

TRANSFORMING UNITED STATES–DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA RELATIONS: IDENTIFYING TRADE SPACE IN PURSUIT OF CHANGE

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Abstract: For nearly a century the Korean Peninsula has been polarized. While across much of the world Cold War divisions have since eroded: militarization on the peninsula has allowed stratification to persist. Unfortunately, to compound matters further, the senior leadership in Pyongyang has pursued a nuclear weapons program in an effort to ensure regime survival. To escape the current dynamics in the region requires bold action through a change in policy. In particular, The United States has the resources and standing to alter the regional landscape. Offering North Korea a package which recognizes the North’s nuclear program and addresses some of its other strategic concerns, while bringing the “Hermit Kingdom” into the international community, presents the best, feasible option to change the course of the region. Such a shift from Washington, deeply rooted in its reengagement with China, can be achieved through courageous and decisive leadership, coupled with an appropriate planning construct.

I. Introduction

The relationship between the United States (US) and Democratic People’s Republic of Korea (DPRK) has been one of the most acrimonious in the international system for over half a century. Despite the fact that the US is one of the largest states and the DPRK one of the smallest in size, North Korea seems almost comfortable challenging international norms and US perceptions of what is appropriate action. This willingness to test fate and risk conflict is due in large part to the Cold War and its legacy. Interestingly, “the US and the Soviets only

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once fought directly and openly during the Cold War, when Soviet MiG-15 jets clashed with North American F-86 Sabres over North Korea and the Manchurian borderlands” (Burleigh, 2013: 131). The Korean War, both the manner in which it was fought and how it was concluded, has set forth the direction of the dynamics on the Korean Peninsula from the 1950’s to the present day. In doing so, this conflict greatly cemented the ongoing stratification of Northeast Asia. Consequently, over the last sixty years, the roles of the US, People’s Republic of China (PRC), Russian Federation (Russia), and Japan on the Korean Peninsula have made them unwitting bedfellows in a never-ending saga. Two of the last vestiges of the Cold War, the Korean War armistice and demilitarized zone (DMZ), were widely regarded as temporary solutions in the 1950s. Tragically, legacies of the Cold War divide have since ballooned into an institutionalized mental and physical barrier that national leadership in both the US and DPRK must find a way to break away from. Today, the DMZ threshold has been trumped by the far more politically cumbersome North Korean nuclear weapons program. “Bismarck’s nineteenth-century aphorism surely applies: ‘We live in a wondrous time, in which the strong is weak because of his scruples and the weak grows strong because of his audacity’” (Kissinger, 2014: 230). North Korean unpredictability has caused tremendous challenges not only for the US but also for the entire region. With that being said, a growing disconnect in the PRC-DPRK relationship has created a trade space for US-DPRK dialogue. Bold and decisive action on the part of Washington is warranted to escape the current dynamics on the peninsula. It is high time that the US present North Korea with a proposal that would legitimize the North’s nuclear program while drawing the DPRK into the international community. Over the long term this may very well present the best opportunity to stabilize the North’s nuclear program. What separates this proposal from previous attempts at engagement is a combination of new geopolitical dynamics, both cross and mutual-benefit, and a fundamental transformation in Washington’s willingness to take decisive action against Pyongyang if a deal cannot be reached. At this juncture it is prudent to define cross-benefit; which is value in the aggregate elements of the agreement as opposed to mutual-benefit, which is the value all parties find in one element. With an understanding of the historical and current situations on the peninsula, an accord based upon cross-benefit and positive reinforcement that paves the way for future cooperation offers the best chance for US-DPRK engagement.

II. Historical Perspective

Before discussing the parameters of a potential agreement, one needs to identify some of the underlying factors that have brought Northeast Asia to where it is today. The Korean Peninsula has long been one of the principle gateways in the Asia-Pacific region. One of the first instances of foreign aggression in the area was Japan's invasion in 1592. An attempt to create a bridgehead for conquests throughout Asia, this war marked the first true case of Japanese attempts at external conquest. "Counting the reserves at the campaign headquarters at Nagoya, over a quarter of a million men were involved" (Morton and Olenik, 2005: 110) in this pivotal moment in Northeast Asian history. China would come to Korea's aid in that conflict, a defeat for Japan, and again after nearly three hundred years during the First Sino-Japanese War of 1894, a struggle initiated by Japan's meddling in Korean domestic politics. Just a few years later, Russia found itself driving south in pursuit of a warm water port and other territorial gains in the Asia-Pacific region. Moscow's expedition led to the Russo-Japanese War of 1904-5 where the waters off of the peninsula saw significant action. Fifty years later, in the early Cold War, the Korean Peninsula reentered the international conscience as the US, PRC, and Union of Soviet Socialist Republics (USSR) all became embroiled in the Korean War. Marked by three significant military conflicts in a little over a century, the peninsula's recent history has made it an inflection point in the strategic designs of a number of states. Its role as a conduit in the region has left it torn apart with the great powers supporting multiple parties vying for control over the entire peninsula.

Both Koreas, but particularly the North, have used great power patronage as leverage to ensure regime survival. Throughout the Cold War years, Kim Il-sung used the PRC and USSR against one another. "In a tradition practiced by Koreans throughout their history, Kim went to extraordinary lengths to gain and maintain as much independence as possible" (Oberdorfer and Carlin, 2014: 15). The easier observation from this system is that Kim Il-sung successfully created a bidding war between the two great poles of communism that allowed North Korea to receive preferential trade agreements and technological assistance. However, a second, albeit less intuitive, development was the freedom this policy afforded Pyongyang in disassociating itself from sensitive programs emanating from its communist brethren. "Kim Il-sung needed Soviet aid, but at the same time did not fully support the de-Stalinization that took place in Moscow after the Soviet

leader's death. Similarly, the Cultural Revolution in China in the 1960s pushed a radical direction that not even Kim was comfortable with" (Cha, 2012: 39). This back and forth enabled North Korea to remain always at arm's length from its Soviet and Chinese colleagues. Periodically, when Kim Il-sung recognized a gap in the Japan-South Korea-US trilateral partnership, he would seek negotiations. This practice helped benefit North Korea economically and only further signified to its communist patrons that Pyongyang had other options. Unfortunately for the DPRK, the fall of the Soviet Union coincided with a thawing in relations between China and South Korea. To enable greater engagement with Seoul, Beijing sacrificed its relationship with Pyongyang. It took the Kim family regime considerable effort and time to find a way to replicate the patronage competition that had supported it throughout the Cold War. In the absence of a friendly great power, North Korea's structural fragility became rapidly apparent. "From 1990 to 1991, Soviet exports to North Korea fell by 75 percent. While the country starved, the authorities extolled the virtue of eating two meals a day. They tried to hide the disaster. That the famine was three years old before word leaked out of its extent was a testament to North Korea's totalitarian controls" (Rubin, 2014: 108-9). When the DPRK was fraught with famine in the 1990s, it was reduced to relying on overseas development assistance and charitable donations from states such as Japan, the PRC, the ROK, and the US. Since the fall of the Soviet Union, North Korea has been forced to search for the means and mechanisms to modernize its patronage system to meet twenty-first century geopolitical realities. Rather than feeding off competing communist states, the DPRK is now employing a range of diplomatic tools to leverage assistance from China, Japan, Russia, South Korea, and the US. Arguably, the bipolar balance North Korea sought to strike during the Cold War has been replaced by a multipolar system with at least five states finding themselves driven to support the Kim family. Despite tremendous economic failings, astronomical military investments, and a deplorable human rights record, the Kim dynasty continues to survive by applying the time-honored skill of leveraging the international political environment.

Following the geopolitical transformation that transpired with the fall of the Soviet Union and the North's economic collapse, Pyongyang has become focused on ensuring regime survival. The regime has sought to offset the patronage system with fresh instruments intended to blackmail other states into providing tacit support. For a variety of reasons, the Kim family regime has concentrated on nuclear weapons as the primary mode to achieve this goal. In particular, as other

legitimizing mechanisms erode, the state’s threat of nuclear reprisals in the event of a foreign attempt to force regime change has become the single greatest pillar keeping Kim Jong-un in power. “Kim Yong Nam, president of the North Korean Supreme People’s Assembly and the regime’s second most powerful figure – citing the legacy and philosophy of regime founder Kim Il Sung – declared, ‘The reckless knife-wielding of imperialists and reactionaries should be countered with the gun barrel to the end’” (Rubin, 2014: 133). The use of political coercion – through the nuclear weapon program – has ensured regime survival but at considerable cost. Viewed as a pariah state throughout much of the international community, Pyongyang has fulfilled its own prophecy. Isolated from much of the rest of the world, North Korea’s prospects for economic recovery and a renaissance in the North are bleak at best. With few friends left, the Kim family rules a state that is on virtual life support, prolonged largely by the threat of nuclear retaliation. Indeed, some may argue that the DPRK’s very survival is now dependent on nuclear weapons – a self-fulfilling prophecy if there ever was one and one which unfortunately, makes it all the less likely that North Korea will relinquish its nuclear weapon program any time soon. Regardless, the dark cloud this capability has created will help prolong the regime’s existence but could also ensure its perpetual stagnation in addition to regional instability.

III. DPRK-PRC Divide – A Long Time Coming

Given the current row in DPRK-PRC relations, one would be remiss to not review some of the previous fissures in this partnership predicated on pragmatism. “Despite the professed unique relationship, there is no love lost between the two” (Cha, 2012: 316). Indeed, China courted North Korea because of balance of power dynamics in the Northeast Asia trilateral relationship of communist states. Three phases can be tracked in the history of DPRK-PRC relations. First, early Cold War relations were characterized by Mao Zedong’s willingness to compete with the Soviet Union over influence in North Korea. Second, at the end of Mao’s reign and once Deng Xiaoping emerged, there is a marked period of considerable distance between Beijing and Pyongyang. Third, sometime after the onset of famine in the 1990s, the Chinese Communist Party (CCP) leadership made the concerted decision that a North Korean collapse would not serve its interests, and, therefore, Beijing has worked to keep the DPRK solvent ever since. This history is certainly contrary to the perception in many circles in the US; however, it helps

to explain the recent falling out between China and North Korea. Dating back to the Korean War, “[Mao] thought any project to conquer South Korea should be deferred until the completion of the Chinese civil war through the conquest of Taiwan. However ambiguous American statements were, Kim Il-sung was convinced that the United States was unlikely to accept two Communist military conquests. He was therefore impatient to achieve his objectives in South Korea” (Kissinger, 2013:123) first. The ensuing conflict cost the lives of hundreds of thousands of Chinese and, more importantly, significantly diluted Mao’s policy options on a host of other issues. Amongst a number of China’s grievances with North Korea, this episode stands out as one of the most egregious. Long ago these incidents collectively weighed down Beijing-Pyongyang relations. Mao could not fully abandon Kim Il-sung for public relations reasons, but he never trusted his North Korean counterpart after the war on the peninsula. The break in PRC-USSR relations followed by the heightened PRC-US cooperation changed PRC-DPRK dynamics considerably. In the absence of any real relationship with Moscow, Beijing did not have the same motivating factors in courting Pyongyang. As a result, the distance between the two grew. China served as a venue for North Korean officials to negotiate with foreign parties as the US for instance participated in dialogues with Pyongyang from Beijing, but, paradoxically, contact between the PRC and DPRK was quite limited. Specifically, while some trade elements persisted, any defense relationship that existed previously underwent considerable erosion. This period is also marked by China’s willingness to engage with South Korea. “The 1986 Asian Games, held in Seoul, were deftly used by South Korea as a tool of engagement with Beijing. It not only ensured Beijing’s participation in Seoul’s Olympics two years later, it also precipitated a boost in trade volume in 1985-86 to over \$1.5 billion” (Cha, 2012: 324). Cooperation with South Korea led directly to the forfeiture of North Korea’s special status. The diplomatic shift in Beijing’s Korean Peninsula orientation is representative of the larger Cold War policy shifts during this period.

