

# South Korea: Verdict in president's impeachment trial expected this week

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South Korea's Constitutional Court is expected to deliver its verdict in the impeachment trial of President Yoon Suk-yeol this week, though a specific date has not been set. The outcome is unclear and it is entirely possible that Yoon, who was impeached and suspended from office for attempting to declare martial law in a failed coup on December 3, could return to power.

Protests and demonstrations demanding Yoon's immediate ouster took place last week, culminating in a mass rally of one million people in Seoul on Saturday. It was the largest demonstration since Yoon's impeachment on December 14 when two million rallied outside the National Assembly to demand the would-be dictator's removal from power.

On that date, the opposition bloc in parliament led by the Democratic Party (DP), which collectively holds 192 seats in the 300-seat body, voted to impeach Yoon. The ruling People Power Party (PPP), which owes its status to controlling the presidency, has done its best to stall the proceedings to ensure the impeachment is overturned.

A verdict in Yoon's trial was initially expected last week following the final court hearing on February 25. If the Constitutional Court removes Yoon from power, a presidential election is legally required to be held within 60 days. If the court sides with Yoon, he will resume the presidency and all its powers for the remainder of his term until May 2027.

If that happens, it is entirely possible that Yoon could declare martial law again, especially in the event that mass protests develop against his government. It is also possible that sections of the military, acting on their own, could declare martial law to put down any demonstrations as they planned to do in 2017 when President Park Geun-hye was impeached and removed from office for corruption.

Complicating the political crisis, Yoon also faces separate criminal charges for insurrection. He was arrested in January and subsequently indicted. He was detained until March 8 when the Seoul Central District Court ordered his release on the grounds that the prosecution failed to file its indictment against Yoon within the required timeframe.

In criminal proceedings, prosecutors must file an indictment within 10 days of a suspect's formal arrest in order to keep them detained during a trial. The court found that the prosecutors had filed their indictment of Yoon several hours after the deadline, making his detention invalid, though the trial will continue.

The prosecution argued that the indictment period should be calculated by days, not hours, but also did not appeal the court's decision. On March 10, the Democrats filed a complaint against Prosecutor General Sim U-jeong with the Corruption Investigation Office for High-ranking Officials, accusing him of siding with Yoon.

The PPP, however, claims that Yoon's release from detention is proof that the charges against the president lack merit across the board. A party official told Yonhap News, "Now that the court has decided to cancel President Yoon's arrest, the Constitutional Court should also look into whether there were any problems with the impeachment trial." The PPP hopes that the longer they can delay a verdict, the more they can whip up their base on the far-right, both in defense of Yoon and potentially in support of a future coup.

Far-right and fascistic elements in South Korea, which have no mass support, have held their own rallies waving South Korean and American flags while holding signs reading in English "Stop the steal," mimicking the slogan US President Trump used during his coup attempt that culminated in the January 6, 2021

attack on the US Capitol.

Many of the participants at Saturday's anti-Yoon rallies, which were controlled by the Democrats and their allies like the Korean Confederation of Trade Unions (KCTU), expressed frustration at Yoon's release from detention. Kim Sang-do told the *Hankyoreh* newspaper, "During this time, I had believed that things would just proceed well, but after the release of President Yoon, I had the uneasy feeling that something was going wrong, so I came out to my first rally."

If something has "gone wrong," it is because the Democrats' primary concern has been to suppress the growth of mass opposition, fearful that protesters would begin to put forward demands that went beyond the removal of Yoon. The DP, the KCTU, and various so-called "civic groups" have demobilized the protest movement and blocked workers' strikes by trying to convince the public that Yoon's removal from office was a done deal and that people had simply to place their faith in the courts.

This was on display on Saturday. "Some argue that if Yoon is lucky, he could be reinstated and act recklessly, but it would be futile," Kim Min-ung, a leader of the civic group, Candlelight Movement, said during the rally. "To anyone's eye, Yoon's ouster is obvious."

In reality, it is far from obvious how the Constitutional Court will rule. At present, the court consists of eight justices, at least six of whom must side against Yoon to remove him from office. Acting President Choi Sang-mok, who serves on Yoon's cabinet, has refused to appoint a ninth justice nominated by the DP before the trial began and continues to do so in order to improve the chances that Yoon's impeachment is overturned.

The Democrats do not protect democracy, but defend the capitalist system in the interest of the ruling class. The coming to office of Trump in the US and his imposition of tariffs has generated sharp tensions globally, including in South Korea, which is highly reliant economically on exports.

DP spokeswoman Hwang Jeong-a stated last week, "A perfect storm is raging in the economy from the tariff bomb from the US, contraction in domestic demand due to martial law, and even a recession. We must solve this political instability as soon as possible."

Furthermore, the Democrats suppress the working class through collaboration with the trade unions, particularly the KCTU, in contrast with Yoon and the PPP, which rely more and more openly on police, military and state repression.

The Democrats fear that Yoon's methods of rule and his return to power, coupled with increased economic instability, will lead to an upsurge in working-class anger and demands that the ruling class is unable and unwilling to meet.

The conclusion of the impeachment trial will not end the political crisis in South Korea. Instead, the bitter divisions in ruling circles will only deepen amid worsening economic conditions and rising geo-political tensions internationally.



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