

CHOSŎN DYNASTY AND WOMEN'S RIGHTS: CUSTOM AND LAW

GRADES: 9-12

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SUBJECT: World History/Women's Rights

TIME REQUIRED: Two 80-minute block class periods

OBJECTIVES:

Students will:

1. Recognize the importance of economic equality in achieving women's rights.
2. Compare the evolution of women's rights pre-French Revolution through the post-French Revolution periods with the evolution of women's rights from the Koryŏ through the Chosŏn kingdoms.
3. Investigate the state of women's rights in the United States and the Republic of Korea today, analyzing the role that economic equality plays in women achieving equal rights in those countries.
4. Discuss the role of laws in establishing economic equality and women's rights.
5. Identify and analyze primary and secondary sources.

STANDARDS:

Common Core Standards

RH1 Cite specific textual evidence to support analysis of primary and secondary sources

RH 2 Determine the central ideas or information of a primary or secondary source

RH3 Evaluate various explanations for actions or events

RH4 Determine the meaning of words and phrases as they are used in a text

RH 7 Integrate and evaluate multiple sources of information presented in diverse formats

RH9 Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea, or event

SL 1. Initiate and participate effectively in a range of group collaborative discussions with diverse partners on topics, texts, and issues

SL4 Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning

MATERIALS REQUIRED:

- Team readings (attached), 15 copies of each, placed in color-coded file folders
 - Reading A: Neo-Confucianism
 - Reading B: Ancestor Ritual and Inheritance
 - Reading C: Divorce
 - Reading D: Adoption and Inheritance
 - Reading E: Inheritance Changes
 - Reading F: Education
 - Reading G: Behavior
- “Women’s Rights in Chosŏn Korea” Graphic Organizers
- “Teacher-prepared Questions for Socratic Seminar”
- “Background on My Use of the Socratic Seminar”

BACKGROUND:

Students often understand rights as having a linear evolution. That is, that early on certain groups didn’t have rights, but that gradually, over time, they gained rights. Of course, with many groups, in this case women, that is not necessarily true. Additionally, rights to compete equally in economic matters are primary rights that women must achieve. When economic rights are stripped away, overall rights are eroded. This was evident during the Napoleonic era in France as legislation limited women’s inheritance rights, as well as other economic rights. Another culture in which women lost economically-based rights that had been previously granted to them occurred during the transition from the Koryŏ kingdom into the Chosŏn kingdom in Korea. Why did this happen? In this lesson, students will discover that it can be related to the renewed focus on Neo-Confucian philosophy that became the dominant philosophical basis of governing during the Chosŏn kingdom.

During the earlier Koryŏ period, women had more rights within Korean society. A more equal status existed between males and females regarding division of property during this time period also, in that both brothers and sisters could inherit a share of the family property. While household heads could decide on their own how to divide property, records seem to indicate that property was divided fairly equally, even though tensions often arose between brothers and sisters over property rights.

During the early Koryŏ period, the bridegroom usually moved in with the family of the bride. According to author Martina Deuchler, this may have been “based on the favorable economic status Koryŏ women enjoyed” due to the “right of inheritance she shared with her male siblings,” and that “giving away a property-owning daughter or sister in marriage was not in the natal family’s interest.” It was during this period that deep feelings of loyalty developed between son-

in-law and father-in-law. Koryŏ men also often had more than one wife. Again, Deuchler suggests that this was feasible since he did not have to support her, that she had a degree of economic independence. It was also easy for her to choose to leave her husband because of this economic independence. Additionally, if a woman became a widow, she often remarried without losing any social status as long as she observed the mourning period for her late husband. As mentioned earlier, the mourning period for the patrilineal and matrilineal lines during the Koryŏ period were similar. Eventually, however, the patrilineal philosophy would come to dominate Korean society.

A period of relative unrest appears to have occurred during the latter Koryŏ period. Kings were overthrown, or killed by military strongmen, definitely a period of factional political strife. A major change occurred when Yi Sŏng-gye won military control. This period of political upheaval provided the opportunity for a change in philosophies, one that would bring order and control – Neo-Confucianism. But now the power Yi would wield would be moral, not merely military. One of the first steps in this new order was to disparage Buddhism and its negative influence on Korean society. According to Deuchler, “to the new Confucian elite, Buddhism lacked the pragmatic standards necessary for social control and had caused the disintegration of Koryŏ society.” The new Confucian elite pointed out how the Buddhist focus was away from society, misleading people with meditation on life after death, versus the serious Confucian moral training that would bring a practical order to life. They pointed to history and the successful Confucian dynasties of China versus the disastrous Buddhist-dominated dynasties. This helped to rationalize their decision to take lands from the Buddhist monasteries, recruiting many of the monks into the military forces. However, change came slowly and the royal house (King Sejong) during the early Chosŏn period often maintained Buddhist practices, indicating that sudden change would not be good for the people.

The new order that arose was based on a trained scholar bureaucracy of morally superior men. Its beliefs were based on three basic human relationships between ruler and subject, father and son, and **husband and wife**. These beliefs were further explained by five moral imperatives: righteousness between sovereign and subject; proper rapport between father and son, **separation of functions between husband and wife**; proper recognition of sequence of birth between elder and younger brothers, and faithfulness between friends. Proper ritual behavior – capping, wedding, mourning, and ancestor worship – would control human passions and produce order. Many questioned a heavy dependence on following Chinese history alone, and worried about ignoring Korean history and customs, which would eventually result in a differentiated blending of Confucian values and Korean native traditions during the early Chosŏn kingdom.

