

The September 2016 North Korean nuclear test: crying wolf or point of no return? by Er-Win Tan

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The Democratic People's Republic Korea (DPRK) carried out its latest nuclear test on Sept. 9, underscoring Pyongyang's growing challenge to regional security in Northeast Asia. The prospect of an operational nuclear arsenal in the hands of Kim Jong Un is a disturbing scenario given North Korea's growing propensity to engage in brinkmanship against the US and the Republic of Korea (ROK).

Yet, while it is common to stereotype the North Korean leadership as irrational war-mongers hell-bent on developing nuclear weapons for use in a war of conquest against the South, this perspective is simplistic and overlooks the clear, calculated logic that underpins the DPRK's pattern of aggressive behavior. From Kim Jong Un's perspective, he is the leader of a geostrategically isolated country, aware of the precariousness of his grip on power, with few cards to play to ensure regime survival. The most visible of these cards is his image as an irrational war-monger with a nuclear arsenal. Kim's diplomats have inherited this card from decades of negotiating from a position of weakness vis-à-vis the United States. Pyongyang is aware that the prospect of a nuclear North Korea arouses regional tensions, and has sought to capitalize on this by brandishing its missile and nuclear programs to increase its negotiating leverage.

North Korea's impetus to do so is all the more understandable given the backdrop of Pyongyang's relations with Washington and Seoul. During his 2008 election campaign, Barack Obama pledged to hold dialogue with North Korea without preconditions, but has since adopted a posture of "strategic patience," calling upon North Korea to take the first step through denuclearization. While Obama's reticence is understandable given repeated – and increasingly frequent – instances of North Korea's provocative behavior, this posture puts the onus on Pyongyang to denuclearize, even though the North Korean leadership has little idea of what it can expect to receive in return. The track record of US-North Korea interaction provides Pyongyang little grounds for optimism. Tentative moves toward rapprochement between the Clinton administration that culminated in the US-DPRK Joint Communiqué in 2000 were followed shortly thereafter by a renewal of mutual hostility stemming from the neoconservative ideology of the Bush administration. Even after North Korea agreed to denuclearize according to the Joint Statement of September 2005, the Bush administration went ahead with sanctions that targeted the DPRK's bank accounts at the Macau-based Banco Delta Asia.

This backdrop suggests two possible interpretations of North Korea's decision to go ahead with the September 2016 nuclear test, neither of which bodes well for post-Obama diplomatic efforts seeking the denuclearization of North Korea. The first of these stems from North Korea's use of brinkmanship to gain negotiating leverage. The DPRK's September 2016 nuclear test is the first time the country has undertaken two such tests within the same year. Given that this period has been marked by the imposition of tough sanctions as punishment for North Korea's provocative behavior, it is possible that Kim is following the DPRK's negotiating playbook. The 1998 test of a *Taepodong* rocket was followed by the Clinton administration's lifting of sanctions on Pyongyang and stepped-up implementation of the Agreed Framework. Similarly, after the 2006 nuclear test, the Bush administration moved away from its insistence on Complete, Verified and Irreversible Dismantlement (CVID) of North Korea's nuclear facilities as a precondition for direct negotiations with Pyongyang. Kim and his advisors have studied these precedents and likely concluded that brinkmanship works in diplomacy against the US.

If so, Pyongyang is badly mistaken. Clinton, having come dangerously close to ordering airstrikes on the Yongbyon reactor in 1994, was aware of the risk of all-out war on the Korean Peninsula if delays to the Agreed Framework continued. Similarly, the Bush administration, preoccupied with internal dissent and a deteriorating situation in the Middle East, concluded that the diplomatic impasse stemming with North Korea was an expenditure of political capital that the Republican Party could ill-afford in the run-up to the 2008 presidential election.

