

Can – Should – Must We Negotiate with Evil?*

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How should the USA and its allies deal with regimes that abuse their own people and threaten world order? Are some regimes so evil that it is wrong and unwise to engage with them – even on matters of shared concern? The answer depends not only on the “facts of the case” but also on priorities and frames of reference. Thus, two Soviet citizens, each a Nobel Prize winner, disagreed on whether Western governments should treat the Kremlin as a viable partner in negotiations to control the arms race. Alexander I. Solzhenitsyn said “no,” because a regime that oppressed its own people could not be trusted. But Andrei D. Sakharov answered “yes,” because the stakes for humanity were so high. Solzhenitsyn put human rights first; Sakharov, the survival of humanity.

Today a similar choice confronts Washington, Seoul, and Tokyo as they face leaders in Pyongyang moving to expand their nuclear and missile capabilities. President George W. Bush placed North Korea on an “axis of evil.” He loathed a leader who permitted more than a million of his subjects to starve. But even if this repugnance was justified, did it serve US and allied interests to end the dialogues that, in the Clinton years, offered hope of limiting and perhaps terminating the North’s nuclear weapons and missile programs?

“We are good and they are bad” is dangerous as an approach to foreign affairs. But it is also wrong and reckless to assume that all actors are equally flawed. Still, if a cruel dictatorship is willing to negotiate security arrangements likely to limit arms competition and make war less likely, democratic governments should engage and seek verifiable arrangements.

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Can we – should we – try to negotiate our differences with individuals and groups we regard as evil? Is an accommodation feasible, or even desirable, between parties who differ profoundly on notions of right and wrong? When should pragmatic expediency outweigh moralism and legalism? Should policy makers in Washington and its partners in negotiations with Pyongyang explore an accommodation with a regime that has abused its own people for decades and acted the rogue’s rogue in world affairs?¹

Does Evil Exist?

While outsiders express revulsion at the cults of personality and other practices in the Democratic People’s Republic of Korea (DPRK), North Koreans have their own grievances against each of their five interlocutors. Nearly every individual and government has departed at times from the Golden Rule. So several questions arise: Are some humans and political systems intrinsically evil – or is everything relative? Is society – even that of North Korea – the innocent victim of evil or do some societies and cultures actively spawn evil? Do evil actions cast perpetrators beyond the bounds of human compassion – or should we accept the all-purpose justification, “*tout savoir, c’est tout pardonner*”? If we understand our adversaries, should we also pardon them? If so, should excusing or forgiving the other side’s excesses affect our approach to negotiation?

Regardless whether we think the other side is good, bad, or a mix, do we not negotiate simply to advance our own interests? Why not go for any deal that seems to meet our needs? If a car dealer offers us a new model with just the right features and price, do we care whether the dealership or its sales person has a spotty record? Probably we should care. Most contracts require us to trust as well as verify. An unscrupulous auto dealer may include sub-par equipment. No matter how closely we inspect the vehicle, we may overlook small defects that could turn out to be life-threatening. Also, the dealer could be here-today-and-gone-tomorrow – unavailable to back up any warranty. If the car dealer is simply a poor businessman, or decides to retire, or the city puts a highway through the dealership, the warranty may also prove worthless.

Most arms control agreements are far more complicated than automobile purchases. If a new technology or political opportunity emerges, an opportunistic regime may jettison or evade its obligations. A government determined to obtain nuclear weapons may fake an interest in arms control while using negotiations as a tool to gain time in the laboratory and at the test site. A leader schooled in zero-sum politics may simply devour any sign of good will and then demand more.

1. For recent evidence and analysis, see Stephan Haggard and Marcus Noland, *Witness to Transformation: Refugee Insights into North Korea* (Washington, D.C.: Peterson Institute for International Economics, 2011).

The opportunist may use negotiations to soften the other side's vigilance; to win political support at home and abroad; to divide its adversaries; and, if an accord is reached, to protect its own assets – future as well as current – while weakening its foes. All these considerations underlay Soviet diplomacy in the 1920s. For Vladimir Lenin, the Soviet campaign for disarmament was a continuation of the revolution by other means.²

But is evil a reality or a figment of our imagination? Should we think of “evil” as something essential and willful? Or in relative terms – as nothing more than criminal or immoral behavior, an abuse of power, perhaps the result of an unhappy childhood? Edward Gibbon concluded that history is “the register of the crimes, follies, and misfortunes of mankind.” Mephistopheles reminded the Lord in *Faust* that humans call it “reason, but use it only to be more beastly than any beast.” Soviet and Chinese Communists in the 1960s accused each other of betraying Marxism and Leninism – for them, a deeply evil act. American presidents have often portrayed their country as good and its opponents as evil. In January 2002 President George W. Bush asserted that North Korea, along with Iran and Saddam's Iraq, constituted an “axis of evil.”

Are Humans Good, Bad, or Both?

Some religions and philosophies see a constant struggle between forces of Good and Evil – Light and Darkness. Given this struggle, some faiths believe that humans can exert their free will to do good and fight evil. But other faiths are fatalistic. Thus, some Christians accept that Providence has divided humanity into the Elect, pre-destined for heaven, and the Goats, who will never be saved. Against such dualisms, one version of Christianity asserts that all humanity has been stained by Original Sin. One sect holds that humans can and must *earn* salvation; another, that redemption comes only by God's grace. Some “people of the Book” urge tolerance; others urge a hard line – even holy war – against infidels. But Goethe's Lord is patient. He tells Mephistopheles that so long as humans strive, they will err – *Es irrt der Mensch, so lang er strebt*.

