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The Incomplete Social Contract: Elites and Ideals in the England of John Locke (1632~1704) and the Korea of Jeong Dojeon (1342~1398) and Heo Gyun (1569~1618)

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The Incomplete Social Contract:

Elites and Ideals in the England of John Locke (1632~1704) and the Korea of Jeong
Dojeon (1342~1398) and Heo Gyun (1569~1618)

Senior Project Submitted to
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by
Jihyeong (Jonas) Park

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Introduction

When German philosopher Philosoph Georg Wilhelm Friedrich Hegel argued in *Lectures on the Philosophy of History* in 1805 how political freedom has three different stages: *one* person knows who is free, *some* people know who is free, *all* people know who is free, he meant that *one* person's freedom existed as despotism in the East, *some* peoples' freedom existed as a democracy and an aristocracy in the Greek and Roman World, and *all* peoples' freedom existed as a monarchy in the Germanic world. Hegel summarizes his view on knowing political freedom as follows:

World history is the discipline of the wilderness of the natural will to that which is general and to subjective freedom. The East knew, and to the present day knows only, that *one* is free; the Greek and Roman world, that *some* is free; the Germanic world knows that *all* are free.¹

So, why did Hegel believe that the East only knew “that *one* is free”? Terry Pinkard, writer of *Hegel: A Biography*, argues that Hegel was afraid that the East could be “the dangers to which a contemporary European shape of life might succumb.”² Thus, Hegel argued that the East or the

¹ Georg Wilhelm Friedrich Hegel, *Lectures on the Philosophy of History* (version Amazon Kindle). Translated by John Sibree and Ruben Alvarado. (Aalten, Netherlands: WordBridge Publishing, 2013), <https://www.amazon.com/Lectures-Philosophy-History-G-W-F-Hegel-ebook/dp/B0050IODB4/>, pp. 95.

² Terry Pinkard, “Hegel’s False Start: Non-Europeans as Failed Europeans.” In *Does History Make Sense?: Hegel on the Historical Shapes of Justice*, 1st ed., (Cambridge, MA: Harvard University Press, 2017), <https://www.jstor.org/stable/j.ctt1n2tv25.6>, pp. 2.

Asian country had *one* person who knew political freedom, so he could portray that European nations such as Germany had a successful “development” of political freedom in *all* people.

However, is there a European nation that shares similarities with the Asian nation on knowing political freedom? England and Korea both used John Locke’s concept “social contract” to define a relationship between a ruler and a ruler’s subjects. Even though some European scholars such as Hegel viewed that Asia and Europe as “world apart,” regardless of sharing the same Eurasian continent, largely due to possible differences in understanding meaning of political freedom, this essay will argue that precisely in the concept of the social contract there was at least in one region, Korean peninsula, a profound similarity between Europe and Asia. John Locke’s social contract has been widely used by contemporary scholars to explain European political theory and cultures in the early modern period. It could also be used as a parallel concept to the theories of the Joseon dynasty’s scholars Jeong Dojeon (1342~1398) and Heo Gyun (1569~1618) in the early modern period.

So, how could a social contract, a theory presumed to be first introduced by European early modern scholars such as John Locke, have also appeared in the Joseon dynasty under two Korean scholars Jeong Dojeon and Heo Gyun? It is important to note there are political similarities between John Locke’s England and Jeong Dojeon and Heo Gyun’s Joseon dynasty. Religious and economic differences existed in England and the Joseon dynasty since people of the English kingdom believed in Christianity as a state religion had a mercantile market economy from a feudal structure, and the Joseon kingdom believed in Confucianism as a state religion had a physiocratic agricultural economy.

However, England and Joseon both had a group of appointed elite royal court members who were qualified for government jobs to function as a legislature and to convince the king to pass laws favorable to common people who were not qualified for government jobs that would stabilize the common peoples' livelihood by protecting their wealth and right to earn a living. This group of court members was responsible for collaborating with the peoples' rulers or kings to help the common people enjoy their political freedom without their possessions and persons being exploited by their government. Also, both the English and Joseon kingdoms were built on the emphasis on free peoples' political freedom to have the protection of public welfare from government on tax-related issues such as debt and fines. John Locke's concept of political freedom mentions the protection of the peoples' wealth in *The Second Treatise of Government* as follows:

TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a *state of perfect freedom* to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.³

John Locke saw that all people had the freedom to decide what, when, and how they want in the state of nature. However, since they are not in the state of nature, people have a contract with their rulers to build a government that would not violate other peoples' freedom and would take care of peoples' possessions and families. As for John Locke's English kingdom, the

³ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 8.

Parliament served as the legislative branch that negotiated and shared power with the monarch. In a similar vein, in Jeong Dojeon's Korean Joseon kingdom, a group of elite practicing intellectual class or "a scholar-official" served as the legislative branch that worked together with kings in public offices to correct the wrongdoings of a tyrannical group of rulers.⁴ However, such protections were not in place in Heo Gyun's Korean Joseon kingdom, where a group of talented unprestigious people served as the judicial branch that mobilized common people to raise voices to "punish rulers who enrich themselves by harassing the people."⁵

The first chapter of this thesis explores the origins of John Locke's social contract and Jeong Dojeon and Heo Gyun's social contract and explains how the political leadership of elite people in Asia served as an example of a social contract that John Locke introduced without ever knowing who John Locke was. The second chapter explores how Joseon scholar Jeong Dojeon worked with prestigious middle-class Confucian scholars to introduce a social contract in the Joseon dynasty and whether his social contract succeeded or not. The third chapter explores how the Joseon scholar Heo Gyun worked with commoners to introduce a social contract in the Joseon dynasty and whether his social contract succeeded or not. The conclusion will end with how the political freedoms explored in Jeong Dojeon and Heo Gyun's Joseon dynasty share similarities with John Locke's social contract and Georg Wilhelm Friedrich Hegel's concept of freedom.

⁴ Yusik Jo, *Defending for Jeong Dojeon*. 2nd ed. (Seoul, South Korea: Humanist Press, 1997), pp. 6-8.

⁵ Gyun Heo, "Homin ron (豪民論)" In *Seongsobu Bugo (惺所覆瓿藁)*, Vol. 11. (Piljin Lee, 1613),

http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0080

Chapter 1

Origins of *Some* Peoples' Political Freedom in English and Joseon Kingdoms

As explored in the introduction, *some* people, meaning the king and the king's vassals, had the political freedom to decide what, when, and how they should take care of all other peoples' possessions and lives. Where did this political freedom come from? John Locke's social contract in the Second Treatise indicates that members of civil society, or the common English people other than a king and Parliament, entrusted their "form, life, and unity" to the royal court of England. ⁶

So members of Parliament or *some* people were in charge of the legislature, "under the direction of persons, and bonds of laws, made by persons authorized thereunto, by the consent and appointment of the people, without which no one man, or number of men, amongst them." They could "have authority of making laws that shall be binding to the rest." ⁷ Thus, in making laws favorable to the common people, the English Parliament represented the will of the common people. However, if *some* people misused their political power and ignored the public will, the common people had a right to usurp "such an authority or delegation." ⁸

⁶ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 108.

⁷ Ibid.

⁸ Ibid.

According to Jeong Dojeon's social contract in his work *Sambong Jip* (三峯集), a king and his royal court could rule over his subjects only because the common people entrusted their lives to the unity of Joseon kingdom as Joseon royal court's vassals, or *some* people, represented the public will to overthrow tyrannical rulers who refused to serve common people. Heo Gyun also followed Jeong Dojeon's social contract and stated in his tract "Homin ron (豪民論)" that *some* people such as the king's vassals Gyeon Hwon and Gung Ye were Homins who had a right to raise political voices "to take an advantage of the situation" and overthrow a tyrannical king from the royal court.⁹ Gyeon Hwon was the king's general before he revolted against his royal court of Silla and founded his kingdom Later Baekje in 900. Gung Ye was a royal family member of the Silla dynasty who revolted against it and founded his own kingdom Taebong in 901. This chapter will be exploring what origins of John Locke's social contract and Jeong Dojeon and Heo Gyun's social contract were.

⁹ Gyun Heo, "Homin ron (豪民論)" In *Seongsobu Bugo* (惺所覆瓿藁), Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0080.

The Origin of John Locke's Social Contract

(13th Century AD ~ 17th Century AD)

The event that inspired the basis of John Locke's social contract was the English King John's signing of the Magna Carta ("The Great Charter") in 1215. During his reign over England from 1199 to 1216, John's relationship with his barons - noblemen who received their landholding directly from the monarch - was tenuous due to the king's unequal taxation practices concerning their homages and heirs. When John rose to power in 1199, there were 165 barons, some of whom held "only one knight's fee in-chief of the king," and the rest of whom held "over a hundred fees plus lands held of other" noblemen.¹⁰ Thirty-nine barons out of 165 had landholdings in the north of England, the west, and East Anglia. These thirty-nine barons had grievances against King John, due to King John's homage tax. John claimed the barons' lands and only released them to the barony's heirs once the barons paid usuriously high tributes to him.

Since most of the barons in the northern English region had to bear expenses for overseas military campaigns against France between 1213 and 1214, they failed to pay taxes on time, and they were indebted to John as a result.¹¹ If the barons refused to pay homage, John punished them with fines, seizure of their barony, and imprisonment. Thus, these thirty-nine barons who were at the risk of losing their lands to King John formed a band of rebels and recruited 1,380 knights who had grievances against King John for John's agents' cruel treatments of them during

¹⁰ Ralph V. Turner, *King John: England's Evil King?* (Cheltenham, United Kingdom: The History Press, 2011), pp. 147.

¹¹ *Ibid.*, pp.181.

military campaigns against France. When John lost continental territories in present-day France such as Normandy in 1204 and tried to raise taxes on barons in the north of England to spend budget for his campaign to reconquer his lost French territories in 1214, a group of rebels named themselves as *conjuratio* or a sworn association. This *conjuratio* held a meeting with King John in London from January to June 1215 to make the king accept their Magna Carta or "the Great Charter," which is excerpted as follows:

We furthermore grant and give to all the freemen of our realm for ourselves and our heirs in perpetuity the liberties written below to have and to hold to them and their heirs from us and our heirs in perpetuity...

Neither we nor our bailiffs will seize any land or rent for any debt, as long as the existing chattels of the debtor suffice for the payment of the debt and as long as the debtor is ready to pay the debt, nor will the debtor's guarantors be distrained for so long as the principal debtor is able to pay the debt; and should the principal debtor default in his payment of the debt, not having the means to repay it, or should he refuse to pay it despite being able to do so, the guarantors will answer for the debt and, if they wish, they are to have the lands and rents of the debtor until they are repaid the debt that previously they paid on behalf of the debtor, unless the principal debtor can show that he is quit in respect to these guarantors...

No freeman is to be taken or imprisoned or disseised of his free tenement or of his liberties or free customs, or outlawed or exiled or in any way ruined, nor will we go

against such a man or send against him save by lawful judgement of his peers or by the law of the land. To no-one will we sell or deny of delay right or justice...

For this gift and grant of these liberties and of others contained in our charter over the liberties of the forest, the archbishops, bishops, abbots, priors, earls, barons, knights, fee holders and all of our realm have given us a fifteenth part of all their movable goods. Moreover we grant to them for us and our heirs that neither we nor our heirs will seek anything by which the liberties contained in this charter might be infringed or damaged, and should anything be obtained from anyone against this it is to count for nothing and to be held as nothing.¹²

After King John signed this charter, *some* people, in this instance a group of barons and knights, were granted the political freedom to protect their land and property from possible abuses by a king and to spare their lives from harsh punishments such as imprisonment and exile. However, as the growing number of barons lost their lives in military campaigns against each other in English civil wars such as the War of the Roses from 1455 to 1485, English kings were able to seize the deceased barons' lands and form an absolute monarchy, since barons, those who

¹² Nicholas Vincent, trans. "Magna Carta Translation." (National Archives and Records Administration. National Archives and Records Administration, 2020), <https://www.archives.gov/files/press/press-kits/magna-carta/magna-carta-translation.pdf>, pp. 1~6.

could form a rebel force against a king and stop a king's tyranny, had lost their loves by the fifteenth century.

The German philosopher Hegel used an example of absolute authority from Chinese history to view that *one* individual knew that he was free and could function as "substance, to which all belongs, so that no other subject has a separate existence and mirrors himself in his subjective freedom." The English kings of the 17th century, such as Charles I, Charles II, and James II, viewed their function as *one* person who could decide what, when, and how he wants with people other than *one*.¹³ These English kings' view was also known as absolute authority, which Robert Filmer, a firm believer in the divine right of kings, further explained in his 1680 work *Patriarcha: or the Natural Powers of Kings*. Filmer supported the *one* person's authority with his statement that the king's "regal authority is divinely instituted and has its foundation in the natural authority which Adam had over his children. As such, it is absolute: a subject's rights and liberties are derived from the ruler's 'grace and bounty'; there is no limit to royal prerogative and parliaments have no power but merely to advise the King and their meetings are dependent on his favour."¹⁴

John Locke, inspired by the balance of power engendered by the Magna Carta, refuted Filmer's arguments in his work, *The Second Treatise of Government*, stating that kings do not

¹³ Georg Wilhelm Friedrich Hegel, *Lectures on the Philosophy of History* (version Amazon Kindle). Translated by John Sibree and Ruben Alvarado. (Aalten, Netherlands: WordBridge Publishing, 2013), <https://www.amazon.com/Lectures-Philosophy-History-G-W-F-Hegel-ebook/dp/B0050IODB4/>, pp. 96.

¹⁴ R.S. Woolhouse, *Locke: a Biography* (New York, NY: Cambridge University Press, 2012), pp. 182.

have absolute authority by virtue of man's biblical ancestors and that a particular ruler does not bound subjects' rights and liberties since all these subjects have the right to inherit property as they were all descendants of Adam. Thus, Locke establishes that the kings' subjects have the right to own property, but the question is raised: do they also have the right to inherit the authority to rule over other people? Locke answers this question in *The Second Treatise of Government*:

Political authority originates in the people; there is a compact between prince and subjects; tyrants forfeit the right to govern; and there is a right of resistance against them. ¹⁵

Locke postulated an inherent right to freedom when he argued that the people need first to agree to give "political authority" to their ruler because they all had authority over themselves from their birth, after Adam's generation. ¹⁶ "A compact between prince and subjects" is a form of a social contract based on the ruler's subjects' trust for their ruler, but if their ruler turns out to be a tyrant or to claim absolute authority or divine rights, all people have the "right" to fight against that absolute authority in order to recover "political authority" from their abusive ruler. ¹⁷ So, as people have a right to choose and reject their leaders, they have liberty, equality, and

¹⁵ Ibid., pp. 193.

¹⁶ Ibid., pp. 182~185, 193.

¹⁷ Ibid., pp. 182~185, 193.

independence as a birthright. Thus, Locke rejected Robert Filmer's statement that the peoples' rights and liberties originated from their rulers' divine rights.

As seen from Locke's understanding of Robert Filmer's political authority, it is evident that the king's subjects first negotiate with their king for their rights and liberties in return for their pledge of allegiance to their king. King's subjects, government officials and common people, pay taxes to their king for nothing. Just like the barons and knights held meetings with King John in 1215 to settle tax debt and land seizure problems, the common people allowed and appointed members of Parliament to serve as lead negotiators and to share power with English kings. Government officials share power with their ruler, so they could build a legislative body such as the Parliament that make laws favorable to peoples' rights to liberty, equality, and independence.

Locke noted in the Second Treatise that if Kings reject negotiations and act as they please, *some* people of England or members of Parliament could use the "right to freedom" to fight against that absolute authority. People other than a king and Parliament had entrusted their "form, life, and unity" to the royal court of England.¹⁸ So, members of Parliament were allowed and appointed by the common people to represent the will of the common people to fight against absolute authority.

For example, *some* members of Parliament beheaded King Charles outside the banqueting hall of Whitehall on January 30, 1649, when Charles I refused to share political authority with members of Parliament, ruled over his subjects on his own, and supported his actions with his argument, "...but I must tell you that their liberty and freedom consists in having

¹⁸ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 108.

a government. It is not their having a share in the government; that is nothing appertaining unto them. A subject and a sovereign are clean different things." ¹⁹ *Some* members of Parliament overthrew Lord Protector and Parliamentarian General Oliver Cromwell's dictatorial system and helped King Charles I's son, Charles II, restore a monarchical system in England in 1660 since Cromwell dispersed the legislative body of England and ruled over the English people as a dictator for life until he died in 1658. *Some* members of Parliament tried to plot the assassination of King Charles II and James the Duke of York (later King James II) at Rye House near London in 1683 when King Charles II also tried to follow an absolute monarchical system.

