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NORTH KOREA'S NUCLEAR STRATEGY AND THE INTERFACE BETWEEN INTERNATIONAL AND DOMESTIC POLITICS*

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Pyongyang's nuclear strategy has been significantly shaped by the perceived U.S. nuclear threat since the early 1950s, portending a quest for a self-reliant existential nuclear deterrent for the DPRK. This article tracks and explains how Washington's nuclear threat cast a long shadow that underpins the evolution of North Korea's nuclear thinking and strategy over the years. North Korea's nuclear strategy is being shaped as much if not more so in Washington than in Pyongyang. Just as importantly, the implementation process of major denuclearization agreements has seemed ready-made to be hijacked by war hawks in domestic politics in Washington. In pursuit of these lines of reasoning, the article proceeds in three sections. The first section appraises the interplay of Washington's nuclear threats and Pyongyang's songun ("military-first") politics in the evolution of North Korea's nuclear thinking and strategy over the years. The second section offers a critical analysis of the changing dynamics of domestic politics in the making and unmaking of key denuclearization accords in the course of the first and second U.S.-DPRK nuclear standoffs. The third section brings the common-

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security engagement back in charting an alternative pathway toward a working peace system in the Korean peninsula.

Key words: North Korea, North Korea-U.S. relations, East Asian politics, East Asian security, nuclear weapons

Introduction

The recent brouhaha and a serial "crime-and-punishment" approach following Pyongyang's missile and nuclear tests in April-May 2009 is the latest spot-on reminder not only of Washington's "do as I say, not as I do" hypocrisy but also of an ineluctable truth: U.S. national-security managers and opinion makers (i.e., mainstream media and on-the-fly pundits) seldom bother to understand why Pyongyang's decision makers perceive the United States as a continuing existential threat and how such perceptions are an integral part of the mutually interactive vicious circle of security dilemmas in the on-again, off-again U.S.-DPRK (Democratic People's Republic of Korea: North Korea) nuclear confrontation.

If we treat the North Korean nuclear weapons program as its central security concern and its once-a-decade launch of an outdated long-range missile as only a sideshow,[1] then we see,

1. Even if we assume that what North Korea launched on April 5, 2009 was a "successful" *Taepodong-II* long-range missile, the world had seen over one hundred such missile launches in 2008 (not counting American ones), without giving rise to any UN Security Council condemnation. Writing eight years before the North Korean launch, Kent E. Calder characterized the Northeast Asian geostrategic reality as follows: "The most serious U.S. technological danger for Northeast Asian leaders today is missile proliferation. Every government in the region is now both a larger-scale consumer and a major producer of missiles. This unsettling reality, unique among the major regions of the world, is a disturbing product of the last decade—the consequent dangers have been growing more pronounced over the past three years." Unlike Japan's similar efforts, however, the North Korean launch was condemned even before it occurred as "dangerous," "provocative," and "illegal." See Calder, "The New Face of Northeast Asia," *Foreign Affairs*,

just beneath the surface, a "do as I say, not as I do" example of hypocrisy. While virtually all the nonnuclear member-states of the Nuclear Nonproliferation Treaty (NPT) regime have followed their treaty obligations,[2] the five original nuclear-weapon states—the permanent members of the Security Council or Nuclear First World (NFW)[3]—have reneged on their solemn treaty obligations "to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control" (Article VI of the NPT). Indeed, NFW hypocrisy has served as the chief proliferation catalyst by allowing aspiring Third World states to legitimize their drive for nuclear weapons in normative/equity and security/sovereignty terms.[4] In addition, the lack of any international action, let alone outrage, against Israel, India, and Pakistan (all of which possess nuclear-weapons programs operating outside the NPT, as well as military ballistic mis-

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vol. 80, No. 1 (January-February, 2001), p. 114, and Scott Ritter, "Up, Up and Away: The West's Hysterical Reaction to North Korea," April 17, 2009, at www.truthdig.com/report/item/20090417.

2. India, Pakistan, and Israel refused to sign the NPT, while North Korea withdrew from the NPT in January 2003 in accordance with Article X of the treaty, which grants the right of withdrawal when a country "decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests . . ." The Missile Technology Control Regime (MTCR) is not a treaty regime but an informal and voluntary association of countries which share the goals of preventing signatory member-states from providing such technology to non-signatories. It should be noted that neither North Korea's missile launch of July 2006 nor its underground nuclear test of October 2006 violates international law. North Korea withdrew from the NPT in January 2003 prior to its nuclear testing and North Korea is not a signatory of the MTCR. See Ritter, "Up, Up and Away."
3. As of 2009, estimated global nuclear weapons inventories are 23,369, with the following breakdown: Russia (13,000); United States (9,400); France (300); China (240); Britain (180); Israel (80-100); Pakistan (70-90); India (60-80); North Korea (?). See Robert S. Norris and Hans M. Kristensen, "Nuclear Notebook: Worldwide Deployments of Nuclear Weapons, 2009," *Bulletin of the Atomic Scientists* (November-December, 2009), p. 87.
4. See Samina Ahmed, "Pakistan's Nuclear Weapons Program: Turning Points and Nuclear Choices," *International Security*, vol. 23, No. 4 (Spring, 1999), pp. 185; Jaswant Singh, "Against Nuclear Apartheid," *Foreign Affairs*, vol. 77, No. 5 (September-October, 1998), pp. 41-52.

sile programs designed to deliver these nuclear weapons) speaks volumes about NFW hypocrisy and multiple double standards in the global politics of nuclear proliferation.[5]

In the post-cold war era, an initial lack of interest in nuclear weapons (except as a "rogue state" proliferation issue) gave way to renewed interest and reappraisal of the roles of nuclear weapons in national-security strategies of both old and new nuclear-weapon states. The U.S. factor—the rise of the United States as sole superpower, with a global base structure and military budget approximately equal to the rest of the world combined; and the creeping unilateralism of the Clinton administration, which turned into runaway triumphant unilateralism under the George W. Bush administration, with its effort to impose a new unipolar world order—has served as a kind of force multiplier in catapulting the old and new nuclear-weapon states, let alone aspiring entrants to the nuclear club, into exploring "new" roles and strategies for their nuclear forces in the making of their grand strategies for the new century.[6]

Pyongyang's nuclear strategy has been significantly affected by the rise of the perceived U.S. existential nuclear threat since the early 1950s, portending the DPRK's quest for a self-reliant existential nuclear deterrent. For North Korea, the U.S. threat has become a clear and present danger by dint of its multinational (U.S., Japan, South Korea) and multidimensional nature (threatening the DPRK's regime security, economic development, and identity-cum-legitimacy). The dangerous idea of military strikes against North Korea's nuclear facilities that has been advocated by Washington's war hawks during the first and second nuclear

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5. "Consider the U.S. missile launches and its huge nuclear arsenal as well as its 2008 defense budget, which is larger than that of the combined military spending of the next twenty countries, including virtually all U.S. allies." Ritter, "Up, Up and Away."
6. Samuel Kim, "The U.S.-DPRK Nuclear Standoff: The Case for Common-Security Engagement," *Joint U.S.-Korea Academic Studies*, vol. 14 (2004), pp. 41-64; Muthiah Alagappa, "Introduction: Investigating Nuclear Weapons in a New Era," in Muthiah Alagappa, ed., *The Long Shadow: Nuclear Weapons and Security in 21st Century Asia* (Stanford, Calif.: Stanford University Press, 2008), pp. 1-34.

crises reinforces a half-century of U.S. nuclear threats toward North Korea. Hence it seems more appropriate to characterize the Korean peninsula situation as reflecting a deeply embedded U.S.-DPRK conflict rather than as merely "the North Korean nuclear crisis" or paranoia.

In contrast with much of the mainstream geopolitical literature that ignores history, this article applies a longer and wider historical and geopolitical perspective to explore the what, why, and how of North Korea's nuclear strategy as it evolved and mutated through mutually interactive and interdependent domestic politics in Pyongyang and Washington. Just as importantly, this article argues that the implementation process of major denuclearization agreements (e.g., the 1994 U.S.-DPRK Agreed Framework, the September 19, 2005 Joint Statement of Principles, the February 13, 2007 Initial Actions for the Implementation of the Joint Statement, the Second-Phase Actions for the Implementation of the Joint Statement of October 3, 2007) has seemed ready-made to be second-guessed and hijacked by war hawks in domestic politics in Washington.

