

When Bad Behaviour Pays: North Korea and the Global Nuclear Order

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ABSTRACT

This thesis analyses the state behaviour of the Democratic People's Republic of Korea (North Korea/DPRK) with respect to international order, focusing upon the global nuclear order. In so doing, this thesis argues that North Korea, under certain circumstances, engages in behaviour that breaks the rules of international order and the nuclear order owing to the benefits that may be gained. Although existing literature in International Relations argues how norm-breaking behaviour within international society is met with opprobrium and the infliction of negative status, such scholarship overlooks the idea that deviant behaviour can, in fact, catalyse positive outcomes. In making this argument, this thesis pioneers the novel framework of strategic delinquency, which, at its core, focuses on three types of delinquent behaviour – provocations; norm-transgression; deception – that can be exercised in pursuit of particular material and social benefits: material benefits comprise deterrence, regime survival, and economic assistance; social benefits relate to three types of recognition, namely recognition as a sovereign, equal, and exceptional actor.

Through engaging in extensive documentary analysis, as well as in-depth elite interviews of senior US and South Korean officials directly involved in negotiations with North Korea, this thesis seeks to illuminate the repertoire of behaviour in which North Korea has engaged, and the benefits received, across three time periods: the 'first nuclear crisis' of the 1990s, the 'second nuclear crisis' of the 2000s, and the most recent actions of the DPRK under Kim Jong-un, particularly in the context of the Trump administration. The findings of this thesis carry important theoretical and policy implications. With respect to the former, it challenges existing conceptualisations of status in scholarship, which posit how positive outcomes for states are predominantly a result of conformity with dominant systemic norms. With respect to policy,

this study has broader consequences on the current stagnant dialogue between Washington and Pyongyang, and between the two Koreas. Of note, for any dialogue to bear fruit, the importance of understanding how North Korea conceptualises international order, and its place with it, cannot be overstated.

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Conclusion

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ABBREVIATIONS

AF	Agreed Framework
CCP	Communist Party of China
CIA	United States Central Intelligence Agency
CTBT	Comprehensive Test Ban Treaty
CWIHP	<i>Cold War International History Project</i>
DNI	Director of National Intelligence (United States)
DPRK	Democratic People's Republic of Korea (North Korea)
FMCT	Fissile Material Cut-off Treaty
HEU	Highly enriched Uranium
HIA	Hoover Institute Archive
HPPA	Wilson Center History and Public Policy Program Archive
HST	Public Papers of President Harry S. Truman
IAEA	International Atomic Energy Agency
ICBM	Intercontinental Ballistic Missile
INF	Intermediate-Range Nuclear Forces Treaty
JCPOA	Joint Comprehensive Plan of Action
KCBN	<i>Korean Central Broadcasting Network</i>
KCNA	<i>Korean Central News Agency</i>
KPA	Korean People's Army
LRBM	Long-range Ballistic Missile
NKIDP	<i>North Korea International Documentation Project</i> (Wilson Center)
NSA	United States National Security Agency
NWS	Nuclear Weapon States (according to the NPT)

NNWS	Non-Nuclear Weapon states (according to the NPT)
NPT	Nuclear Non-Proliferation Treaty
NYT	<i>The New York Times</i>
ODI	Office of the Director of National Intelligence
PDS	<i>Pyongyang Domestic Service</i>
PTBT	Partial Test Ban Treaty
PRC	People's Republic of China
PT	<i>The Pyongyang Times</i>
ROK	Republic of Korea (South Korea)
RS	<i>Rodong Sinmun</i>
SALT	Strategic Arms Limitation Talks
SLBM	Submarine Launched Ballistic Missile
SRBM	Short-range Ballistic Missile
SPT	Six-Party Talks
START	Strategic Arms Reduction Treaty
TPNW	Treaty on the Prohibition of Nuclear Weapons
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
USDS	U.S. Department of State
USDT	U.S. Department of the Treasury
WH	<i>The White House</i>
WP	<i>The Washington Post</i>
WPK	Workers' Party of Korea

Note

All spellings of Korean words follow the Revised Romanization system, including for common words and names, such as *Kim Il-sung*, *Kim Jong-il*, and *Kim Jong-un*.

INTRODUCTION

States behaving badly: the curious case of North Korea

“We will continue to launch missiles until the Americans stop provoking our country.”

In a hotel room in Kampala, Uganda, on 4 July 2017, three North Korean arms dealers gingerly sit opposite an ‘investor’ and his accomplice. The subject of the meeting: a plan to secure foreign investment for the construction of an underground factory on a remote island off the Ugandan coast. Once constructed, the factory would produce nuclear weapons and methamphetamine, manufactured by North Korean workers sent from Pyongyang. These products would be sold to other ‘rogue’ states. In return, North Korea would receive the earnings, as well as oil smuggled from Russia, commandeered by a business partner in Jordan; the latter being a much-desired commodity given the increased stringency of recent United Nations Security Council sanctions on oil imports to the Democratic People’s Republic of Korea (hereafter North Korea/DPRK).

Whilst a staged event, as part of a 2020 documentary by Danish film director, Mads Brügger, this scenario presents but one insight into the startling reality of North Korea’s engagement in clandestine trade networks, not least in nuclear arms, and its violation of the rules of international order.¹ Earlier that same day, the DPRK launched its first intercontinental ballistic missile (ICBM), a *Hwasong-14* – ranging approximately 10 000 kilometres – capable of striking the US mainland.² In response, the Kim regime hailed the state’s status as “a full-

¹ The ‘investor’ and his ‘accomplice’ were, in reality, actors. See: *The Mole*, available at: <https://www.bbc.co.uk/programmes/p08tqd6q> [Last Accessed 10 January 2021]

² North Korea has codenamed several of its short, intermediate, and long-range missiles with the name *Hwasong*, which can be translated as “Mars”, or, literally, “fire star.”

fledged nuclear power that has been possessed of the most powerful inter-continental ballistic rocket capable of hitting any part of the world.”³

Back in Kampala, upon the investor mentioning the launch, a North Korean dealer grins and responds indifferently: “we will continue to launch missiles until the Americans stop provoking our country.” Although this mantra has been repeated *ad nauseam* by the North Korean regime to justify its nuclear development, such claims should not be dismissed as mere rhetoric.

The study of North Korea

The mere mention of North Korea in conversation undoubtedly elicits curiosity and intrigue. The regime-state has generated immense fascination for scholars and policymakers since its inception in 1948.⁴ The great essayist, Christopher Hitchens, described the North Korean people as “living in the dark, kept in perpetual ignorance and fear, brainwashed into the hatred of others, regimented and coerced and inculcated with a death cult.”⁵ Hitchens’ rightly disparaging assessment of the domestic situation in the DPRK captures a commonly-characterised but not erroneous understanding of the regime-state. Across scholarship, policymaking, and popular perceptions, countless labels have been attached to North Korea, its leadership, and people, over the years. The regime-state has been depicted as a hermit kingdom,⁶ a rogue state and outlier to international order,⁷ as well as “one of the most efficient

³ KCNA, ‘Report of DPRK Academy of Defence Science’, 4 July 2017

⁴ This thesis refers to the DPRK as a *regime-state*, as Howell (2020a) mentions. The tight coupling of the regime and state means that the survival of the state in its status quo form refers, concurrently, to the survival of the ruling regime. The term *regime-state* is particularly pertinent vis-à-vis the DPRK given how the regime is so prominent in cultivating domestic support and directing the state’s foreign policy, not least nuclear development. The coupling of the regime and state is especially prevalent in authoritarian regimes, such as the People’s Republic of China, which has frequently been termed a ‘party-state’, see Nathan (2003).

⁵ Hitchens (2012:558)

⁶ Kihl & Kim (2003:13).

⁷ E.g. Bleiker (2008); Litwak (2012); Saunders (2006)

totalitarian regimes existing in the world.”⁸ Yet, these labels only shed light on part of the enigma that is the DPRK.

The totalitarian regime continues to exert oppressive ideological and physical control upon its population; its egregious human rights violations have been harrowingly recounted by defectors, corroborated by a damning UN Commission of Inquiry (COI) report in 2014. At the same time, Pyongyang continues to engage in costly nuclear and missile development, illicit arms and drug trade, and sanctions evasion.⁹ To characterise North Korea as a problem for the international community would be a vast understatement. Thus, how might we gain a more in-depth understanding of North Korea’s nuclear behaviour?

In relation to extant analyses on North Korea, B.R. Myers laments how “by far the most common mistake, however, has been the projection of Western or South Korean values and common sense onto the North Koreans. For example: having been bombed flat by the Americans in the 1950s, the DPRK *must* be fearful for its security, it *must* want the normalization of relations with Washington.”¹⁰ As this thesis will contend, such a pessimistic assessment is only partially accurate: in fact, North Korea *does* desire, and *has*, in the past, sought normalisation of relations with the United States, whilst concurrently strengthening its nuclear programme.

However, Myers’ claim is not entirely inaccurate. To gain a richer understanding of how North Korea behaves vis-à-vis the global nuclear order, and for what goals, we need to recognise how North Korea conceptualises international order and its position within it – within which lies

⁸ C-S. Lee & N-S. Kim (1970:309)

⁹ For rigorous analysis on North Korea’s clandestine trade networks, see: Chestnut (2007); Asher (2006).

¹⁰ Myers (2010:8, emphasis original)

the global nuclear order – and how the regime-state behaves in response to such positioning. In so doing, this thesis proffers a North Korea-centric outlook on international order. Does the young leader, Kim Jong-un, have little choice in engaging in bad behaviour given the circumstances he has inherited, whereby North Korea relies on a conflicting relationship with the United States, to justify its very existence?

Crucially, however, and what must be outlined from the outset of this thesis, is that adopting a North Korea-centric approach towards understanding its behaviour vis-à-vis international order does not equate to showing support or sympathy for the North Korean regime.

The research question, puzzle, and argument

At its core, this thesis focuses on one facet of North Korea, namely its acquisition and development of nuclear weapons. This thesis asks whether it is possible to analyse North Korea's behaviours with respect to the global nuclear order and wider international order. What follows is an argument that posits how although it is difficult to analyse the precise motivations behind North Korea's behaviour in a causal vein, *it is possible to shed light on how the DPRK engages with the global nuclear order through the pursuit of delinquent behaviour.*

A puzzle underpinning this study is that the quest for nuclear weapons brings both security and insecurity to the DPRK. As this thesis will show, the DPRK has repeatedly stressed how its nuclear development has deterrent value for sustaining regime survival. Concurrently, North Korea's nuclear possession has conferred international opprobrium and negative status upon the DPRK, not least from the United States. Despite this opprobrium, the regime-state has expressed its desire to be “welcomed by the international community”, as Kim Jong-un stressed

in 2019, whilst continuing to maintain its nuclear ambitions.¹¹ Indeed, North Korea will not abandon its nuclear weapons without getting something in return.

In brief, the core argument proffered by this thesis is that in the case of North Korea, bad behaviour with respect to the global nuclear order can bring – and has brought – payoffs. This thesis seeks to understand how, under what conditions, and through what behaviours, such payoffs have been realised. Whilst nuclear weapons, human rights violations, and sanctions imposition may be a “cocktail of hamartia” for any state,¹² North Korea has managed not just to “muddle through”¹³ but to engage with the nuclear order strategically, pursuing its nuclear ambitions under the material constraints of sanctions, and the social constraints of negative status, whilst, in so doing, reaping benefits.

To assist in understanding North Korea’s behaviour vis-à-vis the global nuclear order, this thesis pioneers the framework of strategic delinquency. Prior to outlining this framework, however, it is important to understand the foundations of the order itself.

The global nuclear order

Not unlike international order, the global nuclear order is a social order.¹⁴ First invoked – but not defined – by Mandelbaum in 1977, one definition of the nuclear order refers to “the international order developed to address the distinctive set of problems, issues and goals

¹¹ RS, ‘New Year Address of Supreme Leader Kim Jong Un for 2019’, 1 January 2019.

¹² With thanks to Alex Fleming-Brown for this aphorism.

¹³ Noland (1997) uses this term to describe the DPRK’s survival throughout the famine of the late 1990s.

¹⁴ Drawing on the English School, Alagappa (2003:39) defines international order as “a[n] historical process in which intersubjective understandings and their translations into institutions are reached through struggle, conflict, accommodation, and cooperation.” Realist definitions of order focus almost exclusively on the balance of power within the anarchic states-system, see: Waltz (1979); Gilpin (1981). For English School perspectives, see: Bull (1977[2003]:3-4); Hurrell (1998, 2007); Foot & Walter (2011:3); Chan (1999:197).

associated with nuclear technology.”¹⁵ At the heart of the order lies the Nuclear Non-Proliferation Treaty (NPT), which bifurcates signatories to the Treaty into nuclear weapons states (NWS) and non-nuclear weapons states (NNWS).¹⁶ According to the NPT, NWS comprise those states which tested a nuclear device before 1 January 1967. Whilst there are five NWS – the United States, France, China, Russia, and the United Kingdom – there are also four additional nuclear-armed states, namely India, Israel, Pakistan, and North Korea. The NWS are also the permanent member states of the UN Security Council, and thus are institutionalised as the custodians of the global nuclear order and wider international order.¹⁷

Whilst NWS are permitted by the NPT to possess nuclear weapons, this right is not bestowed upon NNWS or non-NPT signatories, who must accede to the Treaty on the condition that they do not develop weaponised nuclear capabilities. In so doing, nuclear weapons states pledge to pursue nuclear disarmament, and share peaceful nuclear technology with their non-nuclear counterparts.¹⁸ Thus, the global nuclear order is not limited to material conceptualisations, such as regarding which states can and cannot possess nuclear arms. Social questions pertaining to the order’s bifurcated nature, vis-à-vis the higher social status occupied by NWS as legitimate possessors of nuclear weapons, in contrast to NNWS, are also raised.¹⁹ Beyond the NPT, India, Pakistan, and Israel have not acceded to the NPT, whilst North Korea remains, at the time of writing, the only state to have joined the Treaty – in 1985 – and subsequently withdrawn in 2003. Iran signed and ratified the NPT in 1970, but was found in non-compliance with its NPT obligations. What is surprising, however, is that scholarship on the nuclear order has rarely been narrated from the localised perspectives of marginalised actors, or so-called ‘rogue’

¹⁵ Walker (2012:10). Cynically, Kapur (1996:420) defines the nuclear order as being “more imagination and rhetoric than reality.”

¹⁶ For a comprehensive evolution of the nuclear order, and China’s place within it, see Horsburgh (2015)

¹⁷ Bukovansky *et al.* (2012:70-72); Walker (2000:729); Roberts (2007:529); Horsburgh (2015:18); Paul (2003).

¹⁸ See: Article IV of the NPT.

¹⁹ Further treatment of the global nuclear order will be given in Chapter One.

nuclear states, of which the DPRK is one example.²⁰ Doing so is a pressing task, given the challenge posed by North Korea's nuclear behaviour to the stability of the nuclear order, and the need to develop international policy in addressing the North Korean nuclear threat. Yet, what is delinquent behaviour, and how does this thesis challenge existing understandings postulated in scholarship?

Delinquent behaviour, status, and international relations

Delinquency comprises “acts, the detection of which is thought to result in the punishment of the person committing them by agents of the larger society.”²¹ A delinquent “makes of deviance a way of life...[and] organizes his identity around a pattern of deviant behaviour.”²² Deviant behaviour “violates institutionalized expectations...which are shared as legitimate within a social system.”²³ For an action to be delinquent or deviant, it must transgress established norms and conventions of behaviour that are accepted as legitimate within a particular social system.

Within the social system of international relations, deviant behaviour thus departs from expected and acceptable norms. This thesis adopts Krasner's definition of norms as “standards of behaviour defined in terms of rights and obligations,”²⁴ together with the constructivist definition of Finnemore and Sikkink, whereby a norm is “a standard of appropriate behavior for actors with a given identity.”²⁵ Scholarship within International Relations (IR) suggests that

²⁰ The term *rogue*, in reference to North Korea, was catalysed by President Bush's ‘axis of evil’ statement in 2002. Following the removal of the DPRK as a State Sponsor of Terrorism (SST) in 2008, the term declined in usage, but revived following President Trump's redesignation of the DPRK as a SST on 20 November 2017.

²¹ Hirschi (1969:47)

²² Becker (1963:30)

²³ Cohen (1969:462)

²⁴ Krasner (1983:2)

²⁵ Finnemore & Sikkink (1998:891)

the dominant norms of international society are set by those actors with the highest social status and greatest material power.²⁶ Norms become dominant because they are created and institutionalised by great powers, and intersubjectively accepted as dominant by other powers. This notion is epitomised, *inter alia*, in the norm of nuclear non-proliferation, whereby the Nuclear Non-Proliferation Treaty (NPT) was created in 1968 between the then-great powers of the US and Soviet Union (USSR).²⁷

Thus, the abrogation of institutionalised norms is particularly consequential for how a state is perceived by the international community.²⁸ As extant literature argues, conformity with dominant norms of international society bestows states with positive status. In contrast, behaviour that deviates from these norms should, in theory, inflict opprobrium, stigmatisation, and negative status. Scholarship posits how rising powers can elevate their status within a social order through deploying behaviour such that they may be seen – by other states – as global leaders. China and Russia have been the subject of considerable attention in this regard.²⁹ A further strand of scholarship focuses upon ‘small states.’ Despite not seeking great power status, these states can enhance their standing through exercising ‘moral’ or ‘do-gooder’ behaviour, such as by acting as mediators of interstate conflict, of which Norway is one example.³⁰

Nevertheless, even within this latter body of scholarship, two areas remain overlooked. Firstly, the potential for smaller states on the margins of international society to challenge and reframe

²⁶ E.g. Hurd (2007); Simpson (2004); Clark (2014); Pu (2012); Suzuki (2008); Buzan (2004). For a realist perspective on how international order is only legitimate once its norms are acceptable to great powers, see Kissinger (1977).

²⁷ Clemens (2010); Panofsky & Bunn (1994); Perkovich (1993)

²⁸ Larson & Shevchenko (2014a, 2014b); Murray (2019).

²⁹ E.g. Larson & Shevchenko (2010, 2014a, 2014b, 2019a); Clunan (2009)

³⁰ Wohlforth *et al.* (2018); de Carvalho & Neumann (2014)

dominant norms within international order. Secondly, concentrating analysis on ascendant, positive status within a social or material hierarchy leaves the notion of negative status underexplored, particularly that negative status – arising from norm-deviant behaviour – can bring benefits to states. This thesis seeks to explore these latter omissions with respect to the case of North Korea, the global nuclear order, and wider international order.

North Korea, nuclear weapons, and bad behaviour

The North Korean regime has frequently emphasised that its nuclear ambitions are purely for self-defensive, deterrent purposes. Pyongyang has routinely flouted the core norms of the global nuclear order, namely non-proliferation and nuclear restraint, even during its membership of the NPT. The NPT outlines how any non-nuclear state agrees “not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.”³¹ Nevertheless, even whilst a member of the NPT, the DPRK engaged in covert development of plutonium and highly enriched uranium (HEU), and clandestine nuclear exchange with Pakistan, Syria, and Libya.

Despite repeated international condemnation for its behaviour, as well as fundamental changes in the geopolitical environment catalysed by the collapse and reform of its Cold War communist allies, the DPRK has continued to pursue behaviour that diverges from norms of good conduct in international relations. Yet, North Korea has also, at times, exercised compliant behaviour, in particular, feigned compliance with the global nuclear order. For instance, it pledged to freeze nuclear production in 1994 and 2005 – albeit in return for benefits

³¹ Article II, Treaty on the Non-Proliferation of Nuclear Weapons.

– announced a moratorium on missile and nuclear testing in 2017, and stressed it would “never use nuclear weapons nor transfer nuclear weapons...unless there are nuclear threat[s]...against the DPRK.”³² This oscillation between delinquent and compliant behaviour complicates the puzzle of this study. If bad behaviour should, in theory, generate social and material costs for states, how might we understand the pursuit of delinquency by North Korea? A brief answer to this question might posit that delinquent nuclear behaviour increases the DPRK’s deterrent capabilities, but, as this thesis will argue, this answer is simplistic and far from sufficient.

In determining particular types of behaviour as delinquent with respect to the DPRK, however, it is important to recognise that North Korea may not perceive such actions as *bad*. As this thesis will demonstrate, North Korea has framed its behaviour in response to what it deems to be a “hostile policy” emanating from the United States, and reflected in the wider international order, which, according to Pyongyang, aims to “create the conditions for forcing the DPRK to drop arms and toppling its social system.”³³ In just one example, the DPRK exacerbated bellicose rhetoric following its first nuclear test in October 2006.³⁴

Through exercising what this thesis terms ‘strategic delinquency’, this thesis argues how, over a series of so-called ‘crises’, commencing in the early 1990s, North Korea has learned the value of transgressing dominant international norms in anticipation of the social and material payoffs that may arise. Bad behaviour can bring dividends, despite North Korea’s marginalised status as a ‘weak power’ in international relations. Yet, the regime-state does not always behave delinquently, rather it engages in a repertoire of delinquent and compliant behaviours in a

³² RS, New Year Address of Supreme Leader Kim Jong Un for 2019, 1 January 2019.

³³ MFA, ‘Supreme Leader Kim Jong Un Makes Policy Speech at First Session of 14th SPA’, 13 April 2019. Detailed analysis of the “hostile policy” is provided in Chapter One.

³⁴ KCNA, ‘Withdrawal of U.S. Hostile Policy towards DPRK – Indispensable Prerequisite for Peace and Stability on Korean Peninsula: Institute for Disarmament and Peace of DPRK Foreign Ministry’, 25 June 2020.

strategic fashion, to mitigate the costs of deviant behaviour without compromising on its national interests. What is crucial to understand is that North Korea has sought, and continues to seek two simultaneous but conflicting goals, which remain unacceptable for international society: first, the development of nuclear capabilities; secondly, social acceptance within international society as a *de facto* nuclear state, and respect as a significant power.

By shedding light on the DPRK's pursuit of delinquent behaviour, this thesis presents a new framework of strategic delinquency. As will be outlined in subsequent chapters of this thesis, this framework seeks to enrich understandings of North Korea's behaviour vis-à-vis international order, to show how the DPRK has, and does seek a negative position within the order, given the payoffs that can be reaped. In so doing, this makes a twofold contribution to scholarship within International Relations, and North Korean Studies respectively.

The study of North Korea: theoretical approaches

Scholarship on North Korea's nuclear programme, within IR and Political Science, has become dominated by neorealism's focus on the role of deterrence, the security dilemma, and so-called rational-actor behaviour, arguments which gained popularity in the immediate post-Cold War era.³⁵ It may be appealing to assert, as realist arguments posit, that nuclear weapons allow North Korea to sustain its regime through maintaining nuclear deterrence against the US.³⁶ Such an elementary conclusion, however, provides only a partial understanding of the DPRK's behaviour and domestic and foreign policy goals. Deterrence-based explanations only shed limited light on why states engage in delinquent behaviour with respect to international order,

³⁵ E.g. Frankel (1993); Davis & Frankel (1993); Mearsheimer (1990); Deutsch (1992)

³⁶ For seminal realist works vis-à-vis deterrence theory, see Brodie (1946, 1959); Schelling (1966); Waltz (1981); Mearsheimer (1984); Gaddis (1989); Achen & Snidal (1989).

not least after having acquired weaponised nuclear capabilities. Certainly, the DPRK values deterrence and domestic stability, but central to North Korea's outlook on international order is how it engages with the order in social, and not simply material, terms. As John Swenson-Wright argues, realist approaches overlook the "genuinely social dimension of human activity" within international relations.³⁷ Thus, understanding international order, within which lies the nuclear order, from a social constructivist perspective, in terms of "how social kinds are put together"³⁸ is particularly salient with respect to the "social kind" of the North Korean regime-state.

Beyond realist security concerns, domestic economic interests,³⁹ role identity factors,⁴⁰ the allure of incentives,⁴¹ as well as cognitive, psychological factors,⁴² also explain why some states choose to nuclearise and resist the nonproliferation norm, and others choose to comply.⁴³ Reflective approaches, such as put forth by social constructivism and the English School, focus on how the socialisation pressures of international norms may induce states to comply with dominant norms – for instance nuclear non-proliferation norms – owing to the value of recognition as a norm-abiding actor in international relations.⁴⁴ Yet, this notion is challenged, however, by the behaviour of the DPRK, which has sought payoffs from precisely the obverse, namely breaching international norms of good behaviour. As social constructivists highlight, state identities and preferences are contingent upon interstate interactions,⁴⁵ the resultant

³⁷ Swenson-Wright (2005:15)

³⁸ Wendt (1998:103)

³⁹ Solingen (2007, 2013)

⁴⁰ Chafetz *et al.* (1996); Hymans (2006)

⁴¹ Montgomery (2005)

⁴² Ogilvie-White (1996)

⁴³ Chafetz *et al.* (1996:739) postulate how Ukraine's initial retention but subsequent relinquishment of nuclear weapons post-Cold War can be attributed to the state's changing perception of its role as a regional protector of Eastern Central Europe, following the collapse of the Warsaw Treaty Organization in 1991.

⁴⁴ Larson & Shevchenko (2019); Neumann (2008); Pouliot (2014); Clunan (2009); Goldgeier & Tetlock (2001)

⁴⁵ See: Adler-Nissen & Tsinoi (2019:7); Wæver (2002); Hansen (2006).

intersubjective meanings imbued within them,⁴⁶ and how notions of status evolve as a result of changing interstate interactions.⁴⁷ When a state is compared “as inferior or superior to other states by means of norms”,⁴⁸ it may seek to elevate its place within international society, owing to, *inter alia*, a need to compensate for past instances of humiliation at the hands of great powers, as Clunan posits.⁴⁹ North Korea is no exception to this logic, particularly in how it seeks to portray itself as being victimised by an international order exemplified in the US “hostile policy.” Yet, what existing scholarship overlooks is *how* North Korea responds to its marginalised position within international society through delinquent behaviour.

Constructivist scholarship complements realist approaches by interrogating the notion that states may pursue status through aggressive means if they are not accorded with the treatment – from other states – concomitant with that which they think they deserve.⁵⁰ In response, states may seek to remedy these status discrepancies by pursuing status more proactively, such as through emulating higher-status states – for instance, rising powers – materially and socially.⁵¹ North Korea offers a useful example, however, of a state that has gone against this latter assumption, whose pursuit of benefits, including status, occurs through delinquent rather than ‘do-gooder’ behaviour.⁵²

⁴⁶ Wendt (1992, 1999)

⁴⁷ Hopf (2012:18) draws on Moravcsik’s (1997:515, 524) “ideational liberalism”, which posits how identities are an important variable behind state behaviour if they concern “the scope and nature of public goods provision.”

⁴⁸ Towns & Rumelili (2017:757)

⁴⁹ Clunan (2014b). For the influence of China’s ‘century of humiliation’ on contemporary foreign policy, see Callahan (2004, 2010).

⁵⁰ Wolf (2011). Gurr’s (1970) “relative deprivation” thesis highlights the disparity between an individual’s “value expectations” and “value capabilities” as a precursor to individuals airing their grievances openly. The former refers to goods or privileges to which an actor may *think* they are entitled; the latter, to those they think they can obtain owing to their social position.

⁵¹ Wohlforth *et al.* (2018:532)

⁵² The term ‘do-gooder’ was coined by Wohlforth *et al.* (2017:6)

The study of North Korea: existing scholarship

There is a wealth of literature analysing North Korea – particularly in the disciplines of North Korean Studies, and Political Science – from domestic and international perspectives, focusing predominantly upon the domestic and foreign policies of the regime-state, its nuclear programme, and human rights violations. Analysis of North Korea at the domestic level is largely clustered around the evolution of domestic policy and governance from the inception of the regime-state, under Kim Il-sung, to the contemporary era of Kim Jong-un.⁵³ Scholarship has revolved around the state ideology of *juche*, and its influence – or lack of – on North Korean society and politics.⁵⁴ There is also burgeoning scholarship on the DPRK’s human rights violations. Sandra Fahy, for example, has undertaken vivid and rigorous interrogation into the DPRK’s human rights abuses, particularly during the famine of the mid-to-late 1990s, and in light of the UN COI Report in 2014.⁵⁵ A smaller strand of literature has attempted to understand the effect of domestic stakeholders on North Korea’s nuclear ambitions.⁵⁶ Daniel Pinkston posits how domestic interest groups of “the Korean Workers Party elite and the National Defence Commission have the greatest influence over missile development policy.”⁵⁷ Yet, rarely has North Korea’s nuclear programme been analysed from a social perspective, intersecting the domestic and international spheres.

Extant scholarship on North Korea’s nuclear programme, from an international perspective, has adopted a predominantly materialist outlook, emphasising the DPRK’s desire for regime security, and the deterrent role of nuclear weapons for a state that perceives its place within

⁵³ Oh & Hassig (2000); McEachern (2010); Lankov (2015); Gause (2015). For accounts of Kim Jong-un, see Fifield (2019); Pak (2020).

⁵⁴ For a critical treatment of *juche*, see Myers (2010, 2015).

⁵⁵ Fahy (2015, 2019).

⁵⁶ Hayes & Bruce (2011); Habib (2011); Pinkston (2003); Howell (2020a).

⁵⁷ Pinkston (2003:11).

international order to be under threat.⁵⁸ As Miller and Narang posit, espousing a realist perspective, “according to most theories of nuclear proliferation, North Korea did not stand much of a chance of successfully acquiring nuclear weapons. As an economically backward, neopatrimonial regime subject to the threat of preventive strikes and war, North Korea should have failed.”⁵⁹ North Korea has, however, defied these odds: it has not “failed”, but developed nuclear ambitions such that some scholars have concluded that the international community has little choice but to live with a nuclear North Korea.⁶⁰

Thus, existing analyses of North Korea have elucidated two key findings regarding the DPRK’s delinquent behaviour, upon which this thesis seeks to expand. First, North Korea’s provocations tend to increase in frequency and intensity when bilateral and multilateral negotiations are not taking place. As Lisa Collins argues with respect to the period from 1990 to 2017, “diplomacy does seem to have some restraining effect on the number of provocations.”⁶¹ Yet, such analysis does not go far enough in uncovering the logic underpinning North Korea’s behaviour. This thesis offers one attempt to understand this logic in material and social dimensions.

Secondly, the DPRK has made instrumental use of its nuclear programme for brinkmanship and bargaining purposes, particularly when negotiations with the United States do take place.⁶² Scholarship, particularly in a realist vein, has presented North Korea as a ‘crucial case’ in support of nuclear deterrence, whereby the “North Korean nuclear challenge is now best

⁵⁸ Cha (2012); Cha & Kang (2018); Armstrong (2013); Cumings (2005); Narang (2015). For analysis of North Korea’s nuclear development under Kim Jong-un, see Panda (2020).

⁵⁹ Miller & Narang (2018:59)

⁶⁰ For these views, see, e.g.: Lee (2009); Lankov (2009, 2016); Lei (2018); Dalton (2020).

⁶¹ L. Collins (2017)

⁶² Jackson (2016); Pacheco Pardo (2014)

thought of as a deterrence problem rather than a denuclearization one.”⁶³ That said, as has been contended, deterrence does not illustrate why states behave in ways that defy particular normative orders post-acquisition of nuclear weapons. Furthermore, in mapping this pattern between bellicose behaviour and negotiations, extant scholarship has frequently defined “provocations” solely in terms of missile and nuclear tests – through a materialist lens – which overlooks the wider basket of norm-transgressive behaviours, such as those that counter the non-proliferation norm.

Thus, there exists a cleavage in scholarship on North Korea: that which attempts to unpack the domestic motivations behind North Korea’s behaviour overlooks international considerations behind its nuclear ambitions. Similarly, literature that attempts to explain North Korea’s nuclear behaviour overlooks the domestic rationales behind such actions. In addition, literature that does consider ideas of status in relation to North Korea’s nuclear programme conflates status with material prestige, treating status in a somewhat cursory fashion, as a secondary concern to security-based explanations.⁶⁴ This thesis seeks to remedy this problematique, by focusing on how North Korea understands its position within the global nuclear order and wider international order – as social orders – through the lens of social status. In so doing, the DPRK is able to exercise what this thesis terms “strategic delinquency”, namely framing its deployment of delinquent and compliant behaviours both as a response to the US “hostile policy” and owing to the social and material payoffs that it may obtain.

⁶³ S-C Kim & Cohen (2017:195). Yet, Kim & Cohen (*ibid.*) also acknowledge the difficulties in determining whether the role of the DPRK’s nuclear weapons is solely for deterrence purposes. See also: D. Kang (1995); Kang, in Cha & Kang (2018).

⁶⁴ Debs & Monteiro (2017:277-297); Perkovich (1998:15); Brown (2008); Hymans (2006, 2008)

Theoretical contribution of this study: strategic delinquency

This thesis aims to demonstrate that for North Korea, delinquent behaviour has, over time, been rewarded socially and materially. In fulfilling this aim, this thesis presents a novel framework of strategic delinquency, centred around the notion of negative social status. This thesis makes a twofold theoretical contribution. First, it broadens the theoretical scope of extant literature on status, which does not focus on delinquent behaviour – and the resultant negative status – as a means for states to attain positive outcomes. Secondly, this study contributes to scholarship within North Korean Studies, presenting a new perspective to analysing the regime-state's nuclear ambitions through the lenses of status and recognition.

Negative social status is defined as a deliberate claim to a negative position – of low rank and status – within an order, the pursuit of which can emerge as a response to social stigmatisation. Yet, existing literature on stigmatisation within International Relations overlooks the ability of states to exert agency and benefit from their marginalised role within international society.⁶⁵ Rather than being passive recipients of stigma, states can use their marginalised status to resist the strictures of the order, and, in so doing, reap dividends.

In pioneering the framework of strategic delinquency, this thesis shows, empirically, how delinquent behaviour has been framed by North Korea in a positive vein, as a path towards beneficial outcomes, which can be social and material. Crucially, North Korea has learnt from the benefits gained from past delinquent behaviour to inform future behaviours. In brief, this framework focuses on three types of delinquent behaviour: norm-transgression; provocations, and deception. As this framework will show, these behaviours can bring material and social

⁶⁵ For a seminal work on stigmatisation within international society, see Zarakol (2014).

benefits, which comprise – *inter alia* – security through nuclear deterrence, regime-state survival (material benefits) as well as recognition as an equal nuclear power (social benefits).

Although Chapter One will outline this framework in detail, what is crucial to emphasise at this point of the thesis is that these categories of behaviour are not mutually exclusive. In just one example, when North Korea engaged in covert nuclear development during the mid-1990s – in plutonium and highly enriched uranium (HEU) production respectively – whilst party to the Non-Proliferation Treaty (NPT) as a NNWS, such behaviour was both deceptive and norm-transgressing, contravening Article II of the NPT.⁶⁶

Yet, two crucial caveats must be emphasised. Firstly, this framework does not claim that North Korea *always* deploys behaviour that counters international norms. The ‘strategic’ nature of its behaviours means that North Korea has engaged – and does engage – in norm-compliant behaviours with respect to the global nuclear order. For example, two instances of such compliance can be seen in North Korea’s decision to freeze plutonium production at its Yongbyon Nuclear Facility, in 1994 – as set out in the Agreed Framework – as well as the self-imposed moratorium on nuclear and long-range missile testing declared by Kim Jong-un in 2018. Secondly, this framework does not contend that North Korea’s bad behaviour is cost-free. Instead, it argues that although delinquent nuclear behaviour has generated stringent costs, such as multilateral and bilateral economic sanctions, the costs of delinquency have not, as of yet, hindered North Korea’s weaponised nuclear ambitions.

⁶⁶ Article II states that “each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.”

This study offers timely findings for policymaking. Whilst policymakers recognise that status may be one motivation underpinning North Korea's actions, there has been no systematic attempt to understand North Korea's behaviours through the lens of status. The predominant focus amongst US policymakers has been how North Korea's nuclear behaviours are centred around material goals, namely deterrence and regime survival. Furthermore, analysis has indeed highlighted how North Korea's exercise of provocations against, and negotiations with, the United States, often occurs in a cyclical fashion.⁶⁷ Nevertheless, as part of its goal to compel North Korea into compliance with international norms, the international community – particularly South Korea and the United States – has, in effect, rewarded North Korea's delinquent behaviour. Thus, somewhat surprisingly, there remains no in-depth social approach towards understanding the motivations behind North Korea's behaviour, especially given how North Korea conceptualises its position within international order in social terms. Such an understanding is critical for any future policymaking to bear fruit.

Central argument of this study

The overarching argument of this thesis is that North Korea engages in different types of deviant behaviour – including outwardly compliant behaviour masking actual deviance – to in anticipation of the dividends. This thesis contends that North Korea is able to capitalise upon defying the norms of the global nuclear order, and international order, to reap benefits. The ways in which the DPRK fulfils this goal have varied over time, as this thesis will show.

In making this argument, this thesis divides the broader timeframe from North Korea's accession to the NPT in 1985 to the aftermath of the second summit between Donald Trump

⁶⁷ E.g. Jackson (2016, 2018); Pacheco Pardo (2014)

and Kim Jong-un – at Hanoi – in February 2019, into three time periods. These periods comprise the ‘first nuclear crisis’ of the early-to-mid 1990s; the ‘second nuclear crisis’ of the 2000s, ending in the collapse of the Six-Party Talks in 2008; finally, the Kim Jong-un ‘era’ from 2012 to 2019. These moments conform, in a broad sense, to Capoccia’s definition of critical junctures as “events and developments in the distant past, generally concentrated in a relatively short period, that have a crucial impact on outcomes later in time.”⁶⁸ Indeed, this thesis expands upon Capoccia’s notion of critical junctures, focusing not on specific events *per se*, but three longer time periods of several years.

Whilst these three periods may not necessarily be in the “distant” past, they are highly salient in demonstrating how North Korea responds to international perceptions and behaviours, not least changes in US administration. This thesis’s predominant focus on DPRK-US relations is warranted, given how although Sino-North Korean relations did influence North Korea’s behaviour across these periods, the primary justification for its behaviour remained the US “hostile policy.”⁶⁹ Although these temporal periods show a continuation in the DPRK’s desires for particular objectives, such as nuclear deterrence, whilst leaving open the potential for normalisation of relations with the United States, the types of behaviour that have comprised the DPRK’s status-seeking strategies, positive and negative, have varied over time.

Briefly, the first time period, of the early-to-mid 1990s, saw the DPRK pursue status as an end in itself, and a means towards more ambitious goals, namely the normalisation of relations with the United States. Throughout this time, the DPRK engaged in provocative and norm-transgressing behaviour; the latter, in announcing its withdrawal from the NPT in March 1993.

⁶⁸ Capoccia (2016:89; 2015)

⁶⁹ Owing to constraints of space, Sino-DPRK relations are not the exclusive focus of this thesis, but present a fruitful avenue for future research.

The DPRK also deceived the international community by vehemently denying its nuclear development. The ‘first nuclear crisis’ culminated in heightened tensions between the DPRK, US, and IAEA, not least vis-à-vis North Korea’s resistance towards fullscope IAEA inspections of its nuclear facilities. Yet, the ‘crisis’ defused following a meeting between former US President Jimmy Carter and Kim Il-sung, and the eventual signing of the Agreed Framework between the US and DPRK, in which North Korea pledged to freeze its plutonium production and nuclear programme in return for US provision of light-water reactors, and diplomatic normalisation.

During the second period of the 2000s – commonly termed the ‘second nuclear crisis’ – the DPRK engaged in increasingly belligerent behaviour, aiming to gain attention from the United States, and assert its self-declared status as a “full-fledged nuclear weapons state”, to domestic and international audiences.⁷⁰ The hardline approach of the then-incumbent Bush administration prompted the DPRK to respond similarly, criticising the US for failing to uphold its pledges under the Agreed Framework. North Korea withdrew from the NPT in 2003, but agreed to participate in the multilateral Six-Party Talks (SPT) – hosted by China – to address its nuclear development, and subsequently conducted its first nuclear test in 2006.⁷¹ As Chapter Three demonstrates, the two agreements reached at the SPT, in 2005 and 2007, saw the US pledge not to attack North Korea in return for North Korean disarmament. Yet, during this time, the DPRK pledged outward compliance with the international community’s wishes, knowing that it could interpret a wide range of US behaviour as part of the so-called US “hostile

⁷⁰ KCNA, ‘DPRK Foreign Ministry Spokesman on Denuclearization of Korea’, 31 March 2005

⁷¹ The Six-Party Talks, involving the United States, DPRK, South Korea, China, Russia, and Japan, comprised five rounds, from 2003 to 2007, and aimed to resolve the DPRK’s nuclear development peacefully, following its withdrawal from the NPT. The Talks stalled at various junctures, as subsequent chapters will show, and eventually collapsed due to a lack of agreement on verification of North Korea’s nuclear facilities. The DPRK withdrew from the talks in April 2009. See: KCNA, ‘DPRK Foreign Ministry Vehemently Refutes UNSC’s “Presidential Statement”’, 14 April 2009.

policy” – not least what it perceived as the US intention to “attack” the DPRK – to justify its delinquent acts.⁷²

The third period, from 2012 to 2019, was particularly revealing. During this time, North Korea accelerated its nuclear ambitions, aiming to gain international acceptance as a *de facto* nuclear weapons state to a far greater degree than during the 2000s. As a former South Korean negotiator with the DPRK mentioned to the author, “they take their nuclear weapons for granted now.”⁷³ The timeframe from 2017 to 2019, in particular, is especially informative vis-à-vis the DPRK’s status-seeking strategies. Although bellicose rhetoric between the US and DPRK occurred between US President Donald Trump and North Korean leader Kim Jong-un – who acceded to power in December 2011 – two presidential-level summits, in Singapore and Hanoi, took place in 2018 and 2019 respectively. The DPRK deemed its nuclear force to have been ‘completed’ in 2018, and shifted focus towards domestic economic development.⁷⁴ As this chapter will show, the DPRK responded to the Trump’s administration’s threatening statements with frequent nuclear and missile testing – including three ICBM launches in 2017 – as well as to the US’s calls for engagement, through exercising outward compliance with the nuclear order, not least to gain social recognition as a dialogue partner of the US. Yet, North Korea did not make any meaningful concessions on its nuclear programme – reaping the benefits of nuclear deterrence and regime survival – and would only do so if specific UN sanctions targeting the DPRK’s economy were removed, an adamancy that in no small part contributed to the collapse of the Hanoi summit in February 2019. President Trump’s unusual conduct of diplomacy, especially at the interpersonal level, may have influenced Kim Jong-un’s decision to exercise particular types of behaviour during this time, but, as Chapter Four

⁷² ‘Joint Statement of the Fourth Round of the Six-Party Talks’, 19 September 2005.

