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# The Debate over North Korea

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Much as political scientists would like to believe otherwise, the strength of any new U.S. foreign policy doctrine historically stands not on its principles and logic, but on its material results. In this regard, there is no denying that U.S. military victories in Iraq and Afghanistan, the capture of Saddam Hussein, the start of nuclear talks with Iran, and the agreement by Libya's Muammar el-Qaddafi to submit to international nuclear inspections are impressive even to critics of the Bush administration. Although each of these developments is far from conclusive, they offer arguable evidence of the Bush doctrine's effectiveness. Yet, one member of the "axis of evil" remains recalcitrant—the Democratic Peoples' Republic of Korea (DPRK or North Korea). In social science terms, the DPRK remains a "hard test" of the Bush doctrine's effectiveness at rolling back nuclear capabilities in rogue regimes. Unlike the suspected or potential nuclear weapons programs of Iraq or Libya, North Korea's program is real, developing, and already most likely churning out nuclear weapons. North Korean officials reportedly are fond of telling their American interlocutors that the United States should stop trying to roll back North Korea's nuclear weapons programs and should start thinking about how to live with a nuclear North Korea.

Indeed, the DPRK has emerged in the past decade as the subject of the most divisive foreign policy issues for the United States and its allies in Asia. Interested parties have disagreed vehemently over the regime's intentions and goals and over the appropriate strategy that the United States should employ in dealing with this country.

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The debates over North Korea's bombshell admission in October 2002 of a second secret nuclear weapons program, over their withdrawal from the Nuclear Non-Proliferation Treaty (NPT), and over the ensuing crisis in 2003 are only the most proximate illustrations of the perennial division of views on the opaque regime. Many "hawks" or hardliners assert that Pyongyang's conduct not only amounted to a violation of a series of nonproliferation agreements (that is, the NPT, the 1994 U.S.–DPRK Agreed Framework, and the 1992 Korean Denuclearization Declaration) but also revealed the fundamentally unchanged and "evil" intentions of the Kim Jong Il regime. Hence, to hardliners, the only policy worth pursuing is isolation and containment, abandoning the "sunshine" policy of unconditional engagement made famous by former president Kim Dae Jung of the Republic of Korea (ROK, or South Korea).<sup>1</sup> Others argue, by contrast, that North Korea's need for such a secret program, albeit in violation of standing agreements, derives from basic insecurity and fears of U.S. preemption. In this vein, Vice Foreign Minister Kang Sok Ju's admission of the secret nuclear program, this view purports, was a "cry for help" to draw a reluctant Bush administration into direct talks.<sup>2</sup> The former denigrate the latter as weak-kneed appeasers. The latter dismiss the former as irresponsible hawkish ideologues.

The North Korean problem, moreover, has become intricately tied to partisan politics: rivalries between the executive branch and Congress, controversies over intelligence assessments, the viability of the nonproliferation regime, the efficacy of homeland defense, and differing assessments of the utility of deterrence versus preemption in U.S. security doctrine. That is a pretty impressive record of troublemaking for the small, closed, and arguably most backward country in the post–Cold War world!

Obviously, the crux of the concern over North Korea stems from the threats it poses to its neighbors with its conventional military forces, ballistic missiles, and weapons of mass destruction capabilities. North Korea boasts a 1.1 million-man army in forward positions bearing down on the border separating the two Koreas (the Demilitarized Zone or DMZ). It is infamously known as an aggressive exporter of ballistic missile technology to regimes such as Iran and Pakistan. Its drive for nuclear weapons in earnest dates back to the 1980s, and its interest in them to even before then. Many experts believe the DPRK holds one of the largest stockpiles of biological and chemical agents in the world. And at the same time that the regime militarily empowers itself, it starves its citizens at home. This combination of policies elicits a plethora of colorful epithets and

<sup>1</sup> Victor Gilinsky, "North Korea as the Ninth Nuclear Power?" Nautilus Institute Policy Forum Online, PFO 02-10A, accessed at [http://nautilus.org/fora/security/0210A\\_Victor.html](http://nautilus.org/fora/security/0210A_Victor.html), 22 October 2002; "Answering North Korea," *Washington Post*, 18 October 2002; and "North Korea and the End of the Agreed Framework," *Heritage Foundation Backgrounder* No. 1605, 18 October 2002.

<sup>2</sup> Jimmy Carter, "Engaging North Korea," *New York Times*, 27 October 2002; Leon Sigal, "A Bombshell that's Actually an Olive Branch," *Los Angeles Times*, 18 October 2002; and Jekuk Chang, "Pyongyang's New Strategy of 'Frank Admission,'" Nautilus Institute Policy Forum Online PFO02-11A, accessed at [http://nautilus.org/fora/security/0211A\\_Chang.html](http://nautilus.org/fora/security/0211A_Chang.html), 24 October 2002.

hyperbole concerning the regime and its leader, Kim Jong Il. A major U.S.-based news magazine covered the unexpected death of the first leader of North Korea, Kim Il Sung, in July 1994, with the cover story, “The Headless Beast.”<sup>3</sup> A *Washington Post* (29 December 2002) op-ed contribution referred to North Korean leader Kim Jong Il as a “radioactive lunatic.”<sup>4</sup> The cover story of *Newsweek* (13 January 2003) carried a picture of the North Korean leader, clad in chic black, with the caption “Dr. Evil.” Greta Van Susteren introduced a *Fox News* story on Kim Jong Il with the opening question, “Is he insane or simply diabolical?”<sup>5</sup>

Policy on North Korea has become a political football. In South Korea, the conservatives bash the liberal incumbent government over what they term an appeasement of North Korea. Kim Dae Jung’s sunshine policy has become so politicized that one can no longer distinguish between criticisms of the policy and character assassinations of the president. In the United States as well, engagement of North Korea and the “Agreed Framework” have become such a partisan issue that one cannot tell whether detractors object to the merits of the policy or the policy’s association with the Clinton administration. Congressmen Benjamin Gilman and Christopher Cox claimed a U.S. policy of engagement with North Korea was the equivalent of entering “a cycle of extortion with North Korea” and nothing more than a “one-sided love affair.”<sup>6</sup> While some saw engagement during the Clinton administration as one of the “unsung success stories” of American foreign policy,<sup>7</sup> it was elsewhere condemned as “the screwiest policy . . . ever seen.”<sup>8</sup> While some saw incentives as a responsible way to try to transform the regime, outspoken figures such as Senator John McCain accused the Clinton administration of being “intimidated” by a puny country and charged that the American president had become a “co-conspirator” with DPRK leader Kim Jong Il.<sup>9</sup> Some even argued, moreover, that the United States was encouraging North Korean aggression with a policy of appeasement that rewarded bad behavior and “encouraged all these crazy people over in North Korea to believe we are weaklings because we are giving them everything they want.”<sup>10</sup> Pat Buchanan criticized both the Clinton and Bush administrations for giving Kim Jong Il a “fruit basket” and “sweet reason,” rather than a “tomahawk missile.”<sup>11</sup>

<sup>3</sup> *Newsweek*, July 1994, cited in Bruce Cumings, “The Structural Basis of Anti-Americanism in the Republic of Korea,” (unpublished paper presented at Georgetown University, 30 January 2003): 26.

<sup>4</sup> Mary McGrory, “Bush’s Moonshine Policy,” op-ed, *Washington Post*, 29 December 2002.

<sup>5</sup> *Fox News*, 15 January 2003, 10:08 PM, cited in Cumings, “The Structural Basis of Anti-Americanism,” 25.

<sup>6</sup> Press release by Benjamin Gilman, 17 September 1999; and statement by Christopher Cox, Hearing of the House International Relations Committee, 13 October 1999.

<sup>7</sup> Lee Hamilton, “Our Stake in Asia’s Nuclear Future,” *Washington Times*, 13 May 1998.

<sup>8</sup> Statement by Dana Rohrbacher, Hearings of the House International Relations Committee, 24 March 1999.

<sup>9</sup> Statement by John McCain on the Senate floor, Congressional Record, 23 June 1994.

<sup>10</sup> Statement by Dana Rohrbacher, Hearings of the House International Relations Committee, 24 March 1999 and 13 October 1999.

<sup>11</sup> Patrick J. Buchanan, “The Great Equalizer,” *The American Conservative* (10 February 2003): 7.

### A DEBATE, NOT HYPERBOLE

These statements are a small sample of the degree to which discussion on North Korea has become emotionally charged and ideological. Rarely does good policy that serves American and allied interests emerge from such emotional and one-sided debates. Our purpose in this article is to step back from the histrionics and offer a reasoned, rational, and logical debate on the nature of the North Korean regime and the policy that should be followed by the United States, Japan, and South Korea. Each of us has our own orientation toward the problem, ranging from more pessimistic to optimistic assessment. Nevertheless, the debate is a genuine one, apolitical and scholarly in nature, but with real implications for the basic foundations of different schools of thought on North Korea policy.