The Making of Nuclear Strategy

International/Domestic ("Intermestic") Linkage Processes

Most of the theoretical models in international relations and comparative foreign-policy studies demand an either-or (internal or external) causality choice. The determinant in shaping foreign policy is either domestic factors or the international system. And yet the most salient impact of globalization dynamics on the state is the intensification of international and domestic ("intermestic") linkages. As a result, the conventional neorealist divide between international and domestic factors is substantially blurred, if not completely erased. With growing recognition of the interdependence between security and economic policies elsewhere, the factors that influence the making of North Korean foreign policy in general and nuclear strategy in particular no

longer fall neatly into the dichotomous categories of domestic/ societal and external/ systemic variables.

Nonetheless, the international system with its various constraints cannot have significant influence for North Korean foreign policy unless or except to the extent that it is perceived and acted upon by Pyongyang's foreign policy makers through its own decision-making system. In the post-cold war era domestic politics has gained greater salience because almost all the countries are undergoing significant internal political transitions, whether in terms of leadership, ideological flux, institutional alteration, or societal transformation.[7] In the absence of superpower conflict in the post-cold war world, the foreign policies of most states have become increasingly mired in turbulent domestic politics. The inevitable challenge facing all states impacted by globalization is how best to establish a fruitful and synergistic congruence between domestic and foreign policies. In the particular case under study, two major factors—external U.S. nuclear and nonnuclear threats and internal decision-making structures—have combined as the prime driver of Pyongyang's nuclear thinking, program, and strategy over the years.

The Long Shadow of the American Nuclear Threat

To paraphrase Marx's famous saying about human history-making power, while DPRK strategists make their own nuclear strategy, "they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly encountered, given, and transmitted from the past."[8] What then are the circumstances directly encountered, given, and transmitted from the past? "While in Washing-

7. Ashley J. Tellis, "Domestic Politics and Grand Strategy in Asia," in Ashley J. Tellis and Michael Wills, eds., *Strategic Asia 2007-08: Domestic Political Change and Grand Strategy* (Seattle, Wash.: National Bureau of Asian Research, 2007), pp. 3-25.
8. Karl Marx, "The 18th Brumaire of Louis Napoleon," in Lewis Feuer, ed., *Basic Writings on Politics and Philosophy: Karl Marx and Friedrich Engels* (New York: Doubleday, 1959), p. 320.

ton the North Korean nuclear threat has been a major issue for the past decade" or so, as Gavan McCormack reminds us, and "in Pyongyang the U.S. nuclear threat has been the issue for the past fifty years. North Korea's uniqueness in the nuclear age lies first of all in the way it has faced and lived under the shadow of nuclear threat for longer than any other nation."[9]

The Korean War (1950-1953) exerted a profound and lasting influence on the construction and enactment of North Korea's identity vis-à-vis the United States. The U.S. bombing of North Korea left almost nothing more than one or two stories high anywhere in the country. The war, therefore, left North Koreans with enormous fear and hatred of the United States, reactions exacerbated by the continued presence of U.S. military forces in South Korea and Japan, and continued U.S. pressure on North Korea. Whereas the 1950 invasion etched into the minds of the American policy maker and public an image of North Koreans as aggressive communists who must be deterred and punished at any cost, North Koreans view the U.S. intervention in the Korean War and subsequent military presence on the Korean peninsula as yet another example of great-power interference in Korean affairs.

The origins of American nuclear threats to the DPRK can be traced back to the Korean War, since it was waged under the shadow of U.S. nuclear weapons. While the United States stopped short of using nuclear weapons, American national-security managers entertained using nuclear weapons in Asia under the "massive retaliation" philosophy on at least four occasions: during the Korean War; at Dienbienphu, Vietnam, in 1954; in 1955 during the first Taiwan Strait crisis; and again in 1958, during the second Taiwan Strait crisis.[10] There is a widely shared and contested belief that it was John Foster Dulles' threat to use nuclear weapons that broke the deadlock in the armistice negotiations and forced the Chinese and the North Koreans to sign a

9. Gavan McCormack, *Target North Korea: Pushing North Korea to the Brink of Nuclear Catastrophe* (New York: Nation Books, 2004) p. 150.
10. Peter Hayes, "American Nuclear Hegemony in Korea," *Journal of Peace Research*, vol. 25, No. 4 (December, 1988), p. 355.

cease-fire agreement—the Armistice Agreement in 1953.[11]

Just four and a half years later, in January 1958, the United States introduced tactical nuclear weapons onto the Korean peninsula, in blatant breach of the Armistice Agreement that prohibited the introduction of qualitatively new weapon systems. It added more and better tactical nuclear weapons thereafter to its nuclear stockpile near the demilitarized zone (DMZ) and at Osan Air Base south of Seoul. In 1959 the U.S. Air Force brought in a squadron of nuclear-tipped *Matador* cruise missiles. The nonnuclear DPRK remained the target of periodic nuclear threats and extended deterrence from the United States in the following decades. By the mid-1960s U.S. nuclear strategy pivoted on the use of nuclear weapons very early in any new war. Tactical nuclear weapons virtually required early first use to prevent their capture by North Koreans. The so-called "AirLand Battle" strategy developed in the mid-1970s added an element of preemption as it called for quick, deep strikes into North Korean territory, especially against hardened underground facilities.

The South Korean military, although it had no part in the making of U.S. nuclear strategy or deployment of nuclear weapons in Korea, has been fully integrated into American nuclear forces and strategy even as it has participated in defensive and offensive nuclear war exercises under U.S. direction. In short, these deployments constituted an extensive and growing nuclear arsenal aimed directly at North Korea. The withdrawal of tactical and battlefield nuclear weapons on a worldwide basis in late 1991 did little to diminish the threat as perceived by Pyongyang, since Washington openly continued its rehearsals for a long-range nuclear strike on North Korea.[12]

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11. See Rosemary J. Foot, "Nuclear Coercion and the Ending of the Korean Conflict," *International Security*, vol. 13, No. 3 (Winter, 1988-89), pp. 92-112; John S. Park and Dong Sun Lee, "North Korea: Existential Deterrence and Diplomatic Leverage," in Alagappa, *The Long Shadow*, pp. 270, 277; Hayes, "American Nuclear Hegemony in Korea," p. 354; Robert S. Litwak, *Regime Change: U.S. Strategy through the Prism of 9/11* (Washington, D.C.: Woodrow Wilson Center Press, 2007), p. 247.
12. See Bruce Cumings, *North Korea: Another Country* (New York: New Press,

Although the decision to go nuclear was not made overnight, the growing sense of fear of American nuclear threats became the prime enabler of the North Korean nuclear program. The program was conceived in the 1950s when North Korean scientists were sent to learn nuclear technology at Soviet institutions, began in earnest in the mid-1960s when a nuclear power research center was constructed at Yongbyon (about sixty miles north of Pyongyang), and accelerated in the 1980s when construction work on a gas-graphite reactor was completed and commenced operation in 1986. It is this plutonium-based reactor that soon became the center of North Korea's nuclear program.[13]

Newly declassified documents from the archives of East Europe and the Soviet Union, especially the strikingly candid and unvarnished transcripts of secret conversations between Kim Il Sung—and his senior advisors—and their counterparts in the erstwhile socialist world from the 1950s to the 1980s, throw into sharp relief Kim's mindset regarding nuclear weapons. Of all the revelations in the documents, several points are especially telling: first, that the DPRK's obsession with its own survival conditions its decision-making process; second, that as far as the DPRK is concerned, the Korean War never ended, as Kim Il Sung expected a renewed U.S. and South Korean attack even after the ceasefire reached in 1953; third, that Kim acknowledged over time the uniquely destructive potential of nuclear weapons and their utility for deterrence; fourth, that efforts to acquire nuclear knowhow from Moscow began in the early 1960s but were consistently rebuffed; and fifth, that such efforts to acquire nuclear weapons have been driven by deep-seated twin fears of a renewed U.S. military attack and abandonment by allies in Moscow and Beijing.[14] In a candid conversation with

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2004), pp. 52-55; Gavan McCormack, *Target North Korea*, pp. 150-54; Hayes, "American Nuclear Hegemony in Korea," pp. 356-57; Peter Hayes, *Pacific Powderkeg: American Nuclear Dilemmas in Korea* (Lexington, Mass.: Lexington Books, 1991) pp. 34-35.