Kim Jong Un would be badly mistaken in assuming that Obama or his successor can be similarly pressured into negotiations by returning to brinkmanship. The DPRK has over-relied on the latter tactic, to the extent that most US policymaking circles are not only aware of the dynamics of Pyongyang's brinkmanship tactics, but now favor countering such DPRK conduct with firmness to underline the credibility of the US deterrent posture toward North Korea. US policymakers are willing to call Pyongyang's bluff; North Korea's nuclear test earlier this year did not elicit diplomacy, but instead increased sanctions, from the UN, the US, and other countries. With both Hillary Clinton and Donald Trump outlining hawkish foreign policies, it is difficult to imagine a post-Obama White House responding to North Korea's brinkmanship with diplomatic engagement. Yet, from the North Korean point of view, the fact that "crying wolf" worked in 1998 and 2006 may legitimize more provocations in the future.

A second interpretation of North Korean intentions is even more pessimistic. It is possible that Kim and his advisors believe that the DPRK has passed a 'Point of No Return' in

regard to a nuclear arsenal. This assessment reflects the following events in US-North Korea interaction:

- 1) tentative US-North Korea rapprochement of 1999-2000 was followed by the hostility of Bush;
- 2) the engagement policy of ROK Presidents Kim Dae Jung and Roh Moo Hyun was followed by the hardline posture adopted by Lee Myung Bak in 2008;
- 3) nuclear tests since 2006 give Pyongyang a powerful bargaining chip that military hardliners would never give up; and
- 4) the North Korean leadership has seen what happens to leaders who give up their nuclear programs, in particular Iraq and Libya. For Pyongyang, possession of nuclear weapons is the ultimate security guarantor.

Having been caught off-guard by past US political transitions – the speed with which relations with Washington deteriorated after the Joint Communiqué of 2000 appears to have left an indelible aftertaste for the DPRK government – Pyongyang has every reason to regard possession of nuclear weapons as its ultimate security guarantee. This is all the more likely given the upcoming political transition in Washington, and one where both leading presidential candidates favor hawkish security and foreign policies. If so, Pyongyang's recent nuclear test should be interpreted not as an effort to increase North Korean negotiating leverage, but rather as an attempt to present the US with the *fait accompli* of a nuclear North Korea.

The necessity of addressing the challenge posed by a nuclear North Korea requires that the US appreciate that China is both a potential help as well as hindrance in dealing with Pyongyang. While Beijing too seeks the denuclearization of North Korea, this is superseded by China's interest in maintaining regional stability. Beijing is reluctant to undertake overly punitive sanctions against Pyongyang, for fear that such measures may cause the Kim regime to collapse, which portends the prospect of North Korean refugees fleeing into China. Moreover, a DPRK collapse would mean a Korean Peninsula unified under Seoul, leaving China with a US-allied democracy on its border.

To maximize China's utility as a diplomatic interlocutor requires that Washington balance between reassurance and deterrence toward Pyongyang in a manner that also addresses China's regional security interests in Northeast Asia. While firmness is necessary to underline the seriousness with which Washington regards the DPRK's nuclear program, the US must also provide North Korea with a way out of the current impasse. It must provide Pyongyang with a reasonable level of reassurance (no easy task, given Pyongyang's paranoia) that the US is willing to accept the existence of the Kim regime.

One diplomatic opening worth exploring stems from Pyongyang's repeated calls for a peace treaty formally ending the Korean War. The Obama administration has been reluctant to respond to such proposals, given its focus on containing North Korea's nuclear program. Yet, a peace treaty with North Korea can be undertaken without endangering the security of the ROK and Japan, given the US ability to deploy reinforcements to Northeast Asia at short notice. If anything,

seeking to replace the 1953 Armistice Agreement with a formal peace treaty would put the US in a significantly stronger position, for two reasons. First, having demonstrated its willingness to accept the continued existence of the Kim regime, Washington will have put the burden on North Korea to reciprocate by bringing its nuclear ambitions to the negotiating table; meanwhile, China, with its interests in regional stability secured, will be in a better position to pressure Pyongyang into denuclearizing. Second, in the event that Kim rejects these US peace feelers, Washington will have a stronger case for calling upon Beijing to impose tougher sanctions on North Korea.

Undertaking peace talks with North Korea will not be easy, given the DPRK's reputation for diplomatic tenacity, as well as the likely backlash from US conservatives opposed to appeasing the "evil" North Korea regime. This situation calls for statesmanship and diplomatic skill.