

# Political Role of Korean Prime Minister in 1987 regime

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## 要 旨

本研究は、制度中心の研究とは一線を画し、1987年体制下の大韓民国で、大統領と議会の関係における首相の政治的役割について検討したものである。首相の任命、地位、権限という3つ問題から、大統領と議会を橋渡しするという首相の役割について分析をおこなった。まず韓国の場合、首相は国会議員である必要はない。大統領の絶対的な行政権によって国会議員以外でも首相に任命されうる。この行政的な取り決めには、大統領に強い行政権をあたえるという意味がある。第二に、臨時首相は大統領の意図の下で作られた仕組みである。第三に、首相の在任期間が、少数政権下で長い理由は、大統領が首相と協力するための戦略としてであると考えられる。一方、多数政権下で首相の在任期間が短いのは、大統領が自在に権力を行使した結果であると理解できる。本稿は、強い権力をもつ韓国大統領制において、首相が果たす役割の現実を実証的に再検証したものとなっている。

**Keywords: Prime Minister, Appointment, Compromise**

## 1 General explanation of the Korean Prime Minister

The institution of the Korean Prime Minister has been in place since the 1948 Constitution, and it can be seen as a system that is appropriately rooted in the country's situation, as the system has changed slightly over the course of its history. The 1948 Constitution began as presidential system which has an element of the parliamentary system, so there was a vice president and a prime minister together, but the vice president disappeared soon and a prime minister survived. It has been abolished and reintroduced in nine constitutional amendments and has undergone constant changes in appointment methods, so it can be said that a prime minister institution has been a pillar of the current Korean presidential system.

The role and authority of the Korean prime minister is vague and fluid. There are many expressions to describe the prime minister, from 'a robot prime minister' to 'a real prime minister'. The current prime minister institution, which was finalized in the Seventh Amendment to the Constitution, changed from an exclusive

appointment by president to one that requires the consent of the National Assembly. The consent of the National Assembly has both positive and negative functions, and if it is used to promote cooperation, it can mitigate conflicts in a divided government. On the other hand, it can also lead to more intense conflicts in a divided government. Functional aspects aside, being in a position where a prime minister is subject to both president and legislative approval, two key sources of legitimacy in a presidential system, enriches the study of a prime minister.

### **1.1 Political system and background**

The Republic of Korea operates under a presidential system; however, constitutionally, it can be characterized as a presidential system with elements of a parliamentary system. The prime minister institution is one such element, and along with other political institutions such as the electoral system and political parties, it is an important system that shapes the political landscape of the Republic of Korea. Before analyzing the prime minister institution in the Korean presidential system, it is necessary to understand some of the institutions that explain this relationship. First of all, the Republic of Korea has a two-party system, and the creation of the Democratic Party in 1955 marked the beginning of the conservative-liberal rivalry. The two-party system has been consolidated since then. Historically, conventional wisdom suggested that presidential system coupled with a two-party system, as opposed to a multi-party system, was more conducive to effective governance. However, the amalgamation in Korea has been marked by conflict and confrontation between the ruling and opposition parties.

The Republic of Korea also faces the problem of having presidential and parliamentary elections at different times. The so-called concurrent election problem is characterized by constitutionally and politically significant phenomena under the presidential system. Simply put, if both elections are held on the same day, the president's party is likely to be the majority party in the parliament. While this phenomenon is less pronounced in a parliamentary cabinet system, where the formation of the parliament leads directly to the formation of the government, the cycle is essential in presidential systems due to the fact that the executive and legislative branches are elected separately. This is also expressed in the concept of dual legitimacy, which means that there is always the possibility of a potential confrontation between the two branches. The actual dynamics of the executive and legislative branches are shaped not only by the constitutional provisions expressing the separation of powers, but also by the distribution of party power in the parliament and the electoral system that determines it.<sup>1</sup>

**1.2 Analysis object and comparison method**

The scope of this research is confined to the examination of eight governments operating within the framework of the 1987 Constitution, which has been effective since the democratization period up to the present. This subset encompasses a total of 29 prime ministers, inclusive of two provisional prime ministers. Notably, although there are two instances of individuals serving as a prime minister twice, their service occurred under distinct cabinets. Consequently, the primary focus of this paper revolves around the analysis of these cabinets, amounting to a total of 31 cases. Excluding the provisional prime minister who did not ultimately receive parliamentary consent of the appointment, the average tenure for the 29 formally appointed prime ministers is determined to be 421 days. Considering that a president's term is fixed for five years, which is about one year and two months, we can say that each president appointed an average of four prime ministers.

The following is a simple cross-tabulation to analyze the characteristics of the Korean prime minister. Table 1 shows the distribution of cabinets by government type in the Republic of Korea.<sup>2</sup> Out of the total 29 cabinets, 18 are majority governments, accounting for just under two-thirds of the total, followed by divided and minority governments at similar levels. Minority governments are the least common with only 4 cases. If we compare this by president, the only time all governments were majority governments was during the presidencies of Kim Young-sam and Park Geun-hye, and this period was relatively stable. Meanwhile, the period of passive stability was when Noh Tae-woo and Moon Jae-in were in power, as there was no divided government. The Kim Dae-jung and Roh Moo-hyun governments have the same distribution: two divided governments, one majority government, and one minority government. It can be said that the Korean prime minister was appointed during the most unstable period in the history of the regime.

**Table 1.** Government distribution by its type when the PM is appointed in the Republic of Korea

President	PM(cabinet)	Minority Govern.	Divided Govern.	Majority Govern.
Roh Tae-woo	5	1	0	4
Kim Young-sam	6	0	0	6
Kim Dae-jung	4	1	2	1
Roh Moo-hyun	4	1	2	1
Lee Myung-bak	3	0	1	2

Political Role of Korean Prime Minister in 1987 regime (HONG Boye)

Park Geun-hye	3	0	0	3
Moon Jae-in	3	2	0	1
Yoon Suk-yeol*	1	0	1	0
Total	29	5	6	18

Govern.: Government

All of the figures mean the number of the government or cabinet

\* Yoon Suk-yeol is the incumbent president.

Table 2 shows the average length of the prime minister's tenure in each of the governments according to their type of government. Before interpreting the table, it is generally expected that the more politically stable a country is, the less likely it is to change its prime minister. However, in the case of the Republic of Korea, it was the majority government environment that led to the highest number of prime ministerial changes. On the other hand, governments that have been able to stay in office for a long time have done so under minority governments. What is striking is that the outcomes of tenure are distinctly different across government types.

**Table 2.** Term average of PM by the type of government in the Republic of Korea

Type of Government	Term Average (days)
Divided Government	403
Minor Government	643
Major Government	366

## 2 The Korean Prime Minister System

### 2.1 Appointment of Prime Minister – the problem of Provisional Prime Minister

The Republic of Korea has required the consent of the National Assembly to appoint a prime minister, which dates back to the 1948 Constitution. Except for two years in 1960 when the form of government was changed to a parliamentary cabinet system, and a decade afterward when the 1962 Constitution eliminated parliamentary approval, it has existed throughout the history of the Constitution. Finally, it was reintroduced in the 1972 Constitution.

The concept of a provisional prime minister emerged as a consequence of the parliamentary approval issue.

Its controversial nature arises from the fact that it lacks a formal legal position, representing instead a system established through customary practices. An attempt to define the exact concept was made by Kim Jae-yoon. "A provisional prime minister is a person who has been nominated as a prime minister by president regardless of sending a motion to the National Assembly to appoint a prime minister, but has not yet received the consent of the National Assembly to appoint a prime minister, and yet exercises at least part of the powers of a prime minister."<sup>3</sup>

However, since democratization, the only two people who have served purely as prime minister without the consent or approval of the National Assembly are Jang Sang and Jang Dae-hwan in the Kim Dae-jung government. Kim Jong-pil received consent to be appointed after five-month wait, but during that time, the opposition filed a legal challenge to the provisional prime minister with the Constitutional Court, requesting a judgment on the authority to appoint a prime minister and a preliminary injunction to suspend the effectiveness of the appointment and suspend his duties. Otherwise, a prime minister would be appointed as an official prime minister with the approval or consent of the National Assembly at the next session of the National Assembly.<sup>4</sup>

'Acting prime minister' refers to a deputy prime minister taking over when a prime minister is unable to fulfill his duties due to an accident. Beginning in 1963, when the Minister of Economic Planning was made a deputy prime minister to give impetus to economic development, the Government Organization Act stipulates that the Minister of Unification, the Minister of Education, and the Minister of Science and Technology are deputy prime ministers of important ministries in line with the times. Article 22 of the current Government Organization Act states that "the Minister of Economy and Finance who concurrently holds the office of the Deputy Prime Minister and the Minister of Education who concurrently holds office as the Deputy Prime Minister shall perform such duties on behalf of the Prime Minister in the order of precedence."<sup>5</sup> While it is customary to use the term 'acting' when the Minister of Economy has priority among the two deputy prime ministers and is acting as the Minister of Economy, and 'temporary acting' when the next ranking deputy prime minister becomes the Minister of Economy, it is officially correct to use the term 'acting' for both.

Various methods have been tried to address the extra-legal system of a provisional prime minister, one of which is the Personnel Hearing System. Personnel hearings were introduced in June 2000 to check the personnel powers of not only a prime minister but also president and the chief justice of the Supreme Court, and the National Assembly held public hearings on candidates for positions that require parliamentary approval for appointment. As a result, for the first time in the constitution's history, the Provisional Prime Minister Lee Handong had to face questions from members of parliament at the hearing. Despite the opposition's (the Grand

National Party of Korea) attacks, the vote was passed. However, the subsequent hearings for nominees Jang Sang and Jang Dae-hwan resulted in the defeat of the National Assembly's appointment motion, leading to a provisional prime minister as it is. Their hearings were dominated by personal issues such as wealth formation, false resident registration of their children, and suspicions of real estate speculation, and the hearings in public demonstrated an excess of parliamentary oversight of the executive branch. In the Lee Myung-bak administration, the Prime Ministerial nominee Kim Tae-ho, and in the Park Geun-hye administration, nominees Ahn Dae-hee and Moon Chang-gak withdrew before the hearings due to the pressure of the hearings.

The process of personnel hearings is that once the government submits an appointment motion to the National Assembly, the National Assembly takes about 20 days to refer it to the plenary session and process it. To address this time gap, the 2003 Act on the Assumption of the Presidency allowed the president-elect to nominate a prime ministerial candidate for the National Assembly's consent process before the start of his or her term. With this, a provisional prime minister has disappeared. Acting prime ministers have been on the decline since the 100-day long of provisional PM mark under Roh Moo-hyun in an effort to minimize vacancies.

How do president and parliament reach a consensus on prime ministerial appointments? Jang Sang and Jang Dae-hwan, who served purely as a provisional prime minister, were appointed at a time when the ruling party's share of seats in successive governments was lowest, as shown in Table 3. There were six cabinets with less than 40 percent of the seats of the ruling party in the sample period: three times under Kim Dae-jung, twice under Roh Moo-hyun, and once under Yun Suk-yeol. With the exception of Jang Sang and Jang Dae-hwan, whose nomination motions were defeated, the four nominations were passed despite the ruling party's unfavorable parliamentary majority. Kim Seok-soo was passed amidst the shock of consecutive rejections by the National Assembly because he had no political experience, and had served as the chairman of the National Election Commission and the Ethics Commissioner for Public Officials, which satisfied his political neutrality and morality.

Interestingly, two of the three post-Kim cases, Ko Geon and Han Deok-soo, served two terms as a prime minister. Former President Roh Moo-hyun was able to navigate his way through the difficulties by using Ko Geon, who was a prime minister under the opposition Kim Young-sam, while President Yun Suk-yeol was able to pass a parliamentary motion to appoint Han Deok-soo, who was under the opposition Roh Moo-hyun. Basically, when the ruling party's control is extremely weak, it tends to favor politically neutral or inexperienced individuals.

**Table 3.** Results of the National Assembly Voting on an appointment of PM and the ruling party’s seat proportion

Pres.	PM	App.	Opp.	Seat(%)	Pres.	PM	App.	Opp.	Seat(%)
	Lee Hyun-jae	195	18	60.1		Ko Geon	163	81	<b>37.9</b>
Roh	Kang Young-hoon	160	10	41.8	Roh	Lee Hae-chan	200	84	50.5
Tae-woo	Noh Jae-bong	189	69	72.9	Moo-hyun	Han Myung-sook	182	77	47.8
	Jeong Won-sik	203	65	71.9		Han Deok-soo	210	51	<b>36.5</b>
	Hyun Seung-jong	266	9	53.8	Lee	Han Seung-soo	174	94	44.1
	Hwang In-seong	188	5	54.9	Myung-bak	Jung Woon-chan	164	9	57.8
Kim Young-sam	Lee Hoi-chang	220	36	57.5		Kim Hwang-sik	169	71	57.4
	Lee Young-deok	170	10	57.5	Park	Jung Hong-won	197	67	51.3
	Lee Hong-gu	177	34	59.2	Geun-hye	Lee Wan-gu	148	128	53.6
	Lee Soo-sung	206	36	57.2		Hwang Kyo-an	156	120	53.4
	Ko Geon	198	51	52.5	Moon	Lee Nak-yeon	164	20	40.1
	Kim Jong-pil	171	65	45.8	Jae-in	Jung Se-kyun	164	109	43.7
Kim Dae-jung	Park Tae-jun	174	100	52.7		Kim Bu-kyum	168	5	58.0
	Lee Han-dong	139	130	49.8	Yoon	Han Deok-soo	208	36	<b>37.1</b>
	Jang Sang	100	142	<b>37.1</b>	Suk-yeol				
	Jang Dae-hwan	112	151	<b>37.5</b>					
	Kim Seok-soo	210	31	<b>37.5</b>					

Pres.: President, PM: Prime Minister, App.: Approval, Opp.: Opposite, Seat(%): the proportion of seat of ruling party

Since the official materials of the Prime Minister are not written in English, a translation based on the romanization of Hangul is used.

## 2.2 Powers and responsibilities of PM - two Prime Ministers being Acting President

The Korean prime minister is often described as having few powers and many responsibilities. There are four areas of the prime minister's authority that are worth mentioning. First, there is the power to control the executive branch, which is still a political and constitutional issue. Suffice it to say that this power has produced

some of the most transformative moments of the Korean prime ministers. Article 86(2) of the Constitution states, "The Prime Minister shall assist the President and shall direct the Executive Ministries under order of the President."<sup>6</sup> While the subordinate role of the prime minister is justified by the logic of receiving orders from the president, constitutional scholar Sung Nak-in argues that president-prime minister-executive branch was intended to be a high level hierarchy and emphasizes the reaction of the prime minister.<sup>7</sup> Second, a prime minister has the right of recall for the appointment of cabinet members and heads of administrative departments. Article 87 (1) of the Constitution stipulates the right to propose the appointment of cabinet members, and Article 87 (3) stipulates the right to recommend the dismissal of cabinet members. Third, a prime minister has the primary authority to act on behalf of the president. Article 71 of the Constitution states that if the President is removed from office or is unable to perform his or her duties due to an accident, "the Prime Minister, followed by the members of the State Council prescribed by law, shall assume his or her authority."<sup>8</sup> Fourth, the Prime Minister has deliberative powers in the State Council. Article 88 of the Constitution stipulates that the Cabinet deliberates on important policies that fall under the authority of the government. The Prime Minister is also the vice chairman of the State Council and presides over it on behalf of the President.

The powers of the acting president have become politically controversial in Korean constitutional history due to two impeachment proceedings. President Roh Moo-hyun was suspended from office in 2004 and President Park Geun-hye in 2016. President Roh was reinstated to the presidency following the dismissal of his case by the Constitutional Court. In contrast, President Park was removed from office subsequent to a decision on acceptance.

The Prime Minister Ko Geon said that he was so unprepared that he had to look up constitutional law books right after getting announced.<sup>9</sup> He retrospectively viewed that time as unprecedented, in the absence of clear regulations on the powers and limits of acting president. Later, the Prime Minister Hwang Kyo-an raised the constitutional issue of the scope of the acting president's authority in a concrete and realistic way. For example, there was a controversy over whether he could appoint the president or judges of the Constitutional Court. While this is not allowed in principle, it is hardly illegal in a situation where the Constitutional Court has fewer than seven judges, making it difficult for the Constitutional Court itself to proceed. The appointment of Park Han-cheol as the President of the Constitutional Court under Prime Minister Hwang Kyo-an was controversial, but a constitutional amendment proposal or referendum is not a case of such urgency and necessity.

The biggest issue with acting presidents is democratic legitimacy. In other presidential systems, the vice president is usually the priority for an acting president as an electoral running mate, while the Korean prime



minister is not an elected position. The National Assembly has argued that in our country without a vice president, the constitution does not provide for consensual acting presidency by establishing a special committee, so it should be a limited acting presidency.<sup>10</sup> However, if the impeachment trial is protracted, the acting system may be prolonged, causing conflicts between the National Assembly and the acting system. Therefore, a proposal to form and operate a transitional cabinet in cooperation with the National Assembly has been raised. If a prime minister meets solid support between the appointment by the president and the consent by the National Assembly, running a stable government even in an impeachment situation can be expected.

### **2.3 Constitutional status of PM – the relation between President and Prime Minister**

The Korean prime minister has been treated as a secretary to the President and has not been able to lead the country's affairs compared to his constitutional authority. This issue is intricately linked to the previously mentioned ambiguity surrounding the authority of a prime minister, with the root cause stemming from the process of integrating a prime minister into the constitutional framework of a presidential system. First, it is at the background of the emergence of hybrid elements in the Constitution. At the time, the majority opinion of the Constitutional Founding Committee of the Constitutional Assembly, including the original draft by Representative Yoo jin-oh, who laid the ideological foundation for the Constitution, was that the new republic should realize a cabinet system of government. However, the strong will of Syngman Rhee, the leading presidential candidate, led to the revision of the draft constitution. This compromise was not made in enough time, and as a result, the power of the president became ambiguous. Except for a guaranteed four-year term, the president was not granted exclusive power, which would later prove to be a weakness of the compromise. The constitutional form of government is referred to as a semi-parliamentary presidentialism.<sup>11</sup> It is characterized by a president elected by the National Assembly, a prime minister appointed with the approval of the National Assembly. In essence, the Constitutional Assembly endorsed the presidency of Syngman Rhee while endeavoring to function in the capacity of 'consultative presidential system'. However, contrary to the expectations of the Constitutional Assembly, Syngman Rhee actively tried to exploit the political rift between the presidency and the National Assembly, perceiving the relationship as a form of confrontation rather than compromise. The first spark of confrontation between the president and the National Assembly was over the right to appoint a prime minister.

Some argue that the problem with mixed presidential system is that it is neither based on a theoretical basis nor a response to a need derived from historical experience, but rather "the product of an accidental political

compromise."<sup>12</sup> While there is much to agree with, the intervention of power and the compromise between powers is irreversible in any constitution-making event.

### 3 The operation of the Korean Prime Ministerial System

This chapter covers the actual operation of the Korean prime minister. The Korean prime minister does not need to be a member of parliament. In a semi-presidential system, a prime minister tends to be the leader of the majority party or a powerful politician, and the cabinet is also composed of members of the majority party.

#### 3.1 Member of the parliament Prime Minister

This paper categorizes the types of parliamentary backgrounds of past prime ministers into 'never experienced', 'experienced', and 'incumbent' at the time of their appointment, and examines how their parliamentary experience correlates with their votes on nomination motions (Table 4).

According to Table 4, there is a consistent trend in parliamentary voting on the motion to appoint a prime minister. The more inexperienced parliament, the more votes in favor and the fewer votes against. Parliament members tend to vote against a prime ministerial candidate if he/she is also a member of the parliament, and the percentage of votes in favor and against the candidate who is a member of parliament is an outlier from the other two types.

As the first president since democratization, Roh Tae-woo chose to appoint non-political figures to advance democracy in the context of the transition from authoritarianism, as he himself had participated in the previous dictatorship. It is noteworthy that all five prime ministers of Roh Tae-woo's government were academics before becoming a prime minister. The prime minister, who was also a member of parliament, was a military politician until the 2000s. This may have been a sign of antipathy towards the military politicians who gained prominence during the long military dictatorship.

**Table 4.** Voting results for the consent of the National Assembly based on parliament experience

	Never	Have	Incumbent
A Vote of Approval (%)	81.0	78.1	64.7
A Vote of Opposite (%)	17.3	20.2	28.7

Invalid and abstention votes were excluded.

Table 5 shows the differences in tenure by type of parliamentary experience. Each type has a distinct difference in average tenure. Those with no parliamentary experience had the shortest average tenure at 348 days. The prime ministers with previous parliamentary experience have the longest average tenure at 540 days. Nine prime ministers were sitting members of parliament at the time of their appointment, accounting for about two-thirds of the total. Their average tenure is 431 days, which is similar to the average tenure of all prime ministers at 421 days.

**Table 5.** Average Tenure of the Prime Minister based on their parliamentary experiences

	Never	Have	Incumbent
Average Tenure of PM (days)	348	541	432

### 3.2 Reasons for dismissal

In principle, the dismissal of a prime minister is reserved for the President, who is the appointing authority. There is a view that dismissing a prime minister with weak de facto power by holding him or her politically accountable would be an evasion of the president's responsibility. In this political context, a prime minister is often referred to as 'a bulletproof prime minister' and resigns to take responsibility for the president's mistakes and turn the situation around.

Lee Jae-won, who studied the reasons for prime ministerial resignations of all previous prime ministers, argues that the reasons for resignation can be categorized into five categories<sup>13</sup>:

1. political conflict or confrontation with the president
2. hardship for political transition
3. political transformation or institutional change
4. political reprimand for an incident
5. recruitment or other reasons, etc.

However, this categorization is merely an inductive approach to grouping the reasons for departure, and is not based on any measure of political power relations. This paper proposes a new classification system because its purpose is not only to describe and introduce individual prime ministers, but also to discover political interactions based on the power relationship between a prime minister and a president.

In this paper, the classification system is centered on the relationship between a president and a prime minister. In Category 1, there are cases where the president decides to turn the political tide or appoint a different prime minister. Category 2 is characterized by the prime minister's decision to resign in order to change the political situation, which is voluntary. In some cases, a prime minister is responsible for an issue and resigns along with his or her cabinet. One can see the subordinate position of a prime minister to the president on Table 6. Category 3 is when a prime minister resigns due to personal moral or political issues that have caused public opinion to deteriorate. Category 4 is a natural resignation due to the end of the president's term or a choice made by a prime minister. It is non-relational in that it does not stem from a relationship with the president.

**Table 6.** Classification of dismissal reasons

President	Prime Minister	Cat.	President	Prime Minister	Cat.
	Lee Hyun-jae	2		Ko Geon	2
Roh Tae-woo	Kang Young-hoon	1	Roh Moo-hyun	Lee Hae-chan	3
	Noh Jae-bong	3		Han Myung-sook	2
	Jeong Won-sik	2		Han Deok-soo	4
	Hyun Seung-jong	4	Lee Myung-bak	Han Seung-soo	1
	Hwang In-seong	2		Jung Woon-chan	2
Kim Young-sam	Lee Hoi-chang	1		Kim Hwang-sik	4
	Lee Young-deok	2	Park Geun-hye	Jung Hong-won	2
	Lee Hong-gu	3		Lee Wan-gu	3
	Lee Soo-sung	2		Hwang Kyo-an	4
Kim Dae-jung	Ko Geon	4		Lee Nak-yeon	4
	Kim Jong-pil	4	Moon Jae-in	Jung Se-kyun	4
	Park Tae-jun	3		Kim Bu-kyum	4
	Lee Han-dong	2			
	Kim Seok-soo	4			

Cate.: Category

Category 1: Political transition by the President

Category 2: Political transition by the PM

Category 3: Personal scandals of the PM

Category 4: The term expiration and the PM's choice

What Table 6 shows is that Presidents Roh Tae-woo, Kim Young-sam, and Lee Myung-bak, who all had at least change once for a prime minister in the first category, had in common that they were conservative governments and, in turn, had a high average percentage of seats. In particular, Prime Minister Lee Hoe-chang of the Kim Young-sam government tried to regain the constitutional authority of a prime minister, and his four-month tenure was the most drastic. It can be said that the dismissal of a prime minister was one of the ways in which a president demonstrated his power by assuming a stable majority position.

### **3.3 Divided government at Kim Dae-jung administration**

Kim Dae-jung was the first in the history of the Constitution to change the government by election, or 'horizontal regime change'. The government led by Kim Young-sam in 1992 operated as a three-party coalition; however, it remained under the influence of the preceding military regime and did not constitute a transition to a ruling party. After achieving democratization in 1987 and achieving electoral democracy in a passive sense, the Korean political system is considered to have entered the stage of consolidating democracy. It was also commented that the regime change was the result of political maturity in resolving the situation, especially in a difficult economic period.

Kim Dae-jung's government began as the first and only coalition government since democratization. From the outset, two different political parties, the New Politics Korea (NPK) and the Liberty Democratic Alliance for Democracy, were bound by political interests and worked together to nominate candidates for president and a prime minister. Approximately a month before the presidential election, the coalition engaged in negotiations to establish a unified opposition candidate. Kim Dae-jung, the chairman of the NPK, was designated as the presidential candidate, while Kim Jong-pil, the chairman of the Liberty Democratic Alliance, was slated for the position of a prime minister in the event of a victory. However, due to concerns that such a move might be perceived as political manipulation aimed at pre-selecting a prime minister before the election, the official position statement clarified that the Liberty Democratic Alliance would assume the role of a prime minister within the joint government.

Shortly after the inauguration of the 15th president, Kim Dae-jung nominated Kim Jong-pil, the honorary

president of the Liberty Democratic Alliance, as a prime minister and submitted a motion to the National Assembly, but opposition from the Grand National Party delayed the process. In terms of party seats at the time, the Grand National Party held 161 seats, the NPK 78 seats, and the Liberty Democratic Alliance 43 seats, making the coalition far short of the opposition. Despite forming a coalition, Kim Dae-jung's government was still a divided government and eventually won a majority government by defecting lawmakers by party-switching and forming a coalition with small parties. After overcoming the worst of the situation, the government aspired to administer the country efficiently. However, possessing just over 52.7% of the seats proved to be insufficient for their objectives. The Liberty Democratic Alliance's defection began when the reform of the parliamentary cabinet system, which was the goal of the coalition, was put on hold. Lee Han-dong was appointed prime minister, and the coalition was able to form a coalition with the second largest party, the Democratic People's Party, and gain enough independents to narrowly win a majority. However, the main opposition party, the Grand National Party of Korea, got one-third to avoid the constitutional amendment, so the reform of the parliamentary cabinet system was ultimately defeated and the coalition collapsed.

#### **4 Conclusion**

This study departs from the existing institution-centered research and examines the political role of a prime minister in the relationship between president and parliament. The problem posed by the three characteristics of prime ministerial system - appointment, authority, and status – demonstrated the possibility that a prime minister could serve as a bridge between the president and the parliament. The appointment issue created the problem of a provisional prime minister due to a conflict between the president and parliament. The problem of the acting presidency questioned whether a prime minister could function as an acceptable representative in the absence of the head of the government based on the dual legitimacy of the president and parliament. The constitutional status of PM brings some questions about the limits of the relationship between president and a prime minister within the executive branch. In this context, this study cross-analyzed a prime minister's experience as a member of parliament, the outcome of parliamentary appointment consent, and the reason for leaving office by the type of government and by their tenure and by cabinet seats to derive significant meanings.

First, in the context of the Republic of Korea, a prime minister does not need to be a member of parliament. Anyone can be appointed by the president with his absolute executive authority. This administrative arrangement has consequential implications, notably the augmentation of executive power vested in the presidency. Second, the creation of a provisional prime minister is based on the intention of the president. Third,

the reason for the longest tenure of the prime minister under minority governments can be considered as a president's strategy for coalition with a prime minister. On the other hand, the shorter tenure of the prime minister under the majority government can be understood as a victim of the president's ostentatious wielding of power.

A prime minister is inherently a result of a compromise. The office of a prime minister, which requires both a presidential appointment and parliamentary consent, embodies the problem of dual legitimacy, a central issue in presidential system. The terrain of a prime minister's relationship is created between them.

It is said that the reason why political compromise between the two parties has been so difficult in Korean political history is that since the birth of the republic, they have been in opposition to each other through bloody regime competition and war. The difficulty of compromise has been imprinted on the history of Korean prime ministerial system and become a marker. A reinterpretation of a prime minister is called for as a belated first step in realizing the politics of compromise in Korean politics.

## Endnote

<sup>1</sup> Eum, S.P. (2007). The Electoral Cycle of the Presidential and Legislative Elections: Timing of Separating Political Powers. *Korean Constitutional Law Association*, 13(1), 110.

<sup>2</sup> All tables were created by the author.

<sup>3</sup> Kim, J.Y. (2006). Constitutional Study on the Acting Prime Minister. *Sogang Law Review*, 8, 247.

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<sup>5</sup> Government Organization Act Art.22 (Vicarious Performance of Duties of Prime Minister)

<sup>6</sup> Constitution Of The Republic Of Korea, Art.86(2)

<sup>7</sup> Sung, N.I. (2013). The Government Organization Act and the Desirable Government Structure in the 21st Century. *Journal of Legislation Research*, 44, 245-246

<sup>8</sup> Constitution Of The Republic Of Korea, Art.71

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