

## Preface

This Element represents a distillation of much of my previous and ongoing research on institutionalized slavery, which, while heretofore confined to the premodern Chinese context, has expanded both regionally and comparatively to embrace more broadly its socio-institutional history amidst its East Asian parameters overall. As demonstrated by what follows, during what were mutually overlapping and intersecting periods that are discretely regarded as having been “medieval,” Chinese conventions in slavery profoundly and impactfully influenced those that became practiced in the surrounding cultures of Korea, Japan, and Vietnam. However, just as in other areas of sociocultural activity, whether at that time or later, in the matter of slavery, the imprint of the Chinese model on these neighboring entities and their polities never succeeded in being overweeningly determinative. Despite the many interconnections that existed among them, we will come to appreciate as much or more how as well as why medieval China, Korea, Japan, and Vietnam each came to exhibit its own irreducibly unique characteristics with respect to practices in enslavement.

## Medieval East Asian Slavery in Overview

Let us begin our deliberations in earnest by observing that for several millennia before the Common Era years of approximately 500 to 1500, the four principal cultural constituents of the East Asian region, China, Korea, Japan, and Vietnam,<sup>1</sup> to greatly varying extents, all evinced entrenched and self-perpetuating systems of slavery, bondage, and the trafficking of enslaved individuals. Therefore, just as is true for other regions of the world where it flourished during the same span of about ten centuries – so often, from the Western viewpoint, referred to as the “medieval” age or age of “late antiquity” – that is our epoch of focus, we should regard the slaving systems that were then operative throughout East Asia as being fully mature ones that had prehistoric roots. Indeed, as is effectively the case for anywhere else in which the phenomenon occurred, any inquiry into the prehistory of East Asian civilization itself is pursued only imperfectly if undertaken without reference to slavery and its attendant, typically also violent, practices.

In the case of China, an abundance of continually emerging archaeological evidence attests to the embeddedness of inherited practices of enslavement in the most remote past. We find such to be the case because of the close connection with or even primal essentialness of slavery in a truly ancient tradition of human sacrifice – one that is generally regarded by most authorities as having the longest history in the world, spanning from Chinese Neolithic times

<sup>1</sup> For more on the rationale based on Sinism for the inclusion of medieval Vietnam as properly a constituent of the East Asian cultural zone, see Kang, 2010 [repr. 2012]: 25–49.

(ca. 8500–ca. 1500 BCE) until the twentieth century (Yates, 2013: 158). Indeed, as Hilda Hookham graphically described, slaves seem to have been an assumed inclusion of all royal funerary rites:

In some cases slaves appear to have been buried alive, as in the mausoleum of an aristocratic family unearthed in Anyang County, where seventy living people were buried with the dead. In other cases headless skeletons have been found in sets of ten. The heads, also in decimal sets, have been discovered elsewhere. Living slaves were often tethered at the neck to prevent flight from their work; their hands were chained at night. (Hookham, 1970: 2)

Consequently, among the social phenomena on which the ceaseless excavation of the burial sites of earliest Chinese nobility continues to cast newly informing light is surely slavery. Indisputably, the mental outlook of the slavers of this antediluvian age regarding their captives is far from fully recoverable for us. Nevertheless, one cannot help but think that the views of historian Rhoads Murphey were hardly much amiss when, specifically of the Shang (also called Yin) dynasty (ca. 1600–1045 BCE), he opined, “Slaves were not thought to have souls or spirits and thus could safely be killed; the Shang aristocrats seem not to have thought about what might happen to them if they became war captives themselves” (Murphey, 1996 [repr. 1997]: 34; Lai, 2015: 43–46, 186). At any rate, we can be certain that these particular individuals found in the tombs along with the noble interred by no means attained the level of status of any of the “companions of the dead” (*xunren* 殉人), who have been discovered at least skeletally intact and, in many instances, seem to have been given full funerary rites, as attested by having coffins and grave effects of their own (Lai, 2015: 105, 107).