Although lines of descent and ancestor worship became highly defined later in the Chosŏn period, the early years of the period revealed varying stages of transition. Conflicts arose since oldest brother and younger brothers were sometimes at varying stages of success in climbing the

official ladder. Other conflicts occurred in determining what should be done in the event that a primary wife had no son, but a secondary wife did. Or sometimes questions arose as to who would assume the lineal head when there was no son at all. Conflicts were especially common when the eldest daughter-in-law was designated as ritual heir. It would take about two hundred years into the Chosŏn period for fairly clear succession laws to be established (even though exceptions were still evident). When finally established, the laws had a negative impact on influence of secondary sons and women in Korean society. The eldest son emerged as the principal heir, dominant in legal, ritual, and economic status.

Mourning grades established during the Chosŏn period began to define status in Korean society. While the Koryŏ period had allowed for more equality of mourning for the matrilineal as well as patrilineal lines, the Chosŏn period began to limit the mourning ritual attention to the maternal side of the family. Even a woman's mourning duties to her own parents were reduced in length. Inheritance rules also became more defined during the Chosŏn period. Women, in particular, eventually lost most the economic independence that derived from equal division of inheritance between siblings observed during the Koryŏ period. Although the changes in inheritance laws were gradual, by the seventeenth century, recognition of the eldest son as the main inheritor of property left women with few inheritance advantages. Part of this change was also due to the population increase that had created a scarcity of land. Since equal division of inheritance created fragmentation of property, placing the inheritance in the hands of fewer individuals was a way of dealing with these issues. However, it definitely diminished the independence of women. Adding to this growing dependence was the fact that when women married now, they entered their husband's family household which further diminished their independent status. Furthermore, laws were instituted to define primary versus secondary wife status, necessary in order to identify correct lineal descent. In doing so, laws eventually emerged requiring primary wives to be selected from elite social groups; therefore, women were being divided into rankings of superior or inferior, emphasizing an inequality within an already developing gender inequality.

Women became "educated" in Confucian ideals of proper behavior: moral conduct, proper speech, proper appearance and womanly tasks. Within her husband's family, a woman became, in essence, an outsider. She was limited to certain areas of the inner home and had limited contact with the outside world. Her freedom of movement was restricted; for instance, yangban women were banned from the streets in daytime. Eventually, heads of families were charged for any misbehavior the women in their households might commit. Additionally, inequalities between women of different status groups were codified. For example, women of different social classes had to use specified dress material and color. While secondary wives still existed, they lost all social acceptance, and their sons lost all legitimacy and opportunity for official positions.

This lesson will allow students to gain an understanding of this information through discovery and investigation techniques. By having students participate in a Socratic Seminar, they will be guided by the instructor in an analytical and evaluative discussion of the evolution of women's rights in Korea as well as having the opportunity to develop an interpretation of how those rights compare and contrast with women's rights in Revolutionary/Napoleonic France and women's rights in the U.S. today.

PROCEDURE:

Day One

1. [Students will have already completed a lesson about the attempts by women during the French Revolution to gain more rights and a lesson about the legal restrictions placed on women written into the *Napoleonic Code*. Discussion from these lessons will have resulted in students considering the role of custom and/or law in limiting or promoting women's rights. In particular, students will analyze the types of rights that the French women were fighting for during the Revolution, recognizing the differences between rights of the domestic sphere versus rights of the public sphere. Inheritance restrictions against women in the Napoleonic Code will also have been discussed]. Remind student of previous lessons and tell them that in today's lesson we will continue to look at women's rights, but focus outside of Europe, looking at Korean women during the Chosŏn era. 5 minutes.
2. Review vocabulary that students will find helpful in understanding the readings they will analyze: lineage, patrilineal, matrilineal, concubine, patrimony, ancestor ceremonies, filial, agnatic/non-agnatic descendants 5 minutes
3. Divide the students into teams of three. [Student desks should be brought together to form tables of three]. Distribute the lesson graphic organizer. Besides answering the reading-specific questions on the graphic organizer, encourage students to note facts or opinions in the readings of interest to them to be used for further discussion. Send half of the teams to the computers to use the internet; half of the teams will remain seated at team tables. Those at the team tables will receive the first set of printed readings (A, B, C, D). Those teams sent to the computers will work independently to access the two designated primary sources and the 3-minute segment of the online lecture by Dr. Michael Pettid (access instructions included in the graphic organizer). Allow 25 minutes.
4. When time is up, have those students at the team tables move to the computers. Have those students at the computers, move to the team tables. At this time, have the students who just completed the computer work, hold a group discussion to answer the questions about what they read/viewed. Those teams just now sent to the computers will work independently to access the two designated primary sources and the 3-minute segment of the online lecture by Dr. Michael Pettid. Allow 25 minutes.

5. Assign homework: Instruct students to use the internet or other available resources to investigate the condition of women's rights in the Republic of Korea today. Tell them to make a list of three to five pieces of evidence that provides current information.
6. As a wrap-up to today's lesson, have students write an exit card response at the end of their graphic organizers: *What does what you have read and discussed so far tell you about the status of women in the mid to late Chosŏn period in Korea?* 5 minutes
7. Have students tear off their exit responses and collect exit cards as students leave the room at the end of the period.

Day Two

8. Ask student teams to share and discuss their investigative homework results. After discussion, tell them to save their information to refer to during a whole class Socratic Seminar which will be held tomorrow. 5 minutes
9. Address any misconceptions based on exit cards from yesterday's lesson. 5 minutes
10. Have students resume team positions, asking **all students** to meet with their teams at their assigned team tables.
11. Ask those at the team tables who already discussed the computer-based materials to read and discuss the first set of printed readings (A, B, C, D). Have the other teams who finished yesterday's lesson at the computers to hold a group discussion to answer the questions about what they read/reviewed. Allow 25 minutes.
12. Finally, have **all students** remain at their team tables to read and discuss the second set of printed readings (E, F, G). Allow 20 minutes.
13. Show video segment – *Ledbetter v. Goodyear Tire & Rubber Company*. Have students create two to three questions based on the video as they view. These may be questions they have or they can create questions that they think are important for students to know about this Constitutional issue. 25 minutes
14. Discuss several student questions following the video viewing. Collect all student questions in order to review to see if there are more questions that should be added to Socratic Seminar questioning posed to students for Day Three.
15. Assign homework: Tell students to find a current article (can go back during the previous six months) about women's present rights in the U.S. Are there any economic inequalities? How are economic inequalities being addressed?