Theology aside, there are three ways to view humanity: first, some people are basically good and others evil; second, all of us are flawed; third, there is a bell curve ranging from the few people who are saintly to others who appear profoundly evil. This third view gets support from institutions that measure respect for and abuse of human rights – for example, Human Rights Watch, Amnesty International, and the US State Department. In this same vein, Freedom House each year ranks countries from one to seven on their support for political freedom and civil liberties – a scale where North Korea ranks as worst in the world. Transpar-

2. Walter C. Clemens, Jr., “Lenin on Disarmament,” *Slavic Review*, 23-3 (September 1964), pp. 504–525; Walter C. Clemens, Jr., “Soviet Disarmament Proposals and the Cadre-Territorial Army,” *Orbis*, 7-4 (Winter 1964), pp. 778–799.

ency International ranks countries by the absence or presence of corrupt practices. Even the United Nations Human Development Index tells us something about evil as well as incompetence. It reveals that some countries have vast resources and a high GDP but low life expectancy and poor access to education. Because North Korea is opaque, it does not figure in most UN and other rankings, but probably ranks among the worst performers worldwide. Some DPRK failures are the result of floods and other forces of nature, but many – probably most – are manmade.

There are even more explicit measures of evil – tabulations of journalists and human rights activists attacked, jailed, or murdered; female entertainers treated as sex slaves.³ One scholar has catalogued the 20th century's leading democidists (killers of their own people): Stalin, Mao Tse-tung, Hitler, Chiang Kai-shek, Lenin, Tojo Hideki, Pol Pot, and Yahya Kahn. The Soviet Union's first two leaders managed to kill some 62 million of their own people by execution, starvation, or hard labor – three times the country's human losses in war.⁴ Pyongyang's apparent indifference to malnutrition and human rights probably ranks as democide. Despite efforts to assassinate South Korean leaders, however, the DPRK has not sought to kill large numbers of foreigners, even though its indoctrination machine says the North Korean people are the purest of races.⁵

Mores change. For millennia, many societies encouraged xenophobia. Cruelty toward outsiders was seldom condemned or punished. As late as the 17th century, Hugo Grotius, a founder of international law, taught that it was proper to treat prisoners of war and their offspring as slaves – with no limits on the effects of this law. Only in the 19th century did some governments and international institutions outlaw slavery. Only in the 20th century did governments agree to ban aggression, to respect civilians in war, to deal humanely with prisoners, and to observe the political and social rights of their citizens. The world now has an International Criminal Court that tries and sometimes finds guilty individuals charged with crimes against humanity. Optimists, such as Jacques Maritain, taught that humanity's awareness of what is right has deepened over time. Pessimists observe that wars are still waged for resources, such as diamonds, and that governments in China and Russia – each a permanent member of the UN Security Council – still arrest and sometimes murder critics of their policies. They note that when President George W. Bush and his attorneys considered whether certain actions were legal, they decided that if the president does something, it must be legal. Leaders, such as Bush, may reckon that their lofty goals justify nearly any means.

Indeed, Americans and other Westerners need to understand why many observers regard their policies toward less developed countries as wicked. Whatever the

3. Sunny Lee, "The Pleasure's All the Dear Leader's," *Asia Times* (23 February 2011), at <<http://www.atimes.com/atimes/Korea/MB23Dg01.html>> (searched date: 23 February 2011).

4. Rudolph J. Rummel, *Death by Government* (New Brunswick: Transaction, 1996), p. 8; and *Lethal Politics: Soviet Genocide and Mass Murder since 1917* (New Brunswick: Transaction, 1996), p. 6.

5. B. R. Myers, *The Cleanest Race: How North Koreans See Themselves and Why It Matters* (Brooklyn: Melville House, 2010).

rationales for these policies – from “salvation of souls” to “white man’s burden” to anti-Communism to “war on terror” – European and US actions often perverted and aborted the ideals of Western civilization. Evil can spring from social systems – religious as well as political and economic – as well as individuals. The logic of capitalist democracy has often spawned its own malaise. The doctrine of the “state’s rights” has led Washington to shy away from or qualify its commitments to human rights treaties. And while many US presidents have endorsed international arbitration, international law, and international organization, the George W. Bush administration “unsigned” the Clinton era commitment to the International Criminal Court.

Apart from direct and indirect abuse of human rights, the “haves” of humanity have often been guilty of apathy – indifference to the misery of the impoverished, even those victimized by the rich.

Should Democrats Negotiate with Dictators?

How should liberal democrats deal with dictators? Two Nobel prize winners gave opposing answers. They debated whether Western governments should treat the Kremlin as a viable partner in negotiations to control the arms race. Andrei D. Sakharov answered “*da*,” because the stakes for humanity were so high. Alexander I. Solzhenitsyn said “*nyet*,” because a regime that oppressed its own people could not be trusted. Both Sakharov and Solzhenitsyn had a deep understanding of the Soviet system. Sakharov helped to invent the Soviet H-bomb and was deeply aware of its lethality. For example, he calculated how many people would die from the pollution caused by another thermonuclear test. While Sakharov had enjoyed a somewhat pampered life under Stalin and Khrushchev, Solzhenitsyn had spent years in the gulag archipelago. He knew first-hand how arbitrary and cruel could be the Kremlin’s approach to anyone who questioned or even ridiculed its power. At bottom, Solzhenitsyn denied that any real accommodation was possible with a regime so evil as the Soviet.⁶

Arms Negotiations Not the Same as an Alliance

Solzhenitsyn might look back and say that the West was short-sighted and morally bankrupt to ally with Stalin in 1941. But Sakharov was correct when he urged serious negotiations with the USSR on arms control. Bonding in an alliance

6. Solzhenitsyn nominated Sakharov for the Nobel Peace Prize in 1973, but added that “coexistence without wars” is not enough. Real coexistence required also a life “without violence, or anyone’s telling us how to live, what to say, what to think, what to know and what not to know.” See also Walter C. Clemens, Jr., “Sakharov: A Man for Our Times,” *Bulletin of the Atomic Scientists*, 27-10 (December, 1971), pp. 4–6, 51–56. Earlier version published in Korean in *Non Dan* (Seoul), 6-3 (November–December, 1970), pp. 137–145.

is different from negotiating on a narrow issue such as arms control or establishing diplomatic relations with a political reality, such as Mao Tse-tung's China. If this argument makes sense, then the USA should act promptly to negotiate arms control with the DPRK and establish diplomatic relations.⁷ If the Pyongyang regime appears evil, that only deepens the reasons to try and control and, if possible, eliminate its weapons of mass destruction. If we allow that generations come and go, the prospect of closer ties raises the chances of political reform within the DPRK – as happened in the USSR.