Some members of Parliament replaced King Charles II's successor James II with James II's daughter Mary II and James II's son-in-law William III during the Glorious Revolution in 1688 when James II also turned out to be a supporter of absolute authority. Thus, members of Parliament carried out the will of the barons and knights in the signing of Magna Carta to make sure that a king could not deny *some* peoples' or vassals' right to decide other peoples' political freedom. The Magna Carta, intended to help indebted landowners of barony, turned out to be an effective weapon to oppose a tyrannical absolute monarchy in the seventeenth century.

¹⁹ Pauline Gregg, *King Charles I.* (London, England: Dent, 1981), pp. 444.

The Origin of Jeong Dojeon and Heo Gyun's Social Contract

(5th Century BC ~ 17th Century AD)

According to John Locke's social contract and the Magna Carta, England in the seventeenth century aspired to be a nation where *some* people, the elite members of Parliament, represented all other peoples' will to negotiate with English kings and make laws favorable to peoples' rights to liberty, equality, and independence. Thus, the king and king's subjects shared political authority, so the king's subjects decided their actions by themselves and took care of other people and other peoples' possessions.

The Chinese philosopher Mencius expressed a similar idea to John Locke's social contract, and he defined his contract as a "right of revolution." Just like the Magna Carta inspired John Locke to define his social contract, Confucius's ancient Chinese history book *Book of Documents* served as a source of inspiration for Mencius's contract.

Book of Documents or Shangshu, is notable for Confucius's idea of "people-orientedness". His idea was to use poetry to reflect his love and respect for the common people and his passionate conviction that they are the root of a stable society. Confucius edited and published the *Book of Documents* in Zhou China in the 5th century BC. His work is now one of the Five Classics of ancient Chinese literature. The Five Classics include *Classic of Poetry*, *Book of Documents*, *Book of Rites*, *Book of Changes*, and *Spring and Autumn Annals*. Mencius takes note of Confucius's idea of "the people being the root of a country (民惟邦本)," which is first mentioned from the following excerpt in the chapter "禹貢 - Tribute of Yu" from "夏書 - Xia Shu" section in *Book of Documents*.

'It was the lesson of our great ancestor:
 The people should be cherished,
 And not looked down upon.
 The people are the root of a country;
 The root firm, the country is tranquil.
 When I look at all under heaven,
 Of the simple men and simple women,
 Any one may surpass me.
 If the One man err repeatedly,
 Should dissatisfaction be waited for till it appears?
 Before it is seen, it should be guarded against.
 In my dealing with the millions of the people,
 I should feel as much anxiety as if I were driving six horses with rotten reins.
 The ruler of men -
 How should he be but reverent (of his duties)?' ²⁰

According to this passage, Confucius, author of "Tribute of Yu," a ruler of a nation has to respect his subjects, since millions of people who serve as his subjects are "root of a country," which helps a country to stand "firm and tranquil." ²¹ Who exactly are these millions of people?

²⁰ Confucius, ed. “《夏書 - Xia Shu》：《禹貢 - Tribute of Yu》。” In *Book of Documents*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/shang-shu/xia-shu>.

²¹ Ibid.

Confucius seems to generalize these "people" as "simple men and simple women" who can "surpass" their rulers if they wish to. Without people standing as "a root," a ruler does not have the freedom to rule over his country.

Confucius's understanding of a ruler of China seems to refute what German philosopher Georg Wilhelm Friedrich Hegel argued in his work *Lectures on the Philosophy of History*: an idea that China is a country with *one* person with the consciousness of freedom. Nevertheless, Hegel states, "the distinction between slavery and freedom is necessarily not great, since all are equal before the emperor- that is, all are alike degraded. As no honor exists, and no one has an individual right in respect of others, the consciousness of debasement predominates, and this easily passes into that of utter depravity."²²

Confucius's excerpt from the *Book of Documents* supports Hegel's argument in *Lectures on the Philosophy of History* as Confucius emphasizes that under "heaven" or emperor, all of his subjects are degraded as simple human beings. Regardless of whether these simple men and simple women were slaves or free people, or rich or poor people, they are all the emperor's subjects who have a responsibility to serve their heavenly figure emperor as "the root of a country."²³ Thus, to Hegel, *one* person or the Chinese emperor "Lord of Heaven" knew that he has the freedom to "live in the consciousness of his own dignity and in the exercise of imperial

²² Georg Wilhelm Friedrich Hegel, *Lectures on the Philosophy of History* (version Amazon Kindle). Translated by John Sibree and Ruben Alvarado. (Aalten, Netherlands: WordBridge Publishing, 2013), <https://www.amazon.com/Lectures-Philosophy-History-G-W-F-Hegel-ebook/dp/B0050IODB4/>, pp. 118-119.

²³ Confucius, ed. “《夏書 - Xia Shu》：《禹貢 - Tribute of Yu》。” In *Book of Documents*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/shang-shu/xia-shu>.

duties to whose observance he has disciplined from his earliest youth." ²⁴ While the ruler is independent of his society and play a role as an individual with subjectivity to command other people, other people do not have subjectivity to command other people, and thus have to comply as a ruler's subjects and obey a political authority of the ruler.

As a patriarchal figure, the emperor used this subjectivity to take care of his children or his subjects. However, since an emperor is only one individual with subjectivity to recognize freedom of people, the emperor's subjects had no power to stop an emperor if he turned out to be an outlaw who misused his political authority to oppress his people. Mencius was aware of this problem and tried to refute the emperor's subjectivity in his work *Mencius*. In the following "離婁上 - Li Lou I" section, Mencius argues that the king's subjects are ones who have subjectivity to command a ruler:

Mencius said, 'Jie and Zhou's losing the throne, arose from their losing the people, and to lose the people means to lose their hearts. There is a way to get the kingdom: get the people, and the kingdom is got. There is a way to get the people: get their hearts, and the people are got. There is a way to get their hearts: it is simply to collect for them what they like, and not to lay on them what they dislike. The people turn to a benevolent rule as water flows downwards, and as wild beasts fly to the wilderness. Accordingly, as the otter aids the deep waters, driving the fish into them, and the hawk aids the thickets,

²⁴ Georg Wilhelm Friedrich Hegel, *Lectures on the Philosophy of History* (version Amazon Kindle). Translated by John Sibree and Ruben Alvarado. (Aalten, Netherlands: WordBridge Publishing, 2013), <https://www.amazon.com/Lectures-Philosophy-History-G-W-F-Hegel-ebook/dp/B0050IODB4/>, pp. 112, 120.

driving the little birds to them, so Jie and Zhou aided Tang and Wu, driving the people to them. If among the present rulers of the kingdom, there were one who loved benevolence, all the other princes would aid him, by driving the people to him.²⁵

According to Chinese historian Sima Qian, Jie and Zhou were infamous monarchs of ancient China, who were best known for abusing rulers' power to satisfy personal desires, demonstrated by Jie of the Xia dynasty's desire for conquest and to suppress his rebellious barons with an enlisted army. Zhou of Yin had the arrogance to state that "he was above his ministers on the ground of ability."²⁶ Also, Zhou stated that "he surpassed the people of the empire on account of his reputation."²⁷ He had a desire for "wine, women, and lusts of all sorts."

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Zhou of Yin spent time in his palace watching his best actors from Shaqiu dancing with "extravagant music," increasing taxes so he could gain more money, stockpile extra grain in a granary, build his zoo of dogs, horses, wild beasts, and birds, and make "a pond of wine, hung the trees with meat, made men and women chase each other about quite naked, and had drinking bouts the whole night long."²⁹ Since the reign of Zhou of Yin, a phrase "a pond of wine, hang

²⁵ Mencius, ed. “《離婁上 - Li Lou I》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

²⁶ Qian Sima, ed. *Shiji*, 1st ed., (Han China, 94 BC), <https://ctext.org/shiji>.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

trees with meat and chasing each other naked (酒池肉林)" has been considered an idiom to symbolize a tyrannical ruler's abuse of power with sex and luxury.

Since two different Chinese emperors, Jie and Zhou, failed to look after their people as fatherly figures, Mencius argued that these two emperors lost their peoples' loyalty and their throne in the empire. *Some* individuals such as emperor's vassals Tang and Wu were able to overthrow these tyrannical emperors and become rulers of new dynasties since subjects of Jie and Zhou sought different rulers to take care of them and saw Tang and Wu as people who were able to "collect for them what they like" with a benevolent rule.³⁰ The "梁惠王上- Liang Hui Wang I" section in Mencius's work *Mencius* further explores Mencius's perspective on a benevolent rule. Mencius responds to King Hui of Liang dynasty's question of how to recover his country's lost territories to other Chinese dynasties Qin, and Chu in the "梁惠王上- Liang Hui Wang I" section.

With a territory which is only a hundred li square, it is possible to attain to the royal dignity. If Your Majesty will indeed dispense a benevolent government to the people, being sparing in the use of punishments and fines, and making the taxes and levies light, so causing that the fields shall be ploughed deep, and the weeding of them be carefully attended to, and that the strong-bodied, during their days of leisure, shall cultivate their

³⁰ Mencius, ed. “《離婁上 - Li Lou I》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

filial piety, fraternal respectfulness, sincerity, and truthfulness, serving thereby, at home, their fathers and elder brothers, and, abroad, their elders and superiors, you will then have a people who can be employed, with sticks which they have prepared, to oppose the strong mail and sharp weapons of the troops of Qin and Chu.³¹

Based on Mencius's response to King Hui of Liang, Mencius believes that a benevolent government spares its peoples from overbearing punishments, fines, taxes, and levies. Being spared of such financial usury, people would have the wherewithal to be self-sufficient in food production and feed their family members, including the extended relatives such as fathers, elder brothers, elders, and superiors. In turn, the subjects of King Hui of Liang would be willing to help their ruler to fight against armies of Qin and Shu. As seen from an example from his conversation with King Hui of Liang, Mencius believed that subjects are the ones who should not be suppressed by the authority of their rulers and that rulers' authority exists for the benefits of people, not rulers. Vassals Tang and Wu were *some* individuals who had a subjectivity to recognize the freedom of people under an oppressive tyranny.

However, are vassals or *some* individuals right to get rid of their lord even if rebelling against their lord's regime could mean that more people could live under a benevolent government? According to a conversation between Mencius and King Xuan of Qi dynasty, Mencius argued that "a minister cannot put his sovereign to death, but if his sovereign turned out to be a mere fellow or the robber and ruffian who outrages the benevolence proper to his nature

³¹ Mencius, ed. “《梁惠王上 - Liang Hui Wang I》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

and outrages righteousness, then a minister has a right to overthrow his sovereign's government."

³² This quote indicates Mencius's social contract or a "right of revolution," which put the peoples' importance before a ruler's. Since the people are the root of a country (民惟邦本), the country is at peace when people are satisfied with the benevolent government of wise rulers, *some* individuals or vassals play a significant role to use this "right of revolution" to prevent their lords from misusing their power like infamous Chinese emperors Jie and Zhou did.

Joseon dynasty's founder, Jeong Dojeon, was inspired by Mencius's "right of revolution" and attempted to realize it in his new kingdom, intended to replace the former Korean dynasty, Goryeo. Jeong Dojeon used Mencius's statement, "Jie and Zhou's losing the throne, arose from their losing the people, and to lose the people means to lose their hearts. There is a way to get the kingdom: get the people, and the kingdom is got" to argue that the king and the king's vassals have the subjectivity to realize the freedom of king's subjects but the king's vassals have the right to replace their king with another person if the king does not serve his subjects. ³³ Jeong Dojeon's argument is further explored in a translation of his work *Joseon Gyeongjukjeon* (朝鮮經國典) or *The State Code of Joseon dynasty* as follows:

³² Mencius, ed. “《梁惠王下 - Liang Hui Wang II》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

³³ Mencius, ed. “《離婁上 - Li Lou I》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

A king's status is high and noble. But heaven and earth are extremely vast, and all the people are extremely numerous. If a king fails to win his peoples' hearts once, perhaps there will be a matter of great concern.

The common people (下民) are extremely weak but cannot be physically threatened, are extremely foolish, but cannot be deceived with wisdom. If a king wins his peoples' hearts, his people will obey him; if a king fails to win their hearts, his people will betray him.

The interval between them betraying and following is not a hair's breadth.

However, winning their hearts cannot be pathetically won by personal intentions, and cannot be won from ways of violating the moral law and seeking for the honor. A king can only win his peoples' hearts by benevolence (仁).

A king should go by a heart of heaven and earth giving birth to all things as his heart perform an act of benevolence, and let people from all over the world be all happy and respect their king as if they respect their parents, a king will enjoy a long life of peace (安富) and esteem (尊榮), and will not be concerned with being in an extremely precarious position (危亡) and being on the decline (覆墜). Would it be right for a king to look after his status with benevolence (仁)?³⁴

³⁴ Dojeon Jeong, "Joseon Gyeongjukjeon (朝鮮經國典) I." In *Sambong Jip (三峯集) Book 13*, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0160_010_0010.

In order for a Joseon king to win his subjects' hearts as Jeong Dojeon noted in *The State Code of Joseon dynasty*, a king had to follow an example from Mencius's 《梁惠王上 - Liang Hui Wang I》. Mencius's 《梁惠王上 - Liang Hui Wang I》 explains that a benevolent government has to spare the peoples' lives from overbearing punishments, fines, taxes, and levies so people would be able to be self-sufficient in food production and feed their family members such as fathers, elder brothers, elders, and superiors. Also, in order for this benevolent government to work, Jeong Dojeon viewed that *some* people, namely the ministers should have "a wise, benevolent ruler" in their superior as follows:

A person who is appointed a minister has to meet an excellent, benevolent ruler, so the moral law is carried out from above and the people from below are blessed with beneficence, and a minister's life is honored during lifetime and a minister will leave his name to posterity. However, it has been hard for a benevolent ruler and vassals to see each other from ancient times... If a benevolent ruler has average talent, then a ruler needs to have an excellent person as a minister to do well in politics, if a ruler fails to have an excellent person as a minister, then a ruler brings about political confusion... Ah! It is really hard for a vassal to meet a wise ruler, and it is also hard for a benevolent ruler to meet benevolent, loyal vassals.³⁵

³⁵ Dojeon Jeong, "Joseon Gyeongukjeon (朝鮮經國典) I." In *Sambong Jip (三峯集) Book 13*, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397),

Jeong Dojeon argued that "the people from below" or all people other than a king and members of the royal court are blessed with "beneficence" when either a king is "an excellent, benevolent ruler" or a vassal is "an excellent person."³⁶ Dojeon emphasized that a king cannot rule over other people alone as *one* decision-maker, along the same line noted earlier by Hegel, that *one* individual knew that he was free and could function as "substance, to which all belongs, so that no other subject has a separate existence and mirrors himself in his subjective freedom."

37

Heo Gyun, Joseon dynasty's politician and scholar who lived from 1569 to 1618, also agreed in his work "Yujae ron (遺才論)" that a king cannot work alone, and a talented vassal has to work with a king in the royal court. He viewed that a ruler "who governs the country" and a vassal who "performs a ruler's duties" are born talented regardless of being born of a noble or a lowly family.³⁸

http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_060_0030.

³⁶ Ibid.

³⁷ Georg Wilhelm Friedrich Hegel, *Lectures on the Philosophy of History* (version Amazon Kindle). Translated by John Sibree and Ruben Alvarado. (Aalten, Netherlands: WordBridge Publishing, 2013), <https://www.amazon.com/Lectures-Philosophy-History-G-W-F-Hegel-ebook/dp/B0050IODB4/>, pp. 96.

³⁸ Gyun Heo, "Yujae ron (遺才論)" In *Seongsobu Bugo (惺所覆瓿藁)*. Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?dataId=ITKC_BT_0292A_0120_010_0050.

As noted from the excerpts of the work of Jeong Dojeon and Heo Gyun, a king and vassals should work together as *some* people in the royal court to help the common people prosper. However, as Mencius mentioned earlier, if a king turned out to be "a mere fellow or the robber and ruffian who outrages the benevolence proper to his nature and outrages righteousness," *some* people or vassals could use "right of revolution" to prevent their lords from misusing their power the way the infamous Chinese emperors Jie and Zhou did.³⁹ So the king's vassals could represent the public will to protect the common people from tyranny. According to his tract "Homin ron (豪民論)," Heo Gyun called these vassals Homins, those who make a bold decision to resist the abusive ruler who mistreats them in their workplace and plunders their private property and to disclose the contradictions of their society. A pertinent historical example occurred when a group of vassals rebelled against King Yeonsan, who tried to be *one* decision-maker and purged many vassals who had talents as "excellent ministers," and thus, the common people or "the people from below" lived miserably.