David Kang believes that the threat posed by North Korea has been unduly inflated and that despite the forward deployments on the DMZ, Pyongyang has been rationally deterred from aggression for fifty-plus years and there is no reason to believe that they would change their minds today. He believes that if one looks at the North's economic and political behavior in a broader, historical context, rather than fixating only on military deployments, there is a story of slow, plodding reform to be told. As a result, he argues that engagement works with the North. It sends the right signals to the insecure regime that the United States, South Korea, and Japan are interested in trading the North's proliferation threat for a path of economic reform and integration. Kang argues that this has already been validated by the record of DPRK responses thus far. Kang finds the October 2002 nuclear revelations a disappointing setback in DPRK efforts at reform and openness, but nevertheless sees a consistency in Pyongyang's behavior as well as an opportunity for the United States to negotiate an end to the proliferation threat on the peninsula.

Victor Cha believes that the threat posed by North Korea still remains and that although Pyongyang has been rationally deterred from attempting a second invasion, there still exists a coercive bargaining rationale for violence. In his view, the North undertakes limited but serious crisis-inducing acts of violence with the hope of leveraging crises more to its advantage, an extremely risky but also extremely rational policy for a country that has nothing to lose and nothing to negotiate with. Moreover, Cha is skeptical as to how much Pyongyang's intentions have really changed. Cha sees the October 2002 nuclear revelations as strong evidence validating hawkish skepticism of North Korean intentions. In light of these activities, his support of engagement is highly conditional (that is, only if the North Koreans return to the status quo ante); otherwise, the United States and its allies would be forced to pursue some form of isolation and containment of the regime.

#### *The Makings of a Crisis*

On 3 October 2002, Assistant Secretary of State for East Asian and Pacific Affairs James Kelly, accompanied by a delegation of administration officials, set

off for two days of talks in Pyongyang with their North Korean counterparts.<sup>12</sup> The first of their kind in well over one-and-a-half years of nondialogue between the United States and the DPRK, the talks were preceded by protracted speculation about what policy the Bush administration would pursue with the regime. Following from the 2002 State of the Union Address in which President George W. Bush included North Korea in the “axis of evil” and later offered other choice negative personal opinions about Kim Jong Il (referring to Kim as a “pygmy” and to how he “loathed” him), many speculated a dark future for U.S.–DPRK relations.<sup>13</sup> Other pundits, however, cited various statements by administration officials and a June 2001 internal policy review that indicated that the administration would eventually pick up where the Clinton administration had left off, negotiating some form of engagement with the North Koreans.<sup>14</sup>

The meeting between Kelly and his counterpart, Vice Minister of Foreign Affairs Kim Kye Gwan, took place against a backdrop of recently thawed relations between North Korea and U.S. regional allies. Following a deadly naval provocation by the DPRK against ROK vessels in June 2002, North–South relations appeared to cycle back to a more positive path, with high-level meetings throughout the summer that resulted in ministerial talks, family reunions, resumption of infrastructural projects (road and railway corridors), and North Korean participation in the Asian Games in Pusan.<sup>15</sup> On 31 July, Secretary of State Colin Powell met briefly with DPRK Foreign Minister Paik Nam Sun on the sidelines of Asian multilateral meetings in Brunei. One week later, Charles Pritchard, the U.S. State Department’s chief representative to the Korean Peninsula Energy Development Organization (KEDO) went to Kumho, North Korea, for the first ceremonial pouring of concrete for construction of the light-water reactor. Contemporaneous with these events, the North announced a series of new economic reforms and projects, including a special economic zone on the Sino-Korean border and, most significantly, the lifting of price controls.<sup>16</sup>

<sup>12</sup> Unless otherwise cited, the following description of events is based on several not-for-attribution interviews with U.S. government officials and press reports.

<sup>13</sup> State of the Union Address, accessed at <http://www.whitehouse.gov/news/releases/2002/01/20020129-11.html>, 1 June 2001. For Bush’s March 2001 remarks, see “Remarks by President Bush and President Kim Dae-Jung of South Korea,” 7 March 2001, accessed at <http://www.whitehouse.gov/news/releases/2001/03/20010307-6.html>, 1 June 2001. Also see Bob Woodward, *Bush At War* (New York: Simon & Schuster, 2002), 339–340.

<sup>14</sup> For the June 2001 policy review, see “Statement by the President,” 13 June 2001, accessed at <http://www.whitehouse.gov/news/releases/2001/06/20010611-4.html> and <http://www.whitehouse.gov/news/releases/2001/03/20010307-6.html>, 3 July 2001. For Secretary of State Powell’s remarks about picking up the threads of the Clinton administration’s engagement policy, see “Press Availability with Her Excellency Anna Lindh, Minister of Foreign Affairs of Sweden,” 6 March 2001, accessed at <http://www.state.gov/secretary/rm/2001/1116.htm>, 3 July 2001.

<sup>15</sup> Aidan Foster-Carter, “No Turning Back?” *Comparative Connections* (July 2002), accessed at [http://www.csis.org/pacfor/cc/0203Qnk\\_sk.html](http://www.csis.org/pacfor/cc/0203Qnk_sk.html), 1 August 2002.

<sup>16</sup> Marcus Noland, “West-Bound Train Leaving the Station: Pyongyang on the Reform Track,” unpublished paper prepared for the Council on U.S.–Korea Security Studies, Seoul, Korea, 14–15 October 2002, accessed at <http://www.iie.com/papers/noland1002.htm>, 2 December 2002.

North Korean–Japanese relations also appeared to take a major step forward with the breakthrough meeting between Kim Jong Il and Japanese Premier Koizumi in Pyongyang in September 2002.<sup>17</sup> The summit produced a North Korean admission of and apology for the past abduction of Japanese nationals for the purpose of espionage training and held out hope for diplomatic normalization. This course of positive events led many to conjecture that the stage had finally been set for a U.S. re-engagement with North Korea.

On the contrary, Assistant Secretary Kelly’s mission produced North Korea’s bombshell assertion that it was secretly pursuing a second nuclear arms program through uranium enrichment technology. Kelly’s initial demarche acknowledged that the United States was interested in pursuing a new relationship with North Korea in the political, economic, and security arenas, but specified that before any such path could be taken, the North Koreans needed to come clean on their past and future proliferation activities. Kelly then informed the North Koreans that the United States was aware of the North’s pursuit of a secret nuclear weapons program. This program was undertaken using a different method of production—highly enriched uranium (HEU) technology—and on a scale comparable to that of the plutonium-based bomb program that had been frozen in 1994.<sup>18</sup> Suspicions of such a program’s existence dated back to 1997 or even earlier, but intelligence was spotty. Confirming evidence took the form of intelligence tracing of North Korean purchases of high-strength aluminum (a critical secondary material associated with an HEU program) and Pakistani sales of centrifuge technology to the North Koreans in exchange for DPRK missiles.<sup>19</sup>

The North Koreans initially denied this accusation, claiming that it was an American fabrication, and continued on with regularly scheduled meetings (a total of four over the two days). Kim reported Kelly’s statements to his superiors during the first break, and this set off all-night consultations within the North Korean leadership (presumably including Kim Jong Il). The three-hour meeting on 3 October was followed by a dinner that evening and a two-and-a-half-hour meeting with Kim Kye Gwan the next morning. The North Koreans did not respond to Kelly’s initial demarche at either of these meetings. A short ceremonial meeting (of about thirty-five minutes) with Supreme People’s Assembly Chairman Kim Yong Nam at 3:00 PM on 4 October followed, again with no apparent North Korean response. It was at the fourth scheduled meeting of the trip, between 4:15 and 5:10 PM on 4 October, that the North Koreans re-

<sup>17</sup> Victor Cha, “Mr. Koizumi Goes to Pyongyang,” *Comparative Connections* (October 2002), accessed at [http://www.csis.org/pacfor/cc/0203Qjapan\\_skorea.html](http://www.csis.org/pacfor/cc/0203Qjapan_skorea.html), 3 November 2002.

<sup>18</sup> Comments by Assistant Secretary of State James Kelly at “Defining the Future of US–Korean Relations,” roundtable hosted by the *Washington Post*, 6 February 2003, 3–5:30 PM.

<sup>19</sup> “US Followed the Aluminum,” *Washington Post*, 18 October 2002; and Seymour Hersh, “The Cold Test: What the Administration Knew about Pakistan and the North Korean Nuclear Program,” *The New Yorker*, 27 January 2002, accessed at [http://www.newyorker.com/fact/content/?030127fa\\_fact.](http://www.newyorker.com/fact/content/?030127fa_fact.), 28 February 2002.

turned with higher-level representation, Vice Foreign Minister Kang Sok Ju. In an extensive and scripted fashion that left little time for an exchange of views, Kang said that he spoke on behalf of the Party and the government of the DPRK in asserting that North Korea was justified in pursuing such capabilities and that it considered the Agreed Framework to be nullified. Kang blamed Bush for including North Korea in the “axis of evil” and declared that the DPRK had even “stronger weapons” to wield against the United States if threatened. (Kelly noted that the program in question had indeed begun before the “axis of evil” statement.)

