and deposit 2/5 of it in the ~~Sa~~omsi (司農寺) to be used for state expenditures. The other 3/5 should be divided up and given to each of the capital bureaus to pay for the sönsang labor service. And if there is not enough cotton cloth (to pay for labor service), then we ought to reduce the amount of labor service required.

vs. elimination of personal labor service and collection of cotton cloth taxes
Abolish ~~司農寺~~ require ~~司農寺~~ + 2 p' / yr.
Payment for required labor service

p.506, 26:3a) If we do it like this, then there will be a fixed amount of tribute payments for official slaves, and we will be prepared in advance against any sudden requirements (for funds). If there are fixed registers for the collection of tribute and no changes are allowed in them, then we will put an end to the falsification by the clerks. We will not be ~~plagued~~ with complicated orders and the people will receive true benefits from this. (subnote: According to the dynastic law code, with regard to the slave ~~tribute~~ for each of the capital bureaus, ~~xxxx~~ the slaves pay 1 p'il of cloth or 10 pieces of paper money (chöhwä), or cotton cloth, silk, or chöngp'o (plain cotton?) in lieu of money. In all cases they pay it to the ~~Sa~~^{ch'}omsi.) (end subnote)

BUDGET REGISTRATION

Indented section: Yulgok said: "At the present time we have not yet carried out a cadastral survey of the land (and because of that)

Yulgok

Yulgok

slavery -7- sokp'yön, ha

+ Chung-bong (Cho Hön)

p.506, 26:3a) taxes are ~~xxxxxx~~ collected on land which (in fact) is fallow and uncultivated.

Buddhism still exists and people who wander around (begging for food, as monks) have not yet been returned to the fields (to cultivate them).

The matrilineal succession law (in cases of mixed marriages) is not applied in the case (where the mother) is a commoner, and commoners are all being converted into private slaves. If no changes are made in present day government ~~xxxxxx~~ and we continue to follow the ways of the present, then even though a Yao or a Shun were to preside over our country, they still would not be able to do anything about (these evils).

Cho Chung-bong (趙重寧 : Cho Hön) ~~xxxxxx~~ on his return from a mission to China submitted a memorial to King Sönjo, which said:

"I have personally heard that the cities along the four frontiers of China are scattered about as numerous as the pieces on a chessboard. But the reason why they are strongly protected without worry is that with all of the people of the empire, except for the sabu (scholars and officials, shih-fu 士夫), ~~xxxxxx~~ if they are not farmers or artisans, are soldiers, and most of the products that are made are used for the support of the soldiers.

From the Koryö dynasty on, (we) unified the three kingdoms, and we should have (been in a situation where) with many soldiers and powerful forces we would have won victories every time out, but the fact that we suffered defeat at every move and could not brandish our power (pujin) is truly due to the gradual spread of slavery and the daily increase in the number of Buddhist monks so that there were only a few people who could be utilized to serve the king (wisang yongja kwa ya). And by the time of our dynasty, military service became extremely onerous and the people were not able to endure it or support it. Since a person with a son was not allowed to become a mountain monk (sansung), he would take a female slave

Buddhism monks + slavery
Yulgok
substrate from troop strength

No idle people in China
(i.e. No yangban or slaves =>)

Chosŏn

p.506, 26:3a)

At the time when our country was divided into three kingdoms that

三國

opposed one another like the legs of a tripod, not only did each of

26:3b)

these kingdoms attack the other, but the Japanese (~~sokp~~ Ilbon) and the

Malgal frequently raised forces that invaded us, and every year the

number of those who died in battle numbered in the 10,000s, but the

reason why we were able to restore our power even though we were

hanging on the verge of destruction was because the slave law had not

become widespread in the world and all the people of our land that

was (small) tucked away in one corner (of the world) could be used

on behalf of the king (wisangyong 為上用).

From the Koryŏ dynasty on, the three kingdoms were unified, and we

should have been (in a situation where) with many soldiers and powerful

forces we would have won victories every time out, but the fact that

we suffered defeat at every move and could not brandish our power (pujin 子振)

was truly due to the gradual spread of slavery and the daily increase

in the number of Buddhist monks, so that there were only a few people who

could be utilized to serve the king (wisang yongja kwa ya 為上用者寡也)

And by the time of this dynasty (Chosŏn), military service became

extremely onerous and the people were not able to endure or support it, and thus

if ~~he~~ had ~~since he~~ (the son) ~~since~~ a person ~~with~~ a son, was not allowed to become a mountain monk (sansung 山僧)

he would marry his son off to a ~~woman~~ slave woman; or if he

had a daughter, he would marry her off to a male slave (in both cases)

in return for a price (sujich'i 受直), in the hopes of avoiding

disaster which might befall his whole family (from the burdens of military

service or taxation?). How much more so in the case of the male slaves of

the Naesu(sa) (內修 國): Royal Treasury), who particularly were able to

completely protect their households. The most destitute of the poor people

struggled even more (among themselves) to commend themselves (to the ~~powerful~~

tusok 投屬). In the case of the newly reclaimed land and the newly

established households that one sees before one's eyes at the present time,

no slave law - some force could serve

Koryŏ soldiers

slaves + monks

military service monks + slavery as way to escape military serv.