Day Three

16. [Return students' seats to a regular double semi-circle formation]. As a Pre-Seminar Activity, project the "Sex Ratio in South Korea" bar graph from "When Boys Were Kings, A Shift Toward Baby Girls" *New York Times* article. Ask student partners to analyze and discuss how it might relate to our current study. 10 minutes
17. Review rules for participation in the Socratic Seminar (Refer to "Background on My Use of the Socratic Seminar," on the final page of this lesson plan). 5 minutes
18. Whole Class: Hold a Socratic Seminar as a de-brief session of the last two days study by asking as many questions as time allows from the "Teacher-Prepared Questions for

Socratic Seminar.” Tell students to have all notes and self-selected articles out on their desks to refer to during discussion. Students will receive points based on ability to reference text to support their opinions when responding to teacher-prepared open-ended questions. 50 minutes

19. As a Post Seminar Activity, ask students to respond to the following questions:
 - How did this Socratic Seminar format help you to better understand the development of women’s rights?
 - What did a classmate say during the Socratic Seminar that helped you learn or think about this topic in a different way?

Adaptations for Classrooms Without Sufficient Computers for In-Class Use

1. [Students will have already completed a lesson about the attempts by women during the French Revolution to gain more rights and a lesson about the legal restrictions placed on women written into the *Napoleonic Code*. Discussion from these lessons will have resulted in students considering the role of custom and/or law in limiting or promoting women’s rights. In particular, students will analyze the types of rights that the French women were fighting for during the Revolution, recognizing the differences between rights of the domestic sphere versus rights of the public sphere. Inheritance restrictions against women in the Napoleonic Code will also have been discussed]. Remind student of previous lessons and tell them that in today’s lesson we will continue to look at women’s rights, but focus outside of Europe, looking at Korean women during the Chosŏn era. 5 minutes.
2. Review vocabulary that students will find helpful in understanding the readings they will analyze: lineage, patrilineal, matrilineal, concubine, patrimony, ancestor ceremonies, filial, agnatic/non-agnatic descendants 5 minutes
3. Divide students into 3 groups. Distribute the sheets with questions. Besides answering the reading-specific questions on the sheets, encourage students to note facts or opinions in the readings of interest to them to be used for further discussion. Students in Group 1 will read documents A, B, C. Students in group 2 will read documents D, E, F. G. Students in group 3 will read the documents downloaded from the http://afe.easia.columbia.edu/main_pop/ps/ps_korea.htm under 1450-1750 entitled “Excerpts from the Songjong sillok: Prohibition Against Remarriage of Women, 1447” and “Excerpts from Instructions to My Daughter by Song Siyo” along with their accompanying questions, which should be relabeled H and I.
4. After reading and filling out the forms, students will jigsaw so that each new group had members from the original 3 groups. The students will report on their documents and their findings.
5. For homework students will review “Kyuwon-ga—Song of the Woman’s Quarter” on <http://vimeo.com/42772793>, beginning at 1:12:45 and respond to the included questions on Activity Sheet #3 (which should just be relabeled “Song of the Woman’s Quarter” activity sheet. Students should also review the documents they did not read in class but learned about in the jigsaw.

6. Have students tear off their exit responses and collect exit cards as students leave the room at the end of the period.

Day Two

1. Discuss as a whole group, student responses to the exit response question “What does what you have read and discussed so far tell you about the status of women in the mid to late Chosŏn period in Korea?” Have them include the video they watched for homework in their response.

Day Three

1. [Return students’ seats to a regular double semi-circle formation]. As a Pre-Seminar Activity, project the “Sex Ratio in South Korea” bar graph from “When Boys Were Kings, A Shift Toward Baby Girls” *New York Times* article. Ask student partners to analyze and discuss how it might relate to our current study. 10 minutes
2. Review rules for participation in the Socratic Seminar (Refer to “Background on My Use of the Socratic Seminar,” on the final page of this lesson plan). 5 minutes
3. Whole Class: Hold a Socratic Seminar as a de-brief session of the last two days study by asking as many questions as time allows from the “Teacher-Prepared Questions for Socratic Seminar.” Tell students to have all notes and self-selected articles out on their desks to refer to during discussion. Students will receive points based on ability to reference text to support their opinions when responding to teacher-prepared open-ended questions. 50 minutes
4. As a Post Seminar Activity, ask students to respond to the following questions:
 - How did this Socratic Seminar format help you to better understand the development of women’s rights?
 - What did a classmate say during the Socratic Seminar that helped you learn or think about this topic in a different way?

EVALUATION:

The student’s “Women’s Rights in Chosŏn Korea” Graphic Organizers will be used as a formative assessment, since the instructor will circulate during the team investigation time, commenting on strong team responses, or guiding teams where responses are poor. Students will also be informally assessed on the appropriate answers to their exit card responses at the end of Day Two activities. This formative assessment opportunity will allow the instructor to correct any misconceptions and probe for more in-depth responses the following day. A formal assessment of how well students met the lesson objectives will be based on individual student responses during the Socratic Seminar held on Day Three. [All students are required to speak during the Socratic Seminar. Students receive basic credit for providing their opinions about the open-ended teacher-prepared questions to which they respond. Students receive superior credit

if their responses effectively refer to **specific** evidence from the readings, video, or internet investigations in order to support their points. The instructor will indicate degree and number of responses on a classroom roster sheet, creating a grade-equivalency based on class ability-level. Students who do not speak during the Socratic Seminar will be asked to write a five-paragraph essay: *How and why did women's rights change during the Chosŏn kingdom?* OR *How do women's rights during the Napoleonic era compare and contrast with women's rights during the Chosŏn kingdom.?*]

RESOURCES:

A Call to Act: Ledbetter v. Goodyear Tire & Rubber Company. Video Resources on the Constitution 2011. Leonore Annenberg Institute for Civics. University of Pennsylvania. 2010. DVD.

