IMPOSING HARMONY IN EAST ASIA:
A COMPARATIVE STUDY OF THE EARLY MODERN COMMUNITY COMPACT SYSTEM IN CHOSŎN KOREA AND MING CHINA

by

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Abstract

This much needed study on Chosŏn Korea (1392-1897) and Ming China (1368-1644) aims to realize two objectives. First, it provides a general understanding of the community compact organizations in both Early Modern East Asian states around the 16th-17th centuries. For this purpose, a coherent structure is adopted where the explanation of the development of community compacts in each region is followed by a review of the different aspects related to this institution. These various elements of the community compacts are categorized into four facets; administrative, judicial, welfare, and the instillation of morals. These four facets also serve as a comparative framework for the second, and principal, objective that is that of a comparative study of the community compact system between Ming China and Chosŏn Korea, meaning an examination of the similarities and differences between both states. To obtain the most representative sample for this research, what we understand to be the most influential compact models in both societies are used for comparison. By doing so, this work reaches a number of conclusions pertaining to the particularities of Ming and Chosŏn social, political and cultural realities which are reflected in the organization and the content of their respective community compact models and examples. Generally speaking, this will permit us to see that the Ming government had a more hands-on approach concerning the management of its localities while Chosŏn’s socio-political system implied, in effect, a higher degree of shared authority with its local elites.
Lay Summary

This is a work that explains the organization of “community compacts”, which were local agreements based on a set of moral rules made among members of a community mainly in the countryside, during the Chosŏn dynasty (1392-1897) situated in modern day Korea and during the Ming dynasty (1368-1644) in what is now China. It also compares these types of organisations in both dynasties in order to find similarities or differences to better understand the phenomenon of community compacts and, more generally, both societies themselves. To realize this comparison, I use specific community compacts examples and compare them on the basis of four different aspects: administrative, judicial, welfare and the transmission of morals.
Preface

This dissertation is an original, unpublished and independent work by the author, Ali Khalaf.
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For my father, who was everything I am and wouldn’t need to read to understand
Chapter 1: Introduction

The arrival of Neo-Confucianism to the Korean peninsula had, in the long term, a profound effect on Korean society. As Martina Deuchler has noted, traditions like female inheritance and mourning rites were transformed to follow a more patrilineal system deeply influenced by Song China. However, while the court officials and elite from the young Chosŏn dynasty were already sensitized to the ideas of Zhu Xi (朱熹, 1130-1200), the common people would have to go through a centuries-long process of Confucianization. In Ming China as well, the first emperor of the dynasty, Zhu Yuanzhang (洪武, 1328–1398), quickly started reforms during his reign, in part to further propagate the state Neo-Confucian ideology. It is impressive to see the quite fruitful results, in retrospect, of these parallel enterprises, knowing that these two dynasties were to represent the apex of Neo-Confucian culture in world history. In fact, as scholars have shown, this process was undertaken conjointly. As demonstrated by Sixiang Wang, although Chosŏn was often at the receiving end of cultural production, it gained enough “knowledge of empire” to appropriate its symbols and institutions and help shape the Ming’s imperial ideology.1 Through the constant exchange of envoys, books, poems, tribute and ideas, Ming and Chosŏn truly succeeded in creating a Neo-Confucian realm where Song thought prevailed. However, to truly achieve these ideals, they had to be spread throughout the totality of the countryside for the ‘hundred surnames’ to work towards cultivating virtue and ridding evil. Due to coinciding socio-political circumstances, both Ming and Chosŏn literati turned to the institution of community compacts (鄉約, K. hyangyak, C. xiangyue) in order to reach that goal. By providing a platform for dealing with local issues and seen as a “convenient instrument for the realization of the ideal rural community,” 2 the debate about implementing

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community compacts would remain a popular topic of discussion throughout these two dynasties and beyond. By focusing on this institution as a “site of negotiation between society and the state, individual and community, and regional and central forces,” this thesis aims to reach a better understanding of how an idea originating in Song China evolved and transformed within two separate East Asian dynasties championing Neo-Confucian thought.

Before delving into the subject, a quick etymological explanation might give the reader a better idea of what community compacts are. According to James Palais, the term xiang 鄉 in Chinese (K. hyang) can be traced back to the Rites of Zhou 周禮 (2nd century BCE) and its mention of the six xiang surrounding the capital. According to the text, during the time of the Zhou dynasty (1046-256 BCE), xiang were administrative units in the countryside drawn by the central authority, without paying much attention to local topography, that often regrouped numerous villages. The xiang originally included 12,500 families, subdivided by tang 黨 (K. dang) consisting of 500 families and further divided all the way down to the most basic five-family units. Each of these units was headed by a man of status that had to deal with population censuses and property registration to varying degrees and reported to the man above him according to the administrative divisions. While this system underwent changes from one dynasty to the next and the number of families assigned to each unit changed, administrative systems associated with the concept of xiang (hyang) also made their way into Korea. Also, at least from the Song, the character xiang eventually came to carry also the meaning of the countryside, local community or one’s native rural area with expressions like xiangli 鄉里 (native rural area), xiangdu 鄉都 (countryside) in Chinese and kohyang 故鄉 (native birth place)

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3 Community compacts continued to be initiated in Qing China and under the Japanese colonial rule of Korea and persist even to this day in some communities. They were also initiated in what is today Vietnam; see Kyoung-Ha Park, “A Comparative Study on Local Self-Governing Community in Pre-Modern Korea and Vietnam: Focus on Hyangyak and Huong Uoc Co,” Journal of Multi-Cultural Contents Studies 23 (2016): 103–24.


6 Palais, 706. The xiang will be further discussed in the section on the administration (Chapter 5.1).
or hyanghoe 鄉會 (communal meeting) in Korean. The terms xiangyue and hyangyak are also used in a similar manner. On the other hand, yue 約 (K. yak) is generally understood as a social agreement or a contract between individuals. However, yue entails more than that. While it can refer to a promise of some sort made among individuals of equal position based on trust, it can also correspond to a more ‘binding’ and ‘controlling’ pact or to a literal set of orders given by a ‘superior’ party to an ‘inferior’ one. Therefore, while yue and ‘official laws’ are distinct from each other, “the word yue itself is a superordinate concept that transcends the difference between orders and agreements.”

Put together, these two sinographs comprise a word commonly translated as ‘community compact’, but it has also various other translations, such as village covenant, community pledge, village code, etc. In this thesis, the general expression of ‘community’ is retained because, as mentioned by Chu Hung-lam, while mostly prevalent as rural organizations, “later Ming pacts were [also] designed to be implemented in townships and even cities.” Therefore, the term ‘village’ does not apply in all situations and all that is actually needed for a compact is the presence of a community. The translation of ‘compact’ is more problematic, not only due to the ambiguity of the term yue as mentioned above, but also due to the various understandings of the nature of community compacts by different scholars. The first modern scholarship on East Asian community compacts was written by Japanese scholars at the beginning of the 20th century. This first wave of scholarship viewed the

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9 Terada, 314. The concept of yue and the relation between laws and community compact regulations will be further discussed in the section on the judicial facet of community compacts (Chapter 5.2).
11 Chu, 2. These include names such as Shimizu Morimitsu, Wada Sei, Shimizu Taiji and others for the study of Ming compacts. For Korea, this wave of Japanese scholars is closely associated with the colonial rule that official started in 1910 with the annexation of Korea to Japan. They viewed the community compacts of Chosŏn as a system of local autonomy that, if applied correctly, could help the Japanese empire administer its Korean ‘protectorate’ efficiently. Among them were Matsuda Kō, Takahashi Tōru and Tominaga Bun’ichi, the latter of whom even tried to establish his own compact while he was governor of the North Hamgyŏng province. See, Yi Kwang-u, “1920-30 nyŏndae Ilbonin kwanhakcha ūi Chosŏn hyangyak yŏn’gu e taehan kŏmt’o (Review of the Research Done by Japanese Official Scholars on Chosŏn Community Compacts in the 1920-30s),” *Sŏktang nonch’ong*, no. 65 (2016): 261–89.
community compacts as grassroots organizations that fit into the overall tradition of self-governance. This was mainly due to the ability of such organizations to solve conflicts among villagers without the intervention of the state. Later, in the 1960s, Sakai Tadao and Kung-chuan Hsiao wrote extensive and influential works on the topic of community compacts and instead, understood them as tools used by the government to propagate ideology and control localities, at least in the Ming and Qing context. In the Korean context, Sakai, who was also interested in Korean hyangyak, reckoned that it was natural for the Chosŏn government to promote community compacts, as they helped diffuse Neo-Confucianism and maintain the “political and social regime under yangban leadership.” Yi T’aejin, on the other hand, saw the compacts as a structure for the sarim 士林 to expand irrigation in the countryside. Therefore, we can see through this quick historiographical overview that scholars have construed community compacts differently and have often disagreed on the purpose of their implementation.

As defined by Park Kyoung-Ha in the context of Chosŏn, “a hyangyak system is known as a mutual promise created by a group of residents in a country village,” while in the case of Ming China, Chu Hung-lam sees it as “a formal meeting involving a lecture on moral topics, the announcement of members’ recent conduct, and the performance of an array of rituals.” As can be noticed, both definitions of community compact are given in broad terms and do not give a precise idea of what the community compacts entail. This is understandable, given the sheer number of different community compacts and the fact that, much like the hyang itself, they took on many forms through time and space and what they symbolized in actual practice changed.

12 Chu, “The Community Compact in Late Imperial China,” 2.
16 Chu, “The Community Compact in Late Imperial China,” 1.
is more of an umbrella term that can encompass a number of variations on the idea of a ‘compact’ that differ in their application and nature, none of which can fit in a single box. On top of this, one must take into account a spectrum with no clear drawn line between community compacts and other local associations, which further complicates the picture, but I will discuss this spectrum later.

While the idea might be older than Confucianism itself and reach far back into Chinese history, community compacts gained popularity mainly during the 16th and 17th centuries. Conveniently for the structure of this thesis, it is curious that this type of organization had its heyday during the same centuries in Korea and China, albeit due to almost separate developments. Of course, this resurgence in the popularity of community compacts should also be understood in the context of a period of revival of Song institutions. As I discuss in detail later, in Ming China it was in part because the *lijia* 里甲 system that the emperor Hongwu instituted was in ruins that other local organizations such as the *baojia* 保甲 and *xiangyue* emerged in the beginning of the 16th century. At the same time, on the Korean peninsula King Chungjong 中宗 (r. 1506–1544) was approving the requests of the *sarim*, a group of zealous Neo-Confucian scholar-officials, for the publication of various texts, including a Song community compact text amended by Zhu Xi, to restore proper customs and promote harmonious relations between the people in the country. However, far from being a simple Chinese import, Korean *hyangyak* were devised to fit Korean social conditions and, as we will see, partly evolved from certain Korean traditions and institutions as well. While I focus on 16th-17th centuries, with the end of the Ming dynasty as a general self-imposed temporal limit, this timeframe is not absolute. To give a more complete picture and take into accounts elements of continuity in the practice of community compacts, I will also examine some examples from the 18th

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17 In his preamble to the Sŏwŏn Community Compact, Yi I traces back the community compact to the three dynasties of Ancient China (Xia, Shang, Zhou), but he does not cite any source. *Yulgok Chōnsŏ* 16:2a-b. Translated in Ch’oe, *Sources of Korean Tradition*. Vol. 2, 145.
18 The *sarim* will be discussed in the chapter on the development of *hyangyak* in Chosŏn (Chapter 3).
19 See the section on administration (Chapter 5.1.2).
century while being mindful of the differences associated with a different historical context. Numerous community compacts sources and information have survived, mainly from the southeastern region of China during the Ming and from Kyŏngsang Province in Chosŏn Korea. However, not only would it not be possible to analyze all compacts for this thesis, but many of them are actually modeled on a small number of influential community compacts. These ‘models’ are the ones I will focus on, as they seem to be the perfect matrix for attaining a more global understanding of the local institution of community compacts and drawing comparisons between the Chosŏn and Ming versions. For China, besides the original Song prototypes of Lü Dajun 呂大鈞 (1031-1082) and the revised version of Zhu Xi, I mainly examine Wang Yangming’s 王陽明 (1472–1529) Nangan Community Compact 南贛鄉約 devised around 1518 and Lü Kun’s 呂坤 (1536-1618) Community-Security Compact 鄉保約 (also called xiangjia 鄉甲) written around 1598. For Korea, the compacts devised by Yi I (Yulgok) 李珥 (1536-1584) will be at the center of my research (Sŏwŏn Community Compact 西原鄉約 in 1571, Haeju Community Compact 海州鄉約 in 1576), and to a slightly lesser extent, Yi Hwang’s (T’oegye) 李滉 (1501-1570) Yean Community Compact 礼安鄉約 (also called the ‘Articles of the Community Compact’, hyangnip yakcho 鄉立約條) in 1556. A number of other community compacts will also be used for specific examples and descriptions of rituals, most of which were written in the 17th century with a wider diversity of Korean compacts.

This thesis aims to realize two main objectives that will be carried out on the basis of primary and secondary sources. First, the thesis aims to give a general understanding of the community compact organizations in both Early Modern East Asian states. For this purpose, I adopt a coherent structure where the explanation of the development of community compacts in each region is followed by a review of the different aspects related to this institution. To do so, I categorize various elements of the community compacts into these four facets; administrative, judicial, welfare, and the instillation of morals. The second, and principal, objective is that of a comparative study of the
community compact system between Ming China and Chosŏn Korea, meaning an examination of the similarities and differences between both states. In truth, since the phenomena in both countries share numerous elements, the real challenge lies in finding how they differ. By doing so, I reach a number of conclusions pertaining to the particularities of Ming and Chosŏn social, political and cultural realities which are reflected in the organization and the content of their respective community compact models and examples. Generally speaking, this will permit us to see that the Ming government had a more hands-on approach concerning the management of its localities while Chosŏn’s socio-political system implied, in effect, a higher degree of shared authority with its local elites. While every example examined is geared toward this comparison, the realization of the second objective will become apparent in the partial conclusions at the end of each section and in the final conclusion, where I attempt broader hypotheses. As one of very few comparative studies of community compacts in Ming China and Chosŏn Korea, this research is bound to suffer from certain limitations. References to community compacts in Ming and Chosŏn sources are numerous and the remarkable number of compact texts themselves attests, at the very least, to their importance in the minds of the scholars and community leaders of the time. Because this thesis is aimed at students of Korean studies and Chinese studies alike, I have tried to be generous with historical and social context in order to cater to a slightly larger readership that might not be otherwise be aware of the community compact traditions of both Ming China and Chosŏn Korea. That being said, the reader might notice a slight bias in the emphasis on Chosŏn documents and tradition. While I have tried to give equal attention to both Ming and Chosŏn, this inevitable discrepancy is due to the fact that my academic background has been primarily focused on Korean studies.

Throughout the thesis, I venture generalisations in order to advance the comparison process and discern emerging trends in community compacts related to one state or the other. Thus, not every element presented is to be found to the same extent in every community compact because of
their notable diversity. In the spirit of Chu Hung-lam’s short introductory paper on the topic,\textsuperscript{20} this thesis strives to simplify while staying mindful of the nuances.

\textsuperscript{20} Chu, “The Community Compact in Late Imperial China.”
Chapter 2: Origins of self-government and community compacts

In his chapter on the subject, Palais gives a quick overview of the evolution of local self-government in China based on Yu Hyŏngwŏn’s 柳馨遠 (1622–1673) work, a 17th century scholar who also discussed the organization of community compacts. As a social phenomenon, this form of self-government evolved from the earlier discussed administrative system of the xiang during the Zhou. Based on this territorial organization and by giving more responsibilities like taxation and military recruitment to leaders of xiang units, people like Guan Zhong 管仲 (720-645 BCE), a minister of the Duke Huan 桓公 (r. 685-643 BCE) of Qi 齊, and Shang Yang 商鞅 (390-338 BCE) of Qin 秦 were able to keep control of the countryside and efficiently utilize its resources to achieve hegemony. Under the reforms of Lord Shang, a name associated with legalist thought, the population was again to be grouped into five-family units, but on top of previous duties, they were also mutually responsible for each other’s behavior and had to assist each other in times of distress. The Han dynasty followed a similar model, but also introduced the Three Elders (san-lao 三老) at the head of the xiang, “who administered education, lawsuits and tax collection, and police duties … [and] worked closely with the regular officials.” The Three Elders were not government officials but men over 50 years of age chosen for their good reputation and behavior. This change is important because local leaders, even though working in conjunction with officials, had gained responsibilities over education and policing, and it shows that the state was limited in its tactics to keep the countryside under its grip. In fact, when centralized rule faltered, “local control was left in the hands of local men of influence” and

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23 Palais, Confucian Statecraft and Korean Institutions, 707.
24 Palais, 707.
this has led Chinese people throughout the ages to turn repeatedly to self-reliant communities as advocated in the *Rites of Zhou*.

The most influential text promoting community self-reliance, however, was surely the *Lü Family Community Compact* (also called the *Lantian Community Compact*), written by Lü Dajun 呂大鈞 (1031-1082) in 1076 during the Song dynasty and possibly the first written social contract in Chinese history. This document advocated four basic imperatives for a harmonious local society: 1) mutual encouragement of virtuous deeds and duties; 2) mutual regulation of errors and omissions; 3) reciprocity in rites and customs; and 4) mutual aid in difficulties and misfortunes. The *Lü Family Community Compact* was intended to be enacted at the village level and served as a written contract between the members of the community that initiated the compact, admittedly comprising only a local elite. Participation in the compact was voluntary and members were also free to leave (something which would mostly not be the case in the Early Modern context). The compact also stipulated that one or two elected people among the members would be chosen to make sure that the rules of the compact were respected and ensure appropriate rewards and punishments. Finally, the compact called for a monthly reunion of the members to promote harmonious relationships and prompt discussions about the rules of the compact and their revision, if necessary. Lü Dajun envisioned an organization of members that could freely assemble and solve the problems of the community. At the same time, his compact can also be viewed as an “attempt to strengthen local claims to self-administration against control from the center, in addition to his application of Confucian ideals of communal organization.”

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26 Sakai, “Yi Yulgok and the Community Compact,” 326.
28 Niou, 231–32.
Lü’s text, however, was popularized by Zhu Xi (1130-1200), the most preeminent Chinese Neo-Confucian scholar, after he amended and revised it. Zhu Xi expanded on the *Lü Family Community Compact* and his revisions encompassed educational institutions in conjunction with regulations for local granaries. He further detailed the Four Imperatives, emphasized appropriate decorum between members (such as proper interactions between a host and guest during visits), and added specifications to ensure that scholars maintained control over decisional power. In fact, compared with the original Lü version, while commoners were somewhat included, “Zhu Xi’s version seems to be more of a device to regulate the social life of the educated elite.” Nonetheless, this version—often referred to as the Zhu-Lü compact—is what spread, like most of Zhu Xi’s work, not only throughout China, but to Korea as well.

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Chapter 3: Development of hyangyak in Chosŏn Korea

Looking at the roots of community compacts devised during the Chosŏn dynasty on the Korean peninsula, it can be said that they were the product of two distinct traditions: an ideological and literary Chinese tradition (mainly represented by the Zhu-Lü Compact) and an institutional and social Korean tradition (the second of which will be explained in Chapter 5.1.2 on administration). It was around 1403 that the Ming dynasty had presented the Great Compendium of Master Zhu’s Collected Works 朱子大全 to Chosŏn, which included Zhu-Lü’s community compact (the version revised by Zhu Xi). While the official publication in Korea of Zhu Xi’s collected works did not happen until the official order by Chungjong to do so in 1542, Kim An’guk 金安國 (1478–1543), governor of Kyŏngsang province, had received permission to publish the Sohak 小學 (The Lesser Learning), a book for children’s moral edification, and his own annotated translation (ŏnhae 諺解) of the Zhu-Lü community compact in vernacular Korean (Middle Korean) in 1518. A series of natural disasters, incidents including murders, and the general deterioration of mores expressed by various scholars in the beginning of the 16th century had prompted King Chungjong to find solutions to inspire his population to adopt proper Confucian behavior and by doing so, calm divine retribution. Along with other Confucian primers like the Samganghaengsilto 三綱行實圖 (Exemplars of the Three Moral Relationships), Kim An’guk’s translation of the Zhu-Lü compact was widely distributed and served as “as a basic guide to Korean compact authors.” This constitutes a direct ideological and literary influence on Korean hyangyak from Song China, and though Ming scholars would devise other

33 Sakai, “Yi Yulgok and the Community Compact,” 326.
34 The text is often referred to as the Yŏssi hyangyak ŏnhae (呂氏鄕約諺解). Chosŏn wangjio sillok, Chungjong sillok, April 1, 1518 (year 13).
35 Palais, Confucian Statecraft and Korean Institutions, 713.
36 Deuchler, Under the Ancestors’ Eyes, 494.
community compacts with notable differences that later became known on the peninsula, they failed to have an enduring effect on the system of community compacts in Korea.³⁷

Kim An’guk’s Confucian morals propagation project was coherent with his ideological ambitions, for he was part of what Korean historiography calls the sarimp’a 士林派 (the scholars of the forest). The sarimp’a (or simply sarim) were a group of scholars and government officials that are often depicted as idealists due to their constant promotion of “purified” Neo-Confucian values and Chinese institutions. To achieve a harmonious society, they sought to create a Neo-Confucian revival by instigating various reforms and projects, in which the diffusion of hyangyak played a major role. Under the lead of Cho Kwangjo 趙光祖 (1482-1520), Chungjong had started to show interest in the proposals by the sarimp’a to adopt community compacts in order to assist the King’s rule.³⁸

However, while seemingly convinced of the transformative power of hyangyak, Chungjong was hesitant about decreeing their national implementation due to the many counterarguments given by officials opposed to the project. First, for some officials, by putting an emphasis on the order of seniority, hyangyak contravened Chosŏn’s traditional social hierarchy. While debating the matter with King Chungjong, an official named Cho Chin 趙珍 (dates unknown) said that “in [the rules of] propriety, there is a distinction between noble/mean and high/low, because they [hyangyak] consider only age and instead put slaves (ch’ŏllye 賤隷) in a high[er position], it had the harmful effect of making the lower people disregard the upper people and the low birth disregard the noble.”³⁹ Second,

³⁷ This difference will be discussed further in the section on the instillation of morals (Chapter 5.4). Instead of the Four Imperatives of the Lü Family Community Compact, the Six Maxims of the Ming Emperor Hongwu started to be adopted in 16th-century Ming China. While some scholars such as Kim Seryŏm 金世濂 (1593- 1646) wrote compacts, including the Six Maxims, from the 17th century in Korea, the Zhu-Lü model was already too well-established. For more information, consult Sakai, “Yi Yulgok and the Community Compact,” 339–44.


³⁹ Chosŏn wangjo sillok, Chungjong sillok, April 4, 1520 (year 15). This reason and the second one concerning the weakening of the magistrate are also given in Kim Chŏngsin’s discussion of the opposition against the national implementation of hyangyak. See, Kim Chŏngsin, “16 segi Chosŏn ŭi kwan chudo hyangjong kwa hogangnyul (Sixteenth Century Chosŏn’s Establishment of Local Government and the Law on the Powerful),” Chosŏn sidaesa hapko 87 (2018): 86–89.
the opposition emphasized that giving more power to the local elite through *hyangyak* organizations would surely result in a weakened magistrate and state, which was further proved by “some compact associations [that] had interfered with the judicial tasks of the Ministry of Punishments and the Seoul magistracy by punishing law-breakers on their own.”

Third, the argument was advanced that those who were poor should not be forced or punished by the *hyangyak* for not being able to contribute or help their neighbors.

Finally, the purge of Cho Kwangjo and the *sarim’pa* charged with cliquism and excessive reforms in 1519 put an end to this early pro-*hyangyak* movement.

It was not until 1553, after Myŏngjong 明宗 (r. 1545-1567) had started his reign, that a certain recuperation of respect and praise toward the *sarimp’a* occurred and officials started to demand implementation of the community compacts again, but the king did not concede and no progress was made.

It was during this period that T’oegeye and others started making *hyangyak* for their own localities. Slowly but surely, *yangban* in the countryside were taking matters in their own hands. The last meaningful round of court debates around the institution of *hyangyak* happened early during the reign of Sŏnjo 宣祖 (r. 1567-1608). Many advocated the adoption of compacts by royal decree and the king eventually gave in by ordering to “print and distribute [them] widely… all the way to each local school teacher [and] to a large number of people”, but only to retract his order a couple of months later due to the famine throughout the country.

Yulgok, despite being a firm advocate of the benefits of community compacts, also came to the conclusion that the people were not ready for a royally ordained community compact and instead exhorted the king and the court to cultivate their

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40 Palais, *Confucian Statecraft and Korean Institutions*, 713.; *Chosŏn wangjo sillok*, Chungjong sillok, January 4, 1520 (year 15).; *Chungjong sillok*, January 11, 1520 (year 15). This is demonstrated by examples, such as *hyangyak* groups physically obstructing the official punishment of one of their members in front of Kwanghwamun Gate in Seoul. There are also numerous statements concerning the court’s worries of the *hyangyak* organizations meting out punishments themselves or applying their own ‘law’ (*pŏp*). This will be further discussed in the section on the judicial facet of community compacts (Chapter 5.2).

41 *Chosŏn wangjo sillok*, Chungjong sillok, January 11, 1520 (year 15).

42 *Chosŏn wangjo sillok*, Myŏngjong sillok, August 10, 1546 (year 1).; *Myŏngjong sillok*, August 23, 1546 (year 1).; *Myŏngjong sillok*, December 1, 1559 (year 14).

43 The quote is from *Chosŏn wangjo sillok*, Sŏnjo sillok, August 22, 1573 (year 6).; for the retraction, *Sŏnjo sillok*, February 7, 1574 (year 7).; For more context, Palais, *Confucian Statecraft and Korean Institutions*, 718.
own “hearts” and to set an example for the population. He emphasized an argument that was often used by the Ministry of Rites and others when opposing the implementation of hyangyak—known in Korean historiography as ‘sŏmminsāeng’(先民生)—meaning that the welfare of the people has to come first, before thinking about ways to perfect their morals.\(^{44}\) In the end, none of these efforts gave lasting results and “no uniform government-sponsored format of a community compact emerged, [and] the king would not assume the leadership in ‘civilizing’ the countryside.”\(^{45}\) The subsequent kings’ positions would be somewhat of a compromise whereby they simply encouraged localities to set up their own community compacts.\(^{46}\)

Instead, it was mostly the local yangban elites (with the notable exception of Yulgok and other magistrates) that took charge of setting up community compacts. For the local yangban, “it was an advance on the Korean traditional practice whereby… every case formally dealt with had to come to the attention of the central government. Yangban prestige was raised; the yangban were given for the first time, a function semi-independent of central authority; for almost the first time, they had a personal function in the local communities.”\(^{47}\) While some hyangyak were exclusively reserved to yangban members, others saw the possibilities in terms of free labor, authority, and resources of being a hyangyak leader and instead made sure to include as many commoners as possible in the compact.

What was supposed to be voluntary in the Zhu-Lù version became compulsory in most of Korean hyangyak. Leaders of hyangyak (toyakchŏng 都約正, puyakchŏng 副約正, etc.) had the power to mete out punishments, collect grains and rice, and maintain the registers of merits and demerits that would eventually determine how the community would act towards an individual. It seems that the

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\(^{45}\) Deuchler, “Ritual and Order,” 297.; For a king by king overview of community compact debates at the Chosŏn court, consult Palais, Confucian Statecraft and Korean Institutions, 712–34.

\(^{46}\) Kim Chŏngsin, “16 segi Chosŏn ŭi kwan chudo,” 88–89.

kings were well aware of the corruption and abuse of power that could happen at the local level, which could also explain their constant rejection of the official implementation of *hyangyak* throughout the kingdom.

That being said, while the official endorsement of *hyangyak* was still being debated at court, T’oegye, a greatly important figure in Korean Neo-Confucianism, drew up the “Articles of the Community Compact” (*hyangnip yakcho* 鄉立約條) in 1556 along with a preamble in which he explained his reasons for undertaking the project.\(^{48}\) His community compact written for the district of Yean was to be widely cited by future *hyangyak* devisers. However, even though T’oegye must have known about the Zhu-Lü community compact, his compact is notable for not including the Four Imperatives advocated by the Zhu-Lü compact and for deviating from many of its regulations. For example, T’oegye’s compact rejects the “Record for Wrongful Conduct” and stipulates only to keep a record of good deeds.\(^{49}\) Instead, he focuses heavily on punishments to cultivate virtue in individuals, with the harshest punishments reserved for people who disobey their parents, disrupt peace within the family, insult village elders, etc.\(^{50}\) T’oegye also specified that the compact should be shown to and approved by all the members of the community, but the compact was never put into practice. The inspiration he drew from the Ming and Korean statute laws, the *hyanggyu* 鄉規 regulations of the *yuhyangso* 留鄕所, and especially his omission of the Zhu-Lü community compact principles, has caused many recent scholars to disagree on the nature of T’oegye’s compact. Tabana Tameo and Tagawa Kōzō have both written about how Toegye’s compact cannot be considered a community compact (*hyangyak*). For them, in order to be classified as a *hyangyak*, the compact should follow the model set by the *Lü Family Community Compact*. Instead, T’oegye’s compact should be viewed as


\(^{49}\) Palais, 717.

\(^{50}\) For a list in English of T’oegye’s punishments according to the severity of the crime, see Sakai, “Yi Yulgok and the Community Compact,” 324–25.
community regulations (hyanggyu) that “should be regarded as representative of the traditional community constitutions of Korean society.” Sakai Tadao, disagrees with this view and affirms that a lack of Song influence in the text does not disqualify it as a hyangyak, since community compacts in their essence were to be based on the local constituents of a specific community. This debate is legitimate in that it serves to establish differences between imported institutions and local ones; but since a definitive answer does not seem to be possible, especially because of the similarity in the regulations and the fact that T’oegye might very well have been influenced by both traditions, T’oegye’s work will be treated as hyangyak in this paper.

Other hyangyak models include those made by Yulgok. While he was magistrate of what is today Ch’ŏngju in Ch’ungch’ŏng province, Yulgok wrote the Community Compact of Sŏwŏn in 1571 (Sŏwŏn hyangyak). In his preface, Yulgok stresses the importance of virtue in local leaders and officials and the compact itself was written with a lot detail, especially concerning the example of good and bad deeds and seemed to have been much more aimed at actual practice. Unlike T’oegye, Yulgok was mainly inspired by Zhu-Lū Compact, but brought modifications to it by making sure it was adapted to fit Korean kye associations and based himself on earlier compacts written for the area.

The Haeju Community Compact (Haeju hyangyak) was written around 1577 and was also based on the Zhu-Lū compact, but with new positions and a longer list of misdemeanors and

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52 Sakai, “Yi Yulgok and the Community Compact,” 325,345.
53 Sakai, 326–27.
54 Yi I, Yulgok Chŏnsŏ 粟谷全書, 16: 2a-6b. Sŏwŏn hyangyak. Available at KRpia online. https://www.krpia.co.kr/viewer/open?plctId=PLCT00005160&nodeId=NODE05356877#none ; Sakai, 329.
punishments when compared with the Sŏwn Compact. In this second, more extensive hyangyak written by Yulgok, “there is a new provision in the Haeju version to the effect that meetings of the compact were to be held at the local academy (sŏwn 鄉院), and that they were to be carried out in conjunction with the communal granary systems (sach’angpŏp 社倉法).” Thus, many provisions like the integrated Pledges for the Village Granary Kye (sach’anggye yaksok 社倉契約束) were integrated into the hyangyak in order to sketch out the roles that the granary and the academy would be playing in the compact. To be fair, the Song prototype also discusses this pairing of the granary and the school, but what the text had in mind was the combination of the community compact with the local public school like in the late Ming, and not the yangban-led academies of Chosŏn.

Other small additions reflect the Korean specificity of the text, such as the mention of “those not of the yangban,” illegitimate offspring, and a sub-section titled ‘loyalty to the state’. As in the Sŏwn compact, the members’ separation by social class retains its primacy where uneducated commoners and “men of knowledge” (yangban) should line up along a different wall during meetings. Also interesting is that in the section concerning ‘decorum and customs’ of the Zhu-Lü text included in the Haeju compact, Yulgok added a provision which specifies that a person of “virtue and social position, even though his age is not so advanced, should be accorded the courtesy befitting respected elders [the highest rank], and respected elders should treat that person as a peer.”

These elements have also given rise to a difference in opinion between historians about Yulgok, where some view him as more...


58 Sakai, 332.

59 Sŏŏl (庶孼), also called ‘secondary sons’, who were the offspring of the concubines of yangban and had a distinct status in the Chosŏn dynasty.

60 Yi I, Haeju hyangyak, Yulgok Chŏnsŏ 16; Sakai, “Yi Yulgok and the Community Compact,” 333–34.

61 Palais, Confucian Statecraft and Korean Institutions, 722.

progressive and open to different ideas, such as Wang Yangming’s view of Neo-Confucianism, and others point out the ban against heterodoxy and “lewd rites” in Yulgok’s compact and his protection of the status quo between social classes.\textsuperscript{63}

While other compacts continued to be drawn up, the next important wave of community compacts would take place after the Imjin war (1592-1598) throughout most of the 17\textsuperscript{th} century. They would, for the large majority of them, base their compacts on these earlier models by T’oegye and Yulgok. Even the 18\textsuperscript{th} century tongyak of Pu Indong 夫仁洞洞約 (1739), for example, contained the section by T’oegye on ‘mutual regulation of errors and omissions’ that concerned punishments and admonishments, while the rest of it was based on the Zhu-Lü compact.\textsuperscript{64} In general, “Korean scholars showed their adherence to earlier Neo-Confucian models and refused to accept in their stead later systems adopted by the Ming and Qing dynasties.”\textsuperscript{65}

\textsuperscript{64} Sakai, “Yi Yulgok and the Community Compact,” 327.
\textsuperscript{65} Sakai, 344.
Chapter 4: Development of xiangyue in Ming China

At the beginning of the dynasty, Zhu Yuanzhang, the first emperor of the Ming dynasty, embarked on a project to strengthen local control through various imperial proclamations that served to establish a reliable system of tax collection and communal organisation over the empire’s territory (these will be discussed in Chapter 5.1.1 on administration). In many ways, these early institutions played roles similar to those of the xiangyue in terms of local self-rule, conflict resolution, and community rituals, before community compacts gained popularity in the early 16th century. Also, akin to a good number of locally initiated xiangyue as well, at the center of these local structures were either communities focused around shrines, temples, or associations based on strong lineages.66 Among these structures and until the 16th century, the project for local administration initiated by Zhu known as the lijia served as the overarching system which sectioned a large portion of the territory into small subcounty units that performed different functions and streamlined state administration.67 The lijia’s functions were mainly related to the collection of taxes, but elders in relation with the lijia (li-elders) were also in charge of other responsibilities including education, adjudication, and rituals, making the lijia on some level, a dual system.68 Eventually, only the fiscal function of the lijia would survive in certain areas when the lijia and other connected structures started to experience decline and local administration was in shambles at the end of the 15th century. At that time, Song institutions, including the baojia and the xiangyue, saw a regain of interest, and would slowly inherit the functions of older local structures.

67 Hauf, “The Community Covenant in Sixteenth Century J’ian,” 23. The relation between lijia and other structures will also be explained in the section on administration (Chapter 5.1.1.)
68 Song Wenhui 宋文慧, “Mingdai xiangyue de fazhan yu xiang zhi shijian 明代乡约的发展与乡治实践 (The Development of Xiangyue and the Practice of Village Rule in Ming Dynasty),” Guangxi shehui kexue, no. 5 (2016): 117.
The reasons for this decline are multiple and are a topic of interest to many historians who try to explain the obvious change that took place in local administration towards the end of the 15th century. Some of the reasons given by historians have to do with population and mobility growth, an increasing disparity in wealth due to the developing commercial economy, and the lack of financial resources on the part of local governments, which had to deal with reforms from the central government and constant raids from pirates and bandits. Following the beginning of this decline, the central government failed to promptly institute an alternative official local structure, with the result (as understood by Kandice Hauf) that “the local elite sought to fill this vacuum for complicated reasons including altruism, a desire for order, to protect themselves and their lifestyles, and to gain power and prestige.” They aimed to build their communities to reduce local tensions and lessen the burden on local officials while promoting self-cultivation, which was seen as the ‘moral fibre’ necessary to bring harmony to the ‘realm’. However, Anne Gerritsen’s opinion differs from the common view shared by Hauf and other scholars that understands the revival of community compacts in Ming China as an original local response to the temporary void created by the weakening of the *lijia* or the otherwise strong government hold on localities. Instead, Gerritsen expresses that one is bound to view the situation in that way if looking solely at the Ming dynasty; but if one adopts a more historically distant Song-Yuan-Ming perspective, Gerritsen instead sees the early Ming government enterprise as an ‘aberration’ in an otherwise long tradition of local activism, and interprets community compacts as an expression of local activism.

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compacts as only one of the options that literati could use to build and be involved in their communities.\textsuperscript{73}

In any case, \textit{xiangyue} started to be seen as an efficient alternative to replace some of the duties of the \textit{lijia} system. This revival of Song institutions also included the \textit{baojia}, a system of surveillance and defense akin to a local militia, which started to appear in the 15\textsuperscript{th} century, but spread more rapidly when the central government encouraged its implementation on an ad hoc basis by issuing regulations in the mid-16\textsuperscript{th} century.\textsuperscript{74} The \textit{baojia}, which was initially often linked with the \textit{lijia}, came to be increasingly tightly coupled with the \textit{xiangyue} by the end of the dynasty, mainly due to the work of Lü Kun. The first community compacts to appear in sizeable numbers during the Ming in the 15\textsuperscript{th} and early 16\textsuperscript{th} century were most commonly devised by the local gentry for their own community, including examples like the Xiongshan 雄山 compact in 1511 or the Shanghang 上杭 compact in 1473.\textsuperscript{75} But official support from the government towards \textit{xiangyue} took more time. While a proposal was made at court by Xie Jin 解縉 (1369-1415) for the state to adopt the \textit{xiangyue} for “conciliation between neighbors”\textsuperscript{76} in 1388, nothing was done regarding this matter until 1529 in the Jiajing 嘉靖 (r. 1521-1567) reign, when community compacts were essentially ordered to be adopted throughout the empire by official policy.\textsuperscript{77} While the policy mainly focused on the implementation of welfare granaries, they were proclaimed in conjunction with the \textit{xiangyue} and the \textit{baojia} institutions, so to

\textsuperscript{73} Gerritsen, \textit{Ji’an Literati and the Local in Song-Yuan-Ming China}, 222–23.
\textsuperscript{74} Timothy Brook, \textit{The Chinese State in Ming Society} (London; New York: Routledge, 2005), 35.
\textsuperscript{75} For the Xiongshan compact and a discussion of early gentry-led \textit{xiangyue}, see Chu Hung-lam 朱洪林, “Mingdai zhongqi difang shequ zhian chongjian lixiang zhi zhanxian — Shanxi Henan diqu suoxing xiangyue zhi li 明代中期地方社區治安重建理想之展現 — 山西河南地區所行鄉約之例 (Mid-Ming Manifestation of the Ideal of Community Safety, the Case of Community Compacts in Shanxi and Henan Localities),” \textit{Chungguk hakpo} 32 (1992): 87–100.; The Shanghang compact can be found in Shanghang xianzhi, Shanghang County Gazetteer SHXZ (1939), 23/1b-2a. This is cited in Liu, \textit{Confucian Rituals and Chinese Villagers}, 168.
help stabilize communities and reinforce control over local population.\textsuperscript{78} It is also around this time that the Six Maxims of the Hongwu emperor started to replace the Four Imperatives in most Ming \textit{xiangyue}.\textsuperscript{79} It is also interesting to note that unlike the lengthy debates in Chosŏn, the \textit{xiangyue} are rarely mentioned at the Ming court, at least according to the \textit{Veritable Records of the Ming dynasty} (\textit{Ming shilu} 明實錄). Whereas the Chosŏn \textit{sillok} makes 161 references to community compacts, they are referred to only 18 times in the \textit{Ming shilu}, and, except for the above-mentioned policy, the majority of the remaining references are either praise for the institution or explanations on how to implement a \textit{xiangyue}.\textsuperscript{80}

The first community compact to reach a certain notoriety even in its own time during the Ming is that of Wang Yangming around 1517. Alongside other influential works of Wang, the \textit{Nangan Community Compact (Nangan xiangyue 南贛鄉約)}\textsuperscript{81} should be viewed as the first Ming model from which later Ming compact devisers drew inspiration.\textsuperscript{82} At the time, since the area was unruly and crawling with bandits, Wang tried to re-establish order using a number of institutions and measures. One of these was a \textit{xiangyue} written to bring back cohesion among the population and smooth their relationship with the state after its successful military campaign. The compact was “designed for mutual aid and moral reform [and] what this meant in more concrete terms was the establishment of community schools for children, a community covenant for subcounty level society, and orders for officials to print out proclamations to the people in large numbers.”\textsuperscript{83}

\begin{itemize}
  \item \textsuperscript{78} \textit{Ming Shilu} 明實錄, \textit{Shizong Shilu} 世宗實錄, March 9, 1529 (year 8).
  \item \textsuperscript{80} For examples, consult \textit{Ming Shilu} 明實錄, \textit{Shenzong Shilu} 神宗實錄, October 6, 1587 (year 15); \textit{Fulu chongzhen shilu} 附錄 崇禎實錄 January 9 (year 17).
  \item \textsuperscript{81} Nangan was the area at the borders of the Jiangxi, Fujian and Guangdong provinces.
  \item \textsuperscript{82} McDermott, “Emperor, Élites and Commoners: The Community Pact Ritual of the Late Ming,” 300.
  \item \textsuperscript{83} George Lawrence Israel, \textit{Doing Good and Ridding Evil in Ming China: The Political Career of Wang Yangming} (Leiden ; Boston: Brill, 2014), 103.
\end{itemize}
The other influential compact was that of Lü Kun composed during the last decade of the 16th century. Lü Kun had been an administration circuit intendant in Jinan before eventually becoming the governor of Shanxi province at the time of the compact’s introduction.⁸⁴ He included the compact’s text in his work on practical government statecraft, the *Shizheng lu* 實政錄. While Lü also implemented his compact in the province of which he was the governor, the link with officialdom in Lü Kun’s compact is much more evident and robust than in that of Wang.⁸⁵ Not only would he include a series of specifications in his compact entailing government involvement (which will be detailed later), but his model would later be used by Qing officials to establish the ‘community lecture system’.⁸⁶ It was surely the more integrated structure of *xiangyue* and *baojia* (dubbed *xiangjia* 鄉甲) that seemed attractive to the state administration and eventually permitted the compact to spread as widely as it did during late Ming.⁸⁷

This brief look at the two main models of Ming *xiangyue* serves only as a preliminary introduction, as their differences will be discussed further throughout this thesis. However, we can already conclude tentatively that while the spirit of the projects and the intentions of the devisers were similar, as seen in the frequently non-voluntary nature of late imperial compacts, community compacts developed in completely different socio-political contexts in Ming and Chosŏn. In the following sections, an exploration of each of the four facets of community compacts will facilitate a deeper understanding of the contexts and particularities of Ming and Chosŏn compacts, allowing us to reach wider conclusions.

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⁸⁶ The Qing *xiangyue* system is translated differently in English as ‘community lecture system’, due to the difference in nature of the organization that essentially became an officially sponsored system for moral indoctrination. See, Robert J. Antony, *Unruly People: Crime, Community, and State in Late Imperial South China* (Hong Kong: Hong Kong University Press, 2016), 46–51.
Chapter 5: The four facets of community compacts

5.1 Administrative

5.1.1 Ming

The administrative facet is an essential component of community compacts that assists in managing the territory in the countryside and structuring the control of individuals in its localities. Different actors take advantage of this particularity of community compacts in order to reach their economic and political goals, broadly defined. In the case of Ming China, the ultimate beneficiary of this administrative system seems to have been the state, which, since its inception, sought to implement a coherent and efficient administration all the way down to the ward level (tu 圖) and even beyond. While it is true that compacts were not solely initiated by government authority, this view of xiangyue was nonetheless also supported by Zou Shouyi 鄒守益 (1491–1562), a Ji’an scholar from the Jiangyou 江右 group and the deviser of many community compacts, who regarded community compacts as tools wielded by magistrates to control and govern people. What are the different administrative aspects of this control? And how did the community compact come to replace or complement other social structures?

First is the question of the nature, size and territorial expression of this repeatedly mentioned “community.” To be sure, from its inception during the Song, the community compact did not include a specific size for the community, for it was seen as a voluntary and non-coercive association of individuals hoping to build a more harmonious local society. However, for it to be viable and efficient in terms of organization and keeping records on each individual, it can rightfully be reckoned

88 The Jiangyou group were followers of Wang Yangming and also identified themselves as such. See Kandice Hauf, “The Jiangyou Group: Culture and Society in Sixteenth Century China.” (Ph.D. dissertation, Yale University, 1987).
89 Gerritsen, Ji’an Literati and the Local in Song-Yuan-Ming China, 225.
that the unit had to correspond to something not bigger than a village or a small number of villages. Also, in Lü Dajun and Zhu Xi’s minds, this was not intended as a nationwide system corresponding to a territorial grid following the contours of a specific administrative unit, but something pointing more towards the ‘traditional’ village91.

There has been discussion among historians of the differences between what we call the natural/traditional village as opposed to the administrative village corresponding to the local boundaries set by a dynastic authority. However, as reflected by the opinions of Philip Kuhn and Timothy Brook, it seems that the consensus has been that administrative villages and natural villages have had roughly similar boundaries, which Brook explains by highlighting the long-term impact of administrative boundaries on subsequent local societies and the fact that administrative officials “took care not to alter too radically what was already in place” as it would be inefficient to completely redraw borders.92 In discussing the lijia system, Leif Littrup, while remaining cautious on the applicability of late Ming subbureaucratic sources to early Ming, also refers to the research of Japanese historians like Shimizu Morimitsu and Tsurumi Naohiro, who have reached similar conclusions.93 Then, in the context of the Ming dynasty, since natural villages somewhat espoused local administrative boundaries, the implementation of community compacts was closely linked with the subcounty administrative structure. Due to constant population growth, there was a tendency to reorganize administrative levels and to place the focus on lower echelons to increase the efficacy of the administration.94 Therefore during the Ming, while still operating on the county (xian 縣) level, administrators instead used to think in terms of townships (du 部) for their duties. In the countryside, beneath the county, generally speaking and especially for the region of southeastern China, comes the

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91 Or towards a specific class (elite) residing in a “traditional” village, as implicitly expressed in the Lü Family Community Compact. See Liu, Confucian Rituals and Chinese Villagers, 167.
93 Littrup, Subbureaucratic Government in China in Ming Times, 44.
94 Brook, “The Spatial Structure of Ming Local Administration,” 2.
district or canton (xiang 鄉), the township (du 都) and the ward (tu 園). A more populous area might also have a subdistrict or subcanton level (li 里), just above the township. Therefore, administratively speaking, the natural village seems to have roughly equated with the ward (tu), which was the size of one to two hundred households, which is similar to the ‘hundred’ that I discuss later.

As touched upon previously, it is important to specify that the xiang referred to in the term xiangyue, while using the same Chinese character, does not imply a community based on the xiang district level. Even though one would be inclined to think that the xiang would be the closest unit for what Zhu-Lü had in mind, it seems not to have been the case. The xiang is a territorial unit that existed in Chinese history since the Zhou dynasty, and the number of households it includes changed over time and space ranging from 500 to 12,500 households. In Ming China, according to Kandice Hauf’s estimate for Ji’an, it remained somewhere around 5000 to 10,000 households, which is too large to establish any type of community compact that could hold meetings conveniently. Rather than understand the xiang as an administrative unit, the character should be understood as designating the countryside in general, or anything dealing with a community or a locality. That being said, while some community compacts were devised at smaller administrative echelons, a large number were initiated at higher administrative levels like the county or even at the provincial level with the intention of smaller communities using them as models to organize themselves. This was the case with Wang Yangming when he served as governor of Nangan in South Jiangxi, and of grand coordinator Chen Fengwu 陳鳳梧 (1475–1541), who instituted a community compact for Nanzhili 南直隶 (including today’s Jiangsu and Anhui provinces). However, many names associated with

95 Brook, 8.
96 Brook, 44.
98 Brook, “The Spatial Structure of Ming Local Administration,” 10.; Kandice Hauf also chooses to translate xiang as ‘community’; see Hauf, “The Community Covenant in Sixteenth Century Ji’an,” 14–16.
community compacts in Ming China were actually simply the initiators, but did not necessarily assure their continuity or their application in the localities themselves, for “functions and activities critical to the structure of local communities fell into the hands of the local elites [and gentry], not local officials,” especially from the 16th century onwards.

As the founder of a new dynasty, one of the early initiatives that Zhu Yuanzhang envisioned and put into action was the construction of *lishe* 里社 and *xiangli* 乡厉 altars, along with the land survey and system of household registration. In an effort to standardize the rituals of local communities, an altar for the ‘five soil and five grain’ spirit (*lishe*) for good harvests and another altar for the unconsoled spirits that had met an early, unjust or tragic death (*xiangli*), were to be built in each *li*, which corresponded to one hundred households on paper, but in practice also roughly equated to the ward (*tu*). The decree, promulgated in 1370, also stipulated that each year a different household was to lead the sacrifices, after which the libation ceremony had to be executed conjointly with the deliverance of a sermon on ‘suppressing the strong and supporting the weak’. It also demanded that each *li* build its own community school, and the totality of the moral injunctions of the emperor for the people were later included in the forty-one articles of the *Jiaomin bangwen* 教民榜文 (‘Placards to instruct the people’) in 1398.

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100 Brook, “The Spatial Structure of Ming Local Administration,” 2.
102 The community libation ceremony (*xiang yinjiu li* 鄉飲酒禮) was present throughout Chinese history and was often performed by officials and scholars in various contexts to pay their respects through a sacred ritual. However, during the Ming the Hongwu emperor instituted the lower level of the ceremony which was performed by commoners in their villages and communities. See Sarah Schneewind, “Research Note: The Village-Level Community Libation Ceremony in Early Ming Law,” *Ming Studies*, no. 1 (2005): 43–57.
These communities built around sacrifices to the altars have been named she 社 by Jianhua Chang and ‘village worship associations’ by Joseph McDermott, but they refer to the same organization. Later, it would be via these associations set up by the Hongwu emperor that community compacts were revived in the Ming. Chang discusses how in 1529 Chen Fengwu, the grand coordinator (xunfu 巡撫) of Nanzhili, required the erection of a stele in each li that would detail the requirements of the community compact rituals based on those rituals previously promulgated by Hongwu. Drawing upon examples of steles within Huizhou prefecture, Chang shows that the inscriptions instruct that, on top of the pronounced sermon, each li had to select a compact head (yuezheng 約正) and two compact assistant heads (yuefu 約副) that would keep registers of good and bad deeds. During monthly meetings, the leaders of the pacts would promote good actions and condemn evil one. Alongside these specifications, community schools (or she-schools) and community granaries (or she-granaries) had to be implemented in the li in addition to performing the rituals. This demonstrates clearly that the ‘village worship associations’ centered around the altars and worship were used as the socio-religious foundation for implementing community compacts as a sort of continuation of the promotion of harmony and good mores in the countryside.

However, before discussing the community compact administrative system proper, a few more words need to be said about the lijia system which was introduced in 1381 and stayed in place until the sixteenth century. The li that were established all over the empire (mentioned in the previous decree) were basically the same units used for the lijia, but are different from the subdistrict unit li. The li represented by the she communities or ‘village worship associations’ numbered a hundred

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105 Sakai Tadao sees a strong similarity between the Korean kye 契 and the Chinese she 社, the latter of which he describes as society specially formed for a specific purpose that has existed since the Six Dynasties. However, Chang identifies the she as rural communities whose primary goal was to organize the rituals related to the gods of the earth. Sakai, “Yi Yulgok and the Community Compact,” 346.; Chang Jianhua, “Sacrifices Aux Ancêtres,” 1346.
106 Chang refers to steles found in the districts of She, Qimen and others. Chang Jianhua, “Sacrifices Aux Ancêtres,” 1351.
households, while the li of lijia functioned in units of 110 households, but are nevertheless translated in English as a “hundred”. 100 of these households were then categorized into ten groups of ten units translated as “tithings,” each lead by tithing head (jiashou 甲首).\textsuperscript{109} The remaining ten households were deemed to be the most capable and wealthy in terms of land ownership and number of tax-bearing males (ding 丁).\textsuperscript{110} These ten households were to serve each year, on a rotating basis, as the li-head (lizhang 里長) that would be responsible for the whole “hundred” or li. The responsibilities of the lijia were various but above all else fiscal, meaning to facilitate the tax collection/delivery and labor services (corvée). This also included material requisitions of all sorts for government offices and personnel, including military equipment. Out of the ten tithings, one would be in charge of these tasks at a time and at the end of each decade, a population and land census would be conducted and registered in the Yellow Registers (huangce 黃冊). Moreover, hundreds gradually became responsible, after 1494, for supplying militiamen and helping with military logistics.\textsuperscript{111}

The lishe/xiangli altar system (village worship association) was directly linked with the introduction of the lijia, to the point where both systems can legitimately be seen as part of the same structure. On this point, Joseph McDermott sees the lishe/xiangli altar system as a “village sacrificing unit under the government’s new overarching rural administrative system, known as the lijia,” while Leif Littrup reckons that “the number of lishe and xiangli altars in a district [read ‘county’] often corresponded to the number of lijia created in 1381, so it seems to be a reasonable assumption that the li created for worship were the forerunners of the lijia in the 1381 system.”\textsuperscript{112} Whether they were intended to be linked from the beginning or whether it was the result of a further development, these

\textsuperscript{109} Consult Brook’s “The Spatial Structure of Ming Local Administration” for translations and their origins. Brook, 30.
two systems complemented each other and belonged to the same structure, where ceremonies, rituals and the upkeep of morality were being managed by the incorporated altar system. The *li*-elders (*lilao* 里老) were at the head of what Littrup calls the non-fiscal duties of *lijia*. Their role had been formally established in 1394\(^{113}\) and over subsequent years many of the non-fiscal roles of the *li*-leaders, such as judicial power and education, were transferred to the *li*-elders, and finally clarified by the *Jiaomin bangwen* (Placards to instruct the people) in 1398.\(^{114}\) In article 1, the *Jiaomin bangwen* reads that “in all trivial matters such as marriages, land, brawls and conflicts … these matters shall go through the local *lijia* elders for decision. In a case not taken to the *lijia* elders, regardless of its merits, the accuser shall be punished with sixty blows and the matter sent back to the *lijia* elders for decision.”\(^{115}\) While there is still a debate as to whether all *li*-elders were somehow officially selected or not\(^{116}\), the *li*-elder title was clearly backed by the government and was to be recognized as legitimate, as seen through this example. The *Jiaomin bangwen* also mentions other responsibilities of the *li*-elders, such as persuading people to do good and staying informed about the people’s actions, right and wrong.\(^{117}\) The position helped take some burden off local officials and also facilitated natural integration of the system of *lijia* among the local population.

Therefore, the *lijia* and the *li*-elder system are of definite importance for grasping the administrative roles played by community compacts in mid-Ming China. With the downfall of the *lijia* system, these non-fiscal responsibilities would be transmitted to the community compacts, while the *baojia* system would inherit defense and sometimes fiscality. It is also probable that some of the

\(^{113}\) Tsurumi Naohiro affirms that the exact year is in dispute, giving different author names that support different dates, albeit very close to each other. I have chosen to keep 1394 as corroborated by Littrup’s reasoning. See Naohiro Tsurumi, “Rural Control in the Ming Dynasty,” in *State and Society in China: Japanese Perspectives on Ming-Qing Social and Economic History*, ed. Linda Grove and Christian Daniels (Tokyo: University of Tokyo Press, 1984), 261.


\(^{117}\) Chang, “Appendix the Placard of People’s Instructions,” 66.
Li-elders became pact leaders (yuezheng) themselves, seeing how the actual functions of both positions are so similar. A lot more could be, and has been said by other authors about the lijia system, but it is not the focus of this paper to delve into the specificities. Rather, this brief overview of the lijia system allows us to see the administrative basis in which the community compact was to fit alongside the baojia.

The baojia was originally an idea of Wang Anshi 王安石 (1021–1086) of the Song dynasty, a contemporary of Lü Dajun, who recommended the baojia system as part of his ‘New Policies’ reforms proposed to King Shenzong 神宗 (r. 1067-1085). The system was meant as a community-based policing system to ensure protection against criminals and maintain order. In the 16th century, a certain revival of Song organizations and ideas was underway and the baojia was examined with keen interest by local officials. Wang Yangming was the first official during the Ming to re-establish a certain version of the baojia, known as the ‘Ten Family Joint Registration System’ (shijiapaifa 十家牌法) which had a sizeable but short-term impact in the southeastern areas that suffered from banditry. It was mainly used for mutual surveillance among a ten-household unit as a way to keep an eye on possible illegal activities, such as the harbouring of criminals. The goal was to hold each unit responsible for its members, in fear of reprisal, as highlighted by the words of Wang himself: “if anything is concealed, upon exposure all the ten family will be jointly punished”

The baojia system, on the other hand, would use the same ten-household unit named a tithing (jia), and ten tithings would constitute a watch (bao), in a structure similar to the lijia. In fact, in most areas, the lijia continued to exist alongside the baojia and the community compact systems. It seems that while most of its

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118 Littrup sees the baojia system as an updated version of the ‘Ten Family Joint Registration System’ and acknowledges the limitations of the latter which led to the baojia/xiangyue dual structure. Littrup, Subbureaucratic Government in China in Ming Times, 160–61.
119 Littrup, 161.
functions were transferred to other structures, such as the maintenance of social and moral order, its primary fiscal function remained quasi-intact, or at least operational.¹²¹

In 1548, guidelines on how to establish a local baojia system were issued by the central government but they were not enforced and remained an optional tool for local officials to use.¹²² Each tithing had a rotational tithing captain (jiazhang 甲長 or jiazong 甲總) and each watch, a watch captain (baozheng 保正 or baozhang 保長).¹²³ The watch captains were at the head of an effective communication system and alarm-giving structure in case of emergencies such as fires or attacks by bandits.¹²⁴ The baojia and the community compacts were often implemented together in the same areas. In most gazetteers of the period, community compact-related information figured under the separate xiangyue heading or under the baojia heading. Also, more or less following the 100 household structure, a community compact would be added to the bao unit to ensure justice and moral education, whereas the baojia provided protection and local defence. Of course, the community compacts system could be seen as a necessary addition to the baojia system, but it was also the heir to the tradition of local organizations put in place to provide an ideological framework for the masses and ensure the continuous harmony of the locality. This includes the lijia and the lishe/xiangli system mentioned above, but also the village wine drinking ceremony (xiang yinjiu li 鄉飲酒禮) and the Jingshan 旌善 and Shenming 申明 pavilions that were used in early Ming to resolve conflicts and litigations between people with the help of elders and intellectuals.¹²⁵ At the Jingshan pavilion, a list of exemplary morally good individuals, and at the Shenming pavilion a list of people who had wrongly conducted themselves, would be displayed for the entire community to see.¹²⁶ These practices were

¹²¹ Liu, Confucian Rituals and Chinese Villagers, 185.; Brook, The Chinese State in Ming Society, 35.
¹²² Brook, The Chinese State in Ming Society, 36.
¹²³ Brook, “The Spatial Structure of Ming Local Administration,” 39.
¹²⁴ Littrup, Subbureaucratic Government in China in Ming Times, 161.
also absorbed by the community compacts where the public display of individual deeds was a feature at meetings. The difference is that these pavilions were established in each township, while community compacts were organized at the bao or ward level.\footnote{Brook, \textit{The Chinese State in Ming Society}, 37. Brook based his information on Kuribayashi Nobuo’s research. See Kuribayashi Nobuo, \textit{Rikōsei no kenkyū} (Studies in the \textit{lijia} system), Tokyo: Bunrui Shoin, 1971.}

In 1592, through the work of Lü Kun, the \textit{baojia} and \textit{xiangyue} system were ultimately merged together into an administrative and spatial structure known as the \textit{xiangjia 郷甲}. It was Lü Kun’s opinion that “if you include education in \textit{xiangyue} and \textit{baojia}, then litigation will naturally stop, taxes will naturally be paid in full, and records will naturally be accurate and will not need to be examined.”\footnote{Shizheng Lu, 5:2a. (Record on Practical Government) [consulted online] Library of Congress. \url{https://lccn.loc.gov/2012402337}, (accessed February 2020). As translated by Joanna F. Handlin, \textit{Action in Late Ming Thought: The Reorientation of Lü Kʻun and Other Scholar-Officials} (Berkeley: University of California Press, 1983), 126.} In the \textit{xiangjia}, as Lü Kun envisioned it, the jia composed of ten families would choose a jia-leader (jiazhang) that had to report any good or bad deed of a member of his jia directly to the head of the compact (yuezheng), who then made sure to have it recorded in one of the registers.\footnote{Littrup, \textit{Subbureaucratic Government in China in Ming Times}, 166.} On top of other common positions found in a compact (recorder (yueshi 約史), deputy-director (yuefu 約副), etc.), two gongzheng 公正, that were implied to be the successors of the “elder” position in the community\footnote{Littrup, \textit{Subbureaucratic Government in China in Ming Times}, 166–68.}, had to be put in charge of the administration of the compact within their area. In this system, the \textit{baojia} officers also kept compacts members under relatively tight surveillance while providing protection for the community. Entertainers, servants and other people deemed low class were barred from joining, whereas the elite class households that included licentiates and officials could choose to join or not. Therefore, most of these \textit{xiangjia} members consisted of landowners and common people such as farmers and artisans who were required to join.\footnote{Littrup, \textit{Subbureaucratic Government in China in Ming Times}, 167–68.; Cheek, “Contracts and Ideological Control,” 29.} Finally, while guidelines existed to regulate and limit the contacts between officials and \textit{xiangjia} officers, subbureaucratic
institutions had to keep an eye on the community compacts, and subprefecture and county officials had to personally examine the ledgers of merit and demerit. The example of Pingyuan in 1587 shows that before establishing a xiangyue in a community, permission from the governor and the regional inspector was to be acquired, and circuit intendants had to investigate the conditions of the area.

However, the community compact was not only associated with the baojia. Huang Zuo (1490-1566), a pact author from the Pearl River delta area, devised a compact with “local leadership which coordinated and supervised the community school, the community granary, the communal temple, and the community police (the baojia).” While this seems ambitious, a good amount of community compacts were to be linked with the establishment of a community school (or she-school) and a community granary (or she-granary). In his ‘Instructions for Practical Living’ (Chuanxi lu 傳習錄), Wang Yangming had already detailed how the community schools and compact should be run, and how the compact should be at the center of public instruction by raising morals and using mutual encouragement for good actions. Zhang Huang 章潢 (1527–1608) developed this point further by explaining that the community compact “guide[s] people to behave appropriately in accordance with virtuous instruction…[while] the community school can enhance people’s quality of education.” The impetus for community school building that took place in the late fifteenth and sixteenth centuries ultimately aimed to consolidate local communities by having more official local organizations. These institutions, including the xiangyue and the community school, were often promoted and led by the same men, to the extent that the structure could be seen as a system for local control by the government.

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132 Littrup, Subbureaucratic Government in China in Ming Times, 166.
133 Littrup, 169.
134 Chu, “The Community Compact in Late Imperial China,” 5.
137 Sarah Schneewind, “Community Schools and Improper Shrines: Local Institutions and the Chinese State in the Ming Period (1368-1644)” (PhD Diss., Department of History, Columbia University, 1999), 285–86.
consisted mainly of learning Hongwu’s Six Maxims, the *Jiaomin bangwen* and other official instructions and classics—their buildings were also used in some instances for community compact meetings, and in other cases, granaries were set up directly inside the community schools, a further testimony to the integration of these local organizations.\textsuperscript{138} Administratively, these schools were initially ordered to be introduced at a rate of one school per fifty households in 1375. While this does not seem to be have been the case concretely, the Shandong provincial gazetteer of 1533 included at least one community school per ward over all its territory.\textsuperscript{139} In Lü Kun’s *xiangjia* compact, besides his description of the code of conduct of students and the qualifications of teachers, he set the bar at one school per 200 households in the countryside.\textsuperscript{140} In towns, we could also see another type of *xiangyue* association with academies (*shuyuan* 書院), in which only the students of the academy were allowed to participate in the compact. Based on the principle of merging *xiangyue* and schools together, scholars like Lü Nan 呂柟 (1479-1542), recruited over a hundred students to establish the *Jiezhou xiangyue* 解州鄉約 in Jieliang Academy (*Jieliang Shuyuan* 解梁書院), where they performed rituals and organized lectures. This style of *xiangyue* was also closely linked with the government, as officials were the ones who approved of students and content.\textsuperscript{141}

### 5.1.2 Chosŏn

In the Chosŏn dynasty, under the eight provinces system established at the beginning of the dynasty, one can find an administrative system similar to but distinct from that of the Ming. In the countryside, outside big towns, official government administrative units were the prefecture (*kun* 郡) and counties (*hyŏn* 縣), which were led at each level by magistrates holding different titles (*kunsu* 郡守, *hyŏllyŏng*

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\textsuperscript{138} Schneewind, 315–17.  
\textsuperscript{139} Littrup, *Subbureaucratic Government in China in Ming Times*, 171.  
\textsuperscript{140} Littrup, 172.  
\textsuperscript{141} Chu Hung-lam 朱鴻林, “Mingdai zhongqi difang shequ zhian,” 93–94.
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縣令, hyŏn'gam 縣監, etc.). While having been informally in use since T’aejo, the Kyŏngguk taejŏn 經國大典 (Grand Code for State Administration) promulgated in 1485 officially established the myŏn-ri (面里) system at the local level. It stated that outside of the capital, five households were to form a t’ong (統), five t’ong formed one li (里), and a few li together constituted one myŏn (面). T’ongju 統主 (t’ong leaders) were to be designated for the t’ong, ijŏng 里正 (li leaders) for the li, and kwŏnnonggwan 勸農官 for the myŏn unit (the last of which was to encourage agriculture, supervise irrigation projects and harvests, prepare for floods, etc.)

However, in practice, this system would not be fully in place until the 17th century, and even then, it was not applied everywhere and each area maintained its own specificities. For example, in certain provinces, one would find other administrative units in the countryside such as the pang (坊) and the sa (社). Also, especially in the south, far from the reaches of the central government, the unit divisions and levels would often change, making it difficult to talk about a definite all-encompassing administrative structure during the first half of the Chosŏn dynasty. To complete the picture, there existed a large number of localities in which local government officials had no presence regrouped under the term of imnae 任內. Under these, we find smaller spatial units such as the so (所), hyang (郷) and pugok (部曲) that were often comprised of fugitives, slaves, or other low-born individuals, and also the sokhyŏn 屬縣, which John Duncan translates as subordinate counties, that were led by strong families over generations. The goal of the central government of the time was, slowly but surely, to extend the reach of its power down into these subordinate areas, and bring them under the direct rule (chikch’ŏn 直村) of the official administrative structure. This structure was naturally extremely variable from area to area.

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143 Ch’oe Pongsu, 31.
144 John B. Duncan, The Origins of the Chosŏn Dynasty (Seattle: Univ. of Washington Press, 2000), 31. Duncan writes in the context of the Koryŏ dynasty, but this situation continued to exist during the early-mid Chosŏn.
the case of Namwŏn, for example, there were around 48 hamlets (pang 坊), which was the lowest division, while the next division up was the ward (myŏn 面). \(^{145}\)

**Figure 1. Early Chosŏn subcounty administrative structure (generic)**\(^{146}\)

![Diagram of Chosŏn subcounty administrative structure](image)

The magistrate in Chosŏn, identified by the generic term suryŏng (守令), was a central and powerful figure in local administration that cumulated judicial and executive functions at the prefecture or

\(^{145}\) Matthew Jason Lauer, “Two Years of Encounters in Namwŏn, 1736-1737: Conflict Negotiation and the Configurations of Chosŏn Village Society” (PhD Diss., Los Angeles, University of California, 2017), 20.

\(^{146}\) This is a simplified overview of subcounty administration, based primarily on the description contained in Ch’oe Pongsu, “Chosŏnsidae chibang haengjong kuyŏk ŏi chŏngbi e kwanhan yŏn’gu (A Study on the Reorganization of Local Administration Areas in the Chosŏn Dynasty),” *Chongch’aekkwahak yǒn’gu* 5 (1993): 3-41.
county levels. At a time when a strong grip on the countryside was necessary, the early Chosŏn court delegated significant power and responsibilities to the magistrate through a series of measures and laws (pumin 'gosogŭmjibŏp 部民告訴禁止法, hogangnyul 豪強律, etc.)\textsuperscript{147} The magistrate in Chosŏn traditionally had to perform the ‘seven responsibilities’, which included the support of agricultural production in their jurisdiction, managing the population and its grievances, maintaining the military to ensure defence, etc. In many of these duties, the magistrate relied on the hyangni (郷吏), a hereditary class of local functionaries, which in fact performed most of the administration and the collection of taxes, among other responsibilities.\textsuperscript{148} Previously, during the Koryŏ dynasty (918-1392), the hyangni constituted the local ruling elite which, following the institution of the new dynasty, became the victim of various anti-hyangni policies that sought to turn them into local petty officials in order to eliminate their grasp on the countryside.\textsuperscript{149} This was done as part of the government’s efforts toward centralization, but the power that it managed to take away from the hyangni was not necessarily transferred to the central government itself. Around the 15-16th century, local power fell effectively into the hands of the chaehi sajok 在地士族, an educated land-owning elite of yangban gentry whose estates in their localities, knowledge of Neo-Confucian principles, and blood relations with government officials comprised the base of their power and prestige.\textsuperscript{150}

\textsuperscript{147} Kim Chŏngsin, “16 segi Chosŏn ŭi kwan chudo.” In his dissertation, however, Matthew Lauer challenges the view of the all-powerful magistrate and discusses the checks and counterbalances at the local level. See, Lauer, “Two Years of Encounters in Namwŏn.”
\textsuperscript{148} Lauer, “Two Years of Encounters in Namwŏn,” 19.
\textsuperscript{149} Along with the ‘secondary sons’, the hyangni were relegated to secondary status in Chosŏn; however, an additional degree of humiliation was intended for the latter. Anti-hyangni policies prescribed a distinctively short mourning period for hyangni who had lost their parents, a punitive mandatory outfit forcing social segregation, etc. See, Deuchler, Under the Ancestors’ Eyes.
\textsuperscript{150} Yi Sang-hun, “Chosŏn sidae chibang kwanja wa mongmin’gwan Han Pŏmsŏk (Late Chosŏn Local Government System and the Action of Han Pŏmsŏk),” Nammyŏnghakkyŏn’gu, 2014, 166–68. Here, Yi Sang-hun pushes forward the widespread view of Korean historiography that sees the sinhŭngsadaebu (新興士大夫), a rising class of local Neo-Confucian yangban that started getting access to official positions and backed up Yi Sŏnggye in his project to establish the new dynasty based on Cheng-Zhu Neo-Confucian ideology. This is contested by John Duncan, who came to the conclusion that the dynastic change at the end of the 14th century did not mean the ousting of an old elite class, but instead helped strengthen the grip on power of a certain group at the royal court. However, this historiographic divergence does not affect the topic of community compacts and will not be treated further here. For an example of a history written from the traditional Korean viewpoint, see Ki-baik Lee, A New History of Korea (Ilchokak, Publishers, 1984). For a rebuttal, see Duncan, The Origins of the Chosŏn Dynasty.
As mentioned above in the section on the development of xiangyue, from an institutional and socio-political perspective, Korea already had a history of cooperative communities and institutions that promoted good morals and mutual help before the popularization of the Zhu-Lü community compact in Korea. First, local self-government bodies called yuhyangso (local bureaus) had existed since the Koryŏ dynasty, when leadership was initially assumed by local elites such as the hyangni, and was eventually transferred to the sajok 士族 in Chosŏn. The new-found prestige of the sajok translated concretely into having their names in a local yangban register (hyang’an 鄉案) which confirmed the elite status of its members. A certain number of times a year, these members (hyangwŏn 鄉員) participated in a meeting called a hyanghoe 鄉會 which came to be seen as a decision-making organ that wielded considerable power in their localities. As a general rule, only yangban with their name inscribed in the hyang’an could participate in the hyanghoe and the leader had to be an elder with significant moral influence over the community.151 During these meetings, they discussed how to regulate the duties of the hyangni, how to manage the corvée system, and general regulations for maintaining solidarity between the sajok and harmony in the community. On top of these duties, they also had the privilege of assigning individuals to board positions (hyangim 鄉任) in the local bureaus (yuhyangso or hyangch’ŏng 留鄉所).152 Abolished and reinstituted many times during the 15th century, these local bureaus were advisory bodies to the magistrates that were to help them in managing local affairs and act as an intermediary between local power and central government officials. The local bureaus were represented by a corresponding office in the capital (kyŏngjaeso 京在所) and the magistrate also had a say in the confirmation of appointments of board members in the local bureaus, albeit this was often a formality.153 Therefore, a veritable tug-o-war regularly took

152 Yi Pyŏnggap, 180.
153 Lauer, “Two Years of Encounters in Namwŏn,” 238.
place between local elites who in practice controlled the yuhyangso via the hyanghoe and the central government that pushed for its magistrates to get a hold on their localities. The relevance of the local bureaus, often called self-government organizations, and the hyanghoe meetings for the topic of community compacts is that the regulations of these bodies (hyanggyu 鄉規) seem to have directly influenced the regulations of the community compacts (hyangyak) in Chosŏn.\textsuperscript{154} The essence of ‘self-rule’, the regular meetings to discuss and regulate, the punishments for misconducts, and the overall moralistic ideology of the hyanggu found again in Chosŏn community compacts forces us to see the hyanghoe and the yuhyangso organs as predecessors of the hyangyak, at the very least as far as their institutional and administrative heritage is concerned.

Other important institutions which were sometimes coupled with the yuhyangso gatherings were the archery rites (hyangsarye 鄉射禮) and wine-drinking rites (hyangŭmjurye 鄉飲酒禮), originally described in the Rites of Zhou. These rites were often practiced and were encouraged by King Sejong for promoting civilized behavior in the countryside. Archery was “a means for rectifying the will … [and] the wine-drinking rite was conducted to demonstrate respect and deference to people.”\textsuperscript{155} They were practiced in the Hall of Communal Archery (hyangsadang 鄉射堂), and the yuhyangso often held their gathering at these locations, due to their popularity. An interesting point is that, before the ceremonies took place, the people gathered would pledge allegiance to the Four Imperatives of the Lü Family Compact, which led scholars like Martina Deuchler and Kim Yong-dŏk to think that these events were also “early forms of the later community compacts (hyangyak), [but] no less instruments for bringing the rural populace under… sajok control.”\textsuperscript{156}

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\textsuperscript{154} Basing himself on the research of Tagawa Kōzō, Palais highlights the connection between yuhyangso and hyangyak. Palais, Confucian Statecraft and Korean Institutions, 709.
\textsuperscript{155} Palais, 1996, p. 711
\end{flushleft}
Furthermore, Korean social organizations and cooperatives share a complex relation with the development of community compacts in Chosŏn. The tonggye 洞契, for example, was a type of organized community centered around the sajok that had evolved throughout the Chosŏn dynasty and that had much in common with hyangyak and its rules. However, authors disagree on the exact relation between tonggye and hyangyak. Marie Seong-Hak Kim affirms that with the spread of Kim An-guk’s translation of the Zhu-Lü compact in Chosŏn, “earlier community associations for mutual surveillance and aid, called tonggye or tongyak, were reorganized and refashioned under the ideals of Confucianism to create hyangyak.” On the other hand, Park Kyoung-Ha reckons that “hyangyak was also named as hyanggyuyak, hyanghun, tonggye, ch’ongye, ch’onyak [and] although it was one system, yet people with different levels practiced hyangyak with different purposes.” From my understanding, most of these associations precede the arrival of the Zhu-Lü community compact on the peninsula, but some of them, like the tonggye, had already integrated Neo-Confucian values into their codes due to their yangban membership. For this reason, many tonggye, especially later ones, are treated as community compacts by scholars, as evidenced by their inclusion in large numbers in the Collected Hyangyak Sources of Yŏngnam (Yŏngnam hyangyak charyo jipsŏng). However, as seen above in the debate around the nature of T’oegye’s Yeon Community Compact, a soft distinction between both exists and there is no unanimous agreement of their differences. To further complicate the picture, when magistrates or local scholars were encouraged to establish community compacts, there also seems to have been a practice of regrouping existing communal organizations (kye, etc.) to

157 Deuchler discusses the tonggye, which she translates as ‘ward fund associations’, and notes that these associations involved sajok kin groups, often in multi-surname villages, that strived to maintain cohesion between their group, economical and social control over their communities and the protection of their social standing. The regulations of the tonggye were known by many terms, such as tongyak, tonggyu, tonghŏn, etc. Deuchler, Under the Ancestors’ Eyes, 208–12.
158 Marie Seong-Hak Kim, Law and Custom in Korea: Comparative Legal History (New York: Cambridge University Press, 2012), 44.
form a community compact. After losing much of their influence during the Imjin war (1592-1598), the yangban sought to integrate commoners into newly redrawn community compacts in order to reassert power over the locality, but made sure to divide them into two different kye: sanggye 上契 for the nobles and hagye 下契 for the commoners and slaves (this will be discussed further in section 5.3 on welfare). Other associations like ch’on’gye 村契, however, seem to have been focused mainly on practical constraints and necessities such as agriculture or work-related issues and mutual help. To sum up the essence of these social organizations, a kye was traditionally a cooperative or guild that worked in the interests of its members while promoting the cohesion of the group. Because of this similarity in nature, hyangyak and some types of kye are sometimes grouped together and other times separated. While hyangyak could encompass many associations with different goals and class composition, there are kye associations that do not correspond to hyangyak, a good example being the hyangdo 香徒. Described by James Palais as “communal groups [that] had their roots in native spiritual and ritual beliefs,” hyangdo were first associated with Buddhism during previous dynasties and then with animistic beliefs during most of Chosôn. Having no links to Confucian ideals (and in many ways opposed to it), hyangdo are not considered hyangyak. Therefore, keeping in mind the diversity of their manifestations and the various exceptions, it is still safe to see the Chosôn community compacts as deriving from a dual tradition, one coming from Song China, with the ideological influence of Neo-Confucianism and texts such as the Zhu-Lü Community Compact, and one from earlier Korean institutions and organizations promoting local self-government, mutual help and cohesion.

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160 For example, the Hahoe compact of 1618 incorporated existing ‘small mutual funds’ (sogye 小契) under the leadership of the elite. A century later, An Chŏngbok 安鼎福 (1712-1791) did the same in Mokch’ŏn-hyŏn with the various existing tonggye. See, Deuchler, Under the Ancestors’ Eyes, 231.; Palais, Confucian Statecraft and Korean Institutions, 756.
162 Palais, Confucian Statecraft and Korean Institutions, 710.
163 Palais, 710–11.
In any case, perhaps due to the relative irregularity of the administrative picture (as seen in figure 1), the numerous community compacts devised during the 16-17th century Chosŏn did not correspond to a fixed administrative unit as originally conceived. Unlike in the Ming where, generally speaking, the xiangyue came to be linked primarily to the baojia unit of approximately one hundred households, the Chosŏn hyangyak was extremely varied and did not correspond to a specific subcounty unit. To illustrate this range, the Sŏnsan ŭp hyangyak 善山邑郷約 devised in 1606 after the Imjin war was centered around what we could translate as a ‘town’ (ŭp 邑), while the Hapch’ŏn samni hyangyak 陜川三里郷約 of 1611 is an association of three villages (li 里) that came together to put in place a shared community compact.\(^{164}\) Whether it is before or after the Imjin war, this situation surely reflects the inability or the lack of will on the part of the central government to uniformize localities into a strict spatial structure. The Chosŏn court, especially under Chungjong 中宗 (r. 1506-1544) and Sŏnjo 宣祖 (r. 1567-1608), constantly encouraged the organisation of community compacts in the countryside but did not take the lead in their implementation and “did not formally delegate local administrative power to the hyangyak officials.”\(^{165}\) Instead, U Hong-jun introduces an interesting concept by which he sees an area that applied the community compact as a separate domain (tokchayŏngyŏk 獨自領域).\(^{166}\) He explains that if there existed in the local community an institution that established its own norms and used its own compulsory force to enforce them, a certain order was formed in the locality, thereby establishing a distinct domain of power that separated it from what was outside its boundaries. In order to form this “separate domain,” three factors were necessary: the establishment of norms, leading agents, and compulsory power. On the

\(^{165}\) Kim, Law and Custom in Korea, 53.
\(^{166}\) U Hong-jun, “‘Tokchayŏngyŏk’ ŭrosŏ ŭi hyangyak ŭi kwŏnwi wa kukka kwŏnwi wa ŭi kwan’gye (The Relation between the Authority of Hyangyak as a Self-Governing Domain and the Authority of the Chosŏn Dynasty),” Han’guk haengjŏng hakpo 40, no. 4 (2006): 25–49.
other hand, Marie Seong-Hak Kim sees the structure of *hyangyak* as an “intermediary realm” between the public and the private, where an implicit agreement permitted local elite to pursue their own interests as long as they helped maintain order.\(^{167}\)

In Chosŏn as well, the devisers of community compacts tried to link their organizations with local granaries and local schools. We have to distinguish at least three kinds of different educational institutions during this period. First, the *sŏdang* or *sŏjae* were outside the official system of education, but were the common establishment which provided rudimentary education for young boys in villages and communities that could prepare them to pass official examinations or get into an official school.\(^{168}\) Next we can identify the *hyanggyo* or community schools which were the closest equivalent to the Ming community schools. These state-run schools numbered around three hundred in the countryside during the first half of the dynasty and were established with a dual purpose: preparing the students for lower-level civil examinations or their admission to the National Academy (*Sŏnggyun’gwan*), and diffusing the state ideology throughout the country.\(^{169}\) However, in most cases, it was the private Confucian academies (*sŏwŏn*) that the devisers of *hyangyak* had in mind when trying to connect organizations at the local level. *Sŏwŏn* were established as both an educational institution and a sacred place of worship for past sages and scholars, with each *sŏwŏn* usually associated with a single figure. They were used for self-edification and preparation for exams, but they also quickly became the stronghold for local *yangban* activities. *Hyangyak* meetings were often conducted in the lecture halls of the *sŏwŏn* when present in the locality, although other locations could also be used (halls of communal archery, temples, etc.). However, a prime example of this relationship between *sŏwŏn* and *hyangyak* can be found in Yulgok’s *Haeju Community Compact*:

\(^{167}\) Kim, *Law and Custom in Korea*, 54.
\(^{169}\) Seth, 10.
Article IV. “The inaugural meeting shall be held at the academy [sŏwŏn], where the paper tablets for the sages and worthies are set up; all join in burning incense and bowing twice to them…

Article X. Upon joining the compact, every new member shall submit one bolt of cloth and one peck of rice to be stored at the private academy [sŏwŏn] under the charge of the treasurer.¹⁷⁰

While the link with hyangyak and sŏwŏn is clearly established in some examples like that of the Haeju compact, one has to keep in mind that these compacts were made with local conditions in mind, and it is not clear whether or not the sŏwŏn served only as a ‘pact location’ (hyangyakso 鄕約所) or if they were more intrinsically connected with the hyangyak.¹⁷¹ Man Jo Chung also mentions that the sarim yangban saw in the sŏwŏn an indirect role through education, and in hyangyak a more direct role to serve their interests in the countryside. The sarim were indeed the main proponents of the hyangyak early in the 16th century, but by the 18th century and with the increasingly complex political faction allegiances, all groups were devising community compacts. It is true that while officials such as Yulgok devised community compacts during their term as magistrates, a large number of hyangyak were either written by gentry of the local yangban scholar class or by retired officials for their localities. This includes, for example, influential scholars such as the prolific social critic Yu Hyŏngwŏn 柳馨遠 (1622–1673) or Hwang Chonghae (Huch’ŏn) 黃宗海 (1579-1642), who never sat for a civil service examination.¹⁷²

I have given a lengthy overview of the administrative background and nature of the community compacts, but in conclusion to this section, let me summarize the similarities and differences between administrative aspects of the Chosŏn and Ming compacts. First, while relatively

¹⁷² Deuchler, “Ritual and Order,” 299–300.
independent compacts were also written during the Ming, the model of compact that spread was one where the link that xiangyue shared with the government and its officials was quite explicit and central to its operation. Not only were the government officials to inspect the ledgers and documents of the xiangyue regularly, but formal permission was also needed in order to establish a compact. Moreover, in the Jinan Prefecture gazetteers, for example, “the xiangyue and baojia are reported in many [counties, and the xiangyue appears with] separate headings.”\(^{173}\) In these, one can count up to 155 xiangyue for the county of Putai and 410 for Zhangqiu.\(^ {174}\) Due to the sheer number and organization of those xiangyue in counties, one can conclude that the xiangyue in late Ming, based mainly on Lü Kun’s model, was undoubtedly part of a quite rigorous administrative system and not the result of voluntary associations of individuals in certain communities made to self-govern themselves. That being said, evidence found in gazetteers is to be considered with caution, since their devisers would at times deform the local reality to be more in tune with the vision of the central government. While it is difficult to talk about veritable self-government in Chosŏn as well, the link between hyangyak and government was more indirect, mediated by the elite local class of sajok (or more generally speaking, the yangban). As fleshed out above, not only did the yangban traditionally have control over an organ of local government (yuhyangso), but due to the power that they wielded in these localities, the hyangyak could at times be seen as a ‘separate domain’; and at other times, when in place, the “hyangyak played a role in helping systematize local administration”.\(^ {175}\) Other institutions associated with the xiangyue in the Ming did not have an equivalent or make their way to Chosŏn; “the closest the Koreans ever came to [the lijia] was the Taewon’gun’s adoption of the village granaries in the 1860s.”\(^ {176}\) While many Chosŏn compacts did indeed include regulations for managing the local granary, the central government did not rely on hyangyak to distribute grains to the

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\(^ {174}\) Littrup, 169.

\(^ {175}\) Kim, *Law and Custom in Korea*, 53.

\(^ {176}\) Palais, *Confucian Statecraft and Korean Institutions*, 721.
population, for it maintained its own system of granaries, namely the righteous granaries (ŭich’ang 義倉), which were managed directly by county magistrates with surveillance from the Ministry of Taxation.\textsuperscript{177} In Ming by contrast “the xiangyue was the administrative unit for the distribution of grain.”\textsuperscript{178} On top of accumulating other functions, the xiangyue also worked as a granary association and when the government wished to distribute grain for relief, it calculated in terms of xiangyue “since the function of the granary is closely connected with the xiangyue and lending of grain.”\textsuperscript{179} (I discuss granaries in Chapter 5.3). Another particularity of Chosŏn compacts was their connection to the sŏwŏn (Neo-Confucian academies), instead of to the more common community schools. While some community schools were attached to the compact regulations, in most cases it seems that the yangban felt more comfortable using sŏwŏn that they themselves administered. This contrasts with the Ming, where most compacts seem to have been connected with a community school and only some were allied with academies, mostly in towns.

5.2 Judicial

After having seen how the community compact organization fit in the administrative picture of the Ming and Chosŏn, we now examine how this institution’s idealistic precepts were applied to its members. The term “community compact” can refer to the organization itself or to the written text that contains the regulations of said organization. The latter can be described as a written agreement by which members of a community were expected to respect the various regulations and codes of conduct based mainly on Neo-Confucian principles in order to promote harmony and good morals towards a well-functioning society. For the people who adhered to the project, the elevation of mores, individually and as a community, was a central aspect to the pledge. This codified system is mainly

\textsuperscript{178} Littrup, Subbureaucratic Government in China in Ming Times, 180.
\textsuperscript{179} Littrup, 179.
concerned with communal occurrences, interpersonal relations, individual behavior and certain responsibilities incumbent on each individual living in the community. Normally the system would be self-regulated by the members that comprise it and would lead to an ideal society modeled on the Confucian principles of morality and decorum. Hiroaki Terada offers a way to understand what is the ‘judicial’ basis of different type of compacts and contracts, including community compacts (xiangyue), prohibitory regulations (jinyue 禁約), mutually-binding contracts (hetongyue 合同約) and others, by revisiting what he calls the legal ‘polar relationship theory’. In the context of the Ming and Qing dynasties, an impressive number of ‘social agreements’ (yue 約), meaning contracts involving mutual obligations or unilateral orders (as explained in the introduction)—so many so that it can safely be said that they constitute a “substantial part of [the dynasties’] legal order”. Historians of the late imperial period have almost always classified codified state laws and private contracts on two opposite poles of the legal spectrum of the Ming and Qing, the former associated with an authoritative verticality and the latter with horizontal voluntary agreements. Although not in total disagreement with this view, Terada tries to demonstrate that the gap between those poles is sometimes blurred and that both aspects often intersected in a much more subtle and complex manner in practice, where yue exist in a sort of intermediary realm. Later in his article, he takes the example of Ming community compacts as organizations that normally functioned on the basis of mutually agreed upon clauses, but that “also had the aspect of commands given by village leaders for ordinary members to observe” and maintained a hierarchy where, as a general rule, higher socially ranked individuals were compact heads. While they were not part of the official legal system of the state, the written regulations were still somewhat binding. As such, “conditions surrounding community

180 This theory is more of a convention that often sees ‘laws’ and ‘contracts’ at opposite ends of a spectrum with a clear distinction between both. Terada is putting this in perspective.
182 Terada, 309.
agreements unexpectedly demonstrate the unique dynamic that bridges mutual compacts and unilateral orders."\textsuperscript{183}

This concept seems to apply for both Ming and Chosŏn community compacts; however, important differences in the application of the regulations do exist according to the socio-political reality and practices in both states. The Lantian prototype, written by Lü Dajun, never intended for the community compact to be under government supervision or to have a connection with official authority. It was a voluntary local association that intended to maintain good mores and favour mutual interests. In this original community compact, the prescribed punishments and rewards were purely symbolic, as the compact did not have any official legal authority.\textsuperscript{184} This situation is a little different, however, when one examines the Ming and Chosŏn community compacts of the 16-17\textsuperscript{th} centuries. Often described as a “semiofficial organization,”\textsuperscript{185} the Ming \textit{xiangyue} “were to hold two monthly meetings where the six maxims were read out and explained, together with the summary of the Ming code and a chart giving examples of filial behaviour.”\textsuperscript{186} This fusion between compacts and state-ordained decrees to this extent is typical of Chinese compacts (during the Ming and even more acutely so during the Qing) at least since the 16\textsuperscript{th} century.\textsuperscript{187} While community compacts were not government organs and were indeed run by local leaders, the Ming government and its officials were nonetheless directly linked with the organization, the composition, and the content of the community compact, at least in terms of the most influential compact models (as shown in the section on administration), which in this case is reflected by overtly presenting and explaining the official state laws and the imperial will during their meetings.

\textsuperscript{183}Terada, 324. 
\textsuperscript{184}Chu, “The Community Compact in Late Imperial China,” 1. 
\textsuperscript{185}Liu, \textit{Confucian Rituals and Chinese Villagers}, 169. 
\textsuperscript{186}This is how \textit{xiangyue} operated in Jinan Prefecture in the second half of the 16\textsuperscript{th} century. Littrup, \textit{Subbureaucratic Government in China in Ming Times}, 169. 
\textsuperscript{187}Sakai Tadao affirms that Wang Yangming’s \textit{Nangan Community Compact} in 1518 marked the beginning of the use of the Ming Hongwu emperor’s Six Maxims in the community compacts and that the full-fledged change happened around 1529-1530. See Sakai, “Yi Yulgok and the Community Compact,” 341.
In Chosŏn, the community compacts were also somehow associated with the official state, but much more loosely. During most meetings, only the four imperatives of the *Lü Family Community Compact* were read in their original form and then translated into the vernacular, often followed by a sermon on good and bad behaviour.\(^{188}\) Of course, the loyalty to the state was emphasized, but the content presented in the compact seemed to have been more spiritual, quasi-religious, discussing Neo-Confucian principles of past Song scholars and not focused on the contemporary pragmatism of the official judiciary system. That did not mean that compacts did not benefit the state or did not receive its support. The king was constantly encouraging the implementation of community compacts in the countryside while being well aware of the punishments that they meted. U Hong-jun talks about a centrifugal and a centripetal aspect between community compacts and the state from a legal perspective which refers to the debate surrounding the compacts interaction with the central government.\(^ {189}\) On one hand, the *hyangyak* can be viewed, in a way, as a self-proclaimed aide of the government’s legal system by acting as its support in the countryside and regulating behavior. Perhaps the hyangyak sought to fill a certain gap in the state's administrative code, the *Kyŏngguk taejon* (which was partially based on the Ming code), and other laws by compensating for their impreciseness and making regulations more adapted to concrete local situations.\(^ {190}\) In the 17th century, Second State Councilor Pak Sech'ae 朴世采 (1631-1695) “criticized the absence of penalties for violations of moral standards in the dynastic law code, and he asked that the important moral regulations contained

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\(^{188}\) Chosŏn community compacts remained strongly attached to the Zhu-Lü compact version and to the Four imperatives of Lü, but a certain number of compacts started to include the Six Maxims of Hongwu starting from the 17th century, such as Kim Seryŏm 金世濬 in the 1640s and An Chŏngbok 安鼎福 in 1756. See Sakai, 342.; Deuchler, “Ritual and Order,” 300.

\(^{189}\) Marie Seong Hak Kim explains that it “has been a subject of debate whether the implementation of *hyangyak* signified that the state conferred, by formal or informal delegation, the role of social control on the local aristocracy, or whether the development of compacts represented a sort of assertion of local autonomy and ambitions by the yangban elites. Whatever the case, the facts that the central government did not try to stop the mechanisms for the private exercise of penal power by yangban and that rules contained in the community compacts were routinely enforced by magistrates seem to evidence the symbiotic relationship between provincial elites and the state.” Kim, *Law and Custom in Korea*, 42.; U Hong-jun, “*tokchayŏngyŏk*,” 40.

\(^{190}\) U Hong-jun, “*tokchayŏngyŏk*,” 40–42.
in community compacts be ordered into penal law.”

While this order did not seem to have followed through, some officials at the government clearly perceived *hyangyak* regulations as beneficial to the state judiciary system. This cooperation was also echoed by the *hyangyak* written by Kim Ki 金圻 (1547-1603) for the region of Andong: “The [*hyangyak*] which supports the rule [of the state], has its own penal regulations (刑法) and discuss punishment according to the offense’s severity and magnitude.”

However, the relationship between *hyangyak* and the state was also strained at times, because some officials at court felt that *hyangyak* encroached on the ‘legal’ prerogatives of the state, by punishing people themselves. Around 1519, Nam Kon 南衮 (1471-1527), an official who advocated on behalf of powerful magistrates and local government, criticized *hyangyak* by deploring members of compacts who gathered and only listened to the orders of the compact heads (都約正, 副約正), ignoring the country’s legal prohibitions (法禁). King Chungjong was also hesitant about the repercussion that *hyangyak* had in the countryside. While praising the merits of the institution, he noted that in his time the *hyangyak* were administering their own punishments and that even when they appealed cases to the government judicial system (法司), that system would follow their wishes, forcing the king to wonder which structure was actually in charge.

In any case, it seems that the yangban were enjoying a “semi-independent judicial authority” through the use of *hyangyak* and because of this, certain officials at court viewed compacts as a threat to the authority of the central government. Indeed, many local scholars saw them as a way to “create their ideal society based on their ‘correct’ interpretation of Confucianism.” However, for the state, this was a necessary evil to keep control of distant local communities and, in general, found the community compacts extremely

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192 Yŏngnam hyangyak charyo jipsŏng 嶺南鄉約資料集成 (Collected Hyangyak Sources of Yŏngnam). Yŏngnamdae minjung munhwa yŏn’guso (Yŏngnam University Institute for Korean Culture), 1985: 116.
193 Chosŏn wangjo sillok, Chungjong sillok, May 20, 1519 (year 14).
194 Chosŏn wangjo sillok, Chungjong sillok, November 20, 1519 (year 14).
196 Kim, 53.
useful in propagating official Neo-Confucian ideology and systemize local administration by resolving disputes and petty judicial issues.

The Ming court used the community compact system to decongest their judicial structure as well. Beside the aspect of moral education, the community compacts, often in conjunction with the baojia, were in charge of settling local disputes, handling low level criminals and making sure that commoners paid their taxes and completed their corvée duties.¹⁹⁷ For example Wang’s xiangyue specifies that “if any soldier or civilian… is in communication with bandits… in order to benefit himself, … let the compact chief… lead members of the compact to point out the concrete evidence and admonish him. If he does not reform, they should petition the government to investigate and punish him.”¹⁹⁸ These functions seemed to have been very helpful in reducing the burden on the local administration and coping with its shortage of financial sources.¹⁹⁹ The compacts first strived to educate offenders, so that they would repent without the need of state intervention. Most of the time, though, the community compacts would be busy trying to solve disputes between people of the locality. In view of Wang Yangming’s admonitions and other 15-16th centuries Ming legal documents, there is a strong impression that the society of the time was a litigious one.²⁰⁰ Often, these litigations would concern agriculture or other farming related activities, so the community compacts made sure to settle these disagreements before they became legal issues. For example, during the period when Zou Yizhu 鄒一柱 (dates unknown), a member of the Zou descent group of Shuangquan, was a compact head, he had to mediate in a huge lawsuit that stemmed from a feud between Shuangquan and Wuge villages in 1684 over a problem of irrigation.²⁰¹ This topic of dispute is also very present in Chosŏn community compacts, as one would except from agricultural societies. In the

¹⁹⁷ Liu, Confucian Rituals and Chinese Villagers, 169.
¹⁹⁸ Wang Yangming, Instructions for Practical Living, 302.
¹⁹⁹ Mingming Wang, Empire and Local Worlds: A Chinese Model for Long-Term Historical Anthropology (Walnut Creek, CA: Left Coast Press, 2009), 176.
²⁰¹ Zou shi zu pu 鄒氏族譜(Zou Family Genealogy), 1900 ed., Shuangquan Village, juan shou, 35b. As cited in Liu, Confucian Rituals and Chinese Villagers, 178.
late 16th century, a tongyak from Andong (dongjung yakcho soji 洞中約條小識) also reflected this reality where specific prohibitions existed: “Do not block or divert the irrigation channel [for your own benefit] … Do not dig through field ridges to cultivate [other people’s field].”

Both Chinese and Korean communities also experienced problems concerning abusive behaviour and banditry. In the 16th century, when Wang Yangming became governor of Nangan, the area was unstable, the government control weak, and the area was filled with people who had resorted to unlawful activities. So, among other measures, he instituted the 10 Family Joint Registration System to remediate to the harbouring of criminals by some villagers and put in place a community compact. Beside trying to reintegrate some criminals into local society, he also pushed the elected compact officers to petition against government clerks, local military officers, tithing officers and any village leader or strongmen that were abusing the power of their position with practices such as demanding gifts or other types of corruption. On the Korean peninsula, while community compacts also provided some protection against domineering covillagers and local officials, it seemed to have been the compact leaders themselves that abused of their privileges. While the institution had changed by his time, Chŏng Yagyong 丁若鏞 (1762-1836), also known as Tasan 茶山, reflected on the history of the hyangyak and felt very strongly about this situation, explaining that:

A magistrate who has lofty ideals but lacks ability is always inclined to execute the law of community compact, but in that case, the harms that he causes exceed those brought about by the thieves. Powerful local families and landlords are appointed guardians of morality [chipkang 執綱], and they call themselves either head or censor-in-chief [hŏnjang 憲長] of the community compact, employing their men under the titles of public agent [kongwŏn 公員] and rotating member of the community compact [chigwŏl 直月]. They recklessly wield their power, scaring the people and extorting wine and grain from them, and there is no limit on their demands. They always uncover the faults and weaknesses of the people that are often hidden and ask for bribes and rewards to solve their problems. Thus, wherever they go, they are treated with wine and meat, and the families who host them make a fuss over them for solving their legal problems with the authorities. They also pass out labor service to ignorant people and make them work for their farms. Furthermore, since the magistrate allows these

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202 Yongnam hyangyak charyo jipsŏng 嶺南鄉約資料集成 (Collected Hyangyak Sources of Yongnam), 112.
203 Wang Yangming, Instructions for Practical Living, 302. See also, Israel, Doing Good and Ridding Evil in Ming China, 76.
men to handle lawsuits and makes them conduct investigations or submit reports on violations of the community compact, their abuses of their power and privilege are endless…If one judges from this, the community compact is not a matter that can be discussed lightly. It can be accomplished only when it is taken seriously.\textsuperscript{204}

Tasan was not against the idea of establishing a community compact, he only called for extreme caution in the way that it should be set up, in electing the right compact leaders and in the amount of power given to them. Keeping in mind that a very large majority of these leaders were from the local *yangban* elite class, some of them must have treated commoner members with a certain superiority associated with their status and considered the *hyangyak* simply as another tool to hold influence and power.

While the problems faced by Ming and Chosŏn local communities might have been similar, the range of punitive measures, disciplinary actions and the underlying sanctioning morale of community compacts varied between both states. In the Ming models, the compacts were given “certain judicial powers”\textsuperscript{205} only in petty cases which did not constitute a formal accusation, those of which were supposed to be handled by local officials. Also, they could not administer heavy or physical punishments.\textsuperscript{206} The tools and possibilities at their disposal were mainly financial sanctions, public humiliation and calling for the community to alienate the offenders. For example, in Wang Yangming’s *Nangan Community Compact*, those who missed monthly reunions for cause of illness, or other reasons, and failed to notify the compact leaders would “be recorded as having committed an evil deed and, in addition, fined one liang for the use of the group.”\textsuperscript{207} In *xiangyue* monthly meetings, good and bad conduct of individuals in the community were recorded and announced in front of all the members. People who had accumulated misdemeanors where reprimanded and admonished. If they asked for forgiveness and apologized, no further actions would be taken, but if

\textsuperscript{205} Littrup, *Subbureaucratic Government in China in Ming Times*, 167.  
\textsuperscript{206} Littrup, 167.  
\textsuperscript{207} Wang Yangming, *Instructions for Practical Living*, 300.
they committed the same offenses and did not display the will to change, they could be expelled from
the compact. Another way was used to publicly humiliate and ostracise a certain type of offenders
that had committed unfilial acts, deceit, theft or gambling. A sign was to be hanged next to the
offender’s gate with his name and crime written in big characters and he was to be shunned from the
community. The treatment only came to an end when the members gave a bond of joint responsibility
of the offender’s reformed mind, after they had been convinced of his sincerity.

By contrast, the Chosŏn community compacts, generally speaking, only resorted to
government officials when the crime committed was particularly serious or when they were truly
unable to settle disputes, after multiple attempts at trying to solve them. In all other cases that were
under the jurisdiction of the hyangyak, however, proper punishment at varying degrees had to be
administered. For minor infractions, like being late for a compact meeting or not showing up, the
Haeju community compact did not specify an amount to be fined but stipulated only that “it shall be
dealt with as a violation of the compact rules”. In Huch’ŏn’s compact, all married men regardless
of class were urged to join the compact and “if someone, regardless of social background, repeatedly
refused to join and thus demonstrated extreme ignorance and ‘social distance’…, he risked being
isolated from the community.” In some extreme cases, the refusal to join could also lead to the
individual being beaten or expelled from the community, which could mean death for people with
few resources. Once they joined, however, the members were still not immune from the physical
punishment administered by the hyangyak. As stated earlier, the T’oegye and Yulgok compacts were
particularly keen on a system of physical punishment that they fleshed out in great detail. In his

210 U Hong-jun, “Chosŏnjo chaeh’ijedo in hyangyak ŭi kinŭng (A Study on the Functions of the Chosŏn Dynasty’s
Local Autonomy System- Hyangyak),” Han guk haengjŏngsa hakchi 31 (2012): 253. As reflected in the Sŏwŏn
hyangyak provisions.
212 Deuchler, “Ritual and Order,” 304. Hwang Chonghae (pen name Huch’ŏn; 1579-1642) devised the Community
Regulations (tonggyu 常規) for Mokch’ŏn in the Ch’unghel’ŏng province.
213 While it is true that it was the board members of the hyangyak that had the final say, they also had to have the
endorsement of a magistrate for punishments as extreme as banishment from the community.
Pledges of the Community Granary (sach'anggye yaksok 社倉契約束) associated with the Haeju Community Compact, Yulgok establishes five different graded categories of punishments that can range from ten to forty strokes with the light bamboo, and “the heads… had the authority to punish anyone on the spot for a misdemeanor that called for less than forty strokes.”214 The lightest punishments could be administered for things like playing inappropriate pranks or swearing, while the heaviest ones were reserved for people neglecting their poor parents or failing to express sadness over a relative’s death.215 A difference in punishments according to class, age and sex was also inherently part of this system. Elders were punished to several lesser degrees than younger people and a wife-beating husband received only half the punishment than if the genders were reversed.216 However, the privileges of the yangban elite class were the most pronounced and obvious. For example, the use of foul language or failure to dismount in front of a yangban was punished by a certain number of bamboo strokes, of which a slave was to receive the double amount of strokes given to a commoner for the same offense. Also, yangban usually only received verbal rebukes as punishments, unless the offense was serious, in which case they were “privileged to substitute a son, a younger brother, or a slave.”217 Of course, other low level punishments would also include the recording of the offender’s name in the ledger of demerit and even the drinking of the ‘penalty wine’(pŏlchu 罰酒) for repentance, both of which were part of the ceremonial aspects of the compact meetings.

That being said, the Ming community compacts did not all fit into the administratively integrated and systemized xiangjia model of Lü Kun or the widely popular model of Wang Yangming. Some compacts evolved from associations related to temples or lineages, and their connection with

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214 Kim, Law and Custom in Korea, 49. The maximum of forty strokes as an admissible compact punishment also figures in the Sŏwŏn hyangyak.
216 Deuchler, “Ritual and Order,” 315.
217 Deuchler, 315.
the government was minimal.\textsuperscript{218} However, the most influential Ming compacts models did display a much tighter link with the state than those of Chosŏn, where some officials had to go the extent of “[writing] a memorial to the king arguing that the spread of the ‘hyangyak code’ (hyangyakpŏp 鄉約法) would not threaten the state.”\textsuperscript{219} While some community compacts in both Ming and Chosŏn must have had at times harmonious and at other times contentious relationships with the state, Chosŏn community compact regulations served more as a separate supplement to the official code, whereas the xiangyue system felt more like an extension of the state legal system, with examples like the systematized reading of the Ming code, the government verification of deed ledgers, etc. As a result, Ming xiangyue leaders were much quicker to report to official authorities for a wide range of crimes due to their inability to physically punish the offenders, whereas in Chosŏn only the most extreme cases would be reported and transferred to the government.\textsuperscript{220} Out of fourteen ‘items’ described in Wang Yangming’s \textit{Nangan Community Compact}, eight mention that the members should either petition the government for a specific action or work with it towards that goal.\textsuperscript{221} On the other hand, the more coercive hyangyak could administer corporal punishments, but they were generally limited to 40 strokes of the light bamboo switch\textsuperscript{222}. An explanation for Chosŏn’s \textit{de facto} greater power delegation to community compact leaders may be that the latter were already part of a well entrenched local yangban community sitting on top of the Chosŏn social hierarchy, with moral authority emanating from their rank and pedigree\textsuperscript{223}; alternatively, the state simply may not have been able to afford to challenge this local elite in the countryside where influence from the center was weak. However, the Chinese and Korean compacts faced essentially similar kinds of problems, with cases

\textsuperscript{218} Wang, \textit{Empire and Local Worlds}, 174;185.
\textsuperscript{219} Kim, \textit{Law and Custom in Korea}, 45. The author is referencing a discussion at the Myŏngjong royal court found in Chosŏn wangoj sillok, Myŏngjong sillok, October 23, 1553 (year 8).
\textsuperscript{220} Rape of another man’s wife, a commoner insulting and beating up a yangban, etc. See, Palais, \textit{Confucian Statecraft and Korean Institutions}, 727.; Deuchler, “Ritual and Order,” 315.
\textsuperscript{221} Wang Yang-Ming, \textit{Instructions for Practical Living}, 298-306.
\textsuperscript{222} U Hong-jun, “Chosŏnjo chach’ijedo in hyangyak ŭi kinŭng (A Study on the Functions of the Chosŏn Dynasty’s Local Autonomy System- Hyangyak),” 255.
\textsuperscript{223} Martina Deuchler has recently argued that Korean elite status depended on birth and descent first and on bureaucratic merits second. Deuchler, \textit{Under the Ancestors’ Eyes}. 58
often related to agricultural life, interpersonal relations, and the organisation of the community in general.

5.3 Welfare

The third facet of community compacts is surely what gave the greatest incentive for people to join these community compacts (even though they were mostly forced to do so) and what lies at the very essence of such an organization—the idea of mutual assistance. In order to motivate the members to attend the meetings and follow the countless regulations of these compacts, elite and commoners needed to have their interests represented in the organization. Besides battles, bandit attacks and other man-made catastrophes, in the Anfu county in Jiangxi province alone Kandice Hauf counted around twenty major natural disasters during the Ming dynasty such as floods, famine and droughts.224 This indicates that the general population and especially those who practiced agricultural activities always lived in a precarious state where food and resources could become scarce rapidly. Therefore, community compacts which relied on the fourth imperative of the Lü Family Community Compact, ‘offer assistance to each other in cases of illness and calamities’ (患難相恤), and the less explicit third maxim of the Hongwu emperor’s Six Maxims, ‘live in harmony with your neighbors’ (和睦鄉里), were sure to attract attention. The organization was also often linked with a community granary (discussed further below) and offered, in some cases, better rates and various advantages for members. Finally, the commoners that joined community compacts were theoretically more prone to trust these organizations due to their leadership being either local gentry or government officials. In Chosŏn, for example, similar trusteeship associations such as the kye 契 could have been considered risky depending on the standing and the reliability of the head, whereas yangban, as heads of community compacts, were a safe bet considering the importance they accorded to the prestige of their rank and

their reputation in their communities. Moreover, Ming and Chosŏn elites were, in a way, the representatives of Neo-Confucian values and were expected to set an example in terms of virtue, behavior and their desire for a harmonious society. Indeed, the board members of community compacts were well aware of the importance of the welfare aspect of the compacts, as reflected by a Ming *xiangyue* lecturer, Wang Qinruo 王欽諾 (dates unknown), who understood that “when you become poor, you will need to rely on your neighbors for help.”

In Chosŏn, however, it seems that a majority of community compacts were primarily geared to the upper class consisting of *sajok* (localized families of scholars and officials) or more generally *yangban*, and that the lower classes (*hain 下人*) were somewhat added and relegated to a second degree of importance. It was not rare to see a single community develop two compacts or sub-compacts, one for the elite and the other for commoners and slaves, who were often geographically separated in the village. The *Haeju Community Compact* (1577) written by Yulgok is understood by scholars as having applied only to *yangban*, since the ‘General Rules of Organization’ of the compact specified that the text was to be distributed only to “like-minded scholars and a number of individuals, who being ‘anxious and circumspect’ in their behavior, wished to join the compact.” This is further verified by a number of articles that mention the ‘sending of a slave’, such as Article XIII: “In case a member loses his entire house in a fire, each member, after consultation, shall contribute three rolls of roofing straw, and two pieces of timber, and shall also send one adult male slave with enough food for three days to help build a new house.” Still, this gives us an understanding of how the elite class assisted one another and of the amount of material deemed

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226 Pak Hyŏnsun, “17-18 segi hyangyak ŭi pansanggan.”
227 A good example is that of the Ward Compact of Two Villages (*myŏn iri tongyak* 面里洞約) in 1756 written by (Sunam) An Chŏngbok that featured very specific social differentiations and three integrated sub-compacts (Upper, Middle and Lower); An Chŏngbok, *Sunam ch’ongsŏ* 順菴摠書, 1: 328-46.; See Deuchler, “Ritual and Order,” 304–6.
228 Deuchler, 303. Tagawa Kōzō also agrees that the text only applied to *yangban*, but instead of a *hyangyak*, he views it as community regulations (*hyanggyu*), that were specific to *hyanghoe*.
necessary to build or repair high class residences. The *Haeju Community Compact* did, however, include an attached text known as the *Pledges of the Community Granary* that gave regulations concerning the management of the community granary, and this section was addressed to both upper and lower classes. After researching mutual assistance codes between *yangban* and commoners, Pak Hyŏnsun established two types of categories in which we can classify Chosŏn community compacts. The first is what the author calls an (upper/lower) combined pact (*sangha hapkye 上下合契*), meaning compacts that include both elite and commoners as intended members. The second category depends on whether these compacts have a dualistic (*iwŏn 二元*) set of regulations (one for the elite and one for the lower classes) or treat different social classes in the same way.\(^\text{230}\) For all kinds of compacts, the type of aid that could be given to individuals in need was either physical (labor) or material (cloth, grain), the latter of which could again be divided into group donations or individual donations. Generally speaking, funerals usually required physical labor, and weddings often needed material help. The *Pledges of the Community Granary* is classified as a dualistic text, because of the emphasis it puts on social class differences. In terms of the community granary, the upper class was expected to donate double what the lower class donated, but they would also receive double if they ever needed grain themselves, so that the ratio would always be 2 to 1.\(^\text{231}\) For all other matters, however, including funerals and weddings, upper class individuals provided assistance among themselves, and lower class individuals only helped each other, thus comprising two separate groups. By contrast, in his earlier *Sŏwŏn Community Compact* (1571), Yulgok had not divided regulations based on social class in this manner, even though he maintained a strict seating order based on social status during compact

\(^{230}\) Pak Hyŏnsun, “17-18 segi hyangyak ŭi pansanggan.”

\(^{231}\) Pak Hyŏnsun, 197–98.
meetings. Because of this, Pak sees the Sŏwŏn Community Compact as the first recorded ‘combined pact’ in Chosŏn.

Nonetheless, the Sŏwŏn Community Compact was a 16th century exception, because most early Chosŏn compacts were focused on the yangban. In contrast, after the Imjin war (1592-1598), the large majority of community compacts were either created or rewritten to include commoners and lower class people as well. The Imjin war (also called the Hideyoshi invasions, 1592-1598) took place on Korean soil and was extremely devastating. Government influence and power nearly disappeared in the countryside areas (and in most towns), the granary-loan system failed, and the grain stores were empty. After the war, the yangban, who had lost a lot of prestige and resources (including slaves), decided to integrate lower classes into the compacts in order to cope with these changes and secure a form of substitute labor. Among the post-war community compacts, dualistic and more egalitarian compacts coexisted. As an example of a dualistic compact, the Chinju wŏndangdong yak devised in 1601 states that for the upper class, “in preparation for a funeral, five mats, thirty empty straw containers, three toe of pine resin, ten catty of yams, five rolls of paper, five mal of perilla and five mal of beans must be gathered and given by members [yangban] to help,” whereas for people of the low classes in the same situation, “a group of 10 people should provide free labor [for the funeral], excluding the close friends [of the grieving family].” In dualistic compacts, a sub-provision was always added to each clause specifying the differences in what low classes should do in those situations. However, in a more egalitarian compact, such as the Hyŏnp’ung Community

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232 Pak Hyŏnsun, 196. The order for non-yangban members is given here as follows: commoners with an occupation (sŏin yujikcha庶人有職者), secondary sons of yangban (sŏŏl庶孽, who had a distinct status in Chosŏn), hyangni, commoners without an occupation (sŏin mujikcha庶人無職者), public and private slaves (kongsach’on公私賤).


234 These compact extracts are found in Korean in Pak Hyŏnsun, “17-18 segi hyangyak-ui pansanggan,” 200. For a rough idea of the measures, toe 되= Korean unit of measure equivalent to 1.8 liters; mal 말= Korean unit of measure equivalent to 18 liters; catty (Korean kŭn斤)= around 600 grams in the Korean context.
Compact 玄風鄉約 written by Kim Seryŏm in 1632, distinctions between classes were not highlighted; each clause applied to all social classes and the text even mentions that “upon hearing of a death, upper and lower classes should gather and go to express their condolences together”. 235

The welfare qualities of the community compacts have caused many scholars to wonder about the effectiveness of this social net and how it would compare in light of a more modern definition of a welfare system. In an attempt to partially answer these questions, Kim Sinyŏl compares the contents of the hyangyak, particularly those of Yulgok, to the modern social welfare concept as defined by Roland L. Warren. Warren described the functions of the community in his book The Community in America (1963) and divided them into five categories: economic activities (community members produce, distribute and consume what they need); socialization (process of acquiring rules, values, and knowledge necessary for members of the community); social control (process of influencing community members to comply with the rules of their communities); social participation (social interaction among community members and volunteering)’ and mutual assistance (community cooperation to overcome a crisis). 236

235 Kim Seryŏm’s compact can be found in P’osanji 包山志, the gazetteer for Hyŏnp’ung-hyŏn, under the section on hyangyak, 36-52.; Pak Hyŏnsun, 206.
Figure 2. A comparison between Warren’s five functions of modern social welfare and the Four Imperatives of the *Lü Family Community Compact* as presented in Yulgok’s work

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<th>Compact Imperatives</th>
<th>Mutual encouragement of virtuous deeds</th>
<th>Mutual regulation of errors</th>
<th>Reciprocity in rites and customs</th>
<th>Mutual aid in difficulties</th>
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<td>Community Functions</td>
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<td>Economic activities</td>
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Warren regarded the community as a social system, the goal of which was to perform these functions, and saw that through the realization of these functions, the quality of life of its members was improved. Kim Sinyŏl compared these five social welfare concepts defined by Warren with the four imperatives of Lü as presented in Yulgok’s work to see how modern these concepts really are and to argue that Chosŏn possessed an effective welfare system through the *hyangyak* well before the arrival of western ideals and concepts. The author came to the conclusion that these categories created by Warren are
similar to the principles of *hyangyak*, except for economic activities which, in large part, did not figure in the Korean compact regulations.⁴³⁷ This research is interesting and lends a contemporary relevance to the study of compacts; however, it seems that the author overlooks certain knowledge of the Chosŏn community compacts, since he idealizes or misunderstands many of its aspects (volunteer participation, no distinction between status, etc.). Nonetheless, as a part of civil society, *hyangyak*’s role in constituting some well-knit communities is clear, even if it might have differed from today’s conception of a welfare system.

In the Ming, when the implementation of community compacts was made official in 1529 under the advice of the Left Vice-minister of War, Wang Tingxiang (1474-1544), he proposed it as a means to fight the widespread famine and to use these associations in collaboration with welfare granaries (*yicang* 義倉) for reasons of relief and to guarantee social stability. He also suggested that groups of 200 to 300 families form associations (*hui* 會) and meet regularly in order to finance these granaries in accordance with each individual tax class.⁴³⁸ Moreover, the officials were to later inspect and verify that in years of bad harvest, the grains were in fact distributed as relief to the low and middle class first, and then to the upper classes as a loan. Thus, it is clear that from its inception the official *xiangyue* system proclaimed in 1529 (later to be linked to *baojia*) was primarily meant as a local self-managed relief organization that centered its activities on welfare, whereas the *baojia* was responsible for security and defense.⁴³⁹ The goal of this section is not to ascertain whether those measures were taken with an ulterior motive of control and secure taxation, but to understand in which ways the community compacts in Ming helped improve the well-being of its members and communities.


⁴³⁹ In terms of the official policy on establishing *xiangyue*, I view the moral instillation aspect as secondary. However, morality and education have a much more central place in the compacts devised by Wang Yangming and Lü Kun.
Welfare measures and assistance in times of need mainly had to do with grain distribution and the granary system. During the Ming, granary networks were complex and sometimes short-lived, while different types of granaries served different purposes, some of them being new initiatives and others having their roots in the Yuan or earlier dynasties. Therefore, I will only give a brief overview and discuss what is relevant for explaining the xiangyue welfare measures. Established in large numbers at the lower administrative divisional levels, the welfare granaries (yicang 義倉; also called she-granaries or shecang 社倉)\(^{240}\) were institutions created to store the excess grain, or other comestibles, that could be accumulated during the good years of harvest in preparation for famine or any kind of food shortage. They were essentially relief granaries that had to be strategically located in order to serve everyone without having people travel excessive distances to get food.\(^{241}\) The ever-normal granaries (changpingcang 常平倉) had a different function than the welfare granaries. They were to buy and sell staple foods and try to balance the prices to keep them even. They were the result of economic policies enacted by the state but did incidentally also help the poor acquire grain. However, it is not clear how many of them were established.\(^{242}\) Lastly, there were emergency granaries (yubeicang 預備倉) that operated strictly as a measure of last recourse. Established in high-density populated areas, they were to buy the surplus grains of people until full. Once full, they would be closed and guarded until an emergency or disaster occurred.

As mentioned earlier, it was the welfare granaries that were closely associated with the xiangyue, and these became the conventional unit when discussing the distribution of grain. This association with the xiangyue was later made evident by the writings of Lü Kun, especially in his descriptions of the management of grain storage, including the construction of granaries and relief

\(^{240}\) There is confusion and a difference of opinion between contemporary sources and even among current scholars on how to view yicang and shecang. Littrup thinks they must have been the same thing, except for some special granaries built during the Wanli period (r. 1572-1620) that also use the term yicang. See Littrup, *Subbureaucratic Government in China in Ming Times*, 177.

\(^{241}\) Littrup, 174.

\(^{242}\) Littrup, 174.
works.\textsuperscript{243} Lü prescribed a certain amount of grain to be kept in each welfare granary according to its attached administrative unit, but did not state an interest rate. However, Littrup reckons that it must have been considerably lower than the 50\% rate of private loans. The grain was to be provided through “four sources: payments in lieu of punishments, fines, purchases, and inducements to donate grain.”\textsuperscript{244} People in localities were categorized into four groups (jie 借, fang 放, di 置, she 賖) according to their wealth, and each xiangyue was to register the individuals and their entitled grain amount. Based on these calculations, officials would verify the available stocks and issue certificates with specific amounts that each xiangyue could borrow from the granaries. In this system, it seems the welfare granaries were less used for relief than for ensuring that a continuous supply of grain was distributed equally among the people. In this way, individual storage capabilities and the quality of the harvest became a little less important for securing the well-being of the community.

Beside the granaries, community compacts strove to improve the well-being of their communities in a multitude of ways. Perhaps replicating what benevolent societies of the time were doing,\textsuperscript{245} scholars like Lü Kun tried to help and donate to reduce poverty. Lü thought that “one could, through fair redistribution of resources, accumulate merit,”\textsuperscript{246} so he also organized the distribution of rice gruels, often with the help of private charities, and gave directions so that the poorest people still had something to eat.\textsuperscript{247} While not playing a central role in terms of the priorities of the compact, community compacts nonetheless also articulated concern for their local environment and communal structures. In Nanchai village in western Sibao, a stele dating from 1753 can be found at a water exit, stating prohibitions that were implemented by the Eight Generals Compact (bajiangyue 八將約).

These prohibitions sought to “prohibit the practice of cutting trees in the ‘dragon mountains’, crucial

\textsuperscript{243} Littrup, 179.
\textsuperscript{244} Littrup, 179.
\textsuperscript{245} Handlin’s book presents a thorough and fascinating study on the question of what charity meant during the Ming. The author discusses societies for liberating animals, poorhouses, soup kitchens, benevolent societies, etc. See Handlin Smith, The Art of Doing Good.
\textsuperscript{246} Handlin Smith, 43.
\textsuperscript{247} Littrup, Subbureaucratic Government in China in Ming Times, 180.
geomantic sites, which would affect the channeling of life-renewing geomantic power to the benefits of a specific family or village… and the poisoning of fish in the village streams on the ground that these activities would destroy the geomantic influence over these villages.248 Although erected during the Qing, this stele’s reference to the 18th century compact was most likely the same Eight Generals Compact initiated in the late Ming in 1612 or in direct connection with it, as identified by Yonghua Liu.249 Ming community compacts were also involved in the maintenance of irrigation systems that were undoubtedly a major priority for local agricultural communities, like Shangbao in which the compact was using the rent from leased lands to pay for the maintenance of the irrigation system.250 Moreover, compacts were sometimes involved in the protection of individuals against non-members. In the Chongzhen era 崇禎 (1628–1644), a member of the Shangbao compact was the victim of bullying from a certain person of a dominant lineage group. After getting wind of the incident, the compact head gathered some members and took valuables from the bully’s house without anyone interfering.251 While this incident is reminiscent of gang-like activities on the part of the compact, it shows us that ‘taking care’ of the community did not end with food relief.

To sum up, the obvious particularity of Chosŏn community compacts compared to those of the Ming is the difference in treatment and regulations between classes, which is a reflection of the social structure of Chosŏn. However, while a certain distinction always existed, at least in terms of language in the text, between upper and lower classes, a genuinely separate treatment between them can only be found in the dualistic type of community compacts, which only made up a portion of the overall Chosŏn compacts. This class distinction, while perhaps present in reality, is not made clear in the Ming compact texts in terms of welfare measures. On the other hand, except for the distribution

248 Liu, Confucian Rituals and Chinese Villagers, 177.
250 Liu, 193–94. This precise example took place during the 18th century, but the author mentions that Ming compacts were also involved in irrigation. The example nonetheless demonstrates the range of activities covered by compacts in their own locality and can give us an idea of how Ming compacts operated.
251 Liu, 187.
of grain and food through the system of granaries, it does not seem that the Ming compacts attached great importance to mutual assistance in times of stability. In Chosŏn, Yulgok put more insistence on mutual aid than the Zhu-Lü version did, especially during weddings and funerals where weddings gifts had to be sent to help with the costs, and if the people getting married were of poor economic standing, the members of the compact were to loan all the necessary material and help with the organization.  

By comparison, in Ming, Wang Yangming was mainly emphasizing moral communion and transformation and Lü Kun, while indeed organizing the distribution of gruel in times of famine, discontinued the communal meals at meetings and focused on the creation of a secure administrative system. This could perhaps be explained by the absence of an explicit clause on ‘mutual assistance’ in the Six Maxims or more likely by the presence of a variety of other charities, benevolent societies, and she associations that took over a part of this aspect of community compacts. However, based strictly on the evidence gathered, it also seems the Ming compacts had more diversified ways in which to take care of their communities, with examples of environmentally conscious regulations, crime watch groups through the baojia, and protection of members against intimidation.

**5.4 Instillation of Morals**

In the context of moral transmission, indoctrination and education can be seen as two sides of the same coin. It is simply a matter of perspective and/or ideology whether one sees a “teaching” as education or propaganda. In the case of community compacts and local institutions, the legacy is ambiguous on this point. On the one hand, the Six Maxims (or Four Imperatives) were constantly repeated at community compact reunions by authoritative figures such as the compact head or deputy,

252 Deuchler, “Ritual and Order,” 313.
and also day and night on the streets and in various other social contexts. In Ming (and Qing) China, these lectures were ordered to be propagated throughout most of the empire, fitting the etymological definition of ‘state propaganda’. All these aspects seem to correspond more to what could be qualified as ‘indoctrination’, whether in the government’s or the elite’s interest, by helping propagate the Six Maxims, for example, or simply by disseminating Neo-Confucian ideology in the countryside. At the same time, education was also promoted by the alliances of community compacts with other educational institutions, and in many community compacts, people present at the meetings would ask questions and have discussions about rewards and punishments. Moreover, while coated in Neo-Confucian rhetoric, a vast majority of these admonitions were ultimately to promote harmony and stabilize local communities. Indeed, some aspects were “more control-oriented and less concerned with education and self-cultivation [but] both aspects existed in the covenant, especially after the addition of the ‘Sacred Edict’”. For this reason, when opportune in this section, I will prefer the use of the more generic and neutral expression ‘instillation of morals’ when referring to transmitted values, whether conducted for educational or indoctrination purposes.

If the primary goal of the official Ming promulgation of xiangyue in 1529 for each locality was to promote welfare, the derived utility of these association for moral instillation became quickly apparent. After the Ministry of Revenues ordered these proposals to be implemented, they were immediately amended to include monthly meetings of granary associations where the Jiaomin bangwen (Placards to instruct the people) were to be read and its members criticized based on their

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255 According to article 19 of the Jiaomin bangwen (Placards to instruct the people) of 1398: “Each village and li shall prepare a bell with a wooden clapper. Old or disabled people or blind people guided by children, shall be selected to walk through the li carrying the bell...They are instructed to speak loudly and plainly so that the public are able to understand. The people will thereby be exhorted to do good and not violate the law. Their message is this: “Perform your filial duties to your parents, honor and respect your elders and superiors, maintain harmonious relationships with your neighbors, instruct and discipline your sons and grandsons, let each work peacefully for his own livelihood, do not commit wrongful deeds.” They will do this six times each month. See Chang, “Appendix the Placard of People’s Instructions.”

256 Liu, Confucian Rituals and Chinese Villagers, 168–69.

257 Deuchler, “Ritual and Order,” 304.

good or bad behavior. In this case, it is clear that the objective of moral improvement came only second and was included to the initial structure. On the other hand, before the official policy of 1529, Wang Yangming’s xiangyue was not really focused on food relief or welfare, but instead on moral elevation and reforming individuals. One of the concepts that Wang Yangming believed in was that of the original goodness of the ‘mind-heart’. According to him, the ‘mind-heart’ is capable of ‘innate-knowing’ and all “human actions are moral actions if the ‘innate-knowing’ directs the decision.”

The basics of this philosophy are also reflected in the text of his Nangan Community Compact. In the preface, Wang, as the newly appointed governor of the area, appeals to what he calls the ‘renewed people’ (xinmin 新民) to convince them to form a community compact for the stability of the community. He interrogates them, asking: “Have not the customs of the people become good or bad because of accumulated behavior which makes them so… [W]as this merely because their nature was different and they were criminals?” Wang’s rhetorical question is meant to prompt the ‘renewed people’ to sincerely question their inherent nature and their propensity to do what is good for them and for society. In a context where rebels and bandits had recently been suppressed, Wang strove for the reintegration of former criminals into their communities (hence the term ‘renewed people’) by emphasizing individual reform and the pursuit of higher morals.

One term often associated with the implementation of community compacts is the concept of edification (K. kyohwa 敎化) or, as Chang writes it, ‘transformation through education’. In Chosŏn, hyangyak provided a space where scholars could bring commoners and slaves into the “elite’s cultural realm.” In theory, and at the very least, edification was the primary goal of organizing a hyangyak. In 1518, an official by the name of Han Ch’ung 韓忠 (1486–1521) was advocating at King

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259 Littrup, Subbureaucratic Government in China in Ming Times, 164.
261 Wang Yangming, Instructions for Practical Living, 298.
264 Kim, Law and Custom in Korea, 53–54.
Chungjong’s court for realizing edification through the use of *hyangyak*. He argued that “to straighten the people and guide them to the [good] customs, there is no better way than having the governor select respected elders with experience in a town, to make them compact heads and compact deputy heads and have them bring education through transformation (*kyohwa*). In a town, I saw the children read Kim Anguk’s translated version of the *hyangyak*. It would be right to print and distribute it widely.”

Later again during the reign of Sŏnjo, Kim U-ong 金宇顒 (1540-1603), while debating the feasibility of the national implementation of *hyangyak* with Yulgok, was also adamant in trying to convince the king that “edification (*kyohwa*) surely has to be done [starting] from the top.”

Edification was seen as a royal duty, but a duty in which he was to be helped by the ruling *yangban* class. The transformation and edification of the countryside was something of a central concern for early Chosŏn scholars, especially for the *sarim*, and they saw the community compact organization as a prime tool for realizing their ambitions. This of course was coupled with the distribution of the *Sohak, Samganghaengsiltto*, and other books that helped instill Confucian morals in the countryside. The text of the community compacts also reflected this idea of having the upper classes ‘educate and transform’ the population, but always through virtue. In his Yean Community compact of 1556, T’oegeye writes that “it was the task of the local *taebu* 大夫 to lead with virtuous conduct and moral principles and to restrain the undisciplined with punishment.”

This is seconded by Yulgok who also emphasized the required moral edification of the magistrate and the local elite in order to make the compact work:

I believe that unless the magistrate exerts his utmost effort in his duties, he cannot demand anything from the director of the community compact, and that unless the director is a man of probity, he cannot exhort the village members to do good deeds. Whether the village members turn to good or to evil will depend upon the compact director, and whether the director is moved to urge his people to behave properly will depend upon the magistrate… If the village

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265 Chosŏn wangjo sillok, Chungjong sillok, June 19, 1518 (year 13).
266 Chosŏn wangjo sillok, Sŏnjo sillok, September 21, 1573 (year 6).
members do not disagree and bend like grass in the wind of virtue, the mores of Sŏwŏn county will surely be transformed.\footnote{268 Yi I, Preamble of Sŏwŏn hyangyak, Yulgok Chŏnsŏ 16:2a-b. As translated by Ch’oe, Sources of Korean Tradition. Vol. 2, 145–46.}

In Ming China, the situation did not differ substantially, and edification was often discussed among scholars and officials. References to edification (jiaohua 教化) are found frequently in Ming sources and Wang Yangming would directly refer to this concept to explain what he was trying to accomplish in the countryside.\footnote{269 Israel, Doing Good and Ridding Evil in Ming China, 103.} For Wang and other officials, edification was concretely materialized through the establishment of hundreds and tithings, the Ten Family Joint Registration System, community compacts, and the community schools for children.\footnote{270 Israel, 103.} However, in the Ming, expressions such as edification (jiaohua) and ‘changing the customs and replacing the folkways’ (yifeng yisu 移風易俗) were also used for a different purpose—cultural integration. Used as one of the ways to unify the people and achieve a certain cultural homogeneity, there were efforts to enforce community compacts on non-Han ethnic minorities with different practices and faiths as a way to promote the official state ideology.\footnote{271 Chu, ‘The Community Compact in Late Imperial China,’” 3.} As an example, the Loi people of Hainan were a distinct ethnic group that tattooed their faces and decorated their bodies, and did not cover their legs.\footnote{272 Schneewind, “Community Schools,” 188.} However, in 1539 Wang Honghui 王宏誨 (1541–1617), an official who had been Minister of Rites in Nanjing, “recommended that community schools be established to train the Loi …, along with strict surveillance, the establishment of markets to encourage trade, and the implementation of community compacts to carry out ‘transformation through education’”.\footnote{273 Guangdong Lingao xianzhi 19/25. This is cited in Schneewind, 187–88. In the following years, other attempts were made to ‘pacify’ the Loi when they rose up in revolt.} However, in the end, Yonghua Liu proves that individuals from all social classes were not simply at the receiving end of this edification process. Whether it be the yinyang masters 陰陽生 that integrated the compact rituals into their own lucrative enterprises or
local elites without degrees who gained prestige by managing the compacts, they were “active interpreters and adapters of state-approved practices to local conditions.”

Another important aspect of moral instillation and regulation by community compacts is the use of ledgers for keeping track of each individual members’ good and bad deeds. However, not all the compacts agreed on how these deeds should be kept track of, and each of the important compact models seemed to take a different approach in the Chosŏn and Ming context. Drawing upon Taoist and Buddhist practices, the origins of these ledgers should be traced back, once again, to the Song era where the genres of ‘morality books’ (shanshu 善書) and ‘Ledger of Merits and Demerits’ (gongguoge 功過格) began to develop. These two types of books were similar in the way that they provided a means to keep track of one’s actions and promoted good deeds. Initially, the idea was linked with the concept of a spiritual being that could reward or punish human’s actions based on their behavior, but it increasingly came to be associated more with the individual control of one’s destiny through the act of writing and controlling one’s actions. The system used was to accord specific values, through the use of points, to human deeds which would be positive for a virtuous action and negative for a evil one. At certain times, one would then strike the balance of one’s points to know if one has been on the right path or not. The concept gained widespread popularity during the Ming, among different social classes, and the Hongwu emperor even sponsored a large enterprise for the publication of morality books. Yuan Huang 袁黄 (1533-1606), a successful Ming scholar-official and a name often associated with this phenomenon, describes in his Ledger of Merit and

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Demerit that, for example, “saving a person’s life” is worth 100 points and “saving the life of an insect or watery creature” is equal to one point.278

Drawing from this tradition and more directly from the precepts of the Zhu-Lü compact, Wang Yangming also included the use of three ledgers, two for tracking good and bad deeds separately, and the last to “record the names of compact members and their daily movements and activities.”279 In his effort to prevent bad blood and promote harmony, Wang gave further instructions to people when reporting the actions of another person. When trying to inform the compact members of someone’s good deed, one must be “clear and decisive,” whereas the report of an evil act must be done in an “obscure and gentle” manner. The point was not to unnecessarily upset the accused so that he did not slip deeper into wickedness, which is also why compact heads and deputies were to discuss with the offender privately beforehand.280

Lü Kun, on the other hand, brought a different approach to the use of ledgers and the philosophy behind them. Lü Kun’s compact, which would be taken as a model for the Qing xiangyue system281, had the particularity of including four distinct ledgers during its meetings. Two of those were used for the recording of misdemeanors and merits, but these were subdivided into large, medium and small categories according to the type of deed.282 He then introduced the ‘reform register’ and ‘mediation register’ which had specific additional functions.283 As its name indicates, the ‘reform register’ was meant for people who had promised to reform and who had shown repentance for their

279 Wang Yangming, Instructions for Practical Living, 298–99.
280 Wang Yangming, 300.
281 Antony, Unruly People, 46–51.
misdeeds. Lastly, the ‘mediation register’ seems to have been used for those who settled their disputes amicably through the mediation of other members.

Figure 3. Lü Kun’s illustration of the layout of xiangjia meetings in the Shizheng Lu²⁸⁴

²⁸⁴ Lü Kun 呂大鈞, Shizheng lu 實政錄, (1599), 5:14a. (Record on Practical Government). Available online at the Library of Congress: https://lccn.loc.gov/2012402337 (accessed February 2020). Cheek describes the illustration as follows: “The Sacred Edicts (Six Maxims) of the Hongwu Emperor dominate the scene. The thin tablet next to it is the Mediation Tablet to be put up in between the bi-monthly meetings when resolving dispute. The four ranks of officers stand around the two tables, with the junior ranks… standing by the lower table on which the four registers are displayed. The compact members are arranged in rows beneath that table and the space before the table is where people may kneel at the appropriate time (for good, bad or resolved deeds to be reported).” Cheek, 29–30.
These four ledgers were also in use in Qing times, and Li Laizhang 李来章 (1654-1721), who served as magistrate of Lianshan in the early 18th century, also described and promoted their use in all areas under his jurisdiction.²⁸⁵ Lü Kun did not use the ledger for registering members of the compact, because in his system everyone in the community was automatically part of the compact except for those who had passed civil service exams. Moreover, the system included ways for members to use their accumulated merits to symbolically pay for fines, cancel punishments or void misdemeanors committed.²⁸⁶ Even though Lü’s clear aim was to encourage good behavior, this has prompted Handlin Smith to qualify Lü Kun’s system as a mechanical approach to self-cultivation.

In Chosŏn, the mentality associated with calculating one’s deed might have been reinforced, when in 1419 the Yongle emperor sent 600 copies of *Undisclosed Arrangements for Doing Good Deeds* (*Weishan yinzhi* 為善陰騭) as a gift to the Chosŏn court. Additional copies were sent by the thousands in the following years, whereas “bestowals of books from Ming to Chosŏn were usually on a scale of 100 to 150 copies each time—even fewer for Confucian books or classics.”²⁸⁷ However, community compacts in Korea integrated the practice of keeping ledgers, not only because of the gifts from the Ming emperor, but also because it figured in the Zhu-Lü compact that had been popularized in Chosŏn in the early 16th century through Kim An’guk’s translation into Korean. Following this model, Korean compacts generally maintained the two ledgers for recording actions and another separate book serving as a roster of the members included in the compact.²⁸⁸ On this topic, article VIII of the *Haeju Community Compact* mentions that “the Record of Good Deeds and the Record of Wrongful Conduct shall be made only after a member has joined the compact…Recorded misconduct

²⁸⁵ Mair, “Language and Ideology,” 335. It is important to note that even though this was the official adopted model for the community lecture system during the Qing, there also still existed in some areas xiangyue that used two ledgers only. See, Antony, *Unruly People*, 51.
²⁸⁶ Handlin, *Action in Late Ming Thought*, 198.
²⁸⁷ Oh specifies that “the [Chosŏn] sillok records give the title only as *A Book on Undisclosed Arrangements* (Yinzhi shu 陰騭書), but this must refer to the *Undisclosed Arrangements for Doing Good Deeds*, as is confirmed by the Chinese record about the same diplomatic exchange.” See Young Kyun Oh, *Engraving Virtue: The Printing History of a Premodern Korean Moral Primer* (Leiden; Boston: Brill, 2013), 72.
²⁸⁸ Kim, *Law and Custom in Korea*, 44.
shall be removed from the Record only after the entire membership reaches agreement that the person who committed that misdeed has clearly become aware of his mistake and has amended his conduct. Recorded good deeds, on the other hand, shall not be erased even after a member has also committed a wrongful act.”

As mentioned in the beginning, T’oegye, in his *Yean Community Compact*, decided not to stipulate a separate ledger to record misdemeanors, despite the fact that he must have been aware of the practice. It seems that in the system envisioned by T’oegye, bad deeds were either forgiven when the offender displayed repentance, or penalized according to his nine-level structure of punishments. He might have not been convinced of the use of recording misdemeanors.

Although strategies like keeping ledgers of merits and demerits somehow helped keep the compact members in check, rituals are what truly aided individuals in interiorizing the morals and values that were being instilled by the compact system. In his *Chilchŏngnok* 質正錄 submitted to King Sŏnjo, Cho Hŏn 趙憲 (1544-1592), who had travelled to the Ming in 1574, reports that in every village he encountered West of the Shanhai Pass (Shanhaiguan 山海關),

[The community compact board members] listen to the [prefecture magistrate’s府長官] teachings together, and when it is finished, they bow respectfully once with clasped hands and withdraw. At each community compact location [鄉約所], people that are part of the community compact gather and greet each other with proper decorum. Then, the [compact board members] lecture others [based on] the teachings that they heard from the prefecture magistrate…[Therefore] it is easy to lead the people into goodness… and they also get familiar [with the compact teachings] by reading them to each other.

Compared to the Ming, Cho complained that propriety had been lost in Chosŏn and that the morals had completely deteriorated at all levels of society. For him, the situation could only be fixed if the

government were to make sure that Zhu-Lü community compact books “kept only in Office of Rites (禮房) boxes”\textsuperscript{292} found their way into the hands of the general population.

Patricia Ebrey’s understanding of ritual seems to express perfectly the spirit of community compacts, where rituals were not solely associated with ceremonies that inspired formality and emotions but were to be performed on a daily basis through the display of deference and respect. In terms of rituals associated with the community compact, these daily actions were directly tied to the more formal ceremonies where the public display of individual behavior took place. Indeed, a central aspect of the ceremonial meetings of the compacts was the ‘rewarding of the meritorious’ and ‘exposing of wrongdoers’, in which the concerned individual, among other prescribed steps, had to sit in front of the audience for everyone to see. These “were used as public occasions to commend and reward good conduct and admonish bad conduct of the entire membership of the community.”\textsuperscript{293}

The various ritualistic steps during the meetings differed slightly from compact to compact in Chosŏn Korea and Ming China, but most of them were essentially the same, following the Zhu-Lü model. Where they did differ, however, is that, based on the evidence pertaining to rituals during meetings, Chosŏn compact models made conspicuous distinctions between social classes whereas Ming compacts displayed a more egalitarian society under the authority of the state. The original Zhu-Lü version emphasized the primacy of age in many aspects, including the seating order when the members of the compact were to meet.\textsuperscript{294} In Chosŏn, however, the seating order was determined by social status first, and then each group was separately rearranged by age as well. The distinction was not one simply between elite and low class—hyangni, commoners, secondary sons, slaves, yangban and other sub-categories were each assigned a different seating area, as explicitly stated, for example,

\textsuperscript{292} Cho Hŏn, 297.
\textsuperscript{294} Hauf, “The Community Covenant in Sixteenth Century Ji’an,” 4.
in Yulgok’s *Sŏwon Community Compact* and An Chŏngbok’s *Ward Compact of Two Villages*. Although T’oegeye and Yulgok are often seen as having two different opposite takes on Neo-Confucianism, through the Four-Seven debate for example, they were still both committed to maintaining the status-quo between social classes, especially in order to maintain *yangban* privileges.

On the other hand, in Wang Yangming’s compact, one can see that social classes were not taken into account when performing the ritualistic meetings of the compact. However, there still existed a distinction between ‘junior’ and ‘senior’ members of the compact. Unlike An Chŏngbok’s compact, where different social classes were arranged in groups along a north-south axis, Wang’s wrote that “the people standing in the east and west shall bow to each other, and according to proper order, move to take their seats. Junior members shall pour wine three times for senior members… [At the end of the meeting] all shall leave their tables, line up in the east and west, bow to each other, arise, and withdraw.” The distinction between junior and senior members seems to have been one of age, and it was in that order that they took their seats. More importantly, however, the practice of having the members ‘in the east and the west’ bow to each other lends the ceremony a symbolic meaning of equality, a practice that does not seem to figure in Korean versions. Lū Kun’s version, however, increased the formality of the meetings, giving a heightened importance to the Six Maxims and turning it more into a passive lecture. What is peculiar in Lū’s version is the presence of a moral and economic form labelled the Sacred Edicts Standard Form (*shengyu geye* 聖諭格葉) where it acted as a type of census with sections related to land, labor, capital and moral behavior. These were

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296 The Four-Seven debate was a famous philosophical debate with nonetheless quite concrete implications, dealing with the topic of the metaphysics of the cosmos and the human emotions. The points were debated through correspondence between two opposing sides, centered on the figures of T’oegeye and Yulgok. For further context and translations, see Michael C. Kalton, *The Four-Seven Debate: An Annotated Translation of the Most Famous Controversy in Korean Neo-Confucian Thought* (Albany, NY: State University of New York Press, 1994).
meant to be updated annually and then sent to a government official for inspection, who would then
determine the ‘bureaucratic rating’ of the compact head and the county magistrate of the locality.300
By doing so, Lü had created an integrated administrative procedure for moral and material supervision
by the government over the population of each locality which, coupled with the baojia, helps to
understand why the Qing government saw the benefits of this community compact and decided to
continue the practice.

This section would not be complete without a short discussion of the differences between
Korean and Chinese compacts concerning the adoption of the Six Maxims of Hongwu vs. the Four
Imperatives of the Lantian compact. The original Lü compact and its revised version by Zhu Xi both
used the Four Imperatives, which are at the core of the project to promote a harmonious society: 1)
mutual encouragement of virtuous deeds and duties; 2) mutual regulation of errors and omissions; 3)
reciprocity in rites and customs; and 4) mutual aid in times of difficulty and misfortune. On the other
hand, the Six Maxims were promulgated by the emperor Hongwu in 1397 and, as stated before, were
introduced to community compacts around the time of Wang Yangming’s Nangan compact.301 The
Six Maxims are 1) Be filial to your parents; 2) Be respectful to your elders; 3) Live in harmony with
your neighbors; 4) Instruct your sons and grandsons; 5) Be content with your calling; and 6) Do no
evil.302 A Japanese scholar, Kimura Eiichi, has argued that the Six Maxims were actually directly
inspired by Zhu Xi’s exhortations to educate people and essentially carry the same content, which
would make the Six Maxims in some way a successor to the Four Imperatives.303 Why is it then that
Chosŏn did not follow in the Ming’s footsteps? With the diffusion of the Zhu-Lü version to Chosŏn
Korea, the Four Imperatives were also transmitted, serving as the core for most Korean compacts.
Notable exceptions such as Kim Seryŏm in the 1640s and An Chŏngbok in 1756 included the Six

300 Cheek, 30–31.
301 Sakai, “Yi Yulgok and the Community Compact,” 341.
302 Mair, “Language and Ideology,” 327.
Maxims in their compact, but when at the end of the 18th century the *Combined Compendium on Community Rituals* (*hyangnye happy’ŏn* 鄉禮合編) was printed by royal order, it only included compacts based on the Four Imperatives.304 It is curious that Chosŏn, which seemed keen on staying updated about various developments in China and keeping track of imperial decrees, rarely adopted the Six Maxims of Ming in its compacts. These two sets of principles did fundamentally differ on some level, however, in that the Six Maxims were imperial edicts to be observed as authoritative directives, whereas the Four Imperatives emanating from Song Neo-Confucian figures worked as moral guidelines for members to aspire to. Other perspectives on the topic include Sakai, who sees the Six Maxims as closely linked with the *baojia* system, and maintains that instead of thinking about the Six Maxims themselves, we should explore what political and social conditions prevented Korea (and Japan) from adopting the *baojia* system.305 While it is difficult to find a definitive answer to explain this situation, it does however gainsay the ‘serving the great’ (*sadaejuŭi* 事大主義) concept whereby Korea constantly strove to serve the greater states surrounding it in order to stay safe and seek development, that is often invoked to understand Chosŏn-Ming relations in the 16-17th centuries. Instead, Chosŏn, like any other political and social entity, appears to have only sought to integrate new elements when there was a gap to fill or if it deemed them useful. The Korean community compacts already had their own set of core principles and “in this way Korean scholars showed their adherence to earlier Neo-Confucian models and refused to accept in their stead later systems adopted by the Ming and Qing dynasties.”306

Therefore, as demonstrated by the examples given above, one can see that the objective of the edification of the masses and the propagation of Neo-Confucianism through the virtue of the officials and gentry were at the core of the community compact systems in both Chosŏn Korea and Ming China.