內修國 slaves a protected status!

Naesusa powerful

Cho Hön

p.506, 26:3b)

all of them are the land and households of the yangban AND THE Naesusa slaves, and the amount of land and the number of households of the commoner

population (yangmin chönho 良民戶), is decreasing and shrinking by the day, and the number of regular soldiers (chönggun 正軍) is not

26:4a)

even a full 200,000 men, it is said. Even if we were to count all the (able bodied males in a family) members of a family, you still would not have a full 400,000 (people to be counted among the commoner class?). Alas! Even if all these several hundred thousand men were all crack troops, if it should happen as it did ~~xxxxxx~~ at the end of the previous dynasty that Japanese ships (waesön) should assemble like clouds (in an attack on) the lower three provinces, ~~xxxxxx~~ Kyönggi and Hwanghae (Ki-hwang? 折黃), and the red turban Mongols were to ~~xxxxxx~~ scatter about here and there along the northern it is clear that two frontier provinces (of Pyongan and Hamgyöng), then/with~~xxx~~ only these few 100,000 men, we would not be able to divide them up to defend against the enemy, How much worse is ~~xxxx~~ it that among these 200,000 men, in fact there are not even a thousand who can be utilized (effectively)?

Alas! Because of the extreme pleasure and ease of our lives (hwalhüi chi kük retribution 恬嬉之極), a crack has been opened up for calamity to enter in at the side (hünöl pang söng 懈弊旁成), a while our preparations against any incident (invasion) is ~~xxxxxxx~~ as lax and weak as this.

Even though some views were expressed in previous years about the fact penned up

that we had too many slaves, each person was too concerned with his private affairs (interests) kak loe ~~xxx~~ ö sa 各守於私) and did not investigate the roots of the matter, and ~~xxxx~~ it came to an end.

This x is something I deeply regret. (end of Cho Hön's memorial)

--. I note that the name, slave, had its origin in the confiscation (enslavement) of the people guilty of crimes. In ancient times w there

~~xxxxxx~~ was no law that called for the enslavement of people not guilty of a crime. Furthermore, those people who were enslaved because of crimes, ~~xxxxxx~~ in the case of

~~xxxxxx~~

Cho Hön

slavery began as a form of punishment No such law in ancient times

p.506, 26:4a) the penalty was not extended to their descendants. How much less

26:4b) (was the penalty imposed on) those who were not guilty of crimes?

(note: In ancient Chinese law, even though there were people who were enslaved as a penalty for crimes, there were limits such as the *ilmyŏn* and *chaemyŏn* (一免再免: one or two time ~~limit?~~ exemptions). (some kind of official dispensation exempting people from becoming slaves? or after they had become slaves returning them to commoner status?), and if a person got 3 exemptions, then he became a commoner. Even in the case of those people who were made slaves for life, ~~there was no law which extended this penalty to their sons.~~ In general the principle was that penalties were not inherited by (extended to) descendants.)(end note)

But the ~~slave~~ law in our country is such that no inquiry is made as to whether a person has committed a crime or not. We only look at his lineage (~~segye~~ an ki segye 按其世系) and make people slaves for a hundred generations. The reason for this is that even ignorant and law people (if they are yangban, interpolates Han, 4, 436), have the power to control the life or death of other people. (si i hok muchi ch'ŏnbu i che in samyŏng 是以或無知賤夫而制人死命). And if even there should be worthy and talented people among them (the slaves), they too are fettered and made the slaves of others (ku wi in no 全國為人奴). Is there any principle (li) to this? (How could this be right?)

I don't know when ~~this law~~ this law first began (who the first person was to make a doll for sacrifice instead of human sacrifice--i.e. just as bad), but in general it (seems) to have gradually become more prevalent in the beginning of the Koryŏ period. (note: In the 3 kingdoms period and before, even though there were slaves, they were only enslaved for criminal action, embezzlement, or robbery, or were prisoners of war, and it seems that there were no cases of people who were made slaves hereditarily (generation after generation). At the time when T'aejo of Koryŏ

also no inheritance of slave status
 transmission of 3 免
 slaves for life only
 Punishment not inherited
 Korean slavery not related to punishment
 QUOTE
 No 理 to this!

early Koryŏ
 Not a 3 Kingdoms institution !!