In contrast to the Chinese situation, in addition to it not being of even remotely comparable vintage, there is simply far less archaeological evidence of the mortuary practices of the ancient elites of Korea, Japan, and Vietnam that has to date, at least, been either unearthed or examined. In its absence, our assertion of an inheritance of long-established slaving practices from the most ancient of times for any of these cultures, despite remaining likely in theory, remains far more a matter of speculation. However, expressly for the subsequent period of a near-millennium under our direct consideration, we are in luck because, in each instance, whether medieval China, assuredly, but also Korea, Japan, or Vietnam, the culture we scrutinize either already was or was becoming a literate one. As a result, each has left behind at least some primary source materials addressing the interwoven phenomena of slavery, bondage, and human trafficking.<sup>2</sup> Therefore,

<sup>2</sup> Prior to the development of what have emerged as their separate national writing systems, this initial and shared language of literacy was invariably what is now called literary or classical Chinese. See Henthorn, 1971 (repr. 1974): 145–46; Hane, 1991: 25, 26, 49; Kiernan, 2017 (repr. 2019): 125–27.

in the case of premodern China, our success in investigating these activities will depend largely on our capacity for interpreting the sizable corpus of preserved evidentiary sources that, in bearing directly on these subjects, complements the archaeological one. By contrast, in the cases of premodern Korea, Japan, and Vietnam, whatever insight we can garner on the same activities will hinge on our capacity to identify and exploit three far less copious corpora of much more diffuse materials dealing with these same activities.

Despite the venerable antiquity of at least one of its cultural components, with that of course being China, East Asia arguably coalesced in the form of a discrete and distinctly coherent regional unit only relatively late in historical terms. Most authorities agree that it is only from as recently as about the beginning of the third century CE, which is regarded as the dawning of “middle antiquity” at least from an accepted Western periodization standpoint, that we may interpret a coherent East Asian region as having first emerged (Holcombe, 2011: 3–5). To be sure, among the representative civilizations comprising what we today regard as the constitutive cultural pillars of the East Asian region, none has asserted dominance over greater span of its duration than that of China. Moreover, for the period from roughly the sixth to the sixteenth century that serves as our targeted temporal locus of inquiry, China was more culturally dominant over the East Asian region as a cultural zone than it had ever previously been. Consequently, in acknowledgment of its centrality to the knowledge thus far accrued concerning slavery, bondage, and human trafficking as the practices occurred within the East Asian context, the Chinese paradigm deservedly serves as the *cynosure*, necessarily constituting the prime reference point for the deliberations that ensue in this study.

However, even as the Chinese example is utilized throughout as chief paradigm and touchstone, we will unavoidably encounter and be tasked with accounting for aspects of Korean, Japanese, and Vietnamese distinctiveness with respect to the subject of enslavement. We will find that the circumstances of human bondage as they existed throughout the medieval East Asian world will manifest variability while they simultaneously evince coherence, with the former oftentimes enriching our understanding in ways the latter cannot. For example, in Korea, we will see that, upon its establishment at the close of the Goryeo (or Koryō) dynasty (918–1392) and beginning of the Joseon (also Chosŏn or sometimes Yi) dynasty (1392–1897/1910), the Korean system of slavery, because of its legal strictures mandating slave status as hereditary, came to represent what the eminent sociologist of comparative slaveries Orlando Patterson has called the East Asian region’s “most advanced system of slavery” (Patterson, 1982: 143).

Contrastingly, albeit extensive, particularly for the period of our coverage, we will find that the putative incidences of the practice of slavery, bondage, and/or human trafficking may only be assessed with considerable caution and amidst a host of qualifications in connection with Japan. We find, for example, that the Indigenous Ainu tribes of Japan are reported as having been notorious for selling their own relatives and wards as well as their unwanted wives and children into slavery, not out of obvious economic exigency, as was often commonplace in the turbulent, war-torn eras prior to the unification of 1600, but purely for reasons of profit. However, we must be wary of such pronouncements, not merely because they tend to constitute anachronistic imputations, as opposed to retrospective interpolations, of much later ages but also because they are likely more reflective than not of the self-serving propagandist rhetoric of the dominating slave-purchasing and slave-trading elements of what then constituted Japanese society than dispassionate readings of the behavior of the Ainu themselves (Schrenck, 1858: III, 646; Patterson, 1982: 131). Indeed, just the extreme dearth of sources available for the discernment of slaving practices in Japan, at least prior to the exploitation of those practices by Europeans – and chiefly by the Portuguese – at the beginning in the sixteenth century, poses a serious impediment to our understanding.