Like Stalin and Khrushchev before him, Kim Jong-il sometimes says he wants to negotiate. While his nuclear arsenal is still inchoate, his conventional forces could inflict huge damage on South Korea. Unless controlled, his nuclear-missile capacity will become an instrument of mass destruction – able even to reach North America in future years. If consulted, Sakharov would probably advise trying to engage Pyongyang and pay whatever price is needed to limit the threat of nuclear war. Solzhenitsyn, by contrast, would probably urge measures to overthrow the DPRK dictatorship. The ethical conflict is clear: Should we do everything possible – including concessions that may violate our own principles – to avoid a potential holocaust? Or do what we can to exterminate a clear and present evil? Sakharov would probably say that the good of protecting humanity from nuclear war outweighs any harm for human rights that ensues from legitimizing or perpetuating a cruel regime.

Is there any role for some kind of idealism in these affairs? It seems unlikely that someone schooled in the worldview of a major religion could find a soul-mate in Kim Jong-il or his possible successor, Kim Jong-un. From what we know, the leading members of this dynasty have rivaled or, more likely, trumped Stalin and Mao Tse-tung in what most people would regard as self-aggrandizing brutality and indifference to the suffering of their own people, let alone foreigners.

The gap in values is seen even in the arts: Kim Jong-il has excelled in staging disciplined spectacles to glorify his regime. But compare his spectacles with the work of artists discussed by Claire Campbell Park in her book *Creating with Reverence: Art, Diversity, Culture and Soul* (2009). She invites us to form a dynamic creative foundation and expand our cultural perspectives by reflecting on artists committed to life-giving values, such as the woodworkers of Kyoto and Aboriginal painters of Australia. She suggests that we consider these artists' creativity in relation to past generations and the significance of beauty and craftsmanship to our daily lives and spiritual well-being.

7. On the potential utility and feasibility of arms control, see Special Issue "Nuclear Weapon Free Zone in Northeast Asia," *Pacific Focus*, 26-1 (April 2011); on the risks of engagement with Pyongyang, see Mike Green, "Is Obama about to go wobbly on North Korea?" at <http://shadow.foreignpolicy.com/posts/2011/02/01/is_obama_about_to_go_wobbly_on_north_korea?sms_ss=email&at_xt=4d4b761b9670b955%2C0> (searched date: 4 February 2011).

Such ideas, we can wager, would be alien to Kim Jong-il. But who can know what sentiments pulse just below the surface? Research by several psychologists concluded that Kim Jong-il shares several personality traits with Hitler and with Saddam Hussein. Each leader was found to be sadistic, paranoid, and narcissistic; also antisocial, schizoid, and schizotypal. The authors observed that “paranoid individuals often project their mistrust and suspicion onto others, which is the core of their personality and their central defense mechanism. Through their slanderous and malevolent projection onto others, they create threats where none may have previously existed.” Kim Jong-il’s antisocial features, such as his ostensible indifference to sanctions, make negotiations extraordinarily difficult. Even “submitting to negotiations” makes many antisocial individuals unwilling and hostile.⁸

Ironically, the psychologists’ suggestions for negotiating with such personalities dovetailed with standard guidelines for negotiating with normal people – especially in the Korean context.⁹ And while some North Koreans may look like robots, an audience of North Korea’s privileged elite gave a warm and positive response to the musical offerings of the New York Philharmonic in 2008. Tears were shed and hopes for more exchanges were expressed on both sides.

Constructivist Caveats

There are two or more sides to most encounters. Psychologists and philosophers remind us that our vision of reality is “constructed” – a product of what we perceive and make of it. Self-righteous actors often ignore others’ perspectives in disputes. Thus, the nuclear haves demand that other states remain nuclear have-nots. Each side elevates its own concerns and downgrades others’. The “pots” of his world often call the “kettles” black. To aggravate the situation, humans are fallible – they perceive or reason imperfectly. People of good will may disagree on what is good and bad. Even well-informed experts disagree on what norms exist; whether certain actions violate those norms; and if so, how to respond.¹⁰

Constructivist caveats about perception apply to divided Korea. A report issued in May 2010 by the Republic of Korea officials concluded that a North Korean

8. See Frederick L. Coolidge and Daniel L. Segal, “Is Kim Jong Il like Saddam and Adolf Hitler? A personality disorder evaluation,” *Behavioral Sciences of Terrorism and Political Aggression*, 1-3 (September 2009), pp. 195–202.

9. Coolidge and Segal discuss how to negotiate with a paranoid dictator. They suggest: Show genuine respect and try to help the dictator view the world through another person or country’s perspective. Foster a sense of trust, but also build “an air of firmness and fairness.” Be persistent. Avoid petty tests or battles. State clearly the negative and positive consequences of a deal. Be clear about the *quid pro quo* for a DPRK concession. Compare with recommendations in Walter C. Clemens, Jr., *Getting to Yes in Korea* (Boulder: Paradigm Publishers, 2010), pp. 188–190 and p. 219; also Stephen W. Linton’s thesis at pp. 104–106.

10. Alfred P. Rubin, “Humanitarian Intervention and International Law,” in Aleksandar Jokic, ed., *Humanitarian Intervention: Moral and Philosophical Issues* (Peterborough: Broadview, 2003), pp. 109–121, at pp. 110–111.

torpedo sank the ROK corvette *Cheonan* near Baengnyeong Island in March 2010. This finding was endorsed by US, Australian, and Swedish experts. But Pyongyang said the evidence was cooked.¹¹ Seoul refused requests by Pyongyang to examine and possibly challenge the evidence. The investigation took place with no input from Chinese or Russian experts, some of whom also raised questions about the conclusions. A leading Korean specialist in the USA found the ROK investigative report to be riddled with contradictions.¹² Nonetheless the official ROK view dominated media outlets in South Korea and in Western countries. Having agreed that North Korea committed an act of aggression, South Korean and US analysts speculated on Pyongyang's motives. Did the DPRK military strive to show its mettle? Did the elder Kim wish to promote succession of the Dauphin Kim Jong-un – said to be a specialist in artillery fire? Did it seek revenge for defeats at sea in 1999 and 2002? Or to kneecap a rising star?