13. McCormack, *Target North Korea*, pp. 150-51.

14. For further discussion and analysis, see Robert S. Litwak and Kathryn Weathersby, "The Kims' Obsession: Archives Show Their Quest to Pre-

East German leader Erich Honecker (known as his "best friend" in the socialist world) in October 1986, Kim Il Sung stated that North Korea "does not intend to attack, nor could it. More than 1,000 U.S. nuclear warheads are stored in South Korea, ostensibly for defense, and it would take only two of them to destroy [the North]."[15]

North Korea's response to U.S. nuclear threats came in many forms, shapes, and stages. In the immediate post-Korean War years, North Korea responded to American nuclear threats by building enormous underground tunnels and facilities or in mountain redoubts, from troop and material depots to munitions factories, even subterranean warplane hangars. North Korea is said to have some 15,000 underground facilities of a security nature.[16] The subway system in Pyongyang, which extends some 34 kilometers and is 100 meters in depth, as well as most towns, were constructed as massive bomb shelters for the twenty million people in the country, including the two million residents of the capital city.[17] North Korean military forces both expanded and redeployed in the late 1970s as a response to the AirLand Battle doctrine, with the redeployment leading to the stationing of nearly 80 percent of their ground forces near the DMZ.[18]

It is worth noting that the growing sense of socialist betrayal and abandonment fears, and the urgency of securing a self-reliant existential deterrent, were accentuated by the sudden loss of Soviet economic aid and nuclear umbrella. Moscow's aid to Pyongyang dropped from $260 million in 1980 to $6 million in 1986, the last year of Soviet aid, and the next three years registered negative amounts: -$33 million for 1987, -$41 million for 1988, and -$16 million for 1989.[19] Although increased Chinese

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serve the Regime," *Washington Post*, June 12, 2005 and Litwak, *Regime Change*, pp. 283-84.

15. Cited in Litwak, *Regime Change*, p. 284.
16. Cumings, *North Korea*, p. 55.
17. Han S. Park, "Military-First Politics (*Songun*): Understanding Kim Jong-Il's North Korea," *KEI Academic Paper Series* (May, 2007), p. 124.
18. Cumings, *North Korea*, pp. 54-55.
19. Marcus Noland, *Avoiding the Apocalypse: The Future of the Two Koreas* (Washington, D.C.: Institute for International Economics, June 2000), p. 96.

support has partly offset the loss of Soviet aid, China too has indicated that there are limits to how far it would go to support North Korea's economy, especially in light of the liberalizing economic reforms undertaken in post-Mao China.[20] When the Kremlin announced in September 1990 that it would normalize relations with Seoul, the DPRK stated in a prophetic memorandum that Moscow-Seoul normalization would mean an end to the DPRK-USSR alliance and that Pyongyang would have "no other choice but to take measures to provide for ourselves some weapons for which we have so far relied on the alliance."[21]

"Songun" Politics and Nuclear Strategy

Against this backdrop, U.S. nuclear threats combined with three momentous changes in the international system—the end of the cold war, the "third wave" of democratization, and globalization—drastically transformed the context and the conditions under which Pyongyang's nuclear strategy had to be reconstructed in Pyongyang.[22]

To a significant extent the new constitution (the Kim Il Sung Constitution), adopted by the first session of the tenth Supreme People's Assembly (SPA) on September 5, 1998, formalized the progressive shift of power from the state to the party to the military that had already taken place since the early 1990s. The Kim Il Sung Constitution makes Kim Jong Il the head of state in practice, if not in theory, by making the chairman of the National Defense Commission (NDC) the nerve center of a crisis-management garrison state. The SPA is still "the highest organ of State power in the DPRK" (Article 87) and the NDC is still "accountable to the SPA" (Article 105). Yet the ink on the new constitu-

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20. Ibid., p. 88.
21. Quoted in Andrew Mack, "The Nuclear Crisis on the Korean Peninsula," *Asian Survey*, vol. 33, No. 4 (April, 1993), p. 342.
22. For further analysis of North Korea's decision-making system, see Samuel Kim, "Introduction: A Systems Approach," in Samuel S. Kim, ed., *The North Korean System in the Post-Cold War Era* (New York: Palgrave, 2001), pp. 1-37.

tion was hardly dry before it was "nullified" by SPA Presidium President Kim Yong Nam, who declared: "The NDC chairmanship is the highest post of the state" and controls all of the political, military, and economic capabilities of the republic."[23] Even the minister of national defense is appointed or removed by the chairman of the NDC (Kim Jong Il), not by the premier.

The rapid rise of the military in the politics of everyday life reveals that post-Kim Il Sung North Korea has been functioning on an emergency, crisis-management basis. The logic of *songun* ("military-first") politics seems simple enough: North Korea needs a military government capable of insuring system maintenance and survival.[24] As is amply made manifest in the U.S.-DPRK nuclear confrontation or negotiations—and in Pyongyang's "package solution" proposal—there remains an inseparable linkage of security, development, and legitimacy in the conduct of North Korean foreign policy. Indeed, the three mega-crises—in security, economy, and legitimation/identity—frame and drive Pyongyang's survival-centered "grand nuclear strategy" in the post-Kim Il Sung era.

North Korean nuclear and missile strategy also illustrates with particular clarity that when the enactment of a national identity is blocked in one domain, the state seeks to compensate in another. From Pyongyang's *songun* perspective, developing asymmetrical capabilities such as ballistic missiles and weapons of mass destruction serves as an existential deterrent *sine qua non* in its survival strategy. North Korea is not unique in this respect. For states with existential threats, as Muthiah Alagappa argues, nuclear weapons constitute "bedrock weapons of the weak" in a condition of asymmetric power relationships. They are the ultimate security insurance to guarantee survival.[25]

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23. *Rodong Sinmun*, September 6, 1998, p. 4.
24. See for example Kim Jong Il's speech delivered at a secret meeting of party officials at Kim Il Sung University on December 7, 1996, in *Wolgan Chosun* [Monthly Korea], (April, 1997), pp. 306-17, especially p. 309.
25. Alagappa, "Introduction: Investigating Nuclear Weapons in a New Era," p. 23.

Securing Regime Security-Cum-Survival, Whatever It Takes

Throughout the 1990s and into the twenty-first century, Pyongyang's nuclear card has consistently been a very potent and fungible instrument for negotiating regime security-cum-survival. In the face of the rapid succession of momentous and threatening changes in the international system from 1989 to 1991 (the crumbling of the Berlin Wall, German reunification by absorption, the end of the cold war, and the demise of the Soviet Union and the socialist world), nuclear weapons suddenly became the North's main strategic option for optimizing security imperatives and effectively coping with allied abandonment fears and resource constraints.

The United States, *faute de mieux*, has "loomed ever larger in North Korean strategy, becoming the focal point of Pyongyang's efforts at regime survival and the key to enhancing its international legitimacy, obtaining economic aid, investment, and increased trade, and acquiring tactical benefits in its relations with South Korea."[26] Such a shift was endorsed by Kim Il Sung himself at the December 1991 party plenum when he reportedly sided with "pragmatists" to compromise on nuclear issues in return for economic engagement and diplomatic normalization with Washington and Tokyo.[27] Yet successful execution has encountered a host of problems, stemming above all from the different priorities and incentive structures of domestic politics in Pyongyang and Washington that drive each party's respective policies toward the other.

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26. Robert Manning, "United States-North Korean Relations: From Welfare to Workfare?" in Samuel S. Kim and Tai Hwan Lee, eds., *North Korea and Northeast Asia* (Lanham, Md.: Rowman & Littlefield, 2002), p. 62.
27. Litwak, *Regime Change*, p. 276 and Don Oberdorfer, *The Two Koreas: A Contemporary History*, 2d ed. (Reading, Penna.: Addison Wesley, 2001), p. 263.