p.506, 26:4b) unified the country, as a result of his victories ~~of~~ over his enemies and his repression of rebels there were many prisoners captured which he gave to his Merit Subjects to be their slaves, and subsequently these people (their descendants) were forced to become hereditary slaves.)(end note) And by the time of this dynasty, the laws of the country also forced people to become slaves. You could become a slave, but you couldn't escape slavery, and for that reason the number of slaves gradually increased until 80/percent of the population were slaves. And the number of commoners (yang'in) gradually decreased until scarcely 10 or 20 percent of the population were (left as) commoners. (note: Under the present law even though slaves are supposed to inherit the status of their mothers (under the mixed marriage laws), in fact if the father is a slave and the mother is a commoner, the offspring still takes the father's status and becomes a slave. All this means is that people are forced into slavery, and once a slave, there is no way out of it.) Furthermore, because military service is very hard (on people),

Pan's during Kija's unification

the 2nd is ignored

of Cho Hŏn

p.507, 26:5a) if a commoner has a son or daughter, in many cases they marry them off to private slaves, with the result that the commoner population is gradually getting smaller. If this law is allowed to continue, then in a few hundred years, the state will not have any common people at all. Even at the present time the 10 or 20% of the population that still is left (as commoners) consists of slaves who have run off and hid, and the destitute sŏl (兩班庶孽 : illegitimate sons) of the yangban, and that is all.)(end note) Not only is the state left without any commoners (subject to public duty) (kongmin kuk mu kong 國無公民), but all the commoners have become the private (property of others, min chin wi sa yu 民盡為私有). And lawsuits over a single person (single disputes over slave ownership) sometimes last for a decade without being resolved. (Note: Because of the fact that slaves have become chattel goods (nobi ki wi chaemul members 奴婢既為財物) there are many lawsuits between lineage/and close relatives (over their

!! 私有

chattel

p.507, 26:5a) disposal--inheritance of property problems?). Also in cases where there are suits between slave masters (noju 奴主), the slave master will say: "That man is the descendant (son or grandson) of my old slave, so-and-so." And the slave will say: "My ancestor was so-and-so, and that was not his name." But among the small people (common people) no one can completely know what their ancestral trees are, and it is also difficult to determine whether the written records ~~have~~ are true or false, and that is why a lawsuit over 1 person can involve the investigation of as many as a hundred people, and the case can drag out for 10 years without being resolved.) (end note) When one slave is captured ~~the harm is taken and made manifest~~, the harm & (concern) extends to 9 families, and still does not come to an end. (When one ~~man~~ slave is captured, ~~the harm is taken~~ the authorities will round up his own family and those of his paternal and maternal relatives) (note: When trying to capture a (runaway) slave, ~~the harm is taken and made manifest~~, unless the authorities round up all his relatives, they cannot get him (the only way the authorities can capture runaway slaves is by rounding up and arresting all ~~the~~ his relatives and family) and for that reason the injury done extends to 10,000 people and there is no ~~an~~ end to this situation) (end note) The evils of this situation have become so extreme, that we have no choice but to change (reform) it.

Lawsuits based on genealogical claims

Capture of runaway slaves

authorities round up all relatives to catch one runaway

Thus, at the present time what we ought to do to reform the situation is to adopt (follow) the matrilineal succession law (chongmo chi pŏp) and apply it equally to all cases. (note: What this means is that the offspring of a commoner women will be a commoner) (end note). However, if the government of a true king is once put into practice and all institutions are rectified, and all baseness is washed out (made clean, purified), then clearly the law (system) of slavery ~~will be~~ must be (will be) abolished.

!!

*. 地 in ancient China

However, in ancient times they enfeoffed people with ts'ai-ti land grants (feng-chien ts'ai-ti 封建采地), and for that reason the ~~kingdom~~

p.507, 26:5ax) ching ta-fu (high ministers and important officials) had no fears

that they might not be supported (taken care of). At the present time

26:5b) in China they have the custom of hiring labor (yongyök kogong chi sok

傭工之俗

), and for that reason the families of the shih-fu (scholars for them and officials) also have people to work in their place (in their homes).

(note: Even though they have slaves in China, all of them sell ~~themselves~~ out as hired day laborers (p'ump'ari)

themselves to be hired laborers (kye chamae wi yongja 皆自賣為傭者.)

There is no law by which an examination is made of their family line

to make them slaves. Generally speaking, ~~when a man is born into a family~~

~~people who labor for others are only hired-out~~

slaves (yongno 傭奴) and hired laborers who work for a limited number

of years (hannyön kogongja 限年傭工者 :mösum'kun), it is said.) (end note)

In our country, this law (inherited slavery) has been practiced for

a very long time. It is an old practice and an established custom.

The taebu-sa (officials and scholars) all rely on it to (manage) their families, and (so) it is difficult to abolish it all of a sudden.

Only after customs have gradually been changed, and those above (rulers) and those below (ruled) are gradually warmly (provided for), and (the use of) hired labor gradually becomes prevalent, only then would it be

all right to abolish it (slavery). (note: What I mean here by "abolishing it", ~~we~~ also does not mean a sudden and total abolition of existing slaves.

We should only stop with the slaves that exist at the present time,

and abolish the law providing for hereditary slavery. (subnote: that is

both male and female slaves)(end subnote). If this law is carried out, then

we ought to set ~~limits~~ time limits ⁱⁿ on the establishment ^{of the} of the law

(we ought to set ^{time limit for permitting registration of existing slaves} a starting point in time for the beginning of the new law),

and with regard to those people (born into slavery) prior to this time,

for each of them allow the slave owner to make a report to the magistrate

and have his ownership registered (ip'an 立案), and this register will

be kept in the magistrate's office. after the (time limit is up), no further (registration of hereditary slaves) will be allowed.) (end note)

hired labor in China

inherited servants

hired labor the ultimate sol'n

NOT sudden.

*abolish hereditary slavery
NOT total.
manumission*

time limit on registration

time limit for permitting registration of existing slaves

p.507, 26:5b)

Some might say that in our country the minds of the people and the customs are not to be compared with the Chinese, and that we don't have anybody who works as a hired laborer (kogongja). What about this?

To this I would respond that if you are talking about (the situation) at the present time, who is there who would not think of it this way?

(Who would not think that* this is the way things are?) However, when laws

laws can be manipulate to change established customs

change (are changed, reformed), then the situation changes (pŏp pyŏn chŭk se pyŏn 法變則勢變), and when the situation changes, then customs follow along and change. (se pyŏn, chŭk sok chong i pyŏn 勢變則俗從而變)

People who hold this (the above expressed opinion) are those who are sunken (mired) in the present and do not know this (the principle of change

stated above). At the present time the way slaves are treated (in Korea)

is not the way human beings should be treated (are not treated with the way of humanity: pu i indo 不以人道). [note: The national custom of treating slaves is completely lacking in benevolence and righteousness.

26:6a)

death from starvation and cold and dire hardship is regarded as their (the slaves) lot in life, and no pity is taken on them. They are only managed (馭) with punishments and laws and spurred on (ch'ū 驅) with the bamboo stick (by beating them); whether they are allowed to live or be killed, their treatment is the same (as one) treats oxen or horses.) (end note) Unless the person is a slave, then ~~manxxxxxxx~~

(only slaves are made to do labor) by others), and unless it is a slave, they (only slaves) are made to do labor for others. With customs like this who would be willing to become a hired laborer (kogong 雇工)?

(note: At the present time, even though the situation is like this, there are still people who from time to time work as hired laborers)(end note)

moral argument

If in the way the people above (upper classes) treat those below (the lower classes), they have once begun to show benevolence (compassion) and righteousness, then no longer will there be hereditary restrictions on slaves, and no longer will there be excessive (biased)(hardships)

imposed on slaves. If our customs were to be like this, then the impoverished

p.507, 26:6a) people below (at the bottom of society) who are not able to stand on their own feet would all in the future seek employment as hired laborers. What fear would there be that there would not be anyone to be a hired laborer? (note: If the number of slaves gradually decreases, then the way in which those at the top (of society) treat those at the bottom would naturally, gradually, become benevolent and righteous, and if things were like this then the customs among the people (popular customs) would also ~~xxxxx~~ change by themselves (as a matter of course). If the labor required of slaves were to be limited to the individual and there were no law calling for the hereditary transmission of slave status, then not only would there be many men who would be hired laborers, but also there ~~definitely~~ definitely would be people who volunteer to be hired laborers for their whole lives.) (end note) All men throughout the world have shared the same feeling (desire) since the most ancient of times to run after what is of advantage (profit) to them and avoid

transformations of the socio economic situation → moral behavior

pleasure/pain calculus

profit maximizing?

理!

what is harmful to them. (ch'uri p'ihae man'go ch'önha chi tongjǒng 趨利避害, 萬古天下之同情) How could present time be different from ancient times (on this score)? And how could our eastern land (tongbang 東方: K^urea) be different from China in terms of this principle? If once we were to change our customs, then people would be happy & with that (happy to follow the new ways) and would not ~~xxxxx~~ only continue to practice this (their present ways). (note: At the present time in China all the poor and low

(class) and those without anyone else to rely on all see ~~xxxxx~~ to work for others as hired laborers and earn & a living (eat) from their labor. Not only do the hired laborers select their employers (chuga (主家)) to work for, but the employers also select people to work for them as hired laborers (FREE MARKET IN LABOR IN CHINA--HE'S DESCRIBING IT AS IF IT WERE UNKNOWN IN KOREA!!). Those people (officials) who had high

26:6b)

salaries or lots of land had as many as several tens, hundreds, or thousands of hired laborers. Even residents of small villages had

p.507, 26:6b) hired laborers, and whether many of few (how many they had) all was a result of how ~~rich~~ rich well-to-do or poor (the employers were).

(With regard to the hired laborers working in) the homes of the high officials (ching ta-fu), even though in ~~name~~ ^{obligations} name and status (myŏngbun) things were severe (strict; i.e. they were treated as people of lower status), they had sufficient food and clothing. And in the homes of the ordinary villagers, they treated them (the hired laborers) like their own children, and for this reason the hired laborers did not have to go around like beggars (begging for work, food?). People who had many sons also gave many of them to others to be their hired laborers,

it is said. Thus at the present time, this definitely is the way (we would be better off without slave labor) ^{talked about what things} the situation is. Even though I have ~~said that~~ ^{like} ~~(things would be better)~~ after my kongjŏn (public land) system is put into practice, (the situation then) would also be no different from what it is today.

Why so? Because even if a kongjŏn system were in effect, there still would be differences in salaries between high and low ranking officials and different ~~amounts~~ amounts of land (allotted) in accordance with the grade, and this would produce differences between the noble and base, (distinctions would be clearer and more regular) the rich and poor, and so things would be perfectly regular and in good order (chŏngyŏn yusang 整然存常).

Even though there would be no accumulation of large landholdings (b6 landowners) and ~~everybody~~ everybody would be able to receive an equal share of land, nevertheless, outside of the taebusa (officials and scholars) there would be no people idly living off others (yusik chi in 游食之人), so that ~~people~~ there would be an increase in the numbers of people engaged in farming and everyone would always have more than enough to live on.

All we have to do is see to it that the differences between the poor and the wealthy is based on whether one is noble or base (in status), and that the difference between the noble and the base are based on whether

idealization of wage labor!

He's paying just a little system would not eliminate a hierarchical society. It would mean that there are no criteria of inequality!

賈貴思而已 隨中賤賤 但令人富隨

justific because it is compatible with system. iron! change case for minds!

stet

p.507, 26:6b)

How much the more so when in the world even though there would be no prohibitions and use of coercion, those people who were not able

to stand on their own (handle the labor requirements of their lands

on the basis of their own labor power?) wouldn't feel that there were

no people (around to work for them. (? 雖無禁馭而不能自立者)

and the taebu-sa (officials and scholars) would not have to worry that

there would be no people available to work in their place.

不
為
無
人

p.507, 26:6b) people are worthy (intelligent) or stupid (hyön u 賢愚), and that is the differences between all there is to it. As for/all the rest of the institutions of society (paeg'üi tǔng chi ch'a 百儀等之), everything can be kept the same as ~~they~~ present regulations, and that is all.)(end note)

✓ (Someone might) say: This ~~is~~ seems truly to be so, but if everything were based on the principles of benevolent compassion (for the underprivileged) (hyehyöi 恩恤) and there were no cases of the use of authority to put restraints on people (mu so wije 無所威制), then would this not ~~do away with~~ result in the evil (problem, bad situation) where there would be no distinction between superior and inferior and no such thing as social status (ki mu sangha, mubun chi p'ye 其無上下 無分之弊耶)?

- To this I would reply that if rites and laws are clear, then the difference between the (true) superiors and inferiors will become fixed by themselves. (yeböp myöng chük chonbi chi pun chajöng i 律 礼法明则尊卑之分自定矣 (the Ming code)(~~the~~ li) This is the reason why ~~xxxxxxx~~ (i.e. Ta-ming-
es sass 胃 (providing for the punishment of) hired laborers who scold (胃) the head of a household (they are working for) or who report any crime committed by the head of a family (to the authorities. And criminal penalties even extend to the punishment of those who scold or report (tattle) on the heads of families who are distant relations of theirs (samach'inja 緦麻親者 :those who owe 3 months' mourning for distant relatives). If laws and teachings are like this, then there need be no concern about (people of lower status) insulting their superiors (nǔngman chi hwan pi so ryö ya 凌慢之患非所慮). There is no contradiction between treating people with benevolent compassion and maintaining status distinctions in society (yuhye yö yu pun pon pu sangp'ae 有恩與有分, 本不相悖). ~~is~~ It is not necessary to do away with benevolent compassion as the only means by which we can maintain (proper) status distinctions. (pi p'il muhye ihou nae yu pun ya 非必無恩而後乃有分也)

p.508, 26:7a) (note: At the present time in China, if those people who are hired laborers are not willing (to work), then from the beginning they do not make them (work), or sometimes they set time limits (on their labor) and do not make them work ~~any~~ again (if they don't want to), and that is all. But once they enter a family to work (as servants), they do not dare violate (the orders)(of the head of family) even in the slightest, and this is because there are state laws (governing their behavior, prohibiting disrespectful behavior). Because laws and teachings are like this, ~~xxxxxxx~~ this has become established custom (N.B. ~~XX~~ LAWS AND INSTITUTIONS CAN CHANGE EXISTING CUSTOM AND CREATE GOOD CUSTOMS) BEHAVIOR CAN BE MANIPULATED BY THE ARCHITECTS OF SOCIETY) And even in the case of hired laborers who might later on become noble and prominent men (CAN YOU IMAGINE THIS HAPPENING IN 17th CENTURY KOREA?), if they should happen to meet their old masters, they must still treat them with the utmost respect.)(end note)

權其求
皆得其分，上下各
苟如是則賢者心

If things are like this (see bottom of p.17--i.e. if we can combine the benevolent and compassionate treatment of people with strict maintenance of a hierarchical social system), then both worthy and ignorant men will obtain their proper status in society, and those at the top and those at the bottom of society will each get what he seeks. Those at the top of society will use (people at the bottom) with benevolence and compassion, while those on the bottom of society will also

(serve their superiors) with loyalty and diligence. (上使以恩義而

下亦有忠勤者 (note: Because at the present time slaves (in Korea)

are only treated with the use of punishments, for that reason their masters do nothing but coerce (control) them with the whip and the bamboo stick (by whipping and beating), and those people at the bottom of society are also completely lacking in feelings of loyalty and diligence)(end note)

(continuing from previous sentence in main text) Not only (then) would the slaves have nothing (no grievances) to petition about, but

*Jun...
stick*

p.508, 26:7a) the masters would also just sit by and still be able to obtain people
 (xxx to work for them). And in selecting people to work for them, there
 would not be the evil (that exists at the present time) of struggles
 and lawsuits between flesh-and-bone (blood) members of the same familyx
 (over the ownership of slaves), and there would be the evil (such as
 we have at present) of people ~~going~~ running off to faraway places to
 capture (runaway slaves), and there would not be the evil (practice
 as exists at present) of (slaveowners) making requests and dunning
 people to rely on their power (influence) (to win lawsuits).
 (note: At the present time even though there might be bad people among
 slaves, it is very difficult to dismiss them from service (t'oech'ul ^{追出}).
 The reason for this is that if slaves were bad and could be dismissed,
 then good people (good slaves) would all try to act badly so that they
 could get dismissed (sent away); that is why it is not possible (to dismiss
 them). At the present time, outside of slaves, there xxx is no other
practice (way) of using hired labor (there is no custom of hiring
 people, instead of slaves, to dowork), and for this reason even though
 there are people in neighboring villages who x could be hired (for labor),
 the people of one village do not seek out people from another village
 (to labor for them), and they are thus forced to go off long distances
 (to remote places) to apprehend and capture (runaway) slaves. And in
 capturing slaves, they have to rely on the authority of the magistrates
 (to authorize them to capture slaves). They torture the relatives
and neighbors (of the runaway slaves) as the only means they have to
 find out the whereabouts (of the runaways). It is for this reason that
 noble and influential people have no choice but to send out people with
 letters (pigan palch'a ^{飛簡發差}) who stir up evils (trouble) ~~xxx~~ throughout
 all the eight provinces. While those (slaveowners) without influence
 have to make requests (petitions) and pay bribes (to officials) and
 rely on the power of others to go as far as 1,000 li away (to chase after

Runaways

26:7b)

p.508, 26:7b) runaway slaves), and still in most cases they are not able to capture them. And in addition there are times when they suffer harm along the route (from bandits?)(end note) Is this not contrary to the fairest and most appropriate of ways (to handle the labor situation)?

(豈非至公至當之道哉)

(note: The fairest

way of doing things would be to treat the people on top and those and those to the left and right on the bottom/(of society, of a dyadic relationship) on an equal basis.

Sadaebu

How could you have a fair system which provided excessive advantages to the slaves while at the same time inconveniencing the sa-daebu (scholars and officials?)(end note)

If things were like this (the way I say they ought to be),

then things would be done according to natural principles (ch'ŏlli tŭk 天理得,

- ✓ human feelings would be obedient (injŏng sun 人情順), lawsuits
- ✓ and petitions would be simplified (sosong kan 詞訟簡), government
- ✓ and punishments would be purified (chŏnghyŏng ch'ŏng 政刑清), customs
- ✓ would be warm and full (p'ungsok hu 風俗厚), and rites and righteousness ~~xxxxxxxxxxxx~~ the effect that
- ✓ would be put into practice (yeŭi haeng 禮義行), and the people would
- ✓ be secure and at ease, the production of goods would increase, food would be
- ✓ plentiful, and the army would be strong. (minan mulpu sikchok pyŏnggang chi hyo 民安, 物阜, 食足, 兵強之效), would naturally be a product of this

(be included in this, as a natural result of product). (note: The reason why at the present time the country is poor and the army weak and we are

unable to brandish our power is because of slavery. The strong devour the weak, there are numerous struggles and lawsuits, flesh and blood (members of the same family) doubt (envy: ts'ai 猜) one another, and customs are destroyed, all of which is caused by slavery.

And as far as the responsible officials (magistrates) are concerned, their yamen courtyards are filled with people being whipped and beaten, the documents and paper work (over slave suits) are as thick as clouds.

They sweat from toil and tire themselves out (over these matters) without having

Slavery the cause of unmilitarized evil

p.508. 26:7b) the spare time to attend to government administration or teaching (the people, education), and in general ~~is~~ all of this is because of cases (the fact that they are overburdened with cases) involving (the ownership of) slaves and land. Even supposing we could obtain the best men in every case (to be magistrates) who could decide these cases with divine intelligence (clarity), how would it be of any help in controlling the confusion that ~~exists~~ rules the world and the state (country)?

best men
no help

If ~~this evil~~ this evil (slavery) were done away with, then the state would be well-managed, the family would be provided for, the people would be secure and at ease, and there would be an increase in the production of goods, and it would not be difficult to achieve the kind of government of the san-tai period (three dynasties of ancient China).

And with regard to the responsibilities of servants and runners in the magistrates' yamen, once you have fixed salaries (provided for them) you will not have to wait for slaves (to come) before you can find people to fill these jobs), and naturally there will not be any worry that you won't have people to fill these jobs. At the present time each of the capital bureaus and each of the magistrates all employ slaves for labor without providing them salaries, for this reason after ~~many~~ several hundred years (the ~~many~~ number of) slaves (has become so large) that ~~one~~ one ~~cannot~~ cannot calculate them all.

But ~~many~~ slaves run away (to escape service) and there are no fixed ~~regulations~~ (regulations governing them). ~~In~~ In terms of the large numbers (of slaves available), there are more slaves (than are required) by quotas (more than are needed for all government agencies),

but officials on their own private authority release them from public service and collect cloth payments (from them instead) (i.e. in places where there are more slaves than are needed). And in places where there are not enough slaves, one man (one slave) has to perform the services

p.508, 26:8a)

Even after the slave law has been reformed (abolished?), with regard to the families of the kyŏngdaebu (ching-ta-fu; the high officials), there will not be much difference from the present situation. It is only that under the law for the hiring of men for labor service (yŏngyŏk chi pŏp), the worthy and the ignorant (hyŏn-u 賢愚), the noble and the base (kwi-ch'ŏn 貴賤) will each obtain their due (kak tŭk ki pun 各得其分); each will get their proper share of things, achieve their proper station in life) and everyone will be encouraged in virtuous and righteous behavior (seems to be saying that with hired labor people will not be led toward the old practice of treating other human beings with force and cruelty). But under the law for the hereditary transmission of labor service (seyŏk chi pŏp 世役之法), there is no direct tie-in (relationship) between ~~the~~ those who are rich and poor with those who are truly noble and truly base (pinbu pu kye ō kwi-ch'ŏn 貧富不繫於貴賤), and there is no direct relationship between those who are noble and base with those who are truly worthy or ignorant (kwich'ŏn pu kye ō hyŏn-u 貴賤不繫於賢愚), and (as a result) people are encouraged to be contentious and ~~xxx~~ greedy (lit. encouraged to struggle with one another to seize other people's property or slaves). Herein lies the difference (between the two systems). (SEEMS TO BE SAYING THAT LAWS AND INSTITUTIONS GUIDE PEOPLE TOWARD OR AWAY FROM MORALITY: ALMOST AN ENVIRONMENTAL APPROACH TO MORALITY---very different from Legalism which advocates coercion to induce conformity without any interest at all in the moral improvement of individuals).. This (argument), together with (my arguments pertaining to) public land (kongjŏn 公用) and the recommendation system (konggŏ 貢舉) all have a single principle running through them (ch'a ō kongjŏng konggŏ kye ilkwan sari ya 此與公用貢舉皆一貫事理也)!!!!.

一貫事理
a single principle!

此與公用貢舉皆一貫事理也。

p.508, 26:8a)

another indented note: (The principle that runs through ~~xxxx~~ the rule whole world is only that the men who govern others are the men who use others for labor service, and the men who are governed (ruled) by others are the men who are used by for labor service (by the men who govern them), and that is all there is to it. (ch'önha chi t'ongüi chi xh si ch'in in cha yök in, ch'i ö in cha, yök ö in i i 天下之通義 只是治人者役人, 治於人者役於人而已).