Another serious incident occurred in November 2010, just hours after the ROK commenced live-fire maneuvers close to Baengnyeong. North Korean artillery struck the island, killing civilians as well as military personnel. **The how-to manual *Getting to Yes* advises that, when disputants reach an impasse, they should practice “principled negotiations” – find a recognized principle and use it as a basis for compromise.** But each side here holds to quite different principles. The South regarded as definitive the Northern Limit Line (NLL) extending from the demilitarized zone on land into the West (Yellow) Sea imposed by the United Nations (read USA) in 1953 *after* the Armistice Agreement was signed by the belligerents.¹³ Starting in the 1970s, however, Pyongyang termed the NLL illegitimate and proclaimed its own line, extending from the demilitarized zone southwest into the West Sea. Seoul pointed out that the Armistice Agreement treated Baengnyeong and four other islands as ROK territory. Pyongyang, in turn, noted that the Law of the Sea extends state sovereignty 12 miles from its land borders. Since some of the ROK islands lie within 12 miles of the DPRK coast, ROK live fire exercises in the area are actually conducted in North Korean territory. Besides all this, the DPRK in 1977 proclaimed an economic and fishing exclusion zone of 200 miles off its coast into the West Sea, a posture that generated disputes with Beijing as well as with Seoul.¹⁴ **The NLL keeps North Korean vessels from rich fisheries and the North wants fishing rights far south of the NLL. Ways forward could include**

11. See, e.g., the DPRK Foreign Ministry statement on the attempt to refer the warship sinking to the United Nations, Korean Central News Agency, 4 June 2010.

12. Jae-Jung Suh, “Race to Judge, Rush to Act,” *Critical Asian Studies*, 42-3 (September 2010), pp. 403–424.

13. Terence Roehrig, “Korean Dispute Over the Northern Limit Line: Security, Economics, or International Law?” *Maryland Series in Contemporary Asian Studies*, School of Law, University of Maryland, 2008.

14. Daniel Gomà Pinilla, “Border Disputes between China and North Korea,” *China Perspectives*, 52 (2004), at <<http://chinaperspectives.revues.org/document806.html>> (searched date: 31 March 2009).

creating a military-free joint fishing zone with an agreed code of conduct for fishing vessels operating there. But several ROK–DPRK efforts at negotiation ended in failure.¹⁵

Ignoring that there could be more than one way to look at these matters, many South Koreans in late 2010 displayed belligerent emotions reminiscent of those expressed by British and French patriots as they mobilized for war in August–September 1914. For much of 2011 the ROK government rejected DPRK offers to negotiate until Pyongyang apologized for the two attacks in 2010.

Alternatives in a World of Ambiguity

Even if there are two or more sides to every argument, how should we deal with adversaries that seem to break all the rules – endangering their own subjects and the world? Should we keep our distance? Endeavor to replace them with a more humane regime? Contain and deter? Or try to negotiate a *modus vivendi*?

1. *Keep our distance.* Leaders in the USA and parts of Europe were aware of mass killings in the Ottoman Empire during World War I and in Rwanda in 1994 but decided not to get involved. Americans and European officials know that China practices cultural if not physical genocide in Tibet and other border areas but offer only mild protests. If they weigh the possible gains of challenging Beijing against the harm to their own interests, they opt for near silence. Chinese and Russian attacks on Muslim regions (Xinjiang and Chechnya) contribute to a global unrest. They help whip up the spirit of jihad and threaten the stability of oil supplies. It is myopic to assume we can keep a safe distance from human rights abuse. Still less can we ignore the brews of nuclear witchcraft being stirred and enriched in Pakistan as well as North Korea.
2. *Push for regime change.* There is a growing international consensus that the international community has a right and a duty to intervene against regimes that abuse their own people. But this principle is extremely difficult to implement. If outsiders did little to help the peoples of Somalia and Sudan, could – would – they do anything to protect North Koreans from their rulers?¹⁶ Apart from Libya in 2011, Western pressures to displace oppressive regimes have usually failed. Washington has failed even in Cuba, despite more than half a century of huffing and puffing against a minor actor practically on Florida’s doorstep. Indeed, it

15. Several legal scholars hold that the NLL was a useful temporary device to avoid conflict but that treating it as a permanent maritime boundary cannot be supported by international legal principles and precedents. Jon M. Van Dyke, Mark J. Valencia and Jenny Miller Garmendia, “The North/South Korea Boundary Dispute in the Yellow (West) Sea,” *Maritime Policy*, 27-2 (March 2003), pp. 143–158.

16. Alex J. Bellamy, “The Responsibility to Protect – Five Years On,” *Ethics and International Affairs*, 24-2 (Summer 2010), pp. 143–169.

may well be that unrelenting US pressure against the Castro regime intensified repression and helped entrench the system.

Sooner or later North Korea's regime will probably collapse because, like the Soviet system, it is as inefficient as inhumane. But policy-makers outside the DPRK cannot know when the system will implode. External forces, such as balloon-lifted leaflets, Radio Free Asia, and smuggled electronic devices, can help inform North Korea about their own country and the world, but real change must ultimately come from within. Non-violent revolutions have overthrown dictatorships in Eastern Europe and North Africa, but they took place in societies under far less dictatorial control than North Korea and with far greater access to communication technology and external contacts than available to most North Koreans. Since we cannot know when the DPRK ruling system will change or implode, policy-makers must deal with *what is* rather than what may someday be.

3. *Contain and deter.* Containment and deterrence held back Soviet expansion and helped prevent a major hot war. Should we not rely on the same strategy in dealing with North Korea? No. Containment and deterrence imply acceptance of the DPRK as a nuclear-weapons state. If we do nothing to control the North's nuclear programs, containment and deterrence will probably be the default posture. But the inchoate state of these programs plus the country's economic needs still keep open the prospect of a deal like the 1994 Agreed Framework – arms control in exchange for economic and political rewards. In the final analysis, the West used engagement and negotiation as well as containment and deterrence to cope with and ultimately defeat Soviet imperialism.
4. *Engage and negotiate.* Having given up any hope of imminent regime change in Moscow or Beijing, the USA identified shared interests with these governments and concluded agreements that each party believed enhanced its interests. However Washington kept many lesser actors at arm's length – including Cuba, North Korea, and Iran.

