

- DEBATES AND ISSUES -

**A Criticism of M. Deuchler's *The Confucian Transformation of Korea* with Reference to Preceding Studies\***

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**Introduction**

Just eleven years ago in 1994, two years after publishing *The Confucian Transformation of Korea* (Deuchler 1992), I read Martina Deuchler's short Korean article in Vol. 15 of *Citizen's Course of Korean History* (Deuchler 1994: 199-204). In the article she wrote about things related to her book. What struck me as curious was her claim that, there having been no theses on the social structure of the Joseon dynasty until 1977, she had to pioneer studies on the kinship structure, ancestral worship, genealogical succession, inheritance system, the social position of women, marriage customs, funeral rites, etc. I had, however, already published eight papers or treatises on inheritance system, family structure, family system, family village, and social status--the nucleus of the social structure of the Joseon dynasty--by 1976 (Choi Jae-seok 1972a: 99-150, 1972b, 1974a, 1974b, 1975a, 1975b, 1976a, 1976b).

I was not a little surprised at M. Deuchler's claim when I first read her words in 1994 because it was far from the truth, but soon I forgot about it. On reading the words of Prof. Kwon Yeon-ung (Korean history professor of Kyungbuk

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\* This is a revised translation of a version published in the Korean language in *Sahoewa yeoksa* (Society and History) Vol. 67 in June 2005.

University) in the *Gyosu sinmun* (Professors' Newspapers) issued on Feb. 23, 2004, I was reminded of my surprise of ten years ago and decided to tell the truth once and for all, instead of keeping silent.

I would like to dispute M. Deuchler's claim at this time. I myself have written several papers on family and social system of the Joseon dynasty by conducting painstaking research.

For convenience's sake, this criticism is comprised of comparisons of preceding studies of Silla/Goryeo kinship and of Joseon kinship structure with M. Deuchler's studies.

## Criticism of Studies on the Kinship of Silla/Goryeo Periods

The book M. Deuchler published in 1992 was translated into Korean in December 2003 by Prof. Lee Hun-sang of Dong-A University in Busan. Based on Prof. Lee's Korean version, the tenor of her argument will be considered.

### 1. On Agnatic Factors in the Silla Period

In order to clarify whether or not various systems of Silla were carried out on agnatic principle, one must analyze ① succession to the throne, ② ancestral rites at the progenitor's tomb, ③ *shin*-shrine sacrificial rites, ④ the lineage of *Geocheonmo* and *Wolgwang*, ⑤ posthumous investiture with the title of *galmunwang*, which was invested to a king's father, father-in-law, maternal grandfather, uncle on the mother's side, or a queen's spouse, etc., ⑥ the 5-shrine system, which was performance of sacrificial rites for five-generations of ancestors, ⑦ posthumous investiture with the title of *daewang* ("the Great"), and ⑧ giving the title of the Heir Apparent, etc. So convinced, I undertook to investigate these in 1984 and found out in 1985 that non-agnatic principle was applied to succession to the throne, ancestral rites for the progenitor, sacrificial rites at a *shin*-shrine, the lineage of *Geocheonmo* and *Wolgwang*, and posthumous investiture with the title of *galmunwang*, etc., while agnatic principle was applied to the five-shrine system, posthumous investiture with the title of *daewang*, and giving the title of the Heir Apparent. I ascertained eight mentions about the 5-shrine system from the account of the 6th year of King Sinmun up till the description of King Weonseong's accession to the throne in the *Samguk sagi* (History of the Three Kingdoms). Posthumous investiture with the title of *daewang* was men-

tioned 20 times, and records of giving the title of the Heir Apparent were found in two places (Choi Jae-seok 1985).

It is only possible to establish that agnatic principle existed in the Silla Period by synthetically analyzing the above-mentioned customs of Silla. Without presenting any authority, however, Deuchler very briefly mentions in her book of 1992 that the patrilineal intrusion into Korean society began as early as Silla (p. 83).<sup>1</sup> What I demonstrated in the space of nine pages--the existence of patrilineal tradition in Silla--Deuchler casually remarks with only two lines without going into detail.

## 2. Private Ownership of Land in the Goryeo Period

I determined that in order to insist that the private ownership of land was established in the early Goryeo dynasty, I must first demonstrate the prevalence of private ownership of land in the immediately preceding Unified Silla dynasty, and undertook to investigating it (Choi Jae-seok 1981a).

I insisted this investigation required documents indicating the buying or selling of land, land registers, etc. of the Silla dynasty which would be evidence of the private ownership of land, and that enquiries be made into whether people of all classes, e.g. the upper classes, farmers, women, etc. actually owned land. I was of opinion that if there were preceding studies denying the private ownership of land, they must be repudiated.

