

Storm Clouds over Korea

전운이 감도는 한반도

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The year 2016 began badly in and around the Korean peninsula. North Korea's nuclear (hydrogen bomb?) test on January 6 and its rocket (ballistic missile? earth observation satellite?) launch on February 7 defied UN sanctions, drew angry condemnation on virtually all sides, and cast in sharp relief the structural problems at the heart of the Northeast Asian region. A century's unresolved legacies, from the Japanese imperialism and colonialism of the early 20th century through the Korean War and the Cold War, pile up, festering and feeding upon one another, threatening to burst and engulf the region in chaos.

The outlook as of the early spring of 2016 was exceptionally dark as the United States and its major allies launched massive war games - Operations Foal Eagle and Key Resolve that would, between March 7 and April 30, mobilize and deploy 15,000 US and 300,000 South Korean soldiers, including a US aircraft carrier fleet and a nuclear-powered submarine as well as every imaginable form of "conventional" military force, on an overall scale between twice and four times greater than a year earlier. The exercises were predicated on resumption of the 63 year suspended Korean War and would, among other things, rehearse the capture of Pyongyang and of major North Korean military and political sites. Such "games" are designed to intimidate, and perhaps precipitate revolt and collapse in North Korea. The immense psychological pressure on the Pyongyang leadership is reflected in reported orders to North Korean forces to have nuclear weapons on "standby."

If anything, the notion of North Korea as a uniquely distorted, "evil," outlaw

regime (that I wrote about in this place one year ago) continues to gather strength.¹⁾ No country in modern history has been so friendless and so reviled. That revulsion and fear now provide justification for revamped alliances and stepped-up militarization, new weapons and missile “defense” systems. The prospect of turning the existing ceasefire into a permanent peace treaty, let alone the prospect of creating a Northeast Asian nuclear-free zone community of cooperation, peace and prosperity, has never looked bleaker. Dark, including catastrophic, scenarios loom.

Any nuclear weapon test is to be deplored and there can be little doubt that the North Korean January explosion, whether “hydrogen bomb” or not, was unwise and illegal, and that it deepened insecurity on all sides. However, the fact is that North Korea, even if misguidedly, was pursuing the legitimate objective of national security, applying the apparent lesson of modern history that major states see nuclear weapons as the core of their security policy, ignore their legal obligation to abolish them and unite to close their circle of nuclear privilege against outsiders attempting to enter it. Having suffered nuclear intimidation longer than any other state in history, over six and a half decades, North Korea has good reason to be acutely sensitive to this global hypocrisy. In recent decades, under the Agreed Framework of the 1990s, and the Beijing Six-Party Talks formula of the decade from 2003 (especially in the agreements of 2005 and 2006), it periodically suspended nuclear works and promised to negotiate away its nuclear weapons and programs. Repeatedly, however, it was rebuffed by the US, Japan, South Korea, or all in concert.²⁾ For them, the key issue is denuclearization, whereas for North Korea it is security, and survival, for which a permanent peace regime, under a peace treaty, is imperative. If it is not possible to ensure its security by international agreement and treaty, then it concludes not unreasonably, it has to take steps on its own. The January nuclear test and the February launch were deplorable, but not incomprehensible.

Like the January explosion, the February rocket test was enveloped in a peculiar

1) “Human rights and humanitarian intervention: The North Korean Case,” *Journal of Political Criticism*, 16(2015), 151-171.

2) Gavan McCormack, “North Korea’s 100th – to Celebrate or to Surrender?” *The Asia-Pacific Journal - Japan Focus*(2012) (for comments on the Kwangmyongsong-2 launch in April 2009, in Korean, see my “Mystery object in the April sky,” *Kyunghyang sinmoon*, April 13, 2009).

cloud of hypocrisy. Under the Outer Space Treaty of 1967 all nations enjoy an absolute right to scientific exploration of outer space, and when Pyongyang launched what it called an “earth observation satellite” it insisted that it was merely exercising that right. For much of the world, however, it was known instead as a “launch using ballistic missile technology” (UN Secretary General Ban Ki Moon’s term) or as “a de facto ballistic missile launch under the guise of satellite” (the common term adopted in Japan and in much of the world). As such, it was forbidden by previous Security Council resolutions following missile and nuclear tests. North Korea was clearly acting in breach of Security Council orders, but it was not clear that such orders could override and in effect cancel rights conferred by treaty.

Many countries (including all of North Korea’s neighbours) launch satellites. Japan’s (tasked among other things with spying on North Korea) launch from Tanegashima Island space station straight across the Pacific. But North and South Korea have no such clear egress and because of the earth’s curvature must launch their satellites to the southeast, over Japan’s outlying Okinawa islands, before entering space orbit. Such was the case with South Korea’s “Naro” and North Korea’s “Kwangmyongsong,” which in December 2012 and January 2013 followed almost identical flight path, far above and beyond the territorial limits of Japan’s island territories. Pyongyang’s February 2016 launch was the same.