King Yeonsan, tenth king of the Joseon kingdom, ruled over the Korean peninsula from 1494 to 1506. At first, Yeonsan worked with royal court officials to give aid to the poor and subjugate enemy forces such as Japanese pirates and Jurchen tribes. However, he prioritized the king's authority over the vassals' authority. During the reign of Yeonsan, a group of Confucian scholars had formed the Sarim political party or a powerful faction of literati in Joseon's royal court. Many of these scholars worked in Three Offices or Samsa, three offices that functioned as an organ of the press and raised oppositions against Yeonsan's policies. When one of Yeonsan's

³⁹ Mencius, ed. “《梁惠王下 - Liang Hui Wang II》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

vassals told the king that it was not appropriate to punish officials in Three Offices, Yeonsan said, "Because a former king did not punish Confucian scholars, they have started to follow a custom of looking down upon a king. If we collect public opinions and carry out a task every time, where is a king's authority?"⁴⁰

Yeonsan got rid of Confucian scholars from Sarim faction when many Sarim officials were accused of treason for writing a paragraph on the former king's usurpation of the throne in 1455. Then in 1504, Yeonsan expelled the former king's royal court officials for "looking down upon a king."⁴¹ After purging many talented vassals, Yeonsan behaved similarly to the infamous tyrant Zhou of Yin. He spent the government budget and increased taxes on the common people to throw a drinking party with beautiful female musicians who could sing and dance well, turn a royal university Seonggyungwan into a personal hunting ground, build more houses, and force his vassals and common people to wear luxurious clothes. As a result, the common people suffered from an increase in taxes and held grievances against King Yeonsan.

Since many of the king's vassals felt threatened by the king's purge on vassals and common peoples' grudge against a king, they led a group of vassals to dethrone Yeonsan. Thus, a group of vassals or *some* people rose against a king as Homins, so they could have political freedom and take care of all other people and their possessions. As seen from King Yeonsan's example, Mencius's right of revolution turned out to be an effective weapon to oppose a tyrannical absolute monarchy in the Joseon dynasty.

⁴⁰ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kja_10101030_003.

⁴¹ Ibid.

Conclusion

This chapter explored the origins of *some* peoples' political freedom in terms of John Locke's social contract and Mencius's right of revolution. It was notable that both the English and Joseon kingdoms had king's vassals who functioned as a group of *some* people and represented the public will to replace a tyrannical ruler with a benevolent ruler. Also, tyrannical leaders of English and Joseon kingdoms were characterized as failed leaders who ignored opinions of vassals, raised taxes on their people, and made their people suffer miserably. The next two chapters will be further exploring what kind of lives Jeong Dojeon and Heo Gyun had and how they tried to realize an Asian social contract, which tried to share the royal court's political authority with people other than a king.

Chapter 2

Jeong Dojeon: The First Attempt to Realize an Asian Social Contract in the Joseon Dynasty

Jeong Dojeon. His pen name was Sambong, after the Dodamsambong Peaks in Danyang County, Korean peninsula. Dojeon was born in Yeongju, North Gyeongsang Province, the Korean peninsula in 1342 (the 4th year of King Chunghye's 2nd reign). His maternal great-grandmother, Yeobi, was a servant while his maternal great-grandfather Kim Jin was an apostate monk and Goryeo royal government's ruling party leader Woo Hyeonbo's relative. Dojeon's maternal grandmother Kim was not only a daughter of a servant and an apostate monk but also a concubine of the Confucian scholar, Woo Yeon. Woo Yeon was the son-in-law of the Cha clan of Yonan, a clan that had an ancestor who was recognized as a founding contributor of the Goryeo dynasty. Thus, his mother, Yeo, was the daughter of a lowly concubine. Meanwhile, his father, Jeong Ungyeong, was a local functionary of Bonghwa County and a Minister of Justice of Goryeo royal court. Ungyeong was also famous for being a clean government employee.

The Early Life of Jeong Dojeon (1342~1360)

Jeong Dojeon was born the eldest son of Ungyeong in 1342. He had two younger brothers, Jeong Dojon and Jeong Dobok, and one younger sister, Jeong. He later married Choi and had three sons by her, Jeong Jin, Jeong Yeong, and Jeong Yu. Unlike in the Joseon dynasty, the Goryeo dynasty allowed the sons of concubines to take the civil service exam and get a government job. However, they were not allowed to attain high rank, such as a minister. Thus,

since Jeong Dojeon was the grandson of a lowly concubine, it was evident that he would not be promoted to a high position in the Goryeo royal court unless the government officials changed their legal policies for the descendants of a concubine.

From 1357 (the 6th year of King Gongmin's reign) to 1358 (the 7th year of King Gongmin's reign), Jeong Dojeon studied Confucianism under Lee Saek in Kaesong, the capital city of Goryeo dynasty. Lee Saek was an elite scholar-official who owned land during the Goryeo dynasty, had studied Confucianism abroad and passed a civil service exam in the Yuan dynasty. Dojeon befriended contemporary scholar-officials who also learned Confucianism from Lee Saek, such as Jeong Mongju, Park Sangchun, Gwon Geun, and Lee Sungin. Jeong Dojeon passed the civil service exam in 1360 (the 9th year of King Gongmin's reign) and was accepted to a royal university Seonggyungwan in Kaesong, a top-tier educational institution between the Goryeo and Joseon dynasties that prepared scholar-officials to work in the royal government in Kaesong.

The Early Political Career of Jeong Dojeon (1365~1375)

In 1365 (the 14th year of King Gongmin's reign), King Gongmin, Goryeo's king at that time, lost his spouse, Queen Noguk who died in childbirth. Gongmin had Hyebi Lee as a second queen, and Ikbi Han, Jeongbi Ahn, and Shinbi Yeom as royal concubines, but he was not able to overcome the loss of his first queen Noguk. He loved Noguk so much that he spent much of the state's budget to hold his spouse's extravagant funeral services in public offices. He also mobilized more than 5,000 common people to build an enormous shrine, Yeoungjeon, at the

southeast of Buddhist temple Wangryunsa in Kaesong where he could enshrine Noguk's portrait. However, many mobilized workers refused to participate in the construction and ran away. During drought periods, many of the common people believed that the construction had caused the drought, while King Gongmin prayed not to have a rainy season because the rain would stop his spouse's shrine's construction. The construction of Yeongjeon started in 1366 and was completed in 1377 (the 5th year of King U). As a result, the Goryeo royal court's state coffers were depleted.

Nevertheless, King Gongmin entrusted a Buddhist monk Shin Don to reform the society of Goryeo in 1365. Jeong Dojeon and many others of Lee Saek's students served in the royal court in Kaesong to help Shin Don order the pro-Yuan dynasty influential families to give illegally-seized lands back to their owners, liberate people who had become servants on a false charge, and remove corrupt influential families from public offices. Jeong Dojeon's father, Jeong Ungyeong, passed away in 1366 (the 15th year of King Gongmin's reign), so Dojeon had to go back to his hometown of Yeongju to attend his father's funeral service for three years. When Dojeon stayed in Yeongju from 1366 to 1369, Dojeon's friend Jeong Mongju sent him Mencius' book as a gift. Reading Mencius' book, is where Dojeon learned of a right of revolution.

Meanwhile, Shin Don's reform stopped in 1367 (the 16th year of King Gongmin's reign) when Don accumulated wealth by illicit means and had more concubines. Disappointed with Shin Don, King Gongmin charged Shin Don with treason and beheaded him in 1371 (the 20th year of King Gongmin's reign). Weary with politics, King Gongmin spent the rest of his life leaving an heir. He took Shin Don's maid Ban Ya as a concubine who eventually bore him a son named U. At the same time, he also ordered a group of handsome men or Jajewi (子弟衛) to sleep together with his second queen and royal concubines. In September 1374, King Gongmin learned

from his eunuch Choi Mansaeng that Ikbi Han was pregnant with Jajewi member Hong Ryun's child. Gongmin wanted to assassinate Jajewi members and Choi Mansaeng, so he could keep Hong Ryun's act a secret and make Ikbi Han's child his legitimate heir. However, Jajewi members and Choi Mansaeng found out King Gongmin's plan and murdered Gongmin in his sleep.

After Gongmin's death in 1374, Lee Inim, a member of one of the pro-Yuan dynasty influential families of the Goryeo dynasty, held real power as vice-chancellor of a royal court. He was a kingmaker since he put Jajewi members and Choi Mansaeng in charge of King Gongmin's murder and helped King Gongmin's only son U to the throne of Goryeo kingdom. While they had the chance, Inim and his subordinates, Yeom Heungbang and Yim Gyeonmi, took a series of reactionary measures. They ordered the Goryeo royal court officials to cancel Shin Don's land reform, broke off relations with the Ming dynasty, and restored relations with the Yuan dynasty, the action that proved to be the fruit of Jeong Dojeon's study of Mencius' right of revolution.

Since the Yuan dynasty's influence was declining during the rise of the Ming dynasty in the 1370s, Jeong Dojeon and other Confucian scholars considered Lee Inim's pro-Yuan diplomatic policies anachronistic. When the Yuan dynasty sent an envoy to Kaesong, Jeong Dojeon paid a visit to Chancellor Gyeong Bokheung and opposed pro-Yuan policies with a statement in 1375, "I will, of course, cut off Yuan envoy's head. If not, I will tie Yuan envoy up and send them to the Ming empire."⁴²

⁴² National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452), <http://db.history.go.kr/KOREA/item/level.do;jsessionid=97B1BA7636D87B258482337F5D1AB>

Chancellor Gyeong Bokheung and Vice-Chancellor Lee Inim were infuriated by Dojeon's attitude toward the Yuan envoy and exiled Jeong Dojeon to Naju, Jeolla Province, in 1375 (the 1st year of King U's reign). It was this exile that only further spurred the formation of Jeong Dojeon's philosophy and influence as a framer of the peoples' right to a social contract.

Understanding Farmers' Life (1375~1383)

During Jeong Dojeon's exile of nearly ten years, he grew appreciative of the kindness of the common yet self-sufficient farmers who welcomed Dojeon from the bottom of their heart. This influence on Jeong Dojeon is a formative one on him, as can be seen when Jeong Dojeon looked back on his days in Naju as follows in his book chapter, "Sojaedonggi (消災洞記)":

...Inhabitants of Dongri [a village in Naju] are simple, have no conceit, and strive to do farming for a living, and above all, Hwang Yeon devoted even more effort. Yeon not only was good at brewing rice wine in his house but also, he loved drinking, so he first asked me to come over to his house when his rice wines were ready, and we drank together. When a guest visited Yeon's house, Yeon always served out a rice wine, and he was very courteous to his guest as time went by.

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Also, a villager named Kim Seonggil (金成吉) knew a few Chinese characters, and Seonggil's younger brother Cheon was good at having a pleasant chat with me. Both Seonggil and Cheon could drink so much, and they lived under the same roof. Also, a villager named Seo Angil (徐安吉) grew older and became a monk, and he called himself "Ahnshim (安心) (relax)." He had a long nose and long face, and his appearance and behavior were mysterious, and he could remember all regional dialects, proverbs, and village works. Also, there were villagers named Kim Cheonbu (金千富) and Josong (曹松), and these villagers also drank many rice wines, just like how Kim Seonggil and Hwang Yeon drank. They visited my house every day to have fun, and every season they got local products, they brought rice wines and beverages, enjoyed themselves, and returned home.

I wore one piece of fur clothing in winter, and I wore one piece of garot [working clothes] in summer. I slept early and woke up late, and I had no restrictions on my daily conduct and behavior. I ate food as I liked it. So, I preached two or three Confucian scholars, and I crossed over a brook and went up and down the mountain valley. When I was tired, I took rest. When I was excited, I walked. When I saw an area of scenic beauty, I roamed around, blew a whistle, recited a poem, and forgot to return home. Sometimes, I sat with a farmer or an old countryman on the trunk of a tree and comforted each other as if we were old friends.

One day I climbed the hill at the back of my house [the place of exile]. I liked how the west side of the hill had a little flatter ground and a wide field right below a flat land, so I ordered my servant to cut old woods. My servant and I built two rooms of an imperata-thatched house, and we did not trim a lawn and did not cut woods [for building fences]. We piled up soil and made a garden. We weaved a reed to build fences. I thought that house building was simple and not too demanding, but the inhabitants of Dongri came over and helped my servant and me, so it took less than one day to complete the building. Thus, I named the house “Chosa (草舍),” and moved there right away.

... I do not know at all how long I will stay in this Chosa, whether this Chosa would get caught in a rainstorm and be knocked down when I leave this place, whether this Chosa would get caught in a bush fire, whether this Chosa would be rotten into the ground, or whether this Chosa would leave its name on posterity or not.

Because I was not attentive and very inflexible, I died from the memory of the public and was exiled to far-off lands. Still, inhabitants of Dongri practiced hospitality and deepened the kinship with me like this. Could they pity a poor person like me and accept me? Or could they not know that I am a criminal since they grew up in distant lands and did not listen to a discussion at that time [the political conflict between Pro-Yuan officials and Pro-Ming officials]? In any case, they all were best for hospitality. Since I am ashamed

on the one hand and am moved on the other hand, I am writing the beginning and the end so I could express my gratitude [for the people of Dongri].⁴³

Jeong Dojeon was an elite Confucian scholar who took the civil service exam and worked in the Goryeo royal court. Before his exile in Naju, Dojeon had nothing to do with farmers and village life. However, his prolonged contact with farmers and villagers had a profound effect on him and he felt the sense of kinship with them. Dojeon recounts in his book chapter the times he drank rice wine with farmers such as Hwang Yeon, enjoyed listening to the villagers Kim Seonggil and Cheon's "pleasant chat," listened to a monk, Seo Angil, talk about "regional dialects, proverbs, and village works," took comfort from an old countryman, and built an imperata-thatched house with his servant and villagers.⁴⁴ Even though Jeong Dojeon was a convicted criminal exiled to distant lands, the villagers did not treat him with bias. They even considered Dojeon "an old friend."⁴⁵ Also, Dojeon noticed that even though farmers did not know how to write words in Chinese characters, they had excellent verbal clarity skills, such as using dialogues to make a person feel satisfied and comforted.

⁴³ Dojeon Jeong, "Sojaedonggi (消災洞記)" In *Sambong Jip (三峯集) Book 4*, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), [http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0070_010_0020&solr_query=E2%80%A0%EC%86%8C%EC%9E%AC%EB%8F%99%EA%B8%B0\\$olr_sortField%2%80%A0%EA%B7%B8%EB%A3%B9%EC%A0%95%EB%A0%AC_s%20%EC%9E%90%EB%A3%8CID_s\\$olr_sortOrder%2%80%A0\\$olr_secId%2%80%A0BT_AA\\$olr_toalCount%2%80%A03\\$olr_curPos%2%80%A01\\$olr_solrId%2%80%A0GS_ITKC_BT_0024A_0070_010_0020](http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0070_010_0020&solr_query=E2%80%A0%EC%86%8C%EC%9E%AC%EB%8F%99%EA%B8%B0$olr_sortField%2%80%A0%EA%B7%B8%EB%A3%B9%EC%A0%95%EB%A0%AC_s%20%EC%9E%90%EB%A3%8CID_s$olr_sortOrder%2%80%A0$olr_secId%2%80%A0BT_AA$olr_toalCount%2%80%A03$olr_curPos%2%80%A01$olr_solrId%2%80%A0GS_ITKC_BT_0024A_0070_010_0020).

⁴⁴ Ibid.

⁴⁵ Ibid.

In another anecdote, “Dapjeonbu (答田夫),” Jeong Dojeon considered a farmer “a wise hermit” or a well-informed person.⁴⁶ Dojeon met the old farmer, who worked in the fields. The farmer asked him whether Dojeon was convicted for “satisfying his desire while not caring to reject injustice,” and Dojeon replied, “he was not.”⁴⁷ He asked Dojeon whether he was convicted for “speaking evil of an outspoken person,” Dojeon replied, “he was not.”⁴⁸ He asked Dojeon whether he was convicted for “being a cowardly general who ran away from enemy troops” or “being a stubborn minister who rejected disobedient and honest subordinates,” and Dojeon replied, “he was not.”⁴⁹ The farmer then stated his opinions:

Then I know what you were convicted for. You liked to make your words go ahead when you did not understand how powerless you were. You liked to say reasonable words when you did not know whether it was a good time. You acted against your superiors’ wishes when you just went out into the world, had an affection for the ancients, and were low in rank. These are why you were convicted... You made several mistakes, but you were just exiled and saved your life. Even a country person like me could understand how

⁴⁶ Dojeon Jeong, “Dapjeonbu (答田夫)” In *Sambong Jip* (三峯集) Book 4, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0070_020_0040.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

generous the royal court was. If you are careful from now on, you would be able to keep off a misfortune.⁵⁰

Jeong Dojeon's anecdote indicates that Jeong Dojeon adored the old farmer, since he thought that the farmer was a benevolent Confucian scholar. Dojeon said, "Old man, you are a wise hermit. I would like to take you to an inn and pursue your studies."⁵¹ However, the old farmer replied, "I do farm work from generation to generation. I plow a field, pay taxes to the nation, and take care of my wives and children with the remaining money. Anything else is none of my concern. I ask you to leave and not to mess me up."⁵²

As the unnamed old farmer noted, Jeong Dojeon needed the power to achieve his goals. What were his goals? Dojeon sympathized with the poor farmers who were not qualified to take civil service exams and participate in politics to protect their interests. The old farmer noted that farmers' interests were to "do farm work, pay taxes, and take care of his family."⁵³ However, as John Locke noted in the *Second Treatise* that if people are living peacefully without subjecting themselves to "the dominion and control of any other power," there would be no need to have judges and policemen to protect their possessions and lives.⁵⁴ Since these farmers at Naju were

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 65.

not able to participate in politics at the royal court, they were “exposed to the invasion of others.”