I verified the existence of land registers such as *yangjeon jangjeok* and *cheonjeong jucheon* in the *Samguk yusa*; I further confirmed there had been documents indicating inheriting, buying, selling, donating land and slaves, etc. in the memorial epitaph erected for Grand Master Jijung at Bong-am Temple. The existence of documents attesting to buying, selling, or donating land was again ascertained in the *Samguk yusa* (Memorabilia of the Three Kingdoms). Toward the end of the Silla dynasty there was the *maejeon-gwon*, a certificate of land purchase; we can ascertain there was the buying and selling of private land by looking into the *maejeon-gwon* found in a stone lantern of the Gaeseon Temple, which detailed the date of buying land, the name of the buyer, its price, its seller, the location of the land, the classification of land category, and the size of the land, etc.

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1. This is on p. 128 of the Korean version translated by Lee Hun-sang (2003).

Again the *Samguk sagi* mentions five Silla kings conferring land six times to meritorious retainers, i.e., in the 23<sup>rd</sup> year of King Jinheung's reign, in the first year of King Munmu's reign, in the 3<sup>rd</sup> and 7<sup>th</sup> years of King Sinmun's reign, in the 15<sup>th</sup> year of King Seondeok, and during King Gyeongdeok's reign. The *Samguk yusa* records them. The *Samguk yusa* also records that during the latter Three Kingdoms period the founder of Goryeo granted Gyeonhwon slaves, horses, rice paddies and dry fields, and the right to collect taxes from his land (*sigeup*).

There are quite a few records extant indirectly indicating the fact that farmers actually owned private land. Above all, *The Record of Building Amitabha Statue at the Kamsan Temple* describes how a farmer donated his private land at Kamsan to build a Buddhist temple and the carved statue of *Amitabha* to pray for the souls of his deceased parents, wife, brothers and sisters--a precious document specifying that a common farmer owned private land at that time. That women also owned private land is mentioned in inscriptions on stone monuments, as recorded in the *Samguk yusa*, etc. In this way, based on various historical materials, I corroborated that the Unified Silla dynasty was an age of the private ownership of land and I did this before I undertook to discuss the private ownership of land in the Goryeo dynasty.

In 1981 I advanced a new theory on the private ownership of land in the Goryeo dynasty (Choi Jae-seok 1981b). I refuted for the first time the Japanese professor Takashi Hatata's till-then widely accepted theory on the legitimate oldest son's exclusive inheritance of land in the Goryeo dynasty--that, although equal inheritance of slaves by sons and daughters was the rule throughout the Goryeo dynasty, only the legitimate eldest son was entitled to inherit land in the beginning, but as private ownership of state land prevailed, by and by equal inheritance of land as well as of slaves was accepted toward the end of the Goryeo dynasty. Because of the tradition of exceptionally long period of uxori-local (matrilocal) living, I argued, there was little familial foothold for the legitimate eldest son, and seen from the viewpoints of family type, unit of inheritance, patriarchal rights, lack of retirement, and the respective positions of women and eldest son etc., I pointed out that it was out of the question for the firstborn son to exclusively inherit land, as was the case with the Japanese, at the same time clarifying that the Goryeo dynasty had from its beginning an equal inheritance system of land as well as of slaves. Especially, in supporting preceding scholars' insistence that buying, selling, or donating land proved the existence of the private ownership of land in the Goryeo dynasty, I argued that the

existence of legal claims to property or seizures of other's estates all added up to there being more proof that a private ownership system of land existed. In undertaking my search, I came across in the *History of Goryeo* and the *Essentials of Goryeo History* eight cases of land seizure in the 1100s, seven cases in the 1200s, and no less than fifteen in 1300 through 1350. Thus in 1981 I demonstrated that common people owned land throughout the Goryeo dynasty.

In this manner, proving the existence of the private ownership system of land during the Goryeo dynasty was only possible by refuting those who denied it by means of exhaustive investigation and analysis. On the other hand, without presenting any concrete evidence whatsoever, Deuchler nonchalantly says: "...private ownership of land is now thought to have existed from the beginning of the dynasty" (p. 49). Such general statements are difficult for people to make without having read the research I had made.

### 3. On Succession or Establishment of an Heir in the Goryeo Dynasty

In two of my theses, "Inheritance System and Kinship Organization of Goryeo" (Choi Jae-seok 1982a: 5-39) and "Two Different Principles in Family History" (Choi Jae-seok 1985), I pointed out King Jeongjong of Goryeo's stipulation on the succession or establishment of the heir in the 12<sup>th</sup> year of his reign (1046) was based on the same principle of inheriting *jeonjeong* (田丁), landed property the state granted retainers, which was legalized in the same year (1046), and that the priority order was: firstborn son → firstborn grandson → a younger brother by the same mother → a son of a concubine's son → a granddaughter. Premising that this stipulation was an imitation of Tang China's Ennoblement Law, which was not put into practice in Goryeo, I pointed out that the addition of the daughter at the end of the priority order in Goryeo was a partial reflection of the reality of Goryeo society. This was in the same chain of reasoning as incorporating the mourning system of Tang China's five types of funeral garments for one's maternal grandfather in Goryeo, thereby reflecting Goryeo's kinship structure.

