
NOTES & COMMENTS

The Great Ming Code and International Custom of Medieval East Asia: An Analysis of Korea's Policies regarding Japanese Crimes in the Fifteenth Century

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The primary purpose of this research is to analyze the formation of international custom of medieval East Asia under the system of the Great Ming Code. It focuses on Korea's policies regarding Japanese crimes in the fifteenth century. This study particularly investigates how the Great Ming Code affected the East Asian system of order. We find that Confucianism, which was the basis for the Great Ming Code, had a great influence on the formation of customs in East Asia in such areas as the establishment of patriarchal authority, filial piety, and the five punishments system. This study also investigates how etiquette, which served as a foundation for diplomatic regulations, affected Korea-Japan relations during the fifteenth century. It also analyzes Joseon (Korea)'s control policies against illegal acts committed by the Japanese, who tried to enter Joseon for economic gain, from the perspective of the Great Ming Code.

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1. Introduction

The Great Ming Code 大明律 was compiled by Zhu Yuanzhang 朱元璋 (1328-98), the founder of the Ming Dynasty (1368-1644) of China in order to establish a differentiated social discipline and order system as the basis of his reign. Zhu expected such a standardized legal system would eradicate corruption, which was rampant at that time.¹ Through four sets of revisions and corrections after its promulgation in 1364, the Great Ming Code established *SamgangOryun* 三綱五倫 (the three fundamental principles and five ethical norms) and the vertical order, the highest legal authority for the people to follow. The Great Ming Code not only regulated people's values and behaviors, but also established international customs for neighboring countries within the Chinese cultural zone by sharing Confucianism as a social ideology.²

The primary purpose of this research is to investigate the influence of the Great Ming Code on international customs in the fifteenth-century's East Asia. This paper will discuss specifically the relations between Korea (Joseon Dynasty) and Japan focusing on the then Korea's negative policies toward Japanese immigrants. The Joseon Dynasty often invoked the Great Ming Code as a basis for punishing illegal Japanese entry and crimes including smuggling, violence, and murder committed by the Japanese in Korean territory. The authors examine how the Great Ming Code affected these relationships between Korea and Japan. Such a study can be a ground for finding the traditional international custom existing the medieval East Asia.

This paper is composed of five parts including a short Introduction and

¹ J. COHEN, THE CRIMINAL PROCESS IN THE PEOPLE'S REPUBLIC OF CHINA 1949-1963, 185-6 (1968). See also YONGLIN JIANG, THE GREAT MING CODE/ DA MING LU (Yonglin Jiang trans.) xxxiii-xi (2005); Seongmu Lee, *The Compilation of Gyeonggukdaejeon* (Great Code of National Governance) and the Great Ming Code [經國大典의 編纂과 大明律], 125 J. KOREAN HISTORY [歷史學報] 96 (1990).

² For details, see the following papers: Byeongho Park, Ancient Society and Laws of Korea [韓國의 傳統社會와 法] (1998); Geungsik Jeong & Jiman Joh, *The Adoption and Application of the Great Ming Code during the Early Joseon Dynasty* [朝鮮前期 大明律의 受容과 變容], 96 JINDANHAKBO [진단학보] (2003); Gu-jin Kim, *The Compilation and Introduction of the Great Ming Code: The Compilation and Background of the Gyeonggukdaejeon* [대명률의 편찬과 전래-경국대전 편찬과 배경] 29 BAEKSAN JOURNAL [백산학보] (1984).