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John Locke’s statement seemed accurate in the Naju farmers’ case. When two hundred ships of Japanese pirates invaded Goryeo and “plundered” villages in Naju in 1377 (the 3rd year of King U’s reign), the farmers’ livelihoods were at risk.⁵⁶ Since Naju was no longer safe, Jeong Dojeon was instead exiled to his hometown of Yeongju. However, the Japanese pirates also invaded Yeongju. So Jeong Dojeon joined his family in Yeongju and fled to different places such as Danyang, Jecheon, Andong, and Wonju.

In 1381 (the 7th year of King U’s reign), Goryeo royal court allowed Jeong Dojeon to stay in any place in Goryeo except the capital city Kaesong. Dojeon built a thatched house right below Bukhan Mountain, near Hanyang - present-day Seoul - and named his house, “Sambongjae (三峯齋),” where he taught Confucian scholars. However, the pro-Yuan dynasty minister “hated Jeong Dojeon and pulled down” Dojeon’s house.⁵⁷ Back then, corrupt

⁵⁵ Ibid., pp. 65-66.

⁵⁶ National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452), http://db.history.go.kr/KOREA/item/level.do;jsessionid=97B1BA7636D87B258482337F5D1AB882?levelId=kj_029r_0010_0040_0030_0040#detail-kingYear/kj_030r_0010_0040_0060_0090/34/1377/06.

⁵⁷ Dojeon Jeong, “Burok (附錄)” In *Sambong Jip* (三峯集) Book 8, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), [http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0110_010_0010&solrQ=query%E2%80%A0%EC%82%BC%EA%B0%81%EC%82%B0\\$solr_sortField%E2%80%A0\\$solr_sortOrder%E2%80%A0\\$solr_secId%E2%80%A0BT_AA\\$olr_toalCount%E2%80%](http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0110_010_0010&solrQ=query%E2%80%A0%EC%82%BC%EA%B0%81%EC%82%B0$solr_sortField%E2%80%A0$solr_sortOrder%E2%80%A0$solr_secId%E2%80%A0BT_AA$olr_toalCount%E2%80%)

government officials from influential families tried to steal common peoples' land properties without having permissions. They led a group of strong men to tear down houses and take over lands. Dojeon then settled in the city of Namchon, but a minister also tore down Dojeon's house there because he wanted to build a vacation home on Jeong Dojeon's lands.

So, Dojeon's family moved to the city of Gimpo. Also, when he stayed in Gimpo, Jeong Dojeon "plowed up a field by himself" and worried about "pressure to pay land tax" in 1384 (the 10th year of King U's reign).⁵⁸ These quotes show how Jeong Dojeon worked as a self-sufficient farmer, just like the old farmer in Naju did. Dojeon no longer tried to differentiate between Confucian scholars and farmers, since he could not only teach other Confucian scholars but also plow a field to feed his family.

Jeong Dojeon believed that the royal court had to reform its policies to prevent influential families from exploiting farmers and give government jobs to "incorrupt, diligent, and honest" people, like the old farmer in Naju.⁵⁹ According to Mencius' 《梁惠王上 - Liang Hui Wang I》,

A0524\$solr_curPos%E2%80%A0166\$solr_solrId%E2%80%A0BD_ITKC_BT_0024A_0110_010_0010.

⁵⁸ Dojeon Jeong, "Jayeong 5 Su (自詠 五首)" In *Sambong Jip* (三峯集) Book 2, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397),
http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0050_010_0420.

⁵⁹ National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452),
http://db.history.go.kr/KOREA/item/level.do;jsessionid=97B1BA7636D87B258482337F5D1AB882?levelId=kj_029r_0010_0040_0030_0040#detail-kingYear/kj_032r_0010_0010_0080_0120/34/1383/08.

a benevolent government must not oppress people with overbearing punishments, fines, taxes, and levies. However, Goryeo's royal court failed to be a benevolent government since it failed to protect the common people from government officials' land taxes and exploitations. Mencius's work 《離婁上 - Li Lou I》 noted that “in order to get the kingdom, a king has to get the people, and the kingdom is got. There is a way to get the people: get their hearts, and the people are got. There is a way to get their hearts: it is simply to collect for them what they like, and not to lay on them what they dislike.”⁶⁰

Since the kingdom of Goryeo failed to do what the common people liked with land taxes, Jeong Dojeon believed that he had to build a new dynasty so he could make policies favorable to common people. Furthermore, he needed a powerful political sponsor to build a new dynasty. In 1383 (the 9th year of King U's reign), Jeong Dojeon met General Lee Seonggye, the Korean warlord of Hamgyong Province, the Korean peninsula. Dojeon persuaded Lee Seonggye to start a revolution with his military force and replace the Goryeo dynasty with the new dynasty. It was notable that Jeong Dojeon learned a lesson from his conversation with the old farmer. The old farmer told Dojeon that he “did not understand how powerless he was,” and Dojeon saw that Lee

⁶⁰ Mencius, ed. “《離婁上 - Li Lou I》.” In *Mencius*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/mengzi>.

Seonggye could give him political power so he could start reforms in a new nation.⁶¹ He just needed to find “a good time” to start a revolution.⁶²

Revolution in the Goryeo Dynasty (1384~1392)

Thus, Jeong Dojeon sought for the opportunity to realize his social contract in the Goryeo royal court. Even though it was before John Locke’s lifetime (1632~1703), Dojeon’s revolution would introduce the social contract, a political theory similar to Locke’s social contract, in Korean peninsula. In 1384 (the 10th year of King U’s reign), the Ming emperor Hongwu demanded the Goryeo court pay him a tribute since Hongwu did not like the court’s pro-Yuan diplomatic policy. With Jeong Dojeon’s friend Jeong Mongju’s recommendation, Jeong Dojeon was able to join a diplomatic mission to the Ming court with Mongju. After nine months of a successful diplomatic mission at Ming court, Dojeon returned to government duties in Kaesong in 1385 (the 11th year of King U’s reign).

In 1388 (the 14th year of King U’s reign), Goryeo dynasty’s legendary generals Lee Seonggye and Choi Young convinced King U to get rid of the members of pro-Yuan influential families, Lee Inim, Yeom Heungbang, and Yim Gyenmi. Lee Seonggye and Choi Young were generals famous for defeating Japanese pirates who invaded the Korean peninsula in 1377. Since

⁶¹ Dojeon Jeong, “Dapjeonbu (答田夫)” In *Sambong Jip* (三峯集) *Book 4*, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0070_020_0040.

⁶² Ibid.

Lee Inim's subordinates, the Goryeo court officials who followed Lee Inim, were notorious for "holding sway, arrogantly selling an office and peerage, stealing other peoples' lands, occupying a mountain and a field, and stealing other peoples' servants," the people of Goryeo were delighted to hear what happened to them.⁶³ After removing Lee Inim's people from public offices, Choi Young was promoted to a chancellor while Lee Seonggye was promoted to a vice-chancellor.

King U feared assassination by his people, especially since his father King Gongmin had been killed by his subordinates. So, U married Chancellor Choi Young's daughter in a political alliance. Since King U and Choi Young supported pro-Yuan diplomatic policies, they wanted to fight the Ming court with Choi Young and Lee Seonggye's armed forces and conquer the Liaodong Peninsula. However, Lee Seonggye opposed King U and Choi Young's military campaign since Seonggye supported the Ming court. So, Seonggye's army withdrew from Wihwa Island, occupied the Goryeo court at Kaesong, executed Choi Young, and dethroned King U. Lee Seonggye made the following statement before he carried out a public execution of Choi Young:

I did not mean to start this war. However, your action was not only a refusal to a great cause but also a reason why our nation was at risk, our people were exhausted, and our

⁶³ National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452), http://db.history.go.kr/KOREA/item/level.do;jsessionid=97B1BA7636D87B258482337F5D1AB882?levelId=kj_029r_0010_0040_0030_0040#detail-kingYear/kj_033r_0010_0010_0010_0020/34/1388/01.

peoples' bitter resentment reached the sky, so I was forced to start this war. Farewell, farewell.⁶⁴

It seemed like Lee Seonggye took over the Goryeo court. However, Lee Saek, Jeong Dojeon's teacher and an elite scholar-official, convinced Lee Seonggye to withdraw his army from Kaesong and discussed with Lee Seonggye's military colleague Jo Minsoo to enthrone former king U's son Chang as the next king of the Goryeo dynasty. However, Jo Minsoo was accused of "stealing lands and servants" and was exiled to his hometown Changnyeong County.⁶⁵ Right after King Chang became the next king of Goryeo dynasty in 1388, Jeong Dojeon and his royal court colleague Jo Jun proposed the following land reform:

A group of influential families occupied lands without any restriction, and seven to eight landlords owned one man's farmland. So, when farmers give farm rent to landlords, they spent money on feeding landlords' men and horses, making a purchase against their will, paying expenses for landlords' long-distance travel and baggage, which made their spending higher than assigned farm rent. These abuses got worse as time went by, so common peoples' resentments got worse. Jeong Dojeon was well aware of these abuses

⁶⁴ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kaa_000085.

⁶⁵ National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452), http://db.history.go.kr/KOREA/item/level.do?itemId=kj&types=r#detail-kingYear/kj_033r_0010_0010_0070_0090/35/1388/07.

and wanted to correct abuses at any cost. Dojeon made an all-out effort to help Lee Seonggye, so he could expropriate all of the lands in Goryeo, place lands under state management, and distribute lands to all of the common people based on a population ratio.⁶⁶

Since Jeong Dojeon had lived with farmers during his exile, he understood in painstaking details how the common people suffered from farm rent and landlord-related expenses. Thus, Dojeon wanted to give land to each person, regardless of how rich or poor people were. However, existing landlords such as Lee Saek opposed Dojeon's land reform. Meanwhile, Lee Saek asked the Ming court to accept King Chang as a legitimate king of Goryeo, but Ming Emperor Hongwu officially stated that "King Chang was not a legitimate king since his father U was a son of Shin Don and Ban Ya. Former King U was not a legitimate son of King Gongmin and Ban Ya."⁶⁷ Lee Seonggye, Shim Deokbu, Ji Yonggi, Jeong Mongju, Seol Jangsu, Seong

⁶⁶ Dojeon Jeong, "Burok (附錄)" In *Sambong Jip* (三峯集) Book 8, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), [http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0110_010_0010&solrQ=query%E2%80%A0%EC%82%BC%EA%B0%81%EC%82%B0\\$solr_sortField%E2%80%A0\\$solr_sortOrder%E2%80%A0\\$solr_secId%E2%80%A0BT_AA\\$solr_toalCount%E2%80%A0524\\$solr_curPos%E2%80%A0166\\$solr_solrId%E2%80%A0BD_ITKC_BT_0024A_0110_010_0010](http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0110_010_0010&solrQ=query%E2%80%A0%EC%82%BC%EA%B0%81%EC%82%B0$solr_sortField%E2%80%A0$solr_sortOrder%E2%80%A0$solr_secId%E2%80%A0BT_AA$solr_toalCount%E2%80%A0524$solr_curPos%E2%80%A0166$solr_solrId%E2%80%A0BD_ITKC_BT_0024A_0110_010_0010).

⁶⁷ National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452), http://db.history.go.kr/KOREA/item/level.do?itemId=kj&types=r#detail-kingYear/kj_034r_0010_0020_0100_0020/35/1389/11.

Seokrin, Jo Jun, Park Wi, and Jeong Dojeon gathered in the Heungguksa Buddhist Temple to discuss how to use the Ming emperor's statement to dethrone King Chang and enthrone a new king of Goryeo. Following this meeting, the supporters of the revolution dethroned King Chang, removed King Chang's people such as Jo Minsoo and Lee Saek from public offices, and helped King Gongmin's distant relative, Gongyang, to the throne in 1389.

Lee Seonggye, Shim Deokbu, Ji Yonggi, Jeong Mongju, Seol Jangsu, Seong Seokrin, Jo Jun, Park Wi, and Jeong Dojeon were known as The Nine Meritorious Subjects of Heungguksa. These Nine Meritorious Subjects continued Jeong Dojeon and Jo Jun's land reforms by placing lands under state management and burned the landlords' ill-gotten land registry certificates. They distributed lands to Confucian scholars, but they were not able to distribute lands to common people since too many Confucian scholars resisted. However, they were able to reduce the amount of land taxes that common people had to pay. Also, they banned landlords from occupying common peoples' lands.

It is here that a component of the evolving social contract becomes evident. The Nine Meritorious Subjects of Heungguksa except for Seol Jangsu and Jeong Mongju wanted to overthrow the Goryeo dynasty and establish a new dynasty. These meritorious subjects of Heungguksa believed that a monarch who failed to take care of their subjects should be replaced with another monarch, and a monarch should share political power with a group of *some* people or excellent ministers with talents. They also believed that ministers represented the public will since the common people entrusted ministers to protect peoples' land possessions and lives. Moreover, they thought that their beliefs could only be fulfilled by a dynastic revolution, which establishes a new dynasty.

Seol Jangsu and Jeong Mongju believed that government officials could enforce such beliefs in the previous dynasty Goryeo. So, when Lee Seonggye fell from his horse and was busy treating his wound, Mongju took sides with King Gongyang and accused Jeong Dojeon and his fellow dynastic revolution supporters of treason in 1391 (the 3rd year of King Gongyang's reign). Jeong Dojeon and the dynastic revolution supporters were exiled to distant lands. However, Lee Seonggye's fifth son Lee Bangwon led five assassins to assassinate Jeong Mongju on the Sonjuk Bridge in Kaesong in 1392 (the 4th year of King Gongyang), enabling Jeong Dojeon, Lee Seonggye, and dynastic revolution supporters return to government duties.

King Gongyang tried to protect an old monarchical system and convinced Lee Seonggye to form a political alliance with him. Lee Seonggye accepted Gongyang's request. Still, supporters of the dynastic revolution such as Jeong Dojeon, Jo Jun, Nam Eun, and Bae Geukryeom, requested former king Gongmin's royal concubine Jeongbi Ahn to make an official statement that "dethroned King Gongyang and helped Lee Seonggye to the throne."⁶⁸ After he refused to accept the crown for five days, Lee Seonggye was formally enthroned as King Taejo of a new dynasty known as Joseon in 1392. Thus, a group of middle-class Confucian scholars who had owned lands and had passed civil service exams sided with the common people such as farmers and founded the kingdom of Joseon, a nation built to redefine a relationship between a ruler and a ruler's subjects.

⁶⁸ National Institute of Korean History, ed. *Goryeosajeolyo* (高麗史節要) (version Goryeo Dynasty Historical Records Database). 1st ed. (Seoul, Joseon dynasty: Kim Jongseo, 1452), http://db.history.go.kr/KOREA/item/level.do?itemId=kj&types=r#detail-kingYear/kj_035r_0010_0020_0070_0030/36/1392/07.