Beijing’s attitude of indifference toward Pyongyang in the post-Cold War world is more indicative of leadership views. Specifically, Chinese leaders have provided North Korea with only enough support so that it remains a viable entity, but little else. Ultimately, Beijing has in general three great fears regarding Korea that motivate its continued support for the Kim family regime. First, the DPRK can threaten the PRC with a flood of refugees into a region that is already

economically vulnerable. Second, Beijing is concerned with ethnic Korean separatist views in Liaoning and Jilin provinces, both of which border North Korea. Third, there is always the concern, particularly from conservative elements, that a reunified Korea will be pro-US. These three motivations are largely responsible for China’s ongoing support for North Korea. Additionally, Beijing feels compelled, at times, to work with Pyongyang because it sees the DPRK as a potential conduit for market access. In 2009, a senior level committee chaired by Wen Jiabao “passed an ‘implementation strategy’ for development of the country’s rust belt – the northeastern region that had formerly contained many of the nation’s important heavy industry factories but was now, in the country’s improved economic circumstances, lagging far behind. A key part of the plans for Jilin Province was access to the North Korean port of Rajin” (Oberdorfer and Carlin, 2014: 446). These plans have since floundered for a myriad of reasons, but they highlight China’s recognition of North Korea’s value, albeit limited, due to geography. This is not a relationship based upon positive aspects, but rather it is driven by Chinese senior leadership fears and pragmatism. What separates the most recent period is not DPRK-PRC animosity but the severity and degree to which the North has been willing to push the issue – in effect embarrassing China.

IV. Current Situation...Opportunity

The Kim family regime has made its nuclear weapons program the hallmark of a state loathed the world over for its flaunting of internationally accepted norms of behavior. Under the protection of weapons of mass destruction (WMD), the government has had the freedom of action to oppress its people and coerce neighboring states with the use of blackmail and extortion tactics. Despite conventional forces in a state of almost perpetual decay, the DPRK has had the freedom of action to conduct skirmishes with the ROK without fear of reprisal. This blatant disregard for accepted international norms and the lack of a response in kind largely stems from its nuclear arsenal. “In early October 2003, barely a month after the first round of six-party talks ended, Pyongyang announced that it was changing the purpose of reprocessing the spent fuel rods from civilian needs to building a ‘nuclear deterrent’” (Ibid: 398). The threat of an apocalyptic conflict, a twenty-first century employment of the nuclear brinkmanship concept, has created an asymmetric scenario in Northeast Asia. Therefore, North Korea has

transformed nuclear weapons into the ultimate insurance policy. In doing so, it is increasingly less likely Pyongyang will forfeit its lone tool for regime survival any time soon.

Even more troubling, beyond just a defensive tool, Pyongyang's nuclear weapon capacity has become a compelling instrument of offensive coercion. Simply possessing a WMD capability proven to have the range to strike South Korea has emboldened Pyongyang into taking aggressive actions against Seoul. On "March 26, 2010, [North Korea] sank the South Korean corvette ROKS Cheonan (PCC-772) on South Korea's side of the Korea's de-facto maritime boundary, killing forty-six sailors; and on November 23, 2010, shelled South Korea's Yeonpyeong Island, killing two marines and two civilians" (deLisle and Goldstein, 2015: 189-90). As it further enhances delivery systems, North Korea will be able to elevate the deterrence value of its nuclear program. Someday soon it will pose a distinct threat to neighbors in the Asia-Pacific region, and possibly even the US homeland. The danger in the modernization of the North's delivery systems is that it may further empower the regime to take even more provocative action beyond just shelling South Korean islands, torpedoing South Korean submarines, and conducting missile tests over Japanese territory. The unconventional challenge Pyongyang symbolizes has afforded it the operational space needed to adopt provocative domestic and foreign policies beyond any international standard of acceptability.

North Korea's domestic policy record, enabled by its defense strategy, has become one of the great human tragedies of the modern era. At the most basic level of human existence throughout history, "physical circumscription – what is called 'caging,' the bounding of territories by impassable mountains, deserts, or waterways – allowed rulers to exercise coercive power over populations and prevented enslaved or subordinated individuals from running away" (Fukuyama, 2014: 10). If this sounds familiar, it is because this is the world North Koreans face today. Rather than exist on its own merit and positive qualities, the regime has survived on the generosity and pragmatism of its neighbors – particularly China, Japan, South Korea, and the United States. Faced with a prospect of a failed state, key stakeholders in Northeast Asia have provided Pyongyang with the basic, normal goods needed to ensure the functions of the bureaucracy. Sadly, while the efforts of others have kept the DPRK afloat, philanthropic work to date has not been enough to avoid rampant disenfranchisement and hardship for the vast majority of North Koreans. With the economic collapse of the early 1990s

came an increased willingness on the part of ordinary citizens to accept greater risks in order to achieve basic levels of sustenance. “Some people brave harassment and shooting to cross the border into China to earn hard currency (many North Koreans, especially black-market traders, cross again and again into China). Some children in the North live ferally: they are known as *kotjebi*, or ‘fluttering swallows’, and roam in packs. When they cannot steal in the markets, they eat dead dogs and rotten food” (“Food and Stability” para 7). Driven to desperation by the failings of their government, the North Korean people represent the real casualties of their government’s failed policies.

Rather than change course, however, the government has responded with draconian measures that would be more befitting a medieval demagogue. In North Korea today, rule by law exists where “law represents commands issued by the ruler but is not binding on the ruler himself” (Fukuyama, 2014: 24). Despite both international assistance and condemnation, political prisons have been foundational to the state’s ability to maintain domestic stability since the dawn of the DPRK. “The most notorious prisons are the *kwanliso* – which translates as ‘control and management place.’ These are in fact a colony of labor camps that stretch for miles in the northernmost mountains of the country. Satellite intelligence suggests they house up to 200,000 people. Emulating the Soviet gulag, Kim Il-sung set up the camps shortly after taking power” (Demick, 2010: 174-5). Tragically, the number of inmates has swelled in recent years as Pyongyang has cast an ever-widening net in the hopes of maintaining totalitarian control. The main targets include “those who try to flee the country; Christians and those promoting other ‘subversive’ beliefs; and political prisoners” (“Humanity” para 3). Essentially, the Kim family has created the ultimate police state where even the smallest or most benign infraction can lead to grave consequences. Sadly, Pyongyang’s pursuit of nuclear weapons and the quandary surrounding the aid program have functioned as a shield against any meaningful foreign action intended to alter the North’s human rights record.

The use of state-sanctioned terror is not limited to intimidating ordinary North Koreans. Since Kim Jong-un’s accession, after the death of his father, Kim Jong-il, the senior leadership has gone through significant turnover. “Jang Sung Taek, the uncle and political guardian to Kim Jong-un, North Korea’s young dictator, had been in disgrace before. Purged and banished to a steel mill around 1978, and quietly cast out again in 2003-04. This time he is gone for good, executed for ‘such an unpardonable thrice-cursed treason’ as opposing Mr. Kim’s

succession and planning a coup” (“North Korean Intrigue” para 1). No one exemplifies the lack of job security in the DPRK bureaucracy better than Mr. Taek – who was sentenced and executed in one day. “Since succeeding his father, Kim Jong-il, the second anniversary of whose death was marked this week, [Kim Jong-un] has shuffled or removed about 100 senior officials. Of the seven men who escorted Kim’s hearse, only two (both in their 80s) remain in power” (“North Korean Intrigue” para 3). The leadership overhaul in North Korea has become an opportunity for Kim Jong-un to put his signature on policies and procedures. Especially when it comes to foreign policy, the third generation Kim has simply altered techniques his predecessors practiced. North Korea-China relations have had an on-again-off-again dynamic for decades – something that in many ways remains a mystery to US analysts. “The Chinese government never really got on with his father, Kim Jong Il. But at least he did not execute China’s main interlocutor, as Kim Jong-un did, when in December 2013 he disposed of Jang Song Taek. In office, the younger Kim has never been invited to China. But Park Geun-hye, South Korea’s president, is welcome there and gets on famously with Xi Jinping” (“Birthday Blues” para 5). Concurrent with the execution of Mr. Taek, a man regarded to have a good working relationship with the CCP, North Korea has initiated an anti-China propaganda campaign. Using racially tinged and provocative language, the government has used state-run media as a tool for distancing itself from Beijing. Beyond the regularly frenetic pace of China-North Korea relations, the radical changes taking place today are undoubtedly a part of Kim Jong-un’s efforts to separate himself from his father’s holdovers in the senior government. However, a geopolitical element is at play that harkens as far back as the early Cold War days. Kim Jong-un now seems poised to strike a new equilibrium in the DPRK’s foreign policy, something reminiscent of his father and, especially, his grandfather. Case in point, the worsening of ties with China has occurred at the same time as improvements in the North’s approach to Japan, Russia, South Korea, and the US. The current break in DPRK-PRC relations is likely to be only temporary, but the degree of the row this time around does open the door for changes in Northeast Asian political dynamics before Pyongyang rebalances.