Cerulo, Beth. *Korean Studies Workshop for American Educators Photograph Collection.* Jun-Jul 2012. Republic of Korea.

Clark, Donald N. *Culture and Customs of Korea.* Westport, CT: Greenwood Press, 2000.

Choe Sang-hun. "When Boys Were Kings, A Shift Toward Baby Girls." *New York Times*, 23 Dec 2007. Web. 8 Aug 2012.

Deuchler, Martina. *The Confucian Transformation of Korea – A Study of Society and Ideology.* Cambridge, MA: Council on East Asian Studies, Harvard University, 1992.

"Excerpts from Instructions to My Daughter." *Primary Sources with Document-Based Questions-Asia for Educators.* Columbia University, 2009. Web. 7 Aug 12.

"Excerpts from the Songjong sillok." *Primary Sources with Document-Based Questions-Asia for Educators.* Columbia University, 2009. Web. 7 Aug 12.

Han Hee-sook. "Women's Life during the Chosŏn Dynasty" *International Journal of Korean History.* 6:113: Dec 2004. PDF file. 22 Jul 2012.

Kim, Andrew Eungi. "Understanding Korean Culture: Its Symbols, Language, Norms and Values." *Korean Studies Workshop 2012 Lecture Notes.* Seoul: Korea University & The Korea Foundation, 2012.

Kim Sohee. "Confucianism and Women in the Chosŏn Dynasty." *Otherwise Online Journal of Philosophy* (2008) Web. Aug 2012.

Maynes, Katrina. "Korean Perceptions of Chastity, Gender Roles, and Libido; From Kisaengs to the Twenty First Century," *Grand Valley Journal of History:* 1.1: (2011).

Web. 6 Aug 2012.

Peterson, Mark A. *Korean Adoption and Inheritance – Case Studies in the Creation of a Class Confucian Society*. Ithaca, NY: Cornell University East Asia Program, 1996.

Peterson, Mark A. “Korean Women.” Korean Studies Workshop for American Educators, 2 Jul 2012. Korea University. 2 Jul 2012. *Microsoft PowerPoint* file. 2 Aug 2012.

Spielvogel, Jackson. *World History - Modern Times*. Columbus, OH: Glencoe, 2010.

READING A: NEO-CONFUCIANISM

Korean society granted women much more freedom in the years before the Confucianized Chosŏn dynasty whose state philosophy explicitly justified male privilege. Under the preceding Koryŏ dynasty, newlyweds often went to live with the bride's parents and the women often functioned as heads of their households. But the Chosŏn dynasty's conscious adoption of Confucian ethics for the Korean society meant imposing new restrictions on the freedom of women. These included heavy penalties for those who failed to practice the "three submissions." Under the Koryŏ dynasty, it was tolerable for women to have lovers. The Chosŏn dynasty Confucianists attacked this as destructive of human order and emphasized their reform by finding women who were guilty of adultery and executing them. New rules restricted the freedom of women to travel and move about. Upper-class women were ordered not to go out during the daytime and their male relatives were punished if they allowed them to violate the order. Thus men were obliged to enforce the restrictions on their wives and daughters." (pg. 164)

Clarke, Donald. *Culture and Customs of Korea*. Westport, CT: Greenwood Press, 2000.

Three Submissions

"In traditional times, Korean women had to practice the "three submissions:" to submit to their father, then their husband, and finally their sons." (pg. 162)

Clarke, Donald. *Culture and Customs of Korea*. Westport, CT: Greenwood Press, 2000.

In cosmological terms, heaven (yang) dominates earth (yin); and, correspondingly, male has precedence over female. The clear hierarchical order between the sexes is thus cosmologically sanctioned and is imperative for the proper functioning of the human order. This order can be preserved only when human passions are kept in check. To do this the Confucians drew a sharp distinction between the woman's "inner" or domestic sphere and the man's "outer" or public sphere. . . . In the Confucian view, the law of nature thus accorded woman an inferior position. She had to obey her superiors; when unmarried, she had to follow her father's orders; when married, those of her husband; when widowed, those of her son. This was the subordination of the inner sphere to the outer sphere. In the domestic realm, however, the wife was supposed to assume leadership. The administration of the household was likened to that of a state. Domestic peace and prosperity depended on the way a wife exerted her authority. It was the wife's task to keep the customs pure." (pgs. 231-232)

Deuchler, Martina. *The Confucian Transformation of Korea – A Study of Society and Ideology*. Cambridge, MA: Council on East Asian Studies, Harvard University, 1992.

READING B: ANCESTOR RITUAL AND INHERITANCE (front page)

The inheritance practices of the Puan Kim lineage radically changed with the document written on the eleventh day of the eleventh month of 1669.

The law governing ancestor ceremonies by the lineage heir's household (*chongga*) is clearly recorded in the ritual texts of ancient China. Since this matter is so important and is so serious, more ceremonial property (*pongsa chŏnmin*) should be set aside so that the lineage heir's household may perform all the ceremonies; and the performance of ceremonies by the younger siblings (*chungja*) on a rotational basis (*yunhaeng*) will not be allowed.

