

Pyongyang Policy Options: Instruments and Principles for Dealing with North Korea

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I. Introduction: What this Paper Does

This paper examines various policy instruments the US could employ over the next 5 years to induce change in North Korean behavior.¹ It begins with a review of US interests on the Korean Peninsula and then considers Pyongyang's interests, as well as its political and security environment. Special emphasis is given to the possible effects, dangers, and opportunities associated with the coming transfer of power, as Kim Jong Il passes from the scene. The paper then inventories an array of foreign policy instruments, including ones that, on their face, seem odd in a North Korean context (e.g., forming an alliance). It concludes by stepping back and looking at the core values and policy principles that should guide US policy. It offers a gentle critique of current US policy – a policy that is understandable given the Democratic People's Republic of Korea's (DPRK) behavior since 2009, but which may carry major risks in the face of impending leadership change.

II. Current US Interests

The US has multiple interests in play on the Korean peninsula, though not all are equally important. Traditionally, preventing the export or leakage of nuclear technology and material from the DPRK and the North's eventual denuclearization have been at or near the top of the list. Pyongyang has made statements in the past that seemed to recognize that the transfer of sensitive material or technology to third parties is a red line for Washington, but the subsequent discovery of a reactor in Syria and rumors about collaborations with Myanmar and Iran have cast doubt on North Korean pledges. It has to be said, however, that the issue of what exactly North Korea has transferred remains murky.² Additional, high priority American interests include supporting treaty allies (South Korea and Japan), as well as avoiding a political or even military conflict with China, the latter coming into play should the DPRK suddenly collapse and military forces from South Korea enter DPRK territory. Other interests such as human rights and humanitarian concerns are also part of the mix but have ranked lower in importance.

A "new" American interest may have emerged in recent years, namely *avoiding* a military conflict with the DPRK. US policy has always sought to deter an attack from the North, but in the past, there may have been a higher tolerance for initiating an attack against Pyongyang. President Clinton could consider the use of force against North Korean nuclear sites in the early 1990s, in part, because he did not have tens of thousands of troops deployed in Iraq and Afghanistan (not to mention large deficits and concerns about a double-dip recession).

A greater interest in war avoidance brings the US closer in its preferences to traditional Chinese and South Korean interests. Like the US, these countries do not want North Korea to brandish nuclear weapons or threaten Japan, but their core interests led to a greater emphasis on stability and avoiding military conflict. This is not surprising, since they would suffer the consequences most directly (e.g., artillery shelling, refugees flooding across the border, plunging stock markets, etc.)

III. The DPRK's Political-Military Environment and Interests

A. The Domestic Context: Getting Ready for Succession

North Korea's political isolation, economic dysfunctionality, and aggressive, risk-taking approach to foreign relations have kept the DPRK in a state of perpetual crisis since the collapse of the Soviet Union. With crisis being "normal" for 20 years, there have been only a handful of occasions when the relative stability of this new normal looked potentially tenuous. One was during the famine of the early 1990s – an event that fundamentally threatened the state. Another occurred with the passing of Kim Il Sung, and the transfer of power to Kim Jong Il. Though the young Kim had been groomed for many years and had risen through ranks, one could not know in advance that the transition would go smoothly or that the consequence of Kim Il Sung's departure would be the embrace of an engagement policy, understood in this context, as building on the elder Kim's legacy.

Today, the prospect of political transition in the DPRK is more unsettling. Kim Jong Un, who is Kim Jong Il's son, is far younger, far less experienced, and the process of preparing him for succession has only recently begun. Meanwhile, Kim Jong Il's health appears to be deteriorating. (A video of Kim at the parade in honor of the Korea Workers Party Conference in September clearly shows him having difficulty walking and having to lean on a railing for support.) Indeed, the special Korea Workers' Party conference itself and the appointment of Kim Jong Un and other family members to senior positions in the military and party clearly signal that the process of transition has begun. The conference followed an earlier reshuffling of the National Defense Committee – the most important governing body in the DPRK – and the promotion of Kim Jong Il's brother-in-law to be Vice Chair of the Committee. There are reports that the brother-in-law, Jang Song Taek, will act as mentor and regent until Kim Jong Un is ready to assume his duties.

As with all things North Korean, there is more speculation than fact. Still, it is not difficult to imagine that this second succession will be the single most important factor influencing the North's behavior over the next few years.

