

CAN NORTH KOREA BE TRUSTED TO BE SERIOUS ABOUT RETURNING TO THE SIX PARTY TALKS?

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Introduction

In the two and half years following the succession of Barack Obama to the Presidency of the United States, interaction between Washington and the Democratic People's Republic of Korea (DPRK) has see-sawed widely. Although Obama had pledged to undertake dialogue with North Korea without preconditions during his election campaign, tensions with Pyongyang escalated following the DPRK's abduction of two American journalists in March 2009, and again following the North Korean missile and nuclear tests of April and May respectively.¹ Whilst what appeared to be a summer of escalating tensions was defused (albeit temporarily) with the release of the two journalists, provocative behavior by Pyongyang occurred again the following year, with the alleged sinking of the South Korean warship Cheonan in March, and the bombardment of a South Korean held island in November, leading to a total of 50 ROK deaths.² More worryingly, in November 2010, the US nuclear physicist Siegfried Hecker visited the North Korean nuclear facility at Yongbyon and disclosed that the DPRK had made substantial progress in its attempts to develop a self-reliant centrifuge-based uranium enrichment facility.³

Yet, in spite of another apparently emerging crisis, a flurry of diplomatic activity in 2011 has seen yet another move away from the escalating confrontation of the preceding months, with direct bilateral talks in New York between the Obama Administration's and senior diplomats from the DPRK aimed at clarifying and resolving international

1 Robert Mackey, 'Satellite Image Shows North Korean Rocket Launch', *New York Times*, 8 April 2009; 'President Obama Calls North Korea's Nuclear Test Reckless', United States Embassy, Seoul, Republic of Korea, 26 May 2009, http://seoul.usembassy.gov/p_nk_052609.html, retrieved 28 May 2009.

2 'South Korean navy ship sinks near sea border with North', *BBC*, 26 March 2010, <http://news.bbc.co.uk/2/hi/asia-pacific/8589507.stm>, retrieved 29 March 2010; 'After North Korean strike, South Korean leader threatens 'retaliation'', *CNN*, 23 November 2010, http://articles.cnn.com/2010-11-23/world/nkorea.skorea.military.fire_1_koreas-artillery-pyongyang?s=PM:WORLD, retrieved 23 November 2010.

3 Siegfried Hecker, 'A Return Trip to North Korea's Yongbyon Nuclear Complex', *Nautilus Institute*, 22 November 2010, <http://www.nautilus.org/publications/essays/napsnet/reports/a-return-trip-to-north-korea2010s-yongbyon-nuclear-complex>, retrieved 23 November 2010; 'U.S. denounces N.K. for uranium-based nuclear program', *Korea Herald*, 22 November 2010; 'Uranium-based bombs', *Korea Times*, 24 November 2010.

concerns relating to Pyongyang's nuclear program.⁴ In light of the DPRK's apparent past record of belligerent rhetoric, armed provocations and reneging on past agreements such as the Agreed Framework of 1994, the Joint Communiqué of 2000 and the February 13, 2007 Agreement, it is hardly surprising that more than a few commentators have expressed their skepticism that Pyongyang is sincere or can be trusted to undertake actions to end its nuclear weapons program. Thus, for instance, former US Ambassador to the United Nations John Bolton voiced his view that

these talks are pointless ... There is simply no evidence and there hasn't been for 10 years that the North Koreans are really prepared to give up their nuclear weapons program. They have used negotiations to buy time, to buy legitimacy, and to extract tangible assistance from the United States.⁵

Yet, without denying the Pyongyang regime's odious human rights record and its track record of belligerent rhetoric, missile and nuclear proliferation and armed provocations, it does not necessarily suggest that the latest attempt at diplomatic outreach toward the DPRK should be dismissed as yet another 'old wine in a new bottle' of continued empty promises of North Korean denuclearisation. Rather, the author contends that North Korea's allegedly provocative behavior since 2009 may have been driven a combination of the DPRK's fears for regime survival in what it perceives to be an increasingly complicated and unpredictable world and a siege mentality resulting from past centuries of past foreign domination.

This much is evident when an attempt is made to view things from the perspective of the North Korean leadership.⁶ The author proposes to develop this argument with four sections, beginning by examining the factors that have led to the image of the DPRK as a hostile, war-mongering state intent on developing nuclear weapons. The second section of this article will proceed to critique this image of North Korea, directing the reader's attention to the impact of historical factors on the strategic culture of the DPRK, such that the Pyongyang leadership regularly perceives the need to constantly undertake belligerent behavior as a means of communicating its resolve against what it believes to be a hostile world. In short, even whilst acknowledging the provocative nature of the DPRK's behavior, it is possible to explain Pyongyang's actions as the result of fear and desperation. This alternative interpretation of the DPRK's behavior in turn leads directly to the third section of this article, namely, the prospects for seeking to break the current impasse on the Korean peninsula that has existed since early 2009, with particular reference to renewed diplomatic efforts by the Obama Administration in July 2011 aimed at bringing the DPRK back to the Six Party Talks, and taking into account the DPRK leadership transition from Kim Jong Il to his third son, Kim Jong Un.

4 'Jimmy Carter leaves North Korea after peace mission', *Guardian*, 28 April 2011; 'US invites North Korea to talks on nuclear impasse', *BBC*, 24 July 2011, <http://www.bbc.co.uk/news/world-asia-pacific-14269505>, retrieved 24 July 2011.

5 Bolton, cited in Edith Lederer, 'US, N Korea to begin 2nd day of talks in New York', *Associated Press*, 29 July 2011.

6 The initial draft of this manuscript was written in August 2011, four months before the death of Kim Jong Il.

North Korea: Untrustworthy War-Monger?

Broadly speaking, two sets of assumptions have framed the image of the DPRK as an irresponsible, militaristic state with nuclear weapons ambitions. These are, firstly, that the Pyongyang regime was founded on a political philosophy based on militarism aimed at bringing about the unification of the Korean peninsula through force, and second, that the Pyongyang regime can never be trusted to abide by any international agreements.