The First Nuclear Crisis

In 1993 and 1994, the North Korean nuclear issue emerged as the single greatest crisis—but also greatest opportunity—in its foreign policy. After a year of back and forth actions and reactions—including the suspension of withdrawal from the NPT, alleged tampering with IAEA (International Atomic Energy Agency) seals, a newly announced intention to leave the IAEA, and attempts to impose UN Security Council sanctions—former U.S. President Jimmy Carter went to Pyongyang. There he received Kim Il Sung's personal pledge to freeze and eventually dismantle North Korea's nuclear program (contingent on the U.S. implementation of its obligations) and catalyzed the revival of U.S.-DPRK negotiations at a time when the United States was veering dangerously toward military action against North Korea.[28] The Clinton administration learned the hard way that the United States had no viable alternative but to accept North Korea's package-deal proposal that culminated, after four months of negotiations in Geneva, in the U.S.-DPRK Agreed Framework (AF) of October 21, 1994.

And yet from day one the AF as the new road map for moving U.S.-DPRK relations toward normalization encountered many domestic obstacles and sniping attacks. With the instant political and diplomatic fallout of the Republican victory in the November 1994 Congressional elections, the Clinton administration was either unable or unwilling to take on Congress on the unpopular North Korean issue. Unwilling to use its limited political capital, the administration backpedaled on implementing America's "nonbinding" obligations, much to Pyongyang's chagrin and frustration.[29] While Pyongyang treated the AF as a legally binding treaty and as "a very important milestone document of historical significance that would resolve the nuclear issue once and for all,"[30] the U.S. General Accounting Office stated early on that the

28. Leon V. Sigal, *Disarming Strangers: Nuclear Diplomacy with North Korea* (Princeton, N.J.: Princeton University Press, 1998), p. 132.
29. Leon V. Sigal, "Countdown on Korea," *The American Prospect*, vol. 12, No. 15 (August 27, 2001).
30. *Rodong Sinmun*, December 1, 1994.

AF should properly be described as "a nonbinding international agreement."[31] The U.S. position thus leads to a double-standard assumption. On one hand, the United States is not legally obliged to implement its part of the bargain—for example, normalization of political and economic relations with North Korea; reduction of trade and investment barriers within three months; delivery of a light-water reactor by a target date of 2003; and assurances regarding nuclear threats and use. On the other hand, the United States may end heavy fuel shipments (as it did in November 2002), justifying the decision on an interpretation of Pyongyang's highly-enriched uranium (HEU) program as a violation of the AF. Tellingly, the Clinton administration's position in the 1990s was that Pyongyang's compliance with the nuclear aspects of the AF would be necessary but not sufficient to gain normalization, since that development would be contingent on progress on a wider set of issues, including the further improvement of relations between the two Koreas.[32]

A more important, albeit unspoken, critical threshold assumption for U.S. backpedaling or inaction was the will-o'-the-wisp belief that North Korea would collapse within either six months (for the optimistic pundits) or three years (for the more cautious pundits). Why not wait until the rotten apple falls by the weight of its internal contradictions rather than expend precious political capital on the odious North Korean regime?

Having transitioned from passive containment to a form of passive engagement, Washington had little to do with North Korea until 1998, when a new "threat" ushered in another round

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31. See "Nuclear Nonproliferation—Implications of the U.S./North Korean Agreement on Nuclear Issues," GAO Report to the Chairman, Committee on Energy and Natural Resources, U.S. Senate, October 1996. (GAO/RCED/NSIAD-97-8). Such an arbitrary unilateral interpretation of the AF defies one of the most well-established principles of international law. Virtually all international legal scholars, from Hugo Grotius onward, have pointed out that the names or titles of international agreements have little or no legal significance; that is, the legal force of an international agreement is not dependent on any particular name or title.
32. Litwak, *Regime Change*, p. 258.

of U.S.-DPRK standoff, one characterized by a more vigorous pursuit of engagement. The key catalyst here was the August 1998 launch of the *Taepodong-1* missile that passed through Japanese air space. In response, Clinton drafted his former secretary of defense, William Perry, to conduct a thorough review and assessment of U.S. policy toward North Korea. The Perry Report, issued in October 1999, noted the centrality of the AF and called for a two-track approach of step-by-step engagement and normalization with a concurrent posture of deterrence. As if to presage the advent of the evil-state demonization strategy, the Perry Report stressed that a policy of regime change and demise —"a policy of undermining the DPRK, seeking to hasten the demise of the regime of Kim Jong Il"—was one of four policy options considered, but rejected.[33]

Indeed, the second half of 2000 witnessed a flurry of Pyongyang-Washington interactions, including a quasi-summit meeting between President Clinton and Vice Marshal Jo Myong-Rok in Washington and then a remarkable quasi-summit meeting between Secretary of State Madeleine Albright and Chairman Kim Jong Il in Pyongyang. These meetings yielded significant progress toward improving U.S.-DPRK relations. The U.S.-DPRK Joint Communique of October 12, 2000, for example, stated *inter alia* that the two sides "are prepared to undertake a new direction in their relations" and "as a crucial first step, the two sides stated that neither government would have hostile intent toward the other and confirmed the commitment of both governments to make every effort in the future to build a new relationship free from past enmity."[34] In addition, there was a major missile accord in the offing. By the end of 2000, however, such a "grand bargain" fell between two stools, due largely to the transition to the Bush administration. Indeed, the "Clinton in Pyongyang Shock" morphed into the "Bush in Washington Shock."

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33. William J. Perry, "Review of United States Policy Toward North Korea: Findings and Recommendations," October 12, 1999, at www.state.gov/www/regions/eap/991012_northkorea_rpt.html.
34. For the text of the joint communique, see http://U.S.info.state.gov/regional/ea/easec/U.S.nkorea.htm.

The Second Nuclear Crisis

With the coming of the hard-line "ABC" (All But Clinton) administration of George W. Bush, it was not North Korea itself but Clinton's North Korea policy that had a crash landing. At the same time, the Bush administration made missile defense one of its main avenues of defense research and development. It repeatedly cited North Korea as one of the primary reasons that the United States must pursue the technologically, diplomatically, and legally questionable missile defense systems.[35] Despite Pyongyang's immediate condemnation of the terrorist attacks of September 11, 2001 and subsequent accession to international conventions on terrorism, 9/11 became the enabler for the Bush administration to pursue whatever policies it wanted. For North Korea the most critical threat came in the form of the "Axis of Evil" State of the Union speech in January 2002, in which Washington's rogue-state strategy was upgraded to an "evil-state regime-change strategy."

In addition to Bush's evil-state rhetoric, administration hawks actively increased the aggressiveness of U.S. military doctrine. A series of radical shifts in America's military doctrine made it increasingly evident that this was more than mere rhetorical posturing. First, the Quadrennial Defense Review called for a paradigm shift from threat-based to capability-based models. Second, the Nuclear Posture Review (NPR) lowered the threshold for the use of tactical nuclear weapons in the pursuit of new, small, "usable" nuclear weapons, and listed China and North Korea as two of the seven target countries. Third, the Bush doctrine of preemption was first proclaimed at West Point in June 2002, then officially enunciated and codified in *The National Security Strategy of the United States of America* in September 2002. It was exercised in Iraq in March 2003, with perverse and self-defeating consequences. The NPR was an explicit violation of the 1994 U.S.-

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35. Spurgeon Kennedy, "Preserving the North Korean Threat," *Arms Control Today Online*, No. 4 (2001), at www.armscontrol.org/act/2001_04/focU.S.01.asp.

DPRK Agreed Framework (and the U.S.-DPRK Joint Communique of October 12, 2000), which stipulates that "the United States will provide formal assurances to the DPRK, against the threat or use of nuclear weapons by the United States." The DPRK, once burned, was now twice cautious!

Indeed, the so-called October 2002 revelations—in effect, U.S. Assistant Secretary of State James Kelly under tightly scripted instructions from the Bush administration dropping bombshell accusations of North Korea's HEU program without any direct evidence—did not mark the beginning of the second nuclear crisis as the conventional wisdom would have us believe. Bush's *non sequitur* diplomacy (willing to talk but refusing to negotiate), preemptive doctrine, and evil-state strategy played well in U.S. domestic politics and rather directly into the DPRK's compensatory asymmetric negotiating strategies, so that the two countries spiraled in a perpetual *danse macabre* instead of working toward a negotiated resolution of the nuclear issue.