Goryeo's stipulation on the succession or establishment of the heir is only possible by synthetic consideration of the inheritance system of *jeonjeong*, Tang China's Ennoblement Law, and Goryeo's agnatic and non-agnatic system. The non-agnatic system included inheriting invested titles of nobility (*bongjak*), inheriting government offices due to ancestral influence (*eumjik*), inherited slaves, and hereditary landed property granted to officials of fifth rank and above as reward for their merit (*gong-eumjeon*), and etc.

Without considering these factors, Deuchler says: “In its Goryeo guise, this law was a curious mixture of Chinese and native elements. Whereas the emphasis on linearity was borrowed from the Tang model, the addition of non-agnatic grandsons reaffirmed Goryeo practice” (p. 75). Concerning the meaning of the addition of non-agnatic grandsons and granddaughters, she ought to have given an explanatory note because I had already mentioned it.

#### 4. On Goryeo’s Protection of Privilege (*Eumseo*, *Eumjik*)

In twelve pages I discussed Goryeo’s protection of privilege (*eumseo*) in 1982.<sup>2</sup> The historical materials I used were the *History of Goryeo*, the *Essentials of Goryeo History*, *A Comprehensive Bibliography of Joseon Epigraphs*, and *A Supplement to Korean Epigraphs*. I considered the protection of privilege granted to five kinds of descendants including Goryeo’s royal descendants, descendants of Goryeo founder Taejo’s brothers, the offspring of merit retainers, and the progenies of high-ranking officials above third or fifth rank; I further looked into the *Memorial Inscriptions of the Goryeo Period* to ascertain actual examples of protection of privilege.

I ascertained that protection of privilege was extended to many offspring such as Goryeo’s royal offspring, agnatic and non-agnatic descendants (*nae-oeson*) of Goryeo’s founder Taejo, and agnatic and non-agnatic great-great grandsons of meritorious retainers.

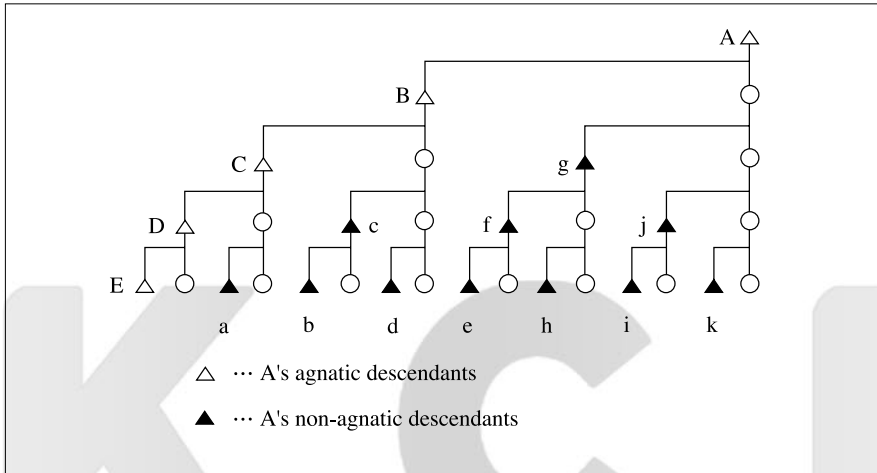
For example, the son of a great-great grandson (including *hyeop* 7 women) received protection of privilege according to the royal decree of 1253 (the 40<sup>th</sup> year of King Gojong’s reign).<sup>3</sup> For example, one’s daughter’s son (non-agnatic grandson) becomes *hyeop* 1 (namely, same as agnatic grandson but from the maternal line). In King Chungseong’s decree on his being reinstated to the throne it was stipulated that among the descendants of an ancestral king (*chowan*) even offspring of *hyeop* 22 women could be granted protection of privilege.

In 1982, in an effort to help understand “*hyeop* n<sup>th</sup> women,” I explained the non-agnatic descendant of *hyeop* 1 woman, *hyeop* 2 women, and *hyeop* 3

2. Cf. Choi Jae-seok 1982.

3. *Hyeop* is a term that denotes descent through a non-agnatic line. *Hyeop* 1 involves passing through the non-agnatic side only once, *hyeop* 2 involves passing through the non-agnatic side twice, and so on.

women of the four-generation progenies as in Diagram 1. In the four-generation progenies diagram below, only B, C, D, E are agnatic descendants, the others being non-agnatic. The letters a, b, c, e, f, and g represent non-agnatic descendants of A's *hyeop* 1 woman; d, h, i, and j represent non-agnatic descendants of *hyeop* 2 women, k being non-agnatic descendants of *hyeop* 3 women.

