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Executive Summary

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Implication of North Korea's New Constitution: A Declaration of Intent to Build a New North Korea Under Kim Jong Un's Monolithic Rule

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The major contents of the 19th revised constitution (hereafter the “New Constitution”), adopted by North Korea during the First Session of the 15th Supreme People’s Assembly last March, have recently been disclosed. In the preamble to the New Constitution, North Korea advocates popular sovereignty through the phrase “a socialist state centered on the masses of the people.” At the same time, however, it emphasizes an “absolute leadership system,” thereby underscoring the transcendent and absolute status of the *suryong*.

Although the Chairman of the State Affairs Commission does not concurrently serve as a deputy to the Supreme People’s Assembly—the DPRK’s “highest organ of state power”—the chairman nonetheless possesses the authority, during parliamentary recesses, to appoint or dismiss major state officials, including the president of the Presidium of the Supreme People’s Assembly and the premier of the Cabinet. In other words, rather than maintaining even the nominal appearance of a divided power structure between the Supreme People’s Assembly and the State Affairs Commission, the New Constitution signals the emergence of a system in which legislative, executive, and judicial powers are all concentrated in the Chairman of the State Affairs Commission.

At the same time, the New Constitution advocates building a garrison state by developing powerful military capabilities. This suggests not the continuation of “military-first politics” (*songun politics*), but rather the use of the military as an instrument of “leader-first politics,” centered on the supreme leader. Simultaneously, it may also imply the regime’s awareness of potential instability in its system

of social control. Furthermore, while the constitution legalizes the introduction of certain market-economic elements, it also suggests that regime-level control through nationalization and market intervention will, in fact, be strengthened even further.

Some observers have expressed hope that North Korea may adopt a more flexible approach toward inter-Korean relations, noting that the New Constitution does not explicitly define the two Koreas as in a “hostile two-state relationship.” However, the addition of a new territorial clause is more plausibly interpreted as a preparatory step for future inter-Korean boundary disputes. Moreover, provisions such as the newly added authority of the Chairman of the State Affairs Commission to command nuclear forces, as well as references to “territorial integrity” and to “support and assistance for national liberation and class liberation,” could at any time be used as logical justifications for hostile policies or provocations against South Korea.

Given these factors, any North Korea policy that places excessive expectations on improving inter-Korean relations or restoring dialogue at the present stage is likely to face inherent limitations. Accordingly, what is needed at this point is a balanced approach: one that pursues the peaceful resolution of inter-Korean issues while simultaneously emphasizing preparedness against North Korea; readiness for provocations intended to trigger boundary disputes; and coordination with the international community and like-minded states in order to increase the burden on North Korea of sustaining what may be described as the “normalization of abnormality.”

North Korea’s Constitutional Revision and the Concentration of Power in the *Suryong*

Since the enactment of its constitution in 1948, North Korea has continuously transformed its political system through a series of constitutional revisions. The North Korean constitution has functioned not merely as a legal document, but as a mechanism for institutionalizing the prevailing power structure and the outcomes of elite power struggles. While the early constitution reflected a Soviet-style political structure, Kim Il Sung strengthened his absolute authority from the 1960s onward by promoting the Juche ideology. Through the 1972 revision of the Socialist Constitution, he formalized a “leader-centered system” by establishing the presidency and concentrating in himself the roles of head of state, head of government, and supreme commander of the armed forces. During this process, the Central People’s Committee and the National Defense Commission were also reorganized into institutions subordinate to Kim Il Sung’s control, thereby institutionally consolidating a one-man ruling system.

Subsequent constitutional revisions were carried out in ways that institutionalized the transfer of power to Kim Jong Il. In the 1992 constitutional revision, the National Defense Commission was elevated into the “highest military leadership organ of state sovereignty,” and Kim Jong Il, as First Vice Chairman of the Commission, came to dominate the military and the core apparatus of state power. Following Kim Il Sung’s death, the 1998 constitutional revision designated Kim Il Sung as the “Eternal President,” abolished the presidency and the Central People’s Committee, and reorganized the National Defense Commission into the supreme power institution. Although diplomatic and administrative functions were formally dispersed among several institutions, substantive authority became concentrated in Kim Jong Il as Chairman of the National Defense Commission. The 2009 constitutional revision further strengthened this trend by explicitly defining the Chairman of the National Defense Commission as North Korea’s “supreme leader” and granting the office powers such as military command authority and the right to issue special pardons, thereby

emphasizing Kim Jong Il's personal authority more than the institutional role of the Commission itself.

This pattern continued during Kim Jong Un's era. The 2016 constitutional revision replaced the National Defense Commission with the State Affairs Commission and defined its chairman as the "supreme leader representing the state," thereby further reinforcing a Kim Jong Un-centered power structure. In particular, the 2019 constitutional revision, which ensured that the Chairman of the State Affairs Commission would no longer concurrently serve as a deputy to the Supreme People's Assembly, is widely interpreted not as a move toward power-sharing but rather as an effort to further elevate the supreme leader's transcendent status. Ultimately, the history of North Korea's constitutional revisions demonstrates that while the regime formally maintained the framework of a socialist state system, it evolved in practice toward concentrating legislative, executive, and military power in the hands of the *suryong*. The current New Constitution is likewise regarded as an extension of this "leader-centered one-man dictatorship system."

The Power Structure and Social Systems Reflected in North Korea's New Constitution

1. The Consolidation of Kim Jong Un's Sole Leadership System

The most significant feature of the new constitution is that it officially codifies a "leader-centered system." (영도체제) While previous constitutions primarily emphasized the achievements of Kim Il Sung and Kim Jong Il, the new constitution explicitly establishes the "sole leadership system of the *suryong*" as a fundamental principle of state governance, thereby emphasizing the absolute authority of the supreme leader. Although it outwardly promotes "people-first principles," the constitution in practice institutionalizes a system in which the supreme leader's ideas and intentions must be followed absolutely. Ultimately, the new constitution can be understood as constitutionalizing and legitimizing a one-man dictatorship centered on the sole leadership system of the current *suryong*, Kim Jong Un.

2. The Significant Expansion of the Chairman of the State Affairs Commission's Powers

The new constitution institutionalized Kim Jong Un's transcendent and absolute authority by significantly expanding the powers and status of the Chairman of the State Affairs Commission. The constitution places the chairman ahead of the Supreme People's Assembly within the state institutional structure and grants the office authority, even during parliamentary recesses, to appoint, dismiss, or suspend key state officials, thereby making clear that the chairman stands above the legislative, executive, and judicial branches. It also redefines the chairman not merely as the "supreme leader," but as the "head of state," thereby granting the office formal representative authority over the state. Most notably, the constitution explicitly grants the chairman exclusive command authority over nuclear forces and allows the delegation of nuclear-use authority when necessary. This is widely viewed as a constitutional extension of the 2022 Nuclear Forces Policy Law and the 2023 introduction of the "nuclear trigger" system, both of which were designed to enable automatic nuclear retaliation and follow-on nuclear responses in the event of an attack on the regime leadership.

3. The Era of Kim Jong Un's Philosophy

The new constitution emphasizes a new era centered on Kim Jong Un by largely removing references to the achievements and legacy of Kim Il Sung and Kim Jong Il, while retaining only the phrase “Kimilsungism-Kimjongilism.” This suggests that Kim Jong Un has now become the sole figure with the authority to interpret and define Juche ideology and Kimilsungism-Kimjongilism. At the same time, Kim Jong Un did not completely reject his predecessors, recognizing that the legitimacy of his rule is rooted in the “Baekdu bloodline.” In this sense, the new constitution is viewed as institutionalizing an independent governing system centered on Kim Jong Un, while preserving the symbolic legacy of Kim Il Sung and Kim Jong Il.

4. The Construction of a 21st-Century Garrison State

The new constitution emphasizes strengthening the Korean People's Army, arming the entire population, fortifying the entire country, and developing the defense industry, thereby signaling North Korea's intention to evolve into a 21st-century garrison state equipped with both nuclear and conventional military capabilities. This reflects the regime's determination to continue its parallel development policy of nuclear and conventional forces despite economic difficulties, while also ensuring that the military functions not as an independent political actor, but as an organized force fully controlled by Kim Jong Un personally. At the same time, the construction of a garrison state is closely linked to the strengthening of domestic control and repression. It can be understood as an effort to block the inflow of external information and prevent the spread of ideas perceived as threatening to the regime's stability, thereby further consolidating Kim Jong Un's one-man rule.

5. The Abolition of Symbolic Socialist Measures, including the Elimination of Taxes

The new constitution revised North Korea's economic and social provisions by reducing or removing traditional socialist welfare clauses while placing greater emphasis on regional development and support policies for future generations. Expressions associated with classic socialist policies—such as the abolition of taxes, guaranteed employment, and comprehensive free medical care—were deleted or modified to reflect changing realities within North Korean society, including the expansion of market-economic elements, the imposition of taxes and transaction fees, rising unemployment, and the shifting of healthcare costs onto residents. At the same time, the constitution introduced provisions that could expand the scope of state ownership, revealing a contradictory approach in which the regime partially acknowledges market mechanisms while simultaneously strengthening state control and the possibility of further nationalization.

North Korea's New Constitution and the Doctrine of the Relationship Between Two Belligerent States

1. Structural Hostility Toward South Korea

Although the “doctrine of the relationship between two belligerent states” was not explicitly included in the new constitution, hostility toward South Korea under Kim Jong Un's regime continues to exhibit a structural character. North Korea views South Korea's engagement policies as threats to regime survival and uses inter-Korean hostility as a tool for internal cohesion and the justification of

one-man rule. Moreover, while references to unification were removed from the constitution, concepts such as national liberation, class struggle, and territorial integrity were retained, and Kim Jong Un himself has stated that, in the event of war, South Korea should be occupied and incorporated into North Korea. As a result, the new constitution is widely viewed as supporting a logic of sustained hostility and strategic dominance over South Korea rather than peaceful coexistence between the two Koreas. At the same time, the regime's decision not to explicitly label inter-Korean relations as "hostile" in the constitution may reflect concerns over international image and the perception that such wording would appear excessively abnormal even by North Korean standards.