⁷³ ROK official (interview, 2019).

⁷⁴ Such a shift was epitomised in Kim Jong-un’s ‘new strategic line’ – in April 2018 – to replace the earlier *byungjin* policy of parallel nuclear and economic development. Chapter Four will analyse this policy in detail.

contends, the DPRK would soon lose interest in dialogue with the US when it felt no further dividends could be reaped from either delinquent or compliant actions.⁷⁵

Research Design

Case Selection

The DPRK, whilst not necessarily *sui generis*, is an example of a “uniquely-unique” state upon which there has been little substantive analysis within International Relations.⁷⁶ This study selects North Korea as a single case, which Gerring defines as “an intensive study of a single unit for the purpose of understanding a larger class of (similar) units.”⁷⁷ Through a single-case method, this thesis illuminates the types of behaviour in which North Korea engages over time, and for what purposes. In so doing, this study analyses the DPRK’s behaviour in terms of how the regime-state frames its position within the global nuclear order. In line with Gerring’s definition, inferences drawn from this research bear relevance to other ‘rogue’ states, in understanding their own behaviour in relation to nuclear norms, and international norms more broadly. The framework of strategic delinquency, for instance, may be applied, in future research, to Iran, Pakistan, or Israel, to illuminate how other states situated on the fringes of the institutionalised nuclear order may deploy delinquent behaviour as part of their respective foreign policies.

⁷⁵ For more on the interpersonal relationship between Trump and Kim, as revealed by former Trump administration officials, see Bolton (2020); Woodward (2020); McMaster (2020).

⁷⁶ This attribution was put forth by Sung-Yoon Lee (2013:62).

⁷⁷ Gerring (2004:342)

Methods

Victor Cha, former Deputy Head of the US Delegation to the Six-Party Talks – under the George W. Bush administration – stressed the arduous nature of studying “North Korean perceptions and behaviour based on hard evidence. North Korea is the blackest of black boxes and no such reliable information is available.”⁷⁸ Even despite growing scholarship on the domestic sphere, it remains difficult to enter the “blackest of black boxes”, first and foremost given the lack of access to the DPRK for the purposes of research, inability to interview North Korean government officials,⁷⁹ and dearth of available archival materials pertaining to North Korea’s nuclear ambitions, not least in the public domain.⁸⁰ Hence, to gain meaningful – albeit selective – insight into North Korea’s nuclear behaviour, a nuanced and innovative approach is required, as espoused in this study.

This thesis investigates North Korea’s delinquent behaviour through qualitative methods, using documentary analysis of North Korean and international policy sources. Such analysis is triangulated with extensive semi-structured elite and non-elite interviews. Yet, it cannot be overstated, how, as with any research on North Korea, the lack of access to sources from within the regime-state – not least vis-à-vis state foreign policy – render it impossible to test any alternative explanations for North Korea’s deviant behaviour in a positivist fashion, particularly regarding the domestic realm of the regime. Furthermore, travel to the DPRK for

⁷⁸ Cha (1999:847)

⁷⁹ McEachern (2010). As David Kang (2012:151) argues, the difficulties of interrogating North Korean state media sources are compounded by the lack of clarity between “what competing policymakers write for public consumption and their own preferences.”

⁸⁰ Kang (2012:145). Suk-Young Kim (2010:319) highlights how primary source materials are confined to archives in the United States containing North Korean documents from 1945 to 1950 – before the DPRK joined the nuclear order – as well as films, documentaries, and books from the late 1950s. The secrecy within which the DPRK’s nuclear programme is shrouded cannot be underestimated, especially given the bureaucratic structure of the ruling party. As one South Korean diplomat stressed to the author, “even the North Korean Vice-Defence Minister would not know anything about his country’s nuclear programme”, since the key agencies aware of nuclear developments remain the Ministry of Foreign Affairs, and the General Bureau of Atomic Energy.

research was impossible given security concerns. Thus, the impossibility of accessing the DPRK for research purposes, coupled with the absence of official sources pertaining to the state's nuclear programme – and any such motivations behind it – mean that any conclusions reached in this study offer the best possible – though partial – picture of the DPRK's relationship with the global nuclear order.

Discourse Analysis

The central mode of data collection comprises analysis of North Korean and international documentary sources, to illustrate the different types of deviant behaviour in which the DPRK engaged, and the resultant outcomes reaped by the DPRK. Korean and English-language versions of North Korean state media outlets – renowned for its hyperbolic rhetoric – were analysed in detail, namely the *Korean Central News Agency*, *Rodong Sinmun*, *Uriminzokkiri*, *Naenara News*, and *The Pyongyang Times*. Whilst English-language versions tend to be more directed at foreign audiences, those in Korean more often target the North Korean population. Consulting pronouncements in both languages offered useful triangulation to analyse how the North Korean regime communicates its foreign policies to domestic and international audiences.

Historical documents were also consulted, comprising speeches by Kim Il-sung, Kim Jong-il, and Kim Jong-un, pronouncements from the Ministry of Foreign Affairs, and transcripts of speeches broadcast by North Korean officials on state radio, namely the *Korean Central Broadcasting Network*. Given the tightly-controlled nature of state media outlets, these media provide the most accurate, available representation of the position of the North Korean regime vis-à-vis its domestic and foreign policies.

Moreover, over one hundred WikiLeaks cables were analysed. Transcripts between meetings between North Korean officials and their US, South Korean, and Chinese counterparts, as well as discussions between US officials and international policymakers, revealed third party perceptions of the DPRK's motivations when these individuals were at, and away from the negotiating table. On occasion, these cables revealed verbatim comments made by North Korean officials. Speeches, debates, and reports from the US State Department to ascertain US – and international – perspectives on North Korea's behaviour within the three junctures in this study, were also consulted. In just one example, such documents reveal the official US perspective during moments such as the signing of the Joint Statement at the Six-Party Talks in 2005, when North Korea pledged to abandon its nuclear weapons and return to the NPT in return for normalised relations with the US, and energy assistance from the other five parties.

Recently declassified Central Intelligence Agency and US State Department files, and archival documents from the Cold War International History Project at the Woodrow Wilson Center, also shed light into North Korea's historical relationship with international order prior to its joining of the NPT in 1985.⁸¹ Visiting the International Atomic Energy Agency archives in Vienna proved particularly illuminating regarding North Korea's relationship with the nuclear order from 1985, the IAEA's understanding of North Korea's nuclear programme from the 1990s to late 2000s, and how North Korea responded to directives from the IAEA.

⁸¹ Detailed treatment of this issue will be provided in Chapter Two.

Interviews

Extensive interviews were conducted with elite international diplomats, together with North Korean defectors, to gain diverse insight into North Korea's behaviour, their target audiences, and possible motivations. The difficulties presented by a lack of access to the DPRK was compounded by the impossibility of interviewing elites in the North Korean government serving overseas.⁸² Thus, data collection from the domestic perspective was restricted to defectors in South Korea and the United Kingdom, including those who had served in elite positions within the regime. Third party interlocutors, namely diplomats and government officials from China, South Korea, Japan, and the United States, who were – and remain – involved in negotiations and dialogue with the DPRK, provided insight into the North Korean perspective vis-à-vis their nuclear ambitions, given that international diplomats negotiating with the DPRK were the “target of North Korean behaviour” and rhetoric.⁸³ Although these negotiators mostly offer third party perceptions of the DPRK's intentions, they served as useful proxies in understanding the official North Korean perspective on its nuclear programme, not least with some interlocutors recounting direct remarks made by their North Korean counterparts. At the same time, several senior foreign interlocutors admitted to the author how even they often struggled to ascertain the true North Korean perspective on its nuclear programme, when sat across senior North Korean officials at the negotiating table.

Snowball sampling was utilised to gain the widest possible range of diplomats to interview, across the three timeframes which this study investigates. Twenty-five elites were interviewed, many of whom served in senior positions in the Clinton, Bush, Obama, and Trump

⁸² This lack of access can be attributed, in part, to the defections of two high-ranking diplomats from North Korean embassies, namely Thae Yong-ho – former DPRK Deputy Ambassador to the UK – in 2017, and Jo Song-gil, acting ambassador to Italy, who defected in January 2019. See: Zwirko (2019).

⁸³ Pacheco Pardo (2014:14).

administrations in the United States – from 1991 to 2019 – and their counterpart administrations in South Korea. Such individuals included former US National Security Advisors, members of the National Security Council, US Assistant Secretaries of State whose briefings focused on East Asia, and US and South Korean negotiators with the DPRK. Travel constraints owing to the coronavirus pandemic, however, severely prevented further discussions – and follow-up interviews – with existing and additional interviewees, and follow-up visits to the IAEA archives.

Twenty North Korean defectors were also interviewed. Whilst these individuals may not offer a representative perspective of the North Korean population, especially given possibilities of bias in their testimonies, they serve as a useful “loose proxy” to highlight diverse domestic perceptions of the DPRK, especially given their range in social standing, and how the North Korean regime-state frequently invokes domestic audiences when justifying its nuclear behaviour.⁸⁴

Documentary analysis corroborated findings from these in-depth interviews, and *vice versa*. Both documentary and interview evidence were coded according to the key themes of the framework of strategic delinquency. These data were categorised according to the three types of delinquent behaviour, namely norm transgression, provocation, and deception, across the three temporal junctures. The documents were then coded according to different frames of meaning, namely, the referent actors of particular actions, and, crucially, the resultant benefits or costs obtained by the DPRK. For example, although the DPRK’s adversary of the US – and the latter’s “hostile policy” – has been a consistent referent actor of North Korea’s delinquent

⁸⁴ Baek (2016:128) highlights how defector testimonies offer a “loose proxy” to the views of North Korean citizens.

behaviour since the regime-state's inception, North Korea's norm-deviant behaviour during the 1990s was driven by a desire to assert agency as a then-nascent member of the nuclear order. Subsequent chapters of this thesis apply the framework of strategic delinquency to these three respective time periods.

Before proceeding with this study, it is important to understand the limitations within this research design, especially given the nature of the North Korean case.

Limitations of research design

The first limitation refers to the highly controlled nature of the DPRK, resultant inability to visit the state for research purposes, and lack of available, official data from the DPRK vis-à-vis its nuclear programme. Any analysis of North Korea thus remains restricted to inferences from publicly available sources – such as state media outlets – as well as testimonies from international diplomats and North Korean defectors. Hence, as with any research into the DPRK, the conclusions generated in this thesis provide only the best possible estimate of North Korea's behaviour during the time periods under investigation, and the costs and benefits reaped from particular actions.

Secondly, this thesis does not aim to show direct causation in a positivist sense between particular types of North Korean behaviour and their respective outcomes. Rather, it adopts a more exploratory approach in illustrating possible rationales behind behaviour across the 1990s, 2000s, and from 2012 to 2019. The framework of strategic delinquency does not seek to prove that notions of status were the sole drivers of North Korea's behaviour across the three timeframes, in a positivist vein. Instead, it aims to illuminate how status concerns – overlooked

in extant scholarship – comprise a range of multiple intersecting factors, including security, which, in turn, influence North Korea’s behaviour. Testing the relationship between status and North Korea’s actions in terms of necessity or sufficiency, or whether particular status motivations are a causal product of the deterrent value of nuclear weapons, is not the aim of the methodological approach underpinning this study. Thus, to analyse the merits of this thesis upon such a methodological foundation is misguided, since demonstrating any opportunistic relationship between particular motivations and behaviours cannot be performed given the opacity of the North Korean regime-state, and lack of available, reliable, local sources on its nuclear programme. In line with Kratochwil’s constructivist argument that norms are “reasons” for, rather than “causes” of action, this thesis presents an additional lens through which to understand why the breaking of international norms, and engagement in delinquent behaviour, may be a beneficial choice for the DPRK.⁸⁵

With respect to the oft-cited tension within the discipline of IR between explanation and understanding,⁸⁶ and causal and descriptive inferences,⁸⁷ the framework of strategic delinquency offers a *via media* between explaining and understanding North Korea’s behaviour. As Wendt alludes, causal and constitutive stories ask different questions; the former asks questions of ‘why’, seeking to elucidate causal mechanisms and laws pertaining to relationships between two variables; the latter ask questions of ‘how’, uncovering meanings of events regarding “how social kinds are put together.”⁸⁸ Therefore, the framework of strategic delinquency is presented as one possible social approach towards shedding light upon what behaviour the DPRK deploys under particular circumstances, and how it understands its behaviour.

⁸⁵ Kratochwil (1984:705)

⁸⁶ Hollis & Smith (1990)

⁸⁷ King *et al.* (1994)

⁸⁸ Wendt (1998:103)

Thirdly, another possible caveat relates to the diverse range of scholarly literature from which the framework of strategic delinquency has been developed. Such literature encompasses realist state-centric theories of deterrence and great power politics, coupled with insight from social psychology focusing on the individual level of analysis. Although existing scholarship within IR has applied individual level theories to understanding decision-making strategies of state leaders, for instance, there remains debate about the application of such theories to understanding the state.⁸⁹ In one criticism, Todd Hall posits how “states as collective, institutional actors do not exhibit the same spontaneity of expression that individuals do.”⁹⁰ In another example, despite the flurry of recent scholarship incorporating Social Identity Theory (SIT) – a theory of intergroup interaction, derived from social psychology – to understand status-seeking strategies of rising powers, such approaches have not been immune to criticism, namely for ‘flattening’ an individual-level theorisation onto the domain of the state.⁹¹

That said, the framework of strategic delinquency remains concentrated upon the state as its principal actor, in terms of what delinquent behaviour states can exercise, and the benefits and costs that may ensue. As Wendt postulates vis-à-vis how a state can be a “person” in international relations, such individual level insight is incorporated heuristically within the framework of strategic delinquency, to foster deeper understanding of North Korea’s engagement in delinquent behaviour within international order.⁹²

⁸⁹ For such examples, see: Markwica (2018); Yarhi-Milo (2014).

⁹⁰ Hall (2016:10)

⁹¹ Although S. Ward (2017) criticises Larson & Shevchenko’s application of SIT onto states for this reason, Larson & Shevchenko (2019b:1) respond to such criticism by emphasising the “real world implications” of SIT.

⁹² Wendt (2004:291, emphasis original) argues how a state is an “an “intentional” actor with a “collective *consciousness*, understood as subjective experience.”

Structure of the thesis

Chapter One presents the theoretical framework of strategic delinquency, drawing upon ideas of negative social status. Before presenting this framework, however, this chapter argues how North Korea's engagement with respect to the global nuclear order is predicated upon an understanding of the order as inherently "hostile" and discriminatory. What will be contended is that in the North Korean case, material and social benefits can be acquired from exercising a repertoire of delinquent and compliant behaviour. Negative status, and being viewed by the wider international society as an "unruly teenager", therefore, may, to an extent, not be an undesirable attribute for the DPRK.⁹³

In the next three chapters, this framework is applied to the North Korean case across three temporal junctures. The overall argument contended by these chapters is that through engaging in positive and negative status-seeking behaviour through complying and deviating from international norms, the DPRK has been able to reap material and social dividends. Chapter Two focuses on the 'first nuclear crisis' of the 1990s; Chapter Three analyses North Korea's behaviour in the so-called 'second nuclear crisis' of the 2000s; and Chapter Four primarily focuses on the period from 2012 to 2019, paying particular attention to the Trump administration in the United States, and Kim Jong-un as leader of North Korea. Each empirical chapter analyses key moments where North Korea behaved especially delinquently or compliantly with nuclear norms, and wider international norms, and the benefits and costs that ensued. Through the framework of strategic delinquency, insight into North Korea's behaviour during these periods, and how it learned from past actions and their outcomes, can be gained.

⁹³ Former US Secretary of State, Hillary Clinton, compared North Korea to an "unruly teenager" in 2009. See: 'Clinton likens North Korea to unruly children', *Reuters*, 20 July 2009.

The conclusion provides an overview of the theoretical and empirical findings of this thesis, shedding light on the puzzle of why North Korea intentionally exercises delinquent behaviour despite exhibiting desires for greater international recognition. The theoretical implications of this study are outlined, not least whether the framework of strategic delinquency can illuminate the behaviour of other nuclear-armed states that are not party to, or violate the norms of the NPT, such as Iran, Pakistan, or Israel. In light of this thesis's timely findings vis-à-vis the ability of North Korea to garner payoffs from delinquent behaviour, possible recommendations for more fruitful international policy towards North Korea are provided. Whilst we may never truly understand the intentions behind North Korea's behaviour, the as-of-late stalled progress on North Korea's denuclearisation suggests that complete denuclearisation may be an unfeasible long-term aim for international policymakers, not least those in Washington and Seoul. Thus, this thesis provides great value in approaching North Korea's engagement with the global nuclear order, and broader international order from a North Korea-centric perspective. In so doing, it discovers how at its core, North Korea conceptualises international order in inherently social terms, and its nuclear behaviour remains highly tethered to the anticipation of social and material benefits.

CHAPTER ONE

North Korea's strategic engagement with the global nuclear order: a theoretical framework

Understandings of North Korea's behaviour in relation to the global nuclear order are incomplete without paying attention to questions of status, and the benefits that delinquent behaviour can bring. This chapter advances the overall argument of this thesis, namely that whilst deviant behaviour – which induces negative social status – especially in the nuclear domain, does inflict costs for North Korea, it can also bring social and material benefits. In making this argument, this chapter presents the theoretical framework of strategic delinquency. In brief, strategic delinquency refers to how North Korea exercises a repertoire of delinquent and compliant behaviour with the norms of international order in order to reap payoffs, even if deploying delinquent behaviour may initially induce negative social status.

This chapter argues that North Korea behaves in ways that go against the norms of international order, and the global nuclear order, in response to how it perceives its position within international society, namely through conceptualising international order as a hostile system that disadvantages the regime-state. Surprisingly, existing literature sheds insufficient light on the behaviour which the DPRK exercises in response to its position within international society, especially in light of how North Korea frames its place within international order in social terms. In the North Korean case, delinquent behaviour needs to be reconceptualised as comprising agency-asserting actions taken by the regime-state to resist its marginalised position in international society. Indeed, states do not simply “learn to live with their lower

status” in a passive fashion; rather, they can capitalise upon their low status for positive social and material outcomes.¹

A central puzzle for North Korea is that nuclear possession and development beget both security and insecurity. Yet, nuclear weapons do not just bring material value for the DPRK, but also interact with its status-based ambitions. Since a North Korea-centric perspective on the global nuclear order is heavily premised upon ideas of social status, manifest in particular types of behaviour, it is important to examine North Korea’s engagement with the order beyond purely a materialist angle. As such, a status-based approach is necessary to understand this dilemma for North Korea – in relation to nuclear possession – and, importantly, sheds light upon the meanings that Pyongyang attributes to its nuclear ambitions, and how it subsequently frames and engages with the global nuclear order as a social order. A social understanding of North Korea’s engagement with the nuclear order will also further more fruitful international policy towards the DPRK.

Thus, this chapter calls for a social approach to status vis-à-vis the nuclear order, countering the realist trend in scholarship that views status as inherently tied to material power.² Murray’s definition of status is particularly apposite for this thesis, referring to “the socially constructed political *effect* of [a state’s] interactions with other states that either confirm or contradict its self-understanding.”³ In challenging the arguments of extant literature, the framework of strategic delinquency makes a threefold contribution to scholarship. Firstly, through the lens of status, it seeks to illuminate the behavioural strategies of a state situated on the margins of

¹ Lebow (2010b:74)

² Markey (1999); Dafoe *et al.* (2014); Renshon (2017); Gilpin (1981:31); Ikenberry (2001). For an exception to such a materialist perspective, see Duque (2018). For more on ‘status orders’, see Weber (1978). Dafoe *et al.* (2014:376) distinguish between *status*, *prestige*, and *reputation*: *reputation* and *prestige* are “somewhat in the control of the actor”, whereas *status* is “granted or accorded by others.” For more on prestige, see Y. Kim (2004).

³ Murray (2019:45, emphasis original)

international society, in contrast to the predominant focus of literature on the status concerns of rising powers, not least China and Russia.⁴ Secondly, this framework challenges the assumption in literature that ascendant social status can only be gained through conformance with dominant systemic norms, since any deviation from such norms must generate the undesirable attribute of negative status. On the contrary, although delinquent behaviour in international relations may generate negative status, states, particularly those on the fringes of international society, can reap benefits from such behaviour. The DPRK offers a pertinent example in this vein. Thirdly, this study aims to widen extant understandings of North Korea's nuclear programme, which, in existing scholarship, is clustered around several themes: the causes of North Korea's nuclear ambitions;⁵ whether the international community should 'contain' or 'engage' a nuclear-armed DPRK;⁶ North Korea's involvement in clandestine networks of nuclear proliferation,⁷ and the domestic politics of the regime-state.⁸

This chapter proceeds in four parts. Part I demonstrates how North Korea conceptualises its place within the global nuclear order and wider international order in social terms. This part argues how the DPRK's views international order as a set of hostile structures that disadvantage the regime-state. Such a conceptualisation is predicated upon what it terms a "hostile policy" emanating from the United States. Part II contends how in light of how North Korea understands its position within international order, the regime-state deploys norm-deviant behaviour to mitigate against its resultant marginalised position. Yet, this part argues that existing scholarship overlooks the possibility for negative status-inducing behaviour to catalyse positive outcomes for states, particularly those powers that resist the so-called liberal

⁴ E.g. Murray (2019); Larson & Shevchenko (2010, 2014a, 2014b, 2019); Larson *et al.* (2014); Heimann (2014); Pu (2017)

⁵ E.g. Miller & Narang (2018); Cha (2002)

⁶ E.g. Cha & Kang (2018); Lankov (2016); Snyder (2017); Laney & Shaplen (2003)

⁷ E.g. Braun & Chyba (2004); Broad & Sanger (2004); Panda (2020:103-106)

⁸ E.g. Lankov (2015); Oh & Hassig (2005); McEachern (2010); Gause (2015); Pinkston (2003).

international order – led by the US as hegemon – as one means by which the DPRK can mitigate against its low status within the global nuclear order. What follows in Part III is a new theorisation of understanding North Korea’s behaviour, through the framework of strategic delinquency. This framework pioneers a novel approach centred around negative status, arguing how states can reap payoffs owing to strategic engagement with international order, through delinquent behaviour. This part demonstrates how the DPRK exercises a range of deviant and compliant behaviour with respect to the global nuclear order and wider international order to reap material and social benefits, such as, *inter alia*, economic assistance (material), or recognition (social), in order to resist the US “hostile policy.” As will be demonstrated in Chapters Two to Four respectively, the benefits North Korea has reaped have, over time, informed future behaviour through a process of learning.

In understanding North Korea’s behaviour in relation to the nuclear order, Part IV presents alternative approaches to those centred around status, namely nuclear deterrence and domestic legitimacy.⁹ Such alternative understandings, however, need not be in zero-sum tension with status-based approaches; indeed, the latter can co-exist with, and often enhance the former.

⁹ For incorporations of deterrence theory with respect to the DPRK, see: Narang (2014, 2015); Debs & Monteiro (2012); Monteiro & Debs (2014)

Part I

North Korea and an evolving global nuclear order

Prior to any theorisation of North Korea's behaviour with respect to the global nuclear order, it is important to underscore the social nature of the order – as one component of the wider international order – and, as a result, how North Korea conceptualises the order and its position within it.

Existing scholarship approaches the nuclear order from a chiefly US-centric, and material perspective, focusing upon several core themes: the role of the United States as the custodian of the order; the bifurcation between the legal and non-legal nuclear states as enshrined by the Nuclear Non-Proliferation Treaty (NPT) and wider non-proliferation regime, and the resultant higher status and material power occupied by the five legal nuclear weapons states (NWS) – the PRC, France, Russia, United Kingdom, and United States – as permanent members of the UN Security Council, in comparison with non-nuclear weapons states (NWS) and non-NPT signatories.¹⁰ As such, there remains predominant attention on how great or rising powers engage with the order, and how marginalised powers often remain passive subjects of the order's rules and norms.¹¹ Grégoire Mallard reminds us, however, that in the post-Cold War period, a grave threat to the stability of the nuclear order stemmed from the pursuit of nuclear weapons by states other than the NWS.¹² As outlined in the Introduction to this thesis, in addition to the five legal nuclear states, there are an additional four non-legal nuclear-armed states, namely India, Israel, North Korea, and Pakistan.¹³ Whilst these latter actors have

¹⁰ Bukovansky *et al.* (2012:70-72); Walker (2000:729, 2011, 2018); Roberts (2007:529); Horsburgh (2015:18).

¹¹ As Horsburgh (2015:6) posits, realist approaches reduce the nuclear order to “a set of relations between great powers.” For examples of realist perspectives, see Ruhle (2007); Krause (2007); Sokolski (2007).

¹² Mallard (2014:247)

¹³ India and Pakistan have not signed the NPT; the DPRK remains the only state to have signed but withdrawn from the NPT. Israel pursues a policy of nuclear opacity.

frequently criticised the hegemonic structures underpinning the order, the nuclear order has rarely been narrated from the perspective of such actors, not least those who disrupt the order's norms. The DPRK offers a salient case in point.

The global nuclear is materially defined, comprising state nuclear doctrines, arms control, command and control doctrines, and the interstate exchange of civil nuclear technology.¹⁴ Yet, the order is also defined socially, such as regarding the nuclear non-proliferation norm and questions of its legitimacy, and the social roles and responsibilities occupied by different actors within the order, as seen, for instance, in the pledge by NWS not to use nuclear weapons against NWS, in line with their NPT obligations.¹⁵ As part of the wider international order, the dominant social norms governing the nuclear order have been created by great powers in the post-war era, whence a set of expected behaviours have become institutionalised within the order over time.¹⁶

Thus, the nuclear order is premised upon notions of recognition and unrecognition, as epitomised by the division between NWS, NNWS, and non-NPT signatories. Such a bifurcation has enshrined differing statuses to actors inside and outside of the order. NWS, in contrast to NNWS, are recognised as legitimate possessors of nuclear weapons, and are accorded with higher social status as upholders of the institutionalised and normative order.¹⁷ Moreover, a state that complies with the NPT and the dominant social norms of the nuclear

¹⁴ Walker (2004:27)

¹⁵ '1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,' NPT/CONF.1995/6, 15 March 1995. See also: Bukovansky *et al.* (2012:82-87). T.V. Paul (2003:136) argues that the distinction between the rights and responsibilities of nuclear and non-nuclear states – according to the NPT – shows how the nuclear non-proliferation regime “expects the two types of states to have two different behavioral patterns”, a “state of affairs [which] would continue as long as the Treaty lasts.”

¹⁶ Freedman (2019:62); Naylor (2018). One such expected behaviour is the non-use of nuclear weapons, as Tannenwald (1999, 2007) posits.

¹⁷ Vital (1968:420); Tannenwald (2013); Roberts (2007:527); Ruzicka (2017). In line with such social understandings, Bertrand Badie (2017:57) deems the NPT to represent a “logic of relegation...clos[ing] the door of the club to those who wished for a bomb of their own.”

order – whether NWS or NNWS – is recognised as a responsible actor in international politics. In contrast, the pursuit of nuclear weapons by non-NPT signatories or NNWS is met with the infliction of negative status upon these states – by the custodians of the nuclear order – having flouted the order’s core norm of nuclear non-proliferation, in line with their respective statuses.¹⁸ With respect to non-NPT signatories, however, individual states within this category have occupied different statuses in relation to the nuclear order, and have not been subject to equal treatment from the order’s guarantor of the United States.¹⁹ Such status discrepancies induce varying responses to the order’s normative strictures on the part of the state in question. For example, Israel pays little cost for its posture of nuclear opacity – given its strong relationship with the United States – in contrast to the DPRK and Pakistan, which occupy lower status positions within the order, exacerbated by their pursuit of nuclear weapons.²⁰

Indeed, Michelle Murray argues that states aim to reduce the social uncertainty inherent to the anarchic international system by engaging in “recognitive practices” to sustain a “stable identity,” whereby their identities are respected and recognised by international society.²¹ As this thesis will demonstrate, the DPRK is no exception to this logic. Given its stigmatised position vis-à-vis the nuclear order, it has actively pursued recognition and status as a significant nuclear power worthy of respect from the United States, much “like Russia and China”, through the deployment of delinquency.²²

¹⁸ Chayes & Chayes (1993); Price (2007); Price & Tannenwald (1996); Adler-Nissen (2015). Zarakol (2014:314) defines stigmatisation as “the internalisation of a particular normative standard that defines one’s own attributes as undesirable.”

¹⁹ Thakur (2006:276)’s notion of “normative inconsistency”, whereby norms are applied unevenly to different states, can be seen in the differing application of the nuclear non-proliferation norm to Iraq, Israel, India, and North Korea, on the part of the US. See also: Roberts (2007:524); Mallard (2014); Huntley (2006).

²⁰ Quester (1991); Bahgat (2006)

²¹ Murray (2019:38-39, 47)

²² Kim Yong-chol made this comparison to former US Director of National Intelligence, James Clapper, during the latter’s visit to Pyongyang in 2014. See: Clapper (2018:277).

Yet, as Nick Ritchie argues, although the US is the custodian of the nuclear order, the order “is not reducible to U.S. power”, but rather “reflect[s] its power and preferences along with those of its allies and, at times, its adversaries and other states.”²³ North Korea is one such adversary, but as this chapter contends, it is not merely a passive recipient of the hegemonic normative and institutionalised structures of the order. Rather, it can assert agency, and shape the order through its behaviour.²⁴ As this chapter will show, however, there exists a tension between North Korea’s challenge to the hegemonic role of the US within the nuclear order, and its framing of the order in US-centric terms, namely through what it deems to be a “hostile policy” emanating from the United States and its allies. This thesis incorporates the “hostile policy” as a useful heuristic to understand how North Korea responds to, and shapes international order over time, as Chapters Two to Four will contend.

Any analysis of a state’s engagement with the global nuclear order, however, must first demonstrate how the order itself has evolved over time due to a changing international geopolitical environment, and shifting nuclear ambitions of legal NWS – such as China²⁵ – in addition to non-legal NWS and non-NPT member states, the latter including the DPRK.²⁶ Scholarship on the nuclear order highlights how the order was constructed in the post-War period – from 1945 to 1959 – and subsequently consolidated during the Cold War – from 1960 to 1989 – as the “nuclear taboo” became entrenched in core treaties and institutions, namely the PTBT of 1963, and, crucially, the IAEA, and NPT, in 1957 and 1968 respectively.²⁷

²³ Ritchie (2019:411)

²⁴ Jasper (2015:47-50); Ruhle (2007:518). For postcolonial critiques of the nuclear order, see: Gusterson (1996, 1999); Mallard (2014); Biswas (2014); Chatterjee Miller (2013). Gusterson (1999:131) asserts how challengers to the nuclear order seek to disrupt the claim that “nuclear weapons are the status symbols of the powerful alone.”

²⁵ Horsburgh (2015) offers a seminal outlook on China’s changing relationship with the global nuclear order. For a US-centric approach on the nuclear order, common in scholarship, see Walker (2000, 2011)

²⁶ Walker (2011:89) describes the evolving nuclear order as “entail[ing] the primary goals of world survival, war avoidance and economic development; and the quest for a tolerable accommodation of pronounced differences in the capabilities, practices, rights and obligations of states.”

²⁷ The term “nuclear taboo” was pioneered by Tannenwald (1999, 2007).

Subsequent treaties, such as the SALT – in 1972 – and INF Treaty between the US and USSR in 1987, further stabilised the order.²⁸ Yet, archival evidence shows how even whilst the order was being consolidated in the 1960s, the DPRK tried to resist the then-new nuclear order, particularly the discriminatory nature of the NPT, through instigating plans for nuclear development and acquisition with assistance from the Soviet Union.²⁹ As Chapter Two will examine, during the rule of Kim Il-sung, the DPRK not only intended to develop nuclear weapons, but also engaged in delinquent behaviour with respect to broader postwar international norms, aiming to elude the hegemonic ambitions of the US, and respond both to China's nuclear test in 1964, and the – albeit short-lived – nuclear ambitions of South Korea.³⁰

In the aftermath of the Cold War, global confidence in the nuclear order bolstered following the abandonment of nuclear weapons by South Africa, Ukraine, and Belarus, as well as the indefinite extension of the NPT in 1995, at the NPT Review Conference. The adoption of the Additional Protocol in 1997 strengthened IAEA safeguards, and the Agency's inspection powers.³¹ At the same time, however, North Korea's behaviour during this time only exploited and exposed the fragilities within the order. Although the DPRK acceded to the NPT in 1985, it continued to pursue plutonium production – for weaponised nuclear development – throughout the early 1990s. Even after the freezing of its plutonium production in 1994, owing to the Agreed Framework, the DPRK continued to engage in covert HEU production.³² In

²⁸ The INF Treaty sought to eliminate nuclear and conventional ballistic and cruise missiles ranging between 300 and 3400 miles. For key proponents of the notion that nuclear weapons are stability-inducing, as was common during the Cold War, see Brodie (1946, 1959); Schelling (1966); Waltz (1981); Mearsheimer (1984); Gaddis (1989)

²⁹ It remains unclear as to whether North Korea's early nuclear ambitions comprised the sole pursuit of peaceful nuclear energy, or a combination of peaceful and weaponised programmes. See: Mansourov (1995:26); 'Telegram, Embassy of Hungary in the Soviet Union to the Hungarian foreign ministry', HPPA, 18 May 1977.

³⁰ 'Cable from the Chinese Embassy in North Korea, "Reactions among the North Korean masses to China's nuclear test"', 21 October 1964, HPPA, PRC FMA 113-00395-08, 62-63.

³¹ Horsburgh (2015); Kutchesfahani (2019); Miller (2019:13).

³² CIA, *Untitled*, [Assessment provided to Congress], November 2002, NSA EBB No. 98, Document 22. Chapter Three will provide further treatment of the DPRK's engagement in covert HEU production despite the freeze of plutonium production at Yongbyon, owing to the Agreed Framework.

addition to the DPRK, the nuclear ambitions of non-legal nuclear states such as Iraq – which, in part, catalysed the First Persian Gulf War from August 1990 to February 1991³³ – as well as the nuclear tests of India and Pakistan in 1998, demonstrated the ability of states outside of the NPT to develop and acquire nuclear weapons, and thus undermine the non-proliferation regime. Moreover, concerns about the weakening of the institutionalised nuclear order were heightened following various failed multilateral agreements, such as the proposed FMCT, plans for which were established in 1995. In another example, the CTBT, though signed in 1996, never entered into force, owing to the refusal of key actors to sign and ratify the treaty. China, Iran, Israel, and the US did not ratify the treaty, which was also not signed by India, Pakistan, or the DPRK.

A growing consensus in scholarship is that the nuclear order entered into decline from the early 21st century.³⁴ The withdrawal of the DPRK from the NPT, in 2003, marked a cornerstone moment whereby an NPT-signatory – not least a ‘rogue’ state actor – could renounce its membership of a core institution of the nuclear order, at will.³⁵ Furthermore, the revelation, in 2004, of a clandestine nuclear proliferation network commanded by Pakistani scientist, A.Q. Khan – involving, *inter alia*, Pakistan, Iran, and the DPRK – further intensified fears that the norms of the nuclear order, not least nuclear non-proliferation, could be covertly undermined by states.³⁶ During this time, attempts to revitalise the order’s core norms of deterrence, disarmament, and non-proliferation, however, bore little fruit.³⁷ The NPT Review Conference

³³ Bunn (2003)

³⁴ Miller (2019); Allison (2010); Tannenwald (2018a, 2018b:90).

³⁵ Although the DPRK remains the only state to have acceded and withdrawn from the NPT, there remains debate as to the validity of its self-proclaimed withdrawal, since it did not provide the requisite three-month notice under Article X of the Treaty. See: Bunn & Rhinelander (2005).

³⁶ C.M. Lee (2016:252-261); Corera (2006:241-251); Albright & Hinderstein (2005). Dr Siegfried Hecker, the first Western nuclear scientist to visit the Yongbyon nuclear facility, stressed how there was “significant help from Pakistan’s A.Q. Khan” in developing the DPRK’s nuclear technologies, not least for uranium-enrichment. See: ‘North Korea not a nuclear threat to U.S. yet, scientist says’, *Los Angeles Times*, 14 February 2013.

³⁷ For such perspectives, see: Horsburgh (2015:16); Perkovich *et al.* (2007:22); Walker (2018:93); Thakur (2018a).

in 2005 only reinforced disagreement amongst NWS regarding the pursuit of global disarmament, cementing the divisions between – and within – NWS, NNWS, and non-NPT signatories.³⁸ Within this context of a weakened institutionalised nuclear order, the DPRK’s first nuclear test in October 2006 further undermined the non-proliferation regime. Following its withdrawal from the NPT, the DPRK demonstrated the ability of a ‘rogue’ state to develop indigenous nuclear capability, against which the order could do little to enforce compliance with the non-proliferation norm.³⁹ As Chapter Four argues, more recent attempts to stabilise the nuclear order took place after 2010, through the New START of 2010; the 2015 JCPOA deal between the US and Iran, as well as the TPNW, signed in 2017.⁴⁰ Yet, such attempts have far from enhanced global progress towards nuclear disarmament, the latter, in no small part owing to the lack of commitment by NWS to these treaties. As subsequent chapters will show, the DPRK would exploit such stagnation within the institutions of the nuclear order to justify its accelerated nuclear ambitions.⁴¹

What can be seen, therefore, is that the global nuclear order is both constraining and enabling in terms of how states can be restricted by the normative constraints of the order, but also leverage the fissures and cleavages within the order to their advantage. The order’s social hierarchy can disadvantage states materially and socially, particularly those situated on the fringes of international society, or states that are unwilling to accept the hegemonic structures of the order. Although the DPRK was one of the earliest opponents of the nuclear order and its

³⁸ Müller (2005:38-39); Simpson & Nielsen (2005); Potter (2005b)

³⁹ UNSCR 1718, adopted on 14 October 2006, was unsuccessful in calling for the DPRK to rejoin the NPT, and cease nuclear and missile testing. Chapter Three provides further detail on the DPRK’s first nuclear test.

⁴⁰ Yet, the US withdrawal from the JCPOA in May 2018, followed by Iran’s declaration, on 5 January 2020, of its non-compliance with the agreement, plunged the nuclear order into further uncertainty. See: ‘Remarks by President Trump on the Joint Comprehensive Plan of Action’, *WH*, 8 May 2018; Hafezi (2020).

⁴¹ In one example, North Korea deemed the refusal of NWS – especially the US – to sign the TPNW to have “cast a gloomy shadow on the prospects of the treaty,” against which the DPRK would not “flinch even an inch from the road to bolstering up the nuclear forces.” See: MFA, ‘DPRK Will Not Flinch from Bolstering Nuclear Force: DPRK Representative to UN’, 7 October 2017.

social strictures, North Korea was not alone in viewing the order, through a realist lens, as a mere vehicle to serve US hegemonic interests, a view shared by other non-NPT signatories – such as India and Pakistan – as well as NNWS, such as Iran.⁴² Importantly, the DPRK has framed its understanding of the global nuclear order – and international order – through what it the regime has termed a US “hostile policy.” As the next section will examine, the “hostile policy” is a diverse notion epitomising North Korea’s worldview of being disadvantaged by an antagonistic international environment led by its ultimate adversary of the United States, which, according to the DPRK, has subsequently forced it to engage in norm-deviant behaviour.

The hostile policy: North Korea’s outlook on the global nuclear order

From North Korea’s perspective, the global nuclear order exemplifies the so-called “hostile policy” emanating from the US. Since the inception of the regime-state in 1948, but most notably after the end of the Korean War in 1953, the “hostile policy” has formed a principal lens through which North Korea orders and understands its position within international society. Of course, the DPRK was not alone in criticising the institutionalised nuclear order, most prominently the NPT.⁴³ For instance, Pakistan has justified nuclear development as part and parcel of the state’s “conception of itself as a rebel against Western imperialism.”⁴⁴ Yet, the specific notion of the “hostile policy” remains unique to how North Korea frames its social understanding of international order, and how it chooses to respond to its resultant status within the order.