Preparation for the Social Contract of Jeong Dojeon (1392~1398)

Jeong Dojeon was recognized as the most important founding contributor of the Joseon dynasty since his theory of a dynastic revolution helped establish the Joseon dynasty. Dojeon was promoted to the vice-chancellor, but he held the reins of the government since he led the efforts to establish a foundation for the country. Jeong Dojeon wrote a draft of King Taejo's coronation speech in 1392, which contained the following statement:

The reason that heaven created many common people and installed a ruler was to help common people live happily and comfortably. Therefore, depending on whether a king follows his duties or not, a king could win or lose peoples' hearts. The will of heaven solely depends on this. This reason is honorable.⁶⁹

After the coronation speech, King Taejo moved the capital from Kaesong to Hanyang, because founders of the Joseon believed that a former capital Kaesong would arouse in Korean people a nostalgia for days when the Goryeo dynasty ruled in the Korean peninsula. Jeong Dojeon led the construction of Gyengbokgung Palace in Hanyang in 1394 (the 3rd year of King Taejo). In 1394, Jeong Dojeon issued *Joseon Gyeonggukjeon* (朝鮮經國典) or *The State Code of the Joseon dynasty*. The state code listed the Joseon dynasty's founding principles, such as the

⁶⁹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kaa_10107028_003.

definition of “the common people (下民)” under a benevolent government, the importance of collaboration between “an excellent, benevolent ruler” and “an excellent, appointed minister.”⁷⁰ Based on these principles, Jeong Dojeon argued that a benevolent king had to serve the people well in return for the peoples’ loyalty, and a king had to work together with ministers no matter what. In order to make the people wholeheartedly serve the new king, Dojeon stated in his tract “Buse (賦稅)” from *Joseon Gyeonggukjeon* that the common peoples’ taxes should be reduced:

... The reason that a great man made a tax law in the past was not to receive taxes from common people and satisfy his desires. When people live together in one place, they are exposed to other peoples’ greed for food and clothing from outside and their sexual desire from inside. If people have the same desires, then they argue with each other (to gain what they want). If people have equal powers, then they fight and kill each other.

If a ruler uses the law to mediate a settlement between arguers and fighters peacefully, people will live comfortably. However, since common people cannot rule over themselves and do farm works at the same time, they pay a tenth of their money for tax in return for supporting a ruler. Since a ruler receives much money from his people, it is undoubtedly essential for a ruler to repay the peoples’ kindness.

⁷⁰ Dojeon Jeong, “Joseon Gyeonggukjeon (朝鮮經國典) I.” In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0024A_0160_010_0010.

Former kings considered their laws as laws of nature; however, later generations abused the tax law because of their greed. The ruler who is in charge of controlling tax abuses with tax collectors and treasurers should certainly control their urges and keep following the laws of nature.⁷¹

What is the Social Contract of Jeong Dojeon?

According to journalist Jo Yusik, the relationship between a ruler and a ruler's people is based on "a social contract."⁷² Yusik argues that a ruler "repays peoples' kindness" in return for peoples' tax.⁷³ Since people tend to fight and kill each other if they both want to dominate limited amounts of their interest, such as "food and clothing," the Joseon royal court had to

⁷¹ Dojeon Jeong, "Joseon Gyeongjukjeon (朝鮮經國典) I." In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_070_0060.

⁷² Yusik Jo, *Defending for Jeong Dojeon*. 2nd ed. (Seoul, South Korea: Humanist Press, 1997), pp. 261.

⁷³ Dojeon Jeong, "Joseon Gyeongjukjeon (朝鮮經國典) I." In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_070_0060.

function as a mediator that settles conflicts between common people.⁷⁴ Also, since the common people cannot plow a field and lead a legislative body at the same time, members of a royal court instead function as a legislative body that makes laws “to mediate a settlement between arguers and fighters peacefully.”⁷⁵ In return, the common people pay only a tenth of their money, which is lower than what they used to pay to landlords during the Goryeo dynasty. Since the government of the Joseon dynasty uses peoples’ money, government officials must serve the people in return.

The idea of a ruler “repaying peoples’ kindness” is similar to John Locke’s social contract, which argues that common people entrusted their “form, life, and unity” to the royal court of England and the appointed members of Parliament, so Parliament could function as a legislative body that makes laws favorable to common peoples’ interests such as land possessions and taxes.⁷⁶ However, could common people participate in a royal court as politicians? Jeong Dojeon stated in *Joseon Gyeonggukjeon* that common people did have opportunities for their political participation.

Jeong Dojeon stated in *The State Code of the Joseon dynasty* that all of the people in the Joseon dynasty should have opportunities to study in academic institutions, and a king “could issue a special royal order to give any person a government job regardless of a person’s social

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 108.

status.”⁷⁷ Thus, Dojeon prioritized a person’s talents over a person’s social status and gender. He even offered a government job to a farmer and a court lady. As long as a person was talented, he or she was qualified to work in a royal court. Also, Jeong Dojeon issued liberation for servants “who falsely became servants and wanted to be a part of the middle class.”⁷⁸ So former servants could also be qualified to take civil service exams and work in a royal court since they were promoted to the middle class.

Jeong Dojeon’s Involvement in High Treason (1392~1398)

In order for Joseon’s royal court to continue giving political opportunities to citizens other than a member of influential families such as rich landlords, it was important for the Joseon court to install a crown prince as who had no connections to landlords. Thus, Jeong Dojeon and his people convinced King Taejo to install Lee Bangseok as crown prince in 1392. Unlike King Taejo’s other sons, such as Lee Bangwon whose father-in-law was a rich landlord, Lee Bangseok was not married to a member of an influential family. However, the Ming court issued a statement that supported Lee Bangwon as the next king of the Joseon dynasty. Jeong Dojeon objected to the Ming court’s statement and believed that the Ming court interfered in the

⁷⁷ Dojeon Jeong, “Joseon Gyeongukjeon (朝鮮經國典) I.” In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_060_0040.

⁷⁸ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kaa_10112027_002.

domestic affairs of the Joseon dynasty. So, Dojeon worked with King Taejo to mobilize the army to fight with the Ming court at the Liaodong peninsula. However, when King Taejo was bedridden, Lee Bangwon led a group of soldiers to assassinate Jeong Dojeon and pro-Jeong Dojeon government officials such as Nam Eun. Lee Bangwon accused Jeong Dojeon of high treason and beheaded him in 1398 (the 7th year of King Taejo's reign).

Conclusion

The first attempt to realize a social contract ended with Jeong Dojeon's demise in 1398. Lee Bangwon, the fifth son of King Taejo Lee Seonggye, rose to power as King Taejong, the third king of the Joseon dynasty in 1400. A group of rich landlords who supported King Taejong's assassination occupied essential posts in public offices. As time went by, these landlords became the privileged class of Confucian scholar gentry who owned lands and passed civil service exams since the new king did not honor a social contract and now the common people had fewer opportunities to work in public offices. Sons of concubines had more limited access to government jobs since Taejong's royal court made a law that forbids the sons of concubines from working in the government of Joseon dynasty. Poor people suffered more as the royal court no longer represented the common peoples' legislative body that "peacefully mediates a settlement between arguers and fighters" in return for peoples' taxes.⁷⁹ Instead, the

⁷⁹ Dojeon Jeong, "Joseon Gyeongukjeon (朝鮮經國典) I." In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), <http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&>

royal court of the Joseon dynasty represented an elite, selective group of Confucian scholars and rich landlords, an antithesis of a society based on Jeong Dojeon's vision.

However, Jeong Dojeon's dynastic revolution was not pointless even though an elite, selective group of Confucian scholars and rich landlords took over the Joseon dynasty. Jo Yusik, a journalist of the liberal monthly magazine "Mal" argued in 1997 that Jeong Dojeon was a revolutionary figure who tried to open "an era of a rule of philosophers with moral politics, which gentry serves as the main agent."⁸⁰ After Jeong Dojeon reformed a new dynasty, a group of practicing intellectual class or a gentry worked together in public offices to correct the wrongdoings of government, in this case, a royal court.

Yusik indicated that these gentries are governing their nation based on moral politics, which were built on the public welfare of common people. John Locke stated in the *Second Treatise* that if people are living peacefully without subjecting themselves to "the dominion and control of any other power," there would be no need to have judges and policemen to protect their possessions and lives.⁸¹ However, it is possible for people to "be exposed to the invasion of others" when there are "no strict observers of equality and justice." So, a group of the educated class would participate in a moral lawmaking system or a legislature of a royal court so they could follow a moral law to observe "equality and justice" for the common people who

cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_070_0060.

⁸⁰ Yusik Jo, *Defending for Jeong Dojeon*. 2nd ed. (Seoul, South Korea: Humanist Press, 1997), pp. 6-8.

⁸¹ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 65.

could not participate in politics.⁸² In the next chapter, another Joseon scholar Heo Gyun redefines the meaning of social contract from the common peoples' perspective.

⁸² Ibid., pp. 65-66.

Chapter 3

Heo Gyun: The Second Attempt to Realize an Asian Social Contract in the Joseon Dynasty

Heo Gyun. His pen names were Gyosan and Seongso. Gyun was born in Gangneung, Gangwon Province, the Korean peninsula in 1569 (the 2nd year of King Seonjo's reign). Heo Gyun's father Heo Yeop was a member of the Heo clan of Yangcheon, the privileged family of Confucian scholars, which originated from Heo Seonmun, a founding contributor of Goryeo dynasty. According to *Annals of Joseon Dynasty*, Heo Yeop learned Confucianism from a famous Confucian scholar Seo Gyeongdeok and entered upon a political career in the Joseon royal court in 1546 (the 1st year of King Myeongjong's reign).⁸³

The Political Life of Heo Yeop (1546~1580)

When King Myeongjong of Joseon was in power from 1545 to 1567, his youngest maternal uncle, Yun Wonhyeong, held the highest position in the Joseon royal court. In other words, Yun Wonhyeong was related to King Myeongjong on his mother's side. Yun Wonhyeong was a member of the Yun clan of Papyeong, a prestigious family of Confucian scholars that originated from Yun Sindal, a founding contributor of the Goryeo dynasty.

Even though Yun Wonhyeong was merely a government official of the Joseon court, he embodied the corrupt sovereign that Jeong Dojeon had fought to end. Wonhyeong received his

⁸³ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_11302001_001.

older sister, Queen Munjeong's support, which helped him use political authority to "keep King Myeongjong in check" and "accuse all of the well-reputed Confucian scholars of treason."⁸⁴ In 1563 (the 18th year of King Myeongjong's reign), Wonhyeong was promoted to position of Chief State Councilor, the equivalent to a prime minister of the Joseon dynasty and held the same position as a chancellor of the Goryeo dynasty and early Joseon dynasty. As a Chief State Councilor, Wonhyeong was able to "appoint and promote all of the government officials who took sides with him, receive bribes from royal court officials and common people, seize common peoples' valuable items in various parts of the country, occupy fertile lands nearby the seashore, order his servants to plunder farmers' houses and farmlands, and steal other person's wife and harm people, and request a king to allow Wonhyeong's concubine's sons."^{85 86 87}

Thus, what Yun Wonyeong did was similar to what the rich landlords from the influential families in the Goryeo dynasty did since both landlords of the Goryeo dynasty and Wonyeong ordered their people to steal farmers' houses and lands and accumulated their wealth with common peoples' valuable items. Also, what Wonhyeong did was contrary to the Joseon dynasty's founder Jeong Dojeon's policies. While Jeong Dojeon stated in the Joseon dynasty's state of code *Joseon*

⁸⁴ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_12011018_005.

⁸⁵ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_12008003_001#footnote_1.

⁸⁶ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_12008003_003.

⁸⁷ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_12011018_005.

Gyeonggukjeon that a king "could issue a special Royal order to give any person a government job regardless of a person's social status," Wonhyeong issued his order to give his supporters government jobs.⁸⁸ So, other government officials believed that Wonhyeong exceeded his authority as a Chief State Councilor. Even though Wonhyeong tried to change Joseon's law to give his concubine's sons government job opportunities, all other concubine's sons such as Heo Gyun's friends Seo Yanggap and Shim Wooyoung were denied such benefits. So, political opportunities were limited to *some* people or a selective group of people who supported influential vassals such as Yun Wonhyeong. It seemed as if the social contract of Jeong Dojeon no longer existed in the Joseon dynasty since common people were neither allowed to work for a royal court nor overthrow a tyrannical government by themselves.

Heo Gyun's father Heo Yeop was similar to what the old farmer from Naju called Jeong Dojeon during Dojeon's exile: "a man who liked to make his words go ahead, say reasonable words, and act against his superiors' wishes."⁸⁹ Yeop took sides with "well-reputed Confucian scholars."⁹⁰ Yeop was appointed as a Jeongeon (正言), a member of Three Offices or Samsa in 1548 (the 3rd year of King Myeongjong). As mentioned in Chapter 1, Three Offices or Samsa functioned as an organ of the press and raised opposition to the Joseon monarch's policies. So, Yeop had an

⁸⁸ Dojeon Jeong, "Joseon Gyeonggukjeon (朝鮮經國典) I." In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_060_0040.

⁸⁹ *Ibid.*

⁹⁰ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_12011018_005.

opportunity to speak out against King Myeongjong's policies if he wished. He spoke "reasonable words" in front of King Myeongjong in 1549 (the 4th year of King Myeongjong):

Confucian scholars have lost their brightness, and they have behaved poorly recently. It is just because they have no goals or habits they want to accomplish, and have no sense of honor. We now have the urgent necessity of disciplining and encouraging Confucian scholars. Also, the reason that Confucian scholars behaved poorly and lost their brightness is that they have not studied the Confucian Classics. Therefore, Confucian scholars have been doing evil works not because they have done them on purpose, but because they do not have the knowledge to understand the difference between good and evil. If we let all of the people, including Joseon court members and the common people, study the Confucian Classics, Confucian scholars will behave well.⁹¹

Yun Wonhyeong and most members of the Joseon royal court had studied the Confucian Classics since childhood since it was mandatory for civil service exam applicants to study the Confucian Classics in order to pass their exams. Also, they became members of the Joseon royal court because they passed civil service exams. So, what Heo Yeop said in 1549 meant that he made fun of Wonhyeong and Wonhyeong's supporters in the Joseon court for not knowing the very basics of government. Also, it is notable that Heo Yeop mentioned "letting all of the people including Joseon court members and common people study the Confucian Classics," since this

⁹¹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_10401021_001.

meant that he did not discriminate against people based on their social backgrounds.⁹² So, to Heo Yeop, any people could be Confucian scholars or people qualified for civil service exams if they were well-versed in the Confucian Classics.

Yun Wonhyeong's supporters disliked Heo Yeop and accused Yeop of giving a false report when Yeop was appointed as Jeongeon in 1548. Nevertheless, King Myeongjong entrusted Heo Yeop with the task of *Suchan* (修撰) in 1551 (the 6th year of King Myeongjong's reign).⁹³ Suchan was a Joseon court official whose duty was to distribute the king's royal orders to people. As a Suchan, Heo Yeop impeached Yun Wonhyeong's right-hand man Lee Gi on the charge of "occupying farmers' farmlands, taking common peoples' valuable items, receiving bribes, and appointing royal court officials."⁹⁴

King Myeongjong appointed Yeop as the local governor of Samcheok County, even though Three Offices impeached Yeop for "his aggressive words in front of a king" in 1563 (the 18th year of King Myeongjong's reign).⁹⁵ Members of Three Offices were Yun Wonhyeong's people since Wonhyeong recommended them. So, Heo Yeop was dismissed from office in 1563. Still, Yeop gained support from King Myeongjong and Yun Wonhyeong's political opponents in Joseon court, and he resumed his office in 1563. Meanwhile, Yun Wonhyeong passed away in 1565 (the 20th

⁹² Ibid.

⁹³ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_10604029_004.

⁹⁴ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_10610024_005.

⁹⁵ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_10604029_004.

year of King Myeongjong), and government officials who supported Wonhyeong were impeached and lost their positions in the same year. After King Myeongjong died in 1567, Myeongjong's relative, Seonjo ascended to a throne.

Unlike his predecessor King Myeongjong, King Seonjo did not trust Heo Yeop. Seonjo said in 1575 (the 8th year of King Seonjo's reign), "Heo Yeop does not know world affairs. How could he be a useful outstanding individual?"⁹⁶ Seonjo considered Yeop "someone who does not know world affairs," since Yeop had a history of being impeached for "his aggressive words in front of a king" in 1563.⁹⁷⁹⁸ Nevertheless, Heo Yeop was promoted to "a position of Daesagan (大司諫)" in the same year.⁹⁹ Daesagan was head of Saganwon, one of Three Offices responsible for criticizing the king's mistakes.

Also, in 1575, government officials of the Joseon court were divided into two different political parties: the Easterners and the Westerners. The Easterners were supporters of government official Kim Hyowon, and the Westerners were supporters of government official Shin Euigyeom. Shin Euigyeom impeached Hyowon for visiting influential vassal Yun Wonhyeong's house, because Euigyeom believed that Hyowon visited to Wonhyeong's house to ask for a job position

⁹⁶ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_10806001_011.

⁹⁷ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_10806001_011.

⁹⁸ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_10604029_004.

⁹⁹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_10806001_008.

in the Joseon court. Kim Hyowon impeached Euigyeom of being a maternal relative of King Seonjo just like Yun Wonhyeong was a maternal relative of King Myeongjong.