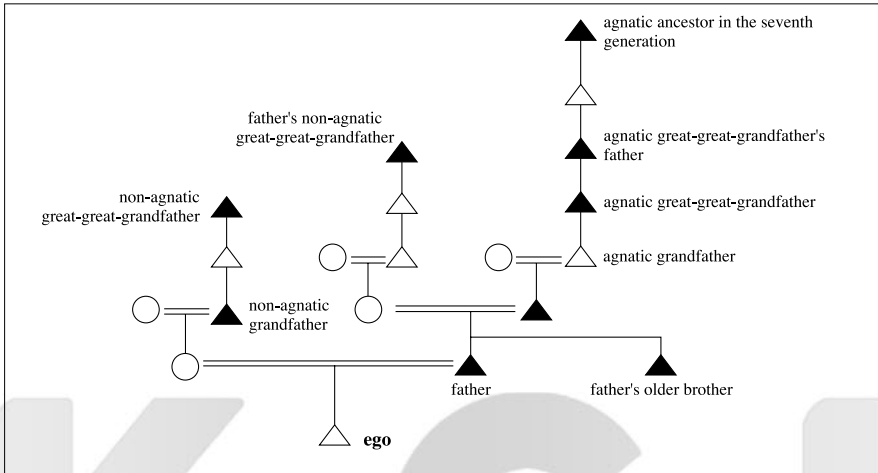


**Diagram 1.** A model chart of one's agnatic and non-agnatic descendants

The descendants of government officials of third rank and above, sons, nephews, nieces, sons-in-law, foster children (abandoned children taken in under three years of age), and agnatic and non-agnatic descendants were all granted protection of privilege in 1253 (in the 40th year of King Gojong); the sons usually enjoyed this benefit in the case of government officials of fourth and fifth rank. When memorial inscriptions on epitaphs were looked into to investigate protection of privilege as actually carried out, various cases of protection of privilege manifested themselves such as exerted by a great-great grandfather, the father of a great-great grandfather, an ancestor in the seventh generation, an uncle, a maternal grandfather, a maternal great-great grandfather, and a father's great-great grandfather, etc.

To enumerate one's ancestors who favored him with the protection of privilege, we can see there were his father, grandfather, great-great grandfather, great-great grandfather's father, an ancestor in the seventh generation, and that there were collateral ancestors in addition to agnatic ancestors such as his maternal grandfather, maternal great-great grandfather, his father's maternal great-great

grandfather, and maternal uncle, etc. The following Diagram 2 illustrates these kinship relationships.



**Diagram 2.** Ancestors through whom ego received the protection of privilege

Now, Deuchler says: “... the cutoff line for descendants of merit subjects and of high officials was, on paper, the generation of the grandson” (p. 47). But there is no record of this kind anywhere. It seems she was mistaken. She continues, “In the case of merit subjects, however, this limit was at times considerably extended, invoking the merits of a great-great grand-father in claiming the right to office. Significantly, such protection appointments could be bestowed in acknowledgement of either a paternal or a maternal ancestor (especially the maternal grandfather)” (p. 47). Diagram 2, however, shows there was no reason for a maternal grandfather to be specially emphasized.

### 5. On Funeral Ceremonies and Ancestral Rites of Goryeo

In 1984 I published a paper on funerals and ancestral rites of the Goryeo dynasty (Choi Jae-seok 1984a). I ascertained that concrete information on a funeral and ancestral rites is available only in epigraphs, and not in the *History of Goryeo* or the *Essentials of Goryeo History*. Chiefly based on epigraphs, therefore, I traced the entire process of death, cremation, funeral ashes registers, funeral ceremony, and memorial service. To present the process:

- ① Except when one dies traveling or is killed in action, Goryeo people usu-



ally met death at home or at a Buddhist temple. When someone died at home, their body was moved to a temple, which proves that a Buddhist temple was in charge of the funeral ceremony, and not the deceased's relatives.

- ② Many records in the epigraphs concerning cremation, picking up the remains, and enshrining the remains in a temple until they are interred in the ground show that cremation was the predominant funeral system of the Goryeo dynasty.
- ③ The time required from cremation until burial of the remains in the ground lasted several months at least and sometimes, several years.
- ④ If we pay attention to the varying period of the funeral ceremony from several months to several years, the legalized period of mourning of Goryeo seems to have had not much to do with actual practice.
- ⑤ The memorial service, while the remains were enshrined in a temple, was conducted by Buddhist monks in the presence of the bereaved.
- ⑥ Seen from any angle of the location of the mortuary, the cremation and enshrinement of the remains in the temple, the Buddhist memorial service held on the death anniversary of the parent, or the position of the chief mourner, no evidence was found of a patrilineal group or organization centered around the firstborn son during the Goryeo dynasty.