⁴² Solingen & Wan (2014:565). Nye (1985:127), however, supports the unequal nature of the nuclear order, arguing how “most states are likely to accept some ordered inequality in weaponry because anarchic equality appears more dangerous.”

⁴³ Perry & Collina (2020:194-195)

⁴⁴ Chaftez *et al.* (1996:748)

The DPRK was and remains vociferous in its criticisms of what it perceives as threatening actions and rhetoric on the part of the United States, but also from international organisations, such as the IAEA.⁴⁵ As Part II of this chapter will demonstrate, the “hostile policy” has served as a frequent justification by the DPRK for its delinquent behaviour since the end of the Korean War, primarily by placing blame upon, and degrading the status of the United States, its allies, and the international community more widely. Yet, the regime-state has been notoriously elusive in defining this “policy.” A 2020 report from the Institute for Disarmament and Peace, a thinktank of the North Korean Foreign Ministry, provided arguably the most detailed – albeit still highly equivocal – definition to date, namely as the “pursuit of permanent division of the Korean peninsula and ceaseless nuclear threats and blackmail against the DPRK.”⁴⁶

In an interview with the author, however, a former US intelligence official stressed how discussions with North Korean officials only reinforced the all-encompassing and ambiguous nature of the “policy”: “what it is, it’s everything...from the presence of US troops on the Korean Peninsula, including the joint exercises between the US and South Korea...hostile US media...insults hurled at them, US complaints about human rights, lack of freedom, the gulags.”⁴⁷

To shed light upon the “hostile policy” in the context of how North Korea engages with the global nuclear order, this thesis categorises the phenomenon into political, economic, and social indicators.⁴⁸ Politically, the policy is manifest, at its core, in the US-ROK security

⁴⁵ E.g. KCNA, ‘Invariable hostile policy toward DPRK’, 31 January 1997; KCNA, ‘Rodong Sinmun urges U.S. to renounce its hostile policy toward Korea’, 23 August 1997.

⁴⁶ KCNA, ‘Withdrawal of U.S. Hostile Policy towards DPRK...’, 25 June 2020.

⁴⁷ US official (interview, 2019).

⁴⁸ Howell (2020b)

alliance, perceived by the DPRK as an existential threat, and witnessed in activities it deems to be “hostile”, especially annual defensive US-ROK military exercises, the first of which, ‘Foal Eagle’, commenced in 1954. The DPRK has repeatedly dismissed these exercises as “war games” and “war drills.”⁴⁹ As subsequent chapters will demonstrate, these exercises were seen by the DPRK as part of a US desire to instigate regime change, particularly during the 1990s.⁵⁰ Economic aspects of the US “hostile policy” refer primarily to unilateral and multilateral sanctions enforced upon the DPRK. In line with the regime-state’s narrative of its inception, North Korea has frequently denounced UN Security Council sanctions resolutions as being “cooked up” by the United States, which has furthered its opposition to international order as a mere manifestation of US hegemonic ambitions.⁵¹ Such denunciations are not limited to recent sanctions, such as those imposed in 2017, which specifically targeted the North Korean economy.⁵² Unsurprisingly, the DPRK also dismissed resolution 82 of 25 June 1950, which designated the DPRK as the “aggressor” of the Korean War.⁵³

The US “hostile policy” importantly occupies a social dimension, which renders it highly pertinent towards understanding how North Korea responds to the global nuclear order as a social order. As subsequent chapters contend, North Korea’s behaviour has frequently been vindicated in response to international labelling of the DPRK as a “rogue” actor, or criticisms of its nuclear or missile development. For example, the designation of the DPRK as part of the “axis of evil” during the George W. Bush administration, coupled with its status as a U.S. State

⁴⁹ E.g. KCNA, ‘War drills under fire’, 11 April 1997; RS, ‘KPA General Staff Warns Aggressors of Merciless Nuclear Counter-action of Justice’, 3 March 2017.

⁵⁰ A CIA estimate in 1997 concluded that the DPRK was likely to collapse within five years, owing to economic deterioration, and the increasing need to import aid and food from China. See: CIA Intelligence Report, *Exploring the Implications of Alternative North Korean Endgames*, 21 January 1998. See also: Oberdorfer (2013:289-295); Foster-Carter (1994, 1995).

⁵¹ E.g. MFA, ‘U.S. Sanctions and Pressure Racket Will Be Foiled: KAPPC Spokesman’, 25 December 2017.

⁵² UNSCR 2371, 2375, and 2397 respectively. As Chapter Four will argue, these sanctions ultimately led to the untimely ending of the US-DPRK summit at Hanoi in 2019.

⁵³ UNSCR 82, S/1501, (1950), 25 June 1950.

Sponsor of Terrorism – from 1988 to 2008, and from 2017 – were all seen by the DPRK to be epitomising the US “hostile policy.”⁵⁴

As this section has shown, the “hostile policy” has, over time, become a means for the DPRK to compensate for its marginalised position both within the nuclear order, but also, post-withdrawal from the order, its position outside of the NPT and status a ‘rogue’ nuclear state. The next part of this chapter will examine the range of behaviour available for the DPRK in light of its position within international society. This part will contend that in managing this precarious position, North Korea has been able to deploy a repertoire of delinquent and compliant actions, without compromising on its national interests and nuclear ambitions. Contrary to arguments in existing literature, whilst norm-deviant behaviour may have initially brought North Korea negative status, the regime-state has been able to reap benefits in so doing; in one example, through negotiations with the US in the 1990s, which, in Pyongyang’s eyes, granted it with recognition as an equal negotiating partner of the US.

Part II

Delinquent behaviour and negative status

As Part I has contended, there is a strong social dimension to the nuclear order, and how North Korea views the order and its place within it, not least as encapsulated by what it deems to be a “hostile policy” pursued by the United States and its allies. Yet, the order is also fundamentally based around questions of social status.

⁵⁴ This issue will be treated extensively in Chapters Three and Four.

Kenneth Waltz, in a neorealist vein, argued that “no country has been able to prevent other countries from going nuclear if they were determined to do so.”⁵⁵ Nevertheless, the social status hierarchy within the nuclear order – when approached through a social constructivist lens – has resulted in NWS being accorded with high status, in contrast to NNWS or non-NPT signatories, for whom developing weaponised nuclear capabilities generates negative status. The North Korean case, however, poses a question overlooked in scholarship: what behaviours can be exercised by states that are dissatisfied with the social norms of a particular order, and how might such states benefit from exercising behaviour that breaks international norms? Existing literature in International Relations (IR), however, offers insufficient insight in this regard. Given the social stratification of the nuclear order, the DPRK requires a strategy to maintain its national interests and reap ascendant social status, namely one of strategic delinquency. As this chapter will contend, despite its low status with respect to the nuclear order, the DPRK can leverage deviant behaviour for social and material gain, not least negotiations with great powers (social) as well as regime survival (material).

States can pursue three paths in response to positions of lower status within the nuclear order. Firstly, they can accept the material and social constraints of acceding to the NPT as a NNWS. Secondly, they can form favourable relationships with great powers and persuade the custodians of the order of their willingness to comply with dominant social norms. With respect to the latter, India presents one exceptional example, placing its civilian nuclear facilities under IAEA safeguards, and imposing a moratorium on nuclear testing after its nuclear tests of 1998.⁵⁶ Though a non-NPT signatory, India signed a civilian nuclear deal with the US in 2005,⁵⁷ whereby the United States accorded it with recognition as a nuclear-armed state, not

⁵⁵ Waltz (2003:38)

⁵⁶ Crossette (1998).

⁵⁷ ‘Joint Statement between President George W. Bush and Prime Minister Manmohan Singh,’ *WH*, 18 July 2005.

least given its status – in the eyes of the US – as “one of the world’s great democracies.”⁵⁸ In so doing, India’s treatment as if a legal NWS was deemed by some scholars to have eroded the legitimacy of the global nuclear order, given the US’s tolerance of a nuclear India, in contrast to its intolerance of nuclear possession by other non-NPT signatories, such as the DPRK and Iran.⁵⁹ Thirdly, states can flout the norms of the global nuclear order and broader international order with the aim of reaping benefits, which, as this section will show, can be a response by non-NPT signatories or NNWS to their lower status within the order, and the resultant stigma associated with nuclear possession by these states.

The DPRK has been unwilling to pursue the first path, which fundamentally contradicts its national interests, namely its nuclear ambitions. In addition, as subsequent chapters will argue, over time, attempts to improve relations with the United States have not borne fruit. North Korea has thus chosen the third path: subverting the norms of the global nuclear order prior to and during its membership of the NPT, and especially after its withdrawal from the Treaty – according to Article X– in 2003.

As the next section will show, extant scholarship stresses how within international politics, norm-deviant behaviour, especially on the part of marginalised powers such as the DPRK, is a prominent source of negative social status. Yet, the positive outcomes that may ensue as a result of the DPRK being bestowed with negative status, remain overlooked.

⁵⁸ US President George W. Bush made this claim in 2005 in a discussion with then-Indian Prime Minister Manmohan Singh. The US-India nuclear agreement, approved by Congress on 1 October 2008, allowed India to engage in nuclear trade despite not having signed the NPT. See: ‘President, Prime Minister of India Discuss Freedom and Democracy’ *WH*, 18 July 2005.

⁵⁹ For these views, see: Bâli (2013:321); Rathbun (2006:244); Thakur (2013); Hayes (2009). Rathbun (2006:228) defines legitimacy as “acceptance of rules because they are viewed as right or correct”, and “the degree to which regimes ensure sovereign equality” and do not discriminate against the rights and obligations of their members. For an optimistic outlook on the US-India deal, see: Perkovich (2010).

Norm-breaking and deviant behaviour

Existing scholarship argues that for states to be respected as legitimate and responsible members of international society, they must conform with dominant social norms. Such norms are both systemic and domestic: the former, in terms of formal and informal institutions of international society – such as the non-proliferation regime, international human rights regimes, or international law – the latter, vis-à-vis good governance and the provision of public goods and services to citizens.⁶⁰ Whilst conformity with dominant social norms is rewarded by international society through bestowing esteem, respect, and positive status upon a state, norm-divergent behaviour often inflicts the inverse, leading to a resultant degradation in a state's status.⁶¹

In espousing an English School perspective, Tim Dunne argues convincingly that “when accepted norms are broken, the offending state tries to justify its actions with reference to another norm or gives reasons why the action constitutes a legitimate exception.”⁶² Within international society, states often justify norm-breaking behaviour through delegitimising and altering existing norms, or stressing their compliance with other norms that better serve their interests.⁶³ Recent scholarship within realism has postulated how such justifications have been witnessed in the revisionist behaviour of great and rising powers.⁶⁴ For example, the United States, as the global hegemon, has used the agency accompanied with its preponderant material power to exercise norm-breaking behaviour, and refashion existing norms to serve its national

⁶⁰ Such values could be seen as part of the “rights and duties” which, according to solidarist accounts of international society, proffered by the English School, ought to be upheld by states; see: Bull (1977:152). For more on solidarist accounts, see Wheeler (2000); Hurrell (2007:144-151). For more on international law, see: Kratochwil (1989:254).

⁶¹ Keohane (2010:18)

⁶² Dunne (2002:np)

⁶³ Ba (2005:259); Hurd (2007:206).

⁶⁴ E.g. Foot & Walter (2011); Clark (2007)

interests.⁶⁵ For example, post-9/11, the US attempted to justify its breaching of international human rights norms, and norms against the use of force, by vindicating its behaviour as upholding other broader systemic norms, such as international stability, and the duty to enforce UNSC resolutions.⁶⁶ Reus-Smit, amongst others, argues that if the global hegemon does not act in accordance with existing international norms, “the legitimacy of its leadership will fast erode.”⁶⁷ Interestingly, North Korea has exploited this very criticism, in order to portray the US as an unbenevolent hegemon which does not abide by the norms of international society that it created. Through such criticisms, the DPRK has attempted to justify its own norm-deviant nuclear behaviour.

Constructivist scholarship on norm-breaking and norm-making has centred predominantly around the notion of “norm entrepreneurship.”⁶⁸ This body of scholarship has contended how Western liberal states diffuse their own normative models across international society, aiming to promote the betterment of other non-Western states.⁶⁹ More recent arguments have given greater attention to non-Western approaches towards norm creation;⁷⁰ the role of “norm antipreneurs” – those state actors that favour the normative status quo⁷¹ – and the subjective categorisation of norms within international society, namely how Western liberal norms are subjectively framed as “good”, whilst ideas that challenge them are derided as “bad.”⁷² Although Ian Hurd postulates that US revision “takes place within the existing normative

⁶⁵ Brooks & Wohlforth (2005); Cronin (2001). For a seminal work on US illiberal behaviour post-war, see Porter (2020).

⁶⁶ Hurd (2007); Schmidt & Sikkink (2019).

⁶⁷ Reus-Smit (2004:102). For similar perspectives, see: Hook & Spanier (2004:376); Clark (2011:33).

⁶⁸ Seminal works on “norm entrepreneurs” include Finnemore & Sikkink (1998); Florini (1996); Keck & Sikkink (1998). Such arguments gained fruition within the discipline of IR following its so-called ‘constructivist turn.’ See: Checkel (1998).

⁶⁹ Acharya (2018) criticises the assumption that non-Western states are passive recipients of Western normative frameworks, through contrasting ideas of ‘norm localization’ with ‘norm subsidiarity.’

⁷⁰ Acharya (2004, 2011, 2018); Stefan (2017); Pu (2012)

⁷¹ Bloomfield (2016)

⁷² Heller & Kahl (2013:415).

context and simultaneously contributes to refashioning it”, such refashioning is not limited to the global hegemon.⁷³ Marginalised powers, too, can resist and interpret extant normative frameworks through their own lenses. As Finnemore and Sikkink observe, norm-breaking behaviour may “generate disapproval or stigma,”⁷⁴ not least with respect to the norm of the “nuclear taboo” vis-à-vis the global nuclear order.⁷⁵ Yet, as scholarship in social psychology reminds us, norm violation can also signal agency and power on the part of the norm-transgressor, as other actors may view the norm violator to be “unconstrained by normative pressures” and at greater liberty to act according to their desires.⁷⁶

As Wunderlich argues, although ‘rogue states’ may be perceived by the custodians of the liberal international order as disrupting the order’s norms, they may be norm entrepreneurs in their own right.⁷⁷ Whilst this assertion does not stand with respect to the case of the DPRK, the regime-state has not hesitated from engaging in agency-asserting behaviour in response to its lower status within the broader international order, and its opposition to the US as the order’s hegemon.

Thus, at its core, norm-breaking behaviour inflicts negative social status upon states, which, as extant literature contends, can be ameliorated by behaving in line with dominant social norms. Understanding norm-breaking behaviour from the perspective of status, however, remains understudied. Nevertheless, as the next section will show, despite a burgeoning body of literature on status within international relations, prevalent arguments remain concentrated

⁷³ Hurd (2007:44)

⁷⁴ Finnemore & Sikkink (1998:372)

⁷⁵ For more on the nuclear taboo, see: Tannenwald (2005, 2007); Paul (2010:861).

⁷⁶ Van Kleef *et al.* (2011:501)

⁷⁷ Wunderlich (2020:273-275)

around positive and ascendant status, and are yet to explore the notion that negative status can lead to beneficial outcomes for states.

Norm-breaking and negative status

Prevailing scholarship on status within the discipline of IR offers limited insight into how states can resist their lower status within international order, not least with respect to the DPRK and the global nuclear order. For states, status is both an end in itself, and a means towards social and material goals, whether bolstering a leader's domestic support, international legitimacy – by being seen to be adhering to accepted social norms – or economic benefits.⁷⁸ In one example, realist approaches posit that status competition can catalyse interstate conflict within an anarchic environment, owing to how state leaders care about how their state is regarded by the leaders and people of other states.⁷⁹

Yet, literature on status remains concentrated around ascendant status on the part of rising powers, and the material benefits that ensue.⁸⁰ Although there is limited scholarship on 'small states', such literature continues the predominant focus on obtaining ascendant status through conformity with dominant systemic norms, such as maintaining international stability.⁸¹

At the same time, de Carvalho and Neumann do postulate how some small states – such as Myanmar or the DPRK – may seek to elevate their status within international order through less norm-compliant pathways. In the case of the latter, they posit how North Korea's nuclear

⁷⁸ Keohane (2010:19); Katzenstein (1996); Wohlforth (2009:34-37).

⁷⁹ Wohlforth (2009:34-36); Dafoe *et al.* (2014); Mercer (1995).

⁸⁰ E.g. Larson & Shevchenko (2010, 2014a, 2014b, 2019); Clunan (2014); Pu (2017); S. Ward (2017, 2020); Paul *et al.* (2014); Basrur & Sullivan de Estrada (2017).

⁸¹ Wohlforth *et al.* (2018) argue how Norway has sought to bolster its status as an upholder of moral values of sovereign statehood within international order. See: Neumann (2014); Baxter *et al.* (2018).

ambitions can project the regime-state's status as a nuclear-armed power internationally, and bolster domestic legitimacy.⁸² Nevertheless, these arguments overlook questions of the external benefits brought by behaviour that induces negative status. Moreover, the possibility that norm-compliant actions may, in fact, mask underlying delinquent behaviour – owing to the payoffs of the latter – is not extensively theorised. As such, understanding the norm-breaking pursued by states vis-à-vis nuclear norms requires an inversion of arguments posited in existing literature. In so doing, the framework of strategic delinquency aims to show how negative social status – in addition to positive status – may precipitate beneficial outcomes for states, which subsequent chapters will apply to the North Korean case.

Norm-breaking, negative status, and the global nuclear order

Having considered arguments in literature vis-à-vis norm-breaking and status, it is important to understand how, in relation to the global nuclear order, the entrenchment of the “nuclear taboo”, especially post-war, has resulted in the stigmatisation of behaviour that transgresses the order's norms. A fundamental example of such behaviour is illicit weaponised nuclear development on the part of non-NPT signatories or NNWS, which accords these actors with negative status as non-legal nuclear possessors. As Patricia Shamai argues, however, instead of responding to the resultant stigma and negative status with remorse, these states may internalise the stigma, and further accelerate – not reduce – their nuclear development.⁸³ Such behaviour counters the contention in literature that states, especially those that are neither great nor rising powers, are merely passive recipients of stigma. Rather, as Adler-Nissen posits, they are “active agents, able to cope strategically with the shame they are subjected to and, in some

⁸² de Carvalho & Neumann (2014:5)

⁸³ Shamai (2015). Gusterson (1999) argues how great power politics has imbued an erroneous perception amongst the international community that nuclear weapons are ‘safer’ in the hands of Western than non-Western or non-democratic governments.

cases, may even challenge a dominant moral discourse by wearing their stigma as a badge of honor.”⁸⁴

A state can accept the stigma imbued within an action, but, through what Erving Goffman – drawing from the discipline of social psychology – terms counter-stigmatisation, the state may “turn it into an emblem of pride, identifying with the group of stigmatized”, whereby “stigma is turned into a virtue and the deviant value their exclusionary status.”⁸⁵ As Kjølsv Egeland asserts, delinquent nuclear behaviour can stem from these states’ yearning to be “equal members of international society” within the bifurcated nuclear order.⁸⁶ Weaponised nuclear possession counter to nuclear norms may become an “emblem of pride” or “badge of honor” for some states, which may bring benefits such as domestic legitimacy, as seen in the North Korean case.⁸⁷ At the international level, such deviant behaviour can also form part of the wider strategies to resist hegemonic hierarchies, assert moral superiority over the custodians of the nuclear order, and gain support from other stigmatised actors. As the framework of strategic delinquency will show, North Korea also engages in counter-stigmatisation, not least with the aim of degrading the status of the United States, but also, in so doing, to reap rewards.

With respect to the global nuclear order, as has been mentioned, India represents a unique case which, despite not being an “insider in the NPT regime”, has gained recognition and acceptance, albeit not universal, as a responsible nuclear power and “exceptional nuclear state.”⁸⁸ Whilst India’s nuclear tests in 1998 initially led to the infliction of low social status,

⁸⁴ Adler-Nissen (2015:153).

⁸⁵ Goffman (1963:112-113)

⁸⁶ Egeland (2017:213)

⁸⁷ Cha (2002) asks whether North Korea’s nuclear weapons have become “badges, shields, or swords” for the regime-state. Howell (2020a) posits how the DPRK’s nuclear doctrine remains embedded within the state ideology of *juche*.

⁸⁸ Sullivan de Estrada (2020)

its subsequent attempts to conform to dominant norms of arms control, non-proliferation, and nuclear responsibility elevated its status.⁸⁹ Although unlikely to join the P5, NPT, or NSG, India's recognition as a nuclear responsible has brought material and social benefits.⁹⁰ The former was seen in the 2005 civil nuclear trading agreement with the US; the latter, in terms of its 'non-rogue' status with respect to the global nuclear order despite not having signed the NPT.⁹¹ During the Nehruvian era, India promoted its leadership role within the NAM, established a new international economic order that challenged the power politics imbued within the postwar US-led order, endorsed peaceful nuclear energy, and advocated for universal nuclear disarmament. Over time, India also gained a following from states that shared its support for such causes.⁹² Even so, India has maintained its opposition to the unjust nature of the NPT but obtained acceptance of its exceptional status through conforming to dominant nuclear norms,⁹³ without necessarily pursuing what Larson and Shevchenko term "social creativity", namely "achieving prestige on a different dimension, such as promoting new norms or a developmental model."⁹⁴

In contrast, the DPRK has not gained the same extent of recognition as India or the resultant positive status, despite multiple – albeit unsuccessful – multilateral negotiations with the international community. As the only state to have acceded and withdrawn from the NPT, North Korea's status vis-à-vis the global nuclear order is unusual. Unlike India, the DPRK lacks a peer group with which it seeks to promote alternative normative models of international

⁸⁹ Sullivan de Estrada & Wheeler (2016:290-292)

⁹⁰ Leveringhaus & Sullivan de Estrada (2018:497-501); Sullivan de Estrada (2020)

⁹¹ Sullivan de Estrada (2020)

⁹² Nayar & Paul (2003:199); Basrur & Sullivan de Estrada (2017:88); Ganguly & Pardesi (2009); Abraham (2008); Raja Mohan (2010)

⁹³ In 2007, then-External Affairs Minister, Pranab Mukherjee, stated how India "consider[s] [the] NPT as a flawed treaty and...did not recognize the need for universal, non-discriminatory verification and disarmament." See: 'India dismisses NPT as 'flawed' treaty', *Times of India*, 23 March 2007.

⁹⁴ Larson & Shevchenko (2010:74)

order.⁹⁵ Even despite its engagement in clandestine nuclear trade with other ‘rogue’ states during the 1990s, as a former US negotiator to the DPRK insisted to the author, North Korea prefers to be “left alone” instead of engaging in ideational networks of solidarity with other states.⁹⁶ Furthermore, contrary to norm entrepreneurs, the DPRK does not seek to reform the existing non-proliferation regime, even despite its dissatisfaction at the regime’s bifurcated nature.⁹⁷

Nevertheless, North Korea’s lack of followership and the removal of constraints from the custodians of the global nuclear order, especially post-withdrawal from the NPT, has given the regime-state greater freedom to behave in ways counter to the norms of international order, especially to advance its nuclear development. Whilst the DPRK has not tried to create a new normative order – not least since the 1990s – it has “reframe[d] a negative attribute as positive”,⁹⁸ namely nuclear possession and development on the part of non-NPT signatories. Moreover, scholarship within social psychology reveals how actors may go against expected norms “by redefining or altering the elements of the comparative situation”.⁹⁹ Indeed, North Korea has striven to mitigate its marginalised position within the nuclear order and resist the US “hostile policy” through weaponised nuclear development, to extract concessions from the international community. As future chapters will contend, the North Korean regime has frequently legitimised its belligerent nuclear behaviour, especially post-2003, by invoking its position outside of the NPT.

⁹⁵ Historically, the DPRK tried to cultivate a leadership role within the Non-Aligned Movement, premised around anti-imperialism, in light of the quests for self-determination by non-aligned and Third World countries. Yet, the DPRK’s ambitions lost traction in the 1980s, as its economic development stalled in contrast to that of the ROK. See: Armstrong (2009); Krishnan (1981); Dikötter (2020:139-141).

⁹⁶ US official (interview, 2019)

⁹⁷ Wunderlich (2020:246); Wunderlich *et al.* (2013:281).

⁹⁸ Larson & Shevchenko (2010:67)

⁹⁹ Larson & Shevchenko (2010:73-74). For more on how actors can have different statuses within different (social) hierarchies, see Mummendey *et al.* (1999).

Thus, North Korea occupies an exceptional position in relation to the global nuclear order – albeit in a different vein to India – through exploiting the order’s normative constraints by strategically oscillating between delinquency and compliance. Such behaviour is motivated by its perception of the United States as a hostile and morally degenerate power. As subsequent chapters will demonstrate, the DPRK has engaged in a range of delinquent behaviour, ranging from outright provocations to obsequious behaviour towards the custodians of the nuclear order; the latter to be perceived as a trustworthy power by the wider international community. Such sycophantic compliance with nuclear norms and the US’s demands is frequently cosmetic, aiming to compel the US and ROK to reward the DPRK.

As such, through the framework of strategic delinquency, what follows is a new theorisation of North Korea’s engagement with the global nuclear order and wider international order, in light of what the regime-state perceives to be an antagonistic international environment. This framework demonstrates how North Korea deploys a variety of behaviour to challenge nuclear norms, to its advantage. Such challenges comprise rhetorical or visible provocations, transgressing institutionalised normative frameworks of the order – such as the NPT or IAEA safeguards – or ‘mock compliance’ with nuclear norms. This framework argues that delinquent behaviour can, in fact, bring benefits for states, both negative status as a means to other social and material goals, or positive social status as an end in itself. In so doing, this framework aims to challenge claims in existing scholarship, in arguing that delinquent behaviour can be conceptualised as one possible response to the marginalised position in which North Korea finds itself vis-à-vis the global nuclear order.

Part III

Strategic delinquency: a theoretical framework

As Part I of this chapter contended, North Korea's frames the global nuclear order – and broader international order – and its position within it through the lens of the so-called “hostile policy” emanating from the United States. Part II argued how delinquent behaviour is one strategy which the DPRK can deploy in response to this worldview. Yet, delinquency remains inadequately theorised in extant scholarship, given its overwhelming focus upon how norm-flouting behaviour with respect to dominant international norms generates negative social status. Thus, the framework of strategic delinquency pioneers a novel theorisation of how North Korea is able to exercise delinquent – and compliant – behaviour vis-à-vis the global nuclear order, and, in so doing, reap social and material dividends. As will be demonstrated, negative social status can be leveraged for positive gain, as a source of agency to resist North Korea's marginalised status position with respect to the global nuclear order, and in response to the US “hostile policy.”

Before presenting this framework, however, two caveats must be made. Firstly, North Korea does not solely engage in norm-deviant actions. Norm-compliant behaviour that brings positive status also forms part of the DPRK's engagement with international order. As future chapters will highlight, the DPRK exercises such behaviour whilst leaving open the implicit threat of delinquency, particularly if norm-compliant behaviour may not bring the desired benefits for the regime-state. Secondly, in exercising delinquent behaviour, material and social costs also arise. As Chapters Two to Four will detail, North Korea has faced substantial costs for its delinquent behaviour, for instance, as witnessed in the application of multilateral and bilateral

sanctions – which gained notable stringency during the Trump administration – and the resultant international perception of the DPRK as a norm-violating ‘rogue’ actor.

The DPRK draws upon different types of delinquent behaviour as part of its engagement with the global nuclear order to reap particular goals, one of which is deterrence. One type of behaviour is brinkmanship – which forms part of the wider category of provocation – as can be seen when the DPRK provokes other states, eschews a normative commitment, or deceives the international community about the true extent of its nuclear programme. Nevertheless, brinkmanship does not explain why North Korea may choose to engage in particular negative or positive status-inducing behaviours. Moreover, though commonly posited in scholarship as a type of behaviour in which states engage in response to a marginalised position within international order, brinkmanship has, surprisingly, not been theorised from a social perspective, despite how North Korea frames international order in social terms.¹⁰⁰ Indeed, were the DPRK’s behaviours purely motivated by brinkmanship, the regime-state would be less likely to deploy actions whereby the costs outweigh the gains. One example was witnessed in the DPRK’s decision to test its first nuclear device in October 2006 whilst the SPT were ongoing, although, ostensibly, North Korea had self-declared its suspension from the talks at this time.

Yet, as has been mentioned, North Korea also deploys norm-compliant behaviour vis-à-vis the nuclear order, although such compliance must be managed with alacrity. Complete compliance with the norms of the nuclear order would force the North Korea to rescind its nuclear programme. Mock compliance, however, may allow the DPRK to maintain its nuclear

¹⁰⁰ For applications of brinkmanship to the DPRK’s behaviour, see Miller & Narang (2018); S-C Kim & Cohen (2018); Pacheco Pardo (2018); Snyder (1999:144); Pritchard (2003).

ambitions, such as through pledging nuclear and missile testing moratoriums. Of course, outright delinquent behaviour – such as flouting the norms of the nuclear order – can also be pursued.

This repertoire of behaviour can bring benefits for the DPRK, as this framework will demonstrate. In brief, such benefits can comprise, *inter alia*, the offering of concessions by the international community, for instance, economic assistance (material benefit), or high-level negotiations with the DPRK (social benefit). As the strategic delinquency framework aims to show, the DPRK can learn from the benefits and costs received from past behaviour to strengthen the regime-state's ontological security, and, importantly, motivate future behavioural choices.¹⁰¹

As Mitzen observes, ontological security is just as important – if not more – for states, than physical security. A state may compromise the latter for the former, an assertion that holds true for North Korea.¹⁰² Although the regime has repeatedly asserted that its nuclear capabilities are solely for self-defensive, deterrent purposes,¹⁰³ in arguing how “the mission of our nuclear weapons is only for deterring the possible US attack on [the] DPRK”,¹⁰⁴ its nuclear possession may precipitate physical insecurity. As will be seen in Chapter Two, in the 1990s, even when the Clinton administration considered a preemptive strike on the DPRK's nuclear facilities, the DPRK remained unphased, and determined to pursue its then-nascent nuclear development.¹⁰⁵

¹⁰¹ For more on ontological security, see: Mitzen (2006); Zarakol (2017a); Steele (2005, 2008).

¹⁰² Mitzen (2006:343)

¹⁰³ Cha (2002a:233). E.g. KCNA, ‘Rodong Sinmun Slams U.S. Double Standards in Nuclear Policy’, 2 July 2015; KCNA, ‘Foreign Ministry Spokesman Blasts U.S. Psychological Campaign’, 14 December 2004. Funabashi (2007:127) highlights how the DPRK aimed “to appear, in the eyes of the United States, to be a nuclear power or at least to be capable of nuclear deterrence.”

¹⁰⁴ Statement by Choe Son-hui, Ministry of Foreign Affairs, at The Moscow Nonproliferation Conference, 21 October 2017.

¹⁰⁵ Perry (2015:106-109).

In so doing, the regime-state could further its “stable self-understanding”¹⁰⁶ as a nuclear-armed state.

The social and material benefits the DPRK has gained from past behaviours can motivate future behaviours through an evolutionary process of learning. Whilst Todd Hall stresses how provocative state behaviour will diminish over time, as “actions or events ebb into the past and lose their immediacy and salience”, this argument does not hold true for the DPRK.¹⁰⁷ Past actions have certainly not lost their salience in informing North Korea’s contemporary behaviour, as manifest in the so-called US “hostile policy”, the latter which is fundamental to how the DPRK frames its understanding of international order, and justifies its delinquent behaviour. The “policy” has also, importantly, formed a foundational narrative of the North Korean regime-state, stemming from a deep-rooted conceptualisation of the humiliation and victimisation to which it deems to have been subjected post-World War II, and during and after the Korean War.¹⁰⁸ As Jonathan Pollack accurately posits, the DPRK’s domestic and foreign policies are driven by the mentality that the “past is still the present.”¹⁰⁹

This logic extends to how the legacy of North Korea’s past interactions with the international community – not least the United States and South Korea – can influence future actions. For example, as future chapters will argue, North Korea’s deviant behaviour during the Bush, Obama, and Trump administrations were in no small part a product of learning from outcomes of its behaviour during the Clinton administration. As Chapter Three shows, after the ‘first

¹⁰⁶ Mitzen (2006:344)

¹⁰⁷ Hall (2017:8); see also Crawford (2014)

¹⁰⁸ For more on how states and their leaders respond to humiliation, see: Saurette (2006). With respect to China, see Callahan (2004, 2009); Zhao (2015). Regarding post-Soviet Russia, see: Clunan (2014); MacFarlane (2016:348-353); Neumann (2005); Tsygankov (2013).

¹⁰⁹ Pollack (2017:194); see also: Kwon & Chung (2012:72-73). Certainly, the DPRK has adapted Mao’s (cited in Xie, 2017:554) adage that China should “use the past to serve the present.” For one notable example of how the DPRK has invoked the past to justify its decision-making, see: KCNA, ‘KCNA ‘Detailed Report’ Explains NPT Withdrawal’, 22 January 2003.

nuclear crisis’ of the 1990s – and the signing of the US-DPRK Agreed Framework – the DPRK learned it could behave provocatively, not least through nuclear brinkmanship, but still be invited to the multilateral Six-Party Talks in the 2000s, which North Korea could exploit for its own interests, namely bilateral dialogue with the United States, and the social benefit of recognition as a dialogue partner. Yet, as will be detailed, by framing its behaviour in response to the US “hostile policy”, the DPRK was also able to assert its moral superiority and hold the US to account to its pledges made under the Framework.

North Korea’s engagement with international order is outlined in Fig. 1.

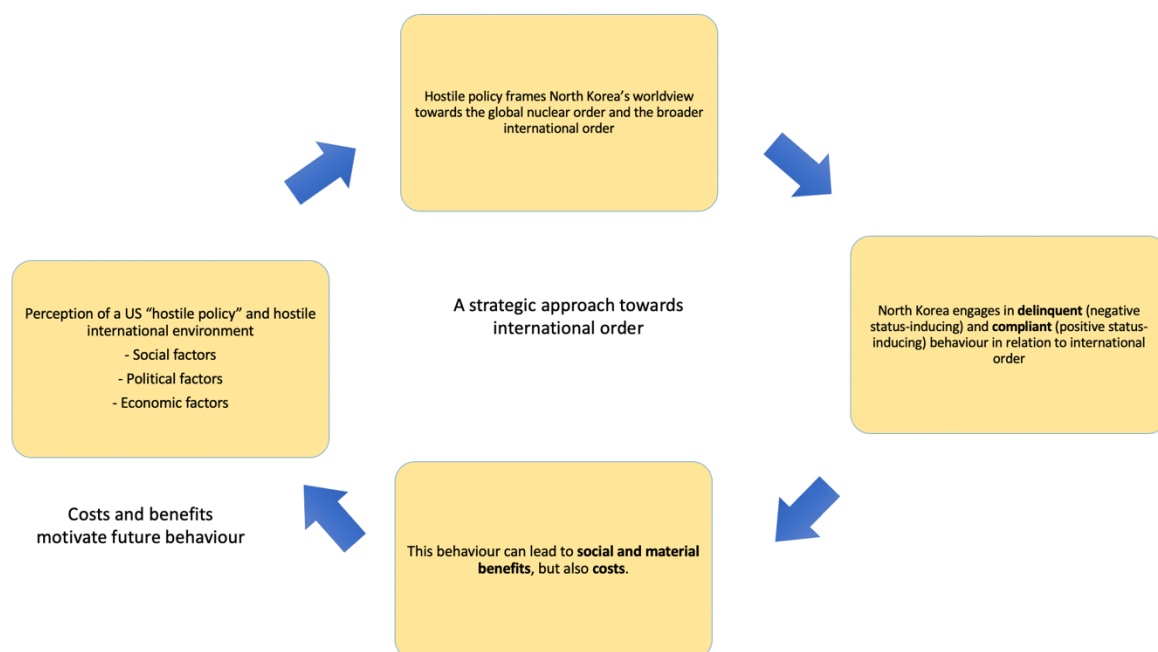


Fig. 1: North Korea’s engagement with international order

North Korea and delinquent behaviour

In 1993, a US Central Intelligence Agency National Estimate affirmed how North Korea feels it must compensate for its “weak hand” within international relations through countering

international threats with “belligerent defensiveness.”¹¹⁰ As has been contended thus far in this chapter, a central rationale underpinning North Korea’s Hobbesian outlook on international order has been the portrayal of the US as a hostile adversary.

The framework of strategic delinquency focuses upon North Korea’s delinquent behaviour, specifically actions which generate negative social status. These actions are categorised into three types: norm-transgression; provocation; deception. By typologising North Korea’s bad behaviour, future chapters can examine whether and how North Korea’s actions have generated positive or negative dividends for the regime-state, over time. Prior to detailing these individual behaviours, however, it is important to stress how they are not mutually exclusive but can coexist within a single act. For example, the DPRK’s covert pursuit of plutonium production and uranium enrichment in the late 1980s and early 1990s was both an act of deception and norm-transgression, in light of the DPRK’s then-membership of the NPT as a NNWS.¹¹¹

Each type of delinquent behaviour may target specific referent audiences, whether domestic (such as a nation-state’s population), international (such as a specific state, or the international community more broadly), or, more commonly, both. With respect to the DPRK’s nuclear tests, Whang *et al.* posit how although the first two nuclear tests (in 2006 and 2009) targeted primarily international audiences, the third test in 2013 was directed at the domestic sphere.¹¹² Yet, such discrete categorisations are oversimplified. Nuclear weapons serve both domestic and international value for the DPRK: domestically, as a “status seeking move of the ruling Kim family...critical to regime survival”,¹¹³ and internationally, for the purposes of

¹¹⁰ CIA, ‘The World Through P’yongyang’s Eyes’, 18 March 1993.

¹¹¹ Further treatment of this behaviour will be provided in Chapter Two.

¹¹² Whang *et al.* (2017)

¹¹³ Coats (2019)

“deterrence, international prestige, and coercive diplomacy.”¹¹⁴ Indeed, the DPRK seeks multiple goals, not least domestic legitimacy, regime survival, the continuation of its nuclear ambitions, and international recognition as a nuclear-armed state.

The interlinked nature of the domestic and international spheres in the North Korean case can be seen in the close coupling of how the regime projects the image of the North Korean state domestically and internationally, and how domestic and international level considerations affect its policy decisions.¹¹⁵ Such coupling is common in authoritarian regimes. For example, Yong Deng argues how China must balance its domestic ambitions of regime survival and recognition for its material prestige, in addition to its international ambitions of being perceived as a legitimate member of international society.¹¹⁶ As Rosemary Foot postulates, too, China has increasingly “come to accept” the social roles accompanying its status as the second-largest global economy, and a permanent member of the UN Security Council.¹¹⁷ Yet, there remains a paradox between the DPRK’s incorporation of its nuclear programme as a means of bolstering domestic legitimacy, and the international illegitimacy of its nuclear ambitions.¹¹⁸

As this framework highlights, however, whilst North Korea’s nuclear ambitions “no longer fall neatly into the dichotomous categories of domestic/societal and external/systemic variables,”¹¹⁹ analysis of North Korea’s norm-deviant nuclear behaviour must look beyond exclusively the domestic level. If the international level had little influence on North Korea’s behaviours, the DPRK would have neither joined nor withdrawn – albeit according to its own terms – from the NPT. The DPRK would have also placed greater focus on indigenous nuclear

¹¹⁴ Coats (2017)

¹¹⁵ Byman & Lind (2010); Oh & Hassig (2005); Pollack (2017).

¹¹⁶ Deng (2008:21)

¹¹⁷ Foot (2020:7)

¹¹⁸ This interesting question, whilst beyond the scope of this thesis, offers one avenue for future research.

¹¹⁹ S.S. Kim (2010:53-54)

development without the need to perform nuclear and missile tests, directed at international audiences. Crucially, the international sphere – not least the United States – rewards North Korea for its delinquent behaviour: the formation of the Six-Party Talks mechanism after the DPRK withdrew from the NPT, offers one example. Thus, focusing solely on the domestic level does not shed complete light upon North Korea’s behaviour, given how the US “hostile policy” remains a fundamental lens through which the DPRK conceptualises international order.

A typology of delinquent behaviour

The first type of delinquent behaviour in the framework of strategic delinquency is **norm transgression**, which refers to the breaking of dominant norms by states, overtly or covertly. Norm-transgressive behaviour is often pursued as an attention-seeking and agency-asserting manoeuvre to express dissatisfaction against a perceived injustice within the international system. Such behaviour is frequently provocative, belligerent, and inflicts negative status. Given the broad nature of norms within international society, this behaviour can comprise a range of actions.