Since Heo Yeop supported Kim Hyowon, he joined the Easterners and became a party leader. Members of the Easterners recommended Yeop to be appointed as governor of Gyeongsang Province. So, Yeop was promoted to a position of "governor of Gyeongsang Province" in 1579 (the 12th year of King Seonjo's reign).¹⁰⁰ However, Heo Yeop fell ill after he "spent time with courtesans and took the wrong medicine."¹⁰¹ While Yeop was sick, he was impeached for "not being able to approve government bills, mediate lawsuits between Confucian scholars and common people, and let his subordinate officials substitute for his work."¹⁰² So, Yeop got a letter of dismissal. On his way back home to Gangneung, Gangwon Province, he "passed away" in 1580 (the 13th year of King Seonjo's reign).¹⁰³ More information on the political party Easterners is in the appendix: Formation and Dissolution of Heo Gyun's Political Party Greater Northerners (1575~1623) in pages 88.

¹⁰⁰ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_11205001_001.

¹⁰¹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_11302001_001.

¹⁰² National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_11205001_001.

¹⁰³ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_11302001_001.

The Early Life of Heo Gyun (1569~1593)

Heo Gyun was born in 1569, the youngest son of Heo Yeop. Heo Yeop had two wives: first wife Han of Cheongju and second wife Kim of Gangneung. Heo Gyun's eldest brother Heo Seong (1548~1612) and Heo Gyun's two unnamed older sisters were born to Heo Yeop and his first wife, Han. Heo Gyun's second eldest brother Heo Bong (1551~1588), Heo Gyun's older sister Heo Nanseolheon (1563~1589), and Heo Gyun (1569~1618) were born to Heo Yeop and his second wife, Kim.

As seen from Heo Yeop's "reasonable words" to King Myeongjong in 1549, Heo Gyun's father Heo Yeop believed that the Joseon royal court had to provide an equal educational opportunity for all of the people in the Korean peninsula. Yeop said, "If we let all of the people, including Joseon court members and the common people, study the Confucian Classics, Confucian scholars will behave well."¹⁰⁴ The Confucian Classics were ancient Chinese textbooks used to study for the civil service exam, the exam that allowed a Confucian scholar to be promoted to a government official.

Thus, recommending the Confucian Classics to Joseon court members and common people meant that common people could also be Confucian scholars, take the civil service exam and become government officials. Heo Yeop's understanding of government officials was similar to that of the Joseon dynasty founder, Jeong Dojeon. Jeong Dojeon also believed that all of the people in the Joseon dynasty should have opportunities to study in academic institutions, and the king

¹⁰⁴ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kma_10401021_001.

"could issue a special royal order to give any person a government job regardless of a person's social status." ¹⁰⁵

However, the class structure of Joseon Korea was a vertical social hierarchical caste system between the 16th and 17th centuries, with the *yangban* or "scholar-official" in the top tier, the *chungin*, the middle class in the second tier, the *sangmin*, common people, as the common people or third tier, and the *cheonmin* on the bottom. The *sangmin* and the *cheonmin* could not become the *yangban* even if they had talents and showed potential to be a "scholar-official," while sons of the *yangban*'s concubines were considered on a level with commoners since both sons of the *yangban*'s concubine and commoners could not take civil service exams and serve at posts in the Joseon royal court. Also, women were not allowed to be government officials in the Joseon court.

So, why did the Joseon royal court not allow women and common people to serve in a government post? Because Confucius stated in the "陽貨 - Yang Huo" section of *The Analects* that "By nature, men are nearly alike; by practice, they get to be wide apart. There are only the wise of the highest class, and the stupid of the lowest class, who cannot be changed... Of all people, girls and servants are the most difficult to behave to. If you are familiar with them, they lose their humility. If you maintain a reserve towards them, they are discontented." ¹⁰⁶ Even though

¹⁰⁵ Dojeon Jeong, "Joseon Gyeongukjeon (朝鮮經國典) I." In *Sambong Jip* (三峯集) Book 13, edited by Jeong Jin, 1st ed. (Seoul, Kingdom of Joseon, 1397), http://db.itkc.or.kr/dir/item?itemId=BT#dir/node?grpId=&itemId=BT&gubun=book&depth=5&cate1=Z&cate2=&dataGubun=%EC%B5%9C%EC%A2%85%EC%A0%95%EB%B3%B4&dataId=ITKC_BT_0024A_0160_060_0040.

¹⁰⁶ Confucius, ed. "《陽貨 - Yang Huo》" In *The Analects*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/shang-shu/xia-shu>.

Confucius believed that "simple men and simple women" were the "root of a country," helping a country to stand "firm and tranquil," Confucius made an exception for "women and servants" belittling them as people who "lose their humility when a man is familiar with them and are discontented when man maintains a reserve toward them."^{107 108}

It is evident that Confucius viewed "women and servants" as irrational and emotional beings that men cannot understand. Since the Joseon dynasty had Confucianism as a state religion, the Joseon court accepted Confucius's view on "women and servants" and believed that women should not serve in government posts with men. There were women who worked in the Joseon court offices as court ladies and queens, but there were no women who worked in the Joseon administrative offices as high-ranking officials such as Chief State Councilor. Nevertheless, Heo Yeop gave educational opportunities to both his sons and daughters. Writing about his childhood in his work *Seongsobu Bugo* (惺所覆瓿藁) in 1613 (the 5th year of King Gwanghae's reign) Heo Gyun said:

My father (Heo Yeop) was highly praised for his sentences, studies, and fidelity. My eldest brother (Heo Seong) learned Confucianism from my father, and his sentences were also concise and sincere. My second eldest brother (Heo Bong) had extensive studies, and his sentences were so in-depth that no one matched with him in writing sentences. My older

¹⁰⁷ Confucius, ed. “《夏書 - Xia Shu》: 《禹貢 - Tribute of Yu》.” In *Book of Documents*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/shang-shu/xia-shu>.

¹⁰⁸ Confucius, ed. “《陽貨 - Yang Huo》” In *The Analects*, 1st ed., (Zhou China, 5th Century BC), <https://ctext.org/shang-shu/xia-shu>.

sister (Heo Nanseolheon) wrote poems that were purer, praiseworthy, famous, and beautiful... I (Heo Gyun) did not derogate from my family's reputation since I left my name in a literature discussion group and was praised by Chinese people. ¹⁰⁹

As indicated in Heo Gyun's *Seongsobu Bugo* (惺所覆瓿藁), Heo Yeop, Heo Seong, Heo Bong, Heo Nanseolheon, and Heo Gyun were very gifted in literature. Heo Gyun and his older sister, Heo Nanseolheon, were extraordinarily talented in writing poetry. Since Heo Yeop allowed his sons and daughters to read literature from an early age, Heo Gyun, his older brothers, and his older sister were good at writing both prose and poetry since childhood.

Before Heo Gyun reached the age of nine in 1577 (the 10th year of King Seonjo's reign), Heo Bong introduced Heo Gyun and Heo Nanseolheon to his friend, Lee Dal. Lee Dal was the son of a concubine talented in writing poetry. As the son of a concubine, he was not allowed to take the civil service exam and serve in a government post. Lee Dal taught Heo Gyun and Heo Nanseoulheon how to write poetry until Heo Nanseolheon was married off to the son of a government official, Kim Seongnip, in 1577.

¹⁰⁹ Gyun Heo, “Seong Ongjisorok Ha (惺翁識小錄 下)” In *Seongsobu Bugo* (惺所覆瓿藁), Vol. 24. (Piljin Lee, 1613),

[http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0250_010_0010&solrQ=query%EC%84%B1%EC%98%B9%EC%A7%80%EC%86%8C%EB%A1%9D%C2%A0\\$solr_sortField%EC%80%A0\\$solr_sortOrder%EC%80%A0\\$solr_secId%EC%80%A0BT_AA\\$solr_toalCount%EC%80%A013\\$solr_curPos%EC%80%A03\\$solr_solrId%EC%80%A0GS_ITKC_BT_0292A_0250_010_0010](http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0250_010_0010&solrQ=query%EC%84%B1%EC%98%B9%EC%A7%80%EC%86%8C%EB%A1%9D%C2%A0$solr_sortField%EC%80%A0$solr_sortOrder%EC%80%A0$solr_secId%EC%80%A0BT_AA$solr_toalCount%EC%80%A013$solr_curPos%EC%80%A03$solr_solrId%EC%80%A0GS_ITKC_BT_0292A_0250_010_0010).

Heo Nanseolheon lived a miserable married life since her husband Kim Seongnip did not like her. Heo Gyun noted that "his older sister and Seongnip were not happy together."¹¹⁰ One son and one daughter were born to King Seongnip and Heo Nanseolheon, but both children died an early death. Also, Seongnip's mother did not recognize Nanseolheon as her daughter-in-law. While at her husband's home, Heo Nanseolheon wrote a poetry "Gungsa (宮詞)":

When the sun shines on the Cheonugak palace eaves, court ladies hold a broom and sweeps a stairway. At noon, the king's palace issues a Royal message and summons female Sangseo (女尙書).¹¹¹

Female Sangseo (女尙書) was a woman's government job, and its duty was to take care of royal court documents. This job was available in the Han dynasty and Cao Wei. Thus, Heo Nanseolheon dreamed of working in a royal court. While her other brothers, Heo Seong and Heo

¹¹⁰ Gyun Heo, "Haksanchodam (鶴山樵談)" In *Seongsobu Bugo* (惺所覆瓿藁), Vol. 26. (Piljin Lee, 1613),

http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0270_020_0010&solr_query=E2%80%A0ED%95%99EC%82%B0EC%B4%88EB%8B%B4&solr_sortField=E2%80%A0EA%B7%B8EB%A3%B9EC%A0%95EB%A0%AC_s%20%EC%9E%90EB%A3%8CID_s&solr_sortOrder=E2%80%A0&solr_secId=E2%80%A0BT_AA&solr_totalCount=E2%80%A010&solr_curPos=E2%80%A02&solr_solrId=E2%80%A0GS_ITKC_BT_0292A_0270_020_0010.

¹¹¹ Nanseolheon Heo, "Gungsa (宮詞)" In *Nanseolheon Jip* (蘭雪軒集), edited by Gyun Heo, 1st ed., (Seoul, Kingdom of Joseon: Heo Gyun, 1606,)

Bong, had passed the civil service exam and served in government posts, Nanseolheon was not qualified to take the civil service exam and serve in a post.

Meanwhile, Heo Gyun was married to his first wife, Kim of Andong, at the age of seventeen in 1585 (the 18th year of King Seonjo's reign). Gyun's first wife, Kim, was a distant relative of Shin Euigyeom, founder of the Joseon political party Westerners. Gyun studied Buddhism under the Korean Buddhist monk, Samyeongdang in 1586 (the 19th year of King Seonjo's reign), and he studied Confucianism under Ryu Seongryong, party leader of Southerners since 1580 (the 13th year of King Seonjo's reign).

Heo Gyun passed the civil service exam in 1589 (the 22nd year of King Seonjo's reign), but he suffered a series of misfortunes. His older brother Heo Bong passed away at the age of thirty-seven in 1588 (the 21st year of King Seonjo's reign). Also, his older sister Heo Nanseolheon passed away at the age of twenty-seven in 1589. When the Japanese Invasions of Korea (1592~1598) occurred in 1592 (the 25th year of King Seonjo's reign), Heo Gyun's first wife Kim of Andong passed away giving birth to their son who died shortly after his mother's death in 1592.

When Crown Prince Gwanghae led a royal branch court during a war against Japan, Heo Gyun raised an army to help Gwanghae in a branch court. Gyun also worked as a diplomat, welcoming Ming envoys who visited the Joseon royal court in 1594 (the 27th year of King Seonjo's reign).¹¹² During the war years, Heo Gyun was married to his second wife Kim of Seonsan, the daughter of Kim Hyowon, founder of Easterners. Gyun's second wife gave birth to one daughter, who would later become a royal concubine of King Gwanghae's crown prince. After the war ended

¹¹² National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_12704002_002.

in 1598 (the 31st year of King Seonjo's reign), Heo Gyun went into politics as a career in the Joseon royal court.

The Early Political Career of Heo Gyun (1594~1607)

Heo Gyun's family was related to the Joseon dynasty's political party Easterners. Heo Gyun's father Heo Yeop served as the party leader of the Easterners from 1575 to 1580. Heo Gyun's second wife, Kim's father-in-law Kim Hyowon was the founder of the Easterners in 1575. Nevertheless, Heo Gyun considered himself a political independent. While all other government officials only studied Confucianism, Heo Gyun liked to study a wide variety of subjects after having studied Buddhism with Buddhist monks. Also, Heo Gyun was on good terms with concubine's sons and courtesans. Courtesans were female entertainers who belonged to the social class of the *cheonmin* and were talented in dance, music, and poetry.

When Heo Gyun was appointed in 1599 (the 32nd year of King Seonjo's reign) as *Hwanghaedosa* (黃海都事), executive assistant of the Hwanghae Provincial governor, Heo Gyun consorted with courtesans in a public office. So, Saheonbu, one of Three Offices responsible for monitoring government officials' performance, impeached Heo Gyun for "dereliction while on duty."¹¹³ So, Heo Gyun was dismissed from office in the same year.

¹¹³ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13212019_002.

Heo Gyun returned to his government duties where he helped greet Ming envoys with other government officials in 1601 (the 34th year of King Seonjo's reign).¹¹⁴ Gyun was promoted to the position of *Byeongjo Jeongrang* (兵曹正郎), member of six ministries, responsible for personnel administration of Byeongjo (Ministry of Defense) in 1602 (the 35th year of King Seonjo's reign).¹¹⁵ However, Gyun was impeached for "being rude to his superior while on duty."¹¹⁶ However, King Seonjo did not dismiss Gyun and instead promoted him to the position of local governor of Samcheok County in 1607 (the 40th year of King Seonjo's reign). Still, Saheonbu impeached Gyun for "believing in heresy, wearing Buddhist monk's robe, and having a Buddhist service even though Gyun was a son of Confucian scholars."¹¹⁷ So Heo Gyun was dismissed from his office.

Heo Gyun joined a diplomatic mission to the Ming court in Beijing in 1608 (the 41st year of King Seonjo). Gyun received support from Ming government officials such as Ju Jibeon and Yang Yunyeon to publish his older sister Heo Nanseolheon's poetry work, *Nanseolheon Jip* in

¹¹⁴ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13411017_001.

¹¹⁵ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13502113_002.

¹¹⁶ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13505017_002.

¹¹⁷ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_14005006_005.

the Ming empire. Ju Jibeon and Yang Yunyeon praised Nanseolheon's work as "truly not common in the world of mortals." ¹¹⁸

After King Seonjo's son, the Crown Prince Gwanghae, rose to power as king, Heo Gyun was in charge of supervising the civil service exam in 1610 (the 2nd year of King Gwanghae's reign). However, Gyun was accused of helping his nephew, Heo Bo, and nephew-in-law, Park Hongdo, pass the civil service exam of the Korean royal court, so he was beaten with a cudgel and exiled to the town of Hamyeol in North Jeolla Province, the Korean peninsula. ¹¹⁹

Preparation for Heo Gyun's Social Contract (1613)

In 1613 (the 5th year of King Gwanghae's reign), three years passed after Korean scholar Heo Gyun was exiled to the town of Hamyeol. Heo Gyun published *Seongsobu bugo*, a collection of literary works he had written that introduced a political theory, "Homin ron (豪民論)." The following is an excerpt from his tract "Homin ron (豪民論)," translated to English from the original Korean:

¹¹⁸ Nanseolheon Heo, "Preface" In *Nanseolheon Jip* (蘭雪軒集), edited by Gyun Heo, 1st ed., (Seoul, Kingdom of Joseon: Heo Gyun, 1606,)

¹¹⁹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/koa_10212029_007.

In the whole world, people are the only ones to be feared.

Why on earth would the people in power always look down on and hurt people even more than floods, fires, tigers, and leopards can hurt them? In general, the people who are satisfied with what they have, are stuck to the matter at hand, and are called by their superiors to obey the law are Hangmins (恒民). Hangmins are not the ones to be feared. The people who are robbed of their wealth, have their flesh peeled and their bones broken, have given all of the family incomes and land crop yields away, have provided goods for an infinite number of demands, and have blamed their superiors for their demands while expressing grief and sorrow are Wonmins (怨民). Wonmins are also not the ones to be feared. The people who want to realize their wishes if the world is in trouble while concealing their whereabouts in a butcher shop, secretly having an ulterior motive, and leering at heaven and earth are Homins (豪民). Generally speaking, Homins are the ones to be greatly feared.

Homins peek at their nation's weak spot and wait for the moment to take advantage of the situation, and when Homins raise their voices for some time while swinging their arms at a bank around a field, those Wonmins hear Homins' voices, gather and raise their voices with Homins without plotting a revolt. Those Hangmins also have no other recourse but to beat wicked people to death while following Homins and Wonmins and holding hoes, rakes, and pikestaffs, so those Hangmins could find a way to live.