In our country the rule of the lineage heir's household (*chongga*) has been corrupted for a long time. All the aristocratic families have allowed [the ceremonies] to be performed by all the siblings on a rotational basis for so long that it is difficult to correct the situation. In the case of daughters, after they leave the household to marry they become members of the other household. The principle of following the husband is important. That is why the standard of etiquette established by the sages stipulates that daughters wear mourning clothes for a shorter term after they have married. Both the affection and duty is less important for the daughter. . . .

There is no difference in the degree of affection between parent and child whether son or daughter; but daughters are different from sons in that there is no way for them to nurture their parents [since they leave the household when they marry] when the parents are alive, and they do not perform the ceremonies for the parents when they die. This being so, how can a daughter possibly expect a share of property equal to that of the son? Therefore, on the basis of both emotion and propriety, there is nothing unfair or wrong about giving a daughter a one-third share. How could a daughter or the *oeson* possibly dare to challenge this principle? Read this document and understand its intent, and then you will know this is a fair way to handle this matter. Who could ever say this differs from the commonly accepted and is therefore wrong?

If the primary line descendant (*chongjason*) is at any time so poor that he cannot perform the ceremony, then he can be forgiven, but if he disobeys and allows the ceremony to be carried out on a rotational basis (*yunhaeng*) then how dare we call him a descendant.

Signed: The former magistrate of P'yŏngsan, Myŏng-yŏl, and brothers, Yong-yŏl and Yu-yŏl.

On that same date, the property of Hong-wŏn and his wife was divided among their three sons, and a special allocation was given to the grandsons, Pŏn and Mun (21st generation), sons of Hong-wŏn's eldest son, Myŏng-yŏl. In the documents written that day, Myŏng-yŏl and his brothers received property, but the sŏja brothers and the sisters received nothing. Also on that day, the grandsons, Pŏn and Mun, were given a special allocation, but their three sisters received nothing, in spite of the declaration that they should receive a one-third share. (pgs. 40-42)

Peterson, Mark A. *Korean Adoption and Inheritance – Case Studies in the Creation of a Class Confucian Society*. Ithaca, NY: Cornell University East Asia Program, 1996.

READING B: ANCESTOR RITUAL AND INHERITANCE (back page)

Chongga = the eldest son who inherits the rights to perform ceremonies for a line of ancestors

Sōja = the child of an aristocrat father and a commoner or slave mother; they were discriminated against, by statute, after the founding of the Choson court.

READING C: DIVORCE

The “seven grounds for divorce” (*ch’ilgŏ chi ak*), was more than a mere aphorism. We can find cases of divorce based on each of them. The seven grounds were disobedience of the parents-in-law, childlessness, adultery, theft, jealousy, chronic illness and talkativeness. A dispute involving divorce for reasons of childlessness that came before King Sejong (r. 1418-1450) in 1425 is illustrative.

Ch’oe Chu accused his son-in-law, Yi Mi, of bigamy. Yi’s response was that his wife, Mme Ch’oe, was fortyfive years old and had no children, and therefore, he had no choice but to divorce her. He then married the daughter of Kang Piho. Ch’oe Chu brought the matter to the Censorate, accusing Yi Mi of criminality. The Censorate acquitted Yi but at the same time they reinstated Mme Ch’oe in the household on the basis of the *sambugŏ*, the three principles of assurance against divorce, i.e., she had mourned for Yi Mi’s parents.

Yi, however, said that Mme Ch’oe, in her embarrassment over the issue, left the household on her own. Yi provided housing at a farm of his and saw that she had food to eat and slaves to work for her. After several months, her father, Ch’oe Chu, again petitioned the Censorate, saying that Yi had sent Mme Ch’oe away and had taken Mme Kang back.

The Censorate questioned Yi, who responded: “She lives in my farm house, eats my food, and works my slaves. One cannot say that I sent her away.” Yi argued that the primary role of a wife is to provide an heir for the ancestors; a wife who does not have a child offends the ancestors, he said. From the ancestor’s point of view, he asked, could they possibly consider not having an heir unimportant? Taking a second wife, he argued, was the lesser of two evils.

Yi argued that of the seven grounds of divorce some are minor and some are serious. Divorce for reasons of jealousy, chronic illness and talkativeness are three minor reasons that can be overridden by the *sambugŏ* rule. Divorce, however, for disobedience to the parents-in-law, childlessness, adultery and thievery are four serious criteria. He went on to argue that although law must conform to morality, law must also conform to emotion, especially in regard to the issue of childlessness. Of the offenses of the children of men, none is greater than being unfilial. Yi said [quoting Mencius], and nothing is more unfilial than being childless.

Yi’s defense was based on his argument that disobedience, childlessness, adultery, and thievery – four serious grounds for divorce – could not be overridden by the *sambugŏ* assurances. The Censorate did not accept Yi’s argument and judged that he had not obeyed the order to reinstate Mme Ch’oe. They recommended 90 stripes. Sejong concurred.

The underlying principle in the above case is monogamy. Although Koryŏ dynasty Koreans could have more than one wife, in the early Chosŏn dynasty, in 1413, a law was promulgated limiting a man to one legal wife; he could have concubines but only one legitimate wife. The charge of bigamy was a serious one. (pgs. 66-67)

Peterson, Mark A. *Korean Adoption and Inheritance – Case Studies in the Creation of a Class Confucian Society*. Ithaca, NY: Cornell University East Asia Program, 1996.