A news blackout of sorts ensued as administration officials revealed very little of the deliberations over the following ten days (press conferences in Seoul and Tokyo during Kelly’s return from Pyongyang were either shortened to official statements without time for questions or canceled; Bush did not mention North Korea publicly for five days after Kelly’s return), raising speculation ranging from the very optimistic (a “grand bargain”) to the pessimistic.<sup>20</sup> The news became public on 16 October 2002 when the administration, in order to preempt press leaks, released a statement.<sup>21</sup>

The United States demanded that North Korea return to the existing non-proliferation agreements before any further talks could take place and, in conjunction with the European Union, Japanese, and South Korean representatives of the KEDO board, suspended further shipments of heavy fuel oil to North Korea under the original terms of the 1994 Agreed Framework. By December 2002, the makings of a crisis (despite Bush administration assertions to the contrary) were evident as U.S. officials intercepted and boarded for inspection a North Korean ship in the Arabian Sea (carrying missiles to Yemen).

The North Koreans responded to these events in late December 2002 with a series of steps at the Yongbyon nuclear facilities that had been frozen under the 1994 agreement. Over a period of little more than one week, they removed the seals at all frozen facilities (the experimental reactor, the storage building, and the reprocessing laboratory), dismantled International Atomic Energy Agency (IAEA) monitoring cameras, and expelled the three IAEA international inspectors. In defiance of IAEA resolutions demanding that the North Koreans come back into compliance, Pyongyang announced on 10 January 2003 their withdrawal from the NPT. Evidence of subsequent North Korean

<sup>20</sup> Ralph Cossa, “Trials, Tribulations, Threats and Tirades,” *Comparative Connections* (January 2003), accessed at [http://www.csis.org/pacfor/cc/0204Qus\\_skorea.html](http://www.csis.org/pacfor/cc/0204Qus_skorea.html), 28 February 2002.

<sup>21</sup> Inquiries by Chris Nelson of the *Nelson Report* and Barbara Slavin of *USA Today* prompted the administration to go public with the news. Some argue that the Bush administration deliberately withheld information about the program until after Congress authorized the use of military force against Iraq. Others argued that intelligence reports on the HEU program were delivered to the White House as early as November 2001, but that the September 11th attacks and war against terrorism took all high-level focus away from the assessment. See Walter Pincus, “N. Korea’s Nuclear Plans Were No Secret,” *Washington Post*, 1 February 2003; and Ryan Lizza, “Nuclear Test,” *The New Republic*, 4 November 2002, 10–11.

actions, including tampering with stored fuel rods (a source of weapons-grade plutonium), restarting the experimental reactor, resuming missile tests, and probable plutonium reprocessing, suggested deliberate and purposeful moves in the direction of producing nuclear weapons.<sup>22</sup>

After seven months of nondialogue, trilateral talks involving the United States, the DPRK, and China took place in Beijing in April 2003, but these meetings only served to heighten the crisis. On the eve of the talks, North Korea released statements about its intention to follow through on reprocessing if the United States did not yield in the upcoming meetings. Then, on the first day of three days of scheduled talks, the North stated its interest in pressing forward with a resolution to the nuclear crisis if the United States was so inclined. However, in virtually the same breath, the DPRK delegate, Ri Gun, pulled Assistant Secretary James Kelly aside at dinner on the first evening of talks (in an apparent attempt to have a “bilateral” discussion with the United States). Ri allegedly told Kelly that the North possessed nuclear weapons, that it had no intention of dismantling them, and that it would consider testing them or exporting them, depending on what the United States proposed in terms of tension-reducing measures. The North then did not show up for the remainder of the trilateral talks, except for a brief formal gathering to end the meetings. Another set of talks, this time involving six countries (the United States, Japan, South Korea, China, Russia, and North Korea), took place again in Beijing in August 2003. The United States refused to engage in bilateral negotiations with the North Koreans, preferring to include all countries in the talks. The North declared that they possessed nuclear weapons and threatened to test these weapons if the United States did not offer security assurances. A third set of six-party talks tentatively scheduled for December 2003 was postponed, with no visible sign of progress toward a resolution of the problem at the start of 2004.

### *Our (Differing) Assessments of the Crisis*

Debates raged inside the U.S. government and among outside experts as to how to respond to the 2003 nuclear revelations. Yet again, the public policy debates became quickly shaped by needlessly inflammatory invectives levied against all parties concerned. Mary McGrory’s column in the *Washington Post* (9 February 2003) named Kim “the little madman with the passion for plutonium.”<sup>23</sup> Others blasted the Bush administration’s North Korea policy as the source of the crisis, labeling it “amateur hour,” and an example of what happens when “[i]t talks before it thinks.”<sup>24</sup> Still others resorted to blaming the Clinton administration as the root cause of the crisis, referring to President Clinton’s negotiation of the 1994 Agreed Framework as a “queer amalgamation of Clement

<sup>22</sup> Walter Pincus, “Hints of North Korean Plutonium Output,” *Washington Post*, 31 January 2003; and Doug Struck, “Reactor Restarted, North Korea Says,” *Washington Post*, 6 February 2003.

<sup>23</sup> Mary McGrory, “Fuzzy-Headed on North Korea,” op-ed, *Washington Post*, 9 February 2003.

<sup>24</sup> Richard Cohen, “Amateur Hour at the White House,” *Washington Post*, 16 January 2003.

Atlee and Alfred E. Neuman.”<sup>25</sup> As in the past, what was at issue substantively vis-a-vis North Korea got lost in partisan politics, bureaucratic rivalries, sensationalist arguments, and a hint of racism.<sup>26</sup>

### DAVID KANG: GETTING BACK TO “START”

In David Kang’s view, the nuclear revelations of October 2002 and the ensuing crisis intensified an already acute dilemma for both the United States and North Korea. For the United States, the focus on Iraq was now potentially diverted by an unwanted crisis over an “axis of evil” country in Northeast Asia. For North Korea, the slowly intensifying economic and diplomatic moves of the past few years were also potentially thwarted. For both sides, their worst suspicions were confirmed in the worst of ways. North Korea concluded that the United States had never had any intention of normalizing ties or concluding a peace treaty. The United States concluded that North Korea had never had any intention of abandoning its nuclear weapons program.

The North Korean regime is a brutal and morally reprehensible regime. It has enriched itself while allowing hundreds of thousands of its own citizens to die of starvation. That this regime is odious is not in question. Rather, the issue is: what tactics will best ameliorate the problems on the peninsula?

Many Western policy makers and analysts viewed the nuclear revelations with alarm and surprise. However, much of the Western hand-wringing has elements of Kabuki theater to it, and the accusations ring hollow. “Outrage and shock! at North Korean nuclear programs” is not so convincing in view of the fact that the Bush administration has been openly derisive of Kim Jong Il, has been contemptuous of the Agreed Framework, and has known about North Korea’s nuclear program since June 2001.<sup>27</sup> An American intelligence official who attended White House meetings in 2002 said that “Bush and Cheney want this guy’s head on a platter. Don’t be distracted by all this talk about negotiations. . . . They have a plan, and they are going to get this guy after Iraq.”<sup>28</sup> A North Korea that feels threatened and perceives the U.S. administration to be actively attempting to increase pressure on it is unlikely to trust the United States.

Does North Korea have legitimate security concerns? If not, then their nuclear program is designed for blackmail or leverage. If the North does have legitimate security concerns, then it is not that surprising that such a program

<sup>25</sup> Ben Johnson, “Appeasing North Korea: the Clinton Legacy,” *FrontPageMagazine.com*, 3 January 2003, accessed at <http://www.frontpagemag.com/Articles/Printable.asp?ID'5368>. Also see Frank J. Gaffney, “North Korean Revisionism,” *National Review Online*, 10 January 2003, accessed at <http://www.nationalreview.com/gaffney/gaffney011003.asp>.

<sup>26</sup> On the last point, see Cumings, “The Structural Basis of Anti-Americanism,” 3, 4.

<sup>27</sup> Walter Pincus, “North Korea’s Nuclear Plans Were No Secret: U.S. Stayed Quiet as It Built Support on Iraq,” *Washington Post*, 1 February 2003.

<sup>28</sup> Hersh, “The Cold Test,” 47.

exists, given the open hostility toward the regime that the Bush administration has evidenced. However, despite the furor over the revelation, not much has changed on the peninsula. Deterrence is still robust. North Korea's basic strategy remains the same: simultaneously deter the United States and also find a way to fix the economy. The United States, for its part, faces the same choices it did a decade ago: negotiate, or hope that the North collapses without doing too much damage to the region.