The fact that the game, no matter how or in what issue area it is being played, is ultimately about the survival-driven security-cum-economic dilemmas, as evidenced in comments by Charles Pritchard on the U.S. diplomatic trip to North Korea in 2000:

> I am struck by what Kim Jong-il, North Korea's leader, said to Madeleine Albright, former U.S. secretary of state, in October 2000. He told her that in the 1970s, Deng Xiaoping, the Chinese leader, was able to conclude that China faced no external security threat and could accordingly refocus its resources on economic development. With the appropriate security assurances, Mr. Kim said, he would be able to convince his military that the U.S. was no longer a threat and then be in a similar position to refocus his country's resources.[36]

William Perry offered a similar assessment in a 1999 interview: "We do not think of ourselves as a threat to North Korea. But I fully believe that they consider the U.S. a threat to them,

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36. Charles Pritchard, "A Guarantee to Bring Kim Into Line," *Financial Times*, October 10, 2003.

and therefore, they see [the *Taepodong-1*] missile as a means of deterrence."[37]

In order to resolve the nuclear standoff that began in October 2002, the DPRK ministry of foreign affairs issued a statement detailing its version of what had actually occurred in the Kelly-Kang exchanges behind the scenes a few weeks earlier. The statement also described the "grand mutual security bargain" offered by the North Korean negotiators to James Kelly:

> The DPRK, with greatest magnanimity, clarified that it was ready to seek a negotiated settlement of this issue on the following three conditions: firstly, if the U.S. recognizes the DPRK's sovereignty; secondly, if it assures the DPRK of nonaggression; and thirdly, if the U.S. does not hinder the economic development of the DPRK. . . . If the U.S. legally assures the DPRK of nonaggression, including the nonuse of nuclear weapons against it by concluding . . . a treaty, the DPRK will be ready to clear the former of its security concerns.[38]

The U.S.-DPRK nuclear confrontation accelerated the escalation of tensions as China looked on. In November 2002 the United States announced its decision to halt shipments of heavy fuel oil to North Korea. Pyongyang reacted by announcing that it would reactivate a nuclear power program at the Yongbyon nuclear facilities—a program that had been suspended under the AF—and then started dismantling IAEA monitoring equipment at Yongbyon. The following month Defense Secretary Donald Rumsfeld warned North Korea not to try to take advantage of the U.S. preoccupation with Iraq, declaring that the United States was able and willing to fight and win two wars at the same time if necessary.[39] Continuing the downward spiral, the DPRK expelled the remaining IAEA inspectors from the coun-

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37. Public Broadcast Service interview, Washington, D.C., September 17, 1999, as provided by NAPSNet, September 30, 1999, at www.nautilus.org/napsnet/dr/9909/Sep20.html#item4.
38. See "Conclusion of Non-Aggression Treaty between DPRK and U.S. Called for," Korean Central News Agency (KCNA), October 25, 2002, at www.kcna.co.jp/item/2002/200210/news10/25.htm.
39. Anwar Iqbal, "Rumsfeld Warns N. Korea: U.S. Can Fight," *United Press International*, December 23, 2002.

try, stated its intent to restart a nuclear processing plant, and then announced on January 10, 2003, its withdrawal from the NPT.

The U.S. invasion and occupation of Iraq beginning in March 2003 signaled to Pyongyang that the changes in Washington were more than just rhetorical or doctrinal. As it became clear that the United States was looking for regime change in North Korea as well, the sense of urgency increased. As if to avoid air strikes from Washington that could attempt regime decapitation, Kim Jong Il disappeared from public sight for fifty days. To Kim, U.S. military deployments around the Korean peninsula during the first several months of the Iraq war were indistinguishable from preparations for regime-decapitating air strikes similar to those launched against Iraq.[40]

China learned in April 2003 that Defense Secretary Donald Rumsfeld had circulated a memorandum proposing that the United States work with China to isolate the North Korean regime and bring about its collapse.[41] The following month revealed further evidence of the aggressiveness of Bush administration policy toward North Korea. First, the Pentagon's Operations Plan 5030 described a variety of harassment and intimidation strategies that could be applied against North Korea, and then the eleven-nation Proliferation Security Initiative (PSI) established coordinated interception of cargo shipments for inspection, with the possibility of an air and naval blockade/sanctions regime.[42] All of this happened three years before North Korea's missile launchings and the first nuclear test in July and October 2006.

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40. See Robert Litwak, "Non-Proliferation and the Dilemmas of Regime Change," *Survival*, vol. 45, No. 4 (Winter, 2003), p. 25; Litwak, Regime Change, p. 270.
41. See David E. Sanger, "Aftereffects: Nuclear Standoff, Administration Divided Over North Korea," *New York Times*, April 21, 2003; David Rennie, "Rumsfeld Calls for Regime Change in North Korea," *Daily Telegraph* (London), April 22, 2003.
42. Bruce B. Auster and Kevin Whitelaw, "Upping the Ante for Kim Jong Il: Pentagon Plan 5030, a New Blueprint for Facing Down North Korea," *U.S. News and World Report*, July 21, 2003, p. 21.

In response to the decision of the Washington-generated KEDO (the Korean Peninsula Energy Development Organization) to stop shipments of heavy fuel to North Korea in the wake of Kelly's visit to Pyongyang, the DPRK declared that it was Washington, not Pyongyang, that delivered the final blow to the AF. Indeed, supplying heavy fuel oil was said to have been the only one of the four articles of the AF that the United States has ever respected, albeit briefly and sporadically.[43]

The failure of the United States to implement the AF propelled the DPRK to adopt the same tactics of negotiation, first in 1998 by making missile technology and proliferation an issue with the *Taepodong-1* launch and then in late 2002 and early 2003 by the lighting of "three long nuclear fuses": the seeking of equipment to process uranium, the production of plutonium at the Yongbyon facility, and the resumption of construction on the reactors frozen by the AF.[44] Perceiving a clear and present danger based on the regime-change rhetoric and/or strategy of the new Bush administration and facing the U.S. decision to stop sending monthly heavy fuel supplies, the DPRK did what most countries under similar circumstances would do: It reactivated the nuclear bargaining chip. The DPRK did not create a crisis when confronted by James Kelly in early October 2002; rather a simmering crisis, fed by the failure of U.S. policy since the signing of the AF, emerged out in the open. Yet in nullifying the AF, Washington left Pyongyang no choice but to surrender with nuclear disarmament or to reactive the frozen Yongbyon facility. As Siegfried Hecker succinctly put it, "the Bush administration killed the Agreed Framework for domestic political reasons," with the consequence of trading a potential threat that would have taken years to turn into bombs for one that took months.[45] The price of the evil-state strangulation strategy is paid in handsome nuclear dividends: North Korea's nuclear stockpile increased

43. *New York Times*, November 14, 2002.
44. Leon V. Sigal, Presentation at Columbia University, February 26, 2003.
45. Siegfried S. Hecker, "Lessons Learned from the North Korean Nuclear Crises," NAPSNet Policy Forum Online, January 20, 2010, at www.nautilus.org/fora/security/10006Hecker.pdf.

from an estimated one or two weapons to six or eight atomic bombs during the Bush years.[46]

The first few months of 2003—in the heat of the second U.S.-DPRK nuclear standoff—witnessed Beijing's uncharacteristically proactive mediation-cum-shuttle diplomacy to prevent the U.S.-DPRK nuclear standoff from spiraling out of control. On March 8-9, 2003, Beijing dispatched its foreign minister and vice premier, Qian Qichen, to North Korea to meet Kim Jong Il, with the goal of initiating trilateral peace talks involving Pyongyang, Washington, and Beijing. The inconclusive ending of the trilateral talks had the effect of intensifying China's diplomatic action. Beijing dispatched Deputy Foreign Minister Dai Bingguo, who among all Chinese officials is said to have had the most meetings with and is also the closest to Kim Jong Il, to Pyongyang to jumpstart multilateral (six-party) talks on the North Korean nuclear issue. China's mediation diplomacy led to the first round of Six Party Talks (6PT), held in Beijing in August 2003, as the beginning of the six-party process.[47]

The logic of Beijing's proactive preventive diplomacy was to avert the crystallization of conditions under which Pyongyang could calculate that lashing out—to preempt America's preventive strike, as it were—would be a rational course of action, even if ultimate victory were impossible. From Beijing's perspective, the perverse and self-defeating consequences of the Bush administration's evil-state strategy were seen as aiding and abetting hard-liners in Pyongyang and fueling the compensatory brinkmanship behavior of the first U.S.-DPRK nuclear standoff in 1994.

On the other hand, the Bush administration's on-the-fly "multilateral approach" to isolate North Korea stood on shaky grounds historically and practically. The fact that the otherwise multilateralism-averse Bush administration was belatedly coming up with a multilateral approach was widely perceived as an attempt to form a united regional (multilateral) front against the

46. Litwak, *Regime Change*, p. 286.
47. Samuel S. Kim, "China's Conflict-Management Approach to the Nuclear Standoff on the Korean Peninsula," *Asian Perspective*, vol. 30, No. 1 (Spring, 2006), pp. 3-38.

DPRK. From Pyongyang's perspective, this multilateral approach was seen as the continuation of regime-change strategy by another name. Besides, Pyongyang does not feel threatened by China, Russia, Japan, or even South Korea; hence the shortest pathway to Pyongyang's security goes through Washington.

At the first round of the 6PT in Beijing in August 2003, the DPRK offered a "package solution." The DPRK offered to revive the AF—without specifically referring to it—and to include a missile deal in exchange for the establishment of diplomatic relations with the United States and Japan and guarantees of economic cooperation between the DPRK and Japan and between the DPRK and the ROK. Pyongyang suggested that its dismantling of the nuclear program was contingent on a lessening of U.S. hostility, that a nonaggression treaty was the benchmark of this lessening of hostility, that such a treaty must be of binding legal force, and that action must be taken simultaneously—"word for word, action for action."[48]

Giving more specifics on the measures to be taken by the United States and North Korea, Kim Yong Il—Vice Minister of Foreign Affairs and head of the DPRK delegation to the 6PT—summarized the package solution to be implemented via simultaneous actions as follows:

> For a package solution, the U.S. should conclude a non-aggression treaty with the DPRK, establish diplomatic relations with it and guarantee the economic cooperation between the DPRK and Japan and between the north and the south of Korea. And it should also compensate for the loss of electricity caused by the delayed provision of light water reactors and complete their construction. For this, the DPRK should not make nuclear weapons and allow the nuclear inspection, finally dismantle its nuclear facility, put on ice the missile test-fire and stop its export. . . . According to the order of simultaneous actions, the U.S. should resume the supply of heavy fuel oil, sharply increase the humanitarian food aid. . . . According to this order, we will allow the refreeze of our nuclear

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48. See "Keynote Speeches Made at Six-way Talks," Korean Central News Agency (KCNA), August 29, 2003 at www.kcna.co.jp/item/2003/200308/news08/30.htm.

> facility and nuclear substance and monitoring and inspection of them from the time the U.S. has concluded a non-aggression treaty with the DPRK and compensated for the loss of electricity. We will settle the missile issue when diplomatic relations are opened between the DPRK and the U.S. and between the DPRK and Japan. And we will dismantle our nuclear facility from the time the LWRs [light-water reactors] are completed.[49]

The statement contains a mixture of economic and political demands and offers, all relating back to the 1994 Agreed Framework. Having presented its package solution in Beijing, North Korea assessed the positions of the other participants in the 6PT as follows: first, China, Russia, and South Korea also referred to the package solution and the notion of simultaneous actions; second, Japan tried to use the 6PT for meeting its own domestic political interests, focusing on the abduction issue; third, the United States took the most unreasonable stand of disarmament first and security and economic aid later; fourth, it has become clearer through the six-way talks that the United States seeks to force the DPRK to disarm, while persistently pursuing its hostile policy toward the DPRK. In mid-October 2003 the DPRK threatened to demonstrate its nuclear capabilities, and then in early December Pyongyang presented a list of conditions that it viewed as prerequisites for the demolition of its nuclear program. The United States responded to these conditions with a demand that Pyongyang dismantle its nuclear program as a precursor to negotiations. This demand was an early exposition of the "complete, verifiable, irreversible disarmament" (CVID) requirement that the United States would unveil at the second round of the 6PT in February 2004.

In the third round of the Six-Party Talks, held in June 2004, the United States outlined a disarmament proposal that seemed like a reformulation of the CVID mantra. North Korea was required to make the initial concessions without any guarantee of reciprocation from the United States. And whereas the requirements for the DPRK were quite specific, those for the United States were vague

49. Ibid.

and contingent—the United States, for instance, would not even participate in the new heavy fuel oil shipments.

Caught in diplomatic gridlock in the six-party process from August 2003 to early 2005 and against the backdrop of being labeled as an "outpost of tyranny" by the second-term Bush administration, Pyongyang raised the ante of its own BBB (brinkmanship, breakdown, breakthrough) diplomacy with a statement on February 10, 2005, that it had "manufactured nukes for self-defense to cope with the Bush administration's evermore undisguised policy to isolate and stifle the DPRK." The statement said that the DPRK was therefore "compelled to suspend participation in the [Six Party] talks for an indefinite period."[50]

From Diplomatic Success to Stalemate

To a certain extent, Pyongyang's decision to rejoin the 6PT after a thirteen-month hiatus can be attributed to the synergy of Chinese and South Korean mediation diplomacy that was aimed at providing a face-saving exit from the trap of mutual U.S.-DPRK creation. This was particularly important in the wake of the Bush administration's characterization of Kim Jong Il as a "tyrant" and Condoleezza Rice's labeling of North Korea as an "outpost of tyranny." Beijing, Seoul, and Moscow had been prodding the Bush administration to stop using this kind of provocative language and to map out detailed economic and security incentives as *quid pro quo* for North Korea's nuclear disarmament. Indeed, the implicit withdrawal of vilifying rhetoric was important in Pyongyang, as made evident in an official statement of the DPRK Ministry of Foreign Affairs: ". . . the U.S. side at the contact made between the heads of both delegations in Beijing Saturday clarified that it would recognize the DPRK as a sovereign state and that the U.S. would not invade DPRK but would instead hold bilateral talks within the framework of the

50. For an English text of the DPRK Ministry of Foreign Affairs statement of February 10, 2005, see KCNA, February 10, 2005, available at www.kcna.co.jp/item/2005/200502/news0211.htm.

six-party talks. The DPRK side interpreted it as a retraction of its remark designating the former as an 'outpost of tyranny' and decided to return to the six-party talks."[51]

The simultaneous and reciprocal "words for words and action for action" approach that North Korea advocated as its negotiating stance and that China insinuated as group consensus in the chairman's statement at the end of the third round of talks also provided an exit with voice for Pyongyang, if not for Washington. China was the most critical factor in achieving a group consensus in the form of the Joint Statement of Principles. The Joint Statement was issued by the participants in the fourth round of the 6PT on September 19, 2005, the first-ever successful outcome of the on-again, off-again multilateral dialogue of more than two years.

Indeed, China's diplomacy since early 2003 was the primary catalyst facilitating and energizing multilateral dialogues among the Northeast Asian states concerned in the U.S.-DPRK nuclear standoff. Whereas in 1994 China wanted the United States and the DPRK to handle their dispute bilaterally, from 2003 to 2005 China succeeded in drawing North Korea into a unique regional and multilateral setting that Pyongyang—and Beijing—had previously foresworn in a quest for direct bilateral negotiations with the United States. Chinese diplomats are reported to have played a key behind-the-scenes mediation role in facilitating the U.S.-DPRK bilateral contact from May to June 2005 that led to the fourth round of the 6PT. This round lasted twenty days in two sessions (July 26-August 7 and September 13-September 19), compared with three to four days for the first three rounds of talks. China brought the DPRK to the Six Party Talks, overcoming Pyongyang's principled insistence on direct bilateral negotiation with the United States. This was made possible by a "*qiutong cunyi*" formula (seeking common ground while preserving differences) of allowing "bilateral talks within the six-party talks

51. "Spokesman for DPRK Foreign Ministry on Contact between Heads of DPRK and U.S. Delegations," Korean Central News Agency, July 10, 2005.

framework" for the much-delayed fourth round of talks. Chinese diplomats are believed to have been even-handed to a fault in producing five successive drafts of a possible joint statement designed to seek common ground between the U.S. and North Korean positions during the second and final phase of the fourth round of talks. By September 17, 2005, China's fifth and final draft of a possible Joint Statement became acceptable to all five parties other than the United States, thus reaching a breakthrough or breaking point in the six-party process.[52]

Why then did the Bush administration agree to sign on to the Chinese draft of a Joint Statement despite its earlier vehement opposition to any mention of a peaceful nuclear program? First, there was no viable alternative given the failure of the policy of "tailored containment" in the preceding five years. Second, China successfully mobilized "the coalition of the willing" in support of its *qiutong cunyi* Joint Statement, especially on the provision of a peaceful nuclear program—with three in favor (China, South Korea, and Russia), one opposed (the United States), and one abstaining or split in its position between the two (Japan)—and in Principle 5, which stipulates that "the Six Parties agreed to take coordinated steps to implement the afore-mentioned consensus in a phased manner in line with the principle of 'commitment for commitment, action for action.'" Third, China boxed the United States into a corner with a "yes or no" choice, forcing it to accept or else be blamed by the world community for the collapse of the critical fourth round of talks and presumably the failure of the six-party process for good. And fourth, Washington felt it could accept the Chinese draft of a Joint Statement subject to Washington's post hoc backtracking via its selective and self-serving interpretations or bringing back in a "joker."