The Qin dynasty fell because of Chen Sheng and Wu Guang. The Han dynasty was in trouble because of the Yellow Turban Army. When the Tang dynasty declined,

Wang Xianzhi and Huang Chao seized an opportunity and rose against the Tang dynasty, and because of this, the people and the country fell into ruin. All this was a punishment for enriching themselves by harassing the people, and Homins were able to seize this opportunity and take advantage of the situation.

Generally speaking, the reason that our heavens crowned a king was to look after a king's subjects, not to let one person rudely glare in his eyes, and let him satisfy his desire as if he fills a bottomless vessel. Therefore, the misfortune and commotion since the Qin and Han dynasties were natural consequences, not bad luck.

Our present-day country is not the same as those dynasties. Because we have narrow and rugged land, we have a smaller number of people. Again, because our people are weak and a bit nice, there are no principled and gallant men in our country. That being said, a great man or a man with brilliant talents could not come out and be used for our society every day, but, fortunately, there have been no Homins or violent-tempered soldiers who lead a riot, take the head, and stir up trouble in the country.

Even so, this current age is not the same as the age of the Goryeo dynasty. Levying a tax on the people was restricted during the Goryeo dynasty, the profits from forest, river, and pond were shared with the people. Merchants were allowed free passage to forests, rivers, and ponds, and artisans also benefited from commercial profits. Moreover, the Goryeo royal court allowed the people to count and spend their incomes, which helped them accrue extra savings. So, the Goryeo government did not increase their tax on the people even when the country of Goryeo was devastated by a big fire in a battle and heavy losses. Even at the last stage of the Goryeo dynasty, the royal court was concerned about their subjects who were living in poverty.

Our dynasty has not been the same as the Goryeo dynasty since our royal court has been adopting Chinese lifestyles by serving spirits of the dead and respecting the elders as they have been collecting taxes from poor people. If a tax that our people pay is 5 pennies (分), a government office would only benefit from one penny (分), and common people would scatter the rest of the pennies. Also, a town government office does not have savings that they levy taxes on the people once or twice a year, and town mayors would exploit the wealth of the people under the guise of taxation. Also, town mayors' taxation always ran out at its height.

That being said, our peoples' grief and sorrow are worse than those of the end of the Goryeo dynasty. However, politicians are not afraid of their people as if nothing will ever worry them. This is because there are no Homins in our country. If people like Gyeon Hwon or Gung Ye would unfortunately step out and wield a club, how could we guarantee that our troubled and reproachful people would not go and join them? We could stand on tiptoes to wait for the Rebellion of Huang Chao. If a person who governs other people is very clear about their fearful situation and learns from their precedent, they would somehow be able to maintain (peace). ¹²⁰

As demonstrated in this excerpt, Heo Gyun establishes the premise that "people are the only ones to be feared" and divides the people of a nation into three different groups: Homins,

¹²⁰ Gyun Heo, "Homin ron (豪民論)" In *Seongsobu Bugo* (惺所覆瓿藁), Vol. 11. (Piljin Lee, 1613),

http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0080

Wonmins, and Hangmins. ¹²¹ Hangmins are ignorant and lowly and have no idea of asserting their rights or profits. Wonmins are the people who suffer material loss at the hands of politicians and have a grudge, but they cannot act without being told to by someone else. Homins are the people who make a bold decision to resist the abusive ruler who mistreats them in their workplace and plunders their private property and expose the inequities of their society. Under the Homins' leadership, the Wonmins and Hangmins join the Homins' force to fight against the injustice of their society. In other words, from Heo Gyun's point of view, the monarch, or "a person who governs other people," exists solely for the people but does not reign over the people. ¹²²

So, why did Heo Gyun compose his tract? Korean historian, Heo Gyeongjin, argues that Heo Gyun came up with "Homin ron" because he wanted to "warn the Korean (Joseon) royal court that king's subjects could rebel against their government." ¹²³ Heo Gyun also warned that *some* people, for example the king's royal court members Gyeon Hwon and Gung Ye could "take advantage of the situation" and overthrow a king's government. ¹²⁴ Heo Gyun compared his Joseon dynasty with its predecessor, the Goryeo dynasty. He argued how government officials had collected more taxes than needed and had extorted wealth from Hangmins and Wonmins.

¹²¹ Ibid.

¹²² Ibid.

¹²³ Gyeongjin Heo, *A Critical Biography of Heo Gyun* 10th ed. (Paju, Gyeonggi Province, South Korea: Dolbegae, 2018), pp. 307-308.

¹²⁴ Gyun Heo, "Homin ron (豪民論)" In *Seongsobu Bugo* (惺所覆瓿藁), Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0080.

Hangmins are people who "are satisfied with what they have, are always stuck to the matter at hand, and are called by their superiors to obey the law," and Wonmins are people who "have given all of the family incomes and land crop yields away, have provided goods for an infinite number of demands, and have blamed their superiors for their demands." ¹²⁵ However, he says that it is unfortunate that there are no Homins who could take on roles as "violent-tempered soldiers who lead a riot, take the head, and stir up trouble in the country." ¹²⁶

Also, Heo Gyun identified Hong Gildong from his story, *The Story of Hong Gildong*, as an example of Homin. In the story, Hong Gildong laments the unfair practice of barring the sons of lowly concubines, including Gildong himself, from serving their nation as members of the Korean royal court. His response to the injustice was to lead a group of bandits known as Hwalbindang (comprised of Hangmins and Wonmins) to "seize wealth that was ill-gotten, help the impoverished and the oppressed by giving them goods, hide their identities, and go after the powerful who obtained their riches by squeezing the common people and take away their unjustly gained possessions." ¹²⁷ Later, Hong Gildong founded a utopian nation, Annam, where peoples' talents were prioritized over their social status.

Just as Joseon's founder, Jeong Dojeon, offered political opportunities to people with talents, Heo Gyun took the idea a step further in his tract "Yujae ron (遺才論)" with the concept

¹²⁵ Gyun Heo, "Homin ron (豪民論)" In *Seongsobu Bugo (惺所覆瓿藁)*, Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0080

¹²⁶ Ibid.

¹²⁷ Gyun Heo, "The Story of Hong Gildong," In *The Story of Hong Gildong (Penguin Classics)*, translated by Minsoo Kang, New York, NY: Penguin Classics, 2016), Pp. 31.

of “peoples’ talents getting priority over their social status.” “Yujae ron (遺才論)” was a theory that was introduced in his work *Seongsobu Bugo* in 1613. The following excerpt from “Yujae ron (遺才論)” is translated from Korean to English :

Those who govern the country and those who perform the duties that heaven has entrusted them with must be a talented person. Heaven allows the birth of a talented person, so he would be used essentially for the use of an age (or for being appointed to an important position in the royal court).

Therefore, a noble birth does not automatically engender a talented person; nor does being born of a lowly family cause a miserly character. ¹²⁸

As mentioned earlier, *The Story of Hong Gildong* illustrates the inherent inequality in a vertical social hierarchical system, wherein the main character, Hong Gildong, is the son of a high minister's concubine and suffers mistreatment at the hands of Korean society. Unlike Jeong Dojeon, who was not only a descendant of a concubine but also a chancellor in the early Joseon dynasty from 1392 to 1398, Hong Gildong was not allowed to serve a post in the Joseon royal court. Therefore, political opportunities were limited to the *yangban* or “scholar-officials.” ¹²⁹

¹²⁸ Gyun Heo, “Yujae ron (遺才論)” In *Seongsobu Bugo* (惺所覆瓿藁). Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0050.

¹²⁹ Ihwa Lee, *Ideas of Heo Gyun* (Paju, Gyeonggi Province, South Korea: Gyoyu Books, 1991), pp. 17-18.

After Heo Gyun met different sons of concubines such as his poetry teacher Lee Dal and his friend Seo Yanggap, Heo Gyun was able to use *The Story of Hong Gildong* to show how much he sympathized with sons of a concubine in reality.

Heo Gyun argued that since talented people could be born of a noble or a lowly family, whether a person had high social status as a noble person or low social status as an impoverished person did not matter to him. This argument was why Heo Gyun portrays his fictional main character, Hong Gildong, as a talented person who became the ruler of Annam regardless of his lowly status as the illegitimate son of a yangban high minister's concubine, so he could support his claim that a lowly social class could make their fortune too.

Heo Gyun's positive portrayal of the sons of yangban's concubines in his story of Hong Gildong had a galvanizing impact on members of this population. A group of illegitimate sons caused a disturbance against the Joseon royal court in 1613. Heo Gyun's disciple, Yi Sik (1584 ~ 1647), stated in his work *Taekdangjapjeo* (澤堂雜著):

Heo Gyun, Park Yeop, and etc. liked to read the book *Water Margin*, so they nicknamed each other after the names of the outlaws from *Water Margin* and teased each other. Gyun also wrote *The Story of Hong Gildong* in imitation of *Water Margin*. His group members Seo Yanggap, Shim Wooyoung, and etc. took actions of the outlaws by themselves, and one town was ruined. Gyun also died as a rebel.¹³⁰

¹³⁰ Gyeongjin Heo, *A Critical Biography of Heo Gyun* 10th ed. (Paju, Gyeonggi Province, South Korea: Dolbegae, 2018), pp. 297.

Seo Yanggap and Shim Wooyoung were sons of yangban concubines and close friends of Heo Gyun. They accompanied a group of other sons of yangban concubines and "filed an appeal to the Joseon royal court in 1608 to allow them to have a job in a government," just like the way Heo Gyun's fictional character Hong Gildong demanded the Joseon Korean court appoint him to a government post.¹³¹ The Joseon court rejected their appeal. However, the event sealed their fate and demonstrated the monarchy's determination to retain absolute power, setting the stage for the dire need for and receptivity of Heo Gyun's social contract theory.

What is the Social Contract of Heo Gyun?

According to "Yujae ron (遺才論)," Heo Gyun asserted that the relationship between a ruler and a ruler's people is based on a social contract of "talents."¹³² Since both ruler and the ruler's people are qualified to have talents regardless of their social backgrounds, a ruler has to respect his people as a group of negotiators who could share power with kings. For example, there is a selective group of people like Gyeon Hwon and Gung Ye, who could be recognized as Homins, those who fight against a tyrannical king with all other people. Regardless of whether they were from upper, middle, or lower class origins, they were given the opportunity to join the Homins and

¹³¹ Ihwa Lee, *Ideas of Heo Gyun* (Paju, Gyeonggi Province, South Korea: Gyoyu Books, 2014), pp. 22.

¹³² Gyun Heo, "Yujae ron (遺才論)" In *Seongsobu Bugo (惺所覆瓿藁)*. Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0050.

become Hangmins and Wonmins who "gather and raise their voices with Homins without plotting a revolt." ¹³³

This statement means that Heo Gyun believed a peaceful revolution was possible as long as all people gathered at the royal court as public demonstrators. An example of this type of revolution happened in England in 1688 during the Glorious Revolution when members of the English Parliament replaced King Charles II's successor James II with James II's daughter, Mary II and son-in-law William III, Parliament members did not use physical weapons to kill King James II. However, they used public opinion to demonstrate against the leadership of King James II. However, Heo Gyun stated that not all people led a peaceful revolution. He argued that some Homins used weapons to overthrow a royal court. When Wang Xianzhi and Huang Chao "seized an opportunity and rose against the Tang dynasty," Heo Gyun indicates that both the people and the country "fell into ruin." ¹³⁴

In "Homin ron (豪民論)," Gyun states that a ruler's duty is "to look after his subjects." ¹³⁵ If a ruler fails to take care of his people and instead exploits the wealth of the common people by stealing "family incomes and land crop yields" and "levying a tax on the people," Homins have the political freedom to rise against a royal court with Wonmins and Hangmins. ¹³⁶ Moreover,

¹³³ Gyun Heo, "Homin ron (豪民論)" In *Seongsobu Bugo (惺所覆瓿藁)*, Vol. 11. (Piljin Lee, 1613), http://db.itkc.or.kr/dir/item?itemId=BT#/dir/node?dataId=ITKC_BT_0292A_0120_010_0080

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Ibid.

Gyun notes that the Homins' action against a corrupt ruler is "a punishment for enriching themselves by harassing the people."¹³⁷ This means that the common people could function as members of judiciary branch, which punish an offender with public will. This is similar to what John Locke said in the Second Treatise, "I easily grant, that *civil government* is the proper remedy for the inconveniencies of the state of nature, which must certainly be great, where men may be judges in their own case."¹³⁸ So, a group of Homins, Hangmins, and Wonmins have become judges in their court case against a royal court as they proceed to punish selfish rulers.

Heo Gyun's Involvement in High Treason (1613~1618)

One day in 1613, some concubines' sons, including Seo Yanggap, a friend of Heo Gyun, killed a silverware seller and stole valuables. The Joseon royal court's political party, the Greater Northerners, took advantage of the situation by accusing these men of plotting a rebellion against King Gwanghae and trying to enthrone Grand Prince Yeongchang. So, Heo Gyun's friends Seo Yanggap and others were branded rebels and publicly executed.

Heo Gyun was afraid that he would also be branded a rebel, so to protect himself, he befriended the Greater Northerners' party leader, Lee Icheom, and tried to win the favor of the Great Northerners by supporting the deposal of former prince Yeongchang's mother, Queen Inmok. Many of the court vassals such as Chief State Councilor Gi Jaheon were either

¹³⁷ Ibid.

¹³⁸ John Locke, *The Second Treatise of Government; Edited with an Introduction by C.B. Macpherson*. (Indianapolis, IN: Hackett Publishing Co., 1980), pp. 12.

imprisoned or exiled for opposing the deposal of Queen Inmok. Heo Gyun's disciple, Gi Jungyeok, bore a grudge against Heo Gyun for not trying to save his father, Gi Jaheon, from being exiled, so in 1617, he revealed to the royal court that "Heo Gyun was a close friend of rebels Seo Yanggap and Shim Wooyoung and that Heo Gyun felt anxious when he heard that sons of concubines were arrested as rebels and relieved when they were executed." ¹³⁹

Heo Gyun decided to act before he could be arrested as a rebel. It was 1617, when Nurhaci's Later Jin army invaded the Liaodong peninsula, killed Ming generals and soldiers, and captured people and cattle. The Ming emperor mobilized the Chinese military and requested military assistance from the Joseon dynasty. ¹⁴⁰ King Gwanghae drafted twenty-thousand soldiers to support the Ming military at Liaodong. Heo Gyun secretly told his comrades to shout out the following sentences at the peak of Mount Namsan, which was just nearby Korean Joseon court and Hanyang or present-day Seoul:

Jurchen people have already crossed the Yalu River.

People of the Ryukyu Islands have come to Baengnyeong Island and are hiding to seek vengeance.

People of Hanyang can save their lives if they evacuate. ¹⁴¹

¹³⁹ Gyeongjin Heo, *A Critical Biography of Heo Gyun* 10th ed. (Paju, Gyeonggi Province, South Korea: Dolbegae, 2018), pp. 350-351.

¹⁴⁰ *Ibid.*, pp. 356-357.

¹⁴¹ *Ibid.*, pp. 357.

Heo Gyun's comrades were servants and commoners who became Buddhist monks to avoid mistreatment by the royal court. King Gwanghae was increasing taxes on his subjects to rebuild Korean palaces that were burned down during the Japanese invasions of Korea in the 1590s, and increasing numbers of Korean people joined Heo Gyun's rebellion against King Gwanghae's absolute regime. Since Buddhist monks in the Joseon dynasty did not have to pay taxes to the royal court, many Korean people became monks so they could avoid paying taxes. So, based on Heo Gyun's theory, "Homin ron," Heo Gyun was a Homin who led mistreated people, Wonmins and Hangmins, in a unified resistance to King Gwanghae's absolute monarchy.

Koreans who lived in Hanyang tried to run away from their houses, and the Korean royal court was bewildered as King Gwanghae announced on July 30th, 1618, that Heo Gyun's comrades had given them false information. Meanwhile, Heo Gyun tried to arrange his daughter's marriage with King Gwanghae's eldest son, the crown prince, so that he could be the father-in-law of the Korean crown prince. So, why did Heo arrange a marriage with King Gwanghae's son while plotting a rebellion against King Gwanghae? Historian Heo Gyeongjin argues that Heo Gyun wanted to "divert the royal court's attention" to a marriage issue while he was plotting a rebellion.¹⁴² However, Heo's plan failed because his right-hand man, Ha Injun, put up a manifesto on the front of the South Gate of Seoul and got arrested on September 28th, 1618. Ha Injun's manifesto was as follows:

A great general of the Hanam region has felt pity for the people of Korea and will soon be on his way to attack a criminal Gwanghae.¹⁴³

¹⁴² Ibid., pp. 358.