The image of an aggressive and untrustworthy North Korean leadership with ambitions of nuclear weapons and reunification of the Korean peninsula by force is not without justification. Official statements released by the various organs of the DPRK state have been noted for brutally militaristic imagery, aggressive bombast and threats, explicit as well as implicit. Thus, for instance, during the 1993-94 nuclear crisis, Pyongyang threatened to turn Seoul into a 'sea of fire';⁷ similarly, the North Korean military has repeatedly threatened '10,000-fold reprisals' against US military exercises in Northeast Asia.⁸ Challenged by Assistant U.S. Secretary of State for East Asian and Pacific Affairs James Kelly in October 2002 over allegations concerning the DPRK's HEU program, the Korean Central News Agency responded by asserting that 'the DPRK was entitled to possess not only nuclear weapon but any type of weapon more powerful than that so as to defend its sovereignty and right to existence from the ever-growing nuclear threat by the US',⁹ leading to US fears that the DPRK's nuclear weapons program was more advanced than previously believed.¹⁰ Nor have foreign statespersons been spared the vitriol of the North Korean insults; former President George W. Bush of the United States was regularly called 'vile human scum', whilst Secretary of State Hillary Rodham Clinton was referred to in 2009 as a 'little schoolgirl.' In a similar vein, 'swollen-headed traitors', 'Die-Hard Pro-Japanese Lackey' and 'loud-mouthed gangsters' are amongst the many appellations that the KCNA has bestowed upon ROK President Lee Myung Bak and his administration.¹¹

Furthermore, lest such talk be dismissed as sabre-rattling, it should be noted that the track record of violent incidents and aggressive behavior that can be attributed, directly or indirectly, to the political and military organs of the DPRK goes back several decades. Apart from Pyongyang's attempt at armed conquest of the south in 1950, the DPRK has also been involved in numerous violent incidents following the end of the Korean War, with the DPRK's seizure of the USS Pueblo in 1968, the murder of two US Army officers in 1976, the DPRK's 1983 assassination attempt on South Korean President Chun Doo Hwan, the bombing of a South Korean airliner in 1987, and other episodes that have led to multiple fatalities.¹²

7 Leon Sigal, *Disarming Strangers: Nuclear Diplomacy with North Korea* (Princeton: Princeton University Press, 1998), pp.107.

8 Mark McDonald, 'Reading Between North Korea's Lines', *New York Times*, 21 July 2011.

9 'Conclusion of non-aggression treaty between DPRK and U.S. called for', *Korean Central News Agency*, 25 October 2002, <http://www.kcna.co.jp/item/2002/200210/news10/25.htm#1>, retrieved 27 August 2005.

10 Mike Chinoy, *Meltdown: The Inside Story of the North Korean Nuclear Crisis* New York: St Martin's Press, 2008, pp.106-12.

11 McDonald, 'Reading Between North Korea's Lines'.

12 Don Oberdorfer, *The Two Koreas: A Contemporary History* New York: Basic Books, c2001, pp.74-83, pp.140-42.

Moreover, it is notable that several instances of the DPRK's provocative behavior have evidently continued even after Seoul and Washington have granted significant concessions to Pyongyang. This was apparent in the period following the signing of the Agreed Framework of October 1994, under which the US agreed to the supply of Heavy Fuel Oil (HFO) and two Light Water Reactors (LWRs) to Pyongyang as a *quid pro quo* for North Korea's suspension of activity at the gas-graphite nuclear reactor at Yongbyon (a prime regional security concern given the reactor's potential diversion for the production of weapons-grade plutonium).¹³ Yet, as critics of engagement with North Korea, note, in spite of this material concession to Pyongyang, the DPRK tested a long-range missile in 1998.¹⁴ Similarly, even after the Clinton Administration's lifting of sanctions on North Korea in 2000 and the exchange of high-level envoys with Pyongyang in October the same year, it was revealed in 2002 that Pyongyang had continued development of a clandestine Highly Enriched Uranium (HEU) program.¹⁵ Even following US President Barack Obama's inauguration (following an electoral campaign during which he pledged to undertake dialogue without preconditions with the DPRK) has seen a series of increasingly provocative actions by the DPRK on the Korean peninsula. In March 2009, two American journalists on the border with the DMZ were abducted by North Korean soldiers; this was followed by Pyongyang's test of a long-range Taepodong missile in April 2009 and an underground nuclear test in May the same year.

Moreover, and lest these incidents be dismissed as being directed primarily at the US, it should also be noted that Pyongyang has also undertaken provocations against South Korea. The ROK, which was also involved in the financing and implementation of the Agreed Framework, was the victim of a North Korean submarine incursion in 1996, during which 17 South Koreans were killed.¹⁶ Moreover, in spite of Seoul's efforts at diplomatic and humanitarian outreach to Pyongyang under the Sunshine Policy of South Korean Presidents Kim Dae Jung and Roh Moo-Hyun from 1998 to 2007 (during which the ROK granted much-needed food aid and economic assistance to the DPRK), North Korea responded by testing a long-range Taepodong missile (allegedly capable of mounting a nuclear warhead) and a nuclear device in July and October 2006 respectively.¹⁷ More recently, in March 2010, a Republic of Korea (ROK) warship, the ROKNS Cheonan, was sunk off the western coast of the Korean peninsula with the loss of 46 servicemen, allegedly by a DPRK submarine.¹⁸ This was followed by North Korea's artillery bombardment of ROK-held Yeongpyong Island in November 2010, resulting in the death of 4 South Koreans.¹⁹

13 Joel S. Wit, Daniel B. Poneman, and Robert L. Gallucci, *Going Critical: The First North Korean Nuclear Crisis* Washington DC: The Brookings Institution, 2004, pp.327-30.

14 Oberdorfer, *The Two Koreas*, pp. 410-11.

15 John Bolton, *Surrender is Not an Option: Defending America at the United Nations and Abroad* New York: Threshold Editions, 2007 pp.107-116.

16 Oberdorfer, *The Two Koreas*, pp.387-93.

17 Tony Snow, 'White House Press Briefing on North Korea Missile Launch', 4 July 2006; 'Bush: North Korea defies international community', *CNN*, 10 October 2006; <http://www.cnn.com/2006/POLITICS/10/09/bush.korea.transcript/index.html>, retrieved 10 October 2006.