Not surprisingly, further progress on the implementation of the September 19, 2005, Joint Statement immediately came to a screeching halt on the following day with the U.S. imposition of financial sanctions (the joker) in the form of the U.S. Treasury's

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52. Kim, "China's Conflict-Management Approach to the Nuclear Standoff on the Korean Peninsula."

designation of a small Macao bank, Banco Delta Asia (BDA), as a primary money laundering concern. The North Korean accounts in the BDA (valued at about $24 million) were immediately frozen, but the most important consequence was the warning Washington sent to all other international banks: they could do business with North Korea at their own risk.[53] With its financial links to the international financial system dealt a serious blow, Pyongyang demanded not only the return of the frozen funds but also the reestablishment of bank accounts in a foreign country as a precondition for implementation of its side of the bargain. With the six-party process stalled, Pyongyang raised the ante, testing missiles in July 2006 and a nuclear device in October 2006. The successful October 2007 bilateral negotiations between the United States and the DPRK on the BDA issue—perhaps owing in no small measure to North Korea's first nuclear test in October 2006—permitted the resumption of the 6PT and two major implementation agreements on February 13, 2007, and October 3, 2007.

By early to mid-2008 North Korea seemed serious enough in going along with the process of denuclearization and improved relations with the United States. The New Year joint editorial of three leading newspapers (*Rodong Sinmun, Joson Inmingun*, and *Chongnyon Jonwi*) for the first time offered an upbeat prognostication for 2008 with the promise that the government would focus on building economic power: "The entire Party, the whole country and all the people should launch a general offensive to build economic power. Today, the economy is the front of main efforts in the building of a great, prosperous and powerful nation."[54] On May 8, 2008, Pyongyang provided Washington

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53. For detailed discussion and analysis, see John McGlynn, "Banco Delta Asia, North Korea's Frozen Funds and U.S. Undermining of the Six-Party Talks: Obstacles to a Solution," *The Asia-Pacific Journal: Japan Focus* (June 9, 2007), available at http://japanfocus.org/articles/print_article/2446.
54. "Glorify this Year of the 60th Anniversary of the Founding of the DPRK as a Year of Historical Turn Which Will Go Down in the History of the Country," Korean Central News Agency (KCNA), January 1, 2008.

with over 18,000 pages of documents on its plutonium program going back to the early 1990s. On June 26, 2008, Pyongyang also provided the long-delayed declaration covering its nuclear facilities, the amount of plutonium produced and extracted, and the use to which it was put.[55] In late June 2008 North Korea allowed the spectacular televised destruction of the cooling tower at the Yongbyon nuclear reactor.

The Bush administration too seemed to be satisfied with the disablement process. Assistant Secretary of State Christopher R. Hill testified before the Senate Foreign Relations Committee on February 6, 2008 that "we have made progress on implementation of the October 3, 2007 agreement on 'Second Phase Actions for the Implementation of the Joint Statement,' particularly on the disablement of the Yongbyon nuclear facility." He also said that all the parties had agreed that "disablement tasks at the reprocessing plant were completed prior to December 31, 2007, including the removal of several key pieces of equipment necessary for the separation of plutonium from spent fuel rods," and that "the specific disablement actions should ensure that the DPRK would have to expend significant effort and time (upwards of 12 months) to reconstitute all of the disabled facilities."[56]

Nonetheless, thanks to bureaucratic politics in Washington, the unraveling of the landmark disablement-cum-dismantlement implementation process began in July—in the wake of the blowing up of the cooling tower at Yongbyon—when Washington presented Pyongyang with a sweeping new verification plan. Washington now demanded "full access to any site, facility or location deemed relevant to the nuclear program, including military facilities."[57] David Albright, a former weapons inspector in Iraq who examined the U.S. proposal, said it would be "complete-

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55. Stephan Haggard and Marcus Noland, "North Korea in 2008: Twilight of the God?" *Asian Survey*, vol. 49, No. 1 (January-February, 2009), p. 103.
56. Statement Before the Senate Foreign Relations Committee, February 6, 2008, Status of the Six-Party Talks for the Denuclearization of the Korean Peninsula.
57. Glenn Kessler, "Far-Reaching U.S. Plan Impaired N. Korea Deal," *Washington Post*, September 26, 2008.

ly unacceptable to any country's sovereignty" and amounted to "a verification wish list" and "a license to spy on any military site they have."[58] At the same time, the DPRK foreign ministry complained that it had already disabled 80 percent of its main nuclear complex but had received only 40 percent of the promised energy shipments, and warned that it would move on to the next phase of the denuclearization process—to abandon and dismantle its nuclear weapons programs—only after it has been awarded all the energy aid and political benefits promised under the deal.[59]

In August, Washington submitted a slightly revised verification proposal, one that was somewhat more vague but still retained key elements, but without any response from Pyongyang. If the Bush administration succumbed to hard-liners in the reformulation of a sweeping verification proposal, Pyongyang too seemed to have allowed its hard-liners to gain ascendancy at a time of leadership crisis triggered by Kim Jong Il's apparent stroke in mid-August. As Robert Litwak argues, it is regime (leadership) intention more than regime type that is the critical indicator of a country's decision to go nuclear.[60] In a time of leadership crisis or paralysis, "regime intention" becomes at one and the same more difficult and easier to discern, since such a leadership crisis would usually give the upper hand to a regime's hard-liners. Even without Kim Jong Il's guidance, Pyongyang can be said to have gone much further in the disablement process than in the first U.S.-DPRK nuclear standoff, only to receive much less in return. Pyongyang had gained neither promises of normalization nor even any glimmer of hope for the light water reactors, though these had been part of the AF. It is no surprise that the voices in Pyongyang saying that engagement policies were ineffective became louder.[61]

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58. Ibid.
59. See "DPRK Foreign Ministry Spokesman on Implementation of Agreement Adopted by Six-Party Talks," KCNA, July 4, 2008.
60. Litwak, "Non-Proliferation and the Dilemmas of Regime Change," p. 11.
61. See Bruce Cumings, "Kim Jong Il Confronts Bush—and Wins," *The Asia-Pacific Journal: Japan Focus*, October 9, 2007, at http://japanfocus.org/

The current stalemate is due largely to factors beyond Pyongyang's control: elections and new governments in the United States and South Korea and peculiar Japanese domestic considerations, factors that combined to narrow the focus to North Korea's disadvantage. In any event, there is now growing evidence that hard-liners in Washington, Tokyo, and Seoul have already taken command in the unraveling of the six-party process and accords.[62]

Pyongyang's high hopes and expectations for the new "engagement" direction in the Barack Obama administration's North Korea policy appear to have crashed.[63] Almost unnoticed in the leadup to the April 5, 2009 rocket/missile launch, the Obama administration had already backpedaled in March 2009 from the campaign promise of direct negotiation and "new diplomacy," initiating instead a trilateral mobilization of threatening military force—up to nine Aegis destroyers, submarines, surveillance aircraft, satellites, and radar systems of the United States, Japan, and South Korea as well as the highly provocative March 9-20 U.S.-ROK *Key Resolve* (*Team Spirit*) joint war games, which mobilized 50,000 men and an armada of ships and fighter planes to rehearse renewed peninsular war.[64]

Once again, the deal maker is and becomes in effect the deal breaker. The Obama administration seems to have adopted a "grabbing with two hands" approach. With one wobbly hand, Washington keeps urging Pyongyang to return to the Six-Party Talks, while at the same time firmly holding sanctions with the other strong hand. As Secretary Clinton said in a speech on Octo-

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articles/print_article/2539; Gavan McCormack, "Security Council Condemnation of North Korean 'UFO' Deepens Korean Crisis," *The Asia-Pacific Journal*, vol. 16, No. 1 (April 15, 2009); Kim Myong Chol, "Kim Jong-il Shifts to Plan B," *Asia Times Online*, May 21, 2009.