I described the Goryeo period's mourning rites in detail on 29 pages by painstakingly studying epitaphs and historical materials for many years. Deuchler, however, seems to imply that she came to the same conclusion as mine through reading the *History of Goryeo*, which does not contain all information necessary to accurately reflect systems in ancient Korean history, by stating "The funerary customs of Goryeo are not described in detail in the historical records.". She says, "The funeral procedures at times extended over months and even years. ... The cremated remains usually were temporally entrusted to a Buddhist temple and buried considerably later on an auspicious day. At times temples were used as indefinite repositories of parents' remains" (p. 78 and p. 329, Footnote 196). These remarks of Deuchler are, as mentioned so far, all clarified by me before she made the observation. She could have acknowledged my work, but she did not.

## 6. On Goryeo's Mourning Period

In 1983 I clarified that a one-hundred-day mourning was the general custom of the Goryeo people and the three-year mourning as stipulated in the *Family Rites of Chu Hsi* was not actually being carried out, which was mentioned in a record of the 7<sup>th</sup> year (1398) of Taejo's reign. Also, in the early Joseon period in accordance with the Goryeo custom, in one hundred days the bereaved cast off mourning dress to wear ordinary white clothes and busily walked around the town (Choi Jae-seok, 1983a).

Deuchler, however, briefly says, "In official circles, a one-hundred-day mourning period apparently was normal" (p. 76).

## 7. On Marriage and Remarriage of Widows of Goryeo

I declared in 1982 that polygamy was the rule in the Goryeo period (Choi Jae-seok 1982b: 105-128) based on ten published papers of mine on the marriage customs of Goryeo days, four people's marriages including Nayu in the biographies of the *History of Goryeo*, the *Goryeo dogyeong* (Natural Scenery and Geography of Goryeo), the epigraphs of fourteen people, and five cases of marriage records from early Joseon, etc.

Based on early Joseon marriage records, Deuchler says, "In Goryeo, a man could have several wives" (p. 68). The materials she seems to have used to back up this statement are only Hsü Ching's *Kao-li t'u-ching* and marriage records from early Joseon without mentioning the many research results I had already presented.

Regarding a widow's remarriage, I clarified in 1982 that in Goryeo, a widow belonging to the royal household, the aristocratic ruling class, and a yangban family were restricted from remarriage, but a widow belonging to the commoner class was comparatively free to remarry. But the *History of Goryeo* implies that widows of the lower class were free to remarry while widows belonging to the higher class were not so because of their prominent social status. On the whole, the common people of Goryeo were strangers to the stringent restriction against a widow's remarriage, which was so characteristic of the later Joseon dynasty (Choi Jae-seok 1982b: 105-128). Of course, there were cases where a bereaved woman brought the children she had borne during her previous marriage with her to the house of her next husband. Deuchler of course speaks of almost the same things that I had already touched on.

## Criticism of Kinship in the Joseon Dynasty

### 1. On the Genealogy of Munhwa Yu

With a view to grasping the character of *ssijok* (clan), patrilineal kinship having the same ancestor consciousness based on the same genealogy, in 1979 I started to look for the whereabouts of the old and new editions of the Munhwa Yu genealogical records. Both editions needed looking into because the entry format of genealogical records was remodeled before and after the middle of the Joseon dynasty. The work required much time and effort because I was obliged to travel all over South Korea, at times referring to the major libraries in the United States. My exhaustive investigation revealed that different versions of the Munhwa Yu genealogical records were published seven times until 1945, that is, in 1423, 1562, 1689, 1740, 1803, 1864, and 1926, respectively. The first edition was known to be kept at a hermitage of Mt. Guwol, Hwanghae province, North Korea, and the 1803-year edition is in Yenching Library of Harvard University, U.S.A. I discovered the rest in South Korea--in Andong in North Gyeongsang Province, in Yeong'am-gun in South Jeolla Province, at Dangjin in South Chungcheong Province, and in Seoul National Library, respectively (Choi Jae-seok 1979). So far as the Munhwa Yu genealogy is concerned, therefore, it would be difficult for people to refer to it without acknowledging my investigation process.

In total disregard of my material collecting investigation, however, Deuchler says that the Munhwa Yu genealogy was first published in 1423, which is not extant today, and that the earliest surviving edition is that of 1565, which seems to be a misprint of 1562 (p. 347, Footnote 92).