North Korea has fed off of both China-Japan and Japan-South Korea tensions by developing a relationship with Tokyo. In a geopolitical context, few things antagonize both Chinese and South Koreans more than Japan. Territorial disputes in the Pacific, anger over historical wrongs, and a pervasive fear of resurgent

Japanese militarism cause great consternation in both Beijing and Seoul. Pyongyang understands the lightning rod that Tokyo represents, and the DPRK has used it to reassert itself in the region. Japan’s willingness to develop a trade relationship in exchange for North Korea coming clean on kidnapping incidents, which date back to the 1970’s, creates the opportunity for a host of future engagements. It should be noted that this sort of dialogue has happened before and, as always, the linchpin will be the kidnapping issue. “Japan’s government has identified 17 citizens snatched at the height of the cold war—yet the real number may be much higher (about 880, according to estimates by Japan’s National Police Agency). North Korea admits kidnapping 13 and has released five; it says the rest are dead” (“Stakes Upped” para 3). Whether or not Pyongyang releases all its information and how the Japanese public responds will determine where the Japan-North Korea relationship goes. Regardless, the message North Korea is sending to both China and South Korea by engaging Japan is worth the effort. Returning back to the Cold War era, the lull in China-North Korea relations has made resurgence in the North Korea-Russia relationship possible. The DPRK was able to leverage the PRC-USSR split consistently to receive preferential treatment for decades. During the twilight years of the Soviet Union and the early Russian Federation periods, Pyongyang-Moscow relations were extremely tense. However, as China-North Korea cooperation has begun to fray, Pyongyang has sought to reengage with Moscow. “Russia keeps supplying oil, and Mr. Kim has an invitation to make his first foreign trip as leader to Moscow in May [2015]” (“Birthday Blues” para 7). Similarly, for Moscow’s part, it is only too willing to open up economic cooperation with the North. Given that Vladivostok, its most southern port on the Pacific, is frozen six months out of the year, the Kremlin would greatly benefit from being able to move goods further south for trade purposes. Consequently, the possibility of special economic zones (SEZ) in North Korea, particularly at the warm water port of Rajin, potentially represents a great boon for the economy of the Russian Far East. It is worth noting that “the Russian national shipping business in the Far East region was reduced by almost 10 times over the past 10 years [dating to 2002]” (Pesterev, 2012: 94). It should go without saying that access to a close, warm water port could substantially improve the economic outlook for the region. While a facility at Rajin is now in its infancy, continued North Korea-Russia cooperation at the site is by no means guaranteed. Moving forward, Russia’s economic struggles and the China-North Korea relationship will both significantly contribute to the

prospects for a North Korea-Russia partnership.

Engaging South Korea is a useful tool for the North, particularly because public pressure on Seoul plays such an important role in the ROK's politics. At the Asian Games held in October 2014, three high-ranking North Korean officials paid a visit to Incheon. "The trio came with only a day's notice and had, it appears, no particular message. Still, they were warmly welcomed by the South's unification minister for lunch and tea; Mr. Hwang in turn conveyed Mr. Kim's 'heartfelt greetings' to President Park Geun-hye. They also met Ms. Park's national security adviser, Kim Kwan-jin, and the prime minister, Chung Hong-won" ("The Koreas" para 3). In recent months, Pyongyang has sought to establish a new dialogue with Seoul, seemingly with the objective of restarting economic cooperation. Working directly with South Korea helps the North break away from its reliance on China. Just as important, over the decades the Kim family regime has learned that once the negotiation process begins, it is easier for the North to walk away than it is for the South Korean leadership to do so. The lack of public accountability in Pyongyang, particularly when compared to Seoul, allows Kim Jong-un to pursue an aggressive negotiation position. With that being said, economic cooperation now gives North Korea freedom to further distance itself from China at a critical time during the leadership transition. The current political climate has caused an interesting challenge for US decision makers. Future opportunities will be discussed later, but, for now, it is important to document the roller coaster of the last few years. After all, the ebbs and flows of the US-DPRK relationship have led to the current climate. In the recent past, North Korea has intermittently sought to increase tensions in the region in an effort to draw US attention. Conducting missile and nuclear tests, releasing especially incendiary propaganda, and so on have become tools used to attract the attention of the US and regional media. Invariably Washington is then forced to answer questions and address concerns over Pyongyang's behavior. As an example, "On March 17, 2009, North Korean authorities detained two journalists working for Al Gore's Current TV who had crossed illegally into their country. A kangaroo court sentenced both young women to twelve years in prison with hard labor. It was traditional hostage diplomacy. Bill Clinton traveled to Pyongyang to appeal for their release" (Rubin, 2014: 129). Therein lies the DPRK's standard playbook for garnering international awareness. Recently, North Korea has pushed the limit even further on what is internationally considered to be tolerable behavior. Highlights including the likely cyber intrusion into Sony and the threat

of a nuclear test have caused alarm but have not forced Washington policy makers into engagement with Pyongyang. The current Obama Administration application of sanctions seems to have addressed regional concerns as an offset to North Korea’s aggression while also placing the onus back on Kim Jong-un. The question now is, will the DPRK seek to further ratchet up tension, or will it back down for the time being? More than likely, how the North’s other geopolitical dynamics play out, particularly the China-North Korea relationship, will drive the character and frequency of North Korea-US engagement.

V. Blueprint for Cooperation...*the Carrot*

In this time of tremendous change in North Korea and the region, the US has an opportunity to alter politics fundamentally in Northeast Asia in a monumental fashion. As documented previously, Kim Jong-un’s efforts to turn over the senior leadership have led to shifts in the North’s domestic and foreign policies. In 2013, “it was announced that over a dozen economic-development zones around the country would be established—the kind of zones, inviting foreign investment, which set China’s economy alight in the late 1970s. Astonishingly, the government has also praised an experiment in family-based farming, seeming to hint at a loosening of the strictures of collectivised agriculture” (“Better Tomorrow” para 2). Realigning could make the DPRK’s position stronger in the short term; however, it could just as easily make Pyongyang’s situation less tenable over the long term. The vitriol toward China in particular may present a challenge down the road if and when the North has to rely on its old friend. However, for now and the foreseeable future, a void exists that Washington policy makers can fill in order to change the strategic outlook on the peninsula. Using an intermediary at first, the Obama Administration will then need to move to direct, bilateral talks with Kim Jong-un’s regime. Offering a mutually-beneficial relationship that outlines areas of cooperation and positive reinforcements which both parties will find advantageous is a means to pressure the North into reaching a decision on engagement. As an aside, negative reinforcements—how the US can respond if cooperation fails—will be discussed later. Taken as a whole, it cannot be emphasized enough that this proposal offers a comprehensive package that creates cross-benefit advantages. At the root of the agreement lies a simultaneous effort to address a number of North Korean grievances while forcing Kim Jong-un to give on some important areas, such as SEZ’s and

notification of major exercises and force movements. An accord that lays out such a holistic blueprint for partnership is the only way to redefine North Korea-US dynamics. The initial proposal to the North must be appropriately crafted to address a number of Pyongyang's major issues. More than likely, Kim Jong-un, his senior officials, and his negotiating team will attempt to hold out for better stakes. However, an offer that could catch the North by surprise due to its value in their eyes carries along with it the potential to make the DPRK more pliable. It is important to remember that this proposal features overarching concepts that serve as the basis for developing transparency and confidence on a bilateral basis, both today and in the future predicated on follow-on agreements. Consequently, over the long term, this arrangement will be the foundation for future cooperative opportunities. Provided below are initial proposals for both parties:

- United States offers
 - Negative security guarantee
 - Acknowledgement of the North's right to retain nuclear weapons
 - Increased energy and food aid
 - North Korean visits to US civilian and military nuclear facilities
 - Notifications of significant US troop movements and strategic exercises
 - Visas to North Korean visitors to the US
- North Korea offers
 - Establishment of at least two SEZ's
 - Fully detailed current whereabouts of kidnapping victims
 - Regular US and/or international observers access to nuclear sites
 - Notification of significant troop movements and strategic tests
 - Increased visas to US visitors to North Korea
 - Process to document and draw down political prisons

These concepts will serve as a starting point for negotiations in the short term and additional cooperative opportunities in the long term. The primary focus is on developing transparency and confidence building measures (TCBM) that begin to create trust and goodwill between both state parties. Across the spectrum of defense, economics, and societal disciplines, the proposal offers a holistic approach to reducing mistrust and misunderstanding. Specific details including quantity of food aid, the composition of observer teams, and the number of visas to be granted on both sides are items that can be worked out in negotiations and

periodically revisited as appropriate. Ultimately, the challenge for US policy makers will be their willingness to expend political capital on such a move. However, “if adoption of American principles of governance is made the central condition for progress in all other areas of the relationship, deadlock is inevitable. At that point, both sides are obliged to balance the claims of national security against the imperatives of their principles of governance” (Kissinger, 2014: 453). To avoid this downward spiral, conviction and courage will need to be in no short supply, but some of the risk can be alleviated by other mechanisms in place designed to promote dialogue on the part of North Korea.

VI. Blueprint for Cooperation...*the Stick*

During any negotiation, both parties must have clearly defined overarching goals and metrics designed to achieve their respective ends. Dialogue between North Korea and the US is no different. Historically, “Not only did diplomacy fail to fulfill American goals, but it actually sabotaged them. Pyongyang never engaged sincerely; rather, successive North Korean leaders used diplomacy to distract the West while pursuing their nuclear aims unimpeded” (Rubin, 2014: 132). Especially given the history of diplomacy between these two states, it is paramount that Washington policy makers and their negotiators in the field identify red flags that would signal Pyongyang’s failure during both negotiations and implementation. Beyond indicators, there must be a willingness to respond forcefully in the event of North Korean recalcitrance. Given the Obama Administration’s willingness to engage Pyongyang above and beyond previous administrations’ efforts, as demonstrated by the proposal just outlined, there must also be clearly articulated costs. To Kim Jong-un and his senior aides, this willingness to step away shows seriousness in the US approach to negotiations that has not existed previously. To the American public and international community, a changed negotiating stance reinforces the notion that the administration will not be plagued by the same constraints as its predecessors. Specifically, for Washington’s regional allies and partners, the negative reinforcements imbedded throughout the negotiations and implementation periods are fundamental to maintaining the assurance relationship. Initially, the overall character of the negative reinforcements will surely cause problems during negotiations as the North Koreans will attempt to characterize these measures as threats. However, it is vital for the credibility of the American team that such

tools be explicitly stated as a means to deter recalcitrance and non-compliance. During the negotiating period, the metrics used to monitor North Korean intentions and the steps the US must be willing to take in order to respond appropriately will go a long way in scoping and shaping the path negotiations take. The list below articulates the sorts of tactics that the Kim family regime has previously exercised to change the course of negotiations in their favor. Observables must be designed to track Pyongyang's actions to monitor for several movements: 1. Shifting priorities – Negotiators seek value in the area of defense and then suddenly shift toward making demands in the economic domain, or vice versa; 2. Day-to-day changes in positions – One day North Koreans will happily accept a proposal and the next day it will not be good enough; and 3. Bombastic rhetoric to the media and elsewhere – DPRK officials will make declarations to the press to portray the dialogue in a certain light.

The US delegation must be able to measure and assess the North Korean negotiators' actions and respond to the employment of provocations in a clearly recognizable manner. Proportionality must also be incorporated in determining the US response, but acting disproportionately at a time and place of Washington's choosing can also be utilized to generate leverage depending upon the direction dialogue takes. Recognizing when North Korean deception and stalling tactics, such as the three examples previously provided, occur and being able to respond to them decisively will catch the North Koreans by surprise, thereby negating the effectiveness of Pyongyang's strategy. The list of response options provided below, by no means an all-encompassing list, has been prioritized in ascending order with the last being the most severe:

1. US negotiators must be willing to walk out of talks
2. US aid, and potentially allied aid, must be cut in full from North Korea
3. US must support Japanese and South Korean nuclear weapon acquisition.