In medieval Vietnam, from the Đại Cồ Việt period of rule at Hoa Lu (965–1005) through the Lý dynasty (1009–1225) to the establishment of the Trần dynasty (1225–1413), although it became increasingly nativized, slavery was largely the condition of servitude imposed on contiguously abiding regional outsiders, usually as captives of war. Frequently so enslaved were members of the Chams of Champa, inhabitants of the southeastern coastline of what is now southern Vietnam. We know little of the prevailing conditions for these earliest of the medieval slaves and even less of those endured by their precursors. However, we learn from the historian K. W. Taylor that, over the course of time, the sources of slaves in Vietnam diversified, that they “could be peasants who sold themselves into slavery to improve their lives, or prisoners of war, or people from other lands brought by merchants” and that these slaves “served many functions from manual laborers to skilled craftspeople” (Taylor, 2013: 122). Nevertheless, these challenges we confront with the Korean, Japanese, and Vietnamese cases notwithstanding, inasmuch as any premodern mode of East Asian slavery, bondage, and human trafficking ever existed, we must endeavor to comprehend it by taking into account not only the developmental experience of China but also those of Korea, Japan, and Vietnam as fully as we can.

## Medieval East Asian Slavery Defined and Ideologized

Universal consensus on a definition for slavery may well forever elude us.<sup>3</sup> However, within the premodern Chinese – and, by extension, premodern East Asian – context, the slave was, by definition, a person who had been deprived of all liberty and thus was subject to being either bought, or sold, or gifted. Moreover, such persons so subjected became classified by a universalized and eventually legally codified set of terms. What eventually emerged as by far the most common term for such people was *nubi* 奴婢 (literally, “male and female slaves”; Korean, *nobi*; Japanese, *nuhi*; Vietnamese, *người hầu*).<sup>4</sup>

Yet, specifically in relation to China as well as the East Asian context generally, just as important to our understanding of the human being as having been reduced to this state of servitude by the terms by which they were referred to is for us to recognize what were, on the whole, the fundamentally punitive origins of slavery itself. From the very first, in China, to be sure, slave status was customarily viewed as a condition that befell those who had either contravened or undermined or otherwise resisted authority. Hence, enslavement was foremost thought to be a penalty for aberrant or refractory behavior and, whether consciously or not, the association of it with criminality and, by extension, the penal system always remained quite intimate (Patterson, 1982: 43, 44).

This punitive genesis of slavery in China is further illustrated by the fact that, from what is likely time immemorial on down to modern times, the Chinese – or, retrospectively, even those earliest direct ancestors of them who would eventually constitute the dominant Han ethnic majority – have practiced endogenous *as well as* exogenous slavery. In other words, with no less apparent readiness and frequency than they have enslaved outsiders, the Chinese have also historically enslaved members of their own majority ethnic Han kind, with the precipitating cause almost invariably having been the commission of some order of infraction against prevailing authority. Moreover, a consideration of the dissimilar paths that might lead to the punishment with enslavement of the members of these two disparate groups is also illuminating.

From the time of the Shang dynasty until well into the two-plus millennia era following the imperial unification in 221 BCE, the archetypal enslaved outsider was certainly the enemy combatant of either a resistant or rebellious non-Chinese tribe captured as a prisoner of war. Availing ourselves of the interpretive theory of social death postulated by Orlando Patterson, we may deem such enslavement of this individual to have been representative of slavery in its

<sup>3</sup> See the provocative discussion of the challenges in Miers, 2004: 1–15.

<sup>4</sup> For more on the original Chinese interpretation and its nuances, see Pulleyblank, 1958: 193, 203, 205–6, 208, 214).

*intrusive* conception, whereby the victim was the “foreigner, enemy, and infidel, fit only for enslavement” (Patterson, 1982: 41), forcibly extirpated from his homeland and inserted as lifelong captive into the environs of his masters. By contrast, the paradigmatic insider who became subject to enslavement in pre-modern China was someone of respectable or even elite status whose perhaps single adverse action had suddenly precipitated societal expulsion. In the most conspicuous instances, this infraction was seditious and whereas death was invariably the penalty exacted on the actual perpetrator of a capital offense, enslavement was collaterally imposed on all of his surviving kin. Patterson refers to this conception of enslavement as *extrusive*, wherein those who once belonged become expelled, ostracized, and relegated to outsider status through bondage, and Patterson furthermore astutely concludes that, among the traditional Chinese, “penal enslavement was the foremost source of slaves” (Patterson, 1982: 127).