If Kim dies tomorrow, there will be great uncertainty. Will the uniformed military in a society whose slogan is "military first" seek to expand its role in governance? Will Jang Song Taek, the regent, be challenged by rivals on the Defense Committee or by others in the Korea Workers' Party? Will he try to brush aside the young Kim Jong Un and hold power for himself? And that is just the internal politics.

In foreign and defense policy, the regime will have strong incentives to simultaneously retract and put on displays of strength. It will want to send a deterrent signal to adversaries that they should not attempt to take advantage of the regime during a transition. Pyongyang will also want to signal to its

domestic population that the government is strong. It will want to communicate to its own citizenry that a) they should not worry and b) they should attempt to use the transition as an opportunity to emigrate or otherwise deviate from DPRK laws.

It should be noted, however, that as of this writing, DPRK policy appears to have a different emphasis. While denouncing the series of military exercises and engaging in some typically tough rhetoric, the North looks to be on a peace offensive. Its foreign ministry says it wants to meet with the US, and in August, it reached out to Seoul about reviving an offer made to conduct a North-South summit (followed by grants of aid).

Interests

Given the DPRK's difficult position, its core interests would seem easy to deduce. Whoever holds power will seek to maintain power, be it Kim's brother in law, the military, or other actors. Beyond that, the North will seek to deter attack, improve its bargaining position, and reverse its economic decline. Clearly, some of these interests are in conflict with one another. Several officials see trade and outside investment as the only way to improve Pyongyang's economic position, but opening up the economy also runs the risks of allowing foreigners to acquire influence or worse, enabling the domestic population greater freedom of action.

A less recognized interest of the DPRK is status. Its exaggerated rhetoric, tough bargaining, and brinkmanship lead many to overlook that the North is status conscious and wants to be treated as an equal and sovereign member of the club. Finally, despite its improbability, the DPRK wants reunification, but only on its terms.

IV. Policy Options Old and New

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This section reviews a broad array of policy instruments that might be brought to bear in support of US objectives vis-à-vis the DPRK, namely, a freeze and eventual elimination of the North's nuclear weapons program, the securing and removal of nuclear weapons-related materials, and a general reduction in the North's provocative behavior. This survey of options is deliberately broad, and in some cases counter-intuitive. It begins with a look at the broader historical record on de-proliferation or rollback and then at the narrower experience with the DPRK. This is followed by a discussion of *what* might be done and finally *who* might do it.

A. De-proliferation: the Record

The universe of cases of countries that acquired nuclear weapons and subsequently gave them up is, like the universe of nuclear weapons states, quite small. One could include South Africa and the three states of the former Soviet Union (Belarus, Kazakhstan, and Ukraine), which inherited significant nuclear assets after the fall of the Soviet Union but renounced them in favor of joining the Nuclear Non-Proliferation Treaty. There has been a vigorous debate among scholars as to why these states gave up the bomb, some emphasizing security variables, other emphasizing bureaucratic and domestic politics, economic costs, norms, or psychological factors such as self-identify.

There is a larger, additional literature on the literally dozens of countries that had an interest in nuclear weapons, started down the path towards their acquisition, but then stopped and reversed

course. This list includes both the expected and the unexpected: Egypt, Taiwan, South Korea, Japan, Germany, Brazil, Argentina but also countries such as Australia, Sweden, Switzerland, Romania, and Yugoslavia, among others. The most recent case is probably Libya, which like North Korea, has had a longstanding ideological stance against the West, is ruled by a mercurial dictator, and has been an irritant to the international community for decades.

This record should remind us that proliferation and a permanent weapons status are not inevitable. Skeptics like to point out that no country that has tested a nuclear weapon has subsequently given up their arsenal. Again, there is a “small *n*” problem here. In addition, there is at least the possibility that South Africa did test, but that is a matter of some controversy. There are additional reasons to doubt the “test” marker, but a finer grained discussion is not really required. North Korea is enough of an outlier (it is arguably *the* outlier in international behavior) that broad generalizations may not be helpful.

B. The Case of the DPRK

Those who have followed North Korea these last two decades cannot help but be struck by the “flexibility” of DPRK positions. It has conducted nuclear and missile tests and threatened to use nuclear weapons. It is also the only “weapons state” to have promised in any meaningful way to completely dismantle its arsenal. It has cheated on its safeguards agreements and kicked out IAEA inspectors, but it abided by a ten-year freeze on its nuclear program and a related moratorium on long-range missile tests. It also agreed to unprecedented intrusive inspections of its weapons facilities. It constantly threatens war against the capitalist hegemon in Washington but would like nothing more than normalized relations and has proposed a DPRK-US alliance (implicitly against China!). It desperately seeks trade and foreign investment even as it wants to discourage interaction with the outside world. It recently sank the South Korean navy vessel *Cheonan* but seeks to avoid a full-scale war that would certainly end its existence as a state.