With respect to the global nuclear order, norm transgression can involve the decision by a non-NPT signatory, or NNWS, to test nuclear weapons, or engage in covert nuclear and missile development. It can also comprise the refusal of a state to accede to key normative frameworks underpinning the order, as seen by the DPRK’s refusal to comply with IAEA safeguards until 1992, despite having joined the NPT in 1985.¹²⁰ The audience of norm-transgressive behaviour can be both domestic and international: the former, in catalysing domestic support for a state’s

¹²⁰ E.g. Sigal (1997a). Further treatment of this issue will be given in Chapter Two.

flouting of international norms – such as through nationalist rhetoric or ideology – in response to the actions of an adversarial state. What is more often the case, however, is that norm-transgressive behaviour targets international audiences, such other states that lead alternative normative orders, or adversarial powers. The latter is particularly apposite with respect to North Korea, whose norm-transgressive behaviour is an act of resistance against the wider US-led international order, but more specifically targeted at its enemies of South Korea, the United States, and the US’s “hostile policy.” Given North Korea’s lack of peer group within international society, whilst the DPRK did violate the non-proliferation norm by engaging in clandestine nuclear exchange with other ‘nuclear rogues’ – namely Pakistan, Iran, and Syria – in the 1990s, such interactions were neither a product of ideational solidarity, nor the DPRK’s desire to lead an alternative normative order of rogue nuclear states. Rather, as a former senior US diplomat informed the author, these networks were predominantly “transactional.” The exchange of nuclear technologies, fissile material, and know-how provided financial benefit for the DPRK, allowing it to accelerate its indigenous nuclear development.¹²¹ Although North Korean state media may often affirm solidarity with other states that resent the US-led international order – such as Syria and Iran – and *vice versa*, such assertions, whilst not purely superficial, are insufficient to justify North Korea’s yearning for a position of leadership within an alternative normative order.¹²²

Whilst the social costs of norm-transgressing behaviour include negative status, marked by opprobrium and labelling as a rogue or ‘outlaw’ state, one benefit of such behaviour can be the

¹²¹ US official (interview, 2019)

¹²² Abbas (2018:121-137). For instance, Syria has supported the DPRK’s resentment of US global hegemony, by “recognizing only the democratic people’s republic of Korea in the Korean peninsula.” In 2015, Syrian President Bashar al-Assad stressed how the DPRK and Syria shared a common “essence and purpose...to weaken the countries that have independent decision and stand in the face of Western projects.” See: ‘Syria recognizes DPRK only’, *SARA*, 10 January 1997, ‘President al-Assad: Steadfastness of independent countries capable of restoring balance to international arena’ *SARA*, 4 December 2018.

increased attention from the referent audience. As later chapters of this thesis will contend, North Korea's norm-transgressing behaviour with respect to the NPT has allowed the regime-state to enter into negotiations with the United States, aimed at returning the DPRK into compliance with the non-proliferation regime. Furthermore, by flouting the non-proliferation norm, and self-declaring its withdrawal from the NPT in 2003, the DPRK has justified its deviant nuclear behaviour by asserting that it no longer needs to abide by the constraints of the NPT regime. In so doing, it has repeatedly blamed the United States as an unbenevolent custodian of the nuclear order, not least in failing to uphold its own obligations towards the pursuit of disarmament, as outlined under Article VI of the NPT.

A second type of delinquent behaviour, **provocation**, comprises intentionally threatening actions, whether visible or rhetorical, overt or covert. James C. Scott asserts how subtle acts of resistance towards dominant norms and hegemonic structures can form a powerful means of agency assertion on the part of marginalised actors.¹²³ Yet, with respect to the global nuclear order, the DPRK has asserted agency through more overt provocations, directed towards the United States, South Korea, and, at times, North Korea's so-called 'friend' of China.¹²⁴

Provocative behaviour can but need not always transgress international norms, such as the testing of a nuclear device by a non-NPT state or NNWS. One component of provocative behaviour is brinkmanship, which, as Walker and Wheeler argue, allows the DPRK to "prize [sic] concessions out of much more powerful states."¹²⁵ In the case of the DPRK, heightened

¹²³ Scott (1985)

¹²⁴ The Sino-North Korean relationship has often been characterised as being "as close as lips and teeth", as Mao posited, with China frequently described as North Korea's "big brother." Yet the aptness of these metaphors is increasingly questionable following China's growing criticism of the DPRK's norm-flouting behaviour in the 21st century. See: Wu (2005); Scobell (2003); Shambaugh (2003). For an overview of Sino-North Korean ties in the Kim Jong-un era, see Mastro (2018); Easley & Park (2016).

¹²⁵ Walker & Wheeler (2013:424)

brinkmanship is often in response to US actions. For example, North Korea has often threatened to respond to US condemnation of its nuclear endeavours with “countermeasures,” in so doing, aiming to degrade the status of the United States as a hostile actor.¹²⁶ Akin to norm-transgressive actions, provocations seek to attract attention, and assert agency. As will be demonstrated in this thesis, the DPRK ultimately seeks respect as a *de facto* nuclear state, and to be taken seriously as a significant actor in international relations. Yet, as Pacheco Pardo highlights – and as subsequent chapters will demonstrate – the DPRK has fluctuated between high and low intensity brinkmanship towards the United States, over time, in order to obtain maximum concessions from the international community.¹²⁷

Provocations also comprise threatening rhetoric emanating from state leadership, despite not explicitly transgressing international norms. Such statements can be directed towards a particular state, as demonstrated by North Korea’s rhetorical threats against the United States. These threats have frequently invoked war on the Korean Peninsula, as a means of resisting the US “hostile policy”, and calling on the US to respect to the DPRK’s domestic and foreign policy desires.¹²⁸ In August 2017, for example, North Korea threatened to “envelop[e] fire at Guam”,¹²⁹ following President Trump’s claim that the DPRK’s nuclear threats would be “met with fire, fury, and frankly power” from the United States.¹³⁰ Rhetorical provocations are also directed beyond the realm of security, such as towards the norms underpinning international

¹²⁶ E.g. KCNA, ‘KCNA Refutes U.S. Call for DPRK’s CVID’, 15 June 2004; KCNA, ‘DPRK Foreign Ministry Declares Strong Counter-Measures against UNSC’s “Resolution 1874”’, 13 June 2009; MFA, DPRK Permanent Representative at UN Sends Letter to UNSC President, 27 August 2017.

¹²⁷ Pacheco Pardo (2014:117-136)

¹²⁸ For instance, on 9 March 1993, in response to the US-ROK decision to resume Team Spirit exercises, Kim Jong-il declared that the DPRK “shall enter a semi state of war” to “annihilate the enemy at a blow.” In another example, on 25 September 2017, Foreign Minister Ri Yong-ho decried a statement by President Trump – which purported that the North Korean leadership “wouldn’t be around much longer” – as a “declaration of war”, stating how “all options will be on the operations table.” See: ‘Kim Chong-il Orders Army Mobilization’ *KCBN*, 8 March 1993, in FBIS-EAS-93-043, pp.9-11; Morello (2017).

¹²⁹ MFA, ‘KPA Will Take Practical Action; Commander of Strategic Forces’, 10 August 2017

¹³⁰ Baker & Choe (2017)

order. These provocations may comprise the rejection of international condemnation inflicted upon the regime-state, as witnessed in the DPRK's repeated dismissal of economic sanctions – bilateral and multilateral – as illegitimate, being “cooked up” by the United States.¹³¹ In another case, Iran also dismissed President Trump's reimposition of sanctions on crude oil exports as evidence of “an economic war against Iran”, and threatened to “continue to sell our oil [and] break sanctions.”¹³²

Provocative state behaviour can generate social and material costs for the respective state, whether in terms of low status and opprobrium as a delinquent or ‘rogue’ actor (social) or the imposition of economic sanctions (material). Despite this initial negative status, such behaviour, however, can also induce social and material benefits. In the case of the DPRK, two social benefits are recognition as an equal, and an exceptional actor, as the next section will show.

Certainly, exercising provocative nuclear behaviour may allow a state to assert agency and resist the nuclear order's hierarchical nature. Yet, provocations alone are insufficient for the DPRK to benefit from the negative status arising from its norm-deviant actions. As former US National Intelligence Officer for North Korea, Markus Garlauskas, asserts: “engagement and provocation are not mutually exclusive – they often go hand in hand in Pyongyang's calculus.”¹³³ Indeed, central to North Korea's engagement with the global nuclear order is that the regime-state does not always behave delinquently. The DPRK exercises mock compliance with the norms of international order, too, to receive benefits. As this framework of strategic

¹³¹ This term is a favourite of the North Korean Foreign Ministry. E.g.: ‘Remarks by Mr. Jon Yong Ryong, at the UN Conference on Disarmament’, CD/PV.1277, 19 February 2013; KCNA, ‘DPRK Refutes UNSC's “Resolution” Pulling Up DPRK over its Satellite Launch’, 23 January 2013; MFA, ‘Statement of DPRK Foreign Ministry Spokesman,’ 24 December 2017

¹³² Hafezi (2018)

¹³³ Garlauskas (2020)

delinquency proffers, feigned compliance with international order is part of a third type of delinquent behaviour, namely **deception**.

Deception refers to the intentional act of misleading a referent audience, aiming to convince the audience that an untruthful act is, in fact, truthful.¹³⁴ With respect to delinquent behaviour vis-à-vis international order, deception can comprise outright denial of allegations of delinquency; justifying deviant behaviour through blaming the actions of other actors, or misinforming domestic and international audiences of a state's capabilities and intentions. A further form of deception can be witnessed in false compliance with international norms. In this latter case, deception remains an example of delinquency even if knowledge of deception may not be widely known. Mock compliance with international norms can, indeed, mask deviant intention.

The DPRK has engaged in each of these types of deception. Firstly, it denied the existence of its nuclear programme took place until October 2002, when it is claimed that North Korean officials admitted its covert pursuit of HEU to the United States.¹³⁵ Secondly, the DPRK has sought to justify its status as a “peace-loving” actor that engages in bellicose behaviour as a rational, defensive response to the US “hostile policy.”¹³⁶ In addition, North Korea has frequently dismissed calls from the US and IAEA to dismantle its nuclear programme as an “encroachment of sovereignty.”¹³⁷ Thirdly, misinformation of the true extent of the DPRK's nuclear capabilities and intentions has been a core feature of Pyongyang's behaviour from its

¹³⁴ The *Oxford English Dictionary* defines *deceive* as: “to cause to believe what is false; to mislead as to a matter of fact, lead into error, impose upon, delude.”

¹³⁵ USDS, ‘North Korean Nuclear Program’, 16 October 2002.

¹³⁶ E.g. KCNA, ‘Pullback of U.S. forces from S. Korea urged’, 3 July 2003; MFA, ‘U.S. Muscle-flexing Can Never Browbeat DPRK: Foreign Ministry Spokesman’, 21 April 2017;

¹³⁷ North Korean state media has often made this accusation following international condemnation of its missile launches and nuclear tests. E.g.: KCNA, ‘KPA General Staff Spokesman Blasts Hostile Forces’ Anti-DPRK Racket’ 18 April 2009.

earliest nuclear ambitions. As Bermudez and Richardson suggest, the DPRK's exercise of deception has been premised around the regime-state "allow[ing] our enemies to know only what we want them to know – a very small amount – about our capabilities, practicing deception, misdirection, and misinformation in all phases," whilst "develop[ing] and expand[ing] our true capabilities in secret." As such, the DPRK can create "unt¹³⁸ Indeed, since the DPRK remains aware of the possible costs of norm-flouting behaviour; deception offers one means to mitigate against these costs.

Finally, North Korea has frequently engaged in "cosmetic compliance" with international norms, comprising, *inter alia*, norms underpinning international human rights regimes or the nuclear non-proliferation regime. Pledges of norm-compliant behaviour have been overshadowed by keeping open the possibility of delinquency. Convincing the referent audience of (mock) compliance with international norms can divert attention away from covert deviance.¹³⁹ Such feigned compliance has been witnessed in the DPRK's assertion of its commitment to upholding its citizens' human rights, despite the findings of the United Nations COI Report, in 2014, to the contrary.¹⁴⁰ Indeed, the DPRK rejected the report as being underpinned by the US intention to overthrow the regime.¹⁴¹ In relation to the global nuclear order, for example, the DPRK froze plutonium production at its Yongbyon nuclear facility as part of the 1994 US-DPRK Agreed Framework, but continued to engage in covert HEU production during this time.¹⁴²

¹³⁸ Bermudez & Richardson (2001:89)

¹³⁹ Risse & Sikkink (1999:25) highlight how "cosmetic" compliance with international norms can "pacify international criticism" on the target state. See also: Hafner Burton (2008); Bob (2005:25). For more on the DPRK's 'cosmetic compliance' with international human rights norms, see: 'Report of the Special Rapporteur...Mr. Vitit Muntarbhorn', 4 August 2009, A/64/224, p.10.

¹⁴⁰ United Nations Human Rights Office of the High Commissioner, Report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, A/HRC/25/63, 7 February 2014.

¹⁴¹ KCNA, 'UN Human Rights Council's "Resolution on Human Rights" against DPRK Rejected by DPRK FM Spokesman', 22 March 2020. For a detailed analysis of North Korea's response to the report, see: Fahy (2019).

¹⁴² There remains debate amongst US and South Korean policymakers as to whether the DPRK actually intended to freeze its nuclear programme as outlined in the Agreed Framework. Yet, the opaque nature of the North Korean

The audience of deceptive behaviour is predominantly international, motivated by counter-stigmatisation, namely the intention of the transgressor to portray itself as an unfair victim of stigmatisation. For North Korea, the “ideology of the victim” is a prominent feature of the regime-state’s conceptualisation of its position within international society.¹⁴³ Deceiving the international community of its nuclear capabilities has been one way in which North Korea has attempted to wrest dividends from the United States. What subsequent chapters will show, however, is that over time, the DPRK’s ability to deceive the international community – such as of its intention to comply with nuclear norms – has not always been successful. Yet, despite increasing global learning about North Korea’s delinquent behaviour, the international community remains unable to compel the DPRK to abandon its nuclear ambitions.

Deception can also inflict costs, not least the social cost of being perceived by the international community as a norm-violating actor, as was seen with North Korea after its so-called admission of covert HEU production in 2002. Such perceptions only heightened in this particular instance, following then-US President George W. Bush’s designation of the DPRK as part of the “axis of evil” in January that year. Yet, as subsequent chapters will contend, even as knowledge of the DPRK’s deception became known to the wider international community, the DPRK did not halt its belligerence. Indeed, it restarted plutonium production at Yongbyon in December 2002, prior to announcing its permanent withdrawal from the NPT in January 2003.

regime renders it impossible to uncover these intentions. As a former US Track 1.5 official with the DPRK stressed to the author, in 2019: “we don’t know if the North Koreans mean what they say.”

¹⁴³ Thanks to Professor Sandra Fahy for insight into how the ‘ideology of the victim’ influences North Korea’s perceptions of its nuclear programme.

Deceptive behaviour can, however, bring benefits, allowing the delinquent state to avoid facing “the negative repercussions” of violating the non-proliferation norm.¹⁴⁴ For instance, in agreeing to freeze its plutonium production as a condition of the 1994 Agreed Framework, the US pledged to provide the DPRK with the material benefit of light-water reactors, as well as the social benefit of diplomatic normalisation. In another example, during the Six-Party Talks, the five parties pledged energy assistance to the DPRK were it to halt nuclear operations at Yongbyon. By engaging in mock compliance, the DPRK was able to exploit the multilateral forum of the SPT to engage solely in bilateral negotiations with the United States. Deception can also target domestic audiences. For instance, during the 1990s, the North Korean regime under Kim Jong-il remained recalcitrant to disclose or even mention the true extent of its then-burgeoning nuclear programme towards its citizens, not least given the famine at the time, the high financial cost of nuclear acquisition and development, and the possible repercussions on domestic legitimacy.¹⁴⁵

The benefits of delinquent behaviour

Having outlined the different types of delinquent behaviour which the DPRK exercises with respect to the global nuclear order, the next section will detail the benefits North Korea may gain from its negative status-inducing behaviour. The framework of strategic delinquency focuses on three types of material and social benefits: deterrence, regime survival, and economic benefits (material), as well as three categories of recognition (social): recognition as equal; recognition as sovereign; recognition as exceptional.

¹⁴⁴ Such logic can be witnessed, too, in Israel’s policy of nuclear opacity, within which the US’s complicity in allowing Israel to maintain this posture must be recognised. Cohen & Frankel (1990:29); Chafetz *et al.* (1996); Quester (1991).

¹⁴⁵ Fahy (2015); Oh & Hassig (2004); Haggard & Noland (2009)

These benefits do not exist in isolation of each other. Within each respective category of material and social benefits, individual benefits can coexist in relation to particular behaviours. Moreover, material benefits can also influence social benefits. Furthermore, the provision of benefits can also occur at the same time as the infliction of costs on the target actor. For instance, multilateral economic sanctions on the DPRK can remain – and have remained – in place whilst negotiations with great powers occur.

Critical to the framework of strategic delinquency is that the benefits gained from delinquent behaviour can influence a state's future behavioural choices, through a process of learning. With respect to North Korea, such a process is highly salient. Indeed, Pacheco Pardo highlights how even though particular delinquent behaviours may have been successful in allowing the DPRK to pursue its national interests, the DPRK has not pursued the same behavioural strategies unabated, over time. Ultimately, North Korea has engaged in a “learning process in order to achieve the normalization of diplomatic relations with the USA”, a goal which, despite its waning priority following the first nuclear test in 2006, did not become irrelevant.¹⁴⁶

Material benefits

Deterrence

Deterrence has been widely posited in literature as a central driver behind a state's decision to nuclearise.¹⁴⁷ Nevertheless, as Narang posits, nuclear deterrence is not a uniform phenomenon:

¹⁴⁶ Pacheco Pardo (2014:119-120)

¹⁴⁷ Waltz (1990:732) argues how the “dictionary definition” of deterrence comprises “dissuading someone from an action by frightening that person with the consequences of the action.” Explanations of deterrence gained prominence during the Cold War, with rational deterrence theory emerging out of discourse surrounding the US-Soviet bipolar order. See: Brodie (1946, 1959); Schelling (1966); Waltz (1981, 1990); Mearsheimer (1984); Gaddis (1989); Achen & Snidal (1989).

the possession of nuclear weapons by states can deter unequally, depending upon the level of credible threat generated to adversarial states.¹⁴⁸ As Part IV of this chapter will show, explanations based around deterrence only shed light on North Korea's behaviour in part, and fall short of understanding the regime-state's behaviour post-acquisition of nuclear weapons. Indeed, nuclear deterrence – and the resultant stability – is more accurately conceptualised as a material benefit that the DPRK receives from its nuclear development. Despite the heavy social costs – not least of negative status – inflicted upon the DPRK as a result of its nuclear development, the benefit of deterrence has, so far, allowed the regime-state to continue its nuclear ambitions without any threat of preemptive attack from the United States. The North Korean regime has frequently asserted that its nuclear weapons are purely for self-defensive, deterrent purposes.¹⁴⁹ In April 2013, the Law on Consolidating the Position of Nuclear Weapon State reinforced how nuclear weapons “serve the purpose of deterring and repelling the aggression and attack of the enemy against the DPRK and dealing retaliatory blows at the strongholds of aggression until the world is denuclearized.”¹⁵⁰

As this framework aims to show, nuclear deterrence can be achieved through provocative and norm-transgressing behaviour. In the case of the DPRK, repeated nuclear and missile testing – both during and after its membership of the NPT – and a resultant intensification of brinkmanship strengthened the DPRK's deterrent capabilities. Such behaviour has only allowed the DPRK to obtain further benefits, as will be outlined later in this chapter. Moreover, the stability-enhancing features of deterrence have motivated future delinquent behaviour, not least an escalation of provocations – rhetorical and visible – in addition to covert nuclear development (deception). As Chapter Three will demonstrate, following its first nuclear test in

¹⁴⁸ Narang (2014, 2015)

¹⁴⁹ Hayes & Bruce (2015); Narang (2011) Cha & Kang (2018); S.S. Kim (2017)

¹⁵⁰ KCNA, ‘Law on Consolidating Position of Nuclear Weapons State Adopted’, 1 April 2013.

October 2006, the DPRK's commitment towards its nuclear development intensified. Such a commitment was not least owing to North Korea's negative perception of the United States, following its inability to fulfill its pledge of diplomatic normalisation according to the Agreed Framework of 1994.

Deterrence, however, remains only one possible material benefit gained by states for norm-deviant behaviour.¹⁵¹ Looking beyond rationalist understandings of deterrence, however, a disjuncture can be seen between the positive material value of nuclear weapons for states – particularly their security-enhancing nature – and the negative social value arising out of flouting the nuclear non-proliferation norm. Yet, the deterrent features generated by the DPRK's pursuit of nuclear development has also allowed the regime-state to call for social recognition as an equal but also exceptional “nuclear weapons state”, as future sections will explain. Nuclear deterrence – and a resultant lack of conflict – has provided an opportunity for North Korea to enter into negotiations with great powers, especially after its first nuclear test. In another instance, the Trump administration offers a revealing case, as Chapter Four will contend, whereby despite making no tangible concession on its nuclear ambitions, instead bolstering its nuclear capabilities, North Korea entered into presidential-level bilateral dialogue with the United States.

Regime survival

A second material benefit of delinquent behaviour vis-à-vis the global nuclear order is regime survival, which refers to the ability of the aspirant nuclear state to pursue its domestic and

¹⁵¹ As Chapter Three contends, the DPRK declared itself a “full-fledged nuclear weapons state” in March 2005. See: KCNA, ‘DPRK Foreign Ministry Spokesman on Denuclearization of Korea’, 31 March 2005.

foreign policies – within which lie its nuclear ambitions – without external interference.¹⁵² In the North Korean case, as a senior US diplomat stressed to the author, survival refers to “being left alone” from international pressure to denuclearise.¹⁵³ As Ankit Panda posits, the maintenance of the ruling regime has been the “longest-standing *raison d’être*” behind North Korea’s nuclear ambitions.¹⁵⁴ Certainly, as John Swenson-Wright argues, “it is a truism to argue that the principle objective of North Korea’s government is regime continuity and there appears little reason to question this assumption.”¹⁵⁵ Yet, the material benefit of regime survival, whilst a truism, remains tied to social notions of recognition of the DPRK as a sovereign state, albeit a state that does not abide by the rules of the Western liberal international order. At the same time, there remains debate regarding whether in the present Kim Jong-un era, the DPRK simply wishes to ensure continuation of the status quo regime, or, as some analysts argue, pursue the further, age-old goal of reunification of the Korean Peninsula according to the North’s terms.¹⁵⁶

Demonstrating the DPRK’s nuclear deterrent capabilities through attention-seeking and provocative behaviour is one means towards regime survival, not least for the incumbent Kim Jong-un regime.¹⁵⁷ Indeed, North Korean officials have frequently described the regime-state’s nuclear possession as “central to the DPRK’s survival”, in countering the physical indicators of the US “hostile policy”, namely US-ROK military exercises, and B-52 bomber missions over the Korean Peninsula.¹⁵⁸

¹⁵² E.g. KCNA, ‘DPRK FM Addresses UNHRC Session’, 5 March 2015; KCNA, ‘KCNA on interference in DPRK’s internal affairs’, 23 October 1999

¹⁵³ US official (interview, 2019).

¹⁵⁴ Panda (2020:71).

¹⁵⁵ Swenson-Wright (2013:148)

¹⁵⁶ E.g. Pak (2020a:235).

¹⁵⁷ US official (interview, 2019). See also: Panda (2020:289)

¹⁵⁸ According to former US DNI, James Clapper (2018:276-277), this claim was made by former Head of the North Korean Reconnaissance General Bureau, Kim Yong-chol, in a meeting in Pyongyang.

For the DPRK, regime survival is not only a domestic aim, especially amidst factional tensions between and within the Party (WPK) and military (KPA).¹⁵⁹ At an international level, the survival of the DPRK has altered in precarity over time, depending upon the policies of the respective governments in South Korea, and the United States, in response to which North Korea must calculate its behaviours. Although North Korea has been able to “muddle through” domestic crises, not least the famine of the 1990s, and avoid any international attempt to enforce regime change, its survival has not always been consistently stable.¹⁶⁰

Discourse of regime collapse has pervaded policy circles within US administrations, notably those of Clinton and George W. Bush.¹⁶¹ The Obama administration’s policy of “strategic patience” coincided with anti-engagement approaches of his South Korean counterparts, in the conservative administrations of Lee Myung-bak, and Park Geun-hye. The – at least initially – hawkish stance adopted by the most recent Trump administration, too, has occurred within the context of a highly liberal, pro-engagement approach of South Korean President Moon Jae-in. As Chapter Four will demonstrate, fluctuating tensions between the United States and North Korea during the Trump administration have, at times, exacerbated the insecurity of North Korea’s survival.¹⁶²

¹⁵⁹ For instance, it was reported that Kim Jong-il did not wish to develop nuclear weapons, but “because he needed military support to remain in power himself and to arrange for a succession by one of his sons, Kim had to go along with the military’s desire to test its nuclear weapons.” See: Embassy Shanghai, WikiLeaks Cable: 06SHANGHAI6518_a, 13 October 2006.

¹⁶⁰ Noland (1997, 2000)

¹⁶¹ North Korean state media denounced then-Under Secretary of State for Arms Control and International Security Affairs, John Bolton, as “human scum and bloodsucker...a beastly man bereft of reason.” See: KCNA, ‘Spokesman for DPRK Foreign Ministry Slams U.S. Mandarin’s Invective’, 4 August 2003; KCNA, ‘KCNA Blasts Remarks of U.S. Undersecretary of State’, 12 August 2003.

¹⁶² In response to Trump’s claim to threaten North Korea with “fire and fury”, on 8 August 2017, the commander of the Strategic Force of the Korean People’s Army threatened to “envelop fire at Guam”, by launching *Hwasong-12* rockets. Kim Jong-un delayed the decision to do so, stressing how the DPRK would wait to see what action the US would take. See: MFA, ‘KPA Will Take Practical Action: Commander of Strategic Force’, 10 August 2017; MFA, ‘Kim Jong Un Inspects KPA Strategic Force Command’, 15 August 2017.

Beyond regime survival as a product of nuclear deterrence, delinquent behaviour can also strengthen regime survival through enhancing domestic legitimacy, such as in light of how the North Korean regime has, from its earliest nuclear ambitions, embedded its nuclear doctrine within its state ideology of *juche*.¹⁶³ Economic assistance from outside actors, not least China, South Korea, and the United States, also contributes to regime survival, and is a further material benefit reaped by the DPRK. In the eyes of North Korea, the DPRK perceives its continued survival, together with recognition as an equal negotiating partner – particularly of the United States – as evidence of the legitimacy of the regime-state, even if such legitimacy is not conferred by wider international society.

Economic assistance

The third material benefit, economic assistance, contributes to regime survival, but remains more contingent upon mock compliant – deceptive – behaviour. Economic assistance from outside actors can comprise the provision of humanitarian and financial assistance, and material goods. On the part of donor states, the aim of economic assistance at the interstate level is to induce norm-compliant behaviour from the recipient state, given the risk that delinquent behaviour would be met with economic sanctions.¹⁶⁴

In the case of North Korea, whilst the benefits of nuclear deterrence and regime survival may offer little incentive for the DPRK to pursue nuclear disarmament, economic assistance from the international community hopes to bring greater norm-compliant behaviour with nuclear and international norms. At the domestic level, economic assistance is also directed at humanitarian

¹⁶³ Howell (2020a)

¹⁶⁴ Morgan (2006)

and non-humanitarian aid provision to ameliorate the standard of living of the North Korean people.

As has been mentioned, the benefit of economic assistance frequently arises out of feigned compliant – or deceptive – behaviour on the part of the DPRK. In one example, the accession of the DPRK to the NPT, as a NNWS in 1985, was largely owing to pledges from the USSR to provide North Korea with light-water reactors, in order to restrain North Korea's then-nascent nuclear ambitions.¹⁶⁵ The Agreed Framework of 1994, too, can be seen as a further instance of the provision of economic assistance by the United States to the DPRK. The US commitment to replace North Korea's proliferation-prone gas-graphite reactors with more proliferation-resistant light-water reactors aimed to encourage greater North Korean compliance with the norms of the nuclear order. Economic assistance is also tied to regime survival: a CIA report in 1998 "doubted the current, deteriorating status [of the Kim Jong-il regime] could persist beyond five years", not least owing to the stagnating nature of the North Korean economy given its then-overreliance on international aid.¹⁶⁶

Yet, the engrained nature of the DPRK's conceptualisation of the global nuclear order around the US "hostile policy" has meant that the provision of economic assistance from the United States has not induced compliance from North Korea. Rather, as later chapters will show, the DPRK has accelerated its delinquent actions, especially with the knowledge that such behaviour may bring economic benefits. Over time, the DPRK has utilised its nuclear weapons as a bargaining chip to extract economic, political, and social concessions from the United

¹⁶⁵ Mansourov (1995); Wit *et al.* (2004:3-5)

¹⁶⁶ E.g. CIA Intelligence Report, *Exploring the Implications of Alternative North Korean Endgames*, 21 January 1998.

States and, increasingly South Korea, by oscillating between (feigned) compliance and outright deviance with international norms.¹⁶⁷

Nevertheless, in addition to reaping material benefits from exercising delinquent behaviour, North Korea may also gain social benefits. As the next section will contend, with respect to the framework of strategic delinquency, such social benefits comprise three distinct but interlinked types of social recognition.

The social benefits of delinquent behaviour

The social benefits gained and desired by the DPRK from deploying delinquent behaviour are centred around recognition, which this framework categorises into three forms: **recognition as equal; recognition as sovereign; recognition as exceptional**. As the next section will detail, each type of recognition intersects with particular material benefits, and also arises out of particular delinquent behaviour. Moreover, these social benefits overlap with each other. For example, the material benefits of nuclear deterrence and regime survival can further the social benefit of recognition of the DPRK as an exceptional actor in international relations.

In line with Murray's notion of "social survival", states seek to have their identities recognised concomitant with the status that they think they deserve.¹⁶⁸ Any disparity between these two statuses is likely to catalyse dissatisfaction with the existing order and its guarantors, amidst a desire to gain recognition and validation – particularly from hegemonic powers – according to one's self-conceptualised identity. In the North Korean case, such recognition is threefold:

¹⁶⁷ Sigal (1997a, 1997b); Harrison (2002); Wit *et al.* (2004). Hecker (2010:73) argues how the DPRK would neither abandon its nuclear weapons unilaterally – whatever the condition – nor sell its nuclear arsenal, irrespective of the price.

¹⁶⁸ Murray (2019:38-39)

recognition as a state that is sovereign, equal, but also exceptional. Within the category of states that are not party to the NPT, as has been mentioned, there remains divergent levels of recognition from the United States, with the US's lack of recognition of a nuclear North Korea contrasting with its tolerance of a nuclear-armed India, for example.¹⁶⁹

Recognition as sovereign

North Korea may be “a unique state” in terms of the deep-seated prevalence of its historical legacy underpinning its totalitarian domestic governance.¹⁷⁰ Yet, in line with Westphalian understandings of sovereignty, North Korea remains a sovereign state, as exemplified by its membership of the United Nations. Yet, central to sovereignty is the presence of interstate diplomatic relations. In the North Korean case, the lack of diplomatic relations between the United States and DPRK, as well as between North and South Korea, has led to calls on the part of the DPRK to normalise relations with the United States, a goal that has been longstanding since the Kim Il-sung era, but gained particular potency during the 1990s.

Within this framework, the DPRK has gained the social benefit of recognition as a sovereign state through its provocative and deceptive behaviour. For instance, even despite the then-burgeoning knowledge of its nuclear ambitions, the admittance of North Korea to the United Nations, in 1991 – at the same time as South Korea – marked one juncture in which the DPRK was recognised as a legitimate, sovereign actor. In another example, the US pledge to normalise relations with North Korea as part of the Agreed Framework, is also an instance of rewarding the DPRK with the benefit of sovereign recognition. In this example, North Korea engaged in

¹⁶⁹ Potter (2005b); Huntley (2006); Hayes (2009).

¹⁷⁰ Lankov (2015:xv)

compliance – later deemed to be feigned – with the norms of the global nuclear order by agreeing to freeze its plutonium production at its Yongbyon nuclear facility, in return for light-water reactor provision, and normalisation of political and economic relations with the United States.¹⁷¹

Moreover, despite its incorrigible desire to sustain its nuclear programme, the DPRK has called for international recognition as a legitimate, sovereign member of international society, through participation in international institutions. For example, in 2018, inter-Korean dialogue between South Korean President Moon Jae-in and North Korean leader, Kim Jong-un, revealed how the DPRK wished to gain greater economic “integration” into international society by joining the World Bank, and International Monetary Fund.¹⁷²

Thus, recognition as sovereign, according to the framework of strategic delinquency, is tied to the material benefits of economic assistance, and regime survival. Yet, sovereign recognition can generate costs for the DPRK: by being a legitimate sovereign state member of the United Nations, the DPRK has, just like any other state, been subject to increasingly stringent UNSC sanctions resolutions over time, owing to its norm-flouting behaviour, both pertaining to its nuclear development and human rights violations.

Recognition as equal

A second type of recognition, namely **recognition as equal**, has been a longstanding goal for the DPRK through its continued nuclear ambitions. In the case of North Korea, recognition as

¹⁷¹ Extensive treatment of the Agreed Framework will be given in Chapters Two and Three. As will be shown, this ‘freeze’ marked no substantive concession on North Korea’s nuclear endeavours.

¹⁷² D. Ji (2018)

equal refers to status equivalence and parity on two fronts. Firstly, the regime-state has sought to engage with other states, namely South Korea and the United States, on equal terms, as dialogue partners. Secondly, North Korea has desired international recognition as a *de facto* nuclear-armed state, and, as a result, a legitimate nuclear actor in international relations in Pyongyang's eyes. Moreover, Pyongyang has hoped to gain recognition as a *legitimate* state, which has not been granted by the wider international community.

North Korea is not alone in seeking recognition as a nuclear-armed state through pursuing nuclear weapons. For instance, the decision by Mao to acquire nuclear weapons for the People's Republic of China was motivated by his desire for China to be taken seriously as an international actor, resist being bullied by great powers – not least the United States – and continue its mode of domestic governance.¹⁷³ In the case of North Korea, recognition as equal not only comprises recognition as a rightful sovereign actor in the international sphere. The DPRK has desired engagement with the custodians of the nuclear order – namely the United States – on equal terms, as a marker of its sovereign status, but also in terms of its self-perception as a nuclear-armed state.

To ascertain such a social benefit, the DPRK has engaged in provocative, norm-transgressive behaviour – not least in conducting missile and nuclear tests – but also mock compliance with the norms of the global nuclear order, the latter, as a path towards bilateral dialogue with the United States. The intensification of brinkmanship – as a form of provocation – through exercising bellicose nuclear acts directed against the US “hostile policy”, has allowed the DPRK to assert agency as a nuclear-armed power, and gain one route towards such recognition.

¹⁷³ See: Foot (2001); Lewis & Xue (1988); Goldstein (2000); Feng (2007); Shambaugh (1992); Turner Hayes (2016). For how such thinking evolved into China's ‘no-first-use’ policy see Pan (2018).

By bolstering its nuclear deterrent, the DPRK would hope that any subsequent dialogue between the US and North Korea would occur on equal terms, as if between two nuclear-armed states. Engaging is norm-compliant behaviour, however – whether feigned or genuine – can portray the DPRK as being willing to conform with the norms of the global nuclear order, compel other states to engage in negotiations with it, and take seriously its desires. For instance, in 2016, Kim Jong-un asserted how the DPRK pursued a no-first-use policy, whereby it “would not use nuclear weapons first, unless the forces of aggression that are hostile to us violate our sovereignty with their own nuclear weapons” and would “faithfully observe our commitments to nuclear non-proliferation.”¹⁷⁴ In tandem with the no-first-use policies of China and India, therefore, in making such an assertion, North Korea desired recognition as an equal nuclear-armed power. Although the DPRK may abide by its no-first-use policy, its commitments to nuclear non-proliferation, as future chapters will show, remains highly questionable.

The social benefit of recognition as equal is closely tethered to the material benefits of nuclear deterrence and regime survival. Even if the DPRK’s norm-deviant nuclear behaviour may inflict negative status, if the continuation of its status quo governance, and strengthening of its nuclear deterrent, are met with international engagement with the regime-state, the costs of such behaviour, from the perspective of North Korea, do not outweigh the benefits.

Examples of the DPRK receiving recognition as an equal actor have been seen in the visit to Pyongyang by former US President, Jimmy Carter, in June 1994, to deescalate tensions between the US and North Korea during the ‘first nuclear crisis.’ As accounts from the time

¹⁷⁴ KCNA, ‘Supreme Leader Kim Jong Un's Report to the Seventh Congress of the Workers' Party of Korea’, 20 June 2016

demonstrate, the Clinton administration exhibited concern that the visit would signal US legitimization of the then-regime of Kim Il-sung.¹⁷⁵ Yet, recognition as equal does not only take place between the DPRK and United States. A further example comprises presidential-level inter-Korean summits held in 2000, 2007, and 2018. North Korean state media hailed the Panmunjom Declaration, arising from the April 2018 inter-Korean summit as evidence by which “the north and south would make a new history of national reconciliation and usher in a new era of common prosperity by their concerted efforts.”¹⁷⁶

With respect to the broader nuclear order, North Korea ultimately seeks recognition as a *de facto* nuclear-armed state – despite no longer being party to the NPT – in a similar vein to India, Pakistan, and Israel. As a former US negotiator with the DPRK put it, even in the early 1990s, North Korea yearned for such recognition: a senior North Korean official frequently stressed to his US counterpart how the DPRK “want[ed] want to be your Israel in East Asia. We will be a strategic ally of the US, and, in return, the implication was that you will tolerate, and overlook, our nuclear weapons.”¹⁷⁷

In the case of North Korea, however, there exists a tension between the social benefit of recognition as equal and a third form of recognition, namely recognition *as exceptional*.

Recognition as exceptional

¹⁷⁵ Creekmore (1994:27); Oberdorfer (1999:331-333). See also: USDS, ‘Cable, State 140071 to Amembassy Moscow, Subject: A/S Gallucci Briefs Russians on DPRK Talks, July 7, 1994’. Further treatment of the Carter visit will be given in Chapter Two.

¹⁷⁶ RS, ‘Panmunjom Declaration Is Historic Milestone for Independent Reunification’, 12 May 2018.

¹⁷⁷ US official (interview, 2019)

The third social benefit, recognition as exceptional, reflects the recognition – by other states – of a state’s unique status, mode of governance, and national interests. In the case of North Korea, such recognition is inextricably tied to the material benefits of regime survival and economic assistance. The DPRK has been ‘allowed’ to continue to exist, free from external attempts to overthrow the regime. In addition, even despite both covert and overt nuclear and missile development, and the enforcement of bilateral and multilateral sanctions, North Korea has been able to continue its pursuit of nuclear weapons, and the ongoing status quo domestic governance of the ruling regime (WPK).

As a product of regime survival, recognition as an exceptional state is perceived by North Korea to be a marker of international legitimacy; the longer the regime can survive in its status quo form – domestically and internationally – the more legitimate it is perceived to be, by those in power in the regime. It is important to note, however, that such legitimacy remains very much *self-perceived* by the North Korean regime, rather than being accorded by the international community.

The DPRK may be a legitimate state according to a narrow, Westphalian understanding of the notion, namely through its membership of the United Nations.¹⁷⁸ Yet, a broader, social approach to legitimacy within international society underscores how legitimacy is conferred upon by other actors within international society – and international society as a whole – in referring to, as Reus-Smit posits, “a quality that society ascribes to an actor's identity, interests, or practices, or to an institution's norms, rules, and principles” characterised by “actors seeking to justify their identities, interests, practices, or institutional designs.”¹⁷⁹ Ian Hurd argues

¹⁷⁸ ROK negotiator with UN (interview, 2017).

¹⁷⁹ Reus-Smit (2007:44)

compellingly how legitimacy relies upon “the normative belief by an actor that a rule or institution ought to be obeyed”; an actor does not simply abide by an order’s rules due to the fear of retribution for non-compliance, but rather out of moral obligation.¹⁸⁰ On the part of the target actor, therefore, legitimacy relies upon a “generalised perception that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and institutions.”¹⁸¹

Yet, though the DPRK may be recognised as an exceptional state – having nuclearised outside of the NPT regime – it has not been accorded international legitimacy, even according to these wider definitions. Its behaviour is neither in accordance with the norms of the global nuclear order and wider international order, nor are its delinquent actions validated by international society. From North Korea’s perspective, too, the very norms of the global nuclear order are illegitimate. North Korea does not view the rules and institutions governing the US-led global nuclear order as worthy of compliance, but rather as being inherently embedded within the US “hostile policy.” In North Korea’s eyes, such norms are far from global, but are specific products of the US desire to enforce regime change and “stifle” the DPRK.¹⁸² As such, the DPRK does not feel it has any normative obligation to comply with such norms. Despite not reaping the benefit of international legitimacy as a nuclear power, North Korea’s continued delinquent behaviour has reaped payoffs domestically, not least in stabilising the regime-state’s ontological security through bolstering domestic nationalism, affirming the state ideology of *juche*, and maintaining the regime’s narrative of the DPRK’s state formation and identity.