18 'South Korean navy ship sinks near sea border with North', *BBC*, 26 March 2010, <http://news.bbc.co.uk/2/hi/asia-pacific/8589507.stm>.

19 'N.K. artillery strikes S. Korean island', *Korea Herald*, 23 November 2010.

Taken together, this track record of the DPRK's belligerent rhetoric, armed provocations and apparent renegeing on past agreements, critics of engagement with Pyongyang have argued that that North Korea has never wavered from an overall posture of hostility toward Seoul and Washington. Furthermore, the revelations in October 2002 and November 2010 that indicated that the DPRK's nuclear facilities were more advanced than had been previously believed, may be interpreted to suggest that Pyongyang has never abandoned its nuclear weapons ambitions. Such a perspective would have disturbing implications for regional security, as it would suggest that North Korean concessions to the US and South Korea, such as the Agreed Framework of 1994, the Joint Communiqué of October 2000, and the February 13 Agreement of 2007 have not been sincere, but only intended to stall for time. Under such circumstances, the logical policy prescription for addressing North Korea's increasingly belligerent behavior since 2009 should be one based on diplomatic and military assertiveness, in the form of further sanctions, increased US-ROK military exercises on the Korean peninsula and, if necessary, statements warning Pyongyang of military retaliation in the event of further DPRK transgressions. Furthermore, and recalling how the Agreed Framework of 1994, the Joint Communiqué of 2000 and the February 13 2007 Agreement have not stopped the DPRK from conducting further missile and nuclear tests, it would suggest that the North Korean leadership is likely to view the Obama Administration's latest invitation for talks as yet another opportunity to extract more political and economic concessions from Washington whilst stalling on any serious move towards the denuclearization of the Korean peninsula. Thus, for instance, following the February 13 2007 Agreement, John Bolton remarked that

the best thing you can say about this deal is that it's so incomplete and the North Koreans may yet save us from ourselves by overreaching, you know they violated the 1994 Agreed Framework because they wanted to have it both ways, they wanted to keep the nuclear program and get these economic benefits, so I'm hoping the North Koreans will come to our rescue and show that they're not really serious here about denuclearization.²⁰

Yet, even whilst acknowledging the significance of the DPRK's apparent track record of aggressive behavior and deal-breaking, a closer examination of US-North Korean interaction suggests the need for a more nuanced interpretation of Pyongyang's intentions. In this regard, I propose to respectively critique the image of a 'militaristic North Korea', and of an 'untrustworthy' North Korea.

Interpreting North Korea's Intentions: An Alternative View

Although the DPRK's admittedly provocative behaviour poses a significant potential threat to regional security, it does not necessarily co-relate to an interpretation of a militaristic North Korea intent on acquiring a nuclear arsenal as an instrument of conquest. Rather, there are grounds to argue that Pyongyang's apparent belligerence may in fact be driven by a combination of fear, desperation, and the DPRK's strategic

20 Bolton, cited in 'N. Korea deal "Important first step" or "charade"?', *CNN interview with John Bolton*, 13 February, 2011, <http://edition.cnn.com/2007/WORLD/asiapcf/02/13/koreas.nuclear.ap/index.html>, retrieved 13 February 2007.

culture. The influence of each of these three factors in explaining Pyongyang's behavior will be outlined as follows.

North Korean Fears of Attack

Roland Bleiker notes that, as a result of the US involvement in the Korean War, Pyongyang has come to identify the US as a hostile power to be feared.²¹ During the Korean War, conventional bombing, napalm and indiscriminate use of artillery had devastated North Korea's cities and infrastructure and killed millions of North Korean soldiers and civilians.²² Jon Halliday, Bruce Cumings and Gavan McCormack have also alleged that the US used biological weapons against North Korea.²³ Furthermore, on several occasions during the conflict, both Presidents Truman and Eisenhower had threatened the use of nuclear weapons against Kim Il Sung's regime.²⁴ Even after the end of the Korean War, the US security commitment to South Korea has been constantly interpreted by Pyongyang as evidence of Washington's willingness to use nuclear weapons against the DPRK. Following the collapse of South Vietnam in 1975, Washington sought to assuage her Asian allies' fear of alliance abandonment with the first of the US-South Korean 'Team Spirit' military exercises, involving parachute drops, amphibious landings, and other maneuvers that, according to Don Oberdorfer, 'provoked a near-hysterical reaction from the North.'²⁵ Given that these exercises involved the use of nuclear-capable B-52 and F-111 bomber aircraft,²⁶ Kim Il Sung evidently interpreted this as a plan to prepare US-South Korean forces for a nuclear war with North Korea.²⁷ Furthermore, Pyongyang did not view the nuclear umbrella offered by Moscow and Beijing as credible. Kim Il Sung saw Khrushchev's withdrawal of nuclear missiles from Cuba during the Cuban Missile Crisis as evidence that Moscow's nuclear weapons could not be relied on as an instrument of extended deterrence in the event of a crisis with the US.²⁸ More seriously, the reliability of the Soviet and Chinese

21 Roland Bleiker, *Divided Korea: Toward a Culture of Reconciliation* Minneapolis: University of Minnesota Press, 2005, pp.36-37.

22 Gavan McCormack, *Target North Korea: Pushing North Korea to the Brink of Nuclear Catastrophe* New York: Avalon Publishing Group, 2004, pp.35-49.

23 Jon Halliday and Bruce Cumings, *Korea: The Unknown War*, pp.182-86, McCormack, *Target North Korea*, pp.32-33.

24 The release of Truman's personal papers during the late 1950s indicated that the US president had seriously considered the use of nuclear weapons during the conflict. Alexandre Mansourov cites his interview with a former senior Soviet official who personally knew the North Korean leader, and referred to Kim Il Sung's 'shock, anguish, and undisguised fear'. Michael Mazarr argues that President Eisenhower had hinted to Indian Prime Minister Jawaharlal Nehru of the possible use of nuclear bombs to end the Korean War, in the hope that the Indian leader would relay this message to Beijing and Pyongyang. See Alexandre Mansourov, 'The Origins, Evolution, and Current Politics of the North Korean Nuclear Program', *The Nonproliferation Review*, Spring-Summer (1995), pp.28-29; Michael Mazarr, *North Korea and the Bomb: A Case Study in Nonproliferation*, pp.16-21.