READING D: ADOPTION AND INHERITANCE

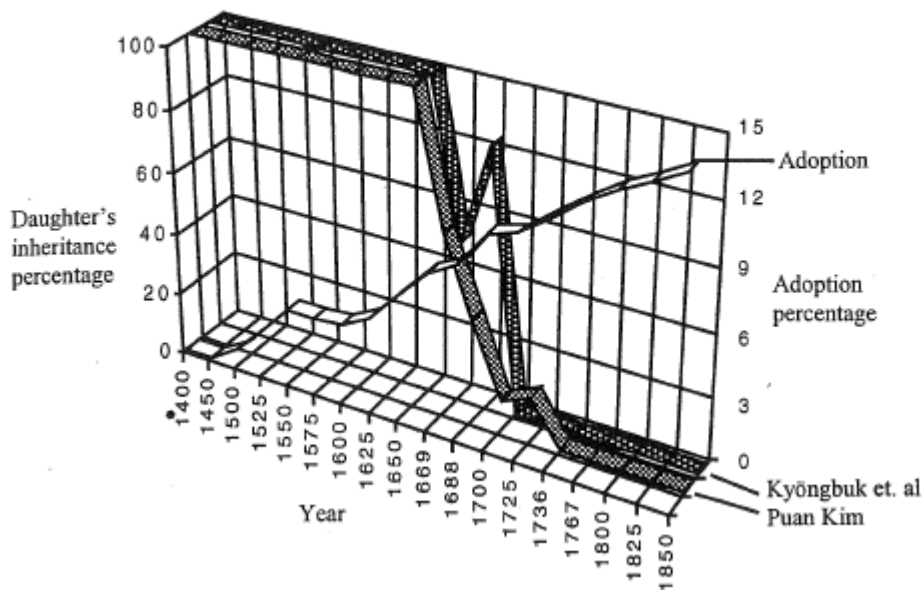
Kyōngguk taejōn = (National Code)

The Kyōngguk taejōn states: “if one does not have a son by either his legitimate wife or his concubine, he may adopt a nephew (chija) from within the lineage to be the heir.” The commentary to the Code states: “if both fathers agree, then the adoption is ordered. If the father is deceased, then the mother petitions.” (pg. 164)

Peterson, Mark A. *Korean Adoption and Inheritance – Case Studies in the Creation of a Class Confucian Society*. Ithaca, NY: Cornell University East Asia Program, 1996.

Diagram Analysis

Table 10.1
Decline in Daughter's Inheritance
Offset by the Rise in Son Adoption



(pg. 197)

Peterson, Mark A. *Korean Adoption and Inheritance – Case Studies in the Creation of a Class Confucian Society*. Ithaca, NY: Cornell University East Asia Program, 1996.

READING E: INHERITANCE CHANGES

Despite the fact that the law confirmed a daughter's right to inherit a share of the patrimony equal to that of her brother, during the first half of the dynasty the nature of a daughter's inheritance changed significantly. To be sure, even in the early sixteenth century, when there were no sons, daughters at times were designated as principal recipients of parental wealth with the express wish that their ancestral services be continued by non-agnatic descendants. Such occasional (in Confucian eyes undoubtedly misguided) appropriations cannot, however, obscure the clear trend that daughters were gradually losing their qualification to inherit property in their own right. Although a woman's inheritance originally was quite independent of her marital arrangements and, in case she did not have children of her own, even reverted back to her natal family, the legal stipulations of the *Kyōngguk taejōn* significantly enlarged the stake her husband and his family had in her property and limited that of her natal family. In other words, a woman's inheritance, initially only loosely attached to her affines, was eventually turned into a weighty contribution to an inalienable conjugal fund. Whether it came in the form of a dowry at the time of marriage or of an inheritance received later in life (upon the parents' death), the contribution to such a fund was an additional factor in establishing a bride as a primary wife and became an indivisible part of the husband's property. This transformation is documented by inheritance papers of the late sixteenth and early seventeenth centuries which list sons-in-law instead of daughters as the recipients of an inheritance share. Property given to a son-in-law surely meant that the daughter, his wife, lost control over it, and that it became permanently detached from its original source. This development lowered a woman's economic power and made her increasingly dependent on her husband's estate. (pg. 223)

Deuchler, Martina. *The Confucian Transformation of Korea – A Study of Society and Ideology*. Cambridge, MA: Council on East Asian Studies, Harvard University, 1992.

READING F: EDUCATION

Education for women was indoctrination. Its purpose was to instill in women, through the weight of China's classic literature, the ideals of a male-oriented society and to motivate them for the tasks of married life. Indeed, the pattern of behavior developed by the Confucians had the rigidity of a stereotype which did not allow for individual variations, so that Confucian society acclaimed particular women not for their individuality, but for the degree of perfection with which they were able to mimic the stereotype.

Before marriage, girls were not only instructed in Confucian ideology, but also experienced its practical consequences. After the age of seven, girls could no longer associate with boys or men. They were more and more confined to the inner quarters of the house where they received instruction in domestic duties from their mothers and grandmothers. (pg. 258)

Deuchler, Martina. *The Confucian Transformation of Korea – A Study of Society and Ideology*. Cambridge, MA: Council on East Asian Studies, Harvard University, 1992.

The most important and influential textbook for women was compiled in 1475 by the mother of King Sŏngjong, Queen-Consort Sohye (her posthumous name). Entitled *Naehun* (Instructions for Women), this book consisted of quotations from educational works such as the *Sohak* (Chin. *Hsiao-hsüeh*), compiled as a primer for children by Chu His. *Naehun* taught girls the four basics of womanly behavior: moral conduct – women need not have great talents, but must be quiet and serene, chaste and disciplined; proper speech – women need not have rhetorical talents, but must avoid bad and offensive language and speak with restraint; proper appearance – women need not be beautiful, but must be clean in dress and appearance; and womanly tasks – women need not be clever, but must pay attention to such duties as weaving and entertaining guests. *Naehun* also elaborated on the roles a married woman had to fill; she had to serve her parents-in-law, be an obedient and dutiful wife, and a wise and caring mother. (pg. 257)

Deuchler, Martina. *The Confucian Transformation of Korea – A Study of Society and Ideology*. Cambridge, MA: Council on East Asian Studies, Harvard University, 1992.