Critics say there is no point in negotiating when the parties disagree not only on the details but also on basic principles. Thus, the USA wants to keep and improve its own nuclear weapons but deny them to North Korea. Pyongyang, by contrast, sees its incipient nuclear-missile capability as its one ace and assurance against foreign attack. Like Israel, India, and Pakistan, the DPRK resists any argument that allows some states to have nuclear arms and denies them to others. The gap between US and DPRK policy-makers resembles the “two moralities” dividing defenders of the welfare state financed by progressive taxation and those who believe every person should earn his own livelihood and be free to keep it.¹⁷ It is no less stark that the divide between “the right to life” morality and “women's right to choose.”

17. Paul Krugman, “A Tale of Two Moralities,” *The New York Times* (14 January 2011), p. A23.

The DPRK has often resisted measures to increase transparency and has found reasons to qualify or even retreat from its arms control commitments. It has uttered half-truths or outright falsehoods. These unpleasant realities remind us that the less basis for trust, the greater the need for verification. But if 100-percent reliable verification is not attainable, and trust is also lacking, these limitations will constrain the scope of any deal the prudent negotiator can consider. In most arms accords between Moscow and Washington these worries were reduced because each side usually retained ample weaponry (and production facilities) to defend and deter if the other side cheated. But such symmetry is missing between Pyongyang and Washington. If these two parties enter an agreement, each must assess the possibility the other may defect. The DPRK faces the greater risks, because it will be asked to limit or eliminate its nuclear deterrent while the USA and its partners will probably need only to provide political and economic carrots. The stronger party, of course, can prepare countermeasures far more easily than the weaker.

Some leaders may find their opposite number so repulsive that they find it difficult to sit and talk with them.¹⁸ By contrast, former president Jimmy Carter is a Baptist preacher unwilling to throw the first stone. As president, Carter mediated the Camp David accords that stopped warfare between Israel and Egypt. Since 1981, private citizen Carter has facilitated the peaceful resolution of conflicts around the globe. A mediator, he says, should leave any judgments about participants in a dispute outside the meeting room. A mediator should focus the disputants on whether and how an agreement can advance their interests. “People in conflict have to be willing to talk about ending it, or at least changing it, and there has to be someone willing to talk to them, however odious they are – and that’s where I come in.”¹⁹

Critics objected to the ex-president’s meddling in government affairs and his willingness to get friendly and personal with dictators. If results count, however, the record shows that Carter’s interventions helped Nicaragua to make a peaceful transition to democracy and to persuade Haiti’s junta to leave office peacefully. But Carter’s greatest achievement was to turn the USA and North Korea away from war

18. One diplomat pictured the late Serbian President Slobodan Milošević as “the sleaziest person you’ve ever met” and armed with an IQ of 160. Many mediators have felt uneasy dealing with suspected genocidists but did so as part of the job. Still, Lord Owen (trained as a physician) could not bring himself to discuss medicine with Bosnian Serb leader Radovan Karadžić, a former psychiatrist but also an accused war criminal. Owen’s partner in Balkan mediation, Cyrus Vance, believed that a mediator should not see anyone as evil incarnate. But he also thought that compromise with persons so evil as Hitler impossible. Vance added, however, that with Saddam Hussein “we probably should have given talks more time.” Leslie H. Gelb, “Vance: A Nobel Life,” *New York Times* (2 March 1992), p. A15.

19. Jim Wooten, “The Conciliator,” *The New York Times Magazine* (29 January 1995), at <<http://www.nytimes.com/1995/02/26/magazine/1-the-conciliator-508595.html?pagewanted=print&src=pm>> (searched date: 12 October 2011).

and outline terms for their Agreed Framework in 1994 that froze DPRK plutonium production in return for economic aid.²⁰

Both Carter and Kim Il-sung believed in high-level contacts. If Kim Il-sung could not meet the existing president, he seemed anxious to meet with an ex-president, one who – as president – had reduced the US troop presence in South Korea. Many observers were surprised that a part-time Baptist preacher could find any rapport with a Communist dictator. But Carter’s faith acknowledged that no humans or regimes are perfect. For his part, Kim Il-sung had enjoyed a positive relationship with his grandmother, a Presbyterian. He permitted some Christian observances in North Korea so long they did not obstruct the regime’s economic and political programs. Earlier in 1994, before meeting Carter, Kim Il-sung talked with other US visitors, including evangelist Billy Graham, whose interpreter, Stephen Linton, was born in Korea of missionary parents.

In these and other cases, the catalyst for Carter’s interest was a significant danger to peace and security. He was not alone in perceiving these threats, but his outlook both permitted and drove him to action. His outlook advised him to ignore or look beyond the reputation of his interlocutors. It led him to take on as a duty missions that others would not or could not accept.

Barack Obama has long focused on bridging ethnic, cultural, and political divides.²¹ His motives may arise in part from his Christian faith, but he does not make a big display of his religious views. Still, tired from a long day of campaigning in April 2007, presidential aspirant Obama was asked – out of the blue – “Have you ever read Reinhold Niebuhr?” Obama’s tone changed. “I love him. He’s one of my favorite philosophers.” Asked what he took away from Niebuhr, Obama answered in a rush of words: “The compelling idea that there’s serious evil in the world, and hardship and pain. And we should be humble and modest in our belief we can eliminate those things. But we shouldn’t use that as an excuse for cynicism and inaction. I take away . . . the sense we have to make these efforts knowing they are hard, and not swinging from naïve idealism to bitter realism.”²² In these few words Obama laid out a worldview that recognized evil but that also demanded humility.

Niebuhr’s views underwent several seismic shifts during his long life (1882–1971), but Obama extracted the essence of his mature thought.²³ Niebuhr’s

20. Marion V. Creekmore, *A Moment of Crisis: Jimmy Carter, the Power of a Peacemaker, and North Korea’s Nuclear Ambitions* (New York: Public Affairs, 2006).