What is one to make of this?

Fundamentally, one cannot know with confidence, but here is one reading. The DPRK is a very poor, very weak, isolated state whose primary goal is survival. It trusts no one, including China, though it is dependent on China. It is, as North Koreans have said to me, a mouse surrounded by elephants, great powers all – China, Japan, the US, Russia. South Korea’s GDP is not twice the size, not three times the size but rather 34 times larger than North Korea’s GDP! Fifty years ago, the two Koreas were economic equals. It needs to change to survive. Non-trivial segments of the leadership, including Kim himself, want or wanted to change, but change also means the risk of losing power and not surviving.

C. The What

This section takes a broad and inclusive look at the universe of policy instruments that the US government might consider in dealing with North Korea. Before reviewing them, however, it makes sense to review where things stand today.

The current US policy towards the North emphasizes “strategic patience,” namely, that the US is in no rush to return to the negotiating table and will only do so when it is convinced that the DPRK is

serious about making permanent changes in its behavior. All of this is understandable given the North’s missile and nuclear tests in the spring of 2009 and the seemingly unprovoked sinking of the *Cheonan* in March of 2010. Since the *Cheonan*, Washington’s primary form of communication with Pyongyang has been an ongoing series of naval exercises with South Korea, and the message has been deterrence. Indeed, US officials in both private meetings and public statements emphasize that their current approach is “alliance centric,” and that their core objective is to bolster the credibility of extended deterrence in East Asia.

Such a policy is completely understandable given recent events, but one has to wonder whether policymakers in Washington are following the right policy at the wrong time. Kim will die soon, strategic patience or no strategic patience. If it happens sooner rather than later, we will find ourselves in a situation where there are no strong lines of communication, no active “legacy” of engagement for the new government in Pyongyang to invoke, and new difficulties in the US-China relationship. Worst of all, an emphasis on deterrence credibility under these conditions presents the perfect set up for crisis escalation – arguably the most real and deadly danger that confronts the peninsula.

(These concerns are explored in more detail at the end of this paper.)

If one steps back from the current situation to look more broadly at the policy horizon, it is clear that the policy options available to the US are both numerous and limited. They are limited in the sense that some options seem too costly (e.g., invasion), undermine other foreign policy goals (e.g., taking a back seat to other players such as China), or face domestic or regional political opposition (e.g., forming an alliance with the North). Still, it seems a worthy thought exercise to begin at the beginning, with a clean slate, and inventory the full array of actions Washington might consider.

Four categories are reviewed: political, military, economic, and social. Naturally there is some overlap. The social category relates to those policy options that involve social status, communications, societal relations and the like. Options are further broken down within each category, first into policy instruments that are standard fare (e.g., sanctions) and those that are more of a reach, at least in the DPRK context. Policies are also divided into those that are “positive” or “negative,” the latter emphasizing threats and punishments.

The list is not exhaustive. Indeed, it is intended to spur thought about what should be included that has been left out.

Box. 1. Inventory of US Policy Options toward the DPRK

	Political	Military	Economic	Social
POS	<u>Standard</u>	<u>Standard</u>	<u>Standard</u>	<u>Standard</u>

	1 Peace Treaty 2 Agreed Frmwk 3.0 <u>Non-Standard</u> 3 Alliance w/ N 4 Transform 6PT 5 Post-collapse inducements 6 Take a back seat 7 Walk away 8 Support internal opposition	1 Arms control 2 DPRK assurance <u>Non-Standard</u> 3 Give def tech to N 4 Mil-mil exchange	1 Aid 2 Cut sanctions 3 Econ rewards <u>Non-Standard</u> 4 Buy out 5 Joint ventures 6 Allow prv invest 7 Post-collapse inducements	1 Bi-lateral initiatives 2 Visits 3 Cut rules on NK in US 4 Allow Track 1.5 5 Estab official consulate <u>Non-Standard</u> 6 Pay social tribute 7 Cultural/social exchange 8 Bring N elites to US (e.g, for study)
NEG	<u>Standard</u> 1 Ignore 2 Isolate 3 Deny access to IO's	<u>Standard</u> 1 Deterr signaling 2 Arms to allies 3 Mil Exercises <u>Non-Standard</u> 4 Mil strikes 5 Invasion	<u>Standard</u> 1 Sanctions 2 Deny access to econ IO's	<u>Standard</u> 1 Refuse to talk 2 No non-gov interactions 3 Emphasize human rts <u>Non-Standard</u> 1 Demean NK status 2) VOA type "attack"

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The length of the list means that only brief comments can be offered for each category. Individual items are referenced by where they are on the chart. So, for example, MP4 refers to Military/Positive number 4 or military-to-military exchanges.