These measures are intended to be severe. “We must make clear to North Korea that there will be real-world consequences for its deeds, not just angry words” (Schoen and Kaylan, 2014: 288). There must be a clear understanding in Pyongyang that if North Korea is not willing to negotiate with the US, given the package offered, then there is a price to be paid. Even after employing such measures, the US delegation should always leave the door open to resume dialogue. However, Washington officials must also clearly demonstrate that

recalcitrance will not be tolerated. Doing so will place greater pressure on the North and builds an environment more conducive to forthright and constructive dialogue. This will be an extremely difficult chore, but if the Obama Administration effectively demonstrates its resolve, it is more likely that diplomacy will be successful. Once negotiations have concluded, compliance will remain a pressing issue. The challenge for the US in particular is not to let concerns over North Korean trustworthiness dominate the experience. Washington should continually monitor the situation, but excessive verification risks pushing Pyongyang into a corner. For this reason, there are a number of key metrics designed to be minimally intrusive that should serve as warning signs. The list provided below has been selected, in no particular order, based upon the degree of irreversibility North Korean actions might have:

- Closing of one or more SEZ’s
- Details on previously undisclosed kidnapping victims come to light
- Observers are denied access to nuclear facilities
- Military notifications are no longer being provided (this would have to occur multiple times over a lengthy period)
- The number of approved visas radically decreases
- The volume of political prisoners increases (monitored via overhead imagery).

Utilizing the observables given above will enable the US to track North Korean compliance without it becoming an overly cumbersome process. If Kim Jong-un oversteps on these metrics, the Obama Administration will need to evaluate the degree of noncompliance and then select potential response options accordingly. The list of response options provided below has been prioritized in ascending order with the last being the most severe:

1. Cease notifications on troop movements and exercises
2. Place a strategic pause on site visits to US nuclear facilities
3. Cut in full US aid, and potentially allied aid, from North Korea
4. Support Japanese and South Korean nuclear weapon acquisition.

These measures will effectively demonstrate Washington’s resolve to Pyongyang and other interested parties. Most importantly, in the worst case scenario, assurance mechanisms are in place to work with Seoul and Tokyo in

demonstrating US resolve. Regardless, previous agreements such as the 1994 Agreed Framework have failed because of a lack of enforcement mechanisms. While it is difficult to compel North Korea into action, the recommended measures previously provided offer a more severe set of consequences in the event Kim Jong-un chooses to break his word. “We must remember that the North Korean regime is dangerous in part because it is weak – economically especially” (Schoen and Kaylan, 2014: 288), but that it can be influenced if US political resolve is sufficient. While cooperation is preferable, these actions provide Washington with a series of options throughout the course of this process that will clearly and decisively message Pyongyang.

VII. Planning Negotiations

At this juncture, it is necessary to lay out a few of the basic procedural and administrative details of the talks. Identifying questions such as how, where, when, and so on will help inform later elements of this discussion. Given the inherent openness of US culture, diplomats from Washington will have a unique problem set to deal with. Keeping the dialogue from leaking will really be incumbent on both delegations. “Transparency is an essential objective, but historic opportunities for building a more peaceful international order have imperatives as well” (Kissinger, 2012 236). Framing the negotiations in the proper light will make the prospects for success all the more likely. The Obama Administration will have to endow itself with tremendous professional acumen to maintain the covert nature of the negotiations. A third party intermediary, someone from outside the region, is important at the start to pass messages while also not to draw the attention of other Northeast Asian actors. For instance, when seeking to reengage with China during the Cold War, “the White House chose a nonaligned friend of China (Pakistan), [and] a member of the Warsaw Pact known for its quest for independence from Moscow (Romania)” (Kissinger *On China* 225). In a similar vein, finding a third party without strong relationships with any of the states in Northeast Asia will be important. Meeting location(s), frequency, and overall quantity should be determined based on the likelihood that the negotiations will be noticed by other parties. Ideally, a remote location in either North Korea or the US or even an isolated place in a third country would be best to avoid the intrusive nature of twenty-first century media. Part of the intent with how the agreement has been structured is to offer Pyongyang an excellent

package immediately, albeit with a strong negative element, in the hope that the proposal will be easily accepted. In this light, the negotiating process could take place in one series of meetings over a period of weeks. This would reduce some of the risks associated with frequent travel. It should go without saying that, at least on the US side, the very knowledge of negotiations must be kept to a very small group of officials – perhaps limited to the National Security Council (NSC) and a few members of the NSC staff. The element of surprise will be key in preventing political opponents in the US, North Korea, and around the world from hijacking the talks.

Looking at the failures of the Six Party Talks reinforces the necessity of having a clear and concise plan for this series of negotiations. In the run up to the last round of talks in 2008, “two days before the start of the session North Korea issued a statement saying that it would not recognize Japan as a participant in protest against Tokyo's refusal to provide energy aid. In reaction to Lee Myung-bak's tougher stance, North Korea expelled half of the South Koreans from the Kaesong industrial park and tightly restricted access to the site” (“Nuclear Talks” para 3). Diversionary tactics by North Korea and complications from other participants helped turn the Six Party Talks into a quagmire. It further engendered hostilities between the participants and created unnecessary stumbling blocks. The concept was and continues to be, sound, but in practice it lacks accountability mechanisms. Instead of using the Six Party Talks as a blueprint, Sino-US reengagement during the Nixon Administration offers a clear and concise model by which to conduct negotiations. Through the normal bureaucratic channels, the State Department was given the opportunity to reengage with China. When talks between the two parties in Warsaw broke down, the administration chose to bypass the traditional offices of responsibility. The National Security Advisor, Henry Kissinger, was given direct authority to negotiate. He used the services of a third state, Pakistan, to pass messages to Mao and the CCP senior leadership. When the time came to meet with senior Chinese officials, Kissinger again used Pakistan, this time as a means to evade the watchful gaze of the press and other US government officials. He met with Zhou Enlai to set basic parameters for the relationship, but, more importantly, to organize the groundwork necessary for President Nixon’s official visit. In the end the final outcome of the talks, the Shanghai Communique, was an affirmation of the ground-breaking nature of the engagement. “The unorthodox format [of the Communique] solved both sides’ problems. Each could reaffirm its fundamental

convictions, which would reassure domestic audiences and uneasy allies. The contrast would highlight the agreements being reached, and the positive conclusions would be far more credible” (Kissinger, 2012: 269). The clandestine nature and storied success of this enterprise makes it invaluable for policy makers today as it presents a blueprint for how to negotiate and what the final outcome might look like. In trying to reengage with the Kim family regime, it is vital that matters be handled in the most discreet manner possible. This not only removes the negatives associated with outside influences, but it also offers plausible deniability if North Korea leaks news of the talks. In the end, the US-PRC engagement plan is the best available example of how dialogue of this nature should be conducted.

VIII. Why Would North Korea Accept?

The DPRK’s decision making process has often been characterized as an enigma. American and European analysts, pundits, government officials, academics, and so on have made careers from crying over how unpredictable the North Korean leadership is. In many respects, these individuals are correct. Kim Il-sung emphasized self-reliance as both a domestic and foreign policy tool:

During the Cold War, nothing epitomized the North Korean’s view that they were the true defenders of Korean ethnic identity and nationalism more than Kim Il-sung’s ideology of *juche*. In the North Korean context [*juche*] meant that as a small country surrounded by ravenous large powers, it had to practice *juche*, or ‘self-reliance’ and independence, in its internal and external policies. (Cha, 2012: 37)

In a sense *juche* promoted closed-door decision making as a diplomatic tool. And yet it evolved into much more than that “the ideology became a source of strength and control for the regime because it borrowed Korean notions of Confucianism” (Ibid: 40). This reduced the need-to-know perception that so often is endemic in American and European cultures, thereby adding to the mystery of North Korean decision making. Early in Kim Il-sung’s tenure, this combination of self-reliance and closed-door policy-crafting approach was probably a function of cultural background as well as the development of the Korean communist party as a secluded, underground movement. This is in sharp contrast to Western,

particularly American, views on openness and transparency – a free press and the functional utility of information in reducing tensions. However, what was once simply a result of developmental differences has become something more akin to a negotiating tool.

The Kim family has leveraged eccentricity and mystery in its decision making behavior to bewilder and confuse foreign counterparts. Within the context of day-to-day diplomatic activities, the changing positions – shifting ground – that characterize the DPRK officials have a way of frustrating foreign negotiators and policy makers. Simultaneously, Pyongyang’s brazen actions, like conducting military tests in the lead up to or during negotiations, generate additional pressure on the foreign diplomats to get a deal done. “Although it [North Korea] brings little except its military muscle to the table, it succeeds in focusing the world’s attention on its demands, and it consistently wins substantial concessions from Japan and the other Western allies” (Hayes, 2013: 69). Within the confines of a negotiating window, these various tools work to create an environment where foreign parties allow themselves to be coerced into increasing the value of their proposals in a sort of one-sided bidding war. The pattern of deliberately raising tensions and then frustrating counterparts at the negotiating table has become the *modus operandi* of North Korean officials for years.

So, what makes this time any different? Well, in a word – China. In analyzing Kim Jong-un’s actions, it is becoming increasingly clear that he wants to separate himself from Beijing. His grandfather, Kim Il-sung, was able to assert his autonomy intermittently during his reign. It should be noted, though, that in some ways such moments were actually easier back then because of Cold War animosities within the communist orbit. However, at the tail end of Kim Il-sung’s tenure, but particularly during Kim Jong-il’s reign, Russia’s failings made reliance on China a paramount concern. “China’s aid, and North Korea’s reliance on it, has increased dramatically since 2002” (Cha, 2012: 340). Periodically Kim Jong-il would seek to lash out against his CCP counterparts, yet at some point in time North Korea would always have to rebuild its relationship with China. Beijing allowed this process to take place because it would gain from each row. However, at some juncture a tipping point will be reached; a moment when China’s demands in exchange for a return to normalcy are simply too high for North Korea. The execution of Mr. Taek, for example, has led to a monumental souring in DPRK-PRC relations and may very well prove to be that inflection point. The chasm that has been created between Beijing and Pyongyang

stemming from this event has provided a great opportunity for Washington. The fallout surrounding this episode has presented a once in a lifetime moment for DPRK-US relations. North Korean efforts to reach out to both Japan and Russia are clearly attempts to prod and shun China. Yet, the more profound step for Pyongyang would be to improve relations with Washington. A similar story unfolded at the end of the Cold War when Russia sought to develop a relationship with South Korea.

Kim Il-sung also made efforts to achieve a breakthrough in ties with the United States. On May 24, 1994, the day after [Anatoly] Dobrynin's secret meeting with [South Korean President] Roh in Seoul, Kim delivered an important policy speech to a formal meeting of the North's legislature. Departing from his unyielding stand against the acceptance of US military forces on the peninsula, Kim declared, 'If the United States cannot withdraw all her troops from South Korea at once, she will be able to do so by stages.' In case Washington was not paying attention, Pyongyang used the tenth meeting of American and North Korean political counselors in Beijing on May 30 to pass along the text of Kim's speech. (Oberdorfer and Carlin, 2014: 174)

A similar inflection point in North Korean foreign policy might be in the offing today. Neither Japan nor Russia can offer the DPRK the degree of value from cooperation that the US can. Likewise, even engaging South Korea presents limited value given the current political climate around Park Geun-hye. Her approval ratings have plummeted to such an extent that the political process in Seoul has reached a state of near-paralysis. Direct, bilateral dialogue with the US would grant North Korea a level of policy autonomy it has not enjoyed, quite possibly, in its history. This step would afford Kim Jong-un the opportunity to return to the policy approach of his grandfather, Kim Il-sung, during the Cold War – multiple powers vying for the North's favor. Broadly speaking, this is the most impactful message that can emerge from a Pyongyang-Washington breakthrough. Specifically though, the DPRK would greatly benefit from a myriad of the aspects of this proposal – most importantly the US legitimizing Pyongyang's nuclear program. Countries such as China, India, and Pakistan have all met, at the very least, public condemnation from the US when news of their nuclear program became public. Washington is always reluctant to accept new members to the nuclear club. However, after a new state is added, there is an eventual return to the status quo. An example of this process and perhaps a template for work on North Korea is the US-India civilian nuclear energy

agreement. The ideal outcome, in the North’s view, is a situation similar to the arrangement that the United States negotiated with India. That is, an agreement in which North Korea is willing to come back under International Atomic Energy Agency safeguards and monitoring, but it is also assured of a civilian nuclear energy element. Most important, they would want to control a portion of their nuclear programs outside of international inspection, which, in their eyes, could then serve as their nuclear deterrent. (Cha, 2012: 302).

In this vein, accepting Pyongyang’s right to possess nuclear weapons is a major public relations victory for the North but has a limited impact abroad. The negative pressure the program has garnered the Kim’s throughout the years would suddenly be greatly relieved by this move. Just as significant, it gives Kim Jong-un a seat at the table of nuclear states and elevates his prestige – no small victory for a man in his thirties. Considering that legitimacy for its hallmark weapons program has been Pyongyang’s seminal policy objective for decades, this offer would radically transform and empower Kim Jong-un’s standing, both at home and abroad. Arguably just as important is the negative security guarantee Washington would include in the deal. Twenty-first century international relations are largely based upon international norms of behavior and the integrity of the system. Offering the North, essentially, a promise that the US would not invade the country – barring Pyongyang going on the offensive first – changes the whole approach for North Korea. At this point, it should be noted that this idea was presented to Pyongyang as part of the Six Party Talks. Interestingly, during those negotiations, when this proposal was floated, the Russians requested a pause in the multilateral meetings for a DPRK-Russia bilateral where “the Russians explained, that the Soviet Union tried unsuccessfully to get from the United States [a negative security guarantee] throughout the Cold War. Therefore, it was their [the Russian negotiators’] estimation that the United States was quite serious about reaching a denuclearization deal” (Ibid: 369). Returning to the present, in conjunction with the nuclear aspect of the proposal, the pressure to invest in conventional weapon systems and maintain the current force structure will have suddenly diminished for Kim Jong-un. Even if only a fraction of his defense spending can be diverted to other parts of the state system, he can begin to change the face and structure of North Korea. In a country as destitute as the DPRK, every little bit helps. Offering Kim Jong-un’s regime additional TCBM’s in the form of US nuclear site visits and various notifications are additional mechanisms to reduce tensions in Northeast Asia. Being able to see US nuclear facilities

allows the North opportunities to understand better various options for the direction its nuclear program could take. There are differences in personnel quality, procedures, and so on among the US, Russia, and China – and these visits would give North Korean experts the chance to observe how Americans approach the nuclear profession. “Presence on the spot provides access, knowledge, and credibility that are simply not available to those working in bilateral embassies or offices in capitals” (Hill, 2013: 288). Certainly, it is a learning experience that all could benefit from. Specific details in terms of the background(s) and quantity of observers can be negotiated at a later date, but the program in its entirety will help minimize suspicions between the two states. Likewise, notifying Pyongyang of major US military activities and movements reduces the risk of misunderstanding. It further increases the value and credibility of accepting both the nuclear program and the negative security guarantee by reducing the likelihood of a surprise attack. Taken collectively, all of these mechanisms would help improve strategic stability and give Kim Jong-un a feasible alternative to the current stalemate.

The US proposal also incorporates other elements, aid and access to US institutions, offering the North a chance to develop both human and physical capital. From a North Korean perspective, food aid is a tool to improve the physical well-being of the people. Granted, aid goes to the military first, but there is a trickle-down effect. Also, with the changes in the strategic environment, as previously discussed, the possibility arises that the historical tendencies of North Korean officials might change. Likewise, energy aid is a valuable asset in improving the effectiveness and efficiency of North Korean industry and raising the value of the state’s physical capital. This is something Pyongyang had been very keen on before. In previous negotiations, “the North Koreans asked to be compensated for the energy they would be giving up (assuming the nuclear program was peaceful) by shutting down their working reactor and stopping work on the two larger ones....the North Koreans asked for heavy oil” (Oberdorfer and Carlin, 2014: 275). So clearly an interest exists in acquiring energy support. In keeping with the human capital aspect of the US proposal, allowing more Koreans to travel to the US – for a variety of reasons – has significant benefits for Pyongyang. It goes without saying that the Kim Jong-un regime would carefully select people it would allow to travel to the US. However, particularly when it comes to receiving a college education, even if only a handful of students are able to come, that is still an opportunity to facilitate a cadre of talented individuals that

did not exist in the North previously. As Kim Jong-un looks to overhaul the leadership, bringing in people with a slightly different perspective may work to his advantage. Investing in the North’s human and physical capital is an area where Pyongyang can make minor course corrections intended to improve standards of living without losing his state’s identity. Ultimately, the offer on the table gives North Korea a great deal of what it has always wanted without mortgaging the government’s future. This is to say, the economic and social elements, coupled with the TCBM’s that the US is asking the North to work on are things that do not change the basic elements of the state. Experiments with economic zones have already taken place in the DPRK but have failed to really take off largely because of a lack of commitment from various parties – not because of a perceived threat to the regime. The issue of accounting for kidnapping victims has been a festering wound for over a decade and has repeatedly prevented North Korea-Japan cooperation: “some have been allowed to return to Japan with their families, others are unaccounted for and the North continues to be less than forthright about their cases,” (Morton and Olenik, 2005: 237) while more still have not been allowed to return permanently. It would be better to just release all the information at once and release the victims in order to move on, rather than allow it to continue to dominate the bilateral dialogue. Another difficult subject for the DPRK is the political prisons that have swelled in the last two and a half decades because of the economic collapse. If the economy improves, and that is a major factor in this deal, then the role of political prisons might very well be minimized, if not diminished. This issue will not go away over night, but the nature of these facilities might very well change. The other elements that the North is expected to bring to the table are important but are TCBM’s that can, largely, be contained. They are not issues that will expose the broader population to the outside world and as such are relatively safe for the regime. The basic justification for North Korea remains that cross-benefit value exists across many of the proposed elements of the agreement, thereby creating a largely positive agreement for Pyongyang. Each of the twelve points may not represent an advantage for the North, but enough elements pose benefits that the Kim family regime is liable to find the broader accord palatable. From Kim Jong-un’s perspective, this deal gives him strategic flexibility and significant prestige without substantially altering his regime’s status.

IX. Why Would the US Accept?

In a strategic sense, for the US this deal is clearly about changing the geopolitical dynamics in Northeast Asia in Washington's favor. For sixty years, whenever Pyongyang has decided to flail, the region has been trapped in a temporary paralysis. Even after the end of the Cold War, Northeast Asia is one of the few places where mid-twentieth century dynamics, including stratification, persist. "The dangers stem from the overall desperate nature of the regime, given their isolation, opaque dictatorship, and tendency to communicate with the world through violence rather than through diplomacy" (Cha, 2012: 234). What make this agreement important and palatable for US officials are not the specific details: They are relatively minor. Rather, if TCBM's can be instituted that decrease tensions in the region then Washington will have reached a notable success in its history of involvement in Northeast Asia. Broadening US policy options around the world, as a result of improved stability on the Korean Peninsula, is in the best interests of the US Administration and should be its seminal goal. Today, decision makers in Washington have to deal with a multitude of complicated foreign policy issues. The 2014 Quadrennial Defense Review (QDR) provides a concise sampling of some of these concerns:

The technology-enabled 21st century operational environment offers new tools for state and non-state adversaries such as terrorists to pursue asymmetric approaches, exploiting where we are weakest. In the coming years, countries such as China will continue seeking to counter U.S. strengths using anti-access and area-denial (A2/AD) approaches and by employing other new cyber and space control technologies. Additionally, these and other states continue to develop sophisticated integrated air defenses that can restrict access and freedom of maneuver in waters and airspace beyond territorial limits. Growing numbers of accurate conventional ballistic and cruise missile threats represent an additional, cost-imposing challenge to U.S. and partner naval forces and land installations. (QDR 6-7)

Crises in the East China Sea, South China Sea, Afghanistan, and the Ukraine, just to name a few, can dominate a day's schedule. Furthermore, these are some of the hot spots of the moment – they do not reflect systemic problems, including the Korean Peninsula, but also Israel, Palestine, South Asia, and the Persian Gulf. On

a daily basis, all of these potential areas of conflict place great strains on planning and policy making. Add in other issues, both domestic and foreign, that require the administration’s time, and suddenly the ability to expend sufficient time on the Korean Peninsula looks increasingly less likely. Take into account the current fiscal realities in Washington and resource constraints can rapidly eviscerate policy options. In this environment, breaking the deadlock in Northeast Asia changes dynamics for Washington decision makers at a particularly important period given the US rebalance regarding the Asia-Pacific region. Specifically, a change in regional dynamics would allow US policy makers to corral the regional focus more directly on territorial disputes in the East and South China Seas. Currently China, Japan, North Korea, South Korea, and the United States are locked in a never-ending cycle of relationship ebbs and flows. For instance, to send a message to China over the East China Sea matter, the Japanese have reached out to North Korea. Likewise, to demonstrate that both states have territorial disputes with Japan, and as a show of unity, Seoul and Beijing have sought to strengthen ties: “Nothing brings China and South Korea together quite like Japanese imperial history. Its most recent manifestation is China’s decision to erect a statue in the north-eastern city of Harbin to honour the Korean assassin of a Japanese colonial leader. South Korea’s president, Park Geun-hye, suggested the idea to President Xi Jinping during a visit to China in June” (“Regional History” para 1). A degree of this maneuvering will persist no matter the standing of North Korea; however, reducing the tensions in the region – implicitly improving relations amongst the Northeast Asian states – will mitigate some of the posturing that has taken place. From a Washington policy maker’s vantage point, this will allow the US to place a greater focus on territorial issues that are still in their infancy rather than dwell obsessively on the Korean Peninsula.

With respect to specific details in the proposal, this accord is designed to promote cross and mutual-benefit. Some elements are mutually beneficial in so far as they pose advantages for both states, the SEZs being a prime example. However, cross-benefit also exists where one aspect of the accord may benefit the US and another will benefit North Korea. This comprehensive approach to creating value establishes an environment wherein both North Korea and the US will find advantages to cooperation. Once the terms of the deal are announced, the first matter that will assuredly draw attention is the acceptance of Pyongyang’s right to a nuclear weapon program. The fact of the matter remains that if a state is determined to break with international norms of behavior,

compelling that state to change policy direction is profoundly difficult. Short of military confrontation, options to bring a state back into the fold are limited. With that being said, it is important to note that even when the bitterest of enemies, India and Pakistan, fought during the Kargil War, neither of them used the nuclear weapons which both possessed. In actuality, nuclear weapons produce a high degree of restraint between rivals who possess them...interdependence raises the cost of a breakdown in any relationship and obliges states to cooperate in order to prevent this [a nuclear exchange] from happening. The potential cost of going to war is so great in a nuclear weapons environment that states are compelled to cooperate in order to avoid it. (Basrur, 2013: 180)

Additionally, the threat of international condemnation and definitive response(s) are largely believed to have deterred a launch during the India-Pakistan conflict. Likewise, it has always been understood by all key stakeholders that a second Korean War might very well lead to a nuclear exchange. For instance, traditionally North Korea's conventional superiority meant that the US and South Korea might well utilize nuclear capabilities as a deterrent. Indeed, part of the explanation for why conflict has not reignited on the Peninsula has been the threat of nuclear retaliation. Whether Pyongyang possesses such capabilities really only further complicates matters for strategic planners but does not change many of the basic challenges. Namely, the threat posed by the North's conventional forces and their proximity to regional population centers is an additional planning factor that must be considered, but nothing more. In any event, the North Korean nuclear program, while an operational obstacle, is not going away any time soon. "Its small Yongbyon reactor, which appears to have been restarted after a long pause, can make about one bomb's worth of plutonium a year. From its past operations North Korea may also have stockpiled enough plutonium for anything from six to 18 weapons, according to a 2012 study by the Institute for Science and International Security" ("Bad or Mad" para 11). *Ceteris paribus*, it would be better to gain the benefits of accepting the programs' legitimacy rather than continuing to hold out in the vain hope that Kim Jong-un will abandon its nuclear capabilities. The use of TCBM's will help diminish the American leadership's concerns over North Korean military capabilities. As Cha noted in 2012, "The lack of information about North Korea is deadly serious. With the sudden death of its dictator [Kim Jong-il], the state is in the process of handing power over to an inexperienced young man of whom we did not even have a picture until late 2010" (Cha,2012: 16-7). To begin,

improving modes of dialogue and allowing observers at nuclear facilities are key to reducing misperceptions and misunderstandings in the region. “In November 2010 the North Koreans invited Siegfried Hecker, a Stanford professor who once ran America’s Los Alamos National Laboratory, to Yongbyon, the site of its plutonium nuclear reactor. They showed him a facility for enriching uranium which they said would serve a civilian purpose. Dr Hecker’s first look through the windows was ‘stunning’” (“Bad or Mad” para 4). The high quality of the facility far exceeded expectations, but more importantly the event showed that the North found utility in permitting some observations. Just as important, allowing observers to the DPRK’s nuclear facilities not only helps reduce concerns over quality control but also offers a better assessment of the production rate. The composition of the observer teams can be addressed in both bilaterally and internally, but the simple action of conducting such missions presents wide ranging political and technical value. In addition, providing notifications for major troop movements and strategic exercises helps US planners in developing contingency plans and expedites the process for US diplomats and military officials in working with their counterparts across the region. Japanese and South Korean officials will have an easier task when it comes to managing public perception of their overall level of preparedness if the North is willing to improve its warning/notification mechanisms. These are all things that can help US policy makers in their planning and diplomatic relations both with North Korea and with other states in the region.

When dealing with isolated states, the US has often sought to develop connections that help bring the nation in question into the global community. This process occurred throughout the Cold War and, as a tactic, American officials have been determined to leverage it with increasing regularity since the fall of the Soviet Union. The use of SEZ’s in North Korea, even on a limited basis, begins the process of bringing certain elements of the Korean infrastructure into the globalized market. In point of fact, Pyongyang “has announced a further 19 SEZs since 2013, small hubs of between two and four square kilometres for everything from tourism (Chinese occasionally holiday in the North) and software development, to fertiliser- and rice-production,” (“Spring Release” para 9) which suggests a greater acceptance toward opening up the country. While Washington will have to allow Kim Jong-un a wide berth to manage the growth of these areas, even the slightest progress is better in comparison to the closed-door, self-reliant economic policy that has prevailed over the DPRK’s history. Given the closed

nature of North Korean society, even the smallest opening could help curtail problems which are the result of years of Northern isolation: “a visiting NGO hoping to improve yields on a collective farm had to dust off agricultural techniques that had not been used in the south for decades. To help its electrical equipment cope with the north’s wild swings in current, it had to order a voltage stabiliser not seen in the south since the 1980s” (“Parallel Worlds” para 10). In a similar vein, allowing increased tourism to and from North Korea can help tear down some of the cultural barriers that have developed. Again, this process will be slow in development, but once it starts, it can prove beneficial over the long term. The notion of entering the international system is extremely sensitive for North Korea; however, recent actions on the part of Kim Jong-un, including engaging with regional neighbors and exploring the use of SEZs suggests a new willingness to function in the international community. What makes this accord particularly valuable is that it offers the North an opportunity to engage abroad in ways it can control, which is a truly valuable negotiating chip for the US.

Just as America often seeks to bring closed societies into the global community, it also strives to represent the interests of the disenfranchised around the world. The success of this noble pursuit may be debated, but time and again Americans have gone to great lengths to help raise living standards for those beyond their borders. Addressing the kidnappings issue, providing food aid, and exerting influence on the matter of political prisons contribute to making this a holistic agreement that serves US interests as much as it does North Korea’s. The US already has an established history of helping the DPRK people. In the case of North Korean’s, “On May 3, 1994, a family who had escaped from the North held a news conference to describe a famine so severe that children could no longer hold their heads up and elderly people died in the fields. As 5 or 10 percent of the country’s population – perhaps more than a million – perished” (Rubin 109), Washington provided food aid to its bitter enemy. Given Pyongyang’s long-held views on human rights, any progress here will require great compromise elsewhere. However, to improve the lives of North Koreans that have suffered for far too long, what this proposal requires of the Obama Administration is worth it. Not only in human value, but in political utility, bringing closure on the kidnapping matter is also a benefit for North Korea-Japan relations that will enable their bilateral partnership to move forward. Reenergizing the food aid program will greatly boost the livelihoods of many North Koreans given the likely trickle-down effect that will take place. However, the most important and

most difficult to issue that must be addressed are the political prisons – a tragedy that simply cannot be ignored any longer. “The gulag’s captives are not told of their crimes, though torture usually produces a ‘confession’—which might admit to defacing an image of the ‘Great Leader’ or listening to a foreign broadcast. There is no defence, trial, judge or sentence, though most inmates remain in the camps for life, unless they escape” (“North Korea’s Gulag” para 2). The desire to address these issues is nothing new for many Americans. This agreement simply elevates philanthropic pursuits and reprioritizes Washington’s focus on helping raise standards of living for many in the North. These steps are vitally important to bringing along US domestic support for the accord.

X. Tackling the Role of Other States

Previous attempts to improve US-North Korea relations have too often been weighed down by the involvement of other states in the region. China, Japan, Russia, and South Korea all have equities that should be acknowledged. Yet, for a myriad of reasons, their direct participation in previous talks and the roles they were expected to play in the proposals that followed have contributed to the failure of many past agreements. In previous talks, the US “was inevitably curtailed by allied complaints, or neutralized by Chinese backdoor support to Pyongyang” (Cha, 2012: 257). With so many different public constituencies at play, this difficulty should really come as no surprise. To bypass the quagmire that can become multilateral negotiations, the Obama Administration will have to make a few difficult decisions. If, when, and to what degree Beijing, Moscow, Seoul, and Tokyo are informed of the talks should really be left to the President and his inner circle.

As has previously been mentioned, the clandestine element of these negotiations will be critical in ensuring their success; however, to avoid unnecessary problems later, it will be important for Washington to engage in some degree of international messaging. From the outset, though, it would be disingenuous to suggest that this sort of approach to negotiating is not practiced by others: “In January 2001...DPRK first vice foreign minister Kang Sok Ju had flown to Singapore for a secret meeting with Hidenao Nakagawa, a former top aide to then Japanese prime minister Yoshiro Mori” (Oberdorfer and Carlin, 2014: 359). More than likely, the administrations in both Japan and South Korea should be made aware that US-DPRK talks will take place just days before the event

itself. Ideally the President or Secretary of State should provide this information in person to avoid exponentially increasing the circle with knowledge of the negotiations. It must be stressed to both parties that this attempt at engagement is backed up by increased assurance mechanisms for both states. Not only is there a possibility that both may receive US support in developing their own nuclear weapon programs, but other cooperative defense agreements can be discussed as their need and value materialize. In many respects the bottom line for both Seoul and Tokyo is that Pyongyang-Washington engagement not only does have minimal impact for Japan and South Korea, but might lead to increased cooperation for both with respect to the US. When and how to notify China and Russia should be done by North Korea before talks or made as a joint decision during negotiations. Given current geopolitical dynamics, it would be pragmatic to notify Beijing before Moscow, but simultaneous notifications certainly have merit. Regardless, doing so after negotiations have begun gives these two states an incredibly short window with which to derail engagement. Taken as a collective, the notification process will be a delicate yet vital matter moving forward once the US and North Korea have come to an accord. Beyond just the act of notifying the various states, it is appropriate to recognize the likely responses from each of the four nations previously mentioned. China will probably be the most concerned about improved US-North Korea relations; however, that may not be readily apparent at first. The complexities of Chinese policy on North Korea was perhaps best summarized by David Lampton: China sees its main challenges with respect to the DPRK as maintaining complex balances and stability between North and South Korea, not promoting the welfare of Pyongyang's subjects (despite famines and human rights abuses); maintaining balance among the major powers entrenched on or near the peninsula (Japan, Russia, China, and the United States); and maintaining balance and stability along its own border with North Korea, where its northeastern provinces have important economic and border security interests. (Lampton, 2014: 130)