¹⁴³ Ibid., pp. 361.

Ha Injun did not confess who told him to post a manifesto, but because of Gi Jungyeok's confession, the Korean royal court was convinced that Heo Gyun was the one behind Ha Injun's action. The royal court canceled Heo Gyun's daughter's marriage with the crown prince and sent officers to arrest Heo Gyun. Before his arrest, Heo Gyun sent his manuscript *Seongsobu bugo* to his grandson Lee Piljin. Later, Heo Gyun was arrested and broken on the wheel. Just before his execution, he told his royal court, "I have something to say," but the ruling party, the Greater Northerners, silenced him.¹⁴⁴

Since Heo Gyun died a rebel, the royal court attempted to destroy his body of work. Fortunately, Heo Gyun's grandson kept the *Seongsobu bugo* in his possession, and *The Story of Hong Gildong* was handed down among people, which helped Heo Gyun's works be republished in the twenty-first century.

Conclusion

The second attempt to realize a social contract ended with Heo Gyun's demise in 1618. The Joseon royal court labeled Gyun as "a traitor" until the Joseon dynasty declined in 1910. Even though the royal court had collapsed, Korean people still remembered Heo Gyun as a traitor until Korean historians such as Lee Ihwa and Heo Gyeongjin reevaluated Heo Gyun as a revolutionary

¹⁴⁴ National Institute of Korean History, *Annals of Joseon Dynasty* (Seoul: National Institute of Korean History, 2009), <http://sillok.history.go.kr/main/main.do>.

figure. Lee Ihwa stated in 1991 that "Heo Gyun protested against established authority and spent his life in reformation and resistance."¹⁴⁵ Heo Gyeongjin stated in 2002 that "Since Heo Gyun was at the wrong place at the wrong time, he was an Imoogi that could not become a dragon and rise in the air."¹⁴⁶ An Imoogi is a monster serpent, which can turn into a dragon and "rise in the air."

¹⁴⁷

It seems right that Heo Gyun was indeed a talented person who simply was "at the wrong place at the wrong time."¹⁴⁸ If Heo Gyun had believed in Buddhism and supported low-class people such as courtesans and concubine's sons in the twenty-first century, he would not have been dismissed from a government office so many times as he was from the Joseon royal court. If Heo Nanseolheon had been born in the twenty-first century, she would have been allowed to serve in a government post since people no longer discriminate against other people based on gender. So, Heo Gyun proposed a social contract to let the common people have a political opportunity to allow them to show their talents.

¹⁴⁵ Ihwa Lee, *Ideas of Heo Gyun*. (Paju, Gyeonggi Province, South Korea: Gyoyu Books, 1991), pp. 9.

¹⁴⁶ Gyeongjin Heo, *A Critical Biography of Heo Gyun* 10th ed. (Paju, Gyeonggi Province, South Korea: Dolbegae, 2018), pp. 297.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

Conclusion

Based on thorough evaluations of John Locke's England (1632~1704), Jeong Dojeon's Korea (1342~1398), and Heo Gyun's Korea (1569~1618), it can be concluded that both England and Korea shared political similarities regarding a relationship between a ruler and a ruler's subjects. Both kingdoms had a group of elite government officials who represented a ruler's subjects and negotiated with a ruler. If a ruler turned out to be a tyrant that took away peoples' interests such as land and money to satisfy their desire, both England and Korea had a particular group of ruler's subjects to punish a tyrant.

In John Locke's England, a social contract between a ruler and a ruler's subjects originates with barons who wanted to check the power of King John. King John abused his power by trying to punish them with fines, seizure of their barony, and imprisonment. So, the barons gathered up knights who had been mistreated during military campaigns against France and held a meeting with King John. King John agreed to negotiate with the barons and knights and signed the Magna Carta, which allowed everyone else other than the king to protect land properties from a king and spare their lives from harsh punishments such as imprisonment and exile.

The tradition of the Magna Carta continued in the seventeenth century. A group of elite appointed Parliament members fought against the absolute authority of King Charles I, King Charles II, Cromwell Commonwealth, and King James II. Thus, even though a limited number of English citizens had the opportunity to participate in Parliament, members of Parliament succeeded in sharing and checking the power of English kings. As a result, English people were able to protect rights to liberty, equality, and independence under the legal protection of John Locke's social contract.

In Jeong Dojeon's Korea, a social contract between a ruler and a ruler's subjects originated from elite Confucian scholars who wanted to replace a former Korean dynasty Goryeo with a new dynasty Joseon. Based on Mencius' right of revolution, Dojeon believed that a benevolent government does not oppress people with overbearing punishments, fines, taxes, and levies. However, Goryeo's royal court failed to be a benevolent government since it failed to protect the common people from government officials' land taxes and exploitations. A group of influential landlords took sides with Goryeo kings to exploit lands and take taxes. Thus, Dojeon stepped up with fellow Confucian scholars to check the power of influential landlords and authoritarian king, and he introduced a new dynasty whereby a ruler and a ruler's subjects had a social contract based on taxes. Since a ruler's subjects paid taxes to a ruler, a ruler had to work with a group of scholar-officials to build a legislative body and to make laws favorable to peoples' interests. Dojeon tried to offer opportunities to common people, so commoners could take civil service exams and work in the royal court of Joseon, but his social contract was left incomplete as Dojeon was assassinated by King Taejo's fifth son Lee Bangwon.

In Heo Gyun's Korea, a social contract between a ruler and a ruler's subjects originated from an elite Confucian scholar who wanted to allow more common people to have political opportunities to work in the royal court. Heo Gyun agreed with Jeong Dojeon that a ruler and a ruler's subjects' social contract was based on taxes, as he argued in "Homin ron" that a king cannot levy so much tax to serve his own greed. Moreover, Gyun emphasized that common people had talents by virtue of their own nature and not due to birth into a certain social class, and therefore were inherently equal to the king. Thus, he saw those common people, consisting of Hangmins, Wonmins, and Homins, could overthrow a royal court either peacefully or violently. Also, These three groups, Hangmins, Wonmins, and Homins, could punish a tyrannical ruler if he selfishly

exploited the people. Even though Heo Gyun also died before seeing his social conflict realized, his idea to give more political freedom helped lower born people in Joseon know their freedom and what they should fight for.

A social contract between a ruler and a ruler's subjects existed in both the English and Joseon kingdoms. The idea that both kingdoms could have all people such as servants, farmers, and kings all know their political freedom disproves Hegel's argument that *one* person knows freedom in Asia, and *all* people know freedom in Europe. This also shows that there is a broader human context in Asia and Europe and that the desire and drive for political freedom is inherent in human beings, regardless of what hemisphere they are from.

Appendix

Formation and Dissolution of Heo Gyun's Political Party Greater Northerners (1575~1623)

In order to understand Heo Gyun's life, it is important to understand how Heo Gyun's political party, the Greater Northerners started after Heo Gyun's father Heo Yeop's death. As seen from Chapter 3's section **The Political Life of Heo Yeop (1546~1580)**, Confucian scholars in the Joseon royal court first split into the Easterners and the Westerners in 1575. The following appendix explores the Easterners' split into the Northerners and the Southerners in 1591, the Northerners' split into the Greater Northerners and the Lesser Northerners in 1599, and how the Greater Northerners became the ruling party of the Joseon dynasty in 1608 and was dissolved in 1623.

Nine years after Heo Yeop's death, Jeong Yeorip, a member of the Easterners, was accused of treason in 1589 (the 22nd year of King Seonjo's reign). Yeorip committed suicide before the royal forces arrested him, but many Easterners who were close to Jeong Yeorip were involved in Yeorip's treason and lost their lives. Jeong Cheol, a party leader of the Westerners, was in charge of interrogating Easterners involved in Jeong Yeorip's treason, and the Easterners who were not involved in Yeorip's treason argued that "Jeong Cheol disciplined royal court members as he pleased" and asked King Seonjo for a dismissal of Jeong Cheol in 1591 (the 24th year of King Seonjo's reign).¹⁴⁹

When King Seonjo dismissed Jeong Cheol in 1591, the Easterners split into two different political parties: the Northerners, a group of government officials who took a firm stand on the

¹⁴⁹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_12403114_001.

punishment of Jeong Cheol; and the Southerners, a group of government officials who did not take a firm stand on the punishment of Jeong Cheol. When the Japanese army invaded the Korean peninsula during the Japanese Invasions of Korea (1592-1598), many of the Westerners and the Northerners raised armies in the cause of justice and lost their lives in a war. By the end of the war, the Northerners had more survivors than the Westerners. One notable Northerner who fought against the Japanese army and survived at the end of the war was the Confucian scholar, Jeong Inhong. Jeong Inhong learned Confucianism from Jo Sik, and the followers of Jo Sik gathered around Inhong.

Since the Southerners' party leader, Ryu Seongryong, was the Chief State Councilor or the prime minister of Joseon dynasty during the Japanese Invasions of Korea, the Southerners gathered around Ryu Seongryong and became the ruling party of King Seonjo's royal court in 1598 (the 31st year of King Seonjo's reign). In the same year, the Ming dynasty's envoy Jeong Eungtae falsely reported to Ming emperor Wanli that "after the Joseon royal court joins with the Japanese army, the Joseon court will invade the Ming dynasty's territories."¹⁵⁰ King Seonjo asked Ryu Seongryong to go to the Ming imperial court and "clear up a misunderstanding with Jeong Eungtae," but Seongryong refused to go to Ming court.¹⁵¹ Northerner Moon Hongdo impeached Ryu Seongryong for "not taking a firm stand on the punishment of Jeong Cheol and refusing a king's request," and King Seonjo dismissed Seongryong from office.¹⁵²

¹⁵⁰ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_13109001_001.

¹⁵¹ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_13109001_003.

¹⁵² National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of

After the dismissal of the Southerners' party leader, the Northerners became the ruling party of King Seonjo's royal court in 1598. Northerner Hong Yeosun was appointed Daesaheon (大司憲) in 1599 (the 32nd year of King Seonjo's reign).¹⁵³ Daesaheon was head of Saheonbu, one of the Three Offices responsible for monitoring government officials' performance. However, Northerner Nam Yigong argued that Hong Yeosun was not qualified to be a Daesaheon since Yeosun was an "insidious, extremely jealous, stubborn, and greedy person."¹⁵⁴ The Northerners split into two different political parties: the Greater Northerners, a group of government officials who supported Hong Yeosun, and the Lesser Northerners, a group of government officials who supported Nam Yigong. The Greater Northerners selected war hero Jeong Inhong and Jeong Inhong's follower Lee Icheom as heads of their political party, while the Lesser Northerners had Nam Yigong as head of their political party.

Moreover, the Greater Northerners and the Lesser Northerners disagreed on the installation of the crown prince in 1608 (the 41st year of King Seonjo's reign). King Seonjo installed Queen Uiin as his first queen in 1569 (the 2nd year of King Seonjo's reign); however, Queen Uiin was unable to give birth to a child and passed away in 1600 (the 33rd year of King Seonjo's reign). Fortunately, King Seonjo's royal concubine Gongbin Kim gave birth to two babies: Gongbin Kim's first son Prince Imhae (1574~1609) and Gongbin Kim's second son Prince Gwanghae (1575~1641). King Seonjo's other royal concubine Inbin Kim gave birth to one son Prince

Korean History, 2009), http://sillok.history.go.kr/id/knb_13111001_001.

¹⁵³ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13203018_003.

¹⁵⁴ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13206013_001.

Jeongwon (1580~1619). Seonjo crowned Prince Gwanghae as crown prince in 1592 (the 25th year of King Seonjo's reign) since Seonjo believed that "Prince Gwanghae was intelligent and had a bent for study."¹⁵⁵

When Japan invaded the Joseon kingdom in 1592, King Seonjo heard that the Japanese army was on its way to Hanyang, the Joseon dynasty's capital city and present-day Seoul. Seonjo decided to flee from his palace in Hanyang on June 9th, appointed his second illegitimate son and Joseon dynasty's crown prince, Gwanghae, to lead a royal branch court as the de facto ruler of the Joseon dynasty, and moved to Kaesong on June 10th, to Pyongyang on June 16th, and to the border of Ming China on July 21st, so he could ask Ming China if "he and his royal court officials could take shelter on the Liaodong peninsula."¹⁵⁶ Seeing how their king fled to the border of Ming to seek refuge, the common people were so infuriated that they burned down Korean palaces in Hanyang, tried to stop King Seonjo from evacuating to Ming China, and demanded King Seonjo's abdication of the throne.

King Seonjo was able to retain his authority. Unlike England's case in which the English general Oliver Cromwell had the power to demand King Charles I be tried for high treason, there were no Korean generals who had the authority to demand King Seonjo be put on trial for failing to take care of his subjects. There were notable Korean generals such as Gwon Yul (1537~1599) and Yi Sunsin (1545~1598) who were allied with the Ming Chinese military to defeat Japanese

¹⁵⁵ National Institute of Korean History, *Annals of Joseon Dynasty*. (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_12504028_004.

¹⁵⁶ National Institute of Korean History, *Annals of Joseon Dynasty* (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_12506013_007.

invading forces, but these Korean generals “died either in battle or of illness.”^{157 158} Thus, after the Japanese invasions of Korea ended in 1598 (the 31st year of King Seonjo’s reign), irresponsible King Seonjo exercised power over his subjects without being beheaded like Charles I or dethroned like James II.

However, King Seonjo’s authority was diminished as Crown Prince Gwanghae received more public support than Seonjo. Since Crown Prince Gwanghae successfully led a royal branch court as the de facto ruler of the Joseon dynasty while King Seonjo stayed at the border of Ming, Ming generals, who were sent to Joseon to help fight Japan, recognized Crown Prince Gwanghae as “a talented person who had a fine, heroic appearance and a master spirit.”¹⁵⁹ So, in order to check the power of Gwanghae, King Seonjo first installed Queen Inmok as his second queen in 1602 (the 35th year of King Seonjo’s reign).¹⁶⁰ Queen Inmok gave birth to a boy, and King Seonjo named Queen Inmok’s son Grand Prince Yeongchang. Grand Prince meant a king’s legitimate son. Thus, unlike the Crown Prince Gwanghae, who was King Seonjo’s illegitimate son, Grand Prince Yeongchang was King Seonjo’s legitimate son. The Greater Northerners supported Crown Prince Gwanghae as King Seonjo’s successor, while the Lesser Northerners supported Grand Prince Yeongchang as King Seonjo’s successor.

¹⁵⁷ National Institute of Korean History, *Annals of Joseon Dynasty* (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_13111001_002.

¹⁵⁸ National Institute of Korean History, *Annals of Joseon Dynasty* (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_13204108_003.

¹⁵⁹ National Institute of Korean History, *Annals of Joseon Dynasty* (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/kna_12506013_007.

¹⁶⁰ National Institute of Korean History, *Annals of Joseon Dynasty* (Seoul: National Institute of Korean History, 2009), http://sillok.history.go.kr/id/knb_13502124_004.

When King Seonjo passed away in 1608, Seonjo's second illegitimate son and the crown prince Gwanghae ascended the throne of the Joseon kingdom. King Gwanghae kept his eye on those who could threaten his throne. So, the Lesser Northerners who took a firm stand on their support of Grand Prince Yeongchang as King Seonjo's successor were accused of high treason and lost their government positions. The Lesser Northerners, who renounced their support of Yeongchang, remained in their government positions.

King Gwanghae also sentenced his illegitimate elder brother Prince Imhae and his legitimate younger brother Grand Prince Yeongchang to exile and deprived Yeongchang's mother Queen Inmok of her title. Imhae and Yeongchang both died a mysterious death shortly after their exile. The Greater Northerners supported King Gwanghae's tyrannical policies by sentencing political opponents of other parties either to exile or to death. During King Gwanghae and the Greater Northerners' rule, the common people were unfairly treated and robbed of wealth as King Gwanghae mobilized his subjects for the reconstruction of Korean palaces and exploited his subjects' wealth to help rebuild the palaces.

King Gwanghae entrusted the Greater Northerners with the task of being the ruling party of the Joseon dynasty. The Greater Northerners held the real power in the Joseon royal court until political opponents from another party, the Westerners, dethroned King Gwanghae in 1623. The Westerners enthroned King Seonjo's other illegitimate son Prince Jeongwon's eldest son Injo as successor of King Gwanghae. The Westerners also carried out the public executions of the Greater Northerners' party leaders Lee Icheom and Jeong Inhong and the Greater Northerners' party members. Thus, the Westerners replaced the Greater Northerners and became the ruling party of the Joseon dynasty in 1623. With most of the party leaders and members executed, the Greater Northerners was officially dissolved in 1623.

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