

## **EXCERPTS FROM THE SŎNGJONG SILLOK: PROHIBITION AGAINST REMARRIAGE OF WOMEN, 1477**

### **Introduction**

Neo-Confucian reform during the early Chosŏn era also brought about a change in the status of women. Formerly in Korean history, descent had often been traced bilaterally (through both father's and mother's side), no legal distinction was made between primary and secondary wives when a man had several, women could inherit property and certain ritual rites, and widowed women could often remarry. Chosŏn Neo-Confucians emphasized and tried to enforce patrilineal descent, the primacy of the main wife over secondary wives or concubines, and male prerogative in property and ritual. They attacked the remarriage of women carefully and gradually by passing a series regulations that barred the sons of such women — at first only the thrice-married — from sitting for civil service examinations or holding office. This passage records a 1477 debate from the court of King Sŏngjong (1469-1494) and the king's eventual decision.

*Excerpts from the Sŏngjong sillok:*  
**Prohibition Against Remarriage of Women**

[In 1477] the king orders the members of the highest officialdom to discuss the prohibition against the remarriage of women.

Chief State Councillor Chŏng Ch'angson and others say: If a woman of an honorable house loses her husband at a young age and swears to preserve her chastity until her death, this is very good indeed. If this cannot be done, a woman, driven by hunger and cold, may easily give up her intention to remain unmarried. In case we completely prohibit remarriage by law, punish the offender, and even implicate her sons and grandsons, we will, on the contrary, harm the customs. This would not be a small mistake. Except that we record, as before, women who marry three times, could we not leave this matter alone? ...

Inspector-General Kim Yŏngyu and others say: In our country, the houses of the scholar-officials have been upholding propriety and morality for generations, and their loyalty and faithfulness have never been impaired. This is attested in historical works. Recently, however, the great social safeguards have become somewhat lax, and there are cases like the one of Yi Sim's wife, born Cho, who married Yi on her own initiative. Her bad reputation has been spreading, and if such behavior is not strictly checked, women of lower status may take Sim's wife's example as a pretext not to maintain faithfulness any longer. Could we then overcome our distress about the destruction of propriety and mores?

But now, according to the *National Code* [1469], thrice-married women are listed together with licentious women, and their sons and grandsons are barred from the examinations and cannot receive posts in the censorial and administrative offices. Twice-married women are not mentioned. Generally, statutes are based on fundamental law, and propriety is connected with human feelings. For a woman of a poor and lowly house who on neither side has supportive relatives, it is difficult to keep her chastity when she becomes widowed in early years. If her parents or relatives decide that she should marry for a second time, this does not harm propriety. ... We think that the law of the *National Code* according to which the sons and grandsons of thrice-married women do not receive high office should be strictly enforced and that Yi Sim's wife, born Cho, should be severely punished. If we clearly point out what is good and what is bad, morality and mores will naturally become correct even if we do not make a new law concerning remarriage, and widows will understand this as a warning. ....

Sixth State Councillor Im Wŏnjun and others argue: In the past Master Ch'eng I said: "Women remarry only because people of later generations are afraid of freezing and starving to death. But to lose one's integrity is a very serious matter. To starve to death, however, is a very

small matter." Chang Heng-ch'ü said: "If a man takes someone who has lost her integrity to be his own match, it means he himself has lost his integrity."

Thus, a marriage once concluded cannot be changed within a lifetime: this is a woman's principle. If she marries a second husband, how is this different from birds and beasts? In case the customs disregard integrity and morality, even those whose property is abundant and who do not have to be concerned about freezing and starving will all marry again. Moreover, a state without strict prohibitions will cause the sons and grandsons of those who have lost their integrity to hold important office. Such a practice will then turn into a custom that nobody will consider strange. Under such circumstances there will be women who, even without a master of ceremonies, will obtain a husband on their own initiative. If this is not prohibited, where will it lead? From now on remarriage must be strictly prohibited. A woman who in disregard of the law remarries should be punished for having lost her manners, and her sons and grandsons should also be barred from office in order to encourage integrity and morality. ...

Royal edict to the Ministry of Rites: The *Book of Rites* says: "Faithfulness is the virtue of a wife. Once married to her husband, she does not change it during her lifetime." Therefore there is the morality of the "three obediences" (*samjong*), and no rite would ever violate one of these. Because the ways of this world are daily deteriorating, womanly virtue is no longer upright, and upper-class women no longer care for propriety and morality. Some violate their feelings because of their parents; some follow a husband on their own initiative. They thus destroy not only their own family traditions, but in fact also defile the Confucian teachings. If we do not take stern countermeasures, it will be difficult to stop such licentious behavior.

From now on, in order to correct the customs, the sons and grandsons of twice-married women will no longer be listed as members of the upper class.