The Xi Jinping Administration will more than likely avoid making too many public statements on the matter because it is not likely to view improved US-North Korea ties as an improvement from its perspective. Greater North Korean autonomy and a more stable Northeast Asia will lead to a greater focus placed on events elsewhere in the Asia-Pacific region. Given ongoing tensions in both the East and South China Seas, Beijing may regard increased focus on its coastal territorial disputes as a negative. From a different perspective, on the

positive side, improved US-North Korea relations actually make China’s problems with North Korean immigration and separatist sentiment among its ethnic Korean population less significant. A more stable DPRK will help reduce the inflow of refugees into Liaoning and Jilin provinces in northeast China, thereby improving civil governance in the area. In general, these developments will help curtail some of the separatist concerns CCP officials have over the ethnic Korean minority. So, while at first US-North Korea cooperation may seem to work in China’s detriment, over the long run it will actually serve work in Beijing’s favor. Japanese government and public opinion on the proposal will be largely positive, except for concerns over North Korea’s nuclear program. “Ever since North Korea in 1998 fired a missile across it [Japan], landing in the Pacific Ocean, [distance] is no longer a sanctuary, but [now Japan is] an integral part of mainland Asia military space” (Kaplan *Revenge of Geography* 116) making the one-time luxury of island isolation no more. If current dynamics on the Korean Peninsula persist, and without major policy shifts change is unlikely, the DPRK will probably continue to invest in and strengthen its nuclear arsenal. As Pyongyang’s delivery systems continue to improve in both quantity and quality, in parallel with its weapons of mass destruction program, the risk to Tokyo only increases. To respond to the North Korean threat Japan and the US have already made great strides in improving their combined missile defense systems. Technical exchanges outlined in some of the TCBMs in this agreement and potential follow-on opportunities for engagement will further support the underpinnings of current and future collaborative defense programs between Japan and the US. Furthermore, as previously mentioned, if North Korea walks away from this agreement, Japan will receive US support in pursuing a nuclear weapon program of its own in addition to further augmenting its conventional forces. After all, “North Korea’s missile tests over Japan [in recent decades], together with her ongoing provocative use of submarines to probe the defenses of Japan and South Korea, must make Japan consider a more proactive defense strategy even if Beijing stands opposed to any signs of Japanese rearmament” (Hayes, 2013: 57). Whether it choose that path, the Abe Administration will at least have the support of Washington. The assurance mechanisms included in this proposal intended to address Japan’s legitimate concerns will help change the defense landscape in Tokyo’s advantage over the long term.

From a positive viewpoint, improving North Korean stability is better for Japan in every respect – be it defense, economics, or social. The accord bolsters

regional stability and may even open up markets for Japanese firms. Problematic for Tokyo, “anti-Japanese sentiment in China is simmering, fuelled by disputes over islands in the East China Sea. Mr. Abe, a conservative nationalist, has not managed to defuse this. Ventures in China involving Japanese FDI often fail” (“Taiwan” para 7). In light of this conundrum, access to low cost labor in North Korea, even on a limited basis, represents an offset for Japanese firms that have suffered from China-Japan tensions of late. More important though, Kim Jong-un’s willingness to provide a complete account of kidnapping victims’ whereabouts will help bring closure to a horrific chapter in Japan’s history. From a geopolitical standpoint the agreement, as previously mentioned, helps refocus regional states on territorial disputes. In particular, Japan can leverage progress on North Korea to refocus its partners’ attention on the Diaoyudao Island issue. The nuclear matter, in light of all the aforementioned benefits, may not appear as dire as once thought. Given Washington’s demonstrated willingness to support Tokyo on matters of self-defense already, there should be little cause for alarm. Taken as a whole, this deal improves strategic stability, which enables greater attention on the East China Sea. Clearly the proposed US-North Korea agreement is a great benefit for Japan.

Russia is something of an outlier in this examination, if only because its relationship with North Korea has been very frenetic in recent years. Presumably, Russia’s biggest concern is the perception that improved US-North Korea relations only further contain Russia. Given Moscow’s weakening economic position, trumping this issue may not be so difficult. “Russia’s ultimate dream is to run gas pipelines through northern Korea to the energy-hungry economies in the ROK, Japan, and other parts of East Asia, and to reconnect the Trans-Siberian Railway to enable cargo transport from Europe to Asia” (Cha, 2012: 359). Therefore, incentive already exists for a stable Northeast Asia. Three specific factors could very easily work to further alleviate Russian suspicions. First, Russia’s growing cooperation with Japan and South Korea already serves as a means to circumvent the mercurial North Korea. Second, Washington can go a long way in alleviating Russian fears by approaching them on the issue of missile defense in the Asia-Pacific. The opportunity to reduce concerns over the North Korean nuclear program could potentially lead to a change in the missile defense posture of the US and its allies and partners in the region. While particular systems will still need to remain in place, there can at least be a dialogue in shifting or clarifying the focus. This is probably a small concession, and it is a

long way off, but just broaching the subject could have utility for the US and Russia. Third, Vladivostok freezes for nearly six months out of the year, so a warmer water port in North Korea that Russia would have access to could be a huge boon for the economy in the Russian Far East. These three offsets can help reduce the Kremlin’s concerns over Pyongyang-Washington engagement. It is important to remember that “when the foreign minister of the ROK was in Beijing, he [NPC head Wu Bangguo] said he had three nightmares: (1) a nuclear DPRK; (2) war; and (3) DPRK collapse” (Lampton, 2014: 130). In this light, clearly South Korea has the most to gain from North Korea-US engagement. There will certainly be concerns about US unilateralism and what an agreement might mean for the DPRK’s long term prospects. However, for a variety of reasons, this proposal works in the South’s favor. From an economic standpoint, opening markets in the North at least carries with it the possibility of slowly bringing the DPRK economy to a subsistence level. A functioning economy in North Korea is vital if unification is ever to occur; it will make the task for policy-makers in Seoul much easier. Even the smallest economic successes in the North will lead to a direct loosening of the economic burden on Seoul. Furthermore, from a social standpoint, any chance to bring Pyongyang into the international system will ease the human costs of unification. In the short term, the greatest benefit to South Korea lies in the defense element(s) of this proposal. The TCBM’s will promote regional stability, which will improve day-to-day economic functions in the ROK. Principally, without the looming threat of North Korean provocations, the South will be in a better position to attract foreign business. The benefits to Seoul of Pyongyang-Washington cooperation are incalculable.

One would be remiss without a further amplification of the assurance aspects for South Korea built into the proposed accord. If a second Korean War were to erupt today “artillery at the rate of hundreds of thousands of rounds per hour would rain on the city of Seoul and its unwitting population of 24 million. Over 700,000 troops, 2,000 tanks, and mechanized forces would advance southward rapidly, trying to penetrate ROK defensive positions and cover the fifty miles or so to overtake Seoul” (Cha, 2012: 212). Even clearer than in the case of Japan the threat North Korea poses to its southern neighbor is stark. From a conventional standpoint alone the Kim family regime has the ability to impose significant costs on South Korea before the North would be defeated. Add in the threat posed by Pyongyang’s missile systems and its nuclear capability and the risks posed to the

government in Seoul suddenly increase exponentially. Rather than demand the North eliminate its nuclear capability, which still does not address its conventional strength, it is prudent to work toward developing TCBMs that reduce the possibility for misperception and misunderstanding; while simultaneously improving goodwill and cooperation. As measures designed to promote stability take effect there is no prohibition on further ROK-US defense cooperation. While it may be prudent to place greater emphasis on DPRK concerns for certain programs, collaborative efforts can continue. Regardless, over the long term the introduction of TCBMs is the best way to address the danger of North Korean volatility. And, in the event that Pyongyang is non-compliant then Washington will have already stated its willingness to support Seoul in developing a domestic nuclear capability. This new asset will greatly alter Kim Jong-un's decision calculus, while giving the administration in Seoul greater leverage and a stronger deterrence posture. Collectively, the proposed accord addresses a number of assurance and deterrence challenges that are vital for South Korean policy makers.

XI. Paving the Way for Future Cooperation

What separates this proposal from so many other attempts at engagement with North Korea in the past lies in how the nuclear question is addressed. The emphasis of previous agreements was forcing Pyongyang to relinquish its nuclear weapon program. "The trouble is, the outside world has almost run out of the normal options for curbing the North's nuclear ambitions: there are not many more sanctions it can impose. Efforts to stop the nuclear programme have 'pretty much failed'" ("Nuclear Test" para 7). The intrusiveness of prior accords helped reinforce negative assumptions on the part of all participants. Concerns bred suspicions, followed by mistrust, and, ultimately, accusations whenever there was so much as a hint of noncompliance. And while it can be argued that US officials were more willing to accept a greater degree of DPRK noncompliance than vice versa, the American media's ability to excite public opinion certainly limits options for US decision makers. Washington officials are simply unable to look the other way when the strategic picture outweighs minor operational missteps. By accepting North Korea's right to hold nuclear weapons, a great deal of the negative reinforcement of passed agreements can be largely mitigated. The positive structure of the accord serves as a mechanism to promote further

cooperation. “Macro-level trends such as Pyongyang’s inability to access international capital and costly military competition with South Korea and the United States hindered the growth of the North Korean economy and locked the regime into a costly military contest that diverted resources away from productive applications” (Habib, 2011: 49) and placed them squarely in this predicament. With the exception of the political prison issue, the focus of this agreement is about breaking through this downward spiral and moving forward. The various aspects of the proposal seek to build ties rather than focus on mechanisms of control. Furthermore, the embedded TCBM’s offer the opportunity to build communication and confidence on a bilateral basis. This is vital in reducing the long term tensions that have been permitted to build up due to a lack of communication. In parallel, economic engagements in particular offer tangible benefits to cooperation. Significant increases in Pyongyang’s revenue stream will encourage more joint ventures as it will reduce the North’s reliance on other states – namely China. The open-ended and mutually beneficial characteristics of this proposal serve as advocacy tools for further cooperation.

XII. Implications for Other States Aspiring to Acquire Nuclear Weapons

The one question that will always come up when a new state acquires nuclear weapons is, how does this impact the decision calculus for other aspiring nuclear weapon states? Very simply, there is no easy answer to this question. Leadership in each state across the globe observe, analyze, and evaluate things differently. However, that does not preclude the ability to make general assumptions about the impact formal US recognition of North Korea’s nuclear program might have on others. With that being said, we already know aspiring and current nuclear weapon states maintain working networks designed to share information and assist others seeking the same capability. “Another expert impressed by North Korea’s nuclear advances was Abdul Qadeer Khan, the godfather of Pakistan’s nuclear programme. He heaps scorn on Libya’s efforts but reserves praise for the North Koreans. They showed him the ‘perfect nuclear weapon,’ he wrote, ‘technologically more advanced than ours’ (“Bad or Mad” para 5). So, while the political equation certainly matters, the North is already part of a nuclear community that passes technical information to a variety of actors. Ultimately, how Washington policy makers portray the international impact of the nuclear aspect of the accord will significantly shape how the agreement in its entirety is

perceived by senior leaders abroad. For the purposes of this discussion, the interplay between US strategic messaging and how that is received globally is critical to understanding the impact of this agreement.