25 Oberdorfer, *The Two Koreas*, pp.76-77.

26 Oberdorfer, *The Two Koreas*, p.257.

27 Interview with Don Oberdorfer, 15 March 2007, Washington DC.

28 Mansourov, 'The Origins of the North Korean Nuclear Program', pp.28.

nuclear umbrellas was further undermined when the USSR collapsed in 1991 and China established diplomatic relations with Seoul the following year.²⁹

North Korea's Economic Desperation

The latter two events, in conjunction with the 'Velvet Revolutions' of Eastern Europe in 1989-91, also presented the DPRK regime with another disturbing prospect, namely, economic isolation and stagnation. During the Cold War itself, the DPRK was, to some extent, able to insulate itself from free market forces due to the existence of politically reliable, but economically unviable, trade markets, by way of Pyongyang's relationships with Moscow and Beijing. From the 1980s, however, the convergence of the Soviet Union's *perestroika* and China's economic liberalization under Deng Xiaoping, led to increasing pressure for DPRK debts to be paid in hard currency. Furthermore, it should be noted that the factories of the DPRK had been built largely on machine tools and spare parts from the Communist bloc and from the Japanese occupation. Faced with the global transition to the information-based digital economy (which included the highly industrialized South Korea), it was clear to the North Korean leadership faced little prospect of remaining viable within the world economy. Equally serious was the economic and environmental impact of Pyongyang's attempts at achieving self-reliance under its philosophy of *juche*. In attempting to maximize agricultural yield in North Korea's largely mountainous terrain whilst minimising reliance on overseas sources of energy for its economy, the DPRK undertook extensive levels of deforestation and overuse of fertilizers, the convergence of which factors led to declining crop yields during the 1980s. Combined with a series of devastating floods and droughts from 1997, the result was famine in the DPRK.³⁰

North Korea's Strategic Culture and Brinkmanship Diplomacy

Seen in this light, there are grounds to argue that the North Korean leadership views the development of a nuclear weapons program as achieving a twofold purpose: first, as a means of maximizing the potential amount of negotiating leverage that can be derived from the *threat* of a nuclear weapons program (emphasis added); and second, as a strategic counterbalance against US nuclear weapons and US-ROK conventional military superiority to hedge against the possibility of a war of regime change.³¹

The first perspective is evident in Scott Snyder's study of North Korean negotiating tactics. In *Negotiating on the Edge*, Snyder noted that the peculiar characteristics of the DPRK's strategic culture may be seen as an adaptation of its founding legacy of guerrilla warfare. As a result of past conflicts with China and Japan, Korean culture in general has developed a 'siege mentality' through which the outside world is viewed.³² Given the strength of Korean nationalism that drove Kim Il Sung's involvement in the wartime resistance against the Japanese, the North Korean leader's worldview came to be centered on the preservation of the sovereignty of a unified Korea against the

29 Mazarr, *North Korea and the Bomb*, pp.17, 19; Oberdorfer, *The Two Koreas*, pp.343-45.

30 Jamie Miyazaki, 'North Korea's potato gambit', *Asia Times*, 14 September, 2004.

31 Mazarr, *North and the Bomb*, pp.17-19.

32 Scott Snyder, *Negotiating on the Edge: North Korean Negotiating Behavior* (Washington DC: United States Institute of Peace, 1999 and 2002), pp.20-24, 28, 40.

machinations of external powers.³³ Furthermore, Snyder argued that the North Korean leadership, having adapted their wartime experiences in guerrilla warfare for the negotiating table, have found it difficult to see the US, South Korea and Japan as anything but hostile powers intent on unseating the North Korean regime.³⁴ US collaboration with the USSR in the division of the Korean peninsula in 1945 thus aroused nationalist anger and resentment at what was perceived as a deliberate attempt to prevent the emergence of an independent, unified Korean nation.³⁵ Furthermore, Washington's backing of the unpopular Syngman Rhee as leader of the southern half of the divided peninsula from 1947 onwards gave further credence to Pyongyang's fears that the US sought to dominate the Korean peninsula.³⁶ Reviewing the patterns of US-DPRK interaction during the 1990s, Snyder thus observed that

North Korea commonly manipulates near-crises or lower-level tensions to create an atmosphere conducive to achieving its negotiating objectives ... The most distinctive characteristic of North Korean diplomacy is brinkmanship ... the mixing of aggressive and provocative tactics including issuing unconditional demands, blustering, bluffing, threatening, stalling, manufacturing deadlines, and even walking out of negotiations.³⁷

Whilst the author does not in any way downplay the provocative nature of such negotiating tactics, it is notable that the DPRK has reason to view such methods as an effective means of tilting the balance in favour of Pyongyang on several occasions. Through the demonstration of the DPRK's missile and nuclear ambitions, Pyongyang has been able to highlight to Seoul and Washington the futility of attempts at a policy of 'hostile neglect' in the hope of bringing about the collapse of the DPRK through its internal economic contradictions that would obviate any need to engage the Pyongyang regime. This was evident in the period following the 1998 test of a Taepodong missile as a signal of defiance in retaliation for the Clinton Administration's half-hearted implementation of the Agreed Framework, evidently in the hope that the DPRK would collapse of its own accord. Instead, by brandishing the DPRK's resolve to achieve regime survival by any means necessary (including the threat of nuclear and missile proliferation), North Korea was able to effectively force Washington to undertake renewed diplomatic engagement with Pyongyang, in the form of Secretary of Defense William Perry's review of US policy towards North Korea and the lifting of US sanctions on Pyongyang in 2000.³⁸ In other words, by warning US and ROK policymakers that the Kim Jung Il regime will remain a potential proliferator of nuclear material and missiles, Pyongyang is able to force itself on the policy agenda on Washington and Seoul. Furthermore, by highlighting the prospect of a nuclear missile arsenal capable of inflicting damage on US and South Korean soil, Pyongyang has also highlighted to Washington and Seoul the DPRK's willingness and ability to retaliate over a strategy of coercive diplomacy towards North Korea. In so doing, it may be argued that the DPRK's past use of brinkmanship diplomacy has strengthened Pyongyang's negotiating position

33 Snyder, *Negotiating on the Edge*, pp.28-31.

34 Snyder, *Negotiating on the Edge*, pp.21-25, 144.

35 McCormack, *Target North Korea*, pp.22.

36 McCormack argued that Rhee frequently relied on summary executions and torture to consolidate his political control of the country; see McCormack, *Target North Korea*, pp.19-24.