¹⁸⁰ Hurd (1999:381, 387).

¹⁸¹ Suchman (1999:574)

¹⁸² E.g. KCNA, ‘U.S. shameless threat lambasted’, 20 January 2013; KCNA, ‘Nothing Can Block DPRK’s Advance: Rodong Sinmun’, 16 June 2012; KCNA, ‘Supreme Leader Kim Jong Un’s Policy Speech’, 14 April 2019.

The benefit of recognition as an exceptional state in the case of North Korea has been witnessed in several examples, as will be demonstrated in future chapters. In brief, one means of such recognition is through the DPRK's engagement in negotiations with great powers, such as at presidential-level, which has been seen by North Korea as a means of legitimising the regime-state in its current form. The visit of former US President Jimmy Carter to Pyongyang in June 1994, as well as summitry between President Trump and Kim Jong-un in 2018 and 2019, offer two pertinent examples in this regard. Moreover, despite North Korea's initial intention to withdraw from the NPT in March 1993 – and subsequent self-proclaimed “suspension” of its withdrawal in June – the international community compelled the DPRK to engage in high-level dialogue, after which the DPRK's declared its “unique status” in relation to the NPT.¹⁸³ In addition, despite the reticence of the guarantors of the global nuclear order – namely the United States – to accept North Korea's status as a nuclear-armed state in line with the NPT, the DPRK has, in fact, been able to resist any preemptive strike on its nuclear facilities, and, so far, deter nuclear and conventional attacks from other states.¹⁸⁴

A further manifestation of recognising the DPRK's exceptional status was highlighted during the Six-Party Talks, whereby the United States declared that it did not wish to invoke regime change in North Korea, and was prepared to negotiate with the regime – through the six-party format – in its status quo form.¹⁸⁵ Such an assertion on the part of the US became a repetitive mantra of the early George W. Bush administration, despite the US President's initial claim in the State of Union Address of 2002, that the DPRK was part of the so-called “axis of evil”,

¹⁸³ This issue will be detailed in Chapter Two.

¹⁸⁴ Discussion amongst the Clinton administration surrounding a surgical strike on North Korea's Yongbyon nuclear facility were shelved for fear that the DPRK would launch a conventional attack on South Korea. See: Perry (2006:81); Cha (1999).

¹⁸⁵ ‘U.S. Opening Statement at the Fourth Round of Six-Party Talks’, 26 July 2005.

comprising several “states threatening world peace.”¹⁸⁶ In so doing, the US’s attestation was perceived by the DPRK as a marker of respect towards the regime-state, and, ironically, only furthered its nuclear development. As a former South Korean senior negotiator with the DPRK stressed to the author: following the first nuclear test, when the DPRK “showed the US the real capacity to do harm, the US had no choice but to come [to the negotiating table].”¹⁸⁷ Subsequent chapters will show how the particular payoff of negotiations with great powers is often a product of an acceleration in brinkmanship from North Korea, although, over time, the USA has also required some form of concession – or pledge towards a concession – on North Korea’s part, prior to any engagement. As part of North Korea’s engagement with international order, therefore, its exercise of delinquent behaviour must be strategic such that, from Pyongyang’s perspective, it can maximise the possible social and political benefits it may reap at any time.

At the same time, whilst the international community’s engagement with a nuclear-armed North Korea in its current authoritarian form may vindicate and bolster the DPRK’s somewhat unique status, recognition as an exceptional actor sits uneasily with being recognised as an equal actor. Delinquent behaviour on the part of North Korea can bestow the DPRK with negative social status as a ‘rogue’ actor, whereby, as seen in the Six-Party Talks, despite being recognised as an ‘exceptional’ nuclear state, North Korea remained an unequal participant at the Talks. Whilst it did negotiate with great powers, not least the ROK, China, and United States, amongst others, it was concurrently at the table, but also ‘on’ the table, especially given how a core aim of the Talks was to compel the DPRK to denuclearise.

¹⁸⁶ ‘Remarks by President Bush and President Kim Dae-Jung in Press Availability - Seoul, Korea’, *WH*, 20 February 2002. See also: Pritchard (2007:18-21)

¹⁸⁷ ROK official (interview, 2019)

Part IV

Alternative Explanations

The framework of strategic delinquency has demonstrated that delinquent behaviour vis-à-vis the global nuclear order can bring benefits for the DPRK, which, in turn, can influence future behaviour, despite the initial negative status that may arise. Nevertheless, the DPRK has also oscillated in compliance and deviance with international norms as part of its strategic engagement with the nuclear order.

At the same time, this thesis does not contend that a status-based approach offers a complete understanding of North Korea's behaviour. Given the DPRK's opaque nature, it remains analytically unfeasible to deduce – in a positivist fashion – factors that underpin its pursuit of particular actions. Alternative explanations, of deterrence and domestic legitimacy, must be considered, but should not be seen as in conflict with those pertaining to positive and negative status.

Deterrence

As has been mentioned, deterrence, predicated upon the assumption that nuclear weapons are stability-inducing, has often been invoked as motivating a state's decision to nuclearise, not least in the North Korean case.¹⁸⁸ Sagan postulates how deterrence-based approaches offer the

¹⁸⁸ E.g. Morgan (2006); Sagan (2017); Kim & Cohen (2017:195-213); Miller & Narang (2018). For arguments in favour of the stability-inducing nature of nuclear weapons, especially during and post-Cold War, see: Waltz (1981, 1990); Bueno de Mesquita & Riker (1982). For those deeming nuclear weapons to exacerbate international insecurity, see Frankel (1991) and Miller (1993). Feaver (1993) presents a nuanced overview of these perspectives.

“most parsimonious explanation for nuclear weapons proliferation.”¹⁸⁹ Indeed, the North Korean regime has mentioned the self-defensive, deterrent purposes of its nuclear programme, especially following its first nuclear test in 2006.¹⁹⁰ More recently, Kim Jong-un asserted in 2018 how the United States “will not dare to invade us because we currently have a powerful nuclear deterrent.”¹⁹¹

Yet, despite their deterrent value, nuclear weapons can beget insecurity for their possessors. Deterrence theories do not consider how post-acquisition, states’ engagement in delinquent nuclear behaviour may, in fact, impair their insecurity. As Victor Cha argues with respect to North Korea, “proliferation raises the likelihood of U.S. preemptive attack.”¹⁹² North Korea faced such a situation during the 1990s, whereby the Clinton administration considered preemptive strikes on North Korea’s nuclear facilities.¹⁹³ Such plans did not bear fruit, owing to the DPRK’s ability to inflict conventional warfare on the US and South Korea, thus escalating the risk of preventive war.¹⁹⁴ Deterrence theories also do not explain why states engage in deviant nuclear behaviour despite of the high costs of nuclear possession and development. For instance, even as the DPRK suffered great economic crises in the late 1980s and 1990s, whilst a NNWS member of the NPT, it engaged in clandestine nuclear exchange with Pakistan and Iran,¹⁹⁵ and pursued covert HEU development.¹⁹⁶

¹⁸⁹ Sagan (1996:57)

¹⁹⁰ E.g. KCNA, ‘Rodong Sinmun Slams U.S. Double Standards in Nuclear Policy’, 2 July 2015; ‘Foreign Ministry Spokesman Blasts U.S. Psychological Campaign’, 14 December 2004. Viz. the first nuclear test, see: Naenara News, ‘Usher In a Great Heyday of Songun Korea Full of Confidence in Victory’ 1 January 2008. Hecker (2006) asserts, however, that the first nuclear test was of low yield, and thus may not have been as successful as claimed by the DPRK. See also: Broad and Mazzetti (2006).

¹⁹¹ RS, ‘Kim Jong Un’s New Year Address,’ 1 January 2018.

¹⁹² Cha (2002a:233). Funabashi (2007:127) highlights how North Korea wished “to appear, in the eyes of the United States, to be a nuclear power or at least to be capable of nuclear deterrence.”

¹⁹³ Further treatment of this issue will be given in Chapter Two. See: Perry (2015:106-109); Millot (1994:47)

¹⁹⁴ Debs & Monteiro (2012:21)

¹⁹⁵ See: Berger (2014); Fitzpatrick (2006); Braun & Chyba (2004).

¹⁹⁶ See: Ahn (2011); Harrison (2005); Laney & Shaplen (2003)

As the framework of strategic delinquency shows, deterrence is more accurately conceptualised as a material benefit of delinquent behaviour rather than an explanation behind such behaviour. Deterrence only explains, in part, the material factors underpinning a state's decision to nuclearise and continue nuclear development. Possession of a nuclear deterrent also does not simply generate high material prestige. For NNWS and non-NPT signatories, low social status also ensues. Deterrence, however, does coexist with status-based motivations in informing a state's behaviour vis-à-vis the nuclear order. Supporting this claim, an expert on North Korean politics stressed to the author how the North Korean regime valued a "viable nuclear deterrent" in addition to "the prestige of being one of the few countries that have nuclear weapons, to reflect the legitimacy of the regime."¹⁹⁷

Domestic legitimacy

The domestic value of nuclear weapons offers another persuasive explanation for the DPRK's delinquent nuclear behaviour.¹⁹⁸ Beyond the DPRK, nuclear possession may bolster popular support for the ruling regime, if the regime convincingly reframes the stigma of nuclear possession from a negative to positive attribute, particularly given the negative status imposed on NNWS and non-NPT signatories following any weaponised nuclear development on their part. For North Korea, the regime has vindicated its nuclear development as evidence of national scientific and technological prowess,¹⁹⁹ and embedded its nuclear doctrine within the state ideology of *juche* – through its *nuclear ideology* – which also furthers popular support for

¹⁹⁷ US analyst (interview, 2017)

¹⁹⁸ Dukalskis (2017); Lankov (2015).

¹⁹⁹ E.g. KCNA, 'DPRK Foreign Ministry Spokesman on U.S. Moves Concerning Its Nuclear Test', 12 October 2006; 'Servicepersons and Pyongyangites Hail Successful Nuclear Test', 21 October 2006; 'DPRK Will Advance along Road for Independence against Imperialism under Unfurled Banner of Songun', 9 May 2015; 'DPRK Citizens Rejoiced at Successful ICBM Test-fire', 29 November 2017.

the regime, in ensuring regime survival.²⁰⁰ Interviews with North Korean defectors corroborate this point: according to one, many elite and non-elite North Koreans “think that if the country did not have nuclear weapons, the regime would collapse.”²⁰¹ As another put it: “even though a lot of North Koreans dislike Kim Jong-un [compared to Kim Jong-il and Kim Il-sung], he is not doing all mad things; nuclear weapons are something to be proud of.”²⁰²

Yet, whilst domestic-level explanations may not be merely “incidental or complementary cause[s] of nuclear proliferation”, subsidiary to realist security concerns, domestic legitimacy remains a necessary but insufficient lens through which to understand North Korea’s delinquent behaviour. Indeed, domestic explanations overlook the negative status accorded to the DPRK internationally, owing to its actions, and cannot account for why the DPRK would exercise norm-compliant behaviour – even if feigned – with international norms, if ongoing delinquency bolsters domestic support for the regime. As future chapters contend, the regime must, through rhetorical effort, justify its norm-compliant behaviour to domestic audiences. For instance, when the DPRK participated in the Six-Party Talks in the 2000s, state media stressed Pyongyang’s “sincere wish to contribute to peace and security on the Korean Peninsula, Northeast Asia and the rest of the world”, to further domestic perceptions of North Korea as a peace-loving power.²⁰³

The international level must also be considered given how North Korea’s delinquent behaviour has been rewarded by the international community – as subsequent chapters show – and how the US “hostile policy” has been, and remains, a formative lens through which the DPRK

²⁰⁰ Howell (2020a).

²⁰¹ Defector G (interview, 2017)

²⁰² Elite defector A (interview, 2017)

²⁰³ KCNA, ‘DPRK Foreign Ministry Spokesman on Six-Party Talks’, 29 June 2004.

justifies its behaviour. For instance, were North Korea's behaviours solely to advance domestic interests, it would not have acceded to the NPT in 1985, nor withdrawn permanently in 2003.

Just as Scott Sagan deemed prestige and domestic politics to have limited explanatory power regarding a state's decision to nuclearise, this thesis argues that deterrence and domestic legitimacy only illuminate part of North Korea's behaviour, and its outcomes.²⁰⁴ As Samuel S. Kim reminds us, recognising the "intermestic" coupling of domestic and international spheres in the DPRK is central to gaining a more complete understanding of how North Korea deploys particular behaviours in relation to international order, both to reap benefits, and inform future behaviours.²⁰⁵

Conclusion

This chapter has proffered a novel framework of strategic delinquency to illustrate how and why states may deploy belligerent behaviour in relation to the nuclear order and international order, with specific reference to North Korea. In presenting this framework, this chapter has elaborated upon the core theoretical argument of this study, namely that negative status – arising from norm-flouting behaviour – can be leveraged for positive outcomes. Furthermore, understanding questions of status beyond purely materialist conceptualisations, and ideas of positive status, offers a novel theorisation of approaching delinquent state behaviour in international relations more widely, in relation to other states.

²⁰⁴ Sagan (1996)

²⁰⁵ S.S. Kim (2010:53)

The pursuit of negative status through ‘strategic delinquency’ offers one path for the DPRK to respond to its marginalised position within international order, and, specifically, the US “hostile policy.” As has been shown, in so doing, the DPRK does not solely deploy delinquent actions; it exercises a range of norm-deviant and norm-compliant behaviour. Thus, North Korea represents a ‘crucial case’ of a state for which status, amongst other benefits, can be reaped – across domestic and international spheres – without always conforming to dominant systemic norms. Such status can be both negative and positive, as the DPRK sustains a precarious balance with the global nuclear order to ensure its national interests are not compromised, whilst attempting to compensate for its position within international society.

As will be detailed in Chapters Two, Three, and Four, North Korea has, over time, exercised differing degrees of delinquent behaviour in relation to the global nuclear order and broader international order, whereby the scope conditions for delinquent behaviour to generate positive outcomes have also evolved. Given the salience of the US “hostile policy” in driving North Korea’s actions, what will be reinforced is that North Korea’s behaviour does not exist in isolation but remains highly dependent upon actions taken by the ROK and United States.

Chapters Two and Three focus on the first and second ‘nuclear crises’ of the 1990s and 2000s respectively. Chapter Four is centred around North Korea’s pursuit of international engagement with respect to the Trump administration in the US, and that of Moon Jae-in in South Korea, the former which represented a marked contrast to the approach of the Obama administration. The framework of strategic delinquency will be applied across these three junctures to illuminate the types of behaviour in which North Korea has engaged, its referent audiences, and resultant costs and benefits.

CHAPTER TWO

The first North Korean nuclear crisis: the benefits of strategic delinquency

Sitting across from Kang Sok-ju, First Vice Foreign Minister of the DPRK from 1986 to 2010, and lead North Korean negotiator to the United States during the first and second nuclear crises, a former US negotiator recounted Kang's adamancy that North Korea would not compromise upon its nuclear programme unless it gained a reciprocal concession:

“Kang Sok-ju explained to me that if he was going to shut down the 5-megawatt reactor at Yongbyon and close up all the facilities there – put everything under IAEA safeguards – he was going to have to get something from the international community.”¹

Of course, unpacking the true intentions of the North Korean regime at any given time is an impossible task, given the regime's totalitarian nature. Yet, Kang's statement to his US counterpart is telling of what North Korea wanted to achieve through its behaviour during the so-called 'first nuclear crisis' of the 1990s, which forms the subject of this chapter.² This juncture is highly salient, given how during this time, North Korea exercised compliant and deviant behaviour with respect to international order, and the global nuclear order, the latter, which it joined through acceding to the Non-Proliferation Treaty in 1985. In so doing, North Korea hoped to achieve several domestic and foreign policy goals. First, the need for nuclear weapons to defend national security, and counter the so-called US “nuclear threat” in South

¹ US negotiator (interview, 2019).

² The period from the early 1990s to the Agreed Framework is commonly described in policymaking – if somewhat hyperbolically, as some elite diplomats suggested in interviews to the author – as the 'first nuclear crisis', nomenclature which arose out of escalated US-DPRK tensions from late 1992 to 1994.

Korea;³ second, to engage with the US on equal terms, as a “dialogic partner”,⁴ and, finally, normalise diplomatic relations with the United States. As this chapter will show, this latter goal became increasingly prominent over time, especially owing to North Korea’s quest for status and recognition.

During the first nuclear crisis, norm-compliant behaviour on the part of the DPRK brought payoffs, such as greater bargaining power and leverage to enter into negotiations with the United States, from which further benefits, such as recognition as a significant power, could be gained. Importantly, the ‘first nuclear crisis’ demonstrates how both before and after it joined the NPT, North Korea was able to learn from the benefits reaped from past delinquent behaviours, and international responses to its actions, to inform future behaviours. As this chapter will contend, the ‘crisis’ culminated in the signing of the Agreed Framework between the United States and DPRK, which saw the DPRK freeze its plutonium production.

This chapter divides the first nuclear crisis into three phases. The first phase, from December 1985 to January 1992, was characterised by outward compliance with the nuclear order following North Korea’s accession to the Non-Proliferation Treaty (NPT). The second phase, from January 1992 to March 1993, saw a shift towards deviance, even after signing IAEA safeguards. During this time, the benefits of delinquent behaviour became apparent for the DPRK. At the same time, heightened DPRK-US tensions culminated in an act of norm transgression, namely the threat to abrogate from the NPT. The third phase, from March 1993 to October 1994, saw intensified tensions with the United States, but resulted in a return to outward compliance with the nuclear order; North Korea signed the Agreed Framework (AF),

³ ‘Commentary Alleges U.S. ‘Nuclear War Plot’ *PDS* 13 July 1989, FBIS-EAS-89-134, p.15

⁴ ‘Envoy Addresses UN on Nuclear Issue, N-S Talks’ *KCBN* 9 November 1993, FBIS-EAS-93-216, p.13

whereby it pledged to freeze plutonium production in return for light-water reactor provision. Yet, de-escalation of the nuclear crisis only occurred when the United States lowered its demands on the DPRK to allow negotiations to continue, and an agreement to be reached. What can be seen in this chapter, therefore, is that North Korea only complied with nuclear and international norms when doing so did not counter its national interests.⁵ Furthermore, a crucial facet of the DPRK's negotiating strategy was to hold the US and wider international community to account, on its own terms, a logic that would continue even after the eventual failure of the AF.⁶ Indeed, the Framework's collapse would form a recurrent theme over the next three decades, as subsequent chapters will show, to justify North Korea's provocative behaviour towards the United States and its allies.

This chapter proceeds in four parts. Part I contends how North Korea's behaviour during the 'first nuclear crisis', with respect to the nuclear order and broader international order, stemmed from Pyongyang's deep-rooted distrust of the post-war international order, even before the DPRK realised its nuclear ambitions. The Second World War and Korean War profoundly influenced how the DPRK framed its outlook on international order, namely by deeming the US and its allies to be pursuing a so-called "hostile policy" against the regime-state. Nevertheless, as will be seen, not all instances of delinquent behaviour, prior to acceding to the NPT in 1985, brought benefits. Part II focuses on key temporal junctures after North Korea joined the NPT, arguing how North Korea's behaviours were driven by goals of status, as well as regime security. During the latter periods of the crisis, North Korea recognised that it could not gain payoffs from mere possession of nuclear weapons, and would have to make

⁵ For more on 'norm localisation', see Acharya (2011:98). Yet, the North Korean case is more accurately described in terms of resistance to dominant systemic norms.

⁶ One example of this rationale was seen in the DPRK's demands for the Korean War Armistice Agreement to be replaced with a permanent peace treaty. See: KCNA, *Joseonban-duit pyeonghwabojangchegyesulib-e gwanhan joseon-oegyobu seongmyeong* [DPRK Foreign Ministry Statement concerning peace on the Korean Peninsula], 28 April 1994.

concessions of its own, as manifest in the Agreed Framework of 1994. Part III argues how North Korea's behaviour during the first nuclear crisis was in line with the expectations of the framework of strategic delinquency, whereby despite continued provocations, and heightened bellicosity on its part, Pyongyang successfully convinced the US to lower its demands, and, in so doing, reward the DPRK with pledges of economic and diplomatic normalisation. As subsequent chapters will show, the first nuclear crisis allowed North Korea to learn from its engagement in strategic delinquency to draw upon in future time periods, particularly after the collapse of the Agreed Framework. Part IV presents alternative explanations beyond those pertaining to status and the acquisition of benefits from bad behaviour. This part contends, however, that deterrence and domestic legitimacy only shed partial light on North Korea's behaviour during the 'first nuclear crisis.'

Before proceeding with this chapter, it is important to stress a methodological caveat to what follows. In understanding North Korea's behaviour vis-à-vis its nuclear ambitions, this study does not claim to elucidate, causally, how the North Korean regime perceives its behaviour, owing to the impossibility of obtaining such information given the DPRK's totalitarian nature. Extensive documentary analysis of North Korean and international policy sources, coupled with interviews with US and South Korean negotiators with the DPRK, and North Korean defectors, however, offer the best possible picture behind what the North Korean regime says about its behaviour, and the costs and benefits from its actions. Thus, this account, whilst only partially complete – as with all accounts of the DPRK – aims to illuminate key instances of North Korea's delinquent and non-delinquent behaviour in relation to the global nuclear order and wider international order.

Part I

North Korea and a “hostile” international order: a turbulent relationship

The rule of the Joseon Dynasty – from 1392 – the last dynasty to rule a unified Korea, ended following Japanese annexation of Korea from 1910 to 1945.⁷ Post-World War II, the ousting of imperial Japanese rule saw the Peninsula divided along the 38th parallel: the southern half controlled by the United States Military Government, and the northern half by Soviet forces. Communist forces solidified north of the Peninsula from 1945 to 1948, under the influence of Moscow, with Kim Il-sung emerging as the leader of the Communist movement. Kim was selected by Korean and Chinese guerrilla contemporaries to lead anti-Japanese guerrilla campaigns in Manchuria during the late-1930s.⁸ With the Korean People’s Army (KPA) forming in February 1948, and, following failed US-Soviet talks in 1945, the United Nations Temporary Commission on Korea oversaw democratic elections across the Peninsula in 1948, but was barred from entering Soviet-controlled territory north of the 38th Parallel.⁹ The Republic of Korea (ROK/South Korea) was established on 24 July 1948, with Syngman Rhee as President, and the Democratic People’s Republic of Korea was formed on 9 September 1948, led by Kim Il-sung. Each Korea strove to unite the Peninsula under their own terms. The constitution of each Korea deemed the other Korea as illegitimate, a rationale which remains to this day.¹⁰ North Korea’s early post-war resentment of international order, therefore, only grew over time.

⁷ D. Kang (2003a, 2003b)

⁸ Szalontai (2005:8-10)

⁹ Armstrong (2003)

¹⁰ Article 3 of the ROK constitution states how “the territory of the Republic of Korea shall consist of the Korean peninsula and its adjacent islands.” Article 9 of the Socialist Constitution of the DPRK, however, states how the “DPRK shall strive to achieve the complete victory of socialism in the northern half of Korea...and reunify the country on the principle of independence, peaceful reunification, and great national unity”, see: <https://www.hrnk.org/uploads/pdfs/4047.pdf> [Last Accessed 20 November 2020]

The Korean War: a catalyst for deviant behaviour

The Korean War, which commenced with the invasion of South Korea by North Korean troops on 25 July 1950, manifested in three years of warfare between the DPRK – and its allies of the USSR and China – against the US and US-backed ROK forces. The war ended in a ceasefire and armistice agreement at Panmunjom on 27 June 1953, signed by the DPRK, PRC, and UN Command (on behalf of the United States and South Korea); the two Koreas remain technically at war to this day. Of note, South Korea did not sign the Armistice Agreement, owing to Syngman Rhee's inhibitions of being seen to have failed in his goal to unify the Korean Peninsula under the ROK's control.¹¹ Furthermore, as part of the US-ROK Mutual Defense Treaty signed on 1 October 1953, the US would permanently station troops in the ROK, a manoeuvre that would become an ongoing target of criticism from the DPRK in future years.¹² Rosemary Foot argues that a key catalyst for the end of the War came from the threat of nuclear use by US President Eisenhower – and his predecessor Truman¹³ – which only furthered North Korea's awareness of its inability to retaliate against any US preemptive strikes.¹⁴ Indeed, as Eisenhower stated, the DPRK “didn't want a full-scale war or an atomic attack.”¹⁵ As will be shown in subsequent chapters, US considerations of nuclear use during the Korean War would heavily influence North Korean delinquency beyond the first nuclear crisis. The armistice

¹¹ Foot (1985:230-231; 1990:159);

¹² ‘Mutual Defense Treaty Between the United States and the Republic of Korea; October 1, 1953’, available at: https://avalon.law.yale.edu/20th_century/kor001.asp [Accessed 17 November 2020]

¹³ For Truman's contemplations in November 1950 of using the atomic bomb on the Korean Peninsula, to end the Korean War, see: ‘The President's News Conference’, November 30, 1950, *HST*; *FRUS, 1950, vol. VII*, pp. 1098-1100; 1142; 1158; 1323-1332. See also: Dingman (1988/1989); CIA, ‘CounterSpy: Nuclear War is Not Unthinkable, for the Pentagon it's an option’, 1 August 1982, p.11-12; Gwertzman (1984:A8).

¹⁴ Foot (1988).

¹⁵ Adams (1962:55). Eisenhower's Secretary of State, John Foster Dulles, stressed how the communist forces' “knowledge of the U.S. willingness to use force” catalysed the “end to hostilities.” See: *FRUS, 1952-1954, vol. V, part 2*, pp.1811-1814. In 1954, General Douglas MacArthur highlighted how “between 30 and 50 atomic bombs would have more than done the job” of ending the Korean War. See: ‘Texts of Accounts by Lucas and Considine on Interview With MacArthur in 1954’ *NYT*, April 9, 1964, p.16. In 1953, Eisenhower emphasised how the US would “hit them with everything we[‘ve] got”, if the DPRK broke the agreement. See: Gaddis (1982[2005]:167); NSC 170/1, *FRUS, 1952-1954, vol. V, part 2*, pp.1620-1624; Eisenhower (1963:181).

agreement established itself in the Demilitarized Zone (DMZ) as a border between the two Koreas, yet the legacy on the Korean War would have a lasting impact on the DPRK, raising its perception of threat from the US, South Korea, and broader international order.¹⁶ After the end of the Korean War, the DPRK continued to resist international order, given how its own narrative of the War contradicts international accounts, further justifying its conceptualisation of a hostile international society.¹⁷ As a former US official stressed to the author: North Korea's "bad behaviour obviously goes back to the Korean War."¹⁸

Central to North Korea's narrative of the Korean War is that the War – termed the 'Fatherland Liberation War'¹⁹ – commenced not as a result of North Korean invasion, but by US and South Korean shelling into the DPRK, aiming to "enforce a colonial enslavement policy" upon North Korea.²⁰ The DPRK perceived the armistice as evidence of the US acknowledging its "ignominious defeat."²¹ The legacy of the Korean War, especially the threat of nuclear use on the Peninsula, was central to North Korea's framing of international order and, later, the global nuclear order. For instance, the ideology of *juche*, proclaimed by Kim Il-sung as the DPRK's guiding ideology in 1955,²² emphasised the importance of self-reliance, and maintaining complete political, economic, and military self-determination, notions which North Korea continues to invoke in vindicating its delinquent behaviour, especially in the nuclear domain.²³

¹⁶ Wada (2014:294) argues how the DMZ "locked the division of the peninsula into place, separat[ing] two societies that then grew further apart."

¹⁷ Cumings' (2010) account of the Korean War is comparably revisionist compared to dominant international accounts, placing blame on the US and ROK post-WWII.

¹⁸ US official (interview, 2019)

¹⁹ In Korean: *jogughaebangjeonjaeng* (조국해방전쟁)

²⁰ Kim Il Sung (1961)

²¹ RS, 'Month of Solidarity with Korean People Closes in Cuba', 11 August 2017

²² Kim Il Sung (1955) As Myers (2001) outlines, *juche* was not specifically the creation of Kim Il-sung, but Hwang Jang-yop, Chairman of the Standing Committee of the Supreme People's Assembly from 1972 to 1983. Hwang defected to South Korea in 1997.

²³ For instance, at the 2017 ASEAN Regional Forum, DPRK Foreign Minister Ri Yong-ho stated how North Korea's "possession of nukes and ICBM is a legitimate option for self-defence in the face of clear and real nuclear threat posed by the U.S." See: 'Statement by H.E. Ri Yong Ho, Minister of Foreign Affairs – Democratic People's Republic of Korea' (Manila, Philippines, 7 August 2017).

Deviant behaviour in the pre-nuclear order

Although the DPRK's nuclear ambitions were "never written in any DPRK military regulations" but most likely "hidden away in Kim Il-sung's head",²⁴ such ambitions most likely emerged in the 1940s vis-à-vis nuclear power.²⁵ Soviet-DPRK and Sino-DPRK cooperation led to the establishment of a nuclear research reactor at Yongbyon, with the aim of developing nuclear energy for peaceful purposes.²⁶ The USSR assented to transfer a "small two to four-megawatt research reactor" to Pyongyang,²⁷ but remained reluctant to provide technology for plutonium and uranium production to the DPRK, a move which was met with frustration from North Korea.²⁸ The DPRK responded to China's first nuclear test in 1964 with envy, stressing how the regime-state would be "even more formidable" which such "powerful weapons in our hands."²⁹ Despite Mao's recalcitrance towards the DPRK developing indigenous nuclear capability, particularly in terms of cost – given that the Chinese nuclear test amounted to \$2 billion – the DPRK ignored such concerns. Foremost, the DPRK questioned the notion that whilst the USA could "have a large [nuclear stockpile] ... we are to be forbidden even to think about the manufacture of nuclear weapons."³⁰ Thus, from the 1960s, North Korea's perceptions of nuclear weapons as a marker of status heightened.

²⁴ Mansourov (1995:29)

²⁵ See communications between the DPRK, USSR, and Hungary, in Szalontai & Radchenko (2006).

²⁶ Mansourov (1995:26); Clemens (2010)

²⁷ Clemens (2010:11); Mansourov (1995); Mazarr (1995); Bermudez (1989)

²⁸ 'From the Journal of Gromyko, Record of a Conversation with Ambassador Ri Sin-Pal of the Democratic People's Republic of Korea,' 28 April 1958, NKIDP; 'Conversation between Soviet Ambassador in North Korea Vasily Moskovsky and Soviet Specialists in North Korea,' 27 September 1963, NKIDP.

²⁹ For the DPRK's displeasure that China 'got there first', see: Cable from the Chinese Embassy in North Korea, 'Reactions to China's Nuclear Test', October 17, 1964, HPPA, PRC FMA 113-00395-08, 58-59; 'Reactions among the North Korean Masses to China's Nuclear Test', October 21, 1964, HPPA, PRC FMA 113-00395-08, 62-63.

³⁰ "Conversation between Soviet Ambassador in North Korea Vasily Moskovsky and North Korean Foreign Minister Pak Seong-cheol," August 24, 1962, NKIDP.

The Soviet-supplied reactor began operation in 1967, the presence of which established the Yongbyon Nuclear Complex at the heart of the DPRK's nuclear programme.³¹ Even as its demands for nuclear assistance from socialist states – throughout the 1960s and 1970s – failed, the DPRK's nuclear considerations did not abate, particularly following the nuclear ambitions of South Korea under President Park Chung-hee in the 1970s.³² This latter revelation would only further North Korea's desire to assert agency as a then-new state in the international community, given how Kim Il-sung felt that the “only potential target for these [the ROK's] nuclear weapons was his own regime.”³³ Yet, the possibility of a nuclear South Korea, coupled with the establishment of the NPT – in 1968 – in establishing the global nuclear order, only furthered North Korea's own nuclear ambitions.

The early nuclear order and deviant behaviour

Through its actions in the 1960s and 1970s, the DPRK defied the non-aggression norm of the post-war international order, which, in turn, led it to break global non-proliferation norms. From a neoliberal perspective, the post-war international order, as Ikenberry notes, was “organized around the United States and its liberal democratic allies and clients,” entrenching the “deep rooted rules and norms of sovereignty”, epitomised by the Charter of the United Nations.³⁴ As Mazarr compellingly argues, the order was underpinned by a “specific set of firm rules (such as nonaggression)” and “long-term aspirations (such as liberal values)”, as witnessed in the promotion of nuclear non-proliferation norms, and the need to “advance [the]

³¹ A CIA cable in June 1965 states how “a search of the area of Yongbyon...has revealed an installation which is probably a nuclear research center reportedly being constructed in the area”, the design of which was similar to those in the USSR. CIA, Cable to AFSSO USAF from NPIC, 4 June 1965.

³² Seoul telegram 8023 to Department of State, "ROK Plans to Develop Nuclear Weapons and Missiles," 2 December 1974, in NSA, EBB 582.

³³ Mansourov (1995:29)

³⁴ Ikenberry (2018a:16-17)

prevalence of democracy.”³⁵ International norms of conflict resolution and non-proliferation were central to US security objectives post-war, and embedded within international institutions such as the UN, to “establish what constitutes legitimate and acceptable behaviour in relations among sovereign states.”³⁶

The first key act of North Korean deviance from the post-war norm of nonaggression occurred on 21 January 1968, when a commando raid – known as the Blue House raid – attempted, unsuccessfully, to assassinate South Korean President Park Chung-hee.³⁷ Only two days later, the DPRK captured the USS *Pueblo*, a US naval intelligence ship, in the Sea of Japan, to which the US responded with a plan to deploy naval and air forces in the area.³⁸ The DPRK justified and framed its action in the ‘Pueblo incident’ as a necessary measure against US military and nuclear deployment on the Peninsula, a countermeasure vis-à-vis the US’s desire for “unleashing a war” on the Peninsula.³⁹ Although the incident was condemned by the Soviet Union, within the context of waning Soviet-DPRK ties, China would “grant its full support to the DPRK” – namely material – should any DPRK-US hostilities arise.⁴⁰ Indeed, evidence asserts how North Korea’s belligerent behaviour was a result of a confluence of factors, ranging from domestic power consolidation of Kim Il-sung,⁴¹ a desire to reunify the Korean Peninsula and undermine the US-ROK alliance,⁴² but also to strengthen the Sino-North Korean

³⁵ Mazarr (2018:20, 56)

³⁶ Foot *et al.* (2003:13)

³⁷ For more on South Korean incidents perpetrated by, or involving the DPRK, see: CIA, ‘Incidents involving N. Korea’, Report, February 23, 1968; CIA, Directorate of Intelligence, ‘North Korea: Opposition to Peaceful Reunification’, 18 November 1985.

³⁸ Radchenko (2006); Koh (1969); Mobley (2003)

³⁹ ‘Telegram from Pyongyang to Bucharest, No. 76.053’ 28 February 1968, NKIDP.

⁴⁰ ‘Telegram from Pyongyang to Bucharest,, No. 76.069’ 17 March 1968, NKIDP.

⁴¹ ‘Telegram from Pyongyang to Bucharest, No. 76.053’ 28 February 1968, NKIDP.

⁴² ‘Telegram from Pyongyang to Bucharest, No. 76.046’ 19 February 1968; ‘Telegram from Pyongyang to Bucharest, No. 76.047’, 19 February 1968, NKIDP.

relationship. Were North Korea to “unleash military operations against the Americans on the Korean peninsula”, Pyongyang would receive “comprehensive assistance” from the PRC.⁴³

Thus, whilst the Pueblo incident furthered international perceptions of the DPRK as a state with a penchant for provocative behaviour, evidence shows how not only was the incident a marker of the DPRK reinforcing its disdain for the US-ROK alliance, and the US conventional presence in Seoul. Importantly, prior knowledge that it would receive material support from the PRC could have provided a powerful incentive for North Korea’s future behaviour at the time, highlighting Pyongyang’s proclivity towards obtaining payoffs from its delinquent behaviour in the early post-war order.

The establishment of the Nuclear Non-Proliferation Treaty in February 1968, between the USSR and the US, which would become the core of the global nuclear order, only worsened Soviet-DPRK relations. Whilst the Soviet Union pledged assistance in nuclear development to its allies of the GDR and Czechoslovakia, other states, such as Romania, Vietnam, and the DPRK, were excluded. Romanian and North Korean officials criticised the NPT for favouring the nuclear ambitions of great powers, arguing how “small countries should not suffer a loss as a consequence of the treaty.”⁴⁴ The DPRK’s resentment towards the nuclear order thus originated from its very inception.

A further departure from the norm of nonaggression, particularly in disrupting the post-war US-ROK alliance, took place in 1969, when the DPRK shot down a US intelligence aircraft, EC-121, over the East Sea. The DPRK criticised the aircraft of the “insolent U.S. imperialist

⁴³ ‘Memorandum on Sino-Korean Relations in 1966, SECRET’, 2 December 1966, NKIDP.

⁴⁴ ‘Report, Embassy of Hungary in North Korea to the Hungarian Foreign Ministry,’ 29 February 1968, NKIDP.

aggressor army” for “intruding deep into the territorial air of the northern half of the republic.”⁴⁵ North Korea’s justification, therefore, not only demonstrated its desire to maintain utmost territorial control, but also to fray the US-ROK alliance in line with the ROK’s then-burgeoning nuclear ambitions. The Three Principles of National Unification on 4 July 1972, signed by the two Koreas, committed both states to equivocal goals of independence, peaceful unification, and national unity. North and South Korea pledged “not to slander or defame each other [and] not to undertake military provocations whether on a large or small scale”, underscoring the importance of dignity and status for both Koreas.⁴⁶ Yet, given that the DPRK viewed the ROK’s nuclear ambitions as countering this declaration – in addition to the presence of US tactical nuclear weapons on the Peninsula from 1959 – such a perception could have influenced North Korea’s own weaponised nuclear ambitions at the time.⁴⁷ Even after South Korea suspended its plans to develop a nuclear programme between 1976 and 1977, following pressure from the US,⁴⁸ the geopolitical environment in which the DPRK was situated began to shift increasingly against its favour. Economic divergences between the two Koreas – as the North Korean economy stalled, whilst that of the South accelerated – together with waning Soviet-DPRK ties in light of the Sino-Soviet split, and China’s growing preoccupation with domestic concerns, saw the DPRK seek to project itself as a sovereign state whose national interests should not be infringed.⁴⁹ Nuclear weapons offered one avenue towards this goal.

⁴⁵ *US Congressional Record: Proceedings and Debates of the 91st Congress, First Session*, Vol. 115, Part 9, p.12524.

⁴⁶ The July 4 South-North Joint Communiqué, 4 July 1972.

⁴⁷ Office of the Assistant to the Secretary of Defense, *History of the Custody and Deployment of Nuclear Weapons*, February 1978; Norris *et al.* (1999a); Norris *et al.* (1999b:66-67)

⁴⁸ CIA, “South Korea: Nuclear Developments and Strategic Decisionmaking”, June 1978. For US pressure on Seoul, see, for example: USDS, ‘State Department telegram 240692 to U.S. Embassy Seoul, “Deputy Secretary Ingersoll’s Meeting with Ambassador Hahn of Korea,” 9 October 1975’; USDS, ‘Korean Reprocessing – the Next Step’, 18 November 1975

⁴⁹ Eberstadt (2009:67)

North Korea's nuclear ambitions in the early nuclear order

Even with the halting of South Korea's nuclear ambitions, the DPRK continued to call on other states for nuclear assistance,⁵⁰ for instance, asserting to the Czechoslovak Foreign Ministry, in 1977, that it was "equipping itself with nuclear weapons."⁵¹ Such behaviour could have been influenced by India's nuclear test in 1974 – ten years after that of China – which exemplified the possible nuclear achievements of a less economically-developed state that had itself resisted joining the NPT.⁵²

In 1977, the DPRK placed its Soviet-supplied reactor and critical assembly under IAEA safeguards, pledging against using nuclear fuel to "further any military purpose" including weaponised development.⁵³ North Korea's proclamations to the international community emphasised its pursuit of peaceful nuclear energy, even amidst heightened US suspicions in the 1980s, regarding the possibility that North Korea's then-new reactor could produce "significant quantities of nuclear weapons-grade plutonium."⁵⁴ The resultant international attention garnered by the DPRK, in this vein, was negative, only reinforcing the international community's suspicions of Pyongyang's intention to develop weaponised nuclear capabilities.

On 9 October 1983, North Korean forces attempted, yet again unsuccessfully, to assassinate another South Korean President, Chun Doo-hwan, during a state visit to Burma. The 'Rangoon incident', similar to the Blue House raid of 1968, could have stemmed from the DPRK's

⁵⁰ Document No. 28, Memorandum, Hungarian Foreign Ministry, 16 February 1976, CWIHP.

⁵¹ Document No. 36 Memorandum, Hungarian Foreign Ministry, 16 February 1977, CWIHP.

⁵² Clemens (2010:135)

⁵³ IAEA Archives, 'Agreement between the International Atomic Energy Agency and the government of the Democratic People's Republic of Korea', Pyongyang, 20 July 1977, INFCIRC/252.