How the Obama Administration couches acceptance of the North Korean nuclear program will greatly drive and shape the lessons other states will take away from the DPRK experience. In that vein, Washington must make a series of public statements to set the tone. After President Obama's first presidential election victory, "the president moved quickly on the several foreign policy initiatives he had talked about during the campaign" (Gates, 2014: 326), so there is a precedent for him to be fleet afoot if the opportunity presents itself. By framing the debate quickly, the administration can curtail some of the speculation and ensure that its viewpoint is the first to be heard. While debate on the North Korean nuclear program and how the international community responds to it will be endless, the US can use this as an opportunity to refine its own policies on nuclear proliferation. Ultimately, this is an opportunity for the Obama Administration to not only articulate its decision calculus with respect to North Korea, but make this event a seminal moment for US nuclear proliferation policy. US officials must clearly spell out four points when discussing the issues surrounding the decision to accept Pyongyang's nuclear weapons program. First, North Korea is in a unique geopolitical situation because of its proximity to both China and Russia. Previous strategic assessments regarding military options have always caused anxiety in Washington because they "ran the risk of escalating to all-out war on the peninsula" (Cha, 2012: 253). Geographical facts precluded a military option, because the risks of escalation and a broadening of the conflict were simply too high. When considering ongoing tensions in the Asia-Pacific region, the risk that misinterpretation and misunderstanding could lead to a mushrooming of the conflict would trump the utility of a military option. The volatility of the wider region made the risk of escalation simply too great to entertain a military option. That being said, the same strategic concerns do not hamper the US in other regions where the issue of nuclear proliferation might arise.

Second, US decision makers saw the TCBM's included in the agreement as a mechanism for strengthening strategic stability in the future. Nuclear weapon states are held to a higher standard as more is expected of them in order to curtail catastrophic incidents. The ability to observe North Korea's nuclear program and Pyongyang's agreement to provide advance notification of other major military

activities demonstrates an increased willingness to participate in the international community. Regarding observation missions, the US and DPRK, as part of the 1994 Agreed Framework, had previously agreed to an inspection regime. The flaw was that “Washington [agreed] to permit special inspections to be postponed until the delivery of key nuclear components of the promised light-water reactors” (Oberdorfer and Carlin, 2014: 277). Tying inspections to something the US might have difficulty in delivering, seems problematic now, but the lesson to be learned in this is to link inspections to something that can be done immediately – like legitimizing the nuclear program. Such action bypasses the political hurdles in Washington, specifically Congressional approval. Returning to the proposal discussed here, Kim Jong-un’s acceptance of these elements of the proposal, nuclear inspections and the like, will be crucial steps in making the nuclear program palatable. Accepting Pyongyang’s weapons of mass destruction are contingent on its continued work to maintain and bolster the TCBM regime.

Third, while Washington is elated at the mutually beneficial opportunities of this accord, had Pyongyang chosen the engagement path sooner – perhaps even decades ago – the hardships the North Korean people have had to endure could have been prevented. The Kim regime chose to reject international norms of behavior to pursue policies bent on the development of nuclear weapons. This decision led to ostracism across much of the international community and greatly contributed to North Korea’s economic collapse. The trials and tribulations of the DPRK’s people can be blamed, in large part, on the government’s pursuit of nuclear weapons. “If South Koreans want to remind themselves of the progress they have enjoyed, they need only look north, where men on average measure up to 8cm less and die 12 years sooner” (“Parallel Worlds” para 10). The twenty-first century, globalized world is predicated on norms of behavior. Utility in holding nuclear weapons is fast eroding. As the Pyongyang case clearly demonstrates, the pursuit of nuclear weapons will be met with economic hardship that could have been avoided.

Fourth, just as with the negative actions to be taken if North Korea is noncompliant, the US must articulate that aspiring nuclear weapon states will be met with even more stringent penalties. Deterrence will come in the form of civil, defense, and economic options. From the civil perspective, the international community, led by the US, will reduce, and potentially indefinitely suspend, overseas development assistance to the state in question. Washington will seek to develop defense agreements with other regional states in the event a military

option is required. “If diplomacy is to work, both allies and adversaries must believe that the United States is willing to use force” (Rubin, 2014: 263). Economic sanctions will also be put in place to further weaken the prospective state’s ability to afford its nuclear program. These actions, particularly when outlined together, will message a renewed resolve in US policy against nuclear proliferation.

The actions outlined above will greatly shape how the US decision to accept the DPRK’s nuclear program is perceived across the globe. With that being said, there are three primary themes that other states will probably come to recognize out of Pyongyang’s pursuit of nuclear weapons and how Washington responded. First, if a state is determined to acquire weapons of mass destruction, it is very difficult to deter. Regarding the 1994 Agreed Framework, “Pyongyang almost immediately began violating its agreement, and the Clinton team simply looked the other way in order to avoid disrupting engagement” (Ibid: 266). Realistically though, given the strategic environment at the time, what else could the Clinton Administration have done? Second, once a weapon has successfully been tested the international community will gradually lose resolve in its attempts to dissuade nuclear weapons development. Third, moving past this issue will come at some juncture. All things considered, if the US does not actively seek to frame the debate on its rationale, the interpretation of this agreement by other states will have a negative impact on Washington moving forward. Regardless, these three observations will significantly impact policy decisions in other states seeking to pursue nuclear weapons. Arguably the most significant lesson to be learned from the North Korea experience is that if a government can manage domestic opinion and the geopolitical environment is right, it is almost impossible to deter it from acquiring nuclear weapons. Sadly, there are some advantages in this regard for “North Korea, the last remaining hermit kingdom in the world” (Mahbubani, 2013: 33). Over the years the Kim family regime has potentially been able to manage domestic opinion better than any state in the planet. Its constant war-footing and closed society allows the government almost limitless power when it comes to decision making. This enabled Pyongyang to undertake the necessary steps to develop a nuclear capability without fear of domestic upheaval. What separates North Korea from, for instance, Iraq under Saddam Hussein’s rule is that geopolitical dynamics prevented foreign military action against the North. An ongoing example that bears striking similarities to North Korea is Iran; where the theocratic regime has successfully managed public opinion and thwarted any

possible foreign military option to date. When strict domestic control is joined by the inability of foreign military action, deterring a prospective nuclear weapon state is virtually impossible.

Once it becomes clear that a state possesses nuclear weapons the window of opportunity to deter acquisition is shut, leaving little hope for relinquishment. To be clear, once completed, the domestic costs associated with ending a nuclear weapon program are even higher than they were during the research and development phase. The opportunity cost of acquiring the capability makes it almost impossible to justify forfeiture. With that being said, the desirability of any military option decreases exponentially once it has been successfully tested. In the case of both North Korea and Iran, it is widely believed that “the regime(s) might consider nuclear retaliation against the United States directly” (Davis and Pfaltzgraff, 2013: 125) if attacked. In virtually every scenario, the risks of a detonation are simply too great to take military action. Essentially, nuclear states achieve the basic goal of acquisition – regime security from foreign aggression. Unfortunately, the resolve of the global order to compel a state to relinquish its weapons is, to put it mildly, fickle. With the understanding that deterrence has failed the international community will often, gradually, reengage with the state in question. This pattern has been seen in cases such as China, India, and Pakistan. In a rather extraordinary twist of irony “after 9/11, the United States gave Pakistan more than \$100 million to secretly bolster the security and fail-safe mechanisms around its bombs” (Rashid, 2013: 61). This is but one example where there may not be a return to pre-acquisition engagement, but penalties strong enough to force forfeiture will abate as the geopolitical landscape shifts. Regardless, the penalties for violating international norms of behavior slowly erode as pragmatism wins out. While the post-acquisition success of a nuclear weapon state is largely contingent on a host of factors that have nothing to do with the new capability, it is encouraging for states seeking weapons of mass destruction. Potentially, the most impactful lesson to be learned from the North Korea experience is that even penalties associated with this issue are never, truly permanent.

XIII. Alternative to Cooperation – China’s Changing Foreign Policy

The early twenty-first century has come as an inflection point in Chinese political life. Both record economic growth and political resolution of continental disputes

have contributed to a shifting focus in public and bureaucratic circles. For many Chinese, it is no longer enough to emphasize domestic economic growth. As years of double digit growth fade into memory many are looking to find other potential sources of economic growth. In parallel, there is a growing sense that the defense spending that has come with economic success gives China better foreign policy options. Many Chinese would argue that the days of having to accept foreign designs for their homeland have come to an end. “As a stronger China seeks to defend what it views as its territorial and maritime interests, it threatens the security of its neighbors, who grow increasingly wary of China’s long-term intentions” (deLisle and Goldstein, 2015: 205). This alteration in Chinese foreign policy has changed the face of Beijing and created an entirely new geopolitical environment in the Asia-Pacific region. Today, the most recognizable epicenters of confrontation are in the East and South China Seas. Recent history over the last two centuries saw a rolling back of Chinese dominion across much of its periphery. The island chains to its east and south are no different. European colonialism and Japanese imperialism led to Chinese losses across the region. Given the natural resources believed to exist under the ocean floor and the two seas’ role as vital shipping lanes, control of the various island chains in the area is critically important. “But it will not tolerate a coalition of smaller powers allied with the United States against it; that, given the Chinese historical experience of the past two hundred years, is unacceptable” (Kaplan, 2013: 167). Beijing has taken to provocative military action in an attempt to force countries like Japan, the Philippines, and Vietnam to withdraw their territorial claims. Domineering actions on the part of the Chinese have not gone unnoticed. Many countries in the Asia-Pacific region are developing intraregional defense partnerships, while also turning to states like the US and Russia for assistance. As the Xi Administration continues to take an assertive stance on territorial disputes, the response from China’s neighbors will only become more abrasive. Into this volatile mix North Korea sits almost completely alone. Having discussed the DPRK’s geopolitical position throughout this document, the main point of emphasis at this juncture is its limited options. If engagements with Japan, Russia, and South Korea prove unrewarding – and there are ample reasons to suggest that they might – and if North Korea cannot develop a partnership with the US, then it will suddenly be back in the same place it has been for over two decades. Pyongyang will once again be reliant on Beijing for its continued existence. “From time to time, China does put the hammer down on its troublesome ally”

(Schoen and Kaylan 28). Given Kim Jong-un’s attempts to distance himself from his patron it would not be unreasonable to suggest that China would want to take a more assertive role in North Korea as well.

XIV. Conclusion

At the present time there is an opportunity for meaningful US-North Korea engagement. The deterioration in China-North Korea relations has led to a series of changes in the DPRK senior leadership – in both human and policy perspectives. To date, these shifts can be seen in Pyongyang’s sudden attempts at engagement with Moscow, Seoul, and Tokyo. And, perhaps most notably, the circumstances surrounding the execution of Jang Sung Taek could not have more thoroughly demonstrated Kim Jong-un’s desire to separate himself from Beijing. Into this transformative time, Washington can interject with a bold and daring engagement strategy. By participating in direct talks with the North, Obama Administration officials can circumvent some of the cancerous obstacles that come with multilateralism. Even more noteworthy, making acceptance of the North’s nuclear program and a negative security guarantee the hallmarks of this proposal represent a substantive policy shift in the US. The proposal outlined here and the manner with which the entire process associated with it could be executed, outlines a way forward thinking approach in resolving the most pressing issues in the region. “During World War II, General George Marshall once told his wife, ‘I cannot afford the luxury of sentiment, mine must be cold logic. Sentiment is for others’ ” (Gates 594). The ultimate goal for the US in embarking on this path is strengthening regional, and consequently strategic, stability – something both noble and attainable with a little bravery and decisiveness.

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