The skyward launch of large objects inevitably carries some risk, not necessarily just of deliberate targeting but of malfunction or the scattering of exhausted booster rockets. Risk of falling debris, however small, applies to both North and South Korean rocketry alike. Despite the substantially identical nature of the launch process, however, Japan, the immediate neighbour country, chooses to see only North Korea’s actions as threatening.

On January 28, therefore, the Abe government denounced the projected North Korean “missile” launch and ordered its forces to shoot down the object if it traversed Japanese territory. It dispatched three Aegis destroyers equipped with SM3 missiles to the East China Sea and deployed PAC3 land-based anti-missile units on Miyako and Ishigaki Islands, according to the procedures that had been followed

in 2009, 2012 (twice) and 2013.

The Japanese mass media cooperated in building a sense of crisis, suspending regular TV programs and reproducing governmental messages that implied that Japan was under attack. In Okinawa, along the potential flight path, at 9:34 and again at 9:42 am on February 7, mobile telephones carried special warning messages and Naha City urban transport's Yui-Rail (monorail) briefly stopped operating.

Virtually all Japanese reports simply assumed that North Korea had disguised a ballistic missile test as a satellite launch, and the technology is indeed similar. However, a missile must not merely blast off and carry its object into space but have the capacity to make a controlled re-entry into the earth's atmosphere. This, the North Korean object did not have. It is generally agreed too that the military credibility of missile technology depends on solid fuel technology. This too, North Korea does not seem to possess. Instead, what it did was exactly what it said it would do – launch a satellite, insisting on its right to a space research program and adhering scrupulously to the niceties of formal advance to the appropriate international maritime, aviation and telecommunications bodies.

Japan's deployment of anti-missile units seems to have been an empty, theatrical gesture. As one respected military critic pointed out, their range is limited to about 15 kilometres whereas the North Korean rocket was expected to pass at least 400 kilometres above Okinawa's remotest islands, far beyond Japan's territorial skies.³⁾ Had Japan actually launched its own missiles into space and succeeded in destroying the North Korean rocket, that might well have constituted an act of aggression.

The launch, coming just one month after the nuclear test, was followed by the familiar pattern of denunciation, insult, and threat. South Korea, whose president had taken office just two years earlier speaking in upbeat terms of "trust-building" on the peninsula, manifold exchanges, and ultimately a "bonanza" unification, took

3) Taoka Shunji, "PAC3 yugeki mayakashi," 3 parts, *Okinawa taimusu* (February 24-26 2016, part 1, February 24).

steps to suspend operations at Kaesong industrial complex (which Pyongyang then shut down completely), announced the intention to proceed with discussions with the US on deployment of a fabulously expensive and dubiously effective Terminal High Altitude Area Defense (THAAD) advanced missile system, spoke of North Korea's "reign of terror" that was now speeding towards its own "collapse," and proceeded to adopt draconian new security and North Korean "human rights" promotion legislation. The US sent a B-52 to fly over Osan base with obvious threatening intent (though at the same time it appears to have sent Pyongyang signals of a readiness to negotiate, or at least to talk about negotiating).⁴⁾ The UN Security Council adopted a new package of sanctions that among other things were designed to make it impossible for North Korea to perform banking functions anywhere in the world and therefore would, if implemented, bring the country to its knees.

Whether international condemnation and sanctions would be effective was another matter. North Korea had lived under sanctions of one kind or another ever since its foundation and to date its will to survive has always been greater than that of its enemies to cause it to collapse or surrender. That it has been able not only to survive but to push back the scientific and technological frontiers with its rocketry and nuclear technology is testimony to its ingenuity and to the capacity of its institutions to function under extreme pressure. In a peaceful, cooperative, rational Northeast Asian order, North Korean scientists and technicians would have much to contribute but for now, of course, such cooperation is a pipedream.

As the UN took centre stage in the escalating crisis, it was necessary to remember (though almost nobody did remember) that it bore heavy responsibility for the original sin of division of the Korean peninsula in the 1940s and then for mobilizing the global coalition that fought war against North Korea in the 1950s, the only time in its history that it has done this. Until it addresses that past, including its responsibility for multiple crimes committed before and during the Korean War, and its neglect of a peace settlement over the six subsequent deca-

4) Leon V. Sigel, "The off-ramp with North Korea," *Nautilus*, Napsnet Forum(2016).

des, on matters to do with North Korea the UN cannot be a truly impartial, international body.

As for Japan's Abe government, perhaps paradoxically nothing could have been better calculated to assist its agenda than the North Korean nuclear and rocket tests. Support for the government, having declined drastically during the summer of 2015 as it concentrated on the passage of major security legislation in accord with an interpretation of the constitution that constitutional scholars overwhelmingly rejected, recovered in 2016 with the revived North Korean "threat" (and, of course, deteriorating China relations). Japan was a major promoter of the UN sanctions package and adopted its own, additional punitive sanctions (affecting Zainichi Korean residents in Japan as well as North Korea itself). The agenda of increased defense expenditure, militarization of the frontier islands (Ishigaki, Miyako, and Yonaguni), and insistence on the need to build new facilities for the US Marine Corps in Northern Okinawa, received a welcome boost. However unwittingly and unwillingly, Pyongyang by its 2016 tests also helped confirm Abe in his determination to "normalize" the constitution by overcoming the pacifist constitutional commitment of Article 9.