⁵⁴ CIA, 'Nuclear Reactor under construction in North Korea' 19 April 1984. CIA analysis questioned the efficacy of the reactor, given the lack of "advanced engineering techniques" accessible to the DPRK, but admitted that "the North Koreans probably are technically capable of building the reactor without foreign assistance."

continued opposition to US nuclear presence in South Korea.⁵⁵ Just as the DPRK blamed the Pueblo incident on the US, this time, it placed responsibility upon South Korea.⁵⁶ Episodes of bad behaviour culminated in the bombing of Korean Air Flight 858 in 1988. Although the DPRK continues to avail itself of accountability for the attack to this day, the sole surviving perpetrator – one of two North Korean agents – testified that Kim Jong-il was culpable for ordering the bombing.⁵⁷ If previous bad behaviour reaped dividends for the DPRK, this act of terrorism resulted in a social cost. The DPRK was placed on the US State Sponsors of Terrorism list from 1988,⁵⁸ and was classed as a state that has “repeatedly provided support for acts of international terrorism”, together with Libya, Iraq, South Yemen, Syria, Cuba, and Iran, a social category that would have profound impact on future North Korean behaviour towards the United States, as later chapters will show.⁵⁹ Whilst its provocative actions may have garnered international attention, North Korea’s reputation as a state that violated the norms of responsible behaviour only worsened, making it, as Geldenhuys postulates, “an ideal candidate for demonization by foreigners.”⁶⁰

Outward compliance with the nuclear order

Amidst international opprobrium – or “demonization”, as Geldenhuys posits – for its provocative, terroristic behaviour, the DPRK continued to assert the peaceful nature of its nuclear ambitions. Calls by Kim Jong-il for the WPK to use “atomic and solar energy...in the

⁵⁵ ‘Foreign Ministry Statement on Burmese Decision’, 4 November 1983, in FBIS-APA-83-216, 7 November 1983, p.D1-D3

⁵⁶ CIA, Directorate of Intelligence, ‘Rangoon Bombing Incident – The Case Against The North Koreans’, 19 October 1983, pp.4-5

⁵⁷ CIA, ‘North Korea: Responsibility for the Korean Airline Bombing’, 11 February 1988, p.3. For the testimony of Kim Hyun-hee, who was later pardoned by South Korea, owing to her being brainwashed into planting the bomb by the North Korean leadership, see Hyun Hee Kim (1993).

⁵⁸ Bechtol (2010)

⁵⁹ See Section 6(j) of the (now repealed) Export Administration Act of 1979, enforced from 1979 to 1994.

⁶⁰ Geldenhuys (2004:174)

national economy” suggested how the DPRK’s nuclear ambitions were also targeting domestic audiences.⁶¹ Firstly, in terms of the regime’s ability to supply sufficient energy domestically; secondly, to bolster domestic legitimacy through the material prestige associated with nuclear possession.

As North Korea’s deviant behaviour grew worse, its international reputation as a rule-breaking state with respect to international order also deteriorated. From Pyongyang’s perspective, however, the continuation of the US “hostile policy”, manifest in the conduct of US-ROK military exercises – such as ‘Team Spirit’, which commenced in 1977 – served to justify its ongoing delinquency.⁶² Such physical indicators of the “hostile policy” only reinforced, in North Korea’s view, the US’s desire for a unified Peninsula under the control of South Korea, to which the DPRK vehemently opposed.⁶³ Despite weakening Soviet-DPRK ties, however, North Korea acceded to the NPT, as a non-nuclear weapons state, on 12 December 1985,⁶⁴ “under heavy pressure from the Soviet Union.”⁶⁵ Whilst accession meant that the DPRK “foreswore the manufacture or acquisition of nuclear weapons and agreed to IAEA safeguards on all its peaceful nuclear activities”, the DPRK would only acquiesce if the USSR pledged to supply light-water reactors (LWRs).⁶⁶ It can be surmised that despite the DPRK’s outward compliance with joining the NPT, doing so would render North Korea an illegitimate nuclear weapons state if it chose to pursue weaponised nuclear development. Yet, the dividends from such compliance seemed too large to resist. As a former South Korean negotiator with the

⁶¹ Kim Jong-il (1985)

⁶² KCNA, ‘Pyongyang Denies Developing Nuclear Weapons’ 4 August 1989, FBIS-EAS-89-149, pp.23-24

⁶³ E.g. KCNA, ‘KCNA Reacts to ‘Terrorist Group’ Label’, 9 April 1988, FBIS-EAS-88-069, p.8; ‘Daily Demands ‘Solid Peace’ on Korean Peninsula’, 2 August 1989, FBIS-EAS-89-147, pp.22-25.

⁶⁴ Wit *et al.* (2004:3-5); Mansourov (1995)

⁶⁵ US official (interview, 2019).

⁶⁶ CIA, ‘North Korea: Potential for Nuclear Weapon Development’, September 1986, NSA EBB 87, Document No. 7

DPRK stressed: “North Korea wanted to build light-water reactors in the 80s, but the Soviet advice was...*you’ve got to join the NPT. If not, we cannot help you. It is mandatory.*”⁶⁷

The Soviet pledge was never fulfilled.⁶⁸ The DPRK constructed a 5-megawatt (MWe) graphite-moderated reactor, fuel processing plant, and reprocessing plant at Yongbyon, with little external assistance.⁶⁹ Ongoing targeting of the US, for bringing “all kinds of nuclear weapons to South Korea”, and conducting Team Spirit, derided as a “nuclear-test war exercise”, continued.⁷⁰ Hence, as Samuel Kim convincingly argues, in paraphrasing Marx, North Korea’s “decision to go nuclear was not made overnight.” Rather, the DPRK “do[es] not make it under circumstances chosen by themselves, but under the circumstances directly encountered, given, and transmitted from the past.”⁷¹ Indeed, as this section has shown, two central circumstances “transmitted from the past” comprised the legacy of the Korean War, and the pursuit of what Pyongyang deemed to be a “hostile policy” from the US and South Korea. Thus, North Korea’s delinquent behaviour during the post-war era brought costs, particularly social costs as a state that deliberately sought to break the norms of international order. Yet, as will be seen, by joining the global nuclear order, Pyongyang hoped to reap benefits, despite being bestowed with negative status following its bad behaviour in the post-war period.

⁶⁷ ROK official (interview, 2019)

⁶⁸ Clemens (2010:146); Hymans (2012:254); Zhebin (2000). For more on the Soviet influence on the DPRK’s accession to the NPT, see Deutch (1992); Kwak & Joo (1993).

⁶⁹ Hecker (2010); Dembinski (1995); Heinonen (2011)

⁷⁰ KCNA, ‘KCNA ‘Detailed Report’ Explains NPT Withdrawal’, 22 January 2003

⁷¹ S.S. Kim (2010:57)

Part II

North Korea the actor: a nuclear crisis and what North Korea learns

North Korea's resentment of the post-war international order had a profound impact on its behaviour after it acceded to the NPT in 1985. Whilst post-war, North Korea aimed to resist being constrained by the US's goal to establish and preserve an international order underpinned by Western liberal norms, the consolidation of the global nuclear order saw the DPRK seek to subvert the order's norms, especially of non-proliferation and arms control.⁷² As Nicola Horsburgh argues, throughout the 1990s, the nuclear order became consolidated as much more than "an assortment of regimes related to arms control and non-proliferation."⁷³ The collapse of the USSR and end of the Cold War posed a pressing concern for nuclear proliferation, given the diffusion of the USSR's nuclear stockpile across then-new post-Soviet states.⁷⁴ As the dominant architect and guarantor of the post-Cold War order, the US fostered a new form of activism in the UN Security Council, which, in the words of President George H.W. Bush, would create a "new world order" based on "international norms and rights", such as non-proliferation and human rights norms.⁷⁵ The United States' fear of WMD acquisition by terrorist groups and so-called 'rogue' states became a defining feature of its hegemonic role in the post-Cold War global nuclear order, a fear that would only exacerbate over time, as Chapter Three will demonstrate.⁷⁶ The aftermath of the First Gulf War and subsequent revelation of Iraq's nuclear programme placed the NPT regime under strain, given the regime's inability to pre-empt "that one of its members has begun marching down the road toward weapon production."⁷⁷ Yet, the US also took steps to strengthen the nuclear non-proliferation

⁷² Ritchie (2009); Kapur (1996); Litwak (2000:19-47)

⁷³ Horsburgh (2015:22-23)

⁷⁴ Pilat (1995:50)

⁷⁵ Dietrich (2006:274); Bush Sr. (1990); Malone (1997).

⁷⁶ Kapur (1996); Lake (1994)

⁷⁷ Weiss (1991:12); Fischer (1992:672-673).

norm. The START I Treaty, signed in 1991 between the US and USSR, reduced the nuclear arsenals of the two Cold War superpowers by two-thirds.⁷⁸ Its successor, START II, was signed in 1993, but never came into effect.⁷⁹ Beyond the former Western and Soviet blocs, South Africa unilaterally abandoned its nuclear weapons programme in 1991, and joined the NPT as a NNWS. China, which had tested its first nuclear device in 1964, joined the NPT in 1992 as a NWS. Such actions preceded the indefinite extension of the NPT at the NPT Review Conference in 1995.⁸⁰ Yet, despite a bolstering of the global nuclear order, North Korea continued to contravene non-proliferation norms, and reneged on non-aggression agreements with South Korea.

However, as this section will contend, the DPRK's approach towards the nuclear order throughout the 1990s was characterised by tit-for-tat diplomacy, whereby North Korea would “answer dialogue with dialogue and strength with strength.”⁸¹ As Kim Young-sun, former head of the International Affairs department of the WPK, argued in 1993: “Koreans have a saying: ‘sword to sword: rice cake to rice cake.’ It is time to throw away the sword and hold up the rice cake.”⁸² Of course, motivations of security, deterrence and regime survival, particularly in the early 1990s, were also influential in North Korea's behaviours, especially in response to US actions. Patrick Morgan, for example, argues that North Korea's ability to “get away with repeatedly breaking non-proliferation agreements” revolves around the importance of nuclear weapons to regime survival, and regional – and global – concerns of regime collapse; the latter, which “seems at least as dangerous, and much more likely, than its use of nuclear weapons.”⁸³

⁷⁸ ‘START I Treaty’, 31 July 1991, available at: <https://fas.org/nuke/control/start1/text/abatext.htm> [Last Accessed 10 December 2020]

⁷⁹ ‘US and Russia Sign START II Treaty’, 3 January 1993 *USDS Dispatch*, pp.20-25

⁸⁰ Rauf & Johnson (1995); Pilat (1995)

⁸¹ KCNA, ‘Spokesman Denounces U.S. ‘Military Threats’, 25 September 1994, FBIS-EAS-91-186, p.42

⁸² Hayes (2015:80; 2006:4). See also: Hayes (1993a, 1993b)

⁸³ Morgan (2006:136). See also: Bracken (1993).

For instance, the US removal of nuclear weapons from the Peninsula in September 1991, and discussion of plans to suspend Team Spirit in 1992, could be interpreted as a response to strained US-DPRK deterrence at the time, and the US need to compel the DPRK to halt its nuclear development in order to preserve stability. In response, the DPRK acceded to IAEA safeguards, halted fuel rod reprocessing, delayed the refuelling of its reactor, and signed the Joint Declaration on Denuclearization with South Korea in December.⁸⁴

Despite North Korea's desires for recognition as a sovereign and equal actor in international relations, as could be acquired from diplomatic normalisation with the United States, the 1990s saw the DPRK engage in a variety of delinquent behaviours that bestowed negative status upon the regime-state. A central lesson learned by the DPRK, as this chapter will show, is that strategic engagement in delinquent behaviour could reap benefits, for instance, the social recognition as an equal dialogic partner from negotiating with the United States, which took place after its threat to withdraw from the NPT in March 1993.

This section categorises the first nuclear crisis into three phases (see Table 1). Throughout the first crisis, North Korea sought to assert agency as a significant actor in international relations. In the first phase, post-accession to the NPT, North Korea engaged in deceptive behaviour to seek international attention as a then-comparably new member of international society, whose norms it continued to resent. Outward compliance with the nuclear order, by joining the NPT, however, masked the continued pursuit of nuclear weapons development. In so doing, North Korea sought social recognition as a sovereign actor – part of the nuclear order – but also material benefits of LWR provision from the USSR. In the second phase, the DPRK engaged more overtly in provocative and norm transgressive acts, which did, in fact, bring dividends.

⁸⁴ Sigal (1997a:31).

Although this phase culminated in North Korea's announcement of its intention to withdraw from the NPT, in March 1993, high-level bilateral meetings with the US, in January 1992, provided an opportunity for North Korea to realise how outward compliance with the nuclear order was received by the United States, to inform future behaviour. In so doing, Korea was able to gain the social benefit of recognition as an equal negotiating partner of the US. Compliant behaviour, however, did occur, although less frequently: for instance, the DPRK declared its past reprocessing activities and nuclear and fissile material to the IAEA in May 1992, an action required for all NNWS members of the NPT who had assented to IAEA safeguards.⁸⁵

The third phase saw increasingly strategic engagement in delinquency, marked by a range of norm-deviant and norm-compliant behaviour, comprising continued provocations towards the United States, but also greater compliance with the nuclear order. This phase culminated in North Korea's outward compliance with nuclear norms – whilst not re-joining the NPT specifically – through the signing of the US-DPRK Agreed Framework in October 1994. The DPRK was able to reap social and material benefits as a result.

⁸⁵ For more on IAEA safeguards, see 'The Agency's Safeguards System', INFCIRC/66/Rev.2, 16 September 1968.

Phase	Period	Description	Key events	Behaviour	Type of delinquent behaviour	Benefits
1	12 December 1985 – 30 January 1992	Signing the NPT to accepting IAEA safeguards	- Accedes to NPT - Operates 5MWe reactor - Russia and China establish relations with South Korea - Signs Joint Declaration of Denuclearization between the two Koreas	Outwardly compliant	- Deception - Provocation	- Social recognition as part of nuclear order - Material benefit of LWR provision from USSR
2	31 January 1992 – 12 March 1993	US-DPRK negotiations and the DPRK's threat to withdraw from the NPT	- Kanter-Kim high-level meeting - IAEA safeguards signed and ratified - North Korea declares nuclear facilities and plutonium production - IAEA inspections find discrepancy in declaration - DPRK announces withdrawal from NPT, to take effect from three months from 12 March 1993	Delinquent	- Provocation - Norm-transgression - Deception	- Nuclear deterrence - Regime survival - Recognition as equal
3	13 March 1993 – 21 October 1994	US-DPRK high-level dialogue to Geneva Agreed Framework	- US-DPRK high-level dialogue leads to suspension of withdrawal from NPT - DPRK extracts fuel rods from reactor earlier than expected - Announces withdrawal from IAEA - IAEA unable to verify DPRK's plutonium production - Jimmy Carter visits Pyongyang - Agreed Framework	Delinquent Outwardly compliant	- Provocation - Deception (outward compliance)	- Regime survival - Economic assistance - Recognition as exceptional and equal

Table 1: The three phases of the first nuclear crisis⁸⁶

⁸⁶ Author adaptation from J. Kim (2014)

Phase 1: Outward compliance; deceiving the international community

After joining the NPT, the DPRK's nuclear development was rudimentary, comprising one 4-megawatt reactor (provided by the USSR), a 5-megawatt indigenous reactor, a 50-megawatt reactor yet to be constructed, and a "radiochemical laboratory" designed to separate plutonium from nuclear fuel, and manage nuclear waste.⁸⁷ Whilst joining the NPT placed the DPRK's indigenous 5-megawatt reactor under IAEA inspections, the regime-state continued to emphasise how the DPRK was a "peace-loving" power aiming to "prevent the proliferation of nuclear weapons" globally,⁸⁸ and supporting complete nuclear disarmament on the Korean Peninsula.⁸⁹ Importantly, from the early stages of this first phase, the DPRK urged the US to engage in dialogue, not least to replace the Korean War armistice agreement with a peace treaty. Such demands suggested the DPRK's desire to assert agency in continuing its own narrative of the Korean War – in which the US was a belligerent power – and in holding the US to account according to North Korea's interpretation of the rules of international order.

Loss of allies and nuclear development

In the late 1980s, North Korean state media vehemently denied international claims of its weaponised nuclear development, yet this did not abandon its engagement in delinquent acts.⁹⁰ Such delinquency exacerbated following the decision by the Soviet Union and China to form

⁸⁷ 'North's Nuclear Capability Assessed' – So Yong-ha, July 1989, FBIS-EAS-89-148, 3 August 1989, pp.23-26; Albright (1994:75); Hecker & Liou (2007); Stone (2004); Oh & Hassig (1995)

⁸⁸ Nonproliferation Treaty Explained to Listeners, *KCBN*, 9 June 1991, FBIS-EAS-91-113, pp.12-13

⁸⁹ 'Government Statement on New Peace Proposal', *PDS*, 23 June 1986, FBIS-APA-86-120, pp. D1-D3. One possible reason for North Korea's stance in support of global nuclear disarmament, beyond the desire to be seen as a responsible power, could have been its then-potent desire to lead the Non-Aligned Movement. See: Hungarian Embassy in the DPRK, 'North Korean activities in the Non-Aligned Movement', 11 March 1982, HPPA, NKIDP.

⁹⁰ 'The U.S. Imperialists Should Withdraw From South Korea Immediately', *RS*, 8 September 1989, FBIS-EAS-89-179, pp.10-12. US intelligence reports remained aware of the DPRK's denial of its nuclear development throughout this time. See: CIA, "North Korea: Denial of Nuclear Arms Production", 9 August 1989, NSA EBB 87, Document No. 14.

diplomatic relations with South Korea, with Soviet-ROK diplomatic relations and Sino-ROK relations established in 1990 and 1992 respectively. The DPRK threatened to withdraw from the NPT “if Soviet-South Korean diplomatic relations were formed, and US nuclear presence in South Korea continued.”⁹¹ As a former Soviet diplomat stressed, whilst the USSR “dismissed” this threat “at the time...the North Koreans did what they said they would do in the years to follow.”⁹² This turn to Seoul only accelerated North Korea’s “sense of isolation and betrayal” whereby following the forming of relations with the enemy state of the ROK, “they turned to nuclear weapons.”⁹³

The Soviet and Chinese decisions to recognise and establish diplomatic relations with South Korea – the latter, derided by the DPRK as the “puppet state” of the United States – imposed severe material and social challenges on North Korea. The lack of benefits reaped from Pyongyang’s closest allies would only further its exercise of delinquent behaviour in response. The loss of Soviet support, as Soviet-DPRK ideological solidarity frayed, rendered it increasingly unlikely for the USSR to fulfil its provision of light-water reactors, a core reason behind North Korea’s accession to the NPT. The DPRK lost military assistance, namely in nuclear materials, air defence missiles, and fighter bombers. Economic assistance, which multiplied since 1984, was reduced, particularly bilateral trade in industrial equipment, oil, and coal.⁹⁴ The USSR also insisted on hard currency payment for Soviet goods, in light of the DPRK’s intense dependence on the Soviet Union for crude oil.⁹⁵

⁹¹ ‘The U.S. Imperialists Should Withdraw...’; in a discussion between Russian Foreign Minister Eduard Shevardnadze and DPRK Foreign Minister Kim Yong-nam in 1988, Kim emphasised how for the “countries of the [socialist] commonwealth” to establish diplomatic relations with South Korea, would be “nothing but betrayal of the interests and ideals of socialism.” See: ‘Diary of Teimuraz Stepanov-Mamaladze...’, 23 December 1988, HIA. See also: Platkovskiy (2000:97)

⁹² Former Soviet diplomat (interview, 2019)

⁹³ ROK official (interview, 2019)

⁹⁴ B. Ahn (1991:823); Oh (1988:63-64); CSE Kang (2004:285)

⁹⁵ Zacek (1998:81)

The establishment of Soviet-ROK relations had a profound social impact upon the DPRK, namely vis-à-vis a change in North Korea's social status. The USSR no longer viewed North Korea as part of the status community of socialist states, and did not treat Pyongyang "differently from other neighbo[u]ring countries", not least the ROK. For instance, the USSR agreed to deliver "defensive weapons" both to the ROK and DPRK.⁹⁶ Evidence suggests that at the individual level, relations between Gorbachev and Kim Il-sung declined from the late 1980s, following Kim Il-sung's refusal to accept the Soviet proposal that the two Koreas be admitted to the United Nations.⁹⁷ For Kim, cross-recognition – whereby the US and Japan would recognise North Korea, and the USSR and China would do the same towards South Korea – sat at odds with the DPRK's vision of a unified Peninsula controlled by the North.⁹⁸ Despite continued recognition by the USSR, the Soviet turn to Seoul would have noticeable effects on North Korea's behaviour, as the DPRK realised that the Soviet-ROK relationship would be given greater prominence in light of South Korea's rapid economic growth, compared to the stagnating growth and industrial production of the North.

The DPRK accused the USSR of having bargained away "the dignity and honor of a socialist state and the interests and faith of its ally for the \$2.3billion it was to receive from South Korea."⁹⁹ North Korean state media opined how the USSR's to recognise the "two Koreas" was akin to "committing separatist acts against the reunification of Korea." Moreover, doing so was an example of "perfidy...injustice and arbitrariness" as part of the "crafty disrupting moves of the imperialists, obsessed with dollars."¹⁰⁰ On the part of North Korea, therefore, the resultant loss of material benefits and social status was substantial. With the end of the Cold

⁹⁶ B. Ahn (1991:824); see also: Zacek (1998:81)

⁹⁷ H. Kim (1997:641-642)

⁹⁸ Meyer (1992); Olsen (2002:84-86); Clay Moltz (2000:197).

⁹⁹ 'Diplomatic Relations Bargained for Dollars', *The Pyongyang Times*, 6 October 1990, in Rhee (1991:75)

¹⁰⁰ KCNA, 'Commentary Denounces USSR Diplomatic Ties', 5 October 1990, FBIS-EAS-90-194, pp.7-11

War and the collapse of the USSR, the new Russian government withdrew economic and technical assistance, not least Russian technicians working in the DPRK, and insisted that the DPRK repay loans provided by the former-USSR. Moscow's pivot to Seoul "washed [its] hands of the Pyongyang regime" and left the North Korean economy on a path of decline.¹⁰¹ The Soviet Union's normalisation of relations with Seoul intensified the DPRK's disillusionment with the nuclear order. As a former South Korean official emphasised, the formation of Sino-ROK ties was a "big blow for North Korea", since "North Korea acceded to the NPT at the invitation of the Soviet Union...[but] had a sense of loss and betrayal after the Soviet Union formed diplomatic relations with South Korea. South Korea made friends with North Korea's former sponsors."¹⁰² From North Korea's perspective, the DPRK was cheated upon by its Soviet ally, the very reason behind its accession to the NPT in 1985.¹⁰³

In 1992, China followed the Soviet path, normalising relations with South Korea; as such, "the DPRK had now almost completely lost its second major ally."¹⁰⁴ China became increasingly averse towards economic interactions with the stagnating economy of the DPRK. Although Sino-DPRK trade volumes doubled from 1986 to 1988, and whilst China continued to support the DPRK through supplying oil, material, and financial assistance, aid was reduced to a minimum. A senior North Korean official affirmed North Korea's dissatisfaction, namely how "it would have been better if Seoul took measures that would contribute to reunification, reconciliation, and solidarity of the Korean peninsula than opening diplomatic ties with China."¹⁰⁵ As a Chinese scholar mentioned, akin to the USSR, the DPRK felt betrayed by China, where Kim Il-sung now "faced his enemy from the South, and his ally from the North

¹⁰¹ Armstrong (1998:39); see also: Zacek (1998:82-84).

¹⁰² ROK official (interview, 2019)

¹⁰³ Li (2000:139)

¹⁰⁴ Bazhanova (2000:132)

¹⁰⁵ 'Official Says Ties With Beijing Unchanged' *Kyodo*, 18 September 1992, FBIS-EAS-92-184, p.7

had formed relations with his enemy!”¹⁰⁶ From the North Korean perspective, Sino-ROK normalisation demonstrated how China, long-deemed to be an ally of the DPRK, not least vis-à-vis Mao’s – albeit reluctant – support for Kim Il-sung’s invasion of the ROK in 1950, could “be very rude to North Korea, and does not prioritise North Korea’s interests.”¹⁰⁷

The CCP frequently asserted its lack of intention to establish diplomatic ties with South Korea. In 1980, Deng Xiaoping argued how “it would not be in China’s best interest to develop relations with South Korea”,¹⁰⁸ a claim repeated by then-Chinese Premier Li Peng in July 1988.¹⁰⁹ On 7 November 1988, General Secretary of the CCP, Zhao Ziyang, affirmed to then-DPRK Foreign Minister, Kim Yong-nam, that China would stand by its “position of not having political relations with South Korea.”¹¹⁰ China was North Korea’s largest trade partner during the 1970s and 1980s; crude oil, a major import from China, was bought at reduced ‘friendship’ prices, and as trade with the USSR declined in the late 1980s, the DPRK became increasingly dependent on China.¹¹¹ Following Sino-ROK recognition, China requested that all trade be conducted in hard currency. Yet, the PRC rescheduled North Korea’s payment of its deficit, and encouraged cross-border trade, which saw trade volumes increase between 1992 to 1993.¹¹² However, diplomatic ties with Seoul in 1992 shifted Sino-North Korean trade to a market basis: Chinese food exports to the DPRK – crucially, of grain – declined by over half from 1993 to 1994. Filling the Soviet void as the DPRK’s largest food and oil supplier, China would reduce exports further, from 1993 to 1994, insisting on cash payment, which the DPRK could not

¹⁰⁶ Chinese think tank analyst (interview, 2019)

¹⁰⁷ Chinese nuclear analyst (interview, 2019).

¹⁰⁸ Chung (2007:57)

¹⁰⁹ See: ‘PRC Group Proposes Liaison Offices’, *The Korea Times*, 5 July 1988, FBIS-EAS-88-128, p.31

¹¹⁰ KCNA, ‘China Will Not ‘Cross Recognize’ Two Koreas, 7 November 1988, FBIS-EAS-98-215, p.7. See also: Y-H Kim (2011:75-76)

¹¹¹ Haggard & Noland (2007:30-33); Reilly (2014)

¹¹² IJ Kim (1998:107-109)

fulfil. As Haggard and Noland write: “if there was a single proximate trigger to the North Korean famine, Chinese trade behaviour during these crucial years is a plausible candidate.”¹¹³

The DPRK, therefore, was being recognised by its former allies of China and the USSR (and, subsequently, Russia), *in tandem* with its adversary of South Korea, contrary to the constitutions of the two Koreas. No longer part of the community of ‘socialist states,’ North Korea perceived such abandonment from its former allies as evidence of a US, South Korean, Soviet (and later, Chinese) “conspiracy to topple the socialist system in the DPRK.”¹¹⁴ As Charles Armstrong put it: “the Pyongyang regime was devastated. Its two major allies had recognized its archenemy, while the DPRK remained estranged from the United States and Japan.”¹¹⁵ Furthermore, with both socialist allies recognising the ROK, “North Korea could no longer play off Moscow and Beijing”, and “China and the Soviet Union would no longer accuse the other of betraying North Korea by improving relations with the South.”¹¹⁶ Being snubbed by its allies presented North Korea with little choice but to enact *juche* in its purest form – a refusal to pursue economic reform – and engage in “socialism our style.”¹¹⁷ As Levin wrote in 1991, “Moscow’s decision to establish full diplomatic relations and Beijing’s quieter agreement to initiate *de facto* ties (though trade offices performing consular connections)” only strengthened international perceptions that “North Korea’s failure is nearly complete.”¹¹⁸

Whilst Soviet-ROK normalisation was ongoing, archival evidence suggests that the DPRK had developed its “first nuclear device” at Yongbyon, which it intentionally “conceal[ed] from the

¹¹³ Haggard & Noland (2007:31-32)

¹¹⁴ KCNA, ‘Soviet Diplomatic Moves With ROK Criticized’, 18 September 1990, FBIS-EAS-90-182, pp.14-15

¹¹⁵ Armstrong (2013:278)

¹¹⁶ Armstrong (2013:276)

¹¹⁷ This slogan was introduced by Kim Jong-il in May 1991, in warning how “a slight slackening of ideological education may result in the wind of bourgeois liberalism blowing in.” See: Kim Jong Il (1991); H-S. Lee (2001:217-218); Armstrong (1998:41-45).

¹¹⁸ Levin (1991:103-104)

world public and international monitoring organizations.”¹¹⁹ The DPRK continued to deny its nuclear development, and would only sign IAEA safeguards if “the danger of nuclear war on the Korean peninsula” was “remov[ed]...in accordance with the... [Non-proliferation] treaty.”¹²⁰ Such “danger” specifically referred to the US conventional presence in South Korea, and annual US-ROK military exercises. During this time, North Korea invoked the language of the nuclear order, not necessarily because it valued the NPT, but as a means of counter-stigmatisation, whereby the stigma – in this case, allegations of nuclear development – became reversed, and the US was blamed for posing a nuclear “threat of nuclear attack on our country, a non-nuclear state.”¹²¹ In an act of feigned outward compliance with the NPT, the DPRK reaffirmed its status as a non-nuclear state, but such rhetoric may have been to hasten its admittance to the UN, which, together with that of South Korea, took place on 18 September 1991. Membership of the UN provided the DPRK greater international legitimacy, which allowed it to exploit the principle of sovereign equality to “buy time for its [nuclear] weapons programme”¹²², whilst ensuring that its membership did not “hand over North Korean sovereignty” to the UN.¹²³

Following the US announcement, on 27 September 1991, of the removal of its nuclear weapons from South Korea, the DPRK placed additional emphasis on its role as an equal player in any negotiations with the US, stressing how international inspections on its nuclear facilities remained contingent upon reciprocal North Korean inspections on US nuclear and military bases in South Korea.¹²⁴ Between 1991 and 1992, the DPRK signed two landmark inter-Korean

¹¹⁹ ‘KGB Document Reveals DPRK Nuclear Potential’ *IZVESTIYA*, 24 June 1994, FBIS-SOV-94-22, pp.11-13

¹²⁰ Statement of the Ministry of Foreign Affairs of the Democratic People’s Republic of Korea, 16 November 1990, UNSC S/21957

¹²¹ *Ibid.*

¹²² This was stated by Ko Young-Hwan, a senior North Korean diplomat, in Hibbs *et al.* (1991:14).

¹²³ Suh (1993:62, 78)

¹²⁴ George H.W. Bush, ‘Address to the Nation on Reducing United States and Soviet Nuclear Weapons’, 27 September 1991

agreements, which increased its outward compliance with international order. The Agreement on Reconciliation, Non-aggression and Exchanges and Cooperation – signed on 13 December 1991 – saw both Koreas pledge neither to “slander or vilify each other” nor “use force against each other.”¹²⁵ Archival evidence shows how following this declaration, South Korean President, Roh Moo-hyun, reaffirmed that “there do not exist any nuclear weapons, whatsoever, anywhere in the Republic of Korea”, and called on North Korea to “conclude and ratify a nuclear safeguards agreement with the International Atomic Energy Agency, shut down all nuclear reprocessing and enrichment facilities, and submit unconditionally to international inspection.”¹²⁶

An arguably more important document in relation to the nuclear order – as briefly aforementioned – was signed on 20 January 1992: the Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula. Entering into force on 19 February 1992, the declaration committed the two Koreas “not [to] test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons”, to use nuclear energy “solely for peaceful purposes,” and “not possess nuclear reprocessing and uranium enrichment facilities.”¹²⁷ Although this agreement may seem incongruous with the DPRK’s nuclear ambitions at the time, it exemplified North Korea’s simultaneous engagement in outward compliance and deviance with respect to the nuclear order. The DPRK used the agreement to its advantage, deeming its covert uranium enrichment programme not to be in contravention of the declaration, since, as one analyst put it to the author, whilst “building a facility to enrich

¹²⁵ Agreement on Reconciliation, Non-aggression and Exchanges and Cooperation between the South and the North, December 13, 1991, CD/1147. See: ‘Cable, Amembassy Seoul 13322 to SecState, Subject: Prime Ministers Sign Joint Agreement’, December 13, 1991, p.32, in NSA EBB 610, Document No. 7.

¹²⁶ IAEA Archives, Special Announcement on a Nuclear-free Korean Peninsula, 18 December 1991, GOV/INF/642.

¹²⁷ ‘Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula’ 20 January 1992.

uranium would be a violation of the declaration...it doesn't say you can't acquire *centrifuges*.”¹²⁸ In so doing, signing the agreement offered benefits in the form of a written security assurance from the US, high-level US-DPRK dialogue in 1992, and possible economic and energy assistance.

Phase 2: The benefits of provocative behaviour

Bilateral US-DPRK dialogue between US Under-Secretary of State Arnold Kanter, and WPK secretary for international affairs, Kim Young-sun, took place in January 1992. These negotiations saw the US offer normalised relations, and North Korean inspections of US military bases in the South, if the DPRK abandoned its nuclear programme.¹²⁹ This reciprocity would continue to influence North Korea's negotiating strategy in future US-DPRK dialogue, as subsequent sections of this chapter will show. Crucially, the US accommodated a key demand of the DPRK, granting the suspension of Team Spirit in 1992. Having achieved this goal, the DPRK agreed to sign IAEA safeguards “on the premise that none of the NPT member countries will deploy nuclear weapons on the Korean peninsula and pose a nuclear threat to us.”¹³⁰ Whilst full compliance with safeguards was not achieved, such an example highlights how North Korea was able to use its outward compliance with the nuclear order to reap a material benefit in the suspension of US-ROK military exercises, the latter which it derided as “a preliminary nuclear war”, as part of the USA's “hostile policy.”¹³¹

¹²⁸ US Track 1.5 negotiator (interview, 2019).

¹²⁹ For more on the Kanter-Kim meeting, see Lee (2006:135); Tan (2014:69-71); Manning (2002:71). North Korea deemed the meeting to have been conducted “satisfactorily in an open-minded and constructive atmosphere”, see: ‘North Korea satisfied with U.S. talks’ *Reuters*, January 23, 1992.

¹³⁰ ‘KCNA ‘Detailed KCNA Report’... 22 January 2003

¹³¹ KCNA, ‘Pyongyang Denies Developing Nuclear Weapons’, 4 August 1989

Kim Il-sung continued to emphasise, however, that North Korea had “no intention or capacity to develop nuclear weapons” and would only “accept nuclear inspection if fair treatment is assured.”¹³² Such a claim was highly equivocal, but the DPRK’s outward compliance with the nuclear order reflected its desire for normalised ties with the US, and the ascendant status that could ensue.¹³³ The DPRK agreed to IAEA safeguards on 30 January 1992.¹³⁴ Yet, increasing outward compliance occurred concurrently with the construction of “two nuclear reactors whose sole purpose appears to be to make plutonium.”¹³⁵ The signing of safeguards was nearly five years overdue, given that the DPRK insisted on multiple conditions – particularly a security assurance from the US and a halt to US-ROK military exercises – prior to signing.¹³⁶ Importantly, doing so provided the DPRK with time to assess whether acquiescing to safeguards would lead to any payoffs. The DPRK declared its nuclear facilities and material for IAEA inspection in May 1992, placing seven sites for inspection, and declared it had obtained 90 grams of plutonium having reprocessed 89 fuel rods in 1989.¹³⁷

Although North Korea deemed its early submission of the declaration to reflect its sincerity in “realiz[ing] the denuclearization of the Korean peninsula”,¹³⁸ such feigned compliance aimed

¹³² ‘New Year Address of President Kim Il Sung’, 1992. Meetings between Kim Il-sung and South Korean Prime Minister, Chong Won-sik, in February 1992, saw Kim reaffirm that “foreign forces” be withdrawn from the Korean Peninsula, and that North Korea had no intention of developing nuclear weapons; Kim stressed how it would be “unimaginable for us to develop nuclear weapons that can wipe out the Korean people.” See: Weisman (1992:9); ‘Chong Won-sik Sums Up Results of Premier Talks’ *KBS-I*, 21 February 1992, FBIS-EAS-92-036, p.17.

¹³³ Pacheco Pardo (2014:118) argues that normalisation of relations with the US has been North Korea’s “ultimate goal” from 1974. Some argue, however, that North Korea’s “ultimate goals” are to possess weaponized nuclear capabilities and deter a US attack. See: Hayes (2003); Eberstadt (2005)

¹³⁴ ‘Foreign Ministry Statement on Signing’, *KCNA*, 30 January 1992, FBIS-EAS-92-021, p.16

¹³⁵ Gates (1992:321).

¹³⁶ Initially, the IAEA provided the DPRK with incorrect documentation, although correct documentation was sent on June 1987, together with an 18-month extension for the DPRK to sign the agreement. Mack (1991:90); Dembinski (1995:39)

¹³⁷ Nuclear Nonproliferation: Implications of the U.S./North Korean Agreement on Nuclear Issues, *USGAO*, October 1996, p.24; ‘North’s IAEA Report Reveals Key New Facilities’, *KBS-I*, 5 May 1992, FBIS-EAS-92-088, p.22.

¹³⁸ ‘Ministry Spokesman Discusses Report to IAEA’, *KCBN*, 6 May 1992, FBIS-EAS-92-088, p.9; Spokesman on Submitting Nuclear Report to IAEA, *KCNA*, 5 May 1992, FBIS-EAS-92-087, p.11; ‘Spokesman Gives Arrival Statement’, *KCBN*, 5 May 1992, FBIS-EAS-92-087, p.14; *KCNA*, ‘South Urged To Implement Documents Faithfully’, 6 May 1992, FBIS-EAS-92-088, p.13

to reduce international scrutiny on the DPRK's nuclear programme, giving it leverage to continue with covert plutonium and uranium enrichment. A US official negotiating with the DPRK during this time stressed how North Korea's ultimate goal was to elicit tacit international acceptance and recognition of its nuclear programme. As he mentioned:

“Ri Yong-ho, in the 1990s negotiations, said to me that: *we want to be your Israel in East Asia. We will be a strategic ally of the US, and, in return, the implication was that you will tolerate, and overlook, our nuclear weapons.*”¹³⁹

An increasingly deviant North Korea

Despite the North Korean declaration of its nuclear facilities and material, IAEA visits to Yongbyon noted several concerns. First, inspections found an industrial facility, near-completion, which could process uranium into plutonium – euphemistically termed by the DPRK as a “radio-chemical laboratory” – together with two undeclared nuclear waste storage sites, which the DPRK insisted were “military sites” and thus free from the purview of inspections.¹⁴⁰ Secondly, discrepancies in the quantity of plutonium declared by the DPRK arose, following inspections that affirmed how Pyongyang had, in fact, engaged in several plutonium separation efforts between 1989 to 1991.¹⁴¹ Such deliberate deception of the international community, all the while whilst stressing its lack of “will and ability to produce” nuclear weapons, only furthered speculation of North Korea's intention to subvert the norms of the global nuclear order for instrumental gain.¹⁴² Framing the two nuclear waste storage sites as “military sites” did not, according to the regulations of the NPT, immunise the DPRK from

¹³⁹ US official (interview, 2019).

¹⁴⁰ Hibbs (1992:13); KCNA, ‘Report on Inspections Issued’ 22 February 1993, p.16

¹⁴¹ Fischer (1997:288-289); Albright (1994)

¹⁴² ‘Kim Yong-nam Speech at UN General Assembly’, *KCBN*, 1 October 1992, FBIS-EAS-92-191, pp.4-5.

IAEA inspections. IAEA safeguards stressed how “routine inspections” could comprise “audit of records and reports”, not limited to locations where a state’s nuclear material would be found. Furthermore, special inspections, for which the IAEA called given the DPRK’s “widening non-compliance” with IAEA safeguards, could take place when “[a]ny unforeseen circumstance requires immediate action.”¹⁴³ A site could be subject to special inspection even if it did not contain nuclear material. The DPRK, therefore, continued to violate the norms of the nuclear order, in a strategic fashion, even if it intended to dictate the terms under which any outward compliance would take place.

North Korea rejected calls by the US and IAEA to clarify discrepancies in its declaration, not least through special inspections, and threatened “countermeasures of self-defense” against international “pressure.”¹⁴⁴ In refusing to accept the results of these inspections as legitimate, the regime-state accused the inspections of “not [being] conducted in compliance with the agency’s rules”, but rather “under US manipulation”,¹⁴⁵ as a “pretence for strangling the DPRK.”¹⁴⁶ North Korea continued to invoke counter-stigmatisation, and reverse the stigma attached to its illicit nuclear development onto the US and IAEA, the latter whom the DPRK chastised for adopting “double standards” towards non-NPT states, and acting as a vehicle for the US to impose its “hostile policy” on North Korea.

As provocative rhetoric from the DPRK increased in intensity, on 9 March 1993, Kim Jong-il declared the Korean Peninsula in a “semi-state of war” owing to the US-ROK continuation of

¹⁴³ Bunn (2007:50); IAEA, ‘The Agency’s Safeguards System’, 16 September 1968, INCFIRC/66/Rev.2.