The reason why there are large numbers of officialx runners and errand-boys, x and masses of servants and subordinates is only because the officials cause it to be that way (si i saryöng chixhü söng, 為然也 pogye chi chung yu chaegwanja wiyön 是以便令之盛, 僕隸之象惟在官者).

There is no need to discuss those (underlings, servants) who eat (reside) in the families (of important personages). It is only that in Later Ages (huse), there were no regular (standards) in the appointment and dismissal x (of officials), and the taebu (official class 大夫) sometimes were in a situation where they did not hold official posts (taebu pu mu mugwan chi il 大夫不無無官之日). For that reason the land systems that were established provided grades (of land grants) according to the rank of the individual (p'umgye chi kwa 比級之料 kwajön system!).

and the customs also included the practice of hiring people for labor service. (He must be talking about China, but it fits the early Yi) What I have been talking about above (in the previous section) is also based on the present situation (in Korea), and that is all. In general the situation in Later Ages (huse sa 後世事) is different from feudalism (ixh i ponggön 異封建), in terms of the way officials are appointed (imgwan 任官) and the provision of ~~xxx~~ salaries for them (cherok 制祿).

Even though it may not be possible to do everything just the way it was done in the systems of ancient times, nevertheless what is still necessary (is that we understand that) only after officials are kept on the job for a long period of time can effectife results be achieved in

hande land dist. system est. to provide for unemployed members of the class (yangban) not in the system!

27838
Cate D.
will call
Fri - Sat

p.508, 26:8b) administration, and only after ~~xx~~ salaries are increased can (officials)

develop a sense of shame (honor, morality) (亦必久任而後治效可責)

重祿而後廉恥乃行). Now when it comes to this country

(Korea), the frequent transfers of officials, and the reductions in their salaries are an even worse evil. If we abolish slavery, then even more must be keep officials on the job for longer periods of time and increase their salaries.)(end note)

indented section: At the present time in our country we regard slaves as chattel (i nobi wi chae 以奴婢為財). Now people are all alike (inja puinja tongnyu 夫人者同類 : people are equal at birth?).

How could you have a correct principle under which one man treats another as his chattel (property)? (ki yu in i in wi chae chi ri

豈有人以人為財之理? In ancient times when people asked how wealthy a state was, the answer was given in the number of horses (the state had). This meant that even though the Son of Heaven and the feudal lords (t'ien-tsu, chu-hou) only occupied the responsibility of governing other men, they still never regarded (other) men as their

private property. (mi ch'ang i in wi ki chaemul ya 未嘗以人為己財物也)

But as far as the customs of this country (Korea) at present are concerned,

if you ask how wealthy a man is, the reply will always be made in terms of how many slaves and how much land he owns. (kim pon'guk chi sok, chük mun in chi pu, p'il i nobi chönji wi ön 今本國之俗,則問人之富必以奴)

From this one can see how wrong our laws are and how sick (diseased, ku 痼) our customs are.

It is not difficult to understand how right or wrong the principles are governing the slavery law in our country. (yagük nobi chi pöp

我國奴婢之法其理非本非, cover their eyes

yet ordinary people all blind themselves (to everything but) their immediate private interests. (i pömin chük kak p'ye ö mokchön saüi 而凡人則各蔽私)

and everyone believes that (slavery) is difficult to change (cannot be abolished).

11) A sense of morality can be induced by laws

數馬以對古者問國之富

category of the same type

婢田地為言

難矣

目前私意

p.508, 26:8b) Now the rulers of men are those who govern others on behalf of Heaven
(pu in'gun chük taen riin ^{ch'ön} 夫人君則代天理人). The country
their
(they govern) is ~~our~~ country; the people (they govern) are ~~our~~ people.

Placed in the midst of that situation, how could they create a special

p.26 509, 26:9a(category) of slaves and by that means do harm to their own people?

And (how could they) because of that (slave system) ~~intrude~~ intrude
on the neighbors and relatives (of the slaves--as part of the slave-
catching process) spreading the poison among the masses of the people.

This is the way by which the country is made sick (harmed). As to whether
this is right or wrong, you do not have to wait for words (of explanation)

to see (that it is wrong). It is for that reason that ~~(it is better to do that)~~

I want
~~to change things to~~ to change things to ~~what is better~~ what is better (eliminate

~~things~~ ~~what~~ ~~they~~ ~~originally~~ ~~was~~ what is better (eliminate
slavery ch'a chük yok kae p'yön 則欲 ^{改便}) and that changing it (i the
elimination of slavery) is basically not a hard thing to do.

改元無難事