In Korea, the definition of what constituted a slave was roughly comparable to that which had long obtained in China, especially given the similarly punitive function as an impetus for the origin of slavery there (Salem, 1978: 4–6, 155). Yet, even while more fixed as immutable for life, we also find that being enslaved in Korea denoted a status that was more fluid, and also layered with moral connotations that were absent in the Chinese case, all very possibly because of the almost exclusively endogenous character of Korean slavery. Having existed since a time prior to the pre-unification Three Kingdoms era (57 BCE–668 CE),<sup>5</sup> when the Chinese paradigm of “good” versus “base” people was adopted, at least in the longest-enduring state of Silla 신라 (Chinese, Xinluo 新羅) (Seth, 2016: 62),<sup>6</sup> slaves in Korea were persons from whom, according to the Confucian outlook also adopted from China perhaps as early as the first century BCE, Heaven was thought to have withdrawn its favor. Also in Korea, in accordance with Confucianism, a hierarchical relationship between master and slave, mirroring the idealized one espoused between ruler and subject or father and son, developed. The *nobi*, viewed as appendages, were even eventually propagandized via Confucian dictates as being extensions of the very bodies of their masters (Lovins, 2022: 178–79), all toward the purpose of course of justifying the necessity of their enslavement.

<sup>5</sup> To be distinguished from the post-unification period of the same name that spanned only from the year 220 to 284 of the Common Era in China.

<sup>6</sup> Silla (also called Shilla) existed from 57 BCE to 935 CE. Its companion kingdoms, which it conquered in succession, were Baekje 백제 (Chinese, Baiji 百濟), also called Nambuyeo 남부여 (Chinese, Nanfuyu 南扶餘), which existed from 18 BCE to 660 CE, and Goguryeo (also written Koguryō) 고구려 (Chinese, Gaojuli 高句麗), which existed from 37 BCE to 668 CE.

So pervasive did slavery become in medieval Korea that, by the time of the onset of the Joseon period at the close of the fourteenth century, Korean slaves had become socially indistinct from freemen, even though this diverse latter group in which they were included was wholly distinct from the ruling class itself. Many *nobi* possessed property and civil rights and held legal entities. Consequently, some scholars have argued for the inappropriateness of referring to the *nobi* as slaves, likening them instead to European-style serfs (Kim, 2004: 153, 154, 155, 156, 157; Miers, 2004: 7, 10–11). Whether tenable or not, this dissenting opinion is in fact reinforced by at least two key factors. First, the Korean term for an actual slave in our own sense of the word is not *nobi* but instead *noye* 노예 (Chinese, *nuli* 奴隸). At least by the Joseon dynasty, the former oftentimes enjoyed property rights that, in the manner of the Western notion of serfdom, permitted some level of independence and some modicum of freedom whereas the latter simply never did. Second, uniquely within the East Asian enslavement context, some *nobi* of Korea were not only landowning but actually owned their own *nobi* (Salem Unruh, 1976: 31; Palais, 1998: 39, 50), thereby, somewhat astoundingly and counterintuitively, from the Western perspective, being slaves who themselves owned slaves.

In Japan, in contrast to Korea, owing especially to the presence of Indigenous Ainu peoples, both the endogenous and the exogenous systems of slavery, bondage, and human trafficking seem to have existed since the earliest historically verifiable times. However, we know painfully little in practical terms either about how these systems might have functioned or the levels of comprehensiveness they attained. The *Weishu* 魏書 or *Weizhi* 魏志 (*History of Wei* or *Record of Wei*), an authorized history of a kingdom in North China that endured only from 220 to 265 CE, completed in 297, does contain an entry on the exportation from Japan into China of at least one Japanese slave. However, it does not indicate which system was involved as the conduit. Nor does it convey whether such procurement was common practice at that time. It does, nonetheless, provide us with the earliest name for such slaves, or conceivably prisoners of war, who were called *shengkou* 生口 (Japanese, *seikō*; literally, “living mouths”) (Chen, 1984: *Weishu* 30.855; Brown, 1993: 25).

In Vietnam, the earliest available evidence suggests that, much as in the case of China, those near-neighboring outsiders, probably distinguished primarily along cultural-linguistic lines – once defeated in war and taken alive as captives – were most susceptible to enslavement. Moreover, we find that these individuals included not only the familiar Chams to the coastal south and Khmers of what is modern-day Cambodia or Kampuchea, the former with

whom there had been long-standing conflicts,<sup>7</sup> but also many other peoples who shared either recognized or unrecognized contiguous borders with the Vietnamese. As historian Ben Kiernan informs us, “The Lý court assigned major Buddhist temples a labor force of Cham prisoners, who worked as artisans and played a leading role in the flourishing art and architecture of Đại Việt’s proliferating monasteries. Cham slaves also lived and worked in the temple of the Phù Đổng earth spirit” (Kiernan, 2017 [repr. 2019]: 154).

Additionally, during the Lý dynasty, we can assume that captives taken along what is now the northeastern Vietnamese border with Yunnan province, who were often very conceivably ethnically Han Chinese, especially if they were able-bodied and at all skilled, could of course be readily subjected to slavery. Given that Lý Đại Việt heralded the commencement of a new era when Vietnam had only very recently freed itself from Chinese dominion, perhaps the seizure of Chinese was a targeted reciprocation for the centuries of Việt women and girls having been extracted and imported into sexual servitude in China.<sup>8</sup> Moreover, whether they were ethnic Chinese or not, we cannot expect that all of these border-inhabiting captives of the Vietnamese met the same fate. According to Li Tana, many captured Chinese were directly impressed into service in the Vietnamese army, whereas “many others must have been resold to the foreign merchants who frequented Đại Việt, and ended up in places such as Champa” (Li, 2006: 87).

Throughout the Lý dynastic era, this non-native component of premodern Vietnamese slavery, owing to its profitability for the slavers involved, was no doubt to remain a highly identifiable component. However, paralleling the development of slavery in early medieval Japan, we learn of a perceptibly endogenous or nativist turn in medieval Vietnamese slavery. We furthermore find that this development largely coincides with the advent of the Trần dynasty in the early thirteenth century and, interestingly, as in the matter of the reportage on slavery in earliest medieval Japan, we acquire this knowledge perhaps most directly and pertinently from Chinese sources. Among the most trenchant of these observations comes to us from the writing-brush of Zhao Rugua 趙汝适 (1170–1231), whose critical importance lies in the fact that he is the author of the remarkable work *Zhufan zhi* 諸蕃志 (*Description of Foreign Peoples*; also known by the English-language titles *Records of Barbarous Nations* or *A Chinese Gazetteer of Foreign Lands*). Among the reports on numerous countries included therein is one describing the topography, products, and

<sup>7</sup> For more in brief on the adversarial history of relations between Vietnamese – that is, Đại Cồ Việt or Đại Việt – and Chams, see Kiernan, 2017 (repr. 2019): 142–44.

<sup>8</sup> On the lurid fetishism for southern women and girls of Yue 越 maintained particularly by Chinese men of the Tang period, see Schafer, 1963: 44; Schafer, 1967: 56; Abramson, 2008: 21.