READING G: BEHAVIOR

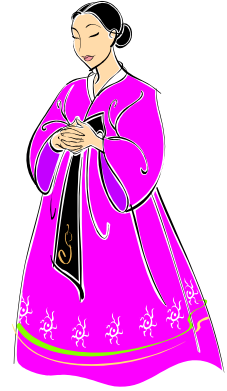
The Chosŏn dynasty also implemented a legal system called the *Kyŏngguk taejon*, which provided a written record of laws that enforced strict regulations on the activities of women by repressing physical freedom. Women were forbidden from horseback riding, playing games, and attending outdoor parties. The punishment for defying this standard was one hundred lashes, and the physical confinement placed on females signifies the complete jurisdiction and control Chosŏn men held over women's lives. Furthermore, the only acceptable aspiration of a Chosŏn woman was to marry and produce children. Daughters were referred to as *todungnyo*, or 'robber women', because their dowry took away from their family's wealth. Married daughters became *ch'ulga oein*, meaning 'one who left the household and became a stranger'. Once wedded, a woman was not only expected to be faithful, loving, and subservient to her husband, but she had to be fertile and bear male heirs. They were not valued for who they were, but for their ability to give birth and maintain a household. After marriage, a woman was referred to as 'the wife of...' or 'the mother of...', thereby losing her individual identity and becoming the full property of a man. As such, the Chosŏn dynasty's poor regard for women infringed upon their right to possess independent names and personalities, viewing them as an extension of their husband or son. If a husband felt that his wife had committed one of the "seven evils", which included "disobedience to parents-in-law, failure to bear a son, adultery, jealousy, hereditary disease, talkativeness, and larceny", he could easily divorce her. There was no due process or evidence; a man's word was powerful enough to ruin a woman, and once divorced, she was left to destitution or killing herself. Marriage was therefore a respectable woman's only option, and widowhood was extremely unfavorable. Widows were treated with more disdain than unmarried daughters, who, unlike widows, still had the possibility of making an honorable match. If a widow chose to marry again, she held an unfavorable social stigma and was looked down upon by her peers. As an incentive to remain single, the government awarded chaste widows with land grants called *sushinjon*. The Chosŏn also issued the Anti-Remarriage Law of 1477, which discouraged women from remarrying by restricting their sons from public service jobs. Furthermore, widows were given a *p'aedo*, or suicide knife, and those who ended their lives were viewed as admirable; they were the epitome of filiality and faithfulness, which were both important Confucian values. If a woman engaged in a relationship with another man, she not only violated her honor, but that of her family and ancestors. Chastity, then, was considered one of the most desirable female traits, and a woman's abstinence was looked upon as more valuable than her life. (pgs. 4-5)

Maynes, Katrina. "Korean Perceptions of Chastity, Gender Roles, and Libido; From Kisaengs to the Twenty First Century," *Grand Valley Journal of History*: 1.1: (2011).
Web. 6 Aug 2012.

각주 (Notes)

Women's Rights in Chosŏn Korea

Name _____



Reading A

1. Which Confucian ethics-based changes did you find to be most limiting in terms of women's rights? Why?	
2. Did you find it significant that men were obliged to enforce restrictions against their wives and daughters? Why or why not?	
3. What role do you think the "three submissions" of Confucian belief played in limiting women's rights? Relate these to the concept of domestic versus public spheres.	
4. Are these sources primary sources or secondary sources? Why?	

Reading B

5. What role do you think that the law governing ancestor ceremonies played in changing inheritance rights?	
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<p>6. What role do you think banning ancestor ceremonial duties being shared on a rotational basis by younger siblings had on inheritance rights <u>and</u> women's rights?</p>	
<p>7. Why did this document say that daughters are different than sons? Do you think this reason is still true today?</p>	
<p>8. Is this a primary source or secondary source? Why?</p>	

Reading C

<p>9. How do you think the “seven grounds for divorce” affected women’s rights? Why?</p>	
<p>10. What was Yi’s main case against his wife?</p>	
<p>11. What aspects of this case do you think had the most effect on women’s rights during this period? Was it a negative or positive effect? Why?</p>	
<p>12. Is this a primary source or secondary source? Why?</p>	

Reading D

<p>13. How might the law from the Kyōngguk taejōn affect women's rights?</p>	
<p>14. Who decides whether to adopt? Is this significant? Why or why not?</p>	
<p>15. How might you analyze the relationship between daughter's inheritance and son adoption based on the results in Table 10.1?</p>	
<p>16. Are these two sources primary sources or secondary sources? Why?</p>	

Reading E

<p>17. List several ways the laws continued to limit a woman's personal inheritance?</p>	
<p>18. How can limiting a woman's inheritance limit her overall rights?</p>	
<p>19. Do you feel that women today in the U.S. have limitations on their ability to advance economically? Why or why not?</p>	
<p>20. Is this a primary source or secondary source? Why?</p>	

Reading F

<p>21. What is meant by “education for women was indoctrination”? Why do you think the author feels this way?</p>	
<p>22. How do you feel about the type of education that women received as described in the first excerpt? Why?</p>	
<p>23. Do you feel the <i>Naehun</i> was a positive or negative force in the education of women? Why or why not? Provide several examples to explain your position.</p>	
<p>24. Are these two sources primary sources or secondary sources? Why?</p>	

Reading G

<p>25. Provide two examples of accepted behavior for women as legislated by law that limited a woman's personal freedom? Explain your choices.</p>	
<p>26. Provide two examples of accepted behavior for women as legislated by law that limited a woman's economic freedom? Explain your choices.</p>	
<p>27. Why was the Anti-Marriage Law of 1477 significant in limiting the rights of women? Did it limit the rights of more than just women? If so, how?</p>	
<p>28. Is this a primary source or secondary source? Why?</p>	

Computer Activity #1

Go to http://afe.easia.columbia.edu/main_pop/ps/ps_korea.htm At the top of the page, click on 1450-1750. Then click on **Excerpts from the Sŏngjong sillok: Prohibition Against Remarriage of Women, 1447 [PDF]**. Scroll to the longer version of the excerpt on page 2. Read and respond to the questions on page 3.