37 Snyder, *Negotiating on the Edge*, pp.69-87, quotes on pp.74, 76.

38 McCormack, *Target North Korea*, pp.156-57.

vis-à-vis Washington and Seoul. Although Pyongyang cannot hope to compete with the US numerically in nuclear warheads or in the sophistication of its delivery vehicles,³⁹ the prospect of even a small number of North Korean nuclear missiles exploding over US military bases in Northeast Asia and South Korean cities would provide Pyongyang with the ability to render war an unacceptably costly policy option for Washington and Seoul.⁴⁰

Can North Korea be Trusted?

Seen in this light, and without denying the provocative nature of the DPRK's armed attacks on South Korea and its threats of nuclear proliferation, it is evident that Pyongyang may be driven not by malice, but rather by fear. Yet, this in turn posits a further question insofar as the formulation of diplomatic and security policy towards the DPRK is concerned: is the latest North Korean show of interest in the resumption of the Six Party Talks sincere, or is it yet another attempt to stall on acceptance of IAEA safeguards of the DPRK's nuclear facilities?

Critics of engagement of North Korea have cited apparent North Korean renegeing on past agreements, in particular the Agreed Framework of 1994, the Joint Communiqué of 2000, and the February 13 2007 Agreement, as signs that the DPRK cannot be trusted to abide by any accord aimed at ending or suspending its missile and nuclear programs. John Bolton's comments concerning the prospects for the February 13 2007 Agreement have been cited above as an example; in a similar light, other critics of engagement with North Korea, such as Victory Gilinski and Henry Sokolski, have argued that the DPRK deliberately sought numerous loopholes within the Agreed Framework as avenues to allow for the clandestine production of nuclear weapons material, again reflecting Pyongyang's intention to develop nuclear weapons.⁴¹

Yet, like the aforementioned image of the DPRK as a militaristic war-monger with nuclear ambitions, the notion that the Pyongyang is inherently untrustworthy is

39 Robert Gallucci, the chief US negotiator during the 1993-94 nuclear crisis, for instance, notes that when the Agreed Framework was signed in October 1994, it effectively left North Korea with only 25 to 30 kilograms of plutonium. See 'Press Briefing by Ambassador Gallucci on Korea', *White House Press Briefing*, 18 October 1994; retrieved via the *William J. Clinton Foundation* on 31 January 2007, <http://www.clintonfoundation.org/legacy/101894-press-briefing-by-ambassador-gallucci-on-korea.htm> Similarly, the fact that the Taepodong missile that was tested in July 2006 broke up less than a minute into launch indicates that North Korea has yet to develop a credible missile delivery vehicle. See 'N Korea tests long-range missile', *BBC*, 5 July 2006, <http://news.bbc.co.uk/2/hi/asia-pacific/5148648.stm>; retrieved 6 July 2006.

40 Interview with Oberdorfer; Snyder, 'Pyongyang's Pressure', *The Washington Quarterly*, Vol. 23 No. 3, 2000, p.169.

41 Victor Gilinsky, 'Plutonium from Us-Supplied LWRs for North Korea: Do We have to Worry About It?', paper presented at the Conference on 'Promoting International Scientific, Technological and Economic Cooperation in the Korean Peninsula: Enhancing Stability and International Dialogue', 1-2 June 2000, Rome, Italy, <http://www.mi.infn.it/~landnet/corea/proc/020.pdf>, retrieved 8 June 2007, Henry Sokolski, 'Implementing The Korean Nuclear Deal: What U.S. Law Requires', paper presented at the conference 'Promoting International Scientific, Technological and Economic Cooperation in the Korean Peninsula: Enhancing Stability and International Dialogue', Rome, 1-2 June 2000, <http://www.mi.infn.it/~landnet/corea/proc/040.pdf>, retrieved 7 June 2007.

open to challenge. Whilst acknowledging that the DPRK's lack of transparency over the exact status of its nuclear facilities constitutes a point of significant apprehension insofar as the trustworthiness of the Pyongyang regime is concerned, the author contends that, from Pyongyang's perspective of the North Korean leadership, its renegeing on past agreements have a certain distorted logic that is not inconsistent with Pyongyang's siege mentality. This will be illustrated with reference to the following alleged episodes of the DPRK's 'untrustworthiness'.

The Agreed Framework

Republican members of Congress were quick to denounce the Agreed Framework of 1994 as 'appeasement' on the grounds that the DPRK never had any intention of seriously abandoning its nuclear weapons programs. Such critics contend that Pyongyang had signed the Agreed Framework only as a means of obtaining concessions from the US as a tactical manoeuvre to sustain regime survival, and could not be relied on to seriously abandon its nuclear weapons ambitions, thereby belying the DPRK's reputation as being inherently untrustworthy and bound to renege on its agreements.⁴² Further supporting such criticism of the Agreed Framework was the DPRK's test of a long-range Taepodong missile in 1998, which Republican members of Congress claimed was clearly aimed at the US.