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304 Sakai, “Yi Yulgok and the Community Compact,” 343–44.
305 Sakai, 342–43.
306 Sakai, 344.
Where the Ming differs is in the application of this ‘transformation through education’ to assimilate non-Han ethnic groups in the borderlands of the empire. In the 16-17th century, while different ethnic groups existed on the northern border of Chosŏn (Jurchens) and at the southern border on the island of Cheju, the vast majority of Chosŏn’s population was, at least culturally, quite homogeneous, to the point where a similar application of the community compact would not have been needed. In terms of the ledgers kept by the compact board members, some other differences should be noted. While most Chosŏn compacts seem to have replicated the traditional Zhu-Lü model (with the exception of T’oegye who dropped the Ledger of Demerits), the Ming models added a certain level of complexity to it. On top of recording members’ names, Wang Yangming’s third ledger was also used to record people’s movements and activities, while Lü Kun’s model redefined the system in a way that resulted in four different ledgers. This could be attributed in part to the longer presence of this type of ledgers in the history of China and the relative familiarity of the people with using such a system. Moreover, the social hierarchy and class distinctions are made evident in the way that rituals are held during Chosŏn compact meetings. In particular, the seating order reflects the more rigid levels of society and it “can be argued that the Korean hyangyak served the purpose of perpetuating the existing social stratification by invoking the standard norms of Confucian behavior”. On the other hand, Ming compacts made sure not to distinguish too much between people of different status, and only maintained the state and its officials above the rest of the members. Under the supervision of governor Wang Yangming, the Nangan compact displays a certain form of brotherhood, at least between members of the same age range, whereas the compact of Lü Kun increased the officiality of the meetings by integrating forms for all members to fill out and that were then inspected by government agents. Finally, Chosŏn’s attachment to the Four Imperatives in its compacts, despite having heard of

307 To be sure, hyangyak were established on Cheju in the 19th century, which is not only beyond the scope of this research, but also inscribed in a completely different historical context. See Ilsun Kim, Kyŏngsu Hwang, and Chŏngch’ŏl Yang, “Chejudo maŭl hyangyak (kyuyak) ŭi naeyong kwa t’ŭksŏng punsŏk (An Analysis on the Content of the Cheju Island Village Hyangyak (Compact) and its Characteristics),” Chejudo yŏn’gu 44 (2015): 113–46.
308 Kim, Law and Custom in Korea, 49.
the imperial Six Maxims, has prompted a number of speculations about how to explain this clear distinction.
Chapter 6: Conclusion

What does this analysis tell us about the organization of community compacts in early modern East Asia and what can be said, through the prism of community compacts, about the societies in which they were established? From the organizational structure to the interactions between members that constituted them, community compacts are as much a product of their time and place as any other Ming or Chosŏn institution. Taking this into account, a certain picture of both societies can be sketched out when establishing the similarities and differences that emerge between the community compact organizations of both polities.

First, it is evident that there are numerous similarities between the Ming xiangyue and the Chosŏn hyangyak, since they are both modeled in large part on the Zhu-Lü prototype of the Song. While the Ming was rightfully the inheritor of the Yuan in many regards, especially in terms of institutions, the Song fueled the ideological and intellectual enterprises of Ming scholars and officials. 309 Hence, including the Six Maxims that were also modeled on Zhu Xi’s lectures, the rise of baojia and xiangyue organization at the beginning of the 16th century were the sprouts of the seeds planted in the Song dynasty. Chosŏn also shared the strong bond with Song Neo-Confucian ideology and had also designed a majority of its institutions, practices and rituals based in large part on the Confucian Chinese past. In fact, Sixiang Wang mentions two narratives that are employed when attempting to explain Korea’s premodern culture, “one of ‘eastward transmission’ and another that emphasizes Korea’s autonomous civilizing process, [which in fact] appear to be complementary historical explanations.” This holds true for the Ming-Chosŏn relationship as well, where one should not deny Ming’s ‘role as a transmitter of knowledge’, a role that the Chosŏn court often actively sought, and at the same time, one should not forget “prior Korean interest in Neo-Confucianism and

the classical tradition in general, well before the Ming’s founding.”

However, in the case of community compacts, the transmission of Ming-style compacts happened after Koreans had developed their own compacts and, as we have seen, they had limited influence on the Chosŏn compacts. In fact, in light of the many particularities discussed throughout this thesis, one should see “the Korean *hyangyak*’s adaptation of the Chinese model as evidence that Chosŏn Koreans did not always blindly copy the Chinese legal and cultural traditions.” Nonetheless, the goal behind both traditions of community compacts seems to have been similar and motivated by the same rationale. Community compacts, more often than not, dealt with problems concerning communal activities, such as agricultural practices, social interactions in the locality, and petty crimes. Whether they relied on the Four Imperatives of Lü or the Six Maxims of the Hongwu emperor, in view of their similar underlying principles the community compacts shared elements like mutual assistance, food relief, harmonic relationships and ‘transformation through education’ at the center of their priorities. The notable difference here concerns the Ming’s expanding frontier and the diversity of ethnic minorities in the empire, for which the government had sometimes tried to institute *xiangyue* in conjunction with other local control mechanisms to stimulate their integration into the dominant cultural ideology.

On the other hand, through this research, significant differences have been highlighted when comparing elements related to the *xiangue* and the *hyangyak*. Based on the very large number of instituted *xiangyue* appearing in the gazetteers, the use of the *xiangyue* as the administrative unit for grain distribution, the association of *xiangyue* with the *baojia* in a structure largely inherited by the

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311 Kim, *Law and Custom in Korea*, 50.
312 This explanation does not ignore the study of Leo Shin on identity formation and the purposeful distinction that officials established between ‘Chinese’ and ‘non-Chinese’ groups. However, it is hard to conceive another objective in establishing a compact to ‘transform through education’ except for assimilation. At least, it should be seen as serving a long-term purpose to calm tensions, in this case with the Loi people, and change their mentalities for better administration, if not their cultural practices. This understanding does not necessarily contradict Shin’s view of group segregation in Guangxi. Not only the Loi continued to be treated as “non-Chinese;” but the state’s strategy of dealing with minorities might have been different depending on various factors, including the relative power of the conquered people. See Leo K. Shin, *The Making of the Chinese State: Ethnicity and Expansion on the Ming Borderlands* (Cambridge [England] ; New York: Cambridge University Press, 2006).
lijia (and the lisheliangli system), etc., it can be said with confidence that the Ming community compacts were part of a much more systemized spatial administration which exemplified the greater integration of the ‘local’ into the state administrative structure. Moreover, while Wang Yangming was the first to apply the “replacement of the pictures of sages in the meeting hall with the Six Maxims of the Hongwu emperor,” in Lü Kun’s meetings the “Six Maxims…dominate the scene” and were organized in “an effort to re-involve all inhabitants in government sponsored administration.”^313

However, although Ming autocratic central power was indeed strong, especially under Hongwu, it was not almighty. Gentry and local leaders were responsible for managing the community compacts in their localities and had enough responsibility and power to see their interests represented and even, perhaps, to allow some form of ‘abuse’ to exist. Brook expresses this reality well in discussing the ‘horizontal and vertical strategies’ of the elite that often saw no problem in juggling between official matters and those from their communities—state goals were appropriated by the elites and were adapted to localities.^314 However, this paper has not focused on this particularity of elite vs. central authority, as it has targeted those influential models of the Ming most evidently connected to officialdom and where the government hand was most prominent. Ideally, for future research to be more exhaustive, proportional attention should be paid to the community compacts that were less dependent of the government’s administration. However, in the context of this comparative study, the reality of the most influential models of community compacts in Ming differed notably from their Korean counterparts, mainly in terms of their connection to the state official structure. This point remains important and deserves to be stressed.

As for the administrative reality on the Korean peninsula, just as the central government was ruling indirectly over some distant villages (sokhyŏn, etc.), it “administered the farming population

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^313 Cheek, “Contracts and Ideological Control,” 26,29,35.
^314 Brook, The Chinese State in Ming Society, 176–78.
indirectly through a tiered approach of local control mechanisms,” as the power of local magistrates did not reach deep enough within all areas under their jurisdiction. It seems this model of governance might have worked for Chosŏn at least in the context of the 16-17th century. A Ming-Chosŏn comparative research on census registers echoes the difference in administration found here. In one of the various points made to exemplify this reality, the author has noted that Ming yellow registers (huangce 黃冊) were drawn up by local heads as part of the lijia duties and then sent to the county office for inspection, whereas individual householders had to personally deliver the documents to the office in Chosŏn. This example displays a looser structure at the local level, one that could have been partially compensated for by the community compact organizations. Marie Seong-Hak Kim also attests that “the community compact constituted the vital nexus between the periphery… and the center”, and goes so far as to credit the institution for playing a part in the “extraordinary stability of the state.” Indeed hyangyak organizations worked in cooperation with the state, but the state was not involved in their administration, even though they were sometimes initiated by active government officials. Moreover, while the models of T’oegye and Yulgok were very influential, there was no single model used to institute many compacts outside the original area like in the case of Lü Kun’s model in China, and instead local devisers took what they wanted from the models and added what elements they saw fit according to their regional conditions, similar to how Wang Yangming modeled his compact after the Song prototype.

That being said, in Korean historiography the topic of community compacts is sometimes linked to the concept of ‘feudalism’ or to the discussion around the ‘feudal mode of production/Asiatic mode of production’ as formulated by the Marxist perspective on history labelled as ‘historical

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316 Rhee, 46.
318 This is contrary to the Ming where a “great majority of pacts were formed at the order of local government, and mostly by the provincial authorities.” Chu, “The Community Compact in Late Imperial China,” 5.
materialism’. I will not attempt to delve into this question as it will involve a lengthy discussion on socio-economic structure and the landlord-tenant relationship, which is outside the scope of this paper. However, from a larger perspective, feudalism, as understood in western historiography, does not seem to apply to Chosŏn. First, because in Medieval Europe, and in different periods of Chinese and Japanese history that could be qualified as ‘feudal’, the local leadership had almost complete authority over its ‘fief’, including taxation systems and most importantly, (to quote the well-known Max Weber concept) monopoly over the legitimate use of force. This was not the case in the centralized political system of Chosŏn which established taxation systems all throughout the peninsula’s territory and where the government controlled all military bodies and capabilities. The local authority of the community heads, including compact heads, was not only closely associated, but dependent on the state authorities as the actual source of their power to lead the people in their communities. If punishment was meted out by the hyangyak head, it was because the state was allowing the practice, even though abuse was always possible. So, while they were not government agents per se, they were, at least officially, working in conjunction with the state. However, due to these ambiguities and its weaker hold on the countryside, Younghoon Rhee places Chosŏn somewhere between Ming’s centralism and Medieval Europe’s feudal system, which seems like a reasonable assessment.

The other evident difference is the emphasis on social hierarchy in Chosŏn society. It is not that rank did not dictate norms of behavior in interpersonal relationships to a certain extent in Ming China or that individuals with higher status did not enjoy privileges, but simply that when compared with Chosŏn’s integrated and strict hierarchical order, Ming China displays a more egalitarian approach under the prominent power of the state, as exemplified by their community compacts. The

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319 This debate was active in the 1960s-70s at the height of socialist ideas and the Marxist school of thought. For an early classic work on the topic of Chosŏn feudalism, see Paek Namun, Chosŏn ponggŏn sahoe kyŏngjesa yŏn’gu (A Study on Chosŏn Feudal Socio-Economical History) (Kaejosa, 1937). For a more recent review, see Kim Sŏnhong, “Chosŏn ponggŏnjeron ūi yŏn’gusajŏk chaegŏmt’o (A Reassessment of Theories of Korean Feudalism),” San’gyŏng nonch’ong 12 (1990): 191–214.

distinction between higher and lower classes is highlighted by almost all aspects of Chosŏn’s compacts. Whether we look at the post-Imjin dualist compacts, the regulations with differential treatment, or the class-specific seating order, social boundaries are maintained so as not to disturb the traditional hierarchy. Even more conspicuous is the fact that it was the yangban themselves that punished the members of the compacts. To be sure, by the 18th century a wider range of compacts can be found, ranging from Ch’oe Hŭngwŏn’s 崔興遠 (1705-1786) compact which provided corporal punishment for scholars, all the way to Kim Hongdŭk 金弘得 (1693-1777), who did not want to punish scholars in any way except for registering their names in the ledger of misdemeanors.321 Yu Hyŏngwŏn’s efforts to downplay social hierarchy by prioritizing age in the seating order of the meetings and by giving more importance to the old texts of Zhou should also be acknowledged, but his compact does not reflect the majority of Chosŏn compacts.322 To realize the amplitude of Chosŏn’s inherent social inequality, one has to look at the large percentage of public and private slaves (nobi) and their essential role in the agricultural economic basis, especially in small-scale agricultural operations.323 This was a reality that was not shared by Ming society, since the hereditary slave system “seems to have been basically dissolved during the Tang-Song transition” and commoners were prohibited from having slaves. 324

Ming compact models, on the other hand, seem to have wanted to institute a certain camaraderie between the members of their compacts so as to enhance local cohesion. Looking at the social context of late Ming, one possible explanation for this model could have been the reordering

321 Palais, Confucian Statecraft and Korean Institutions, 752–53.
322 However, even in Yu’s compact, the slaves (nobi) were to sit separately and the names of scholars were to be recorded separately than those of commoners. Palais, 743–47.
323 According to Rhee’s research, the ratio of nobi to the population in early 17th century Chosŏn is estimated at thirty to forty percent, with some areas having almost half of their population as nobi. Rhee, “Comparative Historical Study of the Census Registers,” 33–35.; Also, while Palais identified Koryŏ as a ‘slave society’ based on criteria concerning the proportion of slaves to total population and the dependence on slave labor, there is still a debate as to whether identify Chosŏn as such, due to a certain lack of reliable figures. See James B. Palais, “Slavery and Slave Society in the Koryŏ Period,” Journal of Korean Studies 5, no. 1 (1984): 173–90.; Duncan, The Origins of the Chosŏn Dynasty, 149–50.
of the traditional social classification due to a turbulent age including economic crises, numerous wars, interaction with the West through commercial activities, etc. The traditional social order was disturbed by the rise of ‘nouveau riche’ merchants who had been so successful in their commercial enterprise that they could no longer be treated as the lowest social class.325 This not only redefined ‘elite rank’ but clearly had an effect on society where education and virtue were slowly being replaced by wealth and entrepreneurship as measures of success. In any case, Wang Yangming unmistakably worked for a renewed community with brotherhood-like features where members were only differentiated by age, and Lü Kun, “as a follower of Wang Yangming’s, [also] wished to promote links between the common people and the upper classes.”326 They managed to do so, Lü more obviously than Wang, by placing the compact under the vigilance of the state, for example through calls for cooperation with the government in catching offenders or the moral census forms of the xiangjia. This idea of ‘equality under of the state’ is further corroborated by the fact that even local leaders, whether gentry or not, could not administer physical punishment and were much quicker than Chosŏn compact heads to report offences to the government. By contrast, in Chosŏn it seems that when a certain crime was known in the community, it was better for the culprit to accept the punishment of the hyangyak, where he would then be pardoned of his evil actions by the community, than to be reported to the authorities and end up with greater punishment, imprisoned or tortured. From this logic stemmed the actual ‘judicial’ authority of the hyangyak.327 In this way, it can be said that in Chosŏn, hyangyak was a governmentally endorsed, but separate structure with limited judicial and penal authority, while in Ming, most xiangyue acted as locally-constituted informal administrative bodies of the state. All of this, of course, under a strong moral rhetoric.

327 Marie Seong-hak Kim also agrees that “hyangyak officials played the role of a gatekeeper for lawsuits, exerting the power to impose community-level justice in the villages.” Kim, “Comparing the Incomparable,” 529.
While this thesis has given its opinion on many aspects of the community compacts, it seems appropriate to nuance this view with an excerpt from Chu Hung Lam, who has written extensively on Ming community compacts:

In sum, historians have displayed no consensus about the nature of the community pact. Undoubtedly, it began as a local organization for mutual aid in moral improvement as well as in material welfare. Then, according to some, it was a form of local self-government. According to others, it was either a means of social education or a means of ideological control. Some have viewed it as conducive to social integration, while others stressed cultural integration. Still others viewed it as a tool for political domination. Perhaps the least objectionable view is to take it simply as an intermediate organization linking the county government and the local population, without deciding whether it thus represented something like a public sphere (which, given the involvement of the local elites, might seem reasonable). Depending on the source and perspective of a given study, all these characterizations are correct in one way or another. Until more thorough research is carried out, it should best be viewed as a structure designed to provide a framework for the reproduction of social order.\(^\text{328}\)

Even on the topic of whether community compacts were actually enforced or simply remained on paper, there is little way of knowing for sure. On top of what was discussed throughout this thesis, there is evidence that points in both directions. On one hand, not counting their mentions in gazetteers (which may have been exaggerated), some authors attest to their application, for example, in late Ming, where “the transcripts of a few community compact lectures survive, and both Lu Shiyi and Qi Biaojia testify that they themselves attended such meetings.”\(^\text{329}\) On the other hand, texts discussing the compact meetings are few and contemporary authors such as Luo Hongxian expressed that “the majority have not proceeded beyond the written stage.”\(^\text{330}\) The situation in Chosŏn is similar: there seems to be a consensus among historians that T’oegye’s Yean compact, for example, was not put into practice. While I believe that a good number of community compacts must have been put into effect at least temporarily, they are still many questions that remain to be answered concerning their

\(^{328}\) Chu, “The Community Compact in Late Imperial China,” 4. 
\(^{329}\) Handlin Smith, The Art of Doing Good, 74. 
\(^{330}\) Luo Hongxian, “Ke xiangyue yin” (An Introduction to the Engraving of the Community Covenant), Nianan Luo xiansheng wenji 念菴羅先生文集 6/6a–7b, quote from 6b. This is cited in Hauf, “The Community Covenant in Sixteenth Century Ji’an,” 13.
concrete application, their longevity, the degree of participation in them, etc. The fact that such a significant number of reported community compacts exists, while none of the ledgers purportedly used during meetings seem to have survived to this day, also raises questions for future research. Thus, I would like to propose that similarly to today’s practice of writing an article about a possible avenue, a written work does not necessarily mean that the author followed through and applied his theory even if it was meant for application (for example a policy draft, a project proposal). Sometimes these works might be directly implemented, but often they stay on paper until someone else who sees a certain quality in them revives the idea and applies it, or even expands on it; akin to devisers using compact models. This is corroborated by various community compact prefaces where the author credits previous community compact devisers of his area and where their work is used as a basis for the new compact. 331 More important, however, is the fact that in the world of Neo-Confucian scholars whose ultimate goal was the improvement of society and achieving practical social harmony, a community compact draft gave them legitimacy as scholars who had these goals at heart and who were not simply lost in abstract metaphysics with no concrete application. Community compacts gave life to Neo-Confucian concepts of virtue and humaneness and expedited the ultimate goal of a revival of the ‘golden age’—drafting one meant that the scholar cared not only for his locality, but also for the stability of the realm and the realization of Confucian objectives.

Finally, in trying to avoid the caricature trap of comparative studies, this work has strived to maintain the delicate balance between giving an accurate representation of the evidence found in both societies and adopting a broader perspective so as to draw meaningful conclusions. In doing so, this thesis provides an important comparison that was missing from the corpus of English, Korean and Chinese scholarship dealing with the topic of community compacts. Still, the thesis has managed only to scratch the surface of community compact organizations by presenting its different aspects and

331 This includes the Sŏwŏn Community Compact, where Yulgok states that the earlier compact deviser “was recalled by the court, and the community people became discouraged as the compact was never put into practice.” Yi I, Sŏwŏn hyangyak, Yulgok Chŏnsŏ 16:2a-b. Translated in Ch’oe, Sources of Korean Tradition. Vol. 2, 145–46.
focusing on various uses that such an organization could have for its initiators and members. For further research, an interesting avenue to explore would involve not only the particularities of certain community compacts in terms of their regional differences, but also their connections with the competing networks of Neo-Confucian scholars who were instituting the compacts. Indeed, the countless questions surrounding the community compacts’ application and variety will require a thorough multi-disciplinary approach in order to reach a more nuanced understanding of these organizations.
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