¹⁴⁴ Sanger (1993a:13); KCNA, ‘Report on Inspections Issued’ 22 February 1993, FBIS-EAS-93-033, p.14. For similar DPRK reactions towards the IAEA’s call for special inspections, see: KCNA, ‘Atomic Energy Ministry on IAEA’, 21 February 1993, FBIS-EAS-93-033, p.10; ‘JNCC Head: IAEA Inspection ‘Totally Unjust’ *KCBN*, 19 February 1993, FBIS-EAS-93-032, p.8; ‘DPRK Delegate Addresses IAEA Meeting’ *KCBN*, 25 February 1993, FBIS-EAS-93-037, 26 February 1993, p.8.

¹⁴⁵ KCNA, ‘KCNA ‘Detailed Report’... 22 January 2003

¹⁴⁶ IAEA Archives, ‘Statement...by a spokesman for the Foreign Ministry of the Democratic People’s Republic of Korea’, 31 January 1994, GOV/INF/726.

Team Spirit military exercises, which the DPRK deemed to be in preparation for “waging a surprise preemptive strike” on the state.¹⁴⁷ This provocation stressed the value Pyongyang placed on military exercises as a physical and existential threat to the regime-state, which, importantly, was followed by a surprising announcement, on 12 March 1993, of its intention to withdraw from the NPT. If followed through, the withdrawal would take effect on 12 June, in line with Article X of the NPT. This ultimate act of norm-transgression, and abrogation from the institutionalised nuclear order, was justified by the DPRK as a response to “nuclear war threats” comprising both Team Spirit and ongoing IAEA calls for inspections of the two nuclear waste sites.¹⁴⁸ The withdrawal from the NPT also occurred after Russia stated, in 1992, that it would be unable to provide the DPRK with lightwater reactors, as pledged at the time of North Korea’s accession to the Treaty. North Korea’s suspicions vis-à-vis the nuclear order only intensified – especially following the establishment of Soviet-ROK relations – reacting to Russia’s announcement by “buckl[ing] down to develop an atomic energy technology of our own”, after which the DPRK emphasised that it had “faithfully fulfilled [its] obligations in accordance with the safeguards agreement.”¹⁴⁹

North Korea’s behaviour during this second phase shows that the DPRK was desiring a status – that of a nuclear state – it did not have, by refusing to acquiesce to the definition of a non-nuclear weapons state (according to the NPT). By dictating the specific sites in which IAEA inspections could occur, and deeming nuclear waste sites for “military” purposes, the DPRK wished to assert its resistance towards the bifurcated nuclear order, particularly given the

¹⁴⁷ “Kim Chong-il Orders Army Mobilization” *KCBN*, 8 March 1993, FBIS-EAS-93-043, 8 March 1993, pp.9-11. Earlier in 1992, the DPRK continued its rhetorical provocations vis-à-vis the US decision to conduct Team Spirit in 1993: ‘Press statement by Kim Chong-u’ FBIS-EAS-92-206 p.21.

¹⁴⁸ ‘Report...on the Non-Compliance of the Democratic People’s Republic of Korea with the Agreement between the IAEA and the Democratic People’s Republic of Korea...Annex 7, INFCRIC/419, IAEA, April 8, 1993’; ‘Commentary Defends Withdrawal’, *KCBN*, FBIS-EAS-93-047, p.23.

¹⁴⁹ KCNA, ‘KCNA ‘Detailed Report’... 22 January 2003

material constraints as a NNWS. Pyongyang's refusal to acquiesce to fullscope safeguards – required to maintain full compliance with the nuclear order – only epitomised its deceptive behaviour, supporting speculation that it was intentionally concealing its nuclear development from the international community.

Phase 3: Attention-seeking behaviour culminating in compliance?

North Korea's intention to withdraw from the nuclear order in March 1993 was met by renewed US-DPRK talks to bring North Korea back to the negotiating table. Eventually, the DPRK agreed “to suspend as long as it considers necessary the effectuation of its withdrawal,” and both sides pledged “against the threat and use of force, including nuclear weapons”, “impartial application of fullscope safeguards” and “mutual respect for each other's sovereignty.”¹⁵⁰ Such an event offered a useful learning experience for the DPRK, demonstrating how acts of delinquency, namely the abrogation from the institutionalized nuclear order, could become a powerful, attention-seeking currency to receive social recognition as a negotiating partner with the US, and at little cost. Furthermore, the DPRK recognised how the threat to withdraw from the NPT would only question the legitimacy of the institutionalised nuclear order. It can be argued that the US's decision to engage with the DPRK was less a result of the actual threat posed by North Korea's nuclear capabilities, but more a response to the destabilising effects on the nuclear order that the DPRK's permanent abrogation would catalyse in the 1990s, especially given the then-upcoming NPT Review Conference in 1995, where questions of indefinite extension of the NPT would be raised.

¹⁵⁰ KCNA, *Joseonminju juuinmingonghwagug – mihabjung-gug gongdongseongmyeong* ‘DPRK-US Joint Statement’, 11 June 1993.

After the suspension of its withdrawal from the NPT, North Korea continued to resist the IAEA's calls for *ad hoc* inspections, culminating in the IAEA concluding that it could not be assured the DPRK was "using nuclear material solely for peaceful purposes."¹⁵¹ Such a conclusion was beneficial for North Korea; it would capitalise upon its self-perceived "unique status" in rhetoric and pronouncements, given that it had not returned to the NPT.¹⁵² North Korea would repeatedly refer to such status, simultaneously inside and outside of the nuclear order, as a "creative solution" which, as a former Soviet diplomat claimed, only showed a "residual willingness to negotiate" with the US.¹⁵³ In so doing, the DPRK could engage in selective incorporation of the rules of the nuclear order, such as providing the IAEA with access to only five out of seven declared nuclear facilities in December 1993, according to its own terms. North Korea stressed that it "only had to receive inspections for ensuring the continuity of the safeguards measures" but did not have to accept full-scale inspections, given that the DPRK perceived such a "unique status" to be recognised by the US and IAEA.¹⁵⁴ This proclamation – albeit self-imposed – demonstrates the emphasis on status and recognition by North Korea during this time, as North Korea sought to legitimate the acceptance of this "unique status" by the US and IAEA.

The partially-compliant behaviour of "suspending" withdrawal from the NPT – and not withdrawing outright – reinforced North Korea's desire for greater agency in the international system, and served to bolster the regime-state's domestic legitimacy, not least by maintaining the historical narrative of the DPRK being situated within a hostile international order. Indeed,

¹⁵¹ IAEA Archives, 'Press Release - Vienna, 93/25', 2 December 1993. See: Sanger (1993b:8); 'Board Agrees on Need for Action' *Yonhap* 4 December 1993, FBIS-EAS-93-232, p.30

¹⁵² As talks with the US and IAEA progressed, the DPRK continued to refer to this "unique status." See: KCNA, 'United States Must Be Held Totally Responsible for Catastrophic Consequences Arising From its Perfidy' 1 February 1994, FBIS-EAS-94-021, p.18; KCNA, 'KCNA Reports on Statement' FBIS-EAS-94-053; p.13; KCNA, 'Daily Cites U.S., IAEA 'Unreasonable' Demand, 25 April 1994, FBIS-EAS-94-079, pp.10-11.

¹⁵³ Former Soviet diplomat (interview, 2019)

¹⁵⁴ KCNA, 'KCNA 'Detailed Report'... 22 January 2003

in stressing the need to “enhance...awareness that the NPT and IAEA...were being appropriated to realize the impure US political goal of eliminating our system”, North Korea was able to use the so-called “hostile policy” to vindicate its continued nuclear endeavours, an act which would only accelerate in future years, as Chapters Three and Four will argue.

The third phase of the nuclear crisis saw an accelerated pursuit of strategic delinquency marked by a cyclical pattern of provocation (from the DPRK) being reciprocated by international condemnation (from the US, IAEA, and UN), which, in turn, only furthered provocations from the DPRK. For instance, on 19 March 1994, the DPRK suggested it could turn Seoul into a “sea of fire” if “a war breaks out.”¹⁵⁵ The US referred this threat to the UN, and called for economic sanctions if the DPRK did not complete all required IAEA inspections. The DPRK responded by threatening to withdraw from the NPT once more, and adopt “self-defensive measures” against the US if sanctions were imposed.¹⁵⁶ This example demonstrates what Sigal terms tit-for-tat diplomacy, which would become a central feature of North Korea’s behaviour in future years.¹⁵⁷ A core aim of the DPRK’s strategic logic of delinquency, therefore, was to “make other countries nervous about doing anything that might provoke North Korea into some irresponsible action that could lead to a nuclear conflict.”¹⁵⁸ Doing so would give the USA little option but to negotiate with the DPRK for fear of conflict escalation.

A further provocation came in April 1994, when the DPRK announced it would refuse IAEA fullscope inspections at Yongbyon, and only allow IAEA inspectors to view – not sample – the

¹⁵⁵ ‘TV Airs Delegates’ Remarks’ *KBS-I* 19 March 1994, FBIS-EAS-94-054, 21 March 1994, pp.38-39. See: ‘Politicians React to Talks’ Rapture *Yonhap* 21 March 1994, FBIS-EAS-94-054, p.42; ‘Country’s Delegate Interviewed’ *Hankyoreh* 20 March 1994 FBIS-EAS-94-054, 21 March 1994, p.39

¹⁵⁶ For the Foreign Ministry statement denouncing any possible sanctions on the DPRK, see: ‘KCNA on Ministry Statement’ 21 March 1994, FBIS-EAS-94-054, pp.21-24. For the DPRK’s announcement of its withdrawal from the NPT, see ‘Statement Notes Withdrawal’ *KCBN*, 12 March 1993, FBIS-EAS-93-047, p.18.

¹⁵⁷ Sigal (1997a:125)

¹⁵⁸ US official (interview, 2019).

removal of spent fuel rods.¹⁵⁹ The DPRK deliberately extracted fuel rods earlier than the IAEA inspection date of 15 May, such that the process would be free from the purview of inspectors, reducing the IAEA's ability to determine the true extent and history of North Korea's plutonium production.¹⁶⁰ Such delinquent behaviour of premature fuel-rod extraction could be explained by the DPRK's learning, from previous instances, that attention-seeking, provocative behaviour would be resolved through high-level dialogue with the US. Secondly, the DPRK's selective compliance with the nuclear order, whilst accepting partial IAEA inspections – under the moniker of its “unique status” – was evidence of a “two track policy: reach out to former enemies and development nuclear weapons.”¹⁶¹ North Korea insisted that it would end its “unique status”, and allow IAEA inspectors to measure fuel rod samples, if the IAEA withdrew its insistence on ad hoc inspections.¹⁶² Hence, only when the international community accepted the DPRK's terms would it engage in norm-compliant behaviour. Critical to North Korea's behaviour during this period was that it desired to be seen as the actor calling for – rather than the recipient of – dialogue with the US and IAEA. Each time the US and IAEA refused high-level negotiations, North Korea could invoke its historical narrative of being victimised by a hostile post-war international order.

The DPRK continued previous norm-transgressing behaviour by withdrawing further from the nuclear order on 13 June 1994, when it withdrew from the IAEA.¹⁶³ This abrogation was in

¹⁵⁹ ‘Answers by a spokesman for the Foreign Ministry...’ 3 May 1994, S/1994/540; KCNA, ‘Foreign Ministry Spokesman on Fuel Rod Replacement’ 27 April 1994, FBIS-EAS-94-082, 28 April 1994, pp.23-24

¹⁶⁰ For the complete statement, see KCNA, ‘Foreign Ministry Spokesman on Fuel Rod Replacement’ 14 May 1994, FBIS-EAS-94-094, p.9; KCNA, ‘More on Announcement: Replacement of Fuel Rods of 5 Megawatt Nuclear power Station Begins’ 14 May 1994, FBIS-EAS-94-094, 16 May 1994, pp.10-11; ‘Interview by a spokesman of the Foreign Ministry of the Democratic People's Republic of Korea, 14 May 1994, Pyongyang, INFCIRC/444, 30 May 1994.

¹⁶¹ US Track 1.5 negotiator (interview, 2019)

¹⁶² KCNA, ‘Foreign Ministry Responds to UN Statement’ 1 June 1994, p.13

¹⁶³ ‘DPRK Will Immediately Withdraw From IAEA’ 13 June 1994, FBIS-EAS-94-113, p.12-14; ‘Envoy: North To Reject Inspection Calls’ *Yonhap* 8 June 1994, FBIS-EAS-94-112, p.27. For the DPRK's letter to the US, outlining its planned withdrawal, see: ‘Text of Diplomatic Note’, Pyongyang, 13 June 1994, in INFCIRC/447.

reaction to IAEA's suspension of "non-medical Agency assistance" to the DPRK earlier in June.¹⁶⁴ In declaring this withdrawal, the DPRK could assert agency in retreating from the constraints of the nuclear order, banning future IAEA inspections, and decrying the resolution as an "insult to our people."¹⁶⁵ The IAEA, however, did not view the self-declared withdrawal as exonerating the DPRK from its safeguards obligations.¹⁶⁶ A central implication of the removal of inspectors, however, was that the IAEA could no longer verify the DPRK's past plutonium production, giving North Korea leverage not only to question the nature of the Agency's claims but, in so doing, further its nuclear ambitions.

Provocations and the threat of war

North Korea's provocative behaviour during the spring and summer of 1994 was not simply a manifestation of its dissatisfaction with the global nuclear order. The DPRK was also responding to the growing policy discourse in the US vis-à-vis possible regime collapse, coupled with considerations amongst the Clinton administration of launching an attack on North Korea's nuclear facilities. As former National Security Adviser Brent Scowcroft, and former US Undersecretary of State Arnold Kanter wrote in June 1994, the US "should tell North Korea that it must permit continuous, unfettered IAEA monitoring to confirm that no further reprocessing is taking place, or we will remove its capacity to reprocess... Pyongyang must be made to understand that...if war comes, it will result in the total defeat of North Korea and the demise of the Kim Il Sung regime."¹⁶⁷ Operations Plan 5027 (OPLAN 5027), a US war

¹⁶⁴ 'Implementation of the Agreement between the International Atomic Energy Agency and the Democratic People's Republic of Korea', GOV/2742, 10 June 1994, A/49/173, S/1994/702.

¹⁶⁵ 'Foreign Ministry Issues Statement' *KCNA* 13 June 1994, FBIS-EAS-94-113, p.14; 'Commentary Justifies Withdrawal From IAEA' *KCBN*, 14 June 1994, FBIS-EAS-94-115, p.13; 'Just Self-Defensive Measure', *KCBN* 14 June 1994, FBIS-EAS-94-115, pp.13-15; 'Special' Inspections Never Allowed *Kyodo* 7 June 1994, FBIS-EAS-94-110, p.21

¹⁶⁶ 'No "Written Notification"', *Yonhap* 14 June 1994 FBIS-EAS-94-114, p.33

¹⁶⁷ Scowcroft & Kanter (1994:a25)

plan initiated post-Korean War, was initially of defensive nature, aiming to protect South Korea from an invasion by the North. In 1974, post-Vietnam War, the US revived the plan to comprise greater forward deployment of US forces, whereby after restraining a North Korean invasion, the US “intended to move north, seize the North Korean city of Gaesung [Kaesong], bomb North Korean targets, and eventually capture Pyongyang.”¹⁶⁸ In the wake of the first nuclear ‘crisis’, however, OPLAN 5027 was updated in 1992 to comprise a “pre-hostility phase” whereby US and South Korean conventional forces would cross the DMZ to capture Pyongyang before the breakout of hostilities. A further revision, in June 1994, imagined the possibility of ROK forces halting a North Korean invasion, reinforced by US troops, ultimately aiming to “remove Kim Jong-il and his regime.”¹⁶⁹ Indeed, in June, further to increasing the deployment of conventional troops on the Peninsula, then-US Defence Secretary, William Perry “readied a detailed plan to attack the Yongbyon facility with precision-guided bombs”, in the form of a surgical strike, owing to growing US concerns of a possible North Korean conventional attack on the South.¹⁷⁰

These contingency plans were not entirely in response to North Korea’s then-rudimentary nuclear capabilities, but the potent fear amongst policymakers in Washington of a North Korean conventional attack on the South, in addition to heightened (mis)perceptions of regime collapse. As Oberdorfer argues, Washington’s plan to launch either a conventional or nuclear attack on Pyongyang was underpinned by the apprehension that the DPRK “could pound Seoul with five thousand rounds of artillery within the first twelve hours.”¹⁷¹ Yet, plans to attack the DPRK and reinforce US troops on the Peninsula were shelved, given the widening US

¹⁶⁸ Roehrig (2006a:175, 2006b); Harrison (2003:119-120). See: ‘OPLAN 5027 Major Theater War – West’, available at: <https://www.globalsecurity.org/military/ops/oplan-5027.htm> [Last Accessed 19 December 2020]

¹⁶⁹ Roehrig (2006a:175, 2006b:207).

¹⁷⁰ Carter & Perry (2002:B01); Perry (2015:105-106)

¹⁷¹ Oberdorfer (1999:314); see also: Creekmore (2004:55).

perception that – as the realist security dilemma demonstrates – the DPRK would likely interpret any defensive US build-up of forces as a symbol of US intent to overthrow the North Korean regime, and respond with aggression.¹⁷² Time posed a further complication. As a former US Ambassador to South Korea put it, the Persian Gulf War, only a few years earlier, left a lasting imprint on Kim Il-sung, who “had watched Desert Storm very carefully...he saw how the United States built its forces to overwhelming superiority, and attack with devastating speed and success; and he said: *I will know that if you try to build up your forces, we will have a repeat of that attempt.*”¹⁷³ North Korea, therefore, remained highly cognisant of actions taken by the US on other states that resented the US-led international order. Furthermore, in discussions with the then-Commander of US Forces in Korea at the time, this diplomat stressed how “he [USFK Commander] and I agreed that the build-up [of US forces] of that significance suddenly would precipitate some sort of response in the North that could lead to conflict.”¹⁷⁴ Vis-à-vis the notion of a “surgical strike” on North Korean nuclear facilities, the then-Commander of US Forces Korea exclaimed: “there ain’t no such thing.”¹⁷⁵ Although plans for such a strike were abandoned, discourse of North Korean regime change lingered within Washington’s policy circles.

An easing of tensions: a shift to compliance?

Amidst rising US-DPRK tensions, the Clinton administration concluded in June 1994 that the international community would “never know with confidence” the true extent of North Korea’s

¹⁷² See: van Evera (1994); Christensen (1999).

¹⁷³ US diplomat (interview, 2019). As Oberdorfer (1999:326) posits, a North Korean military officer stated to a US official at Panmunjom, in May 1994, that “we are not going to let you do a buildup [of forces].” See also: D. Kang (1994:337-338)

¹⁷⁴ US diplomat (interview, 2019)

¹⁷⁵ US diplomat (interview, 2019)

plutonium programme.¹⁷⁶ This ambiguity was a payoff for the DPRK, allowing the pursuit of its nuclear ambitions with less restraint. As tensions escalated, former US President, Jimmy Carter, visited Pyongyang to defuse the crisis. An advisor to Carter revealed to the author how initially, despite Carter's calls for "the Clinton administration to send a high-level person to talk with the President of North Korea...the Clinton administration refused to do that unless North Korea complied with all the demands the IAEA and US were making on it." Furthermore, a visit by a senior administration official, or even President Clinton himself, would have "giv[en] unnecessary status to North Korea and its President." Thus, Carter "decided to take advantage of a couple of past invitations from North Korea to visit...then he got the reluctant consent of Clinton to go, as long as he went on his own, and not as an emissary of the Clinton administration."¹⁷⁷

In Pyongyang, Carter secured Kim Il-sung's commitment to allow IAEA inspectors to remain at Yongbyon, and agree to special inspections of the two nuclear waste sites, on condition that the US provided light-water reactors, and guaranteed against a nuclear attack on the DPRK.¹⁷⁸ This sudden act of outward compliance, as Carter's former aide stressed, was a reaction to Kim Il-sung being granted with "the main thing that Kim Il-sung wanted...[namely] respect and recognition and the status that the Carter visit would give him...Kim Il-sung saw that this was a crisis that could be avoided."¹⁷⁹ Moreover, Kim Il-sung agreed to meet South Korean President Kim Yong-sam without preconditions, paving the way for possible inter-Korean rapprochement.

¹⁷⁶ Stowcroft & Kanter (1994:a25)

¹⁷⁷ US Presidential advisor (interview, 2019)

¹⁷⁸ 'DPRK Vows To 'Comply in Full' With NPT' *Yonhap* 23 June 1994, FBIS-EAS-94-121, pp.28-30; Sciolino (1994:6); Creekmore (2004:178)

¹⁷⁹ US Presidential advisor (interview, 2019)

There are various reasons behind Pyongyang's desire to revive relations with Seoul during this time, not least whether improvement of inter-Korean relations would have aided DPRK-US relations, and catalysed status benefits for the North. Although interview evidence suggests that Carter's visit offered the DPRK social recognition as an exceptional state, equal negotiating power with the US, such recompense was weak. North Korea did not gain any material benefits. The Clinton administration's indecision towards approving the visit, coupled with its resultant poor reception by US policymakers, highlight how Carter's trip – as a private citizen, approved by Clinton – was a last resort to overcome a highly intractable problem amidst US fears of the likely North Korean incitement of conventional conflict. As one US negotiator put it, the fear of war brought the US close to “evacuating all US personnel from South Korea.”¹⁸⁰ Such fear was described by the US official who suggested that Carter meet with Kim Il-sung, as part of “a constant drumbeat for regime change” within Washington, which was replaced by “a sigh of relief in Seoul and everywhere else” after the visit's conclusion.¹⁸¹ Yet, despite the resultant easing of US-DPRK tensions, Carter had, in effect, “taken over the foreign policy of Korea from the State Department”, a move which embarrassed the White House.¹⁸² In one example, the Clinton administration expressed chagrin at Carter's erroneous instruction to Kim Il-sung, whereby the US was unlikely to impose UN Security Council sanctions on the DPRK.¹⁸³

Thus, Carter's visit yielded positive and negative outcomes for the US and DPRK. The US gained assurance, albeit weak, that concessions on North Korea's nuclear programme at Yongbyon were not impossible, but confidence regarding the sincerity of North Korea's

¹⁸⁰ KEDO negotiator (interview, 2019)

¹⁸¹ US diplomat (interview, 2019)

¹⁸² US diplomat (interview, 2019). See also: Oberdorfer (1999:331); Creekmore (2004:222).

¹⁸³ Creekmore (2004:207)

commitment towards nuclear concessions remained low.¹⁸⁴ In line with US fears at the time, Kim Il-sung's acceptance of the former President's visit provided the North Korean leader and regime with the social benefit of recognition as a significant actor, amidst heightened North Korean brinkmanship and provocative rhetoric. At the same time, Carter's meeting with Kim could be more compellingly portrayed as the only remaining option available for the US, and a result of internal debates within Washington regarding fears of a North Korean attack, rather than a direct US response to North Korea's delinquent behaviour *per se*.

Nevertheless, North Korea was able to learn an important lesson following Carter's engagement with Kim Il-sung, namely that the international community would listen, if not acquiesce, towards exercises of outward compliance with the nuclear order on the part of North Korea. Moreover, Kim Il-sung was able to take responsibility in defusing the nuclear crisis "while leaving the future open for further negotiations which he planned to direct in the months to come."¹⁸⁵

The death of the Great Leader

During June 1994, there remained debate as to whether Kim Il-sung remained at the core of decision-making in the DPRK, or whether these powers had been largely transferred to his successor, Kim Jong-il, given the former's deteriorating health.¹⁸⁶ Jonathan Pollack claims that

¹⁸⁴ US Presidential advisor (interview, 2019).

¹⁸⁵ Oberdorfer (1999:336)

¹⁸⁶ PS Kim (1994); Mansourov (1994); Pollack (2011:111-112). Mansourov (2004:10) argues how "Kim Il Sung is said to have advised Kim Jong Il repeatedly to step back from the domestic political arena and economic-policy making and leave both to the party and government officials, while concentrating his energy on cultivating national military power..."

“as long as Kim was alert and alive, his authority was presumably unchallenged, though he was in declining health”, since Kim Jong-il’s responsibilities largely remained in the domestic realm, namely “construction projects...propaganda and cinematic activities.”¹⁸⁷ President Carter’s aide corroborated such assertions to the author, mentioning how, when he accompanied Carter to Pyongyang, “Kim Il-sung gave every indication that he was still the person in-charge...on questions of war and peace” and, crucially, “this key critical [nuclear] issue.”¹⁸⁸

The sudden death of Kim Il-sung on 8 July 1994 had profound domestic and international consequences. Domestically, defector testimonies highlight the population’s reverence for the leader, for some, even post-defection.¹⁸⁹ As one defector stressed: “I learned Kim Il-sung was God – how can God die?” The death of the founder of the North Korean regime-state, who had propagated *juche* as the guiding national ideology, was manifest in the prevalent domestic view that, as the same defector continued, North Korean citizens “need a smart leader to lead [the people] to a better future – that’s Kim Il-sung.”¹⁹⁰ Another defector argued how “once the people believe [in *juche*], they think people like Kim Il-sung is essential to their lives.”¹⁹¹ As an elite defector who served as a senior official under Kim Il-sung reinforced, Kim Il-sung was known for gifting luxury goods to close elite officials, and “if a top level senior official abandons all his gifts, then he has nothing.”¹⁹² Beyond the domestic sphere, Kim Il-sung’s death only furthered speculation of North Korea’s survival, amplifying then-prevalent discourse amongst US policymakers, and in scholarship, regarding the possible collapse of

¹⁸⁷ Pollack (2011:111)

¹⁸⁸ US Presidential advisor (interview, 2019)

¹⁸⁹ Defector E (interview, 2017)

¹⁹⁰ Defector B (interview, 2017)

¹⁹¹ Elite defector C (interview, 2017)

¹⁹² Elite defector A (interview, 2017)

North Korea, and the unstable power transition to Kim Jong-il.¹⁹³ Despite being groomed as heir to the DPRK since 1980, Kim Jong-il's power consolidation would take time, characterised by a restructuring of bureaucratic politics.¹⁹⁴ The potency of US sentiment of regime collapse even after the transfer of power, however, would be witnessed in an ongoing but specious belief that if the North Korean regime did collapse, the US would be relieved of any efforts to induce norm-compliant behaviour from North Korea.

Despite the suspension of inter-Korean and US-DPRK dialogue following the death of Kim Il-sung, US-DPRK negotiations recommenced in August 1994, to the satisfaction of the Clinton administration. The Agreed Framework (AF), signed in Geneva on 21 October 1994, saw the DPRK agree to replace graphite reactors with light-water reactors (LWRs), halt reprocessing of spent fuel, and seal the radiochemical laboratory under IAEA monitoring. Yet, prior to signing the AF, the US had to soften its expectations, namely, abandon its call for special inspections on North Korea's nuclear facilities – a requirement the US and IAEA had maintained throughout the crisis – since negotiations on special inspections were “not going anywhere.”¹⁹⁵ Instead, the US agreed to “give North Korea about five years before it has to allow special nuclear inspections.”¹⁹⁶ This offering epitomised the US's urgency at reaching an agreement with the DPRK, amidst fears of conflict escalation. In light of this placation, North Korean negotiator Kang Sok-ju hoped the AF would “resolve the so-called nuclear issues

¹⁹³ Foster-Carter (1994) argued that the DPRK post-Kim Il-sung would face “controlled collapse.” Rosenberger (1994:295) stressed how after “economic and political collapse” remained a “more likely scenario” than any North Korean military action.

¹⁹⁴ Pollack (2011:124). As Gause (2003, 2008:94) notes, Kim Jong-il reconfigured the National Defence Commission, designating it the “highest agency of government in terms of defense and security matters” above the Party. Kim Jong-il acceded to the posts of General Secretary of the WPK in 1997, and Chairman of the National Defence Commission in 1998.

¹⁹⁵ ‘Opening Remarks by Ambassador Robert Gallucci’, USDS, Daily Press Briefing, September 21, 1994.

¹⁹⁶ For South Korean criticism of the USA's decision of 12 October, see ‘U.S. Conveys Draft ‘Compromise’ on DPRK Issue’ *Yonhap* 12 October 1994, FBIS-EAS-94-197, pp.48-49; ‘U.S. Said To Make ‘Major Concession’’ *Yonhap* 13 October 1994, FBIS-EAS-94-198, pp.41-42.

once and for all” and “lead to the normalization of the [US-DPRK] bilateral relations.”¹⁹⁷ Indeed, the AF can be seen as furthering Kang’s goal, but the DPRK would “have to get something from the international community” were it to freeze its plutonium production, as one of the lead US negotiators emphasised to the author.

The AF demonstrated North Korea’s outward compliance with the nuclear order whereby it would remain party to the NPT, implement safeguards, and, in return, the US would provide material and social benefits: a security assurance against the use or threat of nuclear weapons, economic and energy assistance (material) – such as arranging “interim energy alternatives” to replace the DPRK’s graphite-moderated reactors whilst LWRs were under construction – and prospects of diplomatic and economic normalisation (social), which would grant the DPRK greater social recognition as a sovereign and equal actor, and reinforce the material benefit of enhanced security.¹⁹⁸ The lead US negotiator at the time emphasised how “normalisation was going to be much more important to their security than two 1000-megawatt light-water reactors.”¹⁹⁹

Yet, there is a more cynical reading of the Agreed Framework vis-à-vis North Korea’s intentions, and the US placation of the DPRK. From North Korea’s perspective, the AF can be seen through the framework of strategic delinquency, whereby intensified brinkmanship in 1993 and 1994, manifest in rhetorical provocations and invocations of war, allowed the DPRK to “extract as much political and economic benefit” from the US, without any meaningful

¹⁹⁷ ‘DPRK’s Chief Negotiator Confirms Nuclear Accord’ *Xinhua* 18 October 1994, FBIS-CHI-94-202, p.1; KCNA, ‘Kang Sok-chu’s Geneva News Conference Reported’ 19 October 1994, FBIS-EAS-94-202, p.30.

¹⁹⁸ ‘Results of Third Round of Geneva Talks Reported’ *KCBN*, 9 August 1994, FBIS-EAS-94-153, pp.16-17; ‘DPRK Agrees To Use Less Threatening Reactors’ *Xinhua* 9 August 1994, FBIS-CHI-94-153, p.1; ‘Agreed Statement between the U.S.A. and the D.P.R.K.’, Geneva, August 12, 1994.

¹⁹⁹ US negotiator (interview, 2019)

intention to offer substantial nuclear concessions.²⁰⁰ Concurring with this perspective, Samuel S. Kim dismissed the Framework as representing “an exchange of unequal concessions – Washington’s maximal *quids* for Pyongyang’s minimal *quo*.”²⁰¹ This logic of reciprocity would inspire future North Korean behaviour, as subsequent chapters will show.

With respect to the US, the Framework was a last resort against the alternative of possible conflict with the DPRK, rather than a viable response to curtail North Korea’s delinquent nuclear behaviour and weaponised nuclear ambitions.²⁰²

Part III

Strategic delinquency and the first nuclear crisis

North Korea’s behaviour during the first nuclear crisis remained congruent with the expectations of the theoretical framework of strategic delinquency, as presented in the previous chapter. Although the DPRK’s behaviour in the early post-war era brought the social cost of negative status as a rule-breaking state within international relations, over time, Pyongyang’s behaviour would also be met with the provision of social and material benefits, especially after it joined the global nuclear order. As has been seen, escalation of tensions between the United States and DPRK in 1993 and 1994, in particular, eventually culminated in the signing of the Agreed Framework, from which North Korea gained pledges of social and economic benefits. To gain these benefits, the DPRK agreed to freeze plutonium production at its Yongbyon Nuclear Facility, although the extent to which this freeze represented a substantial concession on North Korea’s nuclear ambitions remains highly questionable, as Chapter Three contends.

²⁰⁰ US official (interview, 2019)

²⁰¹ S.S. Kim (1995:20)

²⁰² ‘KCNA ‘Detailed KCNA Report’ ... 22 January 2003; US analyst DPRK (interview, 2019).

In line with the strategic delinquency framework, North Korea's delinquent behaviour during the initial stages of the first nuclear crisis was characterised by deception, whereby the DPRK consistently asserted that it would not develop weaponised nuclear capabilities as part of its membership of the Non-Proliferation Treaty, as a non-nuclear weapons state. Such behaviour could be seen, as this chapter has evidenced, as a response to the initial pledge of light-water reactor provision by the former Soviet Union, in return for which the DPRK would reluctantly join the NPT. During the second phase of the crisis, the DPRK continued its nuclear ambitions. At the same time, however, it stressed how it would only comply with nuclear norms, such as the IAEA's demands for inspections, if US-ROK military exercises were suspended, and if the US pursued diplomatic normalisation with North Korea, and provided economic and energy assistance. North Korea's outward compliance with nuclear norms did result in a beneficial outcome for the regime-state, namely the suspension of US-ROK exercises. After this point, although the DPRK did accede to IAEA safeguards, it only complied in part, declaring a selected number of nuclear facilities to the IAEA. In this instance, the DPRK refused to permit inspections at two nuclear waste sites – which it termed “military sites”²⁰³ – but used its declaration of certain facilities to advance its narrative of pursuing purely “peaceful nuclear activities”, counter to US suspicions at the time.²⁰⁴

As the first nuclear crisis developed, North Korea's increasingly delinquent behaviour was marked by an intensification in provocative and norm-transgressive actions, the latter as epitomised in its threat to withdraw from the NPT in March 1993. These provocations, coupled with growing rhetorical threats to engage in conventional warfare vis-à-vis South Korea,

²⁰³ ‘Telex by Director General of the General Department of Atomic Energy’, 6 June 1994, INFCIRC/451; ‘Commentary Justifies Withdrawal From IAEA’ 14 June 1994, *KCBN*, FBIS-EAS-91-115.

²⁰⁴ KCNA, ‘Foreign Ministry Spokesman on Fuel Rod Replacement’ 14 May 1994, FBIS-EAS-94-094, pp.8-9

eventually culminated in the international community rewarding the DPRK, as Part II of this chapter contended. Washington's desperation for any agreement with Pyongyang was evident in the signing of the Agreed Framework, catalysed by the US abandoning its insistence upon IAEA special inspections on North Korea's nuclear facilities as a prerequisite for any deal. Throughout the first nuclear crisis, particularly in the second and third phases, what can be seen is that North Korea was able to garner the attention of the US, particularly by engaging in counter-stigmatisation, whereby by blaming the US as an unbenevolent power, the DPRK was able to justify its delinquent behaviour in relation to the nuclear order. This strategy, however, was not unique to the time when North Korea joined the nuclear order. As demonstrated earlier in this chapter, in the early post-war years, too, North Korea increasingly vindicated its deviant behaviour – counter to the post-war norm of non-aggression – in response to what it perceived to be a “hostile” United States.

During the first nuclear crisis, Pyongyang consistently called for bilateral high-level dialogue with Washington as an intermediate step towards its goal of diplomatic normalisation. Pursuing diplomatic normalisation with the US would, in line with the framework of strategic delinquency, offer social and economic benefits: the former, in terms of recognition as a sovereign and equal state, and, in so doing, bolster North Korea's status; the latter, in terms of economic and energy assistance. Indeed, a central condition of the Agreed Framework was that in return for a halting of North Korea's plutonium production, the US would not only pledge diplomatic normalisation, but also provide LWRs to the DPRK, which would be critical in bolstering Pyongyang's domestic energy supplies. At the same time, it would be naïve to suggest that the AF represented the end of North Korea's nuclear ambitions, not least given growing US speculation at the time of burgeoning capabilities despite the plutonium production moratorium. Indeed, Henry Kissinger argues how the AF did not “cure” North Korea's nuclear

programme, but instigated a period of “remission” in its operation, which could always be revived.²⁰⁵ In this vein, Chapter Three contends how the subsequent collapse of the AF would allow the DPRK to further its belligerence towards the US in the 2000s, with aiming to reap maximum benefits without making any concessions on its nuclear endeavours, a logic that would continue in future years.²⁰⁶ In the future, Pyongyang would exploit discourse within US policy circles regarding the possibility of regime collapse, as well as the US’s inability to fulfil its pledges of the AF, to accelerate its own nuclear ambitions.²⁰⁷

Part IV

Alternative Explanations

Deterrence

Although realist approaches of deterrence are not irrelevant in accounting for North Korea’s delinquent behaviour during the first nuclear crisis – not least the security dilemma – deterrence only became a prominent driver of North Korea’s behaviour during the 1990s. Thus, this explanation sheds limited insight on North Korea’s behaviour during the post-war international order and the early phases of the first nuclear crisis. After the inconclusive end to the Korean

²⁰⁵ Kissinger (1994).

²⁰⁶ US official (interview, 2019)

²⁰⁷ ‘KCNA ‘Detailed KCNA Report...’ 22 January 2003

War, evidence shows how Kim Il-sung may have desired nuclear energy – and not weaponised – capabilities to fulfil domestic energy requirements. Yet, the nuclearisation of China, and burgeoning nuclear ambitions of South Korea in the late 1970s, intensified North Korea’s concerns with regime stability – and the need to prevent external attack– but also, crucially, status.²⁰⁸ Following China’s first nuclear test, North Korea recognised how possession of weaponised nuclear capabilities could become a marker of status as a significant actor in international relations. Whilst exercising brinkmanship to ensure deterrence did influence North Korea’s behaviour as the first nuclear crisis intensified in the mid-1990s, deterrence remained intertwined with considerations of status.

Were North Korea’s behaviour solely motivated by deterrence, the DPRK would not have accepted the resultant material constraints as a NNWS by acceding to the NPT. Moreover, Kim Il-sung’s voracious pursuit of normalisation of relations with the United States, particularly in the 1990s, would likely have been less potent. As a former Soviet diplomat emphasised to the author, the DPRK’s focus on nuclear deterrence only intensified as the Cold War drew nigh, and was accelerated by several factors, namely North Korea’s realisation that it would no longer gain the same degree of material support from China and Russia following the Soviet and Chinese ‘turn’ towards South Korea; the lack of fulfilment of Soviet LWR provision, and the realisation that it would not receive the benefits from the United States, as set forth in the Agreed Framework.²⁰⁹

Several US and South Korean diplomats supported this perspective. For example, a former director of the Korea Energy Development Organization (KEDO), established to implement

²⁰⁸ “Second Alert Report,” 20 November 1974, NSA EBB 582, Document 4.

²⁰⁹ Former Soviet diplomat (interview, 2019)

the AF, asserted: “the Soviet Union is gone away, China is modernising and is not their friend, so they’re isolated.”²¹⁰ Yet, although nuclear weapons possession and the resultant deterrent could mitigate such isolation, normalisation of relations with the United States presented another solution.²¹¹ As this thesis’s framework of strategic delinquency shows, North Korea’s quest for social and material benefits, particularly recognition as a significant actor in international relations, could be reaped by oscillating delinquent and norm-compliant behaviour, as North Korea’s external environment altered post-Cold War.

Domestic legitimacy

As Part III contended, although the death of Kim Il-sung in 1994 and gradual power transition to Kim Jong-il had domestic and international consequences, North Korea’s post-war delinquent nuclear behaviour remained very much in response to the changing geopolitical environment in which it was situated, and how North Korea framed this environment through the lens of the US “hostile policy.” Reports argue that in April 1994, prior to his death, Kim Il-sung reiterated to foreign diplomats and journalists that the DPRK had “neither the need to make nuclear weapons nor the ability to do so”; rather, nuclear development was purely for domestic energy purposes, given stalling economic performance.²¹² Those present at the meeting, however, viewed Kim’s claim with suspicion.²¹³

However, the DPRK’s intent for diplomatic normalisation with the United States during the 1990s – and even beforehand, as one US official recounted – shows how domestic considerations are insufficient to explain North Korea’s delinquent behaviour in relation to the

²¹⁰ KEDO negotiator (interview, 2019)

²¹¹ Geldenhuys (2004:176-177)

²¹² Mazarr (1994:154)

²¹³ Macdonald (2013)

post-war global order, and the nuclear order after the DPRK joined the NPT.²¹⁴ Domestic-level explanations also do not account for North Korea's membership of the NPT in the first instance – namely the benefits gained from LWR provision from its then-ally of the USSR – nor can they explain North Korea's threat to withdraw, and subsequently suspend its withdrawal from the NPT in 1993. What cannot be underestimated is the influence of US discourse around regime collapse in the 1990s upon North Korea's behaviour. For instance, writing in 1993, Paul Bracken highlighted international fears of a nuclear-armed DPRK, and the common perception amongst scholars and policymakers, of North Korea as “an overarmed state in a desperate position; with unstable decision-makers and poor command and control.”²¹⁵

Considerations at the international level did, therefore, influence North Korea's decision-making regarding its behaviours during the first nuclear crisis. Nevertheless, as this chapter – and future chapters – will argue, North Korea's conceptualisation of status remained increasingly outdated, akin to that of the 1960s, namely that mere nuclear possession would lead to ascendant status.²¹⁶ Indeed, as Chapter Three will demonstrate, North Korea soon discovered the opposite, namely that its efforts to deceive the international community through covert weaponised nuclear development would not go unnoticed.

Conclusion

This chapter has shown how during the first nuclear crisis, North Korea's behaviour was informed by a quest for greater social recognition within the international system, in response

²¹⁴ A Track 1.5. official, interviewed by the author in 2019, stressed how Kim Il-sung's desire for diplomatic normalisation with the US, South Korea, and Japan, commenced in the 1988, when it became clear to Kim that “the Soviet Union is falling apart.”