Without movement toward resolving the security fears of the North, progress in resolving the nuclear weapons issue will be limited. It is unsurprising that the 1994 Agreed Framework fell apart, because it was a process by which both sides set out to slowly build a sense of trust and both sides began hedging their bets very early on in that process. Because neither the United States nor North Korea fulfilled many of the agreed-upon steps, even during the Clinton administration, the Framework was essentially dead long before the nuclear revelation of October 2002. Neither side acts in a vacuum; the United States and North Korea each react to the other's positions, and this interaction has led to a spiral of mistrust and misunderstanding. Threats and rhetoric from each side impact the other's perceptions and actions, and this interaction can be either a mutually reinforcing positive or a negative spiral.<sup>29</sup>

The accepted wisdom in the United States is that North Korea abrogated the Framework by restarting its nuclear weapons program. The reality is more complicated, however. Both the Clinton and Bush administrations violated the letter and the spirit of the agreement. Admitting that the United States is hostile toward North Korea does not make one an apologist—the United States *is* hostile, and it is unconvincing to pretend that we are not. The Bush administration made clear from the beginning that it had serious doubts about the Agreed Framework and engagement with the North. This began with the inception of the Bush administration—South Korean President Kim Dae Jung's visit to Washington DC in March 2001 was widely viewed as a rebuke to his sunshine policy that engaged the North, with Bush voicing “skepticism” in regard to the policy.<sup>30</sup> By the time of President Bush's now famous “axis of evil” speech, it had long been clear that the Bush administration did not trust the North. For the Framework to have had any hope of being even modestly successful, each side needed to have worked more genuinely toward building confidence in the other.

### *The 1994 Agreed Framework*

The Agreed Framework of 1994 was not a formal treaty; rather, it was a set of guidelines designed to help two countries that were deeply mistrustful of each

<sup>29</sup> The most well known of these situations is the “security dilemma,” where one side's attempts to make itself safer provoke fears in the other side. The other side thus adjusts to counter, and both sides end up worse off. See Robert Jervis, “Cooperation under the Security Dilemma,” *World Politics* Vol. 30, No. 2 (1978): 105.

<sup>30</sup> See, for example, Rose Brady, “The Road to Détente gets Steeper,” *Businessweek*, 9 April 2001.

TABLE 1  
*Key Conditions of the Agreed Framework*

<i>Agreed Framework Condition</i>	<i>Implementation and Discussion</i>
The United States agrees to provide two light-water reactor (LWR) power plants by the year 2003 (article 1.2).	Four years behind schedule. There has been no delay in South Korean or Japanese provision of funds. The delay has been U.S. implementation and construction.
The United States agrees to provide formal assurances to the DPRK against the threat or use of nuclear weapons by the United States (article 2.3.1).	No. The United States maintains that military force is an option on the peninsula. The United States continues to target North Korea with nuclear weapons via the "Nuclear Posture Review."
The DPRK agrees to freeze its nuclear reactors and to dismantle them when the LWR project is completed (article 1.3).	Until December 2002.
The DPRK agrees to allow the International Atomic Energy Agency to monitor the freeze with full cooperation (article 1.3).	Until December 2002.
The United States and the DPRK agree to work toward full normalization of political and economic relations, reducing barriers of trade and investment, etc. (article 2.1).	Limited lowering of U.S. restrictions on trade, no other progress toward normalization or peace treaty. The United States continues to list North Korea as a terrorist state.
The United States and the DPRK will each open a liaison office in the each other's capital, aiming at upgrading bilateral relations to the ambassadorial level (articles 2.2, 2.3).	No.

*Source:* Compiled from KEDO, "Agreed Framework Between the United States of America and the Democratic People's Republic of Korea," Geneva, Switzerland, 21 October 1994.

other find a way to cooperate. But both sides began backing out of the Agreed Framework well before the autumn of 2002. From its inception, the Bush administration made very clear how much it disdained the Framework, and the North had begun its nuclear program as far back as 1998. The core of the Framework was a series of steps that both sides would take that would ultimately lead to North Korea proving it had no nuclear weapons or nuclear weapons program and to the United States normalizing ties with the North and providing it with light-water nuclear reactors that could make energy but not weapons. Table 1 shows the key elements of the Framework.

Neither side fulfilled its obligations under the Framework.<sup>31</sup> The key elements on the U.S. side were a formal statement of nonaggression (article 2.3.1), provision of the light-water reactor (article 1.2), and progress toward normalization of ties (article 2.1). The reactor is now four years behind schedule.<sup>32</sup> The United States also has not opened a liaison office in Pyongyang and has

<sup>31</sup> For further discussion, see Moon J. Pak, "The Nuclear Security Crisis in the Korean Peninsula: Revisit the 1994 Agreed Framework," 28 December 2002, accessed at <http://www.vuw.ac.nz/~caplabtb/dprk/Paknuclearcrisis.doc>.

<sup>32</sup> See Jay Solomon, Alix Freedman, and Gordon Fairclough, "Troubled Power Project Plays Role in North Korea Showdown," *Wall Street Journal*, 30 January 2002.

not provided formal written assurances against the use of nuclear weapons. The U.S. “Nuclear Posture Review” still targets North Korea with nuclear weapons. The North did freeze its reactors and allow IAEA monitoring, but in December 2002, it backed out of the agreement and expelled inspectors from North Korea.

It is possible to argue that the uranium enrichment plant is a more serious breach of the Framework than not providing a formal nonaggression pact or not providing a reactor. But this argument will be compelling only to domestic constituencies. Given U.S. reluctance to fulfill its side of the Framework, it was unlikely that the North would continue to honor its side of the agreement in the hope that at some point the Bush administration would begin to fulfill its side. The implicit U.S. policy has demanded that the North abandon its military programs, and only after it does so would the U.S. decide whether to be benevolent. As Wade Huntley and Timothy Savage write:

The implicit signal sent to Pyongyang was that the Agreed Framework . . . was at its heart an effort to script the abdication of the DPRK regime. Immediate reticence by the United States to implement certain specific steps toward normalization called for in the agreement, such as lifting economic sanctions, reinforced this perception. . . . [S]uch an underlying attitude could never be the basis for real improvement in relations.<sup>33</sup>

The United States and North Korea are still technically at war—the 1953 armistice was never replaced with a peace treaty. The United States has been unwilling to discuss even a nonaggression pact, much less a peace treaty or normalization of ties. While the United States calls North Korea a terrorist nation and Donald Rumsfeld discusses the possibility of war, it is not surprising that North Korea feels threatened. For the past two years, U.S. policy toward the North has been consistently derisive and confrontational. Table 2 shows a selection of statements by U.S. and North Korean officials.

The Bush administration began adding new conditions to the Agreed Framework early on in its tenure. On 6 June 2001, the White House included reduction of conventional forces in the requirements it wanted North Korea to fulfill, saying that “The U.S. seeks improved implementation [of the Agreed Framework], prompt inspections of past reprocessing . . . [and] a less threatening conventional military posture.” On 11 June 2001, North Korea replied that “Washington should implement the provisions of the D.P.R.K.–U.S. Agreed Framework and the D.P.R.K.–U.S. Joint Communique as agreed upon.” The Bush administration continued its stance. On 3 July 2001, a senior administration official said that “We need to see some progress in all areas . . . we don’t feel any urgency to provide goodies to them.”<sup>34</sup>

<sup>33</sup> Wade Huntley and Timothy Savage, “The Agreed Framework at the Crossroads,” *Policy Forum Online* #99-05A, Natuulus Research Institute, 11 March 1999.

<sup>34</sup> All three citations are from Michael Gordon, “U.S. Toughens Terms for North Korea Talks,” *New York Times*, 3 July 2001.

In 2002, Secretary of State Powell added a reduction in the North's missile program to the list of conditions necessary for progress on the Framework. Missiles had originally been excluded from the Agreed Framework, and the Clinton administration had begun working out a separate agreement with the North about them. On 10 June 2002, Colin Powell said that "First, the North must get out of the proliferation business and eliminate long-range missiles that threaten other countries. . . . [T]he North needs to move toward a less threatening conventional military posture . . . and [toward] living up to its past pledges to implement basic confidence-building measures."<sup>35</sup>

The North consistently maintained that it wanted the United States to lower the pressure. On 20 October 2002, Kim Yong Nam, Chair of the Supreme People's Assembly, said that "If the United States is willing to drop its hostile policy towards us, we are prepared to deal with various security concerns through dialogue."<sup>36</sup> On 3 November 2002, Han Song Ryol, DPRK Ambassador to the UN, reiterated that "Everything will be negotiable, including inspections of the enrichment program. . . . [O]ur government will resolve all U.S. security concerns through the talks if your government has a will to end its hostile policy."<sup>37</sup> As the crisis intensified, Colin Powell refused to consider dialogue with the North, remarking that "We cannot suddenly say 'Gee, we're so scared. Let's have a negotiation because we want to appease your misbehavior.' This kind of action cannot be rewarded."<sup>38</sup>

As one North Korean diplomat noted: "The Agreed Framework made American generals confident that the DPRK had become defenseless; the only way to correct this misperception is to develop a credible deterrent against the United States."<sup>39</sup> As of winter 2003, the situation was one of standoff. North Korean statements made clear their fear that the Bush administration would focus on pressuring North Korea once the situation in Iraq was stabilized. The 28 January 2003 statement of the Korean Anti-Nuke Peace Committee in Pyongyang concluded by saying that

If the U.S. legally commits itself to non-aggression including the non-use of nuclear weapons against the DPRK through the non-aggression pact, the DPRK will be able to rid the U.S. of its security concerns. . . . Although the DPRK has left the NPT, its nuclear activity at present is limited to the peaceful purpose of power generation. . . . If the U.S. gives up its hostile policy toward the DPRK and refrains from posing a nuclear threat to it, it may prove that it does not manufacture nuclear weapons through a special verification between the DPRK and the U.S. . . . It is

<sup>35</sup> Colin Powell, remarks at the Asia Society annual dinner, 10 June 2002, quoted in Leon Sigal, "North Korea is No Iraq: Pyongyang's Negotiating Strategy," Nautilus Institute Special Report, accessed at [http://nautilus.org/for\\_a/security/0227A\\_Siga.html](http://nautilus.org/for_a/security/0227A_Siga.html), 23 December 2002.

<sup>36</sup> Sigal, "North Korea is No Iraq."

<sup>37</sup> Philip Shenon, "North Korea Says Nuclear Program Can be Negotiated," *New York Times*, 3 November 2002.

<sup>38</sup> Jonathan Salant, "Secretary of State Powell says U.S. is willing to talk with North Korea," *Associated Press*, 29 December 2002.

<sup>39</sup> *DPRK Report* No. 19, Nautilus Institute, July–August 1999.

TABLE 2  
*Selected U.S.–North Korean Rhetoric over the Agreed Framework*

<i>Date</i>	<i>U.S. Statements</i>	<i>DPRK Statements</i>
9 October 2000	“Neither government will have hostile intent towards the other.” (Joint Communiqué)	
6 June 2001	“The U.S. seeks improved implementation [of the Agreed Framework], prompt inspections of past reprocessing . . . [and] a less threatening conventional military posture.” (White House press release)	
11 June 2001		“Washington should implement the provisions of the D.P.R.K.–U.S. Agreed Framework and the D.P.R.K.–U.S. Joint Communiqué as agreed upon.” (DPRK Foreign Ministry spokesman)
3 July 2001	“We need to see some progress in all areas . . . we don’t feel any urgency to provide goodies to them . . .” (senior administration official, on the broadened demands to North Korea)	
29 January 2002	“States like these . . . constitute an axis of evil, arming to threaten the peace of the world.” (George W. Bush, State of the Union speech)	
2 February 2002		“His [Bush’s] remarks clearly show that the U.S.-proposed ‘resumption of dialogue’ with the DPRK is intended not for the improvement of the bilateral relations but for the realization of the U.S. aggressive military strategy. It is the steadfast stand and transparent will of the DPRK to counter force with force and confrontation with confrontation.” (Korean Central News Agency)
1 June 2002	“We must take the battle to the enemy . . . and confront the worst threats before they emerge.” (George W. Bush)	
10 June 2002	“First, the North must get out of the proliferation business and eliminate long-range missiles that threaten other countries. . . . [T]he North needs to move toward a less threatening conventional military posture . . . and liv[e] up to its past pledges to implement basic confidence-building measures.” (Secretary of State Colin Powell)	
29 August 2002	North Korea is “in stark violation of the Biological weapons convention. . . . [M]any doubt that North Korea ever intends to comply fully with its NPT obligations.” (Undersecretary of State John Bolton)	
31 August 2002		“The D.P.R.K. clarified more than once that if the U.S. has a willingness to drop its hostile policy toward the D.P.R.K., it will have dialogue with the U.S. to clear the U.S. of its worries over its security.” (North Korean Foreign Ministry spokesman)
20 October 2002		“If the United States is willing to drop its hostile policy towards us, we are prepared to deal with various security concerns through dialogue.” (Kim Young Nam, Chair of the Supreme People’s Assembly)

*(Continued)*

TABLE 2

*Continued*

<i>Date</i>	<i>U.S. Statements</i>	<i>DPRK Statements</i>
5 November 2002		"Everything will be negotiable, including inspections of the enrichment program. . . . [O]ur government will resolve all U.S. security concerns through the talks if your government has a will to end its hostile policy." (Han Song Ryol, DPRK ambassador to the UN)
29 December 2002	"We cannot suddenly say 'Gee, we're so scared. Let's have a negotiation because we want to appease your misbehavior.' This kind of action cannot be rewarded." (Secretary of State Colin Powell)	
5 January 2003	"We have no intention of sitting down and bargaining again." (State Department Spokesman Richard Boucher)	
9 January 2003	"We think that they [Russia] could be putting the screws to the North Koreans a little more firmly and at least beginning to raise the specter of economic sanctions." (senior U.S. official)	"[W]e have no intention to produce nuclear weapons. . . . After the appearance of the Bush Administration, the United States listed the DPRK as part of an 'axis of evil,' adopting it as a national policy to oppose its system, and singled it out as a target of pre-emptive nuclear attack. . . . [I]t also answered the DPRK's sincere proposal for conclusion of the DPRK-US non-aggression treaty with such threats as 'blockade' and 'military punishment' . . . ." (DPRK official announcement of withdrawal from the NPT)
23 January 2003	"First is regime change. It need not necessarily be military, but it could lead to that." (senior U.S. official)	

*Sources:* Jay Solomon, Peter Wonacott, and Chris Cooper, "North Asian Leaders Criticize Bush on North Korea," *Wall Street Journal*, 6 January 2003; Jay Solomon, Peter Wonacott, and Chris Cooper, "South Korea is Optimistic About End to Nuclear Crisis," *Wall Street Journal*, 4 January 2003; Michael Gordon, "Powell Says U.S. is Willing to Talk with North Korea," *New York Times*, 29 December 2002; "N. Korea pulls out of nuclear pact," MSNBC News Services, 10 January 2003; Leon Sigal, "North Korea is No Iraq: Pyongyang's Negotiating Strategy," Special Report, Nautilus Organization, 23 December 2002; Susan V. Lawrence, Murray Hiebert, Jay Solomon, and Kim Jung Min, "Time to Talk," *Far Eastern Economic Review*, 23 January 2003: 12–16.

the consistent stand of the DPRK government to settle the nuclear issue on the Korean peninsula peacefully through fair negotiations for removing the concerns of both sides on an equal footing between the DPRK and the U.S.<sup>40</sup>

### *Causes and Consequences of the October Revelation*

Thus, the Agreed Framework of 1994 is dead. Both North Korea and the United States are now in essentially the same position they were in in 1994—threatening war, moving toward confrontation. Given the levels of mistrust on both sides, this comes as no surprise. If North Korea feels threatened, threaten-

<sup>40</sup> Ri Kang Jin, "Statement of the Korean Anti-Nuke Peace Committee," 28 January 2003, accessed at [www.kcna.co.jp/item/2003/200305/news05/13.htm](http://www.kcna.co.jp/item/2003/200305/news05/13.htm), 12 June 2003.

ing them is unlikely to make them feel less threatened. Gregory Clark pointed out that “Washington’s excuse for ignoring the nonaggression treaty proposal has to be the ultimate in irrationality. It said it would not negotiate under duress. So duress consists of being asked to be nonaggressive?”<sup>41</sup>

An intense security dilemma on the Korean peninsula is exacerbated by an almost complete lack of direct interaction between the two sides. Levels of mistrust are so high that both sides hedge their bets. The United States refused to provide formal written assurances of nonaggression to the North. The North thus retains its military and nuclear forces in order to deter the United States from acting too precipitously.

The consequences are fairly clear: the United States can continue a policy of pressure in the hope that the North will buckle and give in to U.S. pressure or collapse from internal weakness, or it can negotiate a bargain of normalization for nuclear weapons. Without resolving North Korea’s security fears, the opportunity for any quick resolution of the confrontation on the peninsula will be limited. This is disappointing because North Korea, unlike Iraq, is actively seeking accommodation with the international community. Even while the Bush administration was increasing its pressure on the North, the North continued its voluntary moratorium on missile testing until 2003. The North’s tentative moves toward economic openness have also been stymied for the time being. In July 2002, North Korea introduced a free-market system, allowing prices to determine supply and demand for goods and services. In September 2002, it announced a special economic zone in Shinuiju. In the last six months of 2002, work was begun to clear a section of the demilitarized zone to allow the reconnection of the railway between North and South Korea. To cap all of these developments, Kim Jong Il finally admitted in September 2002, after three decades of denials, that the North kidnapped Japanese citizens in the 1970s.

If North Korea really wanted to develop nuclear weapons, it would have done so long ago. Even today, North Korea has still not tested a nuclear device, tested an intercontinental ballistic missile, or deployed a nuclear missile force.<sup>42</sup> Even if North Korea develops and deploys nuclear weapons, it will not use them, because the U.S. deterrent is clear and overwhelming. The North wants a guarantee of security from the United States, and a policy of isolating it will not work. Isolation is better than pressure because pressure would only make it even more insecure. But even isolation is at best a holding measure. And the imposition of economic sanctions or economic engagement is equally unlikely to get North Korea to abandon its weapons program.

Above all, the North Korean regime wants better ties with the United States. The policy that follows from this is clear: the United States should begin negotiating a nonaggression pact with the North. It should let other countries, such as South Korea and Japan, pursue economic diplomacy if they wish. If the

<sup>41</sup> Gregory Clark, “Pyongyang is the Real Victim,” *Japan Times*, 10 January 2003.

<sup>42</sup> Indeed, as of this writing, North Korea has still maintained the voluntary moratorium on ICBM missile testing that it began in 1999.

North allows UN nuclear inspectors back and dismantles its reactors, the United States could then move forward to actual engagement. But to dismiss the country's security fears is to miss the cause of its actions.

The Bush administration's reluctance to consider dialogue with the North is counterproductive. Even at the height of the Cold War, Ronald Reagan, despite calling the Soviet Union "the Evil Empire," met with Soviet leaders and held dialogue with them. The United States had ambassadorial relations with the Soviets, engaged in trade with the Soviets, and interacted regularly—precisely in order to moderate the situation and keep information moving between the two adversaries and to keep the situation from inadvertently escalating out of control. The United States was in far greater contact with the Soviet Union during the Cold War than it is with North Korea in 2004. By refusing to talk, the United States allows the situation to spiral out of control and harms its own ability to deal with the reality of the situation.

Does the October nuclear revelation provide any insight as to North Korea's foreign policy strategy? Essentially, no: North Korea has always sought to deter the United States and has viewed the United States as belligerent. Thus, the nuclear program is consistent with North Korea's attempts to provide for its own security. It is also important to remember that a nuclear weapons program does not mean that North Korea is any more likely to engage in unprovoked military acts now than it was before. North Korea was deterred before the revelations, and it remains deterred after the revelations. The way to resolve the crisis is by addressing the security concerns of North Korea. If the United States genuinely has no intention of attacking North Korea or pressuring it for regime change, the administration should conclude a nonaggression pact. It is not that surprising that North Korea does not believe the Bush administration's occasional assurances about having no intention of using force when the administration refuses to formalize those assurances.

In terms of U.S. policy toward the North, the revelations are actually an opening. It is impossible to negotiate with a country over an issue whose existence they deny. In the case of the nuclear program, the United States has the opportunity to actually reach a conclusion to this problem. If the Bush administration were to handle negotiations adroitly, it could possibly finally resolve an issue that has plagued Northeast Asia for far too long.

#### VICTOR CHA: PAST THE POINT OF NO RETURN?

Many moderates argued, as David Kang has done, that this new nuclear confession reveals Pyongyang's true intentions. Although of concern, they argue, these actions represent North Korean leader Kim Jong Il's perverse but typical way of creating a crisis to pull a reluctant Bush administration into serious dialogue. By "confessing" to the crime, in other words, Pyongyang is putting its chips on the table, ready to bargain away this clandestine program in exchange for aid and a U.S. pledge of nonaggression.<sup>43</sup> Moderates would, therefore, advocate continued negotiations by the United States and its allies, providing incen-

<sup>43</sup> Sigal, "North Korea is No Iraq."

tives for the North to come clean on its uranium enrichment activities as well as to extend a more comprehensive nonproliferation arrangement to replace the Agreed Framework. In exchange for this, the allies would put forward a package of incentives including economic aid and normalization of political relations.

Before the world accepts this “cry for help” thesis, however, the North’s confession must be seen for what it is—admission of a serious violation of a standing agreement that could, in effect, be North Korea’s last gambit for peaceful engagement with the United States and its allies. North Korea’s actions constitute a blatant breakout from the 1994 U.S.–DPRK Agreed Framework designed to ensure denuclearization of the North. Those who try to make a technical, legalistic argument to the contrary are patently wrong. Although the Agreed Framework dealt specifically with the plutonium-reprocessing facilities at Yongbyon, this document was cross-referenced with the 1991–1992 North–South Korea denuclearization declaration, which banned both North and South Korea from the uranium enrichment facilities now found to be covertly held in the North. Moreover, any legal gymnastics over this issue were rendered moot by North Korea’s subsequent withdrawal from the nonproliferation treaty, the first in the NPT’s history.

Moreover, the implications of this act extend beyond a mere violation of legal conventions. Arguably, all of the improvements in North–South relations, including the June 2000 summit, breakthroughs in Japan–North Korea relations in 2001, and the wave of engagement with the reclusive regime that spread across Europe, Australia, and Canada in 2000–2001, were made possible by what was perceived to be the North’s good-faith intentions to comply with a major nonproliferation commitment with the United States in 1994. The subtext of this commitment was that the North was willing to trade in its rogue proliferation threat for a path of reform and peaceful integration into the world community. The subsequent diplomatic achievements by Pyongyang, therefore, would not have been possible without the Agreed Framework. And now the North has shown it all to be a lie.

### *Alternative Explanations for North Korean Misbehavior*

Many of the justifications offered by either Pyongyang or mediating parties in Seoul (an irony in itself) for the HEU program and the restarting of the plutonium program at Yongbyon are, at best, suspect. North Korea claimed its actions were warranted as responses to American failure to keep to the timetable of the Agreed Framework as well as to Washington’s reneging on promises to normalize relations with the North. Moreover, they argued, the aggressive language of the United States and President Bush’s “axis of evil” statements made these actions necessary. North Korean pursuit of the HEU program, however, as assistant secretary Kelly noted in the October 2002 meeting with Kang Sok Ju, predated the Bush administration’s accession to office in 2001, and indeed,

was well under way as Pyongyang was enjoying the benefits of Kim Dae Jung's sunshine policy from 1999 to 2002. There is no denying that the United States and the KEDO fell behind in the implementation of the Agreed Framework, in large part because the signing of the accord in October 1994 was followed by congressional elections that put in control Republicans with strong antipathy to Clinton (and by definition then, the Agreed Framework). The North Koreans were aware of this possibility and, therefore, sought during the negotiations a personal guarantee from President Clinton that the United States would do what it could to keep implementation on schedule. In other words, as far back as October 1994, Pyongyang was cognizant of such potential problems in implementation. To argue otherwise as justification for their illicit nuclear activities is a stretch. Moreover, although the Agreed Framework was not a legally binding document, arguably there is a distinction between negligence in implementing a contract and completely breaking out of one. Washington could certainly be guilty of the former, but that does not warrant the other party's actions to do the latter.

Kim Jong Il's justification that he needs to wield the nuclear threat as a backstop for regime survival and deterrence against U.S. preemption also does not hold water. This is not because anyone should expect Kim to believe Bush's public assurances that he has no intention of attacking North Korea but because any logical reasoning shows that the North already possesses these deterrent capabilities. Its 11,000 artillery tubes along the DMZ hold Seoul hostage, and its Nodong ballistic missile deployments effectively hold Japan hostage. The warning time for a North Korean artillery shell landing in Seoul is measured in seconds (fifty-seven) and for a ballistic missile fired on the Japanese archipelago in minutes (ten). There is no conceivable defense against these threats, which would result in hundreds of thousands, if not millions, of casualties. As long as the United States values the welfare of these two key allies in Northeast Asia (as well as the 100,000-plus American service personnel and expatriate community), the North holds a credible deterrent against any hypothetical contemplation of American preemption.

Finally, the argument that with the latest crisis, North Korea is seeking direct negotiations with the United States rather than a bonafide nuclear weapons capability is both disturbing and logically inconsistent. North Korea seeks a nonaggression pact, these advocates argue, and a new relationship, by using the only leverage it can muster—its military threat. There are three glaring problems with this argument. First, the notion that North Korean proliferation is solely for bargaining purposes runs contrary to the history of why states proliferate. Crossing the nuclear threshold is a national decision of immense consequence and, as numerous studies have shown, is a step rarely taken deliberately for the purpose of negotiating away these capabilities.<sup>44</sup> Second, even if one

<sup>44</sup> Avery Goldstein, *Deterrence and Security in the 21st Century: China, Britain, France and the Enduring Legacy of the Nuclear Revolution* (Stanford, CA: Stanford University Press, 2000); and Scott Sagan, "Why Do States Build Nuclear Weapons?" *International Security* 21.3 (Winter 1996–1997): 54–86.

were to accept these as the true North Korean intentions, the moral hazard issues become obvious. Rather than moving Pyongyang in the direction of more-compliant behavior, indulging the North's brinkmanship is likely only to validate their perceived success of the strategy. Such coercive bargaining strategies in the past by the North might have been met with engagement by the United States, but in the aftermath of the October 2002 nuclear revelations, such behavior is more difficult to countenance. The difference, as I will explain below, largely stems from the gravity of North Korean misbehavior in 2002 and violation of the Agreed Framework.

Third, the "negotiation" thesis for North Korean proliferation, upon closer analysis, actually leads one to the *opposite* logical conclusion—in other words, a North Korean "breakout" strategy of amassing a mid-sized nuclear weapons arsenal. South Korean advocates of the negotiation thesis maintain that Pyongyang is aware of the antipathy felt by the Bush administration toward the Clinton-era agreements made with it. Therefore, Pyongyang seeks to leverage the proliferation threat to draw the Bush administration into bilateral negotiations, ostensibly to obtain a nonaggression pact, but in practice to obtain *any* agreement with this government. Ideally, this agreement would offer more benefits than the 1994 agreement, but even if this were not the case, the key point, according to these officials, is that the agreement would have the Bush administration's imprimatur rather than that of Clinton and therefore would be more credible in North Korean eyes.<sup>45</sup>

Though plausible, such an argument, however, leads to a compelling counterintuitive conclusion. If North Korea wants a new and improved agreement and knows that this current administration is more "hard-line" than the previous one, then the logical plan of action would not be to negotiate away its potential nuclear capabilities (the *modus operandi* in 1994) but to *acquire* nuclear weapons and *then* confront the United States from a stronger position than they had in 1994. Indeed, North Korean actions in December 2002 appear to have been more than a bargaining ploy. If coercive bargaining had been the primary objective, then the North Koreans arguably would have needed to undertake only one of several steps to denude the 1994 agreement. On the contrary, their unsealing of buildings, disabling of monitoring cameras, expelling international inspectors, withdrawal from the NPT, restarting the reactor, and reprocessing represented a purposeful drive to develop weapons. As one U.S. government official observed, "[W]e made a list of all the things the North Koreans might do to ratchet up a crisis for the purpose of negotiation. They went through that list pretty quickly."<sup>46</sup>

### *What Follows Hawk Engagement?*

There is no denying that Bush's "axis of evil" statements exacerbated a downward trend in U.S.–DPRK relations. But actions matter more than semantics.

<sup>45</sup> South Korean government officials, phone interviews by Victor Cha, 9 January 2003.

<sup>46</sup> U.S. government official, conversation with Victor Cha, 14 January 2003.

The problem is not what the United States, South Korea, or Japan may have done to irk the North. The problem is North Korea. What is most revealing about the North's actions is that hawkish skepticism vis-a-vis a real change in Kim Jong Il's underlying intentions, despite behavior and rhetoric to the contrary, remains justified.

This skepticism, as I have argued in *Foreign Affairs* (May/June 2002), is what informs the "hawk engagement" approach toward North Korea. Unlike South Korea's "sunshine policy" of unconditional engagement, this version of the strategy is laced with a great deal more pessimism, less trust, and a pragmatic calculation of the steps to follow in case the policy fails. In short, hawks might pursue engagement with North Korea for very different tactical reasons than might doves. Engagement is useful with rogues like North Korea because: first, "carrots" today can serve as "sticks" tomorrow (particularly with a target state that has very few); second, economic and food aid can start a slow process of separating the people of North Korea from its despotic regime; and third, engagement is the best practical way to build a coalition for punishment, demonstrating good-faith efforts at negotiating and thereby putting the ball in the North's court to maintain cooperation.

The 2002–2003 nuclear revelations confirm much of the skepticism that informs the hawk engagement approach. The premise of hawk engagement is that engagement should be pursued for the purpose of testing the North's intentions and genuine capacity to cooperate. If this diplomacy succeeds, then the sunshine policy advocates are correct about North Korea, and honest hawks (as opposed to ideological ones) would be compelled to continue on this path. But if engagement fails, then one has uncovered the North's true intentions and built the consensus for an alternate course of action. The nuclear violations, in this context, have created more transparency about the extent to which the North's reform efforts represent mere tactical changes or a true shift in strategy and preferences. As hawk engagement believers had always expected, Kim Jong Il has now dropped the cooperation ball. What comes next? The first step is to rally a multilateral coalition for diplomatic pressure among the allies. The fall 2002 Asia Pacific Economic Cooperation (APEC) meetings in Mexico and the U.S.–Japan–Korea trilateral statement at these meetings were important first steps in this direction. Both Seoul and Tokyo decreed that any hopes Pyongyang might have for inter-Korean economic cooperation or a large normalization package of Japanese aid hinge on satisfactory resolution of the North's current violation. (People also have wrongfully discounted the significance of a similar statement made by APEC as a whole—the first of its kind from the multilateral institution to explicitly address a security problem.) A second important step was taken in November 2002, when the three allies, through KEDO, agreed to suspend further shipments of heavy fuel oil to North Korea that had been promised under the 1994 agreement until Pyongyang came back into compliance. A third step effectively "multilateralizing" the problem occurred in August 2003, when China hosted talks involving the

United States, the DPRK, South Korea, Japan, China, and Russia. Although unsuccessful in resolving the crisis, these talks were critical to enlisting China and the region in a more proactive role in helping to solve the problem.

Pundits and critics have blasted the United States for its “no-talk, no-negotiation” position until North Korea rolls back its HEU program. Hawk engagement, in contrast, would posit that the Bush administration’s relatively low-key response to North Korea’s violation (especially when compared with its response to Iraq’s), coupled with its withholding negotiations with Pyongyang until it first makes gestures to come back into compliance, is effectively an offer to the North of one last chance to get out of its own mess. In this sense, as Harry Rowen at Stanford University has observed, this *is* the negotiating position. Kim Jong Il needs to unilaterally and verifiably address international concerns by dismantling the HEU program and returning to the status quo ante. If he were to do this, then the possibility of new U.S.–DPRK negotiations involving quid pro quos of economic aid for nonproliferation would lie ahead.

### *Why Not Hawk Engagement Again?*

Prominent figures in the United States, such as former President Carter, Ambassador Robert Gallucci, and others have argued for turning back the engagement clock and entering into new negotiations to gain access to the HEU program and to roll back the 1994 Agreement violations.<sup>47</sup> In a related vein, other commentators and journalists have argued implicitly that the United States should pursue some form of hawk engagement in the aftermath of the HEU revelations to at least “test” whether North Korea is interested in giving up the program.<sup>48</sup> Others have explicitly invoked the hawk engagement argument to criticize the Bush administration’s nonengagement with North Korea.<sup>49</sup>

I do not find engagement a feasible option after the HEU revelations for one very critical reason: the initial rationale for hawk engagement was based on some degree of uncertainty with regard to the target regime’s intentions. As long as such uncertainty existed, as it did in 1994, and Pyongyang remained somewhat compliant thereafter with the standing agreements that were the fruits of engagement, it would have been difficult for hawks to advocate otherwise. Hence, even when the North Koreans test-fired a ballistic missile over

<sup>47</sup> Anthony Lake and Robert Gallucci, “Negotiating with Nuclear North Korea,” *Washington Post*, 6 November 2002; Carter, “Engaging North Korea”; Sigal, “A Bombshell that’s Actually an Olive Branch.”

<sup>48</sup> Comments by Joel Wit, “N. Korea Nuclear Threat,” transcript of *Lehrer NewsHour* (Ray Suarez, Joel Wit, Henry Sokolski), 10 January 2003, accessed on the website of PBS Online NewsHour at [http://www.pbs.org/newshour/bb/asia/jan-june03/korea\\_1-10.html](http://www.pbs.org/newshour/bb/asia/jan-june03/korea_1-10.html); and comments by Wendy Sherman, “Defining the Future of US–Korean Relations,” *JoongAng Ilbo–Washington Post* seminar, Washington DC, 6 February 2003.

<sup>49</sup> Jonathan Power, “A Hawk on North Korea Wants Bush to be a Dove,” 5 February 2003, accessed at [http://www.transnational.org/forum/power/2003/02.03\\_NorthKorea.html](http://www.transnational.org/forum/power/2003/02.03_NorthKorea.html), 1 March 2003.

Japan in 1998, conducted submarine incursions into the South, attacked South Korean naval vessels, and undertook other acts of malfeasance, I still believed that engagement, even for hawks, was the appropriate path. However, the current violations by the North are on a scale that removes any uncertainty in regard to its intentions. Its behavior does not represent minor deviations from the landmark agreement, but rather a wholesale and secretive breakout from it. Negotiating under these conditions, for hawks, would be tantamount to appeasement.

If the current impasse is resolved diplomatically, however, and the DPRK takes unilateral steps toward dismantlement of the facilities, then regional diplomatic pressures, allied entreaties, and public opinion would again compel hawks to pursue some form of engagement. Such engagement would not be informed by any newfound trust in North Korea or its intentions. Indeed, hawk engagement in such a scenario would be informed by infinitely more palpable skepticism and distrust than existed prior to the HEU revelations and would perhaps be characterized by an even shorter tolerance for additional misbehavior by the North before switching to an alternate, more coercive path.

### *Isolation and Containment*

If the North Koreans do not take a cooperative path out of the current crisis, then from a hawk engagement perspective, there is no choice but isolation and containment. The strategy's general contours would be to rally interested regional powers to isolate and neglect the regime until it gave up its proliferation threat. Although this would be akin to a policy of benign neglect, it would not be benign. The United States and its allies would maintain vigilant containment of the regime's military threat and would intercept any vessels suspected of carrying nuclear- or missile-related materials in and out of the North. Secondary sanctions would also be levied against firms in Japan and other Asian countries involved in illicit North Korean drug trafficking in an effort to restrict the flow of remittances to the DPRK leadership. The United States and the ROK might also undertake a reorientation of their military posture on the peninsula, focusing more on long-range, deep-strike capabilities, and betting that the DPRK will respond by scaling back forward deployments in defense of Pyongyang.<sup>50</sup>

This strategy of "malign neglect" would also entail more proactive humanitarian measures, including the continuation of food aid, designed to help and engage the North Korean people. The United States would urge China and other countries to allow the United Nations High Commissioner for Refugees to establish North Korean refugee processing camps in neighboring countries around the Peninsula, enabling a regularized procedure for dealing with popu-

<sup>50</sup> This is risky because the DPRK's response might also be to forward deploy even more aggressively in a "best-defense is strong-offense" strategy. For further discussion, see Henry Sokolski, ed., *Planning for a Peaceful Korea* (Carlisle, PA: Strategic Studies Institute, 2001), 3–4.

lation outflows from the decaying country. Potentially a more significant watershed in this regard would be passage of a bill clearing the way for the United States to accept any North Korean who meets the definition of “refugee” and desires safe haven in the United States. In this regard, the United States would lead by example in preparing to facilitate passage out of the darkness that is North Korea to those people who have the courage to vote with their feet.

Two critical actors in pursuing such an unattractive course of action will be China and South Korea. China’s stake in propping up its old ally on the peninsula is geostrategic and keyed to a competitive U.S.–China relationship. It has no desire to see a collapse of the regime and the specter of a U.S. military presence remaining on the peninsula. Chinese equities are undeniably shifting, however, as the North Koreans pursue a nuclear weapons capability. It is official Chinese policy to oppose nuclear weapons on the peninsula, in large part because of the ripple effects that such weapons might have on Japanese and Taiwanese plans for such capabilities. Combining this worst-case contingency with frustration at continuing to pour food, fuel, and aid in large amounts (estimated around 70–90 percent of all North Korean external reliance) into a country that has shown virtually no progress toward reform might cause Chinese leaders to think differently. A more pragmatic, less-ideological Chinese leadership—in conjunction with the United States capitalizing on its more-constructive post-September 11th relationship with Beijing and helping China defray the negative externalities that might come from an isolation strategy toward North Korea—might be the key variables in the strategy’s feasibility and success.<sup>51</sup> If Beijing were to cooperate in diplomatically pressuring the North, moreover, this decision would not be seen as kowtowing to the United States but rather as China stepping up to a leadership role in the region. China’s aspirations to great power status in the region will be dependent not only on its economic capabilities but also on the type of political leadership it will be seen as providing. A proactive role in reducing the North Korean nuclear threat would provide a security good to the region that would be appreciated by all.

Where South Korea stands in a U.S. isolation policy undeniably will be a test of the alliance. Reduced perceptions of a North Korean threat since the June 2000 summit, particularly among the younger generation of South Koreans (despite little material change in the security situation on the ground), coupled with the upsurge of anti-Americanism during the December 2002 presidential elections (following the accidental USFK vehicular death of two South Korean teenage girls), resulted in an incredible phenomenon in 2003: in the face of increasing DPRK nuclear threats, South Koreans demonstrated against the alliance with the United States, blaming the United States for provoking the crisis with North Korea. If these two trends continue (that is, anti-Americanism and no fear of North Korea), then an American isolation and containment policy toward North Korea would be unacceptable to South Koreans. If

<sup>51</sup> Thanks to Tom Christensen for raising the point about the Party Congress.

South Koreans, moreover, oppose such a U.S. policy, at the price of allowing a nuclear North Korea, then the alliance might be damaged beyond repair. Two critical variables in this mix will be the leadership of the Roh Moo Hyun government and the South Korean “silent majority.” In spite of Roh’s past political activities and his left-leaning ideology, many argue that pragmatism and some badly needed foreign policy experience will cause him to moderate his views to be more supportive of the alliance (as was the case with Kim Dae Jung).<sup>52</sup> Even more important, if North Korean malfeasance grows more pronounced, the future of the alliance and a coordinated isolation strategy toward North Korea may rest in the hands of the South Korean electorate. Despite the media hype of a younger Korean generation that purportedly fears George Bush more than a nuclear-armed Kim Jong Il, polls show that a significant percentage (almost 50 percent) of the electorate hold a more somber view of North Korea’s nuclear weapons obsession, and this silent majority presumably would grow as the North moves closer to such capabilities unchecked.<sup>53</sup> What deters many South Koreans are the costs that would come from a precipitous collapse of the DPRK regime resulting from an isolation strategy. This is understandable. South Koreans must also realize, however, that the costs of letting North Korea grow unfettered into a nuclear power would also be high. These costs might be measured in terms of not only lost alliance support from the United States but also huge potential losses in investor confidence. Already, Moody Investors downgraded South Korea’s sovereign credit outlook in 2003, U.S. foreign direct investment in Korea plummeted 72 percent (in the first quarter of 2003), and the stock market dropped nearly 20 percent because of the DPRK threat.<sup>54</sup> A nuclear North Korea places undeniable costs on South Korea that not even the younger generation should underestimate.

No doubt there are dangers associated with an isolation strategy, not least of which is North Korean retaliation. Pyongyang states clearly that they would consider isolation and sanctions by the United States an act of war. To support isolation, however, is not to crave war on the peninsula. Indeed after engagement has been proven to fail (as it has for hawk engagers after the HEU revelations), then isolation is the *least* likely strategy to provoke war, inasmuch as the remaining options (including preemptive military strikes) are all much more coercive.<sup>55</sup>

There is no denying the gravity of the crisis in 2003–2004. For hawk engagement, the offer to Kim Jong Il to resolve concerns about his dangerous uranium enrichment and plutonium nuclear weapons programs if he wants to get back on the engagement path is, in effect, the last round of diplomacy. Not taking up this offer would mean a path of isolation and containment of the regime and

<sup>52</sup> Victor Cha, “Stay Calm on Korea,” *Washington Post*, 20 December 2002.

<sup>53</sup> *Choson Ilbo–Gallup Korea* polls, 1 January 2003, accessed at <http://www.gallup.co.kr/news/2003/release004.html>.

<sup>54</sup> Hyun-Chul Kim, “Reality Check Takes Seoul Stocks Lower,” *JoongAng Ilbo*, 17 March 2003.

<sup>55</sup> Victor Cha, “Tighten the Noose,” *The Financial Times*, 29 July 2003.

an end to many positive gains Pyongyang has accumulated since the June 2000 inter-Korean summit. Given the high stakes involved, one hopes that Kim Jong Il makes the correct calculation.

### *The Last Word on the Crisis*

David Kang embraces the argument that the North's blatant HEU confession is a cleverly disguised attempt to "retail" its new threat and thus draw a reluctant Bush administration into negotiations. He advocates negotiation by the United States and its allies to bring *both* the United States and the North Koreans back into compliance in exchange for a package of incentives including economic aid and normalization of political relations. As long as the United States threatens the North, Kang sees little hope that pressure will make the North disarm. But Kang sees great potential for reduced tensions and increased economic opening in North Korea if the United States makes a credible commitment to nonaggression.

The overall contours of such a package are not the point of disagreement for Cha. There are still good reasons for engaging such a dangerous regime. The primary point of departure for Cha would be the withholding of such a negotiation until the North Koreans first resolve international concerns about the HEU program and restore the status quo ante at Yongbyon. To engage with Pyongyang in the face of such a blatant breakout from the Agreed Framework would be tantamount to appeasement. However, maintaining a coalition of allies to impress upon Kim Jong Il in the strongest terms the need to first come clean in order to return to a path of engagement with the outside world appears to be the most prudent course of action. From a hawk engagement perspective, such a strategy also puts the cooperation ball clearly in the North's court, and in this sense, also contributes to a coalition for isolation and containment should Kim Jong Il drop this ball.

Despite the authors' disagreements, they agree on a number of important issues. Most significantly, both authors agree on the goals of U.S. policy and the nature of the North Korean regime. Both authors wish to see a nuclear-free Korean peninsula and a North Korean regime that either modifies its behavior or disappears. Their disagreement is not over these goals but over the tactics toward that end. Both authors also agree that the North Korean regime is a brutal and reprehensible regime that has perpetrated massive crimes against its own citizens. Finally, both authors agree that one major element of a successful policy toward North Korea is a consistently engaged United States that develops a coherent strategy toward the region.