Yet, a closer examination of this period in US-DPRK interaction indicates that such interpretations of North Korea are based on perceptual biases, flawed assumptions, and a failure to acknowledge how Washington's half-hearted implementation of that agreement had arguably led to Pyongyang's responding with belligerent activities that have been cited as evidence of the DPRK's untrustworthiness. If anything, the terms of the Agreed Framework revealed significant benefits for the security interests of the US; following the signing of the agreement, the Chief US Negotiator, Assistant Secretary of State Robert Gallucci, noted the limits that Pyongyang had effectively accepted in curbing its nuclear program, that

over the life of the framework document envisioned to parallel the construction timeframe of the light-water reactor project, all these facilities will be entirely dismantled - all three reactors. The radio chemistry lab will be dismantled. The spent fuel that's in the pond will be shipped out. Ultimately, the 25-to-30 kilograms of plutonium will leave the DPRK.⁴³

This interpretation of the Agreed Framework was further supported in detail by Sigal, who argued that

if you look at the extent of North Korea's undertakings under the Agreed Framework, North Korea actually went beyond their obligations ... the North Koreans knew that they would receive the completed LWRs only after full and verifiable compliance with the IAEA safeguards agreement ... The Agreed Framework, had it been fully implemented, would have eliminated North Korea's existing nuclear programs, before

42 See, for instance, the remarks by Senators Strom Thurmond and John McCain in US Senate, 'Security Implications of the Nuclear Nonproliferation Agreement With North Korea', *Hearing Before the Senate Committee on Armed Services*, 26 January 1995, (Washington DC: US GPO, 1995), pp.3-6.

43 Gallucci, 'Department of State Daily Press Briefing', 25 October 1994, <http://www.fas.org/news/dprk/1994/941025-dos-briefing.htm>, retrieved 15 October 2006.

giving them completed light water reactors.⁴⁴ (emphasis by Sigal during the March 2007 interview by the author).

At this stage, other critics of the Agreed Framework have highlighted episodes such as the 1998 missile test and the DPRK's HEU program as evidence that the DPRK had never been sincere in denuclearizing. This perspective too is open to challenge; it is notable that these critics have overlooked the fact that it was the US that had fallen behind in its implementation of the Agreed Framework, with Washington failing to lift sanctions on North Korea as called for under the agreement, along with delays to the delivery of heavy fuel oil to Pyongyang.⁴⁵ Seen in this light, Gavan McCormack thus argued that, provocative as the 1998 missile test was, it had been intended by the DPRK as a signal of anger and defiance to what it perceived to be the Clinton Administration's posture of 'hostile neglect'.⁴⁶ In a similar vein, given that the DPRK's apparent interest in the HEU program began to emerge in 1998 (the same year as the Taepodong missile test), it is likely to have been another effort by Pyongyang to hedge against its growing fear that the Clinton Administration was not sincere in its implementation of the Agreed Framework.

The DPRK's HEU Program

A similar story of misplaced suspicion of the DPRK's trustworthiness is reflected in the period following the US-North Korean Joint Communiqué of October 2000, during which the Kim Jong Il pledged to observe a moratorium on further missile testing. Here again, critics of engagement with North Korea have highlighted Assistant Secretary of State James Kelly's visit to North Korea in October 2002, following which the Bush Administration claimed that Pyongyang had undertaken a clandestine Highly Enriched Uranium (HEU) program capable of producing nuclear weapons material. Moreover, and during the subsequent Six Party Talks, the DPRK's 2006 missile and nuclear tests were cited by critics as further evidence that the DPRK was not serious in seeking to end its posture of confrontation with South Korea and the US. Thus, for instance, Nicholas Eberstadt cast his skepticism on the prospects for a resolution of the escalating crisis through the Six Party Talks in 2003 on the grounds that 'any genuine progress toward a diplomatic resolution of the nuclear impasse cannot be expected without fundamental ... revolutionary changes in outlook and policy on the part of Pyongyang's leadership.'⁴⁷

Yet again, this perspective is based on flawed assumptions that fail to take into account how Washington's actions had arguably convinced Pyongyang that the US remained hostile. Although much was made of the DPRK's supposed HEU facility for the production of nuclear weapons, other scholars have noted that the Bush Administration's claims of a clandestine nuclear weapons program had been heavily exaggerated to fit into the neoconservative's agenda of repudiating the policies of the Clinton Administration. Sigal noted that, in the aftermath of Kelly's talks in Pyongyang, neoconservative hardliners in the Bush Administration

44 Interview with Sigal, 6 March 2007, New York.

45 McCormack, *Target North Korea*, pp.154-56.

46 McCormack, *Target North Korea*, pp.156-57.

47 Nicholas Eberstadt, 'Diplomatic Fantasyland: The Illusion of a Negotiated Solution to the North Korean Nuclear Crisis', *Nautilus Institute*, 23 September 2003, http://www.nautilus.org/publications/essays/napsnet/forum/security/0342_Eberstadt.html, retrieved 4 August 2011.

claimed that the North Korean had confessed to having an HEU program, by which they insinuated it was already enriching large quantities of uranium to 90 percent levels, which was not true.⁴⁸

In this regard, it is notable that the Bush Administration distorted statements from the DPRK officials Kelly met during his talks in Pyongyang to support the neoconservative agenda of discrediting the Clinton Administration's attempts to engage North Korea. Thus, for instance, neoconservatives in Washington paid particular heed to DPRK First Vice Foreign Minister Kang Sok Ju's claim that Pyongyang was 'entitled' to possess nuclear weapons, and that North Korea also had more powerful weapons as well.⁴⁹ Although the Bush Administration evidently took Kang's statement as a North Korea 'confession' that Pyongyang had undertaken an advanced nuclear weapons program and was on its way to producing an effective arsenal of WMD-equipped missiles, other officials present during Kelly's talks with Kang paint a very different picture of the same episode. David Straub, a US Foreign Service officer at the US Embassy in Seoul who accompanied Kelly into Pyongyang, later recalled "I will go so far as to say he [Kang Sok Ju] did not flatly say 'we have a uranium enrichment program to build nuclear weapons.'⁵⁰ Rather, Straub (a fluent Korean speaker) believed that Kang may have had

instructions from his leadership to leave every one of us with the impression that they were acknowledging the program but they were willing to negotiate about it. And in fact, he specifically proposed negotiations, and he even hinted at the desirability of a summit meeting between our two countries ... What happened, though, is he may have been a little too good, and they may have intended to leave a little more ambiguity in our minds about what he was saying than he intended.⁵¹

As noted by Snyder, deliberate ambiguity has long been a North Korean negotiating tactic as a means of maximizing Pyongyang's leverage over Washington and Seoul. Whilst Pyongyang may have seen the use of such tactics in the past as a qualified success – for instance, the 1998 Taepodong missile test forced the Clinton Administration to engage the DPRK from 1999 onwards – it appears that the North Korean leadership failed to understand the ideological assumptions of the Bush Administration. Given that the neoconservatives in Washington saw no ambiguity in dealing with a regime that they considered irredeemably evil by way of its communist ideology,⁵² it was hardly surprising that hardliners in the Bush Administration responded to Kang's disclosure as a 'confession' and thus a pretext to repudiate the Clinton Administration's efforts at engaging the DPRK with the implementation of the Agreed Framework and the Perry Review. In other words, even in the absence of any clear and incontrovertible evidence pointing to violation of the Agreed Framework, hardliners in the Bush Administration had already decided that the agreement had to be gotten rid of in order to facilitate the adoption of a more confrontational posture towards Pyongyang.

48 Interview with Sigal.

49 Chinoy, *Meltdown*, pp.121.

50 Chinoy, *Meltdown*, pp.120-23.

51 Straub, cited in Chinoy, *Meltdown*, pp.120-23.

52 Charles Pritchard, *Failed Diplomacy: The Tragic Story of North Korea Got the Bomb* Washington DC: The Brookings Institution, 2007, pp.12.

The DPRK's Missile and Nuclear Testing in 2006

This pattern of interaction was again reflected during the Six Party Talks that were initiated in response to the news of Pyongyang's HEU program.⁵³ Whilst neoconservative hardliners in the Bush Administration focused on Pyongyang's test of a Taepodong missile in July 2006 and of a nuclear device in October the same year as evidence of the DPRK's untrustworthiness, it is again notable that such a perspective is ideologically biased. Washington's imposition of sanctions on Pyongyang in response to the events of 2006 failed to acknowledge the context that had led to North Korea's actions in the first place, including, crucially, the possibility that the DPRK was responding to what it believed to be the hostility of the Bush Administration. In the Joint Statement of September 2005 that concluded the fourth round of the talks the previous year, the DPRK had agreed to 'abandoning all [its] nuclear weapons and existing nuclear programs and returning ... to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards.'⁵⁴ Yet, in spite of this significant North Korean concession to US demands, the Bush Administration maintained a posture of coercive diplomacy against the DPRK. Almost immediately after the release of the Joint Statement, the US Treasury Department announced that it was targeting the Macau-based Banco Delta Asia over its links to DPRK money-laundering activities.⁵⁵ Faced with the Bush Administration's changing of the goalposts for the DPRK, Pyongyang retaliated by testing a Taepodong missile the following July and a nuclear device in October that year to signal its resolve against Washington's coercive diplomacy.

Seen in this light, and without downplaying the significance of the DPRK's transgressions or the numerous DPRK attempts to impede international efforts aimed at ascertaining the extent of Pyongyang's nuclear facilities, the historical record indicates that such acts of North Korean untrustworthiness do not exist in the context of a political vacuum. Rather, the aforementioned episodes of the DPRK's alleged untrustworthiness may be seen as North Korean responses to what Pyongyang apparently interpreted as evidence that Washington had reneged on its agreements to the DPRK. Under such circumstances, actions such as the testing of missiles and nuclear devices and the belligerent rhetoric from Pyongyang may be seen as a deliberate show of defiance by the DPRK to signal North Korea's refusal to be bullied into submission by the US. Thus, taking into account how US actions have angered the DPRK, Sigal argued that North Korea's apparently untrustworthy behavior and violations of past agreements are effectively a game of 'tit for tat'. Interviewed by the author in March 2007, Sigal asserted that 'if you actually observe their behaviour, we actually *don't* have evidence

53 Although Hecker's November 2010 visit to North Korea suggested that North Korea had indeed developed a functioning uranium-based facility, the available intelligence in 2001-02 did not go beyond claims that the DPRK had sought to acquire aluminum tubes that would have been consistent with a HEU program. If anything, it is rather more likely that the DPRK undertook further work on the HEU program from 2002 to 2006 to hedge against what it believed to be the hostility of the Bush Administration. See also 'U.S. scientist amazed by N. Korean nuclear facility', *CNN*, 23 November 2010, http://articles.cnn.com/2010-11-23/world/north.korea.nuclear.facility_1_fuel-rods-siegfried-hecker-bomb-fuel?_s=PM:WORLD.

54 Cited in Chinoy, *Meltdown*, pp.249.

55 John McGlynn, 'Financial Sanctions and North Korea: In Search of the Evidence of Currency Counterfeiting and Money Laundering', *Japan Focus*, 7 July 2007.

of *unilateral* reneging by North Korea. North Korean actions have been in response to US actions.⁵⁶

Conclusion: Whither the Six Party Talks?

Having dispelled the myth that the DPRK is an aggressive war-mongering state that can never be trusted to abide by international agreements or nuclear non-proliferation norms, it is now necessary to conclude this article by contemplating the road ahead with North Korea. This is particularly pertinent in light of talks between Obama's North Korea envoy, Stephen Bosworth, and DPRK Vice Foreign Minister Kim Kye-gwan in New York in July 2011.⁵⁷ Furthermore, in more recent months, the Kim Jong Il himself passed away, leaving his third son, Kim Jong Un, as his successor. Under such circumstances, it is necessary to consider if the new Supreme Leader of the DPRK remains interested in resuming North Korean participation in the Six Party Talks.

Although critics have argued that Pyongyang's latest offer to resume participation in the Six Party Talks is yet another DPRK attempt to stall for time, a subtle – but potentially important – distinction in Pyongyang's diplomatic posture in July-August 2011 should be noted. From 2009 until the middle of this year, the DPRK had repeatedly issued calls for direct bilateral talks aimed at replacing the 1953 Armistice Agreement with a formal peace treaty with Washington to formally end the Korean War. Yet, in spite of Obama's campaign pledges to hold dialogue with Pyongyang without preconditions,⁵⁸ his administration rebuffed these tentative peace feelers by calling for any discussion of a peace treaty to take place within the context of the Six Party Talks.⁵⁹

Whilst the Obama Administration's rejection of Pyongyang's call for direct bilateral talks may have been intended to assuage Seoul's fears of alliance abandonment, the author contends that the DPRK has significant reason to view the multilateral structure of the Six Party Talks as provocative. It should be remembered that the Six Party Talks had been initiated by the Bush Administration, thus imprinting onto the DPRK's political psyche the bitter aftertaste of neoconservative-driven coercive diplomacy in the form of sanctions and thinly-veiled threats of military attack.

Further accentuating the DPRK's apparent suspicion of the Six Party Talks is the fact that, since 2007, the ROK's presidency has been assumed by Lee Myung Bak of the conservative Grand National Party. Lee's predecessors, Kim Dae Jung and Roh Moo Hyun, had promoted engagement with Pyongyang under the Sunshine Policy, which had involved restrained political rhetoric on the part of Seoul as well as significant levels of economic aid to the North. In contrast, since assuming the presidency, Lee repudiated the Sunshine Policy with the adopt of significantly more confrontational posture towards Pyongyang, in the form of public criticisms of the DPRK's human rights record as well as official remarks calling for Seoul to prepare for a process of unification

56 Interview with Sigal.

57 'North Korea meetings with US reflect a cautious conflict avoidance', *Guardian*, 28 July 2011.

58 'Statement of Senator Barack Obama on the North Korean declaration', *International Herald Tribune*, 26 June 2008; see also 'Obama offers change Kim Jong-Il can believe in', *World Tribune*, 20 June 2008.

59 'America's N. Korea challenge', *CNN Interview with Joe Cirincione*, <http://edition.cnn.com/video/data/2.0/video/world/2009/05/25/kls.cirincione.interview.cnn.html>, 25 May 2009, retrieved 25 May 2009.

of the peninsula through absorption of the impoverished DPRK.⁶⁰ In other words, from the perspective of Pyongyang, the current South Korean government's position is little different from that of the Bush Administration from 2001 to 2007 in seeking to bring about the collapse of North Korea. It is thus hardly surprising that, for most of 2009 and 2010, repeated demands by Washington and Seoul for Pyongyang to return to the Six Party Talks were rejected by North Korea.

Yet, in spite of these very strong reasons to view the Six Party Talks as a US-South Korean 'Trojan Horse' for the application of coercive diplomacy against the DPRK, it is notable that, almost immediately following the Bosworth-Kim talks in New York in July (and in direct contrast to its position since 2009), Pyongyang expressed its willingness to 'resume the six-party talks without preconditions at an early date.'⁶¹ Whilst it is possible that the DPRK's apparently renewed interest in the Six Party Talks is yet another attempt at buying time for a nuclear weapons program, such a perspective is based on the assumption that of either, or both, of the aforementioned myths claiming that the Pyongyang regime is a militaristic state driven by an implacable ambition to develop nuclear weapons. Having examined and critiqued the perceptual biases that have formed the basis of these interpretations of the North Korean leadership, we are thus left with a plausible, yet compelling interpretation of Pyongyang's latest apparent interest in a resumption of the Six Party Talks - that, the Obama Administration, having taken the initiative to hold direct, bilateral talks with the DPRK, has effectively indicated to Pyongyang Washington's willingness to treat North Korea as an equal negotiating partner. In a similar vein, Pyongyang has also accepted Seoul's insistence on video monitoring of the distribution of South Korean food aid to the DPRK, a level of transparency in the North that is at variance with the preceding decades of North Korean opacity.⁶²

Whilst it remains too soon to say if this latest development in the Six Party talks marks a decisive turning point in the context of US-DPRK relations (all the more so given the passing of Kim Jong Il), the dispelling of past myths in interpreting Pyongyang's intentions suggests tentative grounds for optimism in assessing the prospects of the denuclearization of the Korean Peninsula. Without denying Pyongyang's record of belligerent rhetoric behavior, its disregard for diplomatic norms, its threats to the nuclear non-proliferation regime and its appalling human rights record, the DPRK's apparent interest in the resumption in the Six Party Talks suggests that the North Korean leadership may in fact be seeking a way out of stalemate of the preceding months. Whilst a certain amount of caution and reservation is necessary in assessing the North Korean leadership's sincerity in denuclearization of the Korean Peninsula, it may be helpful to conclude with a parallel from past US history, namely, President Ronald Reagan's graduated willingness to reciprocate Gorbachev's peace feelers during the second half of the 1980s, on the basis of 'trust but verify'.⁶³

60 Lee proposes 'unification tax', *Korea Herald*, 15 August 2010.

61 'DPRK to Hold Six-party Talks without Preconditions', *Korean Central News Agency*, 1 August 2011, <http://www.kcna.co.jp/item/2011/201108/news01/20110801-20ee.html>, retrieved 1 August 2011; 'North Korea 'keen' for six-party nuclear talks', *BBC*, 1 August 2011, <http://www.bbc.co.uk/news/world-asia-pacific-14361567>, retrieved 1 August 2011.

62 'N.K. accepts Seoul's video monitoring of aid distribution', *Korea Herald*, 18 August 2011.

63 Paul Lettow, *Ronald Reagan and His Quest to Abolish Nuclear Weapons*, New York: Random House, 2005, pp.232-35.

A similar dynamic is arguably present at this stage of US-North Korean interaction. Whilst the current level of mistrust between Washington and Pyongyang is understandable, it may however be argued that Pyongyang's latest peace feelers, tentative as they may be, are an opportunity to explore the possibility of moving beyond the current impasse at minimal cost. In this regard, a resumption in the Six Party Talks, alongside concessions to Pyongyang such as a graduated lifting of sanctions on the DPRK and humanitarian food aid, may be undertaken without undermining the US security commitment to Seoul; at the same time, such minor concessions may indicate to the DPRK the possibility of further benefits as a *quid pro quo* for North Korean actions in response to international concerns over its alleged nuclear ambitions.

Can such a process of engagement with North Korea be undertaken and sustained by the US in the aftermath of Kim Jong Il's death? One finds grounds for cautious optimism at the present time. The week since the passing of Kim Jong Il has not been followed by provocative military postures or rhetoric from the DPRK, suggesting that Pyongyang has no desire to risk a foreign policy adventure at this time. If anything, the DPRK's invitation to former ROK First Lady Lee Hee-ho (whose husband, President Kim Dae Jung, had promoted engagement with Pyongyang under the Sunshine Policy) suggests that North Korea remains interested in improving its relations with the US and South Korea.