²¹⁵ Bracken (1993:137)

²¹⁶ With thanks to Samuel Gibson for this interesting analogy.

to the so-called US “hostile policy” after WWII and the Korean War, against which Pyongyang sought to develop weaponised nuclear capabilities.

North Korea’s engagement with the early institutionalised nuclear order was heavily influenced by previous delinquent behaviours with respect to the post-war order, before the regime-state joined the NPT. Even after acceding to the NPT, the DPRK learned from international responses to particular deceptive, provocative, and norm-transgressing behaviours, to inform future actions. For instance, as this chapter has shown, threatening to abrogate from the NPT offered the DPRK an opportunity to test the extent to which the United States would react to attention-seeking provocations, especially those which transgressed the norms of the institutionalised nuclear order. In so doing, the DPRK also learned that deceptive behaviour could reap benefits. Pledging outward compliance to the nuclear order, such as through signing IAEA safeguards, could be met with social recognition as a sovereign and equal state, exemplified in negotiations with the United States. At the same time, such compliance masked inward deviance – namely the continuation of its nuclear ambitions – which only exacerbated after the signing of the AF, as Chapter Three will contend.

The first nuclear crisis justified North Korea’s engagement in strategic delinquency, deploying behaviour that induced positive and negative status, to achieve positive ends. Learning from the material and social dividends from bad behaviour would motivate North Korea’s exercise of delinquent behaviour in future years. Such learning, therefore, allowed the DPRK to gain greater understanding of how to respond to international opprobrium in the future. Importantly, this process of learning from the outcomes of delinquent acts underscores the evolutionary nature of the strategic delinquency framework, underpinned by the notion that negative status can be leveraged for positive ends.

As subsequent chapters will show, the United States' accommodation of the DPRK's interests, by signing the AF, would not, in fact, compel greater norm-compliance. The failure of both sides to implement their respective terms of the Framework instigated heightened tensions with the international community – and the so-called 'second nuclear crisis' – during the 2000s. The shift to a Republican-controlled Congress soon after the signing of the AF, coupled with the arrival of the Bush administration in the United States, escalated North Korea's suspicion of the US's ability to fulfil its pledges of light-water reactor provision and diplomatic relations. As will be seen, the DPRK's earlier threats – during the first nuclear crisis – to withdraw from the nuclear order if the international community did not respond to its desires, were not mere bluster.

In brief, in 2003, the DPRK withdrew permanently from the NPT, the only state to have done so to date, following revelations of its covert pursuit of a highly-enriched uranium programme. Despite the instigation of the Six-Party Talks as a multilateral forum to address its nuclear development, the DPRK only exploited this venue through continued outward compliance, masking inward deviance, of the institutionalised and normative nuclear order. Over time, as Chapter Three will contend, during the 'second nuclear crisis', North Korea's engagement in provocative and norm-transgressing behaviour would become increasingly sustained, particularly given the reduced incentives for North Korea to comply with international norms. As a result, whilst Pyongyang did receive benefits of recognition – through being invited to negotiations – its frustrations with the international community, and determination to pursue weaponised nuclear development, would only grow with time.

CHAPTER THREE

North Korea as a full-fledged nuclear state: the payoffs of provocations in the 2000s

As a former South Korean senior negotiator with the DPRK suggested, the central lesson that the DPRK learned during the 2000s, whilst “they would not admit it”, was “how difficult it is to fool the Americans. It is more difficult to fool them twice than once. They failed in fooling the US into believing that they don’t have a highly enriched uranium programme.”¹

Yet, as this chapter will contend, during the so-called ‘second nuclear crisis’ from January 2002 to November 2009, North Korea’s unsuccessful deception of the US would not halt its pursuit of two contradictory goals: normalisation of diplomatic relations with the United States, and the development of weaponised nuclear capabilities. This chapter argues that to fulfil these goals, North Korea engaged in behaviour that induced negative status, namely norm-transgression, provocation, and deception. Two critical events during the second nuclear crisis saw an evolution in North Korea’s behaviour. Firstly, after declaring its nuclear status in February 2005 – following its withdrawal from the NPT in 2003 – Pyongyang intensified provocative and deceptive behaviour. Secondly, following its first nuclear test in 2006, North Korea intensified brinkmanship with the United States, refusing to make substantial concessions on its nuclear programme unless significant payoffs were obtained.²

Within North Korea’s exercise of delinquent behaviour during this time, three patterns can be seen: firstly, from Pyongyang’s perspective, the US “hostile policy” – against which the DPRK sought to vindicate its behaviour – exacerbated; secondly, North Korea retained its preference

¹ ROK official (interview, 2019)

² One example is the Joint Statement of the Fourth Round of the Six Party Talks, signed on 19 September 2005. Yet, some South Korean and US policymakers involved within the Talks disputed the DPRK’s sincerity at pledging towards “denuclearisation.”

for bilateral negotiations with the United States; thirdly, the DPRK also desired to damage the status of the US. These patterns were driven by North Korea's pursuit of international attention and self-assertion as a nuclear-armed state. This chapter contends that Pyongyang's behaviour during this time was motivated by the changing nature of the global nuclear order, particularly the hawkish policies of the then-new George W. Bush administration. Through its bad behaviour, North Korea gained material benefits of nuclear deterrence and regime survival, and social benefits of recognition as an exceptional state, and a negotiating partner of the United States. The latter was manifest in the multilateral Six-Party Talks, despite North Korea's unequal status as a participant.

As Chapter Two demonstrated, during the 'first nuclear crisis', North Korea was able to learn that delinquent behaviour could bring payoffs. The DPRK was able to draw upon this learning during the 'second nuclear crisis' following the collapse of the Agreed Framework. During this latter crisis, North Korea learned two lessons: first, it recognised the limits of deception as a path towards reaping benefits from the international community, and engaged in greater feigned compliance with the norms of the global nuclear order; second, it learned that bellicose behaviour could lead to negotiations with the United States. At the same time, the DPRK's delinquent behaviour during this second crisis also brought costs, not least financial sanctions, as this chapter will show, as well as the reputation costs as a 'rogue' and untrustworthy state.

This chapter proceeds in five parts, and typifies the second nuclear crisis into three phases: the first, from January 2002 to January 2005; the second, from February 2005 to December 2006; the third, from January 2007 to May 2009. Part I of this chapter makes the case for the evolving nature of the global nuclear order, and changing context of US-DPRK relations, following the gradual collapse of the Agreed Framework of 1994. This part argues how the Bush

administration's overwhelming focus on 'rogue' regimes, together with the US's inability to fulfil the terms of the Agreed Framework, catalysed North Korea's delinquent behaviour. In so doing, North Korea was able to expose the fragilities within the global nuclear order to its advantage. Part II focuses on the first phase of the second nuclear crisis, arguing how following its admission of its covert HEU programme to the US, in October 2002, the DPRK withdrew from the NPT but subsequently participated in the Six-Party Talks, to reap payoffs from bilateral dialogue with the United States. Focusing on the second and third phases, Part III argues how North Korea's pursuit of normalised relations with the United States, whilst developing its nuclear deterrent, only intensified. Yet, as will be seen, North Korea's acceleration in delinquent behaviour, through its self-declaration of its nuclear status in 2005, and first nuclear test in 2006, would be met with social and financial costs.

During the third phase, the DPRK oscillated between delinquent and compliant behaviour vis-à-vis nuclear norms; the former, comprising low-level brinkmanship when the US "hostile policy" heightened; the latter when it thought that the United States would offer benefits. For instance, only after the unfreezing of North Korean financial assets, in July 2007, did the DPRK suspend its nuclear operations. However, when North Korea felt its national interests could not be accommodated, it intensified provocations and withdrew from the Six-Party Talks, testing a second nuclear device in 2009. Part IV argues how the framework of strategic delinquency can assist in understanding North Korea's behaviour during the second nuclear crisis, whereby the DPRK responded to US behaviours with alacrity when it felt its interests could, and could not, be accommodated. Part V analyses alternative explanations of deterrence and domestic legitimacy – beyond questions of status and recognition – and argues how whilst these explanations are valuable, they only shed partial light on North Korea's behaviour during this time, given how the DPRK continued to conceptualise international order in social terms.

Part I

The emergence of the second nuclear crisis: North Korea and the global nuclear order after the Agreed Framework

This section will contend that the so-called ‘second nuclear crisis’ can be attributed to three causes: first, a breakdown in the bilateral Agreed Framework between the US and DPRK, secondly, a weakened global nuclear order, particularly from the early 2000s; thirdly, an exacerbation in what the DPRK deemed to be the US “hostile policy.” These causes catalysed useful scope conditions for North Korea to deploy strategic delinquency, in criticising the ability of the US to uphold the global nuclear order, the failure of the US to fulfil past pledges, coupled with the hawkish approach of the Bush administration vis-à-vis the DPRK.

Signed on 21 October 1994, the Agreed Framework (AF) saw the DPRK pledge to freeze plutonium production at the Yongbyon nuclear facility, in return for two proliferation-resistant light-water reactors (LWRs), economic assistance, and fuel oil, as well as normalisation of diplomatic and economic relations with the United States.³ The Korea Energy Development Organization (KEDO), a consortium comprising the US, ROK, and Japan, was established to enact the provision of material benefits, namely LWRs, fuel oil, and economic assistance, providing the DPRK with an avenue to pursue commercial nuclear power generation. The social benefits were also substantial: recognition as an equal, sovereign actor within international society – albeit according to a ‘thin’ notion of international society – and as a power able to pursue nuclear energy. Diplomatic normalisation was “much more important to their security than the two 1000-megawatt reactors”, since it would allay North Korean fears

³ Agreed Framework of 21 October 1994 between the United States of America and the Democratic People’s Republic of Korea, in International Atomic Energy Agency, INFCIRC/457, 2 November 1994, <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1994/infcirc457.pdf> [Last Accessed 10 January 2021]

of regime change, as a former US negotiator put it to the author.⁴ Other US officials disputed North Korea's desire for diplomatic normalisation, given how whilst Pyongyang may have wanted "international respect", it was neither willing to pay "Washington prices for an embassy" in the US,⁵ nor "allow the US to use a diplomatic pouch to support the [US] mission [in the DPRK]" for fear of outside information infiltrating into any future embassy.⁶

North Korea's intentions at the time were debatable. As one US negotiator affirmed, the DPRK was "hoping we'd [the US] play, and hedging that we wouldn't."⁷ Showing disregard for this view, a US negotiator highlighted to the author how from the outset, North Korea's may have intended to cheat on the Framework.⁸ Whilst such views are difficult to reconcile, given the inability to uncover North Korea's true intentions, as the official put it, the DPRK "wanted normalisation of relations" and "were willing to give up their plutonium at the time...because they were too confident that they could conceal their clandestine uranium programme."⁹ As Part III of this chapter will contend, such deception bestowed further negative status upon the DPRK, which it sought to leverage for benefits.

Yet, the AF would be short-lived owing to the then-new Republican-controlled Congress in November 1994, which viewed the Framework as inappropriately rewarding and appeasing North Korea. As a former US ambassador to South Korea summarised, the Clinton administration's efforts to "appropriate the money for the fuel oil" were akin to "pulling teeth."¹⁰ Construction of LWRs, and the provision of fuel oil to replace the energy lost from

⁴ US negotiator (interview, 2019)

⁵ US official (interview, 2019)

⁶ US official (interview, 2019)

⁷ US Track 1.5. negotiator (interview, 2019)

⁸ US official (interview, 2019)

⁹ ROK official (interview, 2019)

¹⁰ US diplomat (interview, 2019)

the shutdown of the Yongbyon reactor, was, thus, seldom timely. At the same time, North Korea's domestic situation was becoming increasingly precarious: severe economic stagnation – following the removal of Soviet and Chinese assistance post-Cold War – and the breakdown of the Public Distribution System and food security, were compounded by flooding and drought from 1995 to 1998, leading to large-scale crop destruction and famine. The famine – euphemistically termed the ‘Arduous March’ by the regime – did not abate the DPRK's nuclear ambitions, despite the plutonium freeze initiated by the AF, and the deaths from the famine, estimated at between 600 000 and 1.5 million.¹¹

Yet, as Chapter Two contended, North Korea's longstanding targeting of the “hostile policy” of the US, comprising both “military threat” and economic sanctions – as part of the Trading with the Enemy Act – continued after the Agreed Framework was signed.¹² For North Korea, a central lesson learned from the AF was not to trust the US to uphold its commitments. As the guarantor of the global nuclear order, the US failed to fulfil its pledges under the Framework, which only furthered questions, from North Korea's perspective, of whether it ought to follow through on its own commitments according to the Framework. Vis-à-vis the broader nuclear order, after the signing of the AF, the order was seen as entering a period of consolidation, marked by the indefinite extension of the NPT at the 1995 NPT Review Conference (RevCon), and a consensus on concluding the Comprehensive Nuclear Test Ban Treaty (CTBT) before 1996.¹³ The adoption of the Additional Protocol in 1997, too, gave further powers to the IAEA in accessing and verifying the facilities of NNWS, and their compliance with IAEA safeguards, a move welcomed by NWS and NNWS alike.¹⁴ In light of North Korea's incomplete plutonium

¹¹ Fahy (2017:4)

¹² KCNA, ‘Nobody can slander DPRK's missile policy’, 16 June 1998.

¹³ Rauf (2000:148)

¹⁴ Hirsch (2004:143-144); Walker (2018:92); Walker & Wheeler (2013). See: IAEA, ‘Model Protocol Additional to the Agreement(s)...’, INFCIRC/540, September 1997.

declaration in the 1990s, coupled with Iraq's clandestine nuclear development as discovered during the First Gulf War, the strengthening of the global nuclear order was deemed as a positive step to containing the weaponised nuclear ambitions of NNWS, and non-NPT signatories.

These hopes, however, were momentary. In 1998, nuclear testing by India and Pakistan, two non-NPT signatories, dampened confidence in the universal reach of the NPT. Moreover, as knowledge of Iran and North Korea's nuclear ambitions gained prevalence within US policy circles, 'rogue state' discourse intensified.¹⁵ From North Korea's perspective, this discourse – which would only exacerbate into the 21st century – was firmly part of the US "hostile policy", following ongoing US suspicions of the DPRK's nuclear development. On 31 August 1998, the DPRK test-fired a three-stage *Taepodong-1* rocket over Japan. Specifically termed a "satellite launch" to avoid contravening the Agreed Framework, the launch epitomised the DPRK's frustration with the likely possibility that the US would renege on its pledges in the AF.¹⁶ This claim was not completely unfounded, as a former US negotiator to the DPRK stressed to the author, given the lack of progress vis-à-vis LWR provision.¹⁷ North Korea threatened to abrogate from the AF, and resume "nuclear research" if LWRs were not provided.¹⁸

North Korea's provocations intended to advance US compliance with its AF obligations, a lesson learned from the first nuclear crisis – as Chapter Two contended – whereby belligerence could reap benefits. Indeed, provocations continued throughout 1998, with the Vice-Minister

¹⁵ Lake (1994); The Rumsfeld Commission Report, 31 July 1998.

¹⁶ KCNA, 'Underground structure near Nyongbyon is not "secret underground nuclear facility"', 19 September 1998

¹⁷ US diplomat (interview, 2019)

¹⁸ KCNA, 'LWR provision is U.S. obligation = DPRK Foreign Ministry spokesman', 6 March 1998

of the People's Armed Forces, Jong Chang-ryol, threatening that the DPRK would "blow up the U.S. territory" in light of continued US speculation of underground nuclear facilities in Pyongyang.¹⁹ Such a threat paid off for North Korea; in September 1999, the Clinton administration eased trade sanctions on North Korea; in return, the DPRK pledged not to undertake missile tests whilst dialogue was ongoing.²⁰ As this chapter will argue, reciprocity was central to North Korea's strategy vis-à-vis its behaviour towards the US, and would increasingly motivate North Korea's actions – delinquent and compliant – throughout the second nuclear crisis, and beyond.

The extensive review of US policy towards the DPRK – headed by then-Secretary of Defense, William Perry – concluded that the US ought to "deal with the North Korean government as it is, not as we might wish it to be."²¹ This claim catalysed a pursuit of engagement with the DPRK from the US and South Korea, the latter, whose liberal government sought to reconcile inter-Korean relations under the 'Sunshine Policy' of President Kim Dae-jung. The first presidential-level inter-Korean summit in June 2000, between Kim Dae-jung and Kim Jong-il, saw the two Koreas pledge to resolve the issue of reunification, foster economic cooperation, and allow family reunions between those divided by the inter-Korean border.²² In 12 October 2000, a more important meeting occurred, when North Korean special envoy, Vice-Marshal Jo Myong-rok, visited Washington, a visit reciprocated by that of then-US Secretary of State, Madeleine Albright, to Pyongyang, on 24 October.

¹⁹ KCNA, 'KPA will answer U.S. aggression forces' challenge with annihilating blow' 2 December 1998; KCNA, 'Annihilating blow will be given', 3 December 1998.

²⁰ KCNA, 'DPRK not to launch missile', 24 September 1999; see also: Sanger (1999); Wren (1999).

²¹ 'Review of United States Policy Toward North Korea: Findings and Recommendations', *USDS*, 12 October 1999

²² 'South-North Joint Declaration', Pyongyang, 15 June 2000

The easing of economic sanctions was, therefore, crucial towards inducing norm-compliant behaviour on North Korea's part, a strategy that future US administrations would realise, as will be contended later in this chapter. The Joint US-DPRK Communiqué, concluded on 12 October, whilst often neglected in scholarship, presented one of the clearest indicators of "how far they [the DPRK] were prepared to go" in establishing new relations with Washington.²³ Fundamental improvements in bilateral relations would be manifest in a peace treaty – to replace the Armistice Agreement – a pledge to cease "hostile intent" towards each other, non-interference, and mutually beneficial economic cooperation. In return, the DPRK would halt missile tests, and engage in dialogue with the US regarding humanitarian aid provision.²⁴

North Korea's strong desire for improved ties with the United States may seem at odds with the perspective that the DPRK had no intention to comply with the Agreed Framework, as expounded by some US and ROK officials involved at the time. A former senior South Korean negotiator stressed how Pyongyang was "willing to give up their plutonium programme...if the price was right."²⁵ The Joint Communiqué was no bad deal. The material and social cost of a moratorium on missile testing would be mitigated by material and social benefits: economic assistance and regime survival (material) whilst also recognition as a sovereign and equal actor, as seen in continued dialogue with the US (social). A further social benefit, as highlighted by this thesis's framework of strategic delinquency, pertained to social recognition as an exceptional state, epitomised in the US's pledge of non-interference even despite the DPRK's authoritarian domestic rule. In her visit to Pyongyang, Albright recounted how Kim Jong-il pledged that the 1998 missile launch would be the DPRK's "first launch – and our last."²⁶ Kim

²³ CIA official (interview, 2020).

²⁴ USDS, 'U.S.-D.P.R.K. Joint Communiqué', 12 October 2000.

²⁵ ROK negotiator (interview, 2019)

²⁶ Albright (2013:467). See also: "Secretary of State Madeleine K. Albright, Press Conference, Pyongyang, October 24, 2000"; 'North Korea and the United States...', NSA *EBB No. 164*, Document 18.

Jong-il stressed his dissatisfaction at how “the Western world thinks we are belligerent, and the U.S. has a lot of misunderstanding about us.”²⁷ Whilst such misunderstanding could have been remedied through improved US-DPRK relations, the end of the Clinton administration – and resultant Bush administration – hampered any such hopes of the DPRK.

Yet, it was not simply the nature of US-DPRK relations that altered significantly as the Bush administration came into power. Within the context of global nuclear order, whilst the 2000 RevCon saw a greater acceptance from NNWS on the rights and responsibilities granted to NWS within the bifurcated order,²⁸ the Bush administration, and its accompanied distaste for multilateralism – the US withdrawal from the Anti-Ballistic Missile Treaty in 2002 being just one example – saw the US move away from pursuing its NPT obligations, not least of nuclear disarmament. Thus, as Allison and Zedillo postulate, there was growing cynicism about the NPT amongst non-NPT signatories.²⁹ Importantly, as this chapter will outline, the US’s myopic targeting of ‘rogue’ nuclear regimes in attempting to “recast the international order in its self-interest”, as Walker alludes, was seen by North Korea in increasingly “hostile” terms, against which it felt it had little choice but to respond delinquently.³⁰

The Bush administration: a strained and hostile nuclear order

The Bush administration’s “proliferation fixation”, as Mueller argues, sought to prevent “unpleasant regimes from developing nuclear, or even lesser, weapons of mass destruction.”³¹

This “fixation”, exacerbated by the 11 September 2001 terrorist attacks, epitomised how, as an

²⁷ Albright (2013:467). See also: Struck & Mufsan (2000); Perlez (2000).

²⁸ Johnson (2010:1); Bukovansky *et al.* (2012:82)

²⁹ Allison & Zedillo (2008)

³⁰ Walker (2004:56).

³¹ Mueller (2010:129)

IAEA official vocalised, the Bush administration “did not care much for the NPT or any other disarmament or arms control treaty”, given its view that “for the strongest [power], that means not to have any legal restrictions,” not least from normative orders.³² The administration’s desire that the global nuclear order specifically counter regime types deemed hostile to the United States, was reflected in the President’s 2002 State of the Union Address, which designated Iran, Iraq, and the DPRK as part of the “axis of evil, arming to threaten the peace of the world”, owing to their pursuit of WMD.³³

In North Korea’s view, categorising the regime-state as part of the so-called ‘axis of evil’ further entrenched the idea of a US “hostile policy” targeting adversarial regimes – of which North Korea was one – in physical and social terms. The subsequent Nuclear Posture Review (NPR) and National Security Strategy (NSS) only exacerbated this policy, from the perspective of North Korea. The former deemed a North Korean attack on its southern counterpart as an “immediate contingen[cy]” for which the US must prepare, owing to the “active WMD and missile programs” pursued by Iraq and North Korea, and their sponsoring of terrorist activity.³⁴ The latter asserted how the US would “act pre-emptively...to forestall or prevent such hostile acts by our adversaries”, comprising the acquisition of WMD by adversarial regimes.³⁵ The Bush administration’s approach emphasised the US position as the custodian of the global nuclear order, and, within the order itself, represented a shift from the post-Cold War emphasis on non-proliferation to counter-proliferation, focussing overwhelmingly on so-called “enemy” regimes.³⁶

³² IAEA official (interview, 2020); Blix (2011:7).

³³ ‘President Delivers State of the Union Address’, *WH*, 29 January 2002.

³⁴ The NPR designated the DPRK, Iraq, Iran, Syria, and Libya, as “among the countries that could be involved in immediate, potential, or unexpected contingencies.” See: Nuclear Posture Review [Excerpts], 8 January 2002.

³⁵ ‘The National Security Strategy of the United States of America’, September 2002, p.15

³⁶ *Ibid.*, p.15

In response to the Bush administration's attempt to denigrate the status of the DPRK, North Korea would accelerate provocations.³⁷ Such a move, as a South Korean government official stressed to the author, was not unjustified: the "axis of evil" represented "a clear violation of the Agreed Framework based on mutual respect. Their [the DPRK's] regime survival was threatened by the US side."³⁸ As corroborated in an interview with a former US negotiator with the DPRK, these conditions were "precisely what the North has a sense of insecurity about...the North was linked, with no idea at all, as part of the 'axis of evil' with Iran and Iraq, and the deal with the Agreed Framework, flawed as it was, was scrapped. So, immediately, Yongbyon was reactivated... it happened as soon as it was possible to rev it up under George Bush."³⁹

What can be seen is that within the context of an increasingly hegemonic role sought by the then-new US administration, North Korea exercised delinquent behaviour to resist the social costs of opprobrium from the United States, in particular. In so doing, North Korea would strategise its future behaviour during the Bush administration in light of what it deemed to be the US violation of the Agreed Framework in social and material domains: socially, the 'axis of evil' stood in opposition to the US pledge to normalise diplomatic relations; materially, the lack of provision of heavy fuel oil and LWRs highlighted the US's lack of intent at abiding by the AF. As this chapter will argue, the escalation of US-DPRK tensions and so-called 'second nuclear crisis' was a result of the collapse of the Agreed Framework, the Bush administration's consistent calls for unilateral North Korean disarmament, and a realisation by North Korea that if norm-compliant behaviour would not reap dividends, it would simply resort to delinquency.

³⁷ KCNA, 'Spokesman for DPRK Foreign Ministry slams Bush's accusations', 31 January 2002.

³⁸ ROK government advisor (interview, 2019)

³⁹ US diplomat (interview, 2019)

A weakened global nuclear order and “hostile” United States

The weakening of the global nuclear order throughout the 2000s presented further opportunities for North Korea to capitalise upon its delinquent behaviour, especially after its withdrawal from the NPT in 2003. Fissures in the order deepened following the US invasion of Iraq in March 2003: as later sections of this chapter will argue, the invasion and precipitous decline of Saddam Hussein became a useful lesson for North Korea with respect to the consequences faced by other states that resented the US-led international order. In brief, as a former US negotiator with the DPRK convincingly put it, the US invasion of Iraq, predicated upon a misperception of nuclear possession by Saddam Hussein, allowed North Korea to plan its behaviour: “Saddam bluffed, and got caught out, and what lesson are you going to try if you’re North Korea... develop a deterrent, and don’t get attacked.”⁴⁰

A further cleavage in the nuclear order was seen in the revelation of a clandestine network of nuclear trade commandeered by Pakistani nuclear physicist A.Q. Khan, involving, *inter alia*, the DPRK, Iran, Pakistan, and Syria. This revelation only further illuminated the ability of non-NPT signatories to subvert the nuclear non-proliferation norm, covertly. Evidence highlighted how during the 1990s, North Korea sold missiles to Pakistan in exchange for nuclear weapons designs, enriched uranium, and sample centrifuges, whilst the DPRK espoused outward compliance with the NPT, as a then-non-nuclear weapons state.⁴¹ Furthermore, such an instance demonstrated the possibility for non-NPT member states to develop indigenous nuclear capabilities, and, in so doing, extort benefits from the international community.

⁴⁰ KEDO negotiator (interview, 2019).

⁴¹ US official (interview, 2019).

Beyond subversion from non-NPT member states, the nuclear order was also undermined by a lack of consensus from the custodians of the order in responding to the threat of proliferation, and the unfulfilled quest towards global nuclear disarmament. The US-India civilian nuclear deal in 2005, two months after the ‘failure’ of the 2005 NPT RevCon, only exacerbated tensions within and amongst non-NPT signatories. From North Korea’s perspective, the deal epitomised the US’s targeting of non-democratic “rogue regimes” rather than the nuclear ambitions of non-NPT signatories *per se*, despite India’s pledge to a moratorium on nuclear testing in 1998. North Korea’s outlook on the global nuclear order as a discriminatory structure, whereby the US would be willing to form special relations with India, but not non-democracies such as the DPRK, intensified. The status discrepancy between non-NPT member states of India and the DPRK – after the latter’s withdrawal in 2003 – thus exacerbated. As corroborated by a former US negotiator with the DPRK during the Six-Party Talks, following the US-India deal, North Korean officials argued to their US counterparts how: “you [the US] get along with India...they have nuclear weapons...we’re going to develop nuclear weapons, and you’re going to get used to it...whether you like it or not.”⁴²

As the ‘second nuclear crisis’ developed, this mentality more profoundly influenced North Korea’s bad behaviour towards the United States. Therefore, despite ongoing discussion within the IAEA regarding how to strengthen the non-proliferation regime, North Korea was able to take advantage upon the changing nature of international order,⁴³ seen by a weakened global nuclear order, what it perceived to be an increasingly “hostile” United States, and the manifestation of such hostility in the Bush administration’s hawkish policies towards ‘rogue’ regimes.

⁴² US official (interview, 2019)

⁴³ IAEA, ‘20/20 Vision for the Future...’ February 2008; IAEA, ‘Report of the Commission of Eminent Persons...’, GOV/2008/22-GC(52)/INF/4, 23 May 2008.

As the next section will show, the ‘second nuclear crisis’ commenced in October 2002, as US allegations of North Korea’s deceptive behaviour were confirmed, or at least, not denied, by the DPRK. North Korea was able to capitalise upon its central lesson from the first nuclear crisis – as Chapter Two demonstrated – namely that delinquent behaviour could reap dividends. Yet, as subsequent sections will show, the negative status that resulted from the Bush administration’s approach triggered both delinquent behaviour, namely an intensification in provocations and brinkmanship, as well as norm-compliant actions. The latter featured particularly following the inception of the Six-Party Talks, as North Korea pursued dual goals of nuclear development and normalisation of relations with the United States.

Part II

The second nuclear crisis

Although the precise commencement of the so-called ‘second nuclear crisis’ remains debated within scholarship and policymaking, conditions for crisis in summer 2002 were ripe. US intelligence reports in June 2002 concluded, as former US senior director for Asian affairs, Charles Pritchard, posited, that North Korea had “embarked on a program to create nuclear weapons by using highly enriched uranium.”⁴⁴ An unclassified CIA estimate from November 2002 validated Pritchard’s suspicions. In 2001, the DPRK had sought “centrifuge-related materials in large quantities,” and “had begun constructing a centrifuge facility” that could “produce enough weapons-grade uranium for two or more nuclear weapons per year when fully operational – which could be as soon as mid-decade.”⁴⁵

⁴⁴ Pritchard (2007:28)

⁴⁵ CIA, Untitled, [Assessment provided to Congress], November 2002 *NSA EBB No. 98*, Document 22

If true, whilst North Korea may not have strictly violated the terms of the Agreed Framework, which specified the freeze of *plutonium* production, the Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula, signed in 1991, would have clearly been breached. The latter specified that both Koreas would “not possess nuclear reprocessing and uranium enrichment facilities.”⁴⁶

The ‘second nuclear crisis’ commenced in October 2002, when the United States confronted the DPRK regarding its covert HEU programme.⁴⁷ After this moment, North Korea engaged in a range of delinquent behaviour during what this thesis terms the first phase of this crisis, between January 2002 to January 2005. During this time, North Korea deployed deceptive and norm-transgressive actions within the context of a “hostile” global nuclear order in which it increasingly felt its status to be damaged, and regime stability to be at risk. Yet, as this section will contend, the inducement of North Korea towards multilateral talks saw Pyongyang make rhetorical pledges towards denuclearisation, even although, as will be seen, such words did not translate into reality.

Phase 1: Strategic delinquency: deception and norm-transgression

The extent to which North Korean officials admitted the existence of a covert HEU programme, to their US counterparts, in October 2002, remains questionable. One senior US official ‘in the room’ stressed how “it turned out to be quite clear that [they had] highly enriched uranium, which is much more concealable [than plutonium].”⁴⁸ Another highlighted to the author how

⁴⁶ ‘Joint Declaration of South and North Korea on the Denuclearization...’, 20 January 1992.

⁴⁷ This view is supported by Hur (2018); Perry (2006:83-84).

⁴⁸ US official (interview, 2019)

Kang Sok-ju, the lead North Korean nuclear negotiator, offered a “tacit admission” of the programme, saying “we have stronger stuff than uranium enrichment, and we’re fully entitled to it.”⁴⁹ North Korea’s position was surmised by a senior South Korean negotiator as one of “neither confirm nor deny”; whereby “in official meetings, he [Kim Kye-gwan] denied it flatly, but he never denied it to me” (in private conversation).⁵⁰ At the same time, a US official admitted how he was “not sure Kang Sok-ju really ever acknowledged highly enriched uranium”, Kang’s declaration that “we have even bigger weapons than that” referred to “the unity of the North Korean people. The US *said* that this meant nuclear weapons.”⁵¹

Interview evidence paints a startling picture of North Korea’s attempts to mask HEU production, whilst the Agreed Framework remained in place. In light of North Korea’s so-called ‘admission’, two readings of its behaviour emerge: first, that the AF demonstrated the DPRK’s eagerness to gain diplomatic normalisation with the United States, and light-water reactors to compensate for the energy shortage as a result of the freeze in plutonium production. Yet, when North Korea deemed it increasingly unlikely for the US to realise its pledges, the HEU programme offered a last resort for it to continue its nuclear development. The second reading is more pessimistic: the DPRK intentionally deceived the international community from the outset of the AF, to gain international concessions. As a former South Korean negotiator stressed, the AF allowed the DPRK to “pretend to give up on the plutonium programme, and deny the existence of the clandestine enrichment programme.”⁵²

Whilst it is difficult to conclude North Korea’s actual intentions during this time, the revelation represented a critical juncture vis-à-vis US-DPRK interactions. North Korea’s framing of the

⁴⁹ US official (interview, 2019)

⁵⁰ ROK official (interview, 2019).

⁵¹ US official (interview, 2019)

⁵² ROK official (interview, 2019).

US-led global nuclear order as a hostile structure only exacerbated, providing a justification for future acts. Pyongyang's implicit admission of an HEU programme furthered an increasingly hawkish US policy towards what Washington perceived to be an untrustworthy North Korea. Yet, with the discovery of its HEU programme surprising North Korean officials, as interview evidence shows, North Korea recognised the capabilities of US intelligence, and, learning from the limits to deception, could calculate alternative strategies to offset the social costs of nuclear development.

Just as North Korea reciprocated US gestures of goodwill in the Joint Communiqué of 2000 with norm-compliant behaviour, US imposition of costs on North Korea was met by an escalation of brinkmanship. Following the decision by KEDO to halt heavy fuel oil delivery in November 2002 – a condition of the AF – the DPRK subsequently reactivated plutonium production at Yongbyon, on 13 December,⁵³ citing Bush's 'axis of evil' statement as a "flagrant violation" of the Agreed Framework.⁵⁴

As a senior US official present at the meeting with Kang Sok-ju in October 2002 recounted to the author: "when the information came out of the HEU programme that they were doing, it's certainly no secret that nobody was happier than [then-US Under Secretary of State for Arms Control] John Bolton, a known hawk in the Bush administration."⁵⁵ Other former US negotiators with the DPRK during this time perceived Bolton in an equally negative vein, given his desire to "actively undermine" US interagency attempts at dialogue with the DPRK.⁵⁶ Colloquially nicknamed 'ABC' (Anything But Clinton), the Bush administration's North

⁵³ 'KEDO Executive Board Meeting Concludes', 14 November 2002; KCNA, 'DPRK Gov't to immediately resume operation and constr. of its nuclear facilities', 13 December 2002.

⁵⁴ KCNA, 'Operation and building of nuclear facilities to be resumed immediately', 12 December 2002

⁵⁵ US official (interview, 2019)

⁵⁶ US official (interview, 2019).

Korea policy was centred around three aims: the verifiable and irreversible denuclearisation of the DPRK; a peaceful resolution of the North Korean nuclear issue, and achieving these aims through multilateral dialogue. Even though, as Victor Cha – who served in the Bush administration – asserted, regime change was “never the subject of any internal North Korea policy meeting” nor “translated into a strategy,” the use of military force was never taken “off the table.”⁵⁷ Such considerations were central to how North Korea understood international order as comprising a threatening set of strictures designed to stifle the regime. The proliferation of discourse of regime collapse, prominent within US policy circles in the 1990s, despite subsiding at the end of the Clinton administration, only gained potency.⁵⁸ The DPRK would respond through exacerbating delinquent behaviour, not least out of status anxieties.

Indeed, in October 2002, Kang Sok-ju bemoaned the status disparity inherent in the DPRK-US relationship to the US delegation in Pyongyang: “we are a part of the axis of evil and you are a gentleman. This is our relationship. We cannot discuss matters like gentlemen. If we disarm ourselves because of U.S. pressure, then we will become like Yugoslavia or Afghanistan’s Taliban, to be beaten to death.”⁵⁹ Kang’s statement highlights the DPRK’s dissatisfaction in the unequal relationship with the US, and the growing concern amongst the North Korean regime that it would be targeted by the United States. Within this context, North Korea aimed to accelerate its nuclear ambitions, as Chapter Two demonstrated – in learning from the ‘first nuclear crisis’ – such as to catalyse negotiations with the United States; negotiations which could grant North Korea recognition as an equal dialogic partner.

⁵⁷ Cha (2012:284); Bush (2010:424-425).

⁵⁸ For instance, General John Shalikashvili, chairman of the US Joint Chiefs of staff, stated in 1996 how “most who watch the area would say it’s either going to implode or explode – we’re just not quite sure when that is going to happen.” See: Oberdorfer (2013:289)

⁵⁹ Pritchard (2005:25)

Yet, the DPRK would not wait for the US to engage in dialogue, but intensify provocations. Expelling IAEA inspectors from Yongbyon in December 2002 would remove one further restriction towards nuclear development. The IAEA's inability to verify the lack of diversion of nuclear material for weaponised purposes would only benefit Pyongyang.⁶⁰ Insisting it would not "scrap its "nuclear program" before "dialogue" with the United States⁶¹ – a process unacceptable to the US – North Korea responded with an act of norm-transgression, announcing its immediate withdrawal from the NPT, and invoking Article X of the Treaty in so doing.⁶² Although the legal validity of the DPRK's self-declared withdrawal is questionable – but beyond the scope of this thesis – North Korea defended its withdrawal owing to a "dangerous situation where our nation's sovereignty and our state's security are being seriously violated" by the United States and the IAEA.⁶³ Akin to the first nuclear crisis, the DPRK perceived the IAEA and the global nuclear order as US-led institutions that "threatened to choke North Korea."⁶⁴

At the same time, the DPRK reiterated it had "no intention to produce nuclear weapons" and only sought nuclear energy for "peaceful purposes."⁶⁵ Such rhetoric aimed to deflect international attention from its nuclear programme and assuage negative international perceptions of the regime-state's 'rogue' status. Yet, North Korea's withdrawal from the NPT exposed the fragile nature of the institutionalised nuclear order, from which the DPRK – and other states – could take advantage, particularly in demonstrating the weak enforcement power of the non-proliferation regime once a state had withdrawn from it. Pyongyang's manoeuvre,

⁶⁰ KCNA, 'U.S. accusations against DPRK rebuffed', 24 December 2002; 'IAEA Director General Cites DPRK "Nuclear Brinkmanship"', *IAEA*, 26 December 2002.

⁶¹ KCNA, 'KCNA urges U.S. to do soul searching', 28 December 2002.

⁶² 'IAEA Board of Governors Adopts Resolution on Safeguards in North Korea', *IAEA*, 6 January 2003

⁶³ KCNA, 'Statement of DPRK Government on its withdrawal from NPT', 10 January 2003

⁶⁴ Japanese government advisor (interview, 2019).

⁶⁵ For the DPRK's statement of withdrawal from the NPT, see KCNA, 'Statement of DPRK Government on its withdrawal from NPT', 10 January 2003.

however, was not unexpected. As a former Bush administration official explained, withdrawal from the NPT “was one of the few cards they could play. I can’t say I liked it, but I wasn’t particularly surprised.”⁶⁶

After its withdrawal, North Korea restarted its 5MWe nuclear reactor at Yongbyon, and threatened to withdraw from the Korean War Armistice Agreement following the planned staging of US-ROK ‘Foal Eagle’ military exercises.⁶⁷ In a similar vein to the ‘first nuclear crisis’, the US proposed to engage with the DPRK, an offer North Korea rejected.⁶⁸ Such provocations, exacerbated by the firing of land-to-ship missiles on 24 February and 10 March, may seem incongruous with the strategic nature of North Korea’s behaviour. If dialogue with the US could bring benefits to the DPRK were it to re-join the NPT, why did North Korea reject such an overture? Situating North Korea’s behaviour within the framework of strategic delinquency, and the regime-state’s two concurrent aims at this time – diplomatic relations with the US, and the development of a nuclear deterrent – offers one possible explanation. Whilst North Korea did remain open to diplomatic relations with the United States, to gain social recognition as an equal and sovereign actor in international relations, the DPRK was not prepared to attain this benefit at any cost. North Korea also wanted recognition as an exceptional state that had – as former US Secretary of State Colin Powell opined – “thumbed its nose at the international community” and successfully pursued weaponised nuclear development outside of the nuclear order.⁶⁹

⁶⁶ US official (interview, 2019)

⁶⁷ KCNA, ‘U.S. anti-DPRK international pressure campaign assailed’, 6 February 2003; KCNA, ‘Spokesman for Panmunjom mission of KPA issues statement’, 18 February 2003; KCNA, ‘Projected U.S. war exercises slammed’, 25 February 2003.

⁶⁸ KCNA, ‘U.S. talk about “dialogue” dismissed as hypocritical’, 5 February 2003; see also: KCNA, ‘U.S.-proposed “multilateral” talks blasted’, 6 February 2003.

⁶⁹ Powell slams N. Korean ‘disregard’ for nuke treaty, *CNN*, 11 January 2003, available at: <https://edition.cnn.com/2003/US/01/11/nkorea.react/index.html> [Last Accessed 20 January 2021]

An increasingly hostile United States

A central contention of this study is that North Korea does not make decisions in isolation. As Part I outlined, the US invasion of Iraq, which commenced on 20 March 2003, provided an opportune moment for North Korea to degrade the status of the United States in the eyes of the wider international community, not least the then-new administration in Seoul under Roh Moo-hyun, who wished to continue the conciliatory approach to the DPRK of Kim Dae-jung. North Korea's framing of the global nuclear order as epitