
Adoption in Chosŏn Korea and in the Yu Taech'ing Family

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There were three types of adoption in Chosŏn Korea—*suyang* 收養, *siyang* 侍養, and *ipbu* 立後. Both *suyang* and *siyang* adoptions, practices from the Koryŏ (918–1392) period, were not limited in terms of whom one could adopt and for what reason. In the early Chosŏn period (1392–1910), the state implemented Confucian social legislation, including the codification of various regulations concerning adoption. First, the state made the distinction between *suyang* and *siyang* in the process of defining inheritance-related regulations in 1397: adopting a child younger than three years old was “*suyang*,” while adopting a child older than three was “*siyang*.”¹ The state codified the distinction in order to differentiate a share of inheritance: 1/7 or 1/10 the share of the primary child in case of *siyang*, and 1/7 the share of the primary child in cases of *suyang* when there was a primary child. The adoptive parents accepted either a *siyang* or *suyang* adoption for various social and cultural reasons, such as simply to raise and support an orphan, to receive care from the adopted child when old, to have the adopted child carry out ancestral rituals, to promote the family stability by having a successor, or to create social networks with powerful people through the adopted child. In addition, such an adoption was not legally binding. A child adopted through *siyang* or *suyang* did not have status as a jural heir in accordance with the agnatic succession principle, nor did he/she become a legal member of the adopted family. In such circumstances, a child in either agnatic or non-agnatic relation to his/her prospective adoptive parent(s) could become a candidate for a *siyang* or *suyang* adoption.²

In contrast, the laws concerning “*ipbu*” were framed in an effort to establish the agnatic principle (*chongbŏp* 宗法) centered on patrilineage.³ Confucian funerary and

¹ For the differences between *suyang* and *siyang*, see Mark A. Peterson, *Korean Adoption and Inheritance: Case Studies in the Creation of a Classic Confucian Society* (Ithaca: East Asia Program, Cornell University, 1996), 22.

² Pak Kyŏng, *Chosŏn chŏn'gi ūi ibyang kwa kajok chedo* [Adoption and family in the early Chosŏn period] (Sŏul: Hyeon, 2011), 29–143; Mark Peterson, *Korean Adoption and Inheritance*, 107–29.

³ For the adoption laws of the Chosŏn dynasty, see Pak Kyŏng, *Chosŏn chŏn'gi ūi ibyang kwa kajok chedo*,

ancestral rituals became a major agent of changing Korean family inheritance and other practices from bilateral to patrilineal. The construction of family shrines (*kamyo* 家廟), observation of the three-year mourning period, and other funeral practices were key measures leading to such a change. Because Confucian ancestral worship required a male heir, families had to establish through adoption when they had no son of their own to execute the rituals. Adoption followed the relevant laws codified in *Kyōngguk taejōn* 經國大典 (Great Code of Administration):

If one does not have a son by either his legitimate wife or his concubine, he may adopt a branch son from within the same agnatic descent line to be the heir. [Annotation to the Code:] If both fathers agree, order the enactment of the adoption. If the father is deceased then the mother petitions the authorities. One does not adopt a person from among one's elder generations, brothers, or grandsons as heir.⁴

This regulation prohibited an *iphu* adoption when the man had a son by a concubine. Candidates for an adoption were “branch sons from within the same agnatic descent line” (*tongjong chija* 同宗支子)—namely, agnatic nephews, including any candidates in the next lower generation of the lineage but excluding a nephew who was himself a biological first son (*changja* 長子). The regulation also excluded the man's ascendants, his brothers, and his grandsons. Therefore, parents usually selected an heir from among the male children in the next lower generation. The parents had to formally petition the state and receive official approval for the adoption to have legal validity.

The state gradually introduced other related regulations along with the adoption law. The adoptive parents had to regard the adopted child as their own, and vice versa. According to the statute concerning the mourning period (*pokche* 服制) in the *Great Code of Administration*, the adopted child had to observe the mourning periods for his adopted parents and their relatives as if his adoptive parents were his birth parents. For his own birth parents, he was to mourn just one year instead of three, with three years mourning at heart (*simsang* 心喪). For his birth parents' relatives, his mourning periods were to be downgraded by one grade.⁵ This law implied that the adoptive parents were more important than his birth parents. As for inheritance by the adopted child, there are no specific regulations in the *Great Code of Administration* because the 1437 law on adoption specified that the adoptive parents treat the adopted child in the same way as

144–54.

⁴ *Kyōngguk taejōn* (Sōul: Asea Munhwasa, 1983), “Yejōn, iphu,” 3: 277.

⁵ *Kyōngguk taejōn*, “Yejōn, obok,” 3: 244–65.

a primary child in all family matters. Therefore, the adopted child acquired the full right to receive a regular share of inheritance from his adoptive parents as well as a special share reserved for the ritual heir.⁶

The above clause from the *Great Code of Administration* on adoption prohibited an adoption when the man had a son by a concubine. However, another clause on ritual heirship (*pongsa* 奉祀) in the same code provided a contradictory exception that stated that in cases where the first son of the family had a son only by a concubine and wished to adopt his younger brother's son, then the adoption could take place.⁷ A majority of yangban families in fact did not like to make a concubine's son an heir because her children inherited her low social status and therefore were ineligible to take the civil service examinations and were subjected to other forms of discrimination. As a result, the state dropped this prohibition from the *Supplement to the Great Code* (*Soktaejŏn* 續大典) of 1746, and yangban families were able to adopt an agnatic heir even when they had a son by a concubine. Nevertheless, in some cases a concubine's son became the heir to continue the family line.⁸

Despite the efforts of the state to introduce Confucian social legislation, including the adoption law, as a way to transform Korean society, the principle of agnatic succession did not take firm root in the early Chosŏn period. Therefore, sons and daughters continued to divide ancestral property equally and to take turns conducting ancestral worship; even daughter's descendants conducted rites. Under these circumstances there was no need for an agnatic adoption to establish an heir.⁹ The gap between the law and popular practice was apparent in early Chosŏn and did not close for a few centuries.¹⁰ From around the latter part of the sixteenth century, however, yangban elites started to acknowledge that male heirs should conduct ancestral worship. It thus became necessary to adopt an heir when needed; by the late seventeenth century, ritual as well as economic, primogeniture became dominant. According to Chŏng Kŭngsik's study of family documents, there are only four known adoption papers from the sixteenth century.¹¹ Mark Peterson analyzed the lower civil service exam rosters and found that

⁶ Pak Kyŏng, *Chosŏn chŏn'gi ūi ipyang kwa kajok chedo*, 162–67.

⁷ *Kyŏngguk taejŏn*, “Yejŏn, pongsā,” 3: 276.

⁸ Mark Peterson, *Korean Adoption and Inheritance*, 181–87.

⁹ For examples of daughters inheriting parents' property and offering rituals when there was no son, see Mark Peterson, *Korean Adoption and Inheritance*, 109–10.

¹⁰ Martina Deuchler, *The Confucian Transformation of Korea: A Study of Society and Ideology* (Cambridge and London: Council on East Asian Studies, Harvard University, 1992); Mark Peterson, *Korean Adoption and Inheritance*; Yi Sugŏn et al., *16-segi Han'guk komunsŏ yŏn'gu*, [A study of old documents from sixteenth-century Korea] (Sŏul: Ak'anet, 2004), 4.

¹¹ Chŏng Kŭngsik, “Chaesān sangsok kwa chesa sŭnggye ūi sil'ae,” in Yi Sugŏn et al., *16-segi Han'guk komunsŏ yŏn'gu* (Sŏul: Ak'anet, 2004), 216.

less than one percent of the degree-holders before 1550 were adopted heirs. Even in the period of 1550–1700, an average of only six percent of the degree-holders were adopted heirs. A drastic change took place from 1700 on, however, for ten to fourteen percent of the late Chosŏn degree-holders were adopted heirs.¹² The practice of adopting an agnatic heir was firmly rooted after the eighteenth century, with the adopted son continuing the family line and taking care of ancestral rituals. This change coincided with primogeniture as well as with the formation of lineage associations and same-surname villages, indicating a Confucian transformation of Korean society. This transformation affected women negatively for they lost their equal inheritance right and were excluded from performing ancestral rituals.¹³

A certificate (*iban* 立案) was an official document that a government office could issue either to verify the purchase and sale of a house, land, or slave or to verify an adoption.¹⁴ The Ministry of Rites (Yejo 禮曹) was in charge of adoption and it issued the adoption certificate after the adoption procedure was completed in accordance with the law. The two certificates of adoption, dated 1721 and 1839, translated here concern a family of the Kigye Yu lineage who were descended from Yu Taech'ing 俞大偁 (1565–1634) and resided in Puyŏ 扶餘, Ch'ungch'ŏng 忠清 Province. The template for the certificate was consistent throughout the Chosŏn dynasty, as can be seen by the fact that the two certificates, issued more than a century apart, share an almost identical format.¹⁵ The following is a description of the adoption procedure, as reconstructed from legal statutes and extant certificates.

First, both the prospective adoptive father and the birth father, or the mother if the father had died, submitted an appeal to the Ministry of Rites stating their respective wishes that the heir be adopted. In the 1721 case, Yu Myŏngjŭp 俞命楫 (1676–1743) as the adoptive father and Yu Myŏngbo 俞命保 (1667–1730) as the birth father submitted an appeal in which they stated that the adoptive father had no son from his primary wife or from a concubine, thus meeting the qualification for an adoption. Myŏngbo was Myŏngjŭp's twelve-*ch'on* 寸 relative and the prospective adoptee, Yu Suŏk 俞壽億 (also known as Yu Chunggi 俞重基, 1702–86), was Myŏngbo's fourth son, which satisfied the conditions for an adoption candidate (Table 1). According to the 1711 certified copy of the household register (*chun bogu* 準戶口) issued to Myŏngjŭp, Myŏngjŭp was born

¹² Mark Peterson, *Korean Adoption and Inheritance*, 164 and 235.

¹³ Mark Peterson, *Korean Adoption and Inheritance*, 197–213; Martina Deuchler, *The Confucian Transformation of Korea*, 129–50.

¹⁴ Chŏn Kyŏngmok, “16-segi kwanmunsŏ ūi sŏsik yŏn'gu” [A study of government document templates in the sixteenth century], in Yi Sugŏn, et al., *16-segi Han'guk komunsŏ yŏn'gu*, 164–71.

¹⁵ Pak Kyŏng, *Chosŏn chŏn'gi ūi ibyang kwa kajok chedo*, 154–57.

in 1676 and his wife, Madam Cho, was born in 1677.¹⁶ In 1721 they were forty-six and forty-five years old, respectively, an advanced age in particular for Madam Cho to expect to bear a child, which must have motivated them to adopt an heir.¹⁷

In the 1839 case, the adoptive mother Madam Song and the birth mother Madam Pak submitted an appeal because their respective husbands, Yu Pohwan 俞黼煥 (1814–?) and Yu Chŏnghwan 俞鼎煥 (1794–1836), had both died. The appeal likewise made the required disclosure that Pohwan did not have a son by either his primary wife or a concubine. The adoptee, Yu Ch'ijong 俞致宗 (1829–?), was Chŏnghwan's second son, and Chŏnghwan had been Pohwan's eighteen-*ch'on* relative (Table 1). In both the 1721 and 1839 adoption cases, the adoptive parents selected the adoptee from among rather distant kinsmen—a popular practice to secure a talented boy or young man as an heir.¹⁸

The Ministry of Rites, after receiving the appeals, had the relevant county magistrate's office investigate the validity of the appeals. The local government office then either sent out a written inquiry to receive a written response or recall the relevant people to appear at the court in person to give oral testimony. The magistracy then reported the results of the investigation to the Ministry of Rites. In 1721, both fathers came to the magistrate's office and confirmed the content of the appeal, while in 1839 the two mothers submitted a written response. In addition, a witness from the lineage needed to verify the matter. As the respective lineage heads in the two cases, Yu Hu 俞樗 (1634–1728) testified in writing in 1721, and Yu Hanŭng 俞漢應 (1782–1860) testified in person in 1839.¹⁹

After receipt of verification from the local office, the Ministry of Rites put together the case in a report and then submitted it to the king. The report consisted of the content of the appeal, the result of the local investigation, and the ministry's recommendation that the king approve the case since it was legally acceptable. A royal secretary handled the royal review and decision but the staff at the ministry issued the final certificate after the royal approval.

The certificate itself begins with a summary of the case, followed by the content of the ministry's report and the royal approval. At the end of the certificate, the name of

¹⁶ *Chun bogu* [Certified copy of the household register], 1711 (Harvard-Yenching Library, TK 2292.2 8284.1 (3)).

¹⁷ According to Mark Peterson's study, many adoptive fathers were advanced in age, and almost 50 percent of the adoptions in late Chosŏn Korea were carried out after the death of the adoptive father. Mark Peterson, *Korean Adoption and Inheritance*, 165. In Chosŏn people counted an infant as one year old at birth and everyone became a year older on the lunar new year. Therefore, Yu Myŏngjŭp, who was born in 1676, was forty-six years old in 1721.

¹⁸ Mark Peterson, *Korean Adoption and Inheritance*, 173–80.

¹⁹ Yu Hu was Yu Myŏngjŭp's eleven-*ch'on* relative and Yu Myŏngbo's nine-*ch'on* relative. Yu Hanŭng was a six-*ch'on* relative of Yu Pohwan. Yu Ch'ung, comp., *Kigyŏ Yu-ssi chokpo* (KYC hereafter) [Genealogy of the Kigyŏ Yu] (Sŏul: Kigyŏ Yu-ssi Kyŏngjongjung, 1965), 4: 34; 5: 92.

the royal secretary in charge is recorded (Kim Chaero 金在魯, fourth royal secretary, in 1721, and Pak Chonghyu 朴宗休, third royal secretary, in 1839), along with signatures of a ministerial rank official and a non-ministerial rank official in 1721, and the signature of just one ministerial rank official in 1839.

Table 1. Adoption Certificates for the Yu Taech'ing Family

Issue year	1721	1839
Adoptive father	Yu Myŏngjŭp	Yu Pohwan
Birth father	Yu Myŏngbo	Yu Chŏnghwan
Relationship between the fathers	12 <i>ch'on</i>	18 <i>ch'on</i>
Adoptee	Yu Suŏk (aka Chunggi, Myŏngbo's fourth son)	Yu Ch'ijong (Chŏnghwan's second son)
Witness	Yu Hu	Yu Hanŭng
Royal secretary	Kim Chaero	Pak Chonghyu
Signature	Second minister and section chief	Minister

A memorandum (*komok* 告目), translated here together with the two adoption certificates, is related to the 1721 adoption. A *komok* is a document that a lower-level official wrote to an upper-level official to make a brief report or an inquiry.²⁰ The *komok* translated here was written by Chang Hanik 張漢翼, a clerk at the Ministry of Rites, and dated February 22, 1721. The *sinch'uk* year could be 60 years before or after 1721, but the fact that the same Chang Hanik appears in a 1734 entry of the *Sŭngjŏngwŏn ilgi* 承政院日記 (Daily records of the royal secretariat) corroborates that the *sinch'uk* year in this case is 1721.²¹ We can speculate that Yu Myŏngjŭp raised the question of why only one ministerial rank official had signed the adoption certificate issued the day before (on February 21), and that Chang Hanik wrote the memorandum to explain that it

²⁰ Chŏn Kyŏngmok, "16-segi kwanmunsŏ sŏsik yŏn'gu," 160.

²¹ *Sŭngjŏngwŏn ilgi* [Daily record of the royal secretariat], Ongjŏng 13/1/19. Chang Hanik received an honorary ministerial title as a reward for his meritorious services to the court at a number of important royal events, although he was a *chungin* 中人 (middle status person) as a mere clerk working for central government offices. He did not and could not have a real ministerial rank post, but was able to enjoy certain privileges reserved for ministerial rank holders such as the privilege to use gold or jade headband buttons.

was the norm for just one ministerial rank official to sign the adoption certificate, whereas two ministerial rank officials signed the report (*kyemok* 啓目) submitted to the king for royal approval. The template for an official certificate inserted in the *Great Code of Administration* confirms this practice as well.²²

The two adoption certificates introduced in this essay concern the same family descending from Yu Taech'ing: Taech'ing—Ukchŭng 昴曾 (1603–43)—Tam 檀 (1641–1717)—Myŏngjŭp—Suŏk (Chunggi)—Ŏnŭm 彦峯 (1724–79)—Handang 漢戀 (1754–1815)—Sŏkchu 奭柱 (1785–1847)—Pohwan—Ch'ijong. The two adoptive fathers, Myŏngjŭp and Pohwan, are the direct descendants of Yu Ham 俞涵 (1526–81), the apical ancestor for this Chinsa-gong 進士公 branch of the Kigye Yu lineage. Yu Ham himself was originally a son of Yu Kang 俞絳 (1510–70) but became an adopted heir to Kang's brother Yu Chin 俞績 (?–?), who did not have a son. We do not know the exact year the adoption took place but it may have been in the late sixteenth century, when social elites began to accept and practice the principle of agnatic succession. An examination of the genealogy of the Kigye Yu lineage yields no example of adoption before Yu Ham's generation, while an increasing number of adoptions took place after the seventeenth century.

As the 1721 adoption certificate shows, Yu Myŏngjŭp adopted a remote relative from the Tansŏng-gong 丹城公 branch of the Kigye Yu lineage (Figure 1). The adopted heir's name on the adoption certificate is Yu Suŏk, but in the genealogy it is Yu Chunggi (1702–86). He was also called Hoejung 會重 in another record. Suŏk might be his childhood name. His birth father's family used the character “-jung (or -chung 重)” as the generational shared syllable among Hoejung's generation, while his adoptive father Myŏngjŭp's family used “-gi (or -ki 基).” Since Suŏk became a legal heir of Myŏngjŭp, it was natural that he took “-gi” in his name.²³ Chunggi's birth father Yu Myŏngbo was a member of the Tansŏng-gong branch, descended from Yu Ho 俞灝 (1522–79). His great-grandfather Yu Taegi 俞大祺 (1547–1615), a military exam degree-holder, established merit by escorting a royal procession to the northern region during the Japanese Invasion of 1592. Taegi's son Yu Sŏnjŭng 俞善曾 (1583–1658) earned a literary licentiate degree in 1612 and was a supporter of the Injo Restoration of 1623. He did not receive any merit subject appointment but took some minor posts.²⁴ Sŏnjŭng's brother Yu Myŏngjŭng (1605–?), his cousins Yu Sŏkchŭng 俞昔曾 (1570–

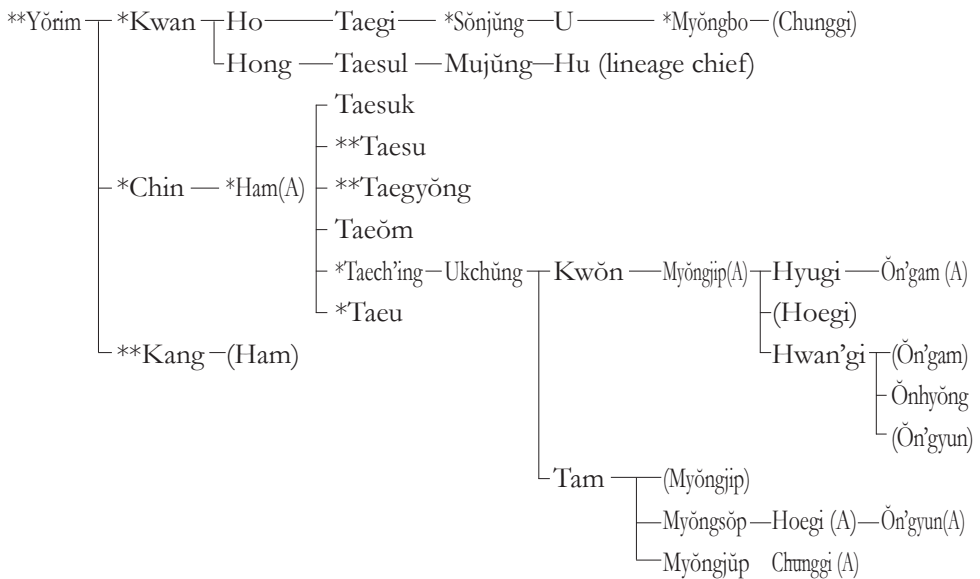
²² *Kyŏngguk taejŏn*, “Yejŏn, ibansik,” 3: 326.

²³ *Yangban* quite frequently changed their given names, both because it became a vogue to adopt a generational shared syllable in the late Chosŏn and also because it was believed that there was a link between one's name and one's fate. Chŏng Chinyŏng, “18–19-segi hojŏk taejang hogu kirok ūi kŏmt'o” [An examination of household registrars compiled in the eighteenth and nineteenth centuries], in Hojŏk Taejang Yŏn'gut'im, *Tansŏng hojŏk taejang yŏn'gu* [A study of household registers of Tansŏng county] (Sŏul: Sŏnggyun'gwan Tachakkyo Taedong Munhwa Yŏn'guwŏn, 2003), 189–90.

²⁴ *Kwanghae-gun ilgi* [Daily record of Prince Kwanghae], Kwanghae-gun 4/8/7. Yu Taegi received an award that upgraded his honorary title in recognition of his merit in escorting Prince Kwanghae, the future king. For his

1623), Chinjŭng 俞晉曾 (1573–1625), and Sujŭng 俞守曾 (1578–1636) all passed the higher civil service exam in 1635, 1597, 1604, and 1606, respectively. The total number of *munkwa* degree-holders from the Tansŏng-gong branch was sixteen.²⁵ Yu Chunggi's birth father Myŏngbo himself passed the literary licentiate exam in 1690 and was known for his literary talents. And yet, as his grandson Yu Ŏnt'aek 俞彦擇 (1738–1810) deplored, even though his ancestors were renowned for their scholarship and literary skills, enjoyed an affluent lifestyle, and produced many children, his family had declined in many ways.²⁶ The family must have still maintained a certain level of wealth and fame, however, so Ŏnt'aek's negative assessment of his own family probably derived from the fact that it no longer produced degree-holders and officials.

Figure 1. Families of Yu Myŏngjŭp and Yu Myŏngbo
 (** *munkwa*, * lower exam degree, (A) adopted heir)



activities as a royal herald (Sŏnjŏn'gwan 宣傳官), see *Sŏnjo sillok*, Sŏnjo 26/8/30.

²⁵ This number is drawn from following sources: Edward W. Wagner and Song Chun-ho, *Wagner-Song Munkwa Roster of the Chosŏn Dynasty with Index*, reduced edition, unpublished printout, 2002; and KYC.

²⁶ Yu Ch'ung, comp., and Sim Kyŏngho, trans., *Kugyŏk Kigye munbŏn* (KM hereafter) [Documents concerning the Kigye Yu lineage] (Sŏul: Kigye Yu-ssi Taejonghoe, (chae) Puun Changhakhoe, 2014), 7 vols., 4: 46–54; KYC, 3: 5–50.

The two families of Yu Myŏngjŭp and Yu Myŏngbo seem to have enjoyed a comparable social standing when the 1721 adoption took place. Myŏngbo's mother was Madam Han 韓 of the Ch'ŏngju Han 清州韓 lineage, a great-great-granddaughter of Han Kyŏngnok 韓景祿 (1521–63), Lord of Ch'ŏngwŏn 清原尉, who married Princess Ŭihye 懿惠公主 (1521–64). Yu Taech'ing's wife was the granddaughter of the same Han Kyŏngnok. The two families, therefore, had multiple marriage relations with Han Kyŏngnok's descendants. Myŏngbo's great-grandfather Yu Taegi, like Myŏngjŭp's great-grandfather Taech'ing, moved to Ch'ŏngyang 青陽, Ch'ungch'ŏng Province, because he disliked the immoral rule of King Kwanghae (r. 1608–23). Just like Myŏngjŭp's family, Myŏngbo's family came to be distanced from its Seoul counterparts, who produced generations of high-ranking officials in late Chosŏn. Yet the larger Tansŏng-gong branch continued to produce exam degree-holders and was regarded as a prominent family.²⁷ All these facts indicate that the two families probably regarded each other as social equals. According to an elegy and biography dedicated to Myŏngbo, however, Myŏngbo's family fortunes seem to have declined significantly while Myŏngjŭp's family continued to maintain its wealth. Myŏngbo had seven sons and two daughters; it was a shrewd decision for Myŏngbo to give his fourth son, Yu Chunggi, to Myŏngjŭp as an adopted heir.

Yu Chunggi must have moved to Puyŏ from his original home of Ch'ŏngyang after being adopted in 1721.²⁸ His first surviving son, Yu Ŏnŭm 兪彦崑 (1724–79), was born in 1724. It seems that he took Madam Min 閔 (1700–43) of the Yŏhŭng Min 驪興閔 lineage as his wife around the time he moved there. She was a daughter of Min Chinyŏ 閔鎭輿, whose son Min Imsu 閔任洙 (1693–?), a resident of Puyŏ, passed the higher civil service exam in 1715. Min Chinyŏ, as a scholar from Puyŏ, submitted a memorial to the king to request the founding of a shrine dedicated to Kim Chip 金集 (1574–1656) and Yi Kyŏngyŏ 李敬輿 (1585–1657), two distinguished loyalist officials and scholars.²⁹

The two families apparently had been close even before contracting the adoption. Myŏngbo composed an elegy for Myŏngjŭp's father Yu Tam; Myŏngjŭp composed a ritual oration to commemorate Myŏngbo when he died.³⁰ Chunggi, even after his relocation, maintained a close relationship with his birth family. He had his eldest brother, Yu Sanjung 兪山重 (1688–1768), as well as Sanjung's son, move to his own residence when Sanjung got old. He supported them until Sanjung died. He composed

²⁷ KM, 3: 382.

²⁸ KYC, 5: 87; *Yŏjidosŏ* [Cultural geography of Korea] (Sŏul: Kuksa P'yŏnch'an Wiwŏnhoe, 1973), 1: 435–37. Yu Myŏngbo and his ancestors Yu Taegi and Yu Sŏnjŭng are listed in the “famed personage” section for Ch'ŏngyang County.

²⁹ *Sukchong sillok* [Veritable records of Sukchong], *Sukchong* 29/9/1. Min Chinyŏ composed an elegy dedicated to Yu Tam, Myŏngjŭp's father. KM, 2: 661–62. Both Kim Chip and Yi Kyŏngyŏ were later enshrined in the Pusan Academy (*Pusan Sŏwŏn* 浮山書院) in Puyŏ.

³⁰ KM, 2: 649 and 3: 364–67.

an elegy for Sanjung as well as for his older brother Yu Tujung 俞斗重 (1692–1757) and his younger brother Yu Haejung 俞楷重 (1705–76). Haejung's son Yu Ŏnt'aek 俞彦擇 (1738–1810) memorialized Chunggi's intimate interactions with his birth family in his elegy dedicated to his uncle Chunggi. Thus even though Yu Chunggi became the adopted heir of another family, he not only put a great and sustained effort into creating ritual lands and offering ancestral rituals for his birth family's ancestors, he also put effort into establishing ritual heirs for the relatives in his birth family who produced no son.³¹ Chunggi of course attended to the same matters concerning ancestral worship and continuing the family lines for his adopted family as well.³² Chunggi enjoyed a long life and died at the age of eighty-five. As the most senior person of the two families, he dedicated his life for both families. According to his biography, he was intelligent, benevolent, and proficient in funerary and other ritual matters. Although he did not earn an exam degree, he built a house near the Paengma 白馬 River, tended bamboo and flower gardens, and treated his guests to wine and poetry.³³

The 1839 adoption was a posthumous adoption because Yu Pohwan, Chunggi's great-great-grandson, died without a son. The adoptee was Yu Ch'ijong, a son of Pohwan's eighteen-*ch'on* relative Yu Chŏnghwan but from the same Chinsa-gong branch (Figure 2). Chŏnghwan was a descendant of Yu Kye 俞榮 (1607–64), one of the distinguished Neo-Confucian scholars in late Chosŏn, the pride of the Kigye Yu lineage. According to the family genealogy, Pohwan was born in 1814 and died in the *kapsin* 甲申 year, which could be either 1824 or 1884. This record seems inaccurate when considering the 1831 certified copy of the household register issued to Pohwan's father Yu Sŏkchu, in which Pohwan, born in 1814, was alive and lived with Sŏkchu, together with his wife Madam Song 宋 of the Chinch'ŏn Song 鎭川宋 lineage, who was twenty-one in 1831.³⁴ The adoption took place eight years later, in 1839, which indicates that Pohwan died between 1831 and 1839, before he reached twenty-five years of age. At the time of adoption, both the adoptive and the birth father had passed away. Therefore, Madam Song on behalf of her husband Pohwan and Madam Pak 朴 on behalf of her husband Chŏnghwan submitted the appeal to initiate the adoption process. Madam Pak

³¹ KM, 4: 46–56 and 69–78. Yu Myŏngbo had seven sons. Chunggi was his fifth son according to the genealogy although the adoption certificate records him as the fourth son. The third and seventh sons died early, and the second and fourth sons had only daughters. The first son, Sanjung, had two sons; his second son was adopted by his brother Tujung but Myŏngbo's fourth son did not establish an heir. There were many other descendants of Myŏngbo who did not have a son and had to adopt an heir. KYC, 5: 47–50. It must have been after Chunggi's death that his great grandson Yu Hwangju was adopted as Chunggi's brother Haejung's great grandson. KYC, 3: 49 and 5: 93.

³² KM, 4: 84–88.

³³ KM, 4: 60–65.

³⁴ KYC, 5: 446. In the genealogy, Madam Song's birth year is 1823, another error. *Chun bogu*, 1831 (Harvard-Yenching Library, TK 2292.2 8284.1 (13)).

was Chŏnghwan's second wife and the birth mother of Ch'ijong.³⁵

Although the regulations on establishing an heir codified in the *Great Code of Administration* were the legal foundation for agnatic adoptions, the state approved numerous exceptional practices. First sons were theoretically ineligible for adoption and only "branch sons" were allowed but parents often adopted a first son. For example, Yu Myŏngjip 俞命集 (1665–1733) was the first son of Yu Tam but became the heir of his uncle Yu Kwŏn 俞權 (1632–1709), obeying Tam and Kwŏn's mother's command.³⁶ Yu Hyugi 俞攜基 (1685–1727), Myŏngjip's son, died without a son and his nephew Yu Ŏn'gam 俞彦鑾 (1728–51), the eldest son of Yu Hwan'gi 俞奭基 (1706–63), was adopted after the death of Hyugi. In fact, Kwŏn and Tam's descendants in the next three generations exchanged their sons several times to make sure that they had a lineal heir (see Figure 1). In addition to the two cases mentioned above, Myŏngjip's son Yu Hoegi 俞會基 (1701–57) became the heir of Yu Myŏngsŏp 俞命燮 (1667–1738), Tam's heir after his older brother Myŏngjip was adopted to continue Kwŏn's line. When Hoegi did not have a son, he adopted Yu Ŏn'gyun 俞彦鑿 (1739–69), Hwan'gi's third son.³⁷ By exchanging sons within the confines of close relatives, members of the family not only secured an heir but also strengthened the larger family's rapport and protected the wealth of each nuclear family.

In contrast, there were many cases where no adoption was made even when there was no son to be the ritual heir. An early example is seen in the family of Yu Taesul 俞大述 (1547–1608), the eldest son of Yu Hong 俞泓 (1524–94), the Lord of Kisŏng 杞城君 and the apical ancestor of the Ch'ungmok-kong 忠穆公 branch. Taesul had four sons, but the first three sons had no sons. Instead of establishing an heir by adoption, the fourth son, Yu Mujŏng 俞懋曾 (1580–1659), became the family's successor by taking over his grandfather's noble title as the Lord of Kian 杞安君.³⁸ Another example is Yu Ŏnp'il 俞彦弼 (1659–?), a fifth-generation descendant of Yu Taesuk 俞大猷 (1539–1601), the eldest son of Yu Ham. Ŏnp'il had only two daughters but did not adopt an heir. His younger brother Yu Ŏnbo 俞彦輔 (1679–?) also did not have an heir in his grandson's generation but a branch son took over the family succession without being adopted.³⁹ In conclusion, there were various adoption practices to meet different family situations, even if they were not always in line with the legal prescriptions. Although establishing an heir through adoption when there was no son was a popular practice after the eighteenth century, not every sonless yangban family adopted a son.

³⁵ KYC, 5: 54–63, 356–67, and 446.

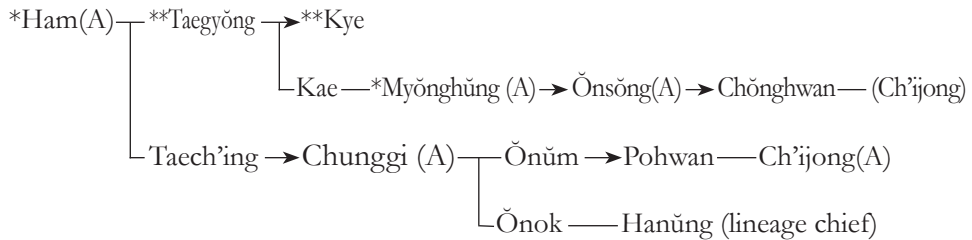
³⁶ Yu Myŏngjip, *Sŏju yugo* 西洲遺稿 [Collected works of Yu Myŏngjip] (1920), 2: 4–5.

³⁷ KYC, 5: 84–87.

³⁸ KYC, 4: 1–2; KM, 1: 501.

³⁹ KYC, 5: 1.

Figure 2. Families of Yu Pohwan and Yu Chŏnghwan
 (** *munkwa*, * lower exam degree, (A) adopted heir)



The Original Text of “Certificates of Adoption (*Yejo iban* 禮曹立案)” and “Memorandum (*komok* 告目)”

(1) Certificate of Adoption (1721)⁴⁰

康熙六十年 正月 ○○日 禮曹立案⁴¹

右立案爲繼後事

曹○啓目⁴²

節呈 幼學俞命楫 無後以 其同姓十二寸兄命保第四子壽億 立後爲良結 呈狀爲白有去乙 取考兩邊戶口 則入籍的實是白在果

俞命楫所志內 矣身 嫡妾俱無子 同姓十二寸兄命保第四子壽億 欲爲繼後 兩家同議呈狀 依他立後事 所志

進士俞命保所志內 同姓十二寸弟命楫 嫡妾俱無子 矣第四子壽億 欲爲繼後 兩家同議呈狀 依他立後事 所志

俞命楫條目內 矣身 嫡妾俱無子 同姓十二寸兄命保第四子壽億 欲爲繼後 兩家同議呈狀 的實

俞命保條目內 同姓十二寸弟命楫 嫡妾俱無子 矣第四子壽億 欲爲繼後 兩家同議呈狀 的實

俞命楫俞命保等門長 副護軍 俞樾 緘辭內 俞命楫 嫡妾俱無子

⁴⁰ Harvard-Yenching Library, TK 2292.2 8284.1 (14).

⁴¹ ○ marks a space in the original document. The original text is composed of one paragraph without spacing. To assist the reader's understanding, this transcribed version divides the text into a number of paragraphs and provides spacing. Underlined characters are *idu* 吏讀, or “clerk notation,” which borrows either the phonetic or semantic values of Sinographs to express Korean grammatical particles.

⁴² “*Cho* 曹” refers to the Yejo (Ministry of Rites), and the blank space between “*cho* 曹” and “*kyemok* 啓目” is intentional as a way to honor the king, who is the recipient of this report.

其同姓十二寸兄命保第四子壽億 欲爲繼後 兩家同議呈狀 的實事
 所志及緘辭條目據相考 則大典立後條 嫡妾俱無子者 告官 立同宗支子爲後 註 兩家父
 同命立之事 載錄 向前俞壽億乙 俞命楫繼後 何如
 康熙六十年正月二十五日 左副承旨臣金在魯次知○啓⁴³ 依允教事是去有等以 合行立
 案者

			正郎	佐郎
判書	參判[押] ⁴⁴	參議	正郎[押]	佐郎
			正郎	佐郎

(2) Memorandum (1721)⁴⁵

告目

凡繼後文書入○啓○啓目中 次○堂上 則二員着御事 定式乙仍于 昨日○啓目中 依
 此○啓下是白如乎 至於立案 則○堂上郎廳各一員 着押之外 元無兩○堂上 着押之事
 是白乎等以 一從規例成貼○上宅是遣 ○啓下啓目 則葉作次 留坐本曹是白去乎 右意
 詮次○告課爲白臥乎事⁴⁶

辛丑正月廿六日 禮吏張漢翼

⁴³ The blank space preceding “*kye* 啓” is also intentional, to honor the king. The character “*sin* 臣,” meaning “I, your humble subject,” is written smaller than others as an expression of the king’s subject lowering himself before his monarch.

⁴⁴ “*Ap* 押” represents a signature in the original document. Among the ministerial rank officials such as the minister (*p’ansŏ*), second minister (*ch’amŏp’an*), and third minister (*ch’amūi*) of the Ministry of Rites, only the second minister signed the document. Among non-ministerial rank officials, only one section chief (*chōngnang*) signed the document.

⁴⁵ Harvard-Yenching Library, TK 2292.2 8284.1 (1).

⁴⁶ ○ marks a space in the original document. In this document, the author used a blank space to honor not only the king but also ministerial rank officials at the Ministry and the family of Yu Myōngjūp, the recipient of the adoption certificate. The original text is composed of one paragraph without spacing. To assist the reader’s understanding, this transcribed version provides spacing. Underlined characters are *idu*.

(3) Certificate of Adoption (1839)⁴⁷

道光十八年 十二月 ○○日 禮曹立案⁴⁸

右立案爲繼後事

曹○啓日

節呈 扶餘故學生俞黼煥無後 其妻宋氏亦 以家翁同姓十八寸兄鼎煥第二子致宗 立後
爲良結 呈狀 爲白有去乙

取考兩邊戶口 則入籍的實是白在果

宋氏所志內 家翁嫡妾俱無子身死 家翁同姓十八寸兄鼎煥第二子致宗 欲爲繼後 兩家同
議呈狀 依他立後事 所志

林川故學生俞鼎煥妻朴氏所志內 家翁同姓十八寸弟黼煥 嫡妾俱無子身死 女矣第二子
致宗 欲爲繼後 兩家同議呈狀 依他立後事 所志

宋氏緘辭內 家翁嫡妾俱無子身死 家翁同姓十八寸兄鼎煥第二子致宗 欲爲繼後 兩家
同議呈狀 的實

朴氏緘辭內 家翁同姓十八寸弟黼煥 嫡妾俱無子身死 女矣第二子致宗 欲爲繼後 兩家
同議呈狀 的實

俞鼎煥俞黼煥等門長 幼學 俞漢應條目內 俞黼煥 嫡妾俱無子身死 其妻宋氏亦 以家翁
同姓十八寸兄鼎煥第二子致宗 欲爲繼後 兩家同議呈狀 的實事

所志及緘辭條目據相考 則大典立後條 嫡妾俱無子者 告官 立同宗支子爲後 註 兩家父
同命立之 父歿 則母告官事 載錄 向前俞致宗乙 俞黼煥繼後 何如

道光十八年十二月十六日 右承旨臣朴宗休次知○啓 依允教事是去有等以 合行立案者

正郎 佐郎

判書[押] 參判 參議 正郎 佐郎

正郎 佐郎

⁴⁷ Harvard-Yenching Library, TK 2292.2 8284.1 (12).

⁴⁸ ○ marks a space in the original document. The original text is composed of one paragraph without spacing. To assist the reader's understanding, this transcribed version divides the text into a number of paragraphs and provides spacing. Underlined characters are *idu*.

Translation of “Certificates of Adoption (*Yejo iban*)” and “Memorandum (*komok*)”

(1) Certificate of Adoption (1721)

Certificate of Adoption [issued by] the Ministry of Rites; [unknown] day of February 1721⁴⁹

This is a certificate for adoption.

The Ministry of Rites reported to the King as follows:

“Yu Myŏngjŭp, a Confucian scholar, submitted a petition to adopt Yu Suŏk, the fourth son of Yu Myŏngbo, his twelve-*ch'on* relative of the same surname, as his heir because he had no son.⁵⁰ We have examined and verified the submitted census registration of both households, and it is certain that all are properly registered.

Yu Myŏngjŭp stated in his petition: ‘My wife and concubines all have no son, so I desire to adopt Yu Suŏk, the fourth son of Yu Myŏngbo, my twelve-*ch'on* relative of the same surname, as my heir. I submit this petition because both families have agreed on this matter. Please grant an official permission as in other adoption cases.’

Yu Mŏngbo, a literary licentiate degree-holder (*chinsa*), stated in his petition: ‘The wife and concubines of my twelve-*ch'on* relative of the same surname Yu Myŏngjŭp all have no son, so he desires to adopt my fourth son, Yu Suŏk, as his heir. I submit this petition because both families have agreed on this matter. Please grant an official permission as in other adoption cases.’

In his oral testimony (*chomok*) Yu Myŏngjŭp said: ‘My wife and concubines all have no son, so I desire to adopt Yu Suŏk, the fourth son of Yu Myŏngbo, my twelve-*ch'on* relative of the same surname, as my heir. I confirm that I submitted a petition because both families had agreed on the matter.’⁵¹

In his oral testimony Yu Myŏngbo said: ‘The wife and concubines of my twelve-*ch'on* relative of the same surname Yu Myŏngjŭp all have no son, so he desires to adopt my fourth son, Yu Suŏk, as his heir. I confirm that I submitted a petition because both families had agreed on this matter.’

⁴⁹ For Mark Peterson’s translation of two similar examples of adoption certificates, see Mark A. Peterson, *Korean Adoption and Inheritance*, 165–68.

⁵⁰ “*Ch'on* ㅅ” is a marker that shows the remoteness or closeness of relatives to oneself. For example, an uncle is three *ch'on* apart from oneself and a cousin is one’s four-*ch'on* relative. Parents and children are one *ch'on* apart, and siblings are two *ch'on* apart.

⁵¹ “*Chomok*” is oral testimony provided by the petitioner to confirm the content of the petition, which was part of the official procedure before issuing an adoption certificate.

In his written reply (*hamsa*) Fourth Deputy Commander (puhogun) Yu Hu, the head of the Yu lineage to which both Yu Myōngjūp and Yu Myōngbo belong, stated: ‘Yu Myōngjūp’s wife and concubines all have no son, so he desires to adopt Yu Suök, the fourth son of Yu Myōngbo, his twelve-*ch’on* relative of the same surname, as his heir. I confirm that they submitted the petitions because both families had agreed on the matter.’⁵²

When considering the petitions, oral testimonies, and written reply, [they meet the qualifications in] the clause ‘Establishing an Heir’ (*ipbu*) in the *Great Code of Administration*, which says that ‘those whose wife and concubines all have no son shall petition the authorities to adopt a son from the same surname group as heir.’ A note to the clause says that ‘the fathers of both families shall execute the matter together.’ Therefore, might permission be granted for Yu Myōngjūp to adopt the abovementioned Yu Suök as his heir?’⁵³

On February 21, 1721, I, your humble subject, Fourth Royal Secretary (*Chwabusŭngji*) Kim Chaero, who is in charge of the matter, made a report [to the King]. Based on royal permission, this certificate is issued.

			Section chief	Assistant section chief
Minister	Second Minister [signature]	Third Minister	Section chief [signature]	Assistant section chief
			Section chief	Assistant section chief

(2) Memorandum (1721)

Memorandum

[The Ministry of Rites] submitted the adoption applications to the King [for his perusal and approval]. It is the norm for two ministerial rank officials to sign off the report [submitted to the King]. As for the report submitted to the King yesterday, the King ordered to proceed as approved. When issuing a certificate of adoption, however, one non-ministerial rank official and one ministerial rank official, not two ministerial rank officials, sign the document. In accordance with such a rule, I put together the

⁵² “*Hamsa*” refers to “*kongham tap’ong* 公緘答通,” and is a written counterpart of “*chomok*,” through which the head of the lineage confirms the content of the petitions by the two families.

⁵³ This is the end of the report of the Ministry of Rites.

document and issued a certificate to you, sir. The report approved by the King remains at the Ministry of Rites to be filed properly for its own records. I humbly provide this explanation to you.

On the February 22, 1721. Chang Hanik, clerk, Ministry of Rites.

(3) Certificate of Adoption (1839)

Certificate of Adoption [issued by] the Ministry of Rites; [unknown] day of January, 1839

This is a certificate of adoption.

The Ministry of Rites reported to the King as follows:

“Madam Song from Puyŏ, wife of the late Confucian scholar Yu Pohwan, submitted a petition to adopt Yu Ch’ijong, the second son of Yu Chŏnghwan, her husband’s eighteen-*ch’on* relative of the same surname, as her husband’s heir because he had no son. We have examined and verified the submitted census registration of both households, and it is certain that all are properly registered.

In her petition, Madam Song stated: ‘My husband died without a son from either his wife or concubines. Therefore, I desire to adopt Yu Ch’ijong, the second son of Yu Chŏnghwan, my husband’s eighteen-*ch’on* relative of the same surname, as his heir. I submit this petition because both families have agreed on this matter. Please grant an official permission as in other adoption cases.’

In her petition, Madam Pak from Imch’ŏn, wife of the late Confucian scholar Yu Chŏnghwan, stated: ‘My husband’s eighteen-*ch’on* relative of the same surname, Yu Pohwan, died without a son from his wife or concubines. Therefore, [Madam Song] desires to adopt my second son, Yu Ch’ijong, as [her husband’s] heir. I submit this petition because both families have agreed on this matter. Please grant an official permission as in other adoption cases.’

In her written reply, Madam Song said: ‘My husband died without a son from either his wife or concubines. Therefore, I desire to adopt Yu Ch’ijong, the second son of Yu Chŏnghwan, my husband’s eighteen-*ch’on* relative of the same surname, as his heir. I confirm that I submitted a petition because both families had agreed on the matter.’

In her written reply, Madam Pak said: ‘My husband’s eighteen-*ch’on* relative of the same surname, Yu Pohwan, died without a son from his wife or concubines. Therefore, [Madam Song] desires to adopt my second son, Yu Ch’ijong, as [her husband’s] heir. I confirm that I submitted a petition because both families had agreed on this matter.’

In his oral testimony, Yu Hanŭng, a Confucian scholar and the head of the Yu

lineage to which both Yu Pohwan and Yu Chŏnghwan belong, stated: ‘Yu Pohwan died without a son from his wife and concubines. Therefore, Madam Song desires to adopt Yu Ch’ijong, the second son of Yu Chŏnghwan, her husband’s eighteen-*ch’on* relative of the same surname, as her husband’s heir. I confirm that they submitted the petitions because both families had agreed on the matter.’

When considering the petitions, oral testimony, and written replies, [they meet to the qualifications in] the clause ‘Establishing an Heir’ in the *Great Code of Administration*, which says that ‘those whose wife and concubines all have no son shall petition the authorities to adopt a son from the same surname group as heir.’ A note to the clause says that ‘the fathers of both families shall execute the matter together and, if the father has died, the mother shall make a petition.’ Therefore, might permission be granted for the abovementioned Yu Ch’ijong to become Yu Pohwan’s heir?”

On January 30, 1839, I, your humble subject, Third Royal Secretary (*usŏngji*) Pak Chonghyu, who is in charge of the matter, made a report [to the king]. Based on royal permission, this certificate is issued.

		Section chief	Assistant section chief	
Minister [signature] ⁵⁴	Second Minister	Third Minister	Third Minister	Assistant section chief
		Section chief	Assistant section chief	

⁵⁴ This certificate was signed by the minister only.

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