21. See Obama, *Dreams from My Father: A Story of Race and Inheritance* (New York: Crown, 2007). For years, however, Obama regularly attended church services in Chicago where the Rev. Jeremiah Wright often excoriated white America for its evil ways.

22. See David Brooks, “Obama, Gospel and Verse,” *The New York Times* (26 April 2007), at <http://select.nytimes.com/2007/04/26/opinion/26brooks.html?_r=1&scp=1&sq=david%20brooks,%20http://www.latimes.com/news/opinion/commentary/la-oe-nye21-2009jan21,0,3381521.story0obama:%20gospel%20and%20verse&st=cse> (searched date: 12 October 2011).

23. See, for example, Reinhold Niebuhr, *The Irony of American History* (Chicago: University of Chicago Press, 2008). Introduction by Andrew J. Bacevich. Niebuhr has been both praised and

influence colored Obama's remarks at the 12 January 2011 memorial service in Tucson for those murdered a few days before. The president stated that "at a time when our discourse has become so sharply polarized – at a time when we are far too eager to lay the blame for all that ails the world at the feet of those who think differently than we do – it's important for us to pause for a moment and make sure that we are talking with each other in a way that heals, not a way that wounds." Referring obliquely to the doctrine of Original Sin, Obama noted that "scripture tells us that there is evil in the world, and that terrible things happen for reasons that defy human understanding. In the words of Job, 'when I looked for light, then came darkness.' Bad things happen, and we must guard against simple explanations in the aftermath. . . ."

Obama provided good advice for a creative approach to reconciliation. "Rather than pointing fingers or assigning blame, let us use this occasion to expand our moral imaginations, to listen to each other more carefully, to sharpen our instincts for empathy, and remind ourselves of all the ways our hopes and dreams are bound together." Obama urged that we begin any effort a peacemaking by putting our own lives in order and dealing in a loving way with those close to us. "We may not be able to stop all evil in the world, but I know that how we treat one another is entirely up to us. I believe that for all our imperfections, we are full of decency and goodness, and that the forces that divide us are not as strong as those that unite us."²⁴

Reviewing Obama's speech, columnist David Brooks cautioned that "even a great speech won't usher in a period of civility." He suggested that civility requires humility – an awareness of our limitations and shortcomings.²⁵

Brooks cited Niebuhr: "Nothing that is worth doing can be achieved in our lifetime; therefore, we must be saved by hope. . . . Nothing we do, however virtuous, can be accomplished alone; therefore, we are saved by love. No virtuous act is quite as virtuous from the standpoint of our friend or foe as it is from our standpoint. Therefore, we must be saved by the final form of love, which is forgiveness."

vilified by left and right, and by Christians who take him as their guide and others who question his Christianity. See Paul Elie, "A Man for All Reasons," *Atlantic Monthly* (November 2007), at <http://www.theatlantic.com/magazine/archive/2007/11/a-man-for-all-reasons/6337/?single_page=true> (searched date: 12 October 2011). Obama's pastor in Chicago, Reverend Wright – like Martin Luther King, Jr. and Jimmy Carter – claimed Niebuhr as a major influence on his thought.

24. He added: "We may ask ourselves if we've shown enough kindness and generosity and compassion to the people in our lives. Perhaps we question whether we are doing right by our children, or our community, and whether our priorities are in order. We recognize our own mortality, and are reminded that in the fleeting time we have on this earth, what matters is not wealth, or status, or power, or fame – but rather, how well we have loved, and what small part we have played in bettering the lives of others."

25. David Brooks, "The Tree of Failure," *New York Times* (14 January 2011), at <<http://www.nytimes.com/2011/01/14/opinion/14brooks.html?scp=1&sq=the%20tree%20of%20failure&st=cs>> (searched date: 12 October 2011).

But this advice goes too far. It also runs contrary to the mature views of Niebuhr – that evil must be confronted. Yes we should love and forgive where possible. But can we love – and even forgive – an Adolf Hitler, a Joseph Stalin, a Kim Jong-il? Yes, we should try to understand the circumstances that shaped their lives, views, and actions. Each had an unhappy childhood. But people of good will must oppose evil. Indeed, Niebuhr said there was a difference between being a “fool for Christ” and a “plain damn fool.”²⁶ As a young man Niebuhr admired Socialism until he saw it deformed by Hitler and Stalin. Yes, he conceded that imperialist ideologies had triggered wars. But he rejected pacifism and live-and-let-live complacency, which he believed arose from a vapid liberal culture still marked by tacit Christian values. With Hans Morgenthau, dean of US political realists, Niebuhr believed that we should muster whatever assets are available to resist those who would destroy what we hold dear.²⁷

Why Fear to Negotiate?

Despite his receiving the Nobel Peace Prize for “extraordinary efforts to strengthen international diplomacy and cooperation between peoples,” Barack Obama in his first years as president did much less to foster dialogue with North Korea than his three predecessors in the White House.²⁸ The time has come, I think, for Washington to test Pyongyang’s avowed willingness to manage differences by negotiation.

Readers of Western newspapers learn a great deal about North Korea’s bellicose actions but much less about its diplomacy. In 2010 the DPRK Foreign Ministry


26. Quoted by Richard Crouter, author of *Reinhold Niebuhr on Politics, Religion and Christian Faith* (New York: Oxford University Press, 2010), interviewed by John Blake on CNN (5 February 2010).

27. Neorealists, seeking to replace sentiment with science, are indifferent to qualities such as good and evil. All behavior, they argue, is merely a reflection of the structure of material power.