### 2. The Idea of Jok (Lineage)

Based on *A Comprehensive Bibliography of Epigraphs*, the *Samguk sagi*, the *History of Goryeo*, the *Essentials of Goryeo History*, and memorial inscriptions, I announced that the Silla and *Goryeo jok* (lineage) indicated kinship of the same surname and different surnames all together, unlike the later Joseon's patrilineal descent group (Choi Jae-seok 1983b).

Deuchler says, "... *jok* was a flexible and inclusive concept as it cannot be regarded as synonymous with the Chinese *tsu* (written with the same character), which meant in Tang times, a branch of a patrilineal descent group" (p. 86-87).

Needless to say, she does not mention my earlier studies.

### 3. Expression of Parental Property

In 1972 I extensively looked into ancient documents kept in the archives of Seoul National University and reported that up till the mid-1600s, an offspring's inherited property was distinguished between the property inherited from the father and that from the mother, calling one father-derived and the other mother-derived. After the mid-1600s, however, this distinction was abolished, and the inherited property was entered as commonly parental (Choi Jae-seok 1972a: 99-150).

Based on Choi Seung-hui's book (1981), which was published nine years after my study, Deuchler says in Footnote 15 (p. 357): "In a property division document of 1429, each share is clearly marked according to its origin: 'coming from father's side' and 'coming from mother's side' etc." This is another instance of Deuchler neglecting to mention the research I had conducted on this matter.

### 4. The Eldest Son's Ritual Duties

In 1972 I collected 80-odd property division documents from all over the country to investigate property inheritance (succession) realities. As a result, it was revealed that up till the mid-1600s, the role of ritual heir was shared by the eldest son and other siblings on a rotational basis; the period until 1700 was one of transition to the eldest son's services, and from the early 1700s the eldest son tended to be the sole ritual heir (Choi Jae-seok 1972a: 99-150).

Deuchler says, "In the early part of the dynasty, the performance of ancestral rites was rarely the task of the eldest son alone. The sons and grandsons, and often the sons-in-law, shared this task and rotated the services" (p. 171). She makes mention of "the recognition of the eldest son as exclusive ritual heir--a general phenomenon by the end of the seventeenth century..." (p. 230). Apparently she just embellished and diluted my view. Even if she differed from my view, she should have alluded to my preceding study.

### 5. Non-Agnatic Descendants' Ritual Duties

In the paper dealing with the oldest son's ritual duties, I touched on non-agnatic descendants' ritual duties, too. When there were no sons, daughters were

allowed to perform their ancestral services. These non-agnatic descendants' ritual duties were in fashion well into the mid-Joseon dynasty.

About this Deuchler says, "The predilection for non-agnatic ritual succession--not prohibited, but simply ignored by the compiler of the *Kyōngguk taejōn*--per-severed into the sixteenth century" (p. 163; p. 223). It is noticeable how much her view is similar to mine.

## 6. The Idea of Descendants

I argued that the tradition of long-lasting uxorilocal marriage surviving until the mid-Joseon dynasty caused married daughters (and sons-in law) to be regarded as important members of the family. Therefore, even if there were no sons, if there were daughters, they hardly ever adopted an heir. Till then, parental properties were equally inherited by sons and daughters without any distinction between the sexes. For example, as can be seen in the *Munhwa Yū* genealogy (1562), genealogical records showed non-agnatic descendants of their own non-agnatic descendants entered as openly as agnatic ones. The genealogical record of each family, therefore, was written in the clear nature of a family history book in marked contrast to those of the later Joseon dynasty, which recorded only agnatic descendants--clear evidence of patriliney (Choi Jae-seok 1984b).

Moreover, a husband regarded his wife's home as his own and called his father-in-law and mother-in-law his own father and mother, treating them as such. Again, he called his maternal grandfather and maternal great-grandfather simply as grandfather and great-grandfather, dispensing with the word maternal (Choi Jae-seok 1984b). In other words, up till the mid-Joseon period, just as non-agnatic descendants were not discriminated against in favor of agnatic descendants, they did not discriminate against a maternal grandfather in favor of a paternal one.

About this, Deuchler says that in the first half of the Joseon period, by "descendants" both sons and daughters were meant (p. 218).

## 7. Segmentation of *Jong* (Lineage)

I divided lineage into senior line of descent (*taejong*) and junior line of descent (*sojong*). The junior line of descent was a branch of the senior line; there were the "great-great-grandfather junior line" centered around one's great-great-grandfather, the "great-grandfather junior line" centered around one's great-

grandfather, and the “grandfather junior line” centered around one’s grandfather (Choi Jae-seok 1984b). In the later Joseon dynasty an ancestor’s posthumous name or government office title was made the branch name instead of a branch ancestor’s name or pen name. People of the later Joseon dynasty made the branch ancestor the centripetal being of his descendants. I argued that the tendency of this lineage segmentation was closely linked to a high lineage consciousness and willingness to show off the branch ancestor’s office title (Choi Jae-seok 1981c).