Of particular note is the rapid progress (under US guidance) towards a comprehensive military and diplomatic (China-containing) alliance between Australia and Japan. Although the Australia-Japan alliance (or quasi-alliance, as it has come to be described) agenda that is currently promoted by bureaucratic forces in both capitals has yet to be subject to public scrutiny in either, Australia has long endorsed the goal of "normalizing" the Japanese constitution, including the scrapping, or neutralizing, its Article 9 pacifism. With major Japanese corporations likely in coming months to be given the contract to construct over the next several decades (*in situ* in Australia) a fleet of 12 submarines, at a cost of \$50 billion (up from \$40 billion in just the year that the project has been on the table), Japan is to become at a stroke a major weapons-exporting country and Australian and Japanese defense "systems" to be integrated (subject to US direction) setting a pattern that will last till at least mid-century. One study of the submarine project recently concluded that it was

"breathtakingly wrongheaded, hazardous strategically and profligate financially ...

By holding out the chance of a massive submarine export sale, Australia is dramatically accelerating the process of Japanese remilitarization that began as the Cold War was ending.”⁵⁾

This agenda, ominous in its implications for East Asian peace, is but one of the consequences of the regional focus on North Korean “threat” and insistence on its submission.

While the US and its allies continue to insist on the centrality of sanctions and intimidation, past experience suggests that they are counter-productive. The swelling chorus of North Korea denunciation is instead dangerous. The nuanced assessment that some specialists adopt is that, contrary to such facile constructions, the Kim Jong Un regime might be seriously interested in:

“A comprehensive regional security settlement between the great powers combined with a regional nuclear weapons-free zone.”⁶⁾

That means a peace treaty to end the Korean War, diplomatic normalization on all sides (including settlement of North Korea’s claims for compensation for Japan’s colonial era depredations), and denuclearization. Furthermore, despite conventional “wisdom” to the contrary, Hayes and Cavazos insist that

“Kim Jong Un is not crazy. He is not erratic. He is not at the end of his strategic tether.”

Fifteen years ago, the Clinton administration in the US moved to the brink of settlement of the North Korea issue, failing because Clinton ran out of time, was overtaken by the US political cycle. Instead of a presidential visit to Pyongyang, the incoming George W Bush administration denounced North Korea as part of

5) Richard Tanter, “The \$40 billion submarine pathway to Australian strategic confusion,” *Nautilus Institute*, NAPSNet Policy Forum(2015), <http://nautilus.org/napsnet-policy-forum/the-40-billion-submarine-pathway-to-Australian-strategic-confusion/>

6) Peter Hayes and Roger Cavazos, “North Korean power and Kim Jong Un’s smaller H-bomb,” *Global Asia*(2016).

the “axis of evil.” Now, William Perry, Defense Secretary under Clinton and a major architect of the policy that was not adopted at that time, looking back over what he sees as the bankruptcy of fifteen years of US policy, urges a return to dealing with “North Korea as it is, not as we wish it to be.” He reckons it is time to give up, for the time being, the hope of dismantling North Korea’s nuclear program (it is simply too late) and to concentrate instead on what the nuclear physicist Siegfried Hecker refers to as three Nos: no new weapons, no better weapons, no transfer of nuclear weapons or technology.⁷⁾ This widely publicized second phase “Perry process” formula is roughly in accord with Chinese insistence on resumed negotiation, along what Foreign Minister Wang Yi has called a “parallel track” separating war-ending and “normalizing” treaty discussions from nuclear matters.⁸⁾ Evidently responding to the Perry and Wang Yi suggestions, North Korean media has from time to time hinted at the country’s readiness to suspend further testing if the US would turn to winding up the Korean War (with a peace treaty and “normalization”). Some such initiative, oriented towards a peace treaty, appears to have been knocked back by the US as late as February 21, 2016, though that is scarcely surprising given that it came just weeks after the nuclear and rocket tests.⁹⁾

In the fifteen years since Bill Clinton decided he had run out of time, the “North Korea problem” has grown more complex, North Korea’s nuclear and missile technology more advanced, and the walls of ignorance and prejudice dividing Pyongyang from Seoul, Tokyo and Washington, higher. As fresh war games proceed in the South today, and as North Korea blusters that Seoul’s Cheong Wa Dae would be the first target of any attack it would launch should it feel imminently threatened, the urgency of finding a way to resolve the bitterness and distrust in which the “North Korean problem” is encrusted has never been greater.

7) William J. Perry, “How to contain North Korea,” *Politico*(2016). <http://www.politico.com/magazine/story/2016/01/north-korea-nuclear-weapons-contain-213516/>

8) Eric Talmadge, “Could peace talks help defuse North Korea?” *Japan Times*(2016).

9) Sigel, op. cit.