<p>29. What are some reasons why these officials are attacking the remarriage of women? What do their assumptions reveal about the situation of women (and men) in Chosŏn society at this time?</p>	
<p>30. Chŏng Ch'angson and Kim Yŏngyu present one basic opinion and Im Wŏnjun presents another. With whom does the king eventually side, and why?</p>	
<p>31. Does the king prohibit remarriage <i>per se</i>? What effect do you think that his decision had on women of the upper class?</p>	

Computer Activity #2

Go to http://afe.easia.columbia.edu/main_pop/ps/ps_korea.htm At the top of the page, click on 1450-1750. Then click on *Excerpts from Instructions to My Daughter, by Song Sivôl [PDF]*. Scroll to the longer version of the excerpt on page 2. Read and respond to the questions on page 4.

<p>32. For the daughter and for Song himself, what might be at stake in her successful adherence to these precepts?</p>	
<p>33. What sorts of behaviors in marriage does Song recommend to his daughter? What does he admonish her against? What is the portrait of an ideal wife that emerges?</p>	
<p>34. Song's advice is also littered with "exceptions." Under what sorts of circumstances do these appear, and what significance do they lend to the overall portrait of ideal female conduct that emerges?</p>	

Computer Activity #3

Go to <http://vimeo.com/42772793> Fast forward through the video lecture to 1:08:45. Listen to this portion of the podcast lecture about Kasa, particularly, “Kyuwŏn-ga” – “Song of the Woman’s Quarter” by Hŏ Nansŏrhŏn. You may stop listening to the podcast at 1:12:45. Then respond to the following questions.

35. What is a kasa?	
36. What do you learn about the condition of Chosŏn women by reading this kasa?	
37. How do people use the written word today to comment on society?	

Exit Response

What does what you have read and discussed so far tell you about the status of women during the mid to late Chosŏn kingdom in Korea? Provide several specific examples.

Teacher-Prepared Questions for Socratic Seminar

1. In preparing for today's seminar, what have you discovered about the relationship between economic equality and women's rights?
2. How did women's rights evolve or change from the Koryŏ period to the Chosŏn period? How did women's rights evolve or change from the time of revolutionary France to the Napoleonic era? How did women's rights evolve or change from the American colonial period to the present?
3. What particular economic equality limitations seemed to be the most detrimental during the Chosŏn period? Why? What particular economic equality limitations seemed to be the most detrimental during the Napoleonic era? Why?
4. How could you make the case that Confucian philosophy as it relates to relationships was effective?
5. On a scale of one to ten, how would you rate women's rights in the U.S. today? Explain your response.
6. On a scale of one to ten, how would you rate women's rights in the Republic of Korea today? Explain your response. What role do economic rights have to do with your ranking? Why?
7. How would you compare the rights of women in the U.S. versus the rights of women worldwide? Explain your response. What role do economic rights have to do with your ranking? Why?
8. What is the role of laws in establishing economic equality and women's rights? Provide specific examples from Korean, French, or U.S. history.

9. Did custom or law have more effect on women's rights during the Chosŏn period? Explain your response.

10. How easily do you think individuals during the Chosŏn period could have changed laws that limited the rights of women? Explain your response.

11. Does custom or law have more effect on women's rights in the United States today? Explain your response.

12. What do you think is the most important rights' protection that women in the U.S. have today? Why?

13. What were the advantages and/or disadvantages of using primary sources during this lesson sequence? Explain your response.

14. What were the advantages and/or disadvantages of using secondary sources during this lesson sequence? Explain your response.

BACKGROUND ON MY USE OF THE SOCRATIC SEMINAR

CONCEPT

My aim is for students to practice the skills of citizenship and to empower them to justify their beliefs on political, social and ethical issues with evidence and logical thinking.

GENERAL OBJECTIVES

Students will:

- Practice the skills of historical analysis and interpretation using a variety of sources (primary and secondary) to consider multiple perspectives.
- Practice the process of making reasoned oral arguments based on reliable information through participation in civil public discourse.
- Make real-life applications as they link their understanding of the issues associated with historical conflict to issues of real-world conflict.

ASSESSMENT OF STUDENT LEARNING

Following the normal classroom procedure for Socratic Seminar, students will receive a check next to their names each time they speak on topic (speaking to all seminar participants, not just to facilitator) during the Seminar. This is considered Basic Credit for the response. Students who respond in one of the following ways will receive a check plus, indicating Superior Credit for the response:

- Locating facts and examples from assigned readings or video notes that can be cited as specific evidence for a particular response argument,
- Acknowledging **and** lending additional evidence to support a peer's prior argument,
- Using specific evidence to take issue with inaccuracies or illogical thinking which might surface during the Socratic Seminar

TEACHER BEHAVIORS DURING SEMINAR

- Sit at same level as students, preferably as part of a circle or semi-circle,
- Maintain eye contact with every student as he or she speaks,
- Maintain a neutral facial expression, avoiding obvious agreement or disagreement,
- Use minimal body language,
- Allow students to feel free to pose their own questions to one another,
- Avoid expressing your own views or opinions,
- Call for clarifications with follow up questions (making it truly Socratic),
- If misconceptions still remain after attempts to call for students to clarify, do specifically announce that you are breaking from your role as facilitator to make the clarification; then announce to students that you are resuming your neutral facilitation role,
- Allow generous wait time for thinking,
- Take notes for evaluative purposes.