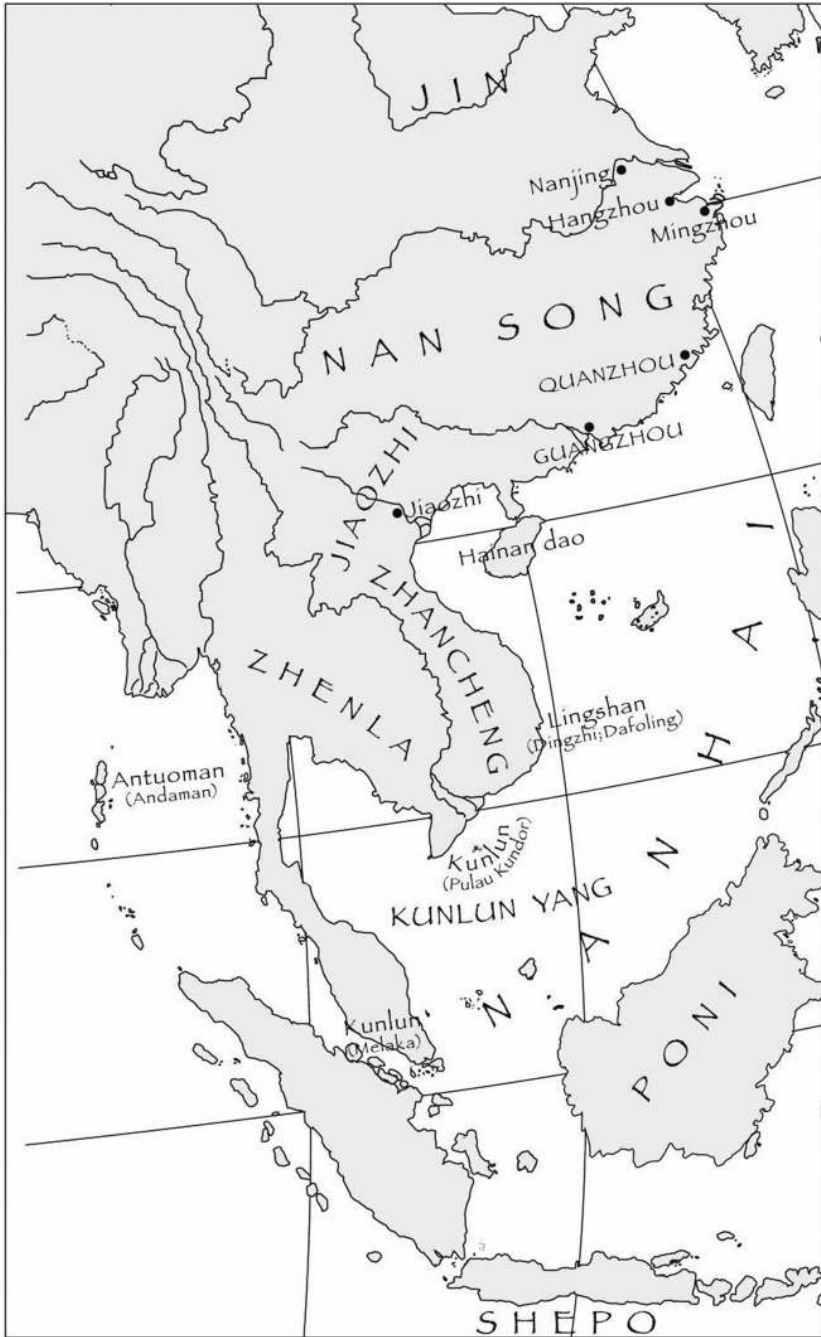


Figure 1 The Nanyang region, ca. 1225.

people of Annam 安南, as it was widely known by other foreigners throughout the medieval period, and which the Chinese of that time knew specifically as Zhanchengguo 占城國, with either designation corresponding territorially to what is now modern central and southern Vietnam. Seemingly either forgetting or selectively overlooking or just ignoring that his own countrymen had long engaged and continued to engage in the very same practice, the Chinese official Zhao observes that: “They buy people, making them into slaves, with a male youth being priced at three taels of gold, or the equivalent in aromatic wood” (Zhao, 1969: 1.3; see Figure 1).

### Trafficking in Slavery and the Law in Medieval East Asia

The *Tang Code* (*Tang lü* 唐律), composed in 624 and subsequently modified in 627 and 637, so named because of its creation under imperial auspices during the Chinese Tang dynasty (618–907), is the earliest of Chinese dynastic sets of laws to be preserved intact.<sup>9</sup> As such, it greatly contributes to our understanding of premodern Chinese slavery in two vital and unprecedented ways. First, we should note that the *Tang Code* legally recognizes and ranks status groups, both aristocratic and servile. Second, it stipulates rigorous gradations of punishment based on one’s status within either the family or the bureaucracy (Lewis, 2009: 50–52).

Thus, although considered lowly and demeaned from time immemorial, through the *Tang Code*, for the first time in history, the varieties of “base” (*jian* 賤) people became designated as such formally, in the laws. We learn, for example, that any crime that a “good” (*liang* 良) person – that is, free commoner – might commit against a “base” person was punished less severely than one perpetrated by someone base against someone non-base. As an indication of how rigid this dichotomization had become, we in fact also learn from the *Tang Code* of the illegality – punishable by strangulation – of kidnapping any “good” person and selling that person into slavery. Hence, under Tang law, at least in theory, free persons could only voluntarily be made to become slaves, which at least in normal times contributed to – even if it did not absolutely ensure – a division between “good” and “base” that was static (Lewis, 2009: 52–53; Hansen, 2015: 179–81).

Especially severe were those punishments meted out to either bondsmen or slaves who harmed or even threatened to harm their masters. The penalty for murdering one’s master outright was death by decapitation. If the murder of the master was found to have occurred by accident, then means of execution – but not the penalty – was commuted to strangulation. For a slave to have been

<sup>9</sup> For the actual text in translation, in two volumes, see Johnson, 1979.