28. Brooks questioned in 2007 whether Obama had thought through the practical implications for foreign policy of his Niebuhrian instincts. Asked about the Middle East peace process, Obama waxed rhapsodic about the need to get energetically engaged. Should the USA then sit down and talk with Hamas? Obama said no. “There’s no point in sitting down so long as Hamas says Israel doesn’t have the right to exist.” Obama disliked, as Niebuhr certainly would have, the grand Bushian rhetoric about ridding the world of evil and tyranny and transforming the Middle East. But he also disliked liberal muddle-headedness on power politics. Revolted by what he saw as the arrogant unilateral action of the Bush administration, Obama called for humility. Confronted by dovish passivity, he argued for the hardheaded promotion of democracy in the spirit of John F. Kennedy. Aside from rejecting extremes, what specific measures did he propose? To stop Iran from developing nuclear weapons, Obama called for a global alliance. Asked specifically if an Iranian bomb would be deterrable, Obama said yes. “I think Iran is like North Korea. They see nuclear arms in defensive terms, as a way to prevent regime change.” Asked what is the central doctrine of his foreign policy, Obama replied: “The single objective of keeping America safe is best served when people in other nations are secure and feel invested.” Outsiders could debate whether this was a deep insight or empty rhetoric. Brooks, “Obama, Gospel and Verse,” *op. cit.*

called repeatedly for a peace treaty to formally terminate the Korean War. The USA spurned this proposal saying it might divert attention from the need to denuclearize the Korean peninsula. The Obama administration backed South Korea's rejection of the North's bid for "unconditional" talks to reverse the conflict spiral. Seoul spurned such talks until Pyongyang showed by actions – not just words – that it is "sincere." Neither Seoul nor Washington specified what these actions should be. The ROK did not ask for compensation. Instead it demanded an apology, though it dropped this demand in mid-2011.

To be sure, Pyongyang often gives contradictory signals. Its New Year Message for 2011 called for "unconditional negotiations" with the South but it also bragged that the DPRK was taking the "offensive" on all fronts under "General" Kim Jong-il (his dauphin son went unmentioned). The only references to the USA were hostile – assertions that the government in Seoul is a US puppet. But most of Pyongyang's 2011 message addressed plans for bolstering the country's light industry and agriculture. The erstwhile priority for "military first" (*songun*) acquired a different connotation. Instead of claiming all resources for the military, the single reference to *songun* in the 2011 New Year Message implied that the slogan stands for improving living standards. In 2010 Pyongyang boasted of its recent underground nuclear test but reiterated its "consistent" call to establish a "lasting peace system on the Korean Peninsula and make it nuclear free through dialogue and negotiations." The 2011 message was more restrained. It warned that war could lead to a horrific "nuclear holocaust." Qualifying if not contradicting all this, many of the regime's boasts were half-truths or blatant lies. Factories cited in the message were working at half-speed; some did not yet exist.²⁹

In President Obama's first term his administration and the Blue House in Seoul seemed determined to keep their distance from Pyongyang. Their stance contrasted sharply with the approach to negotiation espoused by incoming president John F. Kennedy in January 1961. Addressing "those nations who would make themselves our adversary," Kennedy called on both sides to "begin anew the quest for peace, before the dark powers of destruction unleashed by science engulf all humanity in planned or accidental self-destruction." He denied that "civility" meant weakness and cautioned that "sincerity is always subject to proof." Kennedy's bottom line: "Let us never negotiate out of fear, but let us never fear to negotiate." He urged that "both sides explore what problems unite us instead of belaboring those problems which divide us." He called on both sides to "formulate serious and precise proposals for the inspection and control of arms, and bring the absolute power to destroy other nations under the absolute control of all nations." 

Applying these principles, Kennedy and other presidents after him defused the Cold War with Moscow. Presidents Richard Nixon and Jimmy Carter normalized

29. See Stephen Haggard, "Juche steel" (9 February 2011), at <<http://www.piie.com/blogs/nk/?p=227>> (searched date: 10 February 2011).

relations with China. If the USA could negotiate not just a *modus vivendi* but also a many-sided cooperation with two giant adversaries, can it not do the same with a relatively weak actor such as North Korea?

Kennedy would not negotiate from weakness, but surely the USA is not weak relative to North Korea. When Pyongyang's leaders call for negotiations, they may be bluffing. Given the problems besetting them, however, the North's elites may hope to survive and prosper by joining the world instead of remaining a hermit kingdom. Why not explore and promote this possibility?

Bottom Lines

“We are good and they are bad” is an overly simplistic and dangerous approach to foreign affairs. But it is also often untrue and dangerous to assume that all actors are equally flawed. Whether or not Kim Jong-il and his cohorts are intrinsically evil, many of their actions at home and abroad violated widely approved standards of behavior. All this presents a dilemma for those who would build bridges. An unscrupulous actor may smile and then exploit any concessions made to assault the peacemaker. Neither cynics nor martyrs can win in situations like the game theory exercise of Prisoner's Dilemma. The winning strategy is tit-for-tat – meet tough moves with toughness but reciprocate immediately any conciliatory move.³⁰ Cynics are blind to what may be positive in relationships; martyrs, to what is negative. Rather than this false choice of either-or, we need what Joseph S. Nye, Jr. calls “smart power” – a wise and skillful blend of hard and soft power resources.³¹

As Niebuhr might put it, we must recognize the motes in our own eyes but also confront the greater evils on the world stage. If we side with St Augustine against the Manicheans, we will avoid self-righteousness and cultivate empathy. We may find grains of humanity inside the hardest hearts. Even Stalin was touched by Roosevelt's illness at Yalta.³²

A black-and-white view of the world ignores what complexity theory tells us about international relations. It is not just a complicated but also an interactive, non-linear process. Many moves by leaders in Pyongyang are shaped in part by their perceptions of the USA and other actors. It may seem that the DPRK system endures without change, but we may be watching a pattern of punctuated equilibrium. A long period of apparent stasis may give way suddenly to radical shift up or

30. Robert M. Axelrod, *The Evolution of Cooperation*, rev. ed. (New York: Basic Books, 2006).

31. Nye's most recent work on this topic is *The Future of Power* (New York: Public Affairs, 2011). Also see Nye, “The U.S. can reclaim ‘smart power’,” *Los Angeles Times* (21 January 2009), at <<http://www.latimes.com/news/opinion/commentary/la-oe-nye21-2009jan21,0,3381521.story>> (searched date: 12 October 2011).