Political

The North Korean's new favorite topic is a peace treaty to replace the Armistice Agreement (PP1). (In years past the preferred demands included a light water nuclear reactor and later, the removal of the sanctions on Banco Delta Asia.) The Agreed Framework (PP2) remains the single most successful policy instrument in the history of US-DPRK relations. It resulted in a decade-long freeze on the North's nuclear and long-range missile programs. Moving to positive, non-standard options, the alliance (PP3) is interesting if only because the North has suggested it in bi-lateral settings. And it has a certain logic to it: if one takes China to be the main threat, then having the US as an off-shore balancer would provide security to the DPRK and give the US a position on China's border. The Six Party Talks could be transformed (PP4) into a regional security community or a multi-issue institution for managing regional relations, thus giving the North a larger stake and thus incentive in following through on its commitments. Another option would simply have the US prepare for the North's collapse (PP5) and then seek a new relationship with whatever government emerged. Similarly, Washington could take a back seat to China or South Korea or even walk away (PP6/7). Then those governments with the greatest stakes would be forced to deal with it

themselves, and the US would minimize its exposure, at least in the short-term. Clearly, walking away could have significant repercussions for America's position in the region, but it may be worth considering how it might play out if only to work through the idea and its implications. Is it possible, for example, to back off on the DPRK but compensate with robust regional commitments in some other form or to back off in some areas but not others?

Military

Among the military options, the positive, non-standard options are the most interesting, if only because they are non-standard. One is to transfer arms to the North (MP3) – defensive not offensive arms that would be given in trade for reductions in their offensive systems. This would likely be a tough sell, since their deterrent option (artillery aimed at Seoul) is more robust than the protection provided by defensive weaponry, but perhaps it might be useful in combination with other items on the list. Similarly, the US and the DPRK might engage in military-to-military exchanges. In principle, these exchanges could promote confidence building, confer status, have intelligence value, and the like. They could also be used as a mechanism for assurance. North Korean officials once told me that wanted to see US businesses and a US embassy on DPRK territory, because Washington would be reluctant to launch military strikes with Americans on the ground. In theory, military exchanges could serve the same function.

Economic

Here again the options are fairly straightforward. Under the positive non-standard options, buy out (EP4) refers to a policy of simply buying the North's missile and nuclear programs. Setting a price, cutting a check and being done with it. DPRK officials have actually proposed such an arrangement. Aside from the domestic political issues it would raise, there is the problem of insuring that the same item is not resold on repeated occasions, the main complaint about the Agreed Framework. The again, the Agreed Framework and the February 13th Agreement were multi-part agreements phased in over years. One could imagine something much more direct and with a much shorter time frame (months not years). Obviously any such arrangement would have to include provisions and instrumentalities that would prevent Pyongyang from restarting a nuclear program from scratch. Joint ventures and private investment (EP5/6) would allow or promote US sponsored or privately sponsored economic projects in the North – the exact opposite of the current direction of US policy. Europe, China, and South Korea have historically had one or both kinds of efforts. They would 1) likely strengthen the pro-business (an odd phrase when speaking of the DPRK), pro-economic growth constituencies inside the North, as opposed to the military and 2) could provide intelligence about conditions in the North.

The last category of policy instruments is the least used and perhaps the most interesting. Contrary to what one would think given their behavior, there is anecdotal and more systematic evidence that suggests that the North Korean leadership actually cares about what other countries think about them. Perhaps it is because they are small, poor, surrounded, and underperforming relative to their cousins in the South. The "why" is beyond my expertise, but my personal experience leads me to conclude, contrary to my prior expectations, that status does matter. This is not to suggest that status is more important than objective concerns like security and economics, but it would be a mistake, as Americans often do, to overlook the policy power of status. Pyongyang may not be as prickly and status-conscious as Tehran, but it is an issue and thus something subject to policy processes.

Negative Vs. Positive

It is not possible to look at this list and not observe that the great preponderance of Washington's current policy effort goes to the negative policy instruments. They are politically attractive, both domestically and with some allies. We know how to do them, and they are easier from an implementation perspective. Dealing with states like North Korea, by contrast, can be difficult, unpredictable, and unpleasant. Sanctions and similar instruments also have, historically speaking, a poor record of success. Nevertheless, Washington experiences periodic waves of "the sanctions are working" fervor. These waves appear grounded on the most ephemeral and gauzy of evidence. It is true that sanctions can impose costs, but what relationship those costs bear to an eventual outcome and how they weigh in importance relative to other factors seems uncertain at best. One imagines that they are a part of the solution but receive disproportionate attention and effort.

These concerns are generic to sanctions, but in the case of North Korea, there is a separate and fundamental question about their application. Is it really wise to try to push North Korea to the economic brink, assuming one can accomplish that? First, it gives the North Korean government every incentive to engage in the very behaviors we are trying to prevent – missile and nuclear exports. In the absence of other forms of commerce, what is it exactly that we expect North Korea to do? Second, it strengthens the political and economic power of the worst elements of the DPRK's leadership. When the engagers and the traders can't deliver, guess who wins (and what their policy preferences are)?

Finally and perhaps most importantly, if not most probably, what if the sanctions work? What if, contrary to the arguments offered above, the sanctions work but work too well, and the regime collapses? Is that the outcome we want? Sudden collapse could end well but it could also end very badly. What, for example, happens to the North's nuclear assets as it falls apart – supposedly our number one policy concern? It is hard to believe that we know with precision that sanctions 1-4 will induce near collapse but sanction 5 is enough to push them over the edge. All this would be bad enough if the North were not about to face an uncertain leadership transition. Add that nontrivial element, and it is even more difficult to understand the logic of trying to force them to the brink.

Indeed, the choice of tactics should be considered with some sense of what the endgame is likely to look like. Will the North simply capitulate, give up power, and allow others to take over? That seems unlikely, though that scenario does suggest a different variant of the "buy out" tactic. In this circumstance, it would mean simply buying off the leadership and giving them safe exit – a tactic that has been used successfully in the past with other dictatorial regimes. If the DPRK is not going to just give up, how will it end? Collapse? Will it be a fig leaf of negotiation resulting in an agreement that produces stability and non-provocative behavior? A popular answer in some circles is economic, and later, political reform following the Chinese model. And over what time frame is this endgame supposed to be realized?

D. The Who

American policy towards the North requires not only a "what," as in "what should be done?" but also a "who," as in "who should do it?" On some occasions, the US and only the US should lead a policy initiative. On other occasions, the route to success may be more indirect, with other governments taking the lead while Washington adopts a less visible role.

There is a strong case to be made that North Korea wants a direct relationship with the US, both for reasons of interest and reasons of status. China is a rising power, but historically and for some years ahead, the US will continue to be the preeminent actor on the global scene. A central role for the US does not require, however, that Washington lead on every aspect of North Korean policy. The Six Party Talks, a Chinese institution, are but one example.

The list of potential contributors is longer than the list of those that might practically play that role. In principle, Japan, the EU, and the UN could take on new responsibilities, but that seems more unlikely than likely. In the past, Japan has undertaken its own initiatives with some success; the EU has repeatedly offered to play a mediating role; and the UN has been involved on the peninsula since the Korean War. Yet each of these players is limited in its ability to take on significant position.

Japan's history with Korea during the Imperial period means that relations between the two are necessarily fragile. Japan and the North each have strong incentives for wanting to reach accommodation, with the North needing economic support and Japan wanting to put the past behind it. Unfortunately, the North also periodically needs a whipping boy, especially and ironically when it is reaching out to South Korea and/or the US. Japan's difficult domestic politics, even setting aside the abductee issue, make it hard for Tokyo to support an sustained period of engagement, especially given the North's proclivity to periodically "act out."

The EU has expertise, cash, and a willingness to be a player on the peninsula. What it does not have is the support of the US or China to do so. Apparently neither power wants to let an outsider in on their game. The UN is politically weak, has a particular history with the DPRK coming out of the Korean War, and its Secretary-General is a former South Korean diplomat.

Still, if one were looking for new approaches, it would be premature to rule out a place for Japan, the EU, or the UN. One could imagine each of them taking on a particular piece of the problem at a particular time and accomplishing something that the major players would be constrained from doing. Moreover, finding a constructive role for Japan, as hard as that may be, could prove to be politically important as one looks down the road to final resolution of the Korean dispute.

Of course, the two main, non-US actors on the North Korean issue are South Korea and China. Both have the most to lose if things go poorly, both have charted their own foreign policies towards the North, and both have seen those policies evolve over time. Their involvement is simultaneously essential and problematic. At this stage, China is the only country that Pyongyang can count on to protect its interests, and even that is not guaranteed. Absent a supportive China, the Six Party Talks are five against one, and the North would have no confidence that it could trust any agreement. As for South Korea, it goes without saying that any policy has to have the robust support of Seoul, even more so as the ROK has come into its own in recent years. More to the point, Seoul has taken its own policy initiatives in the past. Given its standing, contacts, and knowledge, it will also likely do so in the future.

Not surprisingly, strong participation by South Korea and China also brings complications. In the past, South Korea, like Japan, has encouraged the US to do more to engage North Korea, only to become fearful that they are being sold out once Washington actually followed that advice and began negotiations. This dynamic is unlikely to change. While both South Korea and China can speak to the North in ways that the US cannot, both also have their own interests and priorities, and it is unlikely nuclear issues are at the top of their agendas.

That said, the “trend” over the last two decades has been an increasing convergence of views from Seoul, Beijing, and Washington. China’s position in the world has shifted from regional to global power and has grown less patient with Pyongyang’s antics. The South has lost some of its enthusiasm for the sunshine approach, and the US has enough problems without the risk instability on the Korean peninsula. The result is that all three have moved closer to one another on questions of goals.

(It should be noted that this notion of convergence is not widely endorsed in policy circles today. Following the North’s sinking in March of a South Korean naval vessel, the Cheonan, the popular view is that US and Chinese approaches have diverged. This is based primarily on China’s public support of the DPRK in the aftermath of the attack. American views of Chinese intentions have been additionally affected by a subsequent China-Japan flare-up over a disputed island. Still, from this vantage point, the fundamentals have remained the same. War avoidance would seem to be more of a shared value than it has been in the past.)

The last and least discussed member of the Six Party Talks is Russia. Like Japan, Russia is not considered a central player and is viewed as having parochial, primarily economic, interests. Its ability to contribute to a resolution of problems on the peninsula is additionally hampered by the fact that its bilateral relations with all the other governments run from strained to suspicious. As a consequence, analysts tend to dismiss the possibility of any substantive role for Moscow. A Japanese colleague recently urged me to take another look at Russia’s potential contribution, however, and he had good reasons for doing so. The old Soviet Union was, after all, the North’s most important political and economic patron. The fact that Russia is independent of the US, China or Japan gives it separate standing, and it retains a significant expertise on North Korean affairs. With those credentials, it is not inconceivable that Russia could be useful.

V. Policy Approach

Going forward, whatever strategy or policy is employed should be guided by a clear-eyed view of the dangers the US and its partners face, the goals it hopes to achieve, the context in which those goals will be pursued, and the principles or guideposts for pursuing those goals.

Clarity about the Dangers

In the standard ranking of policy worries, the North’s nuclear weapons are viewed as the greatest danger that must be confronted. There are worries that the weapons might be used, might spur regional proliferation, or that nuclear material, technology or actual weapons might be transferred to a third party, even non-state actors. The risk seems real, in part, because the North is anything but a model international citizen. Across a number of different issues, it is willing to break widely accepted rules that other states would never consider transgressing.

It is worth pointing out, however, that this nuclear “crisis” has now gone on for some 20 years. In those two decades, the DPRK has not attacked another country with nuclear weapons or launched a large-scale conventional attack. We have not witnessed a DPRK-inspired regional rush to nuclear weapons. The North supplied a reactor to Syria and may or may not have assisted Myanmar with a nuclear program, but the most egregious nonproliferation transgression would seem to be Pakistan’s transfer of nuclear technology *to* the DPRK.

In terms of nuclear dangers, India, Pakistan, China, the US, the Soviet Union, and Israel have all come closer to actually using nuclear weapons (in addition to the American use in WWII). It could also be argued that most of this group (plus France) were involved in serious proliferation-related transfers to other states, with China and Pakistan representing the more recent instances. In addition, few analysts believe that the North wants a conventional war, let alone a nuclear war, and some believe that their provocations are paradoxically intended to force the US to seek better relations. Finally, it has been pointed out that, by attempting to block any form of revenue for the cash-starved Koreans, the US has increased the need for illicit commerce, and perhaps as importantly, the political power of those that oversee those activities.

An additional irony is that if getting rid of the North’s nuclear program is the overriding policy objective, it would seem that this is more likely to happen *while Kim is still alive* and presumably in control. Once he’s gone, the US may find that it is more difficult to negotiate with the North. Countries undergoing transition are more likely to pull back and circle the wagons, not agree to sweeping changes in agreements made with adversaries.

More importantly, it may be that the real peril is not that the North would use its nuclear or conventional assets in a deliberate, premeditated act of aggression. Indeed, it would seem that the most likely near-term danger is not a failure of deterrence but crisis escalation. In this situation, an initial trigger event sets off an action-reaction cycle, where each party feels compelled to respond to what the other side has done, even though neither party has the desire or intention to risk confrontation. Virtually all the conditions for this are in play: hostile relations, poor communication, the confusion that comes with leadership changes, the potential for misperception and miscalculation, and an emphasis on credibility.

To all of this one could posit additional scenarios based on a DPRK collapse or near-collapse. For example, one could imagine a situation where the North takes actions aimed at reasserting *domestic* authority that might be misinterpreted by the US and its allies as preparation for offensive military action.

Clarity about the Goals

Traditionally, US policy has focused on getting the DPRK to stop its bad nuclear behavior (e.g., freezing its nuclear program in the Agreed Framework) or getting it to engage in good nuclear behavior (e.g., dismantlement of its reactor). As we approach a period that will be characterized by Kim Jong Il’s death and an uncertain transition, it may be time to more strongly emphasize the need to 1) prevent the North from acting worse, by intention or by mistake, and 2) prepare for other scenarios that could have a larger impact on regional stability and great power relations.

American policymakers also need to be clear about how North Korea relates to broader goals in Asia, that is, regarding the rise of China, the future of US alliances with Japan and the ROK, and the US presence in Asia. To be sure, alliance relations are front and center in US moves, but the difference has to do with the time horizon. This week's or this month's North Korea crisis is understandably reacted to primarily on the basis of alliance concerns, the Cheonan being only the latest example. Less clear is a sense that the US approach to North Korea is situated in a longer-term strategy regarding alliance relations and growing Chinese power. From this perspective, the issue may be less about North Korea, which so far has had a relatively limited impact on the rest of Asia and more about US strategy in the region.

Context Rules

The explicit argument of this paper is that the impending leadership transition in North Korea – something that will have happened only twice in more than 60 years– may be the event that determines future risk on the peninsula and regionally. Of course, the transition could be a non-event. As far as we know, that was true the first time, following Kim Il Sung's death. Still, a sample of one is uncomfortably small, and the circumstances then appear to be very different than today. So what if this time is different? What would that imply?

One implication is that a policy that might be the right policy most of the time could be the wrong policy during exceptional times. Today's US policy towards the North is one of "strategic patience." Given Obama's early and rebuffed efforts at engagement, the subsequent nuclear and missile tests, the Cheonan, and a perverse incentive structure established by the Bush administration (test = US interest in negotiation), strategic patience is a perfectly rational and reasonable policy.

There are two problems, however. First, the Obama administration seems to have forgotten one of its original foreign policy principles, namely, that communication with enemies is not a reward but rather an instrument that serves US interests. Today, strategic patience – to the consternation of many in the legislative branch and the State Department—means that the US will bar channels of communication unless and until the North meets pre-conditions. So, for example, the Permanent Representative of the DPRK to the UN is not allowed to travel outside of New York, and visas are not granted to visiting delegations from the DPRK. Strategic patience could just as easily be called "the cold shoulder."

A policy of "the cold shoulder" is, despite its flaws, mostly survivable most of the time. Many would argue that it proved to be a regressive policy when implemented during the first term of George W. Bush, a period when the North expanded its nuclear and missile programs, but all the parties survived the bad policy. The point is that this very same policy, under other circumstances, could prove disastrous. A studied patience in response to a hypochondriac might be the right approach 99% of the time but deadly, if the patient is actually having a heart attack. Of course, it is difficult to predict in advance when someone is going to have a heart attack. By contrast, we can tell that regime transition is afoot, and yet US policy appears determined to continue unchanged. It may be patient, but one questions whether it is wise.

Guidposts

During a transition marked by uncertainty, perverse incentives, and danger, what are the principles that might guide policymaking? Three come to mind: communication with the North, fault tolerance, and preparation. Given the argument of the paper, it should come as no surprise that communication is viewed as the single most important instrumentality needed to minimize the risk of misperception, miscalculation, and crisis escalation. Fault tolerance speaks to the need for a margin of error for mistakes committed by any side that could otherwise set off a tit-for-tat chain of events that is difficult to manage. It also suggests that the US should avoid “show downs” or decisions that narrow options and raise the stakes.

Preparation means talking now about subjects that all the parties would prefer to avoid for rational, short-term policy reasons, but whose avoidance could be catastrophic should events inside the DPRK begin to take a sudden turn for the worse. Those discussions would include separate consultations with China, South Korea, and Japan on steps that could be taken –or perhaps more fruitfully, *not* be taken– during either a DPRK collapse or a military provocation that went beyond even the DPRK’s comparatively high threshold for risk-taking.

Again, there are good reasons for not wanting to discuss these extremely sensitive issues. They would come at a time when China has come into its own and South Korea (and Japan) want to exercise greater national autonomy – even as they constantly look for signs that the US is growing soft in its alliance commitments. One can imagine all sorts of problems. China could share the results with the DPRK. South Korea could walk away from the discussions feeling either that it had suffered an affront to its sovereignty or alternatively, that its ally was insufficiently resolute. The act of communication could, itself, induce misunderstanding and misperception. Moreover, one could argue that the US should not incur costs when it does not have to. After all, analysts have been predicting the demise of the DPRK since the early 1990s, and two decades later, the North is still with us.

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Each one of these concerns is valid. The issue therefore is whether the cost of taking on these discussions is higher or lower than the cost of avoiding them. If the DPRK collapses or a struggle over succession between (or within) the military and other elements in the DPRK leadership result in a decision to provoke an external crisis, then the parties will have to navigate these waters in the dark and under conditions where South Korea, China, the US, and Japan all have different incentives and different fears. The end result, good or bad, would likely shape great power relations in East Asia for years to come.

The problem, of course, is that one cannot know in advance when such an extreme scenario will take place, or if it will take place at all. If we wait until it becomes apparent, then it will likely be too late to create the required institutional mechanisms and understandings.

A corollary to all this is that the Six Party Talks, as frustrating as they may be mechanically and substantively, have value unto themselves. They are not only a mechanism for managing the current situation, they are a form of practice or even confidence building for whatever arrangements might be required down the road to deal with a dying DPRK.

It also suggests that, as my Japanese friends insist, that the other non-DPRK parties in the talks have to at least act like they care about Japan’s preoccupation with the abductee issue. It is easy to write off the Japanese role in these talks and to belittle the concern with abductees at a time when

issues of nuclear weapons and state collapse would appear to be both more pressing and more important. If, however, the Six Party Talks and possible additional consultations on the future of the DPRK are not simply about agenda items but about political relationships, trust, and fear, then the need to fully integrate Japan, whatever its concerns, is more important than the abductee issue would itself suggest.

VII. Conclusion

This paper is intended to be both a thought exercise on policy options and a warning. Senior policy makers in the US government are certainly aware of many of the dangers discussed here, and most would prefer to be sitting at the negotiating table in productive talks with the DPRK. Nevertheless, they also have strong political and policy commitments to tactics that, while rational in most contexts, could prove to be dangerous if things begin to deteriorate. The clock is ticking, and in this case, the measure is the number of months before Kim succumbs. Perhaps there is enough time to carry out more naval exercises, send deterrent messages, and still be able to establish lines of communication and institutional arrangements to manage the coming uncertainties and dangers. Maybe, but that is far from obvious.

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¹ The author benefited greatly from comments made by Richard Samuels, Corie Walsh, and the Tobin Project.

² During a 2004 roundtable with a visiting delegation from the DPRK, North Korea officials went out of their way to declare that Pyongyang would not transfer sensitive nuclear technology and materials to third parties. Subsequent reports concerning Syria and Burma have called these statements into question, though there continues to be ambiguity about the nature of Pyongyang's nuclear relations with other countries. The transfer of basic reactor technology to Syria, absent related reprocessing technology could not be considered "sensitive." Unwelcome? Yes. Would the transfer run contrary to both parties' safeguards obligations? Very probably, but the nature of the DPRK's obligations are complicated by its "withdrawal" from the NPT and related IAEA regulations.