62. McCormack, "Security Council Condemnation of North Korean 'UFO' Deepens Korean Crisis."

63. Georgy Toloraya, "The New Korean Cold War and the Possibility of Thaw," *The Asia-Pacific Journal*, vol. 19, No. 1 (May 9, 2009).

64. McCormack, "Security Council Condemnation of North Korean 'UFO' Deepens Korean Crisis" and Kim Myong Chol, "Kim Jong-il Shifts to Plan B."

ber 29, 2009, "North Korea's return to the negotiating table is not enough. Current sanctions will not be relaxed until Pyongyang takes verifiable, irreversible steps toward complete denuclearization. Its leaders should be under no illusion that the United States will ever have normal, sanctions-free relations with a nuclear-armed North Korea."[65] Even on the role of nuclear weapons, the promise-versus-performance gap—"Do as I say, Not as I do"—remains, for "the same Barack Obama who promised at Prague in April 2009 to 'reduce the role of nuclear weapons in our national security strategy' also promised, in the Joint Vision Statement with South Korea's President Lee Myung-bak, to maintain 'extended [nuclear] deterrence' against North Korea."[66]

Bringing the Common-Security Engagement Back In

Prospects for a Denuclearized North Korea

What is most striking about North Korea's nuclear strategy in the post-cold war world is not its success or failure but rather the extent to which the United States has repeatedly functioned as Pyongyang's existential threat or a critical life-support system, and sometimes both. The shortest and longest pathway to Pyongyang's security goes through Washington. Despite the habit-driven pronouncements about *songun* politics and *juche* ideology, North Korea's nuclear strategy is being shaped and reshaped as much in Washington's domestic politics, if not more so, than in Pyongyang's Black Box.

The abolition of nuclear weapons requires first of all that we understand why North Korea chose to go nuclear in the first

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65. Speech at the United States Institute of Peace, October 21, 2009, Department of State No. 2009/1049, at www.usip.org/files/resources/Clinton%20usip%20remarks.pdf. See also Mel Gurtov, "Taking Engagement Seriously: Why Obama Should Honor His Campaign Pledges," *Global Asia*, Current Forum (September 30, 2009) at www.globalasia.org/Global_Asia_Forum/Current_Forum/Taking_Engagement_Seriously.html.
66. Gurtov, "Taking Engagement Seriously."

place. After some sixteen years of the on-again, off-again U.S.-DPRK confrontation and negotiations, it now seems apparent that Pyongyang will not give up its nuclear and missile programs without sufficient evidence of the end of U.S. enmity and the crime-and-punishment strategy. The issue of North Korea's nuclear program cannot be settled without first addressing the country's legitimate security needs and fears in strategically and economically credible ways. Only a legally binding peace treaty or nonaggression treaty, not mere declarations, will signal the end of U.S. enmity and the crime-and-punishment strategy and lead to the denuclearization Washington seeks. Imagine Mao's hypothetical reaction to President Nixon's hypothetical "Nuclear Disarmament First, Normalization Later" proposal at the Beijing summit in 1972!

Pacifying North Korea's insecurity by formally ending the Korean War with a peace treaty, establishing diplomatic relations, allowing membership in keystone multilateral economic institutions, and providing humanitarian food aid would cost little but would go a long way in building mutual trust and confidence in the peaceful coexistence process. This means that the often repeated mantra—"denuclearization first, cooperation later"—which is taken seriously neither by Pyongyang nor Washington but plays well to Washington's domestic politics, is a deal killer, not a deal maker. Genuine two-handed political and economic engagement, not partial engagement coupled with sanctions, should precede phased denuclearization.[67] Indeed, such security assurances and economic inducements from Washington have helped to convince South Korea, Taiwan, Brazil, Argentina, South Africa, Ukraine, Belarus, Kazakhstan, and Libya to abandon nuclear armament.[68] These successes should serve as inspiration for a policy of positive inducements and should indicate the importance of providing genuine security guarantees to replace those associated with the possession of nuclear weapons.

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67. Georgy Toloraya, "Engaging the DPRK: A 'Deferred Delivery' Option?" *The Asia-Pacific Journal*, November 23, 2009.
68. Leon V. Sigal, *Disarming Strangers*, pp. 4, 254.

The dogged U.S. insistence on CVID as its only "offer" in negotiations, albeit slightly modified for tactical reasons at the fourth round of the 6PT, is an expression of a fundamentalist quest for absolute security. It is the product of a Manichean worldview where something is either good or bad and there are no shades of gray. Seen in the context of Pyongyang's historical anxieties, CVID is nothing short of an evil-state strangulation (regime-change) strategy. No less a realist than Henry Kissinger spotlighted the basic flaw in any quest for absolute security: "The desire of one power for absolute security means the absolute insecurity for all the others."[69]

Beyond its internal contradictions, the CVID stance is also a quest for an impossible past-perfect, present-perfect, and future-perfect verification regime. As Avery Goldstein argues, it will be nearly impossible to craft an arms-control agreement that guarantees this level of perfection, allowing unfettered free access to any facility, anytime, anywhere within a sovereign state's borders. This high standard, elusive even among parties that trust each other, is one at which even the most open and democratic states balk.[70] The CVID stance in any form, coupled with the "crime-and-punishment" approach, is ready-made for rejection and a sure catalyst for going nuclear. That indeed has been its achievement.

A Common-Security Approach

Any effective security paradigm must address the legitimate concerns and interests of all its members. Common security takes on special significance and urgency in the context of the divided Korean peninsula, given its position as a sensitive flashpoint and strategic pivot of Northeast Asia. In this environment, as else-

69. Quoted in David C. Hendrickson, "Toward Universal Empire: The Dangerous Quest for Absolute Security," *World Policy Journal*, vol. 19, No. 3 (Fall, 2002), p. 9.
70. Avery Goldstein, "The North Korean Nuclear Challenge and American Interests: Getting the Priorities Right," November 1, 2003, distributed via e-mail from the Foreign Policy Research Institute, fpri@fpri.org.

where, common sense recognizes the ineluctable truth that there has never been and never can be *absolute* security in human life. Because so much of the U.S. perceptions of other states' levels of cooperativeness have been viewed through the Manichean lens of September 11, a view under which states are either for or against the United States, the danger exists of speeding up security-dilemma dynamics, perhaps even transitioning Pyongyang into more irreversible nuclear directions. The quest for absolute security is a sure recipe for nuclear proliferation.

The common-security approach, on the other hand, breaks away from the vicious and deadly logic of interactive security dilemmas and the dynamics of self-fulfilling prophecies via their impact upon the behavior of other states. To follow a common-security approach that relies on recognizing the interrelations and interdependencies among countries, Washington must step back and reassess the moral and practical implications of its foreign-policy commandment, "do as I say, not as I do," when it comes to the subject of nuclear weapons. In place of this unidirectional posturing, the United States must apply a simultaneous and synergistic approach—the functional "peace by pieces" approach.[71]

In both the academic world and the realm of policy and punditry there is a tendency to forget that state interests are often in flux and susceptible to the self-fulfilling-prophecy effects of the behavior of other states. Implications can lead to actions that produce the very outcomes they are designed to avoid. In no small part because of the severity, until recently, of U.S. demonization rhetoric, U.S.-DPRK relations have remained in a precarious balance. The United States is not entirely to blame, as the DPRK's shrill confrontational rhetoric and nuclear brinkmanship certainly lend themselves to inflamed feelings of betrayal on the opposite side. But with the combination of good-and-evil rhetoric from a unilateralist America and the provocation of nuclear brinkmanship from a unilateral North Korea, the notion of

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71. David Mitrany, *A Working Peace System* (Chicago: Quadrangle, 1966 [originally published in 1943]).

deploying a common-security approach to obtain "peace by pieces" in Northeast Asia becomes hard to imagine. Reviving common security, largely by addressing the issue of North Korea's own security-cum-survival, seems to be the only way that U.S.-DPRK relations and Northeast Asian international relations can come to rest on a more stable, safe, and sane footing.

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