32. A. A. Gromyko, *Pamiatnoe*, 2 Vols (Moscow: Politizdat, 1988), Vol. 1, p. 186.

down. As in a sand pile, one more grain may trigger a collapse – or a change for the better.³³

Reconciliation of seemingly irreconcilable differences is sometimes possible. Even though China was still undergoing its Great Proletarian Cultural Revolution, Henry Kissinger and Zhou Enlai talked for hours in 1972, apparently enjoying each other's company, and drafted the Shanghai Communiqué that permitted the parties to cooperate while disagreeing about their differences. Jimmy Carter reached an accord with Kim Il-sung in 1994. Madeleine Albright reported some meeting of minds with Kim Jong-il in 2000. Most Asians esteem the total relationship – the entire context – around the negotiation and any accord. **The successful agreements reached by Kissinger and Carter assumed that successful diplomacy is not a zero-sum struggle but a quest for mutual gain.**

How we deal with evil regimes and their actions will shape not only our own narrow interests but also those of all humanity – indeed, of all life. But there is a standard to guide us through this maze. As Sakharov understood so well, peace is the *sine qua non* for everything else. It follows that if a cruel dictatorship is willing to negotiate security arrangements likely to limit arms competition and make war less likely, democratic governments should engage and seek verifiable arrangements.

Terms for a Grand Bargain

Some six decades since the Korean War, the key players in Northeast Asia need to supplant the 1953 armistice with a viable peace treaty. Failure to sign a peace treaty leaves the door open to renewed hostilities. Hardliners strut and shout across the stage. Each player finds cause to distrust the others. Duplicity and double dealing have been common – not only between Communist and non-Communist players, but also among nominal allies in Pyongyang, Moscow, and Beijing. The North asserts that the South's maneuvers with US forces are provocative. The South fumes that its citizens and property have been attacked. All parties need to cool their self-righteousness and try to view things from the standpoints of the other parties.

Hopes for peace rise and fail, but several developments in 2011 suggested that Korea could become a zone of peace rather than a crucible for war. The six main actors needed to create a grand bargain that meets each party's security needs and improves its economic prospects. For starters, any accommodation must accept the reality of two Korean states. **So long as Pyongyang and Seoul see themselves in a win-or-lose struggle, neither can contemplate a closer union or even a confederation.**

33. See, for example, the essays in Neil E. Harrison, ed., *Complexity in World Politics: Concepts and Methods of a New Paradigm* (Albany: State University of New York Press, 2006); Melanie Mitchell, *Complexity: A Guided Tour* (New York: Oxford University Press, 2009).

Peace in Korea will require major changes in the NLL in the West (Yellow) Sea. Yes, the 1953 Armistice Agreement gave South Korea five islands close to North Korean coasts. But the NLL was established by the United Nations *after* the armistice spawns conflict. An international mediator would probably say that it violates customary international law. Instead of following the southwest trajectory of the demilitarized zone on land, the NLL curves northward. It leads to disputes over fishing rights and complicates shipping lanes for both North and South.

North Korea for decades has sought direct negotiations with the USA. Provided that Washington stands by South Korea, the USA should officially recognize its long-time adversary. Diplomatic recognition does not imply approval. An exchange of embassies can improve understanding and communication. Despite East Germany's repressive regime, the USA and West Germany recognized the German Democratic Republic in 1973. Seventeen years later, the two Germanys became one.

Pyongyang's leaders want security for themselves and for North Korea. But if the North's arsenal expands, South Korea, Japan, and Taiwan may take countermeasures that cascade from China to India to Pakistan. Meanwhile, North Koreans' living standards continue to deteriorate. More North Koreans are fleeing. Despite the regime's slogan of self-reliance, the North needs aid and access to the world's stocks of knowledge and opportunity, not to mention energy and food.

North Korea now has a small nuclear arsenal that Pyongyang will not abolish except for substantial rewards. The price seemed right in 1994 when Pyongyang halted plutonium production in exchange for US promises of heavy fuel oil and two light water reactors. This "agreed framework" endured for eight years until the Bush Administration broke off negotiations and positioned North Korea on an "axis of evil."

Sometimes things get worse before they get better. Stepping back from the Cuban brink, John F. Kennedy and Nikita Khrushchev in 1963 set up a hot line, restricted nuclear testing, and increased trade. All the players in Northeast Asia should recall the US-Soviet model and shift from confrontation to détente by steps both small and large . . .


Here is an outline for resolving conflicts in Northeast Asia:

- Establishment of diplomatic relations between the USA and DPRK and between the ROK and the DPRK
- A peace treaty ending the Korean War signed by Washington (for the UN), Seoul, Pyongyang, and Beijing
- Reaffirmation that all of Korea is a nuclear-weapons free zone; dismantlement of nuclear weapon assets verified by the International Atomic Energy Agency; and renewed commitment by all parties to the Nuclear Nonproliferation Treaty
- The USA agrees to supply fuel oil and electric power facilities to the North equal to those pledged in the 1994 Agreed Framework

- The DPRK permits direct foreign investment and business operations and reaffirms the property rights of all ROK enterprises established in the North
- All parties, including Japan and Russia, agree to share their resources and know-how with the North and to facilitate DPRK participation in international trade and banking organizations
- The ROK and DPRK agree to reduce all branches of their armed forces by 50 percent in stages from 2011 to 2015
- An end to all sanctions against the DPRK by the UN and by the USA and its partners
- Establishment of a demilitarized zone in waters off both Koreas in which neither bases nor maneuvers are permitted. The ROK retains the five islands awarded to the South in 1953, but fishermen from North and South may operate in the West Sea up to the waters under Chinese jurisdiction. Seoul and Beijing reconcile their claims to Ieo-do and surrounding waters
- The DPRK and ROK agree to exchange thirty graduate students each year starting in 2012 and to expand joint cultural and athletic activities
- The demilitarized zone becomes a World Heritage Site to preserve its natural bounty.

Besides these formal commitments, the parties agree to cut back on hostile propaganda; step up family exchanges between North and South; and establish a joint facility to process and distribute fish from the West Sea.

Each concerned country will challenge aspects of this accord. On reflection, each should perceive that it will gain from the package and that no better deal is available.

Can the six parties negotiate a grand bargain? Yes, they can, should, and must. 

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