Regarding lineage, Deuchler says that if segmentation occurred, the new segment was organized around a new focal ancestor--an outstanding public or scholarly figure, and was presumably sustained by its own corporate estate, and that such a branch (*pa*) was always designated by the branch ancestor’s office title or pen name (p. 295). In this way, although Deuchler’s views are practically identical with those of mine, she mentions other studies that do not seem to be relevant to this particular view but does not mention my study which must have provided information for her research.

### **Comparison between Earlier Studies on Changes in 17th Century Social Structure and Deuchler’s Studies**

We have surveyed studies M. Deuchler and I conducted on Silla and Goryeo kinship in section 1 and their respective studies on the Joseon dynasty kinship in section 2. To speak more concretely, we have surveyed the Silla dynasty kinship, and Goryeo’s private ownership of landed property, succession system, protection of privilege, funeral and ritual rites, mourning period, marriage customs and remarriage of widows in section 1. And in section 2 we touched on the kinship structure of the Joseon dynasty, i.e., the Munhwa Yu genealogy, the idea of *jok* (lineage), the expression of parental properties, the firstborn son’s ritual duties, non-agnatic descendants’ ritual duties, the idea of descendants, and lineage segmentation. As a result, it has been shown that while I discussed the nature of kinship in the Goryeo and Joseon dynasties based on exhaustive historical materials which I personally collected, Deuchler examined Goryeo and Joseon kinship mostly without presenting sufficient grounds. The contents of Deuchler’s assertions are nearly identical with mine, but regrettably, she did not acknowledge her reliance on my earlier studies. Again, whereas I devoted a good deal of space to discussing kinship, Deuchler in most cases touched on it in only one line or a few lines.

This section will present a comparison of my preceding studies on the changes of 17th-century Korean social structure with Deuchler's studies. Let's consider her criticism of my views. Her criticism of me seems to have come from her assertion that her views are original, not mere borrowings straight from mine.

Deuchler criticized me three times as follows.

- ① Quoting my words, "all uxori-local marriages ended with the wife's 'return' to her husband's house," she declared there is no solid evidence for this assumption (p. 325, footnote 131). She says, "Life in the maternal home may have ended when the father decided to return with his family to his own natal group" (p. 80). She mentions married couples residing virilocally elsewhere again (p. 237). Her unfounded criticism may have entailed such a self-contradiction.
- ② She criticized, "The lists of the ancestral seats of the wives do not explain the marriage radius in geographical terms" (p. 364, footnote 28), which are my own words translated into English. On the assumption that "it is hard to grasp the marriage radius in geographical terms" (Choi Jae-seok 1975c: 504-505), I supposed it possible to infer the extent of the geographical marriage radius of village endogamy and exogamy in the village (yangdong) composed of Yogang Yi-ssi and Wolseong Son-ssi.
- ③ She criticized: "Professor Choi does not speculate about the significance of rotating ancestor worship" (p. 348, footnote 102), which is far from the truth, because I already analyzed its significance in six ways (Choi Jae-seok 1983c: 256, 305-326, 353, and 551-552).

First, it means women (daughters) are not looked down upon as in the later Joseon dynasty.

Second, there is no societal basis to adopt men.

Third, the rotational ritual duties shared among sons and daughters, together with the property inheritance system, point to village endogamy.

Fourth, the rotational ritual duties and mourning period in the first half of the Joseon dynasty help us understand the custom of not adopting a son from the same lineage in Goryeo.

Fifth, the custom helps us to understand the process of transition to the ritual duties of the oldest son alone.

Sixth, in a society where ancestral worship is made up of rotational ritual duties among offspring, neglect of ancestor worship is prevented and so it leads

to exclusive ritual duties performed by the eldest son by allowing him to inherit more of the parental property.

One of the two nuclei of Deuchler's assertion is that Goryeo society was composed of two factors. Despite the fact that such an assertion presupposes the presentation of solid evidence, she did not do so, and only used the terms "legislation" and "practice." In the Introduction of her book, she uses the terms "ideology" and "society." In light of this, it can be seen that Deuchler uses the two terms "legislation" and "practice," which I first used in analyzing social structure, as if they originated with her.

In 1985 I proposed the view that the history of the Korean family of Goryeo as well as of Silla was constituted of two heterogeneous systems, one of which actually prevailed while the other was imported from China, only to exist as legislation (Choi Jae-seok 1985). I devoted much space to proving that the *History of Goryeo* records show prevailing customs of funeral and mourning, inheritance of ancestral rites and landed property, and the range of kinship, and legislation that existed only as a legalized system. For example, even if there were no sons, many a family did not adopt a son. In legislation, however, it was specified that in case of there being no son, one must be adopted from among one's brothers' sons, or from the second or third sons of those belonging to the same lineage. I added there was a stipulation that if and when one with a different surname was adopted, the adopters were to be punished in accordance with the law.

In this light, Deuchler can hardly be exempt from being considered to have borrowed both my technical terms and treatise content without proper referencing.

The other nucleus of Deuchler's assertion is that changes in the Korean kinship structure occurred in the seventeenth century. She asserts that in the seventeenth century, the patrilineal descent group (lineage, clan) was born. She says, "In late Joseon, the rigid structure of the descent groups led to a sharp distinction between a man's own patriline and that of his mother, expressed in the dichotomy of 'inside' (*nae*) and 'outside' (*oe*) kin" (p. 289). She asserts, "As the dynasty moved into its second century, the internalization and application of lineage ideology developed momentum" (p. 287). She continues, "Residence consequently changed from uxorilocal to virilocal.... Genealogical thinking that pursued non-agnatic lines as easily as agnatic ones gave way to strictly patrilineal reckoning on the basis of the unilineal principle of 'line of descent' (*jong*)" (p. 284).

These assertions of Deuchler's, however, are virtually identical with what I had already made public in the 1970s and 1980s. Under the title of "The Changes in Kinship Structure in the Seventeenth Century" (Choi Jae-seok



1984b), I pointed out that the seventeenth century saw changes in familial patterns and property inheritance also along with the shift from equal respect for patriline and matriline toward unilateral respect for the former, infiltration of agnatic principle into the masses, and changes in the entries in genealogical records. I examined changes in 17<sup>th</sup>-century kinship structure under the very same heading and made these assertions elsewhere, too (Choi Jae-seok 1972a: 99-150; 1980).

Again, I pointed out that smaller patrilineal descent groups (*ssi-jok*) already began to be formed from 1500 through 1600 (Choi Jae-seok 1979), and genealogical records, too, underwent a sea of change in the mid-seventeenth century--from entries of both agnatic and non-agnatic descendants to entries of agnatic descendants alone. In the case of the genealogy of the Munhwa Yu, while the 1562 edition had ten volumes, the 1689 edition was reduced to only five volumes (Choi Jae-seok 1979). Somewhere between 1562 and 1689 the principle of discriminating non-agnatic descendants against agnatic offspring seems to have taken root. Deuchler's assertions that patrilineal lineage emerged in the seventeenth century and that the genealogy entries of both agnatic and non-agnatic descendants were changed to the entries of agnatic offspring alone were obviously borrowed straight from my treatises.

## CONCLUSION

M. Deuchler seems to have read extensively Korean originals on Korean history, digging into many books and treatises in Korean as well as in English, mainly on Korean social history--a really admirable thing for a foreigner to do.

Except for the field I have criticized, M. Deuchler may have accomplished original research. Insofar as the field I have denounced is concerned, however, I have not found originality. Despite the fact that whatever she said of the kinship structure of Goryeo and Joseon dynasties was not the product of her own painstaking investigation, she made observations as if they had come from her own investigation, never mentioning the name of (a) preceding researcher(s) when dealing with important facts. Her statements on such subjects are short and laconic.

The nucleus of Deuchler's book, the conclusion, points out that Goryeo society was run on the two principles of legislation and customary practice, and that seventeenth-century Joseon saw changes in kinship structure, both of which tally

with the content of treatises I published in 1984 and 1985. Her former assertion was borrowed straight from my treatise on “Two Different Principles in Family History” (1985) and her latter assertion from my 1984 treatise on “The Changes in the Kinship Structure of the Seventeenth Century” (Choi Jae-seok 1984b).

Meticulous recorder of bibliography as she is, she has never mentioned these two treatises of mine anywhere. Notwithstanding that I had already published eight treatises on the Joseon social structure prior to her study, she asserted in 1972 that she was going to write treatises on the Joseon social structure as a pioneer (see Introduction), so it is hardly a coincidence that she never mentions the above two treatises I published. I met her at Harvard in 1966, when she said she was studying the modern history of Korea. I remember meeting her a couple of times after that. Little did I dream that a passing acquaintance of mine, far from being a total stranger, would borrow ideas straight from my lifetime of research and publish them without citing my work as the major source from which she had learned about Korean families.

The truth will be told sooner or later. It grieves me to have to write this disheartening commentary on the book in question by M. Deuchler, who I feel has borrowed essentials of my works without giving proper credit. At the same time, however, I feel relieved that I have had my say in the cause of intellectual property rights.

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