2. Territorial Provisions That Could Be Used as Grounds for Future Boundary Disputes

Article 2 of the new constitution defines North Korea's territory as including the land, territorial waters, and airspace bordering South Korea, but leaves room for interpretation by failing to specify precise boundaries. At the same time, however, it declares that no infringement upon its territory will ever be tolerated, suggesting that North Korea may aggressively assert whatever boundaries it unilaterally defines. In this context, North Korea appears to have established a logical basis for treating the two Koreas as "two separate states," potentially seeking to invalidate the Northern Limit Line (NLL) in the West Sea, declare its own maritime boundary, or raise territorial disputes around the Military Demarcation Line (MDL) and the Demilitarized Zone (DMZ). In particular, when combined with the constitution's emphasis on military strengthening, these territorial provisions carry the risk of being used to justify future provocations against South Korea under the pretext of boundary disputes.

3. The Continued Pursuit of Authoritarian/Totalitarian Solidarity

Although the new constitution outwardly emphasizes independence, peace, and amity while claiming to pursue international peace and prosperity, it is widely interpreted as reflecting North Korea's intention to sustain and strengthen authoritarian alignments centered on North Korea, China, Russia, and the broader CRINK framework. North Korea has consistently demonstrated its anti-U.S. and anti-Western orientation while showcasing expanding military and political cooperation with China and Russia, revealing a preference for aligning itself with emerging multipolar and bloc-based confrontations rather than pursuing integration into the international community or denuclearization. This trend suggests that North Korea is becoming increasingly dependent on authoritarian blocs amid its continued international isolation, and as a result, the new constitution may serve less as a foundation for reducing inter-Korean tensions than as a basis for deepening confrontation between the two Koreas.

South Korea's Response

While the reopening of inter-Korean dialogue channels and the restoration of reconciliation and cooperation remain valid as broad policy directions, North Korea's new constitution highlights the need to fundamentally reconsider several key questions: (1) Does South Korea possess forms of leverage or benefits that cannot be provided to North Korea by any actor other than South Korea itself, and does North Korea even recognize such value? Do North Korea and the United States genuinely view South Korea as a "pacemaker" in inter-Korean or U.S.-North Korea relations, and does Seoul actually possess sufficient leverage over both Washington and Pyongyang to play such a role simultaneously? (2) Is there a genuine consensus between South Korea and the United States

regarding policy instruments toward North Korea, or could such coordination instead be used by a Trump administration as justification for reducing U.S. burdens and commitments? (3) Could the continued expression of conciliatory and cooperative intentions toward North Korea, or the restraint of diplomatic and military measures that might provoke Pyongyang, instead create in North Korea the illusion that it holds the strategic upper hand over South Korea?

Considering North Korea's behavior in early 2026 and the implications of its new constitution, it is difficult to expect the early resumption of U.S.-North Korea negotiations or inter-Korean dialogue. At the same time, the United States, China, and Russia currently have limited incentives to actively persuade or pressure North Korea. Instead, Pyongyang is likely to employ cognitive warfare and low- to mid-level provocations under the framework of a "hostile two-state relationship" in order to exploit South Korea's sense of urgency and test the limits of Seoul's conciliatory policies. Accordingly, South Korea should continue expressing its willingness for dialogue and cooperation with North Korea while simultaneously restoring, developing, and actively utilizing pressure measures against Pyongyang. Seoul should also ensure the continuation of information inflow into North Korea through either governmental or private-sector channels, emphasize that South Korea's key contribution within the U.S.-ROK alliance lies in deterrence against North Korea, and respond appropriately to North Korean threats while demonstrating credible capabilities. In addition, South Korea should place tangible extended deterrence measures, including the potential redeployment of tactical nuclear weapons, on the consultation agenda and strengthen coordination with the international community and like-minded states to increase the political and diplomatic costs for North Korea of maintaining its current domestic and foreign policy trajectory.

About the Author

Dr. Cha Du Hyeogn is a North Korea Study expert who has shown various research performances on North Korean Politics and Military, U.S.-ROK Alliance, and National Crisis Management, etc. He is the Principal Fellow of Asan Institute for Policy Studies, holding an additional post as Visiting Professor of Graduate Institute of Peace Studies in Kyung Hee University. He also has served as Adjunct Professor of University of North Korean Studies (2017~2019), Senior Foreign Affairs Advisor to the Governor of GyeongGi Provincial Government (2015~2018), Visiting Scholar of Korea Institute for National Unification (2015-2017), the Executive Vice President of the Korea Foundation (2011~2014). Before these careers, he was also a Research Fellow at the Korea Institute for Defense Analyses (KIDA, 1989~2012) and the Acting Secretary for Crisis Information to the ROK President Lee Myung Bak (2008). He has worked more than 20 years in KIDA as various positions including Director of Defense Issues Task force (2005~2006), Director of Arms Control Researches (2007), Director of North Korea Studies (2009). Dr. Cha received his M.A. and Ph.D. degree of Political Science from Yonsei University. He has written more than 100 research papers and co-authored books on diverse fields of security and International relations. He has advised for various governmental organizations.

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