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Government by Remonstrance

The quality of individual rulers is varied: there are those who are wise; those who are dull; those who are strong; and those who are weak. Therefore, it is the job of the Prime Minister to respect the goodness of the ruler; to correct the faults of the ruler; to revere the decisions of the ruler so that they are well performed; and to prevent improper royal orders from being performed so as to lead the throne to attain the state of the great balance [in state affairs]. Therefore, the role [of the prime minister] is called xiang (相), which means to "complement."

— Sambongjip (The Collected Works of Sambong)[1]

In some ways, King Taejo's government was not so different that the political system of Goryeo. During Taejo's reign, he continued to rely on the power center of *Dodang* (the Privy Council) for policy guidance and day-to-day management of government affairs, as did the kings of late Goryeo.[2] But even though there was no widespread social upheaval and many of the old Goryeo elites reappeared in later years, it is a mistake to discount the level of political and ideological change wrought by the coming of Joseon. There were important changes, most particularly in Taejo's elevation of the role of serious policy and ideological debate among the ministers and scholars of the court, and in his reliance on Confucian advisors and Remonstrators to guide his own thinking and behavior.

King Taejo's elevation of highly achieved Confucian civil officials to central roles in Government shifted power away from military strongmen and personal favorites of the *gwonmun sejok* (late Goryeo's twin pillars of government). Taejo's top civil officials (people like Jeong Do-jeon, Cho Chun and Nam Eun) were men who had passed rigorous exams

demonstrating their merit and technical expertise, and whose identity was bound up in the idea of becoming a Confucian "superior man." Elevating such officials was in accord with Jeong Do-jeon's reasoning in the *Joseon Gyeonggukjeon* (The Governance Code of 1394) which argued that an ideal state would feature a wise king, checked and advised by educated scholars, and committed to a politics of benevolence. Jeong Do-jeon's system depended on a robust council of ministers (the *Dodang*), filled not with toadies of the day, or established old patricians, but with committed experts, willing to speak their mind and debate with each other and the king.

It is inevitable that the King will sometimes be unwise and erratic, Jeong believed. Kings are chosen by a random process of inheritance, so that you end up with both "the foolish and the wise," "the powerful and the weak."[3] But a robust Privy Council and a meritorious Prime Minister could always check and advise the King, no matter how foolish or weak. In an ideal state, these councilors would earn their position through exams and merit, so any virtuous state should give serious power to these wise advisors. In its ideal form, Jeong Do-jeon imagined that a King's main role would be to choose the wisest and most accomplished Prime Minister possible, and the Prime Minister would then run the most important state affairs.[4] Though Jeong Do-jeon's ideal state never came to be, King Taejo did substantially elevate the influence of his scholastic advisors. He also demonstrated patient respect for the virtues of a government by remonstrance, wherein the King was constantly second-guessed and admonished by punctilious Confucian censors.

In early Joseon (as in Goryeo), Taejo's Council of top advisors was the *Dodang*. It featured a Chief State Councilor (the Prime Minister), with Left and Right Councilors to help. There were six main Ministries: Personnel, Taxation, Rites, War, Punishment and Commerce. Together, these six Ministers and the three councilors were the core of *Dodang*, joined by the Inspector General (whose job was to remonstrate and keep order among the officials) and the Censor General (whose job was to remonstrate and refute the missteps of the King).[5] When joined by provincial leaders, deputy ministers and lesser officials, the *Dodang* expanded to 30 to 50 members, creating

something of a "collective leadership" parliamentary system of shifting ideas, factions, and alliances.[6]

A unique role in this system was the Office of Remonstrance (aka, the Censorate), whose job was to criticize the king, especially for breeches of Confucian protocol.* The *Taejo Sillok* described how officials of the Censorate, together with Office of the Inspector General, "will be responsible for rebuking and rectifying deviant behavior."[7] Jeong Do-jeon described the vital importance of high officials constantly "rectifying the evils in the prince's heart."

> When the prince is benevolent, everyone else is benevolent; when the prince is dutiful, everyone else is dutiful; when the prince is correct, everyone else is correct. Simply by rectifying the prince one can put the state on a firm basis. Thus, I say, in the job of minister, there is nothing more important than rectifying the ruler.[8]

It was the job of the Censorate, led by "The Grand Master of Remonstrance,"[9] to fulfill this important duty of royal rectification. Typically populated by young Confucian recruits, before they could be corrupted, these censorate boards had the authority to review the conduct of officials everywhere, including even the king—scouring their public and private lives for evidence of improprieties, mistakes, and misdeeds, from a Confucian perspective.[10]

Compared to late Goryeo, the powerful voice of highly achieved Confucian *Dodang* ministers, together with the serious role of Remonstrators, was hoped to make Taejo's Joseon less vulnerable to ministerial malfeasance or monarchic ineptitude. Jeong Do-jeon imagined high-minded remonstrators who focused only on important matters of state and

* To be precise, the job of "censors" was to supervise and remonstrate lower officials, while the job of "remonstrators" was to remonstrate and rectify the King himself. See Jeong Do-jeon, "A Literary Mirror to Order the World (1395)). In Robinson, D., *Seeking Order in a Tumultuous Time*, p. 150.

Confucian protocol, and not on all the small-minded political battles of late-Goryeo. We must avoid "desultory memorials" focused on "minor infractions," as in the past, Jeong argued. "They frighten officials of the realm through mean-spirited accusations. The minutiae of the women's quarters, the slightest guilt through association, the trivial and the banal that are just irritating to hear."[11]

In fact, King Taejo was supportive of high-minded and open discussions among his ministers, and he often took their policy debates and moral rebukes to heart. Throughout Taejo's reign, the *Taejo Sillok* is filled with numerous examples of vigorous remonstrance activity, rebuking the king for such things as his overly generous treatment of old enemies, his support of Buddhism, his frequent trips to hot springs, his spotty attendance to royal lectures, and his excessive dedication to falconry. Taejo allowed even general members of the public to anonymously post ideas and critiques on the public notice board at night, advancing the marketplace of ideas.* Powerful policy debates such as disagreements over where to site the new capital, whether to kill the royal Wang family members, and how to handle land awards to merit subjects, fill the records of early Joseon, and King Taejo oftentimes changed his opinion based on those debates.[12]

Some of the remonstrations, whether by official Remonstrators or simply by vigorous *sadaebu*, could be quite vigorous and hard to endure. One radical minister of the Board of War (Yun Sojong) was known for his fierce and unbending demands. This scholar and merit subject had many scholarly followers and used his intellectual influence to constantly call

* In later Joseon, public posting of ideas, appeals and critiques became a bit more of a dangerous matter. The Joseon kings erected a drum near the palace gates and the general populace could beat the drum to draw attention to a particular complaint or appeal. But the drum was always guarded, and anyone wanting to sound the drum for a public appeal had to first submit to a beating by the guard. If they were so committed as to endure the beating of the guard, they could then sound the drum (Park B., *Jeong Do-jeon: Joseon Cheogoui Sasangbeom* [*Jeong Do-jeon: The Best Ideological Outlaw of Joseon*], p. 115).

for faster progress on impossibly difficult matters like land and tax reform. "Being a man of righteous integrity and ambition, he believed that it was his duty to enlighten the king and correct wrongful customs. Whenever he spoke to the king, he was very outspoken and hid nothing." He paid little attention to his family, who often went hungry, and instead spent all day and night reading state records and Confucian histories, seeking new matters to critique and remonstrate. Soon after King Taejo rose to power, Sojong took to the floor, dramatically advocating to once again impeach and punish that old malefactor, Yi In-im. Though Yi In-im was already dead at this point, Sojong proposed that "his coffin be dug out, his corpse chopped into pieces, and the site of his house made into a swamp."[13]

King Taejo took a pass on that advice, but he remained always open to hearing more. One time when he disagreed with a Remonstrator, Taejo realized that the advisor was growing nervous and was clamming up, afraid of being punished. The King then gathered all his advisors and urged them to keep critiquing and reprimanding him, whenever it was called for. Taejo promised not to punish people for their thoughts and said he always wanted honest and direct advice.

> Having already sincerely sought honest advice from my subjects, how can I dislike hearing about it and reproach the person who submitted it?...Punishing a subject because his advice is wrong is not the right way to seek advice. I respect and accept all the advice. Therefore, you officials should stop worrying and set your minds at ease. You should not be too cautious or suspicious because I was indignant. It there is anything related to my mistakes or the interests of the state, speak out about it in my presence.[14]

This system of open *Dodang* debate and government by remonstrance could be considered an early form of Joseon constitutionalism. Open speech among dozens of advisors and the constant Confucian appeal to find a "moral justification of

policies" was an early way to articulate and consider "public opinion" of the day, as expressed through diverse perspectives of officials and scholars.[15] Instead of submitting to "politics by private desire," whereby the absolutist impulses of the king, or corrupt machinations of *Dodang*, governed things, government by remonstrance sought to "rationalize and guide the monarch's legitimate authority."[16] The debates of *Dodang* and the Remonstrators, together with frequent appeals of the scholars of Sungkyunkwan (and even postings at the public board), wove together diverse wills and perspectives.

Constant appeals were made to the strictures of Confucianism, to the precedents of history, to the judgements of the collective ministers or assembled scholars, to the will of the King, the needs of the people, and the Mandate of Heaven. The official historians were always present, taking note of everything that was said and done at court and collecting details for later publication. At its best, multiple opinions were woven together in open debates of ministers, *sadaebu* and Remonstrators, resulting in a kind of authoritative Confucian public sphere "which could work to check the actions of the monarch…a gradual offsetting of favoritism for royal relatives through public opinion debates of the literati."[17]

Though these debates created something of a public sphere in Joseon, King Taejo was the monarch in the end, with a uniquely powerful position. In a monarchical regime, the foundation of a government by remonstrance depended ultimately on the inner virtue of the king, his willingness to consider other opinions, listen to admonishment, and to feel both humility and shame. Jeong Do-jeon described such an ideal king: "he does not hate harsh words and he does not feel satisfied with himself, nor is he reluctant to take himself down."[18]

King Taejo was such a monarch. With an eye on self-improvement, he created the Office of Royal Lectures early in his rule. Jeong Do-jeon urged Taejo to keep attending these lectures so that he could always focus his mind on the deeper virtues. "How can the king work alone in high place?" Sambong asked Taejo.

> Some [kings] end up loving women, music and dance, and others love hunting, and others go for building things. If you think only of what you love, you naturally become lazy and rough. Then should not the King be diligent every day?
>
> You can understand the world if you think about it, but if you don't think about it, you lose it…So if the King does not think deeply and carefully, how can he distinguish between right and wrong?[19]

It went even beyond the daily lectures. Jeong Do-jeon frequently reminded Taejo that he needed to behave properly not only in public ways (such as by attending lectures) but even when he was alone and in private. That was the only way to develop deep habits of virtuous rule and to align all his actions with the broader moral universe.[20] To help his private virtue, King Taejo even agreed to paint his bedroom walls with all sorts of "praiseworthy and admonishing" thoughts from the ancients.[21]

Taejo was naturally austere and frugal—having denied his own sons quality lands as a reward for their service, and also critiquing the crown prince (his youngest son) for complaining about his cramped and hot summer house[22]—but Joseon's great priests of soul were relentless and always demanded a deeper and more pure virtue. During the first seven years of Joseon, the records are filled with constant advice regarding such things as restricting dance and drink, the need to discipline street performers and indolent monks, and the necessity of constant study of the ancients. "We must "restrict music from the royal palace at night," admonished the Inspector General, in one typical advisement. "We have noticed in recent days that the sound of music in the palace has often continued all night long." Also, we must ban female musicians from the front of the royal procession. There is also the problem that too many people "go on a drinking spree and get drunk for several days, forgetting everything, including their work." Even some of the literati excessively "enjoyed drinking

and letting their hair grow loose." These practices must change if Taejo was to "avoid the anger of Heaven," his Remonstrators argued. People must be prevented "from having parties and excessively indulging in drinking".[23]

Furthermore, officials should not be allowed to drink at sacrificial ceremonies before ancestral shrines. "Their practice of gathering together to have a drink, neglecting their duty, should be stopped, and the common people, including artisans and merchants and slaves, should also be prohibited from gathering in groups to have a drink."[24] Consumption of oil and honey pastries was prohibited, outside of sacrificial rites, weddings, and toasts to longevity.[25] Fancy cakes and nice decorations on food were suspect. Colorful garb, nice silk clothes, gold or silver ornaments, and costly trappings for horses were all forbidden to commoners. The King himself was advised to be frugal in such displays.[26]

King Taejo was constantly advised to be frugal and get his heart straight—not just his actions, but his inner heart of rectitude. "Shut off unorthodox words and perverse people," one advisor warned. "Admit men of integrity. This is the greatest among the matters related to rectitude."[27] Another prayed that the King would read more inspirational poetry, seeking "royal perfection" by "guarding yourself against laxity while maintaining a sense of reverence."[28]

Taejo was advised not to be idle and to minimize hunting trips. He shouldn't dance or play cards.[29] Taejo loved to go hunting with falcons down by the Han River, but the Remonstrators found that to be frivolous, and constantly urged him to ban both falconry and alcohol. The King would sometimes order such bans, but always in lackluster fashion and on a temporary basis.[30] Once, a magistrate of Kwangju lost his office for having alcohol and music in violation of a ban.[31] But more often, King Taejo would relent and engage in some drinking and falconry himself. The fact is that Taejo thrilled to horseback *kyokku* games and falconry demonstrations. He loved boat rides and fanciful poetry recitals. And he enjoyed trips to the hot springs, especially when feeling ill.

The Remonstrators hated it all. One even compared some of King Taejo's palace days to the decadence of late Goryeo, filled with drunken monarchs, dancing girls, and shifty

eunuchs.[32] After one falconry trip, the Office of Inspector General complained of the King "playing music in the palace until late at night." We had thought Your Majesty had "accepted our remonstrance," the Inspector pontificated.

> However, since Your Majesty has resumed playing music as usual and making a trip to the falcon farm on the banks of the Han River, your acceptance of our remonstrance exists only in name, and we find little evidence of your sincere desire to follow our advice… Where, then, should we find our trust in you? We request that Your Majesty pay attention to our foolish words and renew your promise to graciously follow them so that your virtuous conduct may become the model for a thousand generations of your descendants.[33]

Sometimes the grim austerity and relentless remonstrances of the Censors would get to be too much, even for the thoroughly committed and endlessly patient King Taejo. Towards the end of his rule, in October of 1397, King Taejo decided to take a trip to the hot springs. He was a 62-year-old former warrior living in hard times and an exceptionally busy king who had toppled one dynasty and built another. His second wife had died in the previous year, and he was constantly ill. He needed some recovery.

But the Censorate didn't give an inch and submitted their critiques. You are going to Buddhist temples, hunting trips and hot springs too often, they complained. "We do not understand the real purpose of your royal excursions." Not only that, but there have been gusty winds lately, and excessive thunder and lightning. "We dare to believe that Heaven deeply cares about Your Majesty and therefore reproaches you so that you can correct your ways."[34]

But the King moved forward with his hot springs excursion. The King enjoyed the countryside travel and took a leisurely two weeks to get to the springs. The Censors travelled along with the King, but the whole time they kept complaining about Taejo's lack of daily lectures and his

relaxed Confucian standards. Furthermore, they kept asking, why is there need of so many hot springs trips in the first place?

A frustrated Taejo finally unloaded. “Why don’t you all just close your mouths, pack up your things, and return home?” He raged. He commanded the Censorate to quit following the royal carriage as they had become “cumbersome and excessive.”[35] The Censors refused and said they had to stay by the King’s side and do their job of remonstrating and admonishing, even as the king relaxed into his baths. No, insisted the weary King, you must leave now, and I will enjoy my baths alone. The Censors tried one more time to stay. They offered to calm down their critiques and send some of the Remonstrators back home, but the King was firm.

“Since my decision to send them back was already made, do not make a request again.”[36]

The Remonstrators didn’t test things further, and returned home, leaving the King without remonstrance for the remainder of his journey. It was probably a wise choice by the Censors. On one other occasion, the King had grown so tired of a Remonstrator constantly complaining about abuses on a public works project that Taejo finally ordered the Remonstrator to go out and do the work himself. The Remonstrator was commanded to do hard labor on the southern gate of Hangyang, so that he might show everyone the proper way of doing it.[37]

King Taejo stayed at the hot springs for what must have been eight glorious days without admonishment and took five days on the return journey. The minute he returned to the palace, on March 26, 1398, the Censors rushed to his side, impeaching again.

Min Chingui wore everyday robes after his mother died, they complained. The King exiled the offender and banned him from office forever.

Cho Ido and No Sik secretly set up some salt cauldrons, but destroyed them before inspection to avoid taxes, they reported. Taejo stripped them of their appointments and sent them into exile.

Yuk Chin used too many horses on his trip to Jeolla province. King Taejo stripped him of his title.

Several other malefactors of various small crimes were identified, and all were paddled, but Yuk Chin—the Jeolla horseman—this one Taejo forgave. King Taejo recalled how Chin had once gathered beautiful peonies down on some islands in Jeolla province, and had presented them to the King, pleasing him. Remembering this pleasant flowery gift, the King pardoned Chin and bestowed him with a fine horse.[38]

From the pampas grass of Hamhung to the peonies of Jeolla, King Taejo always seemed to love the sweet things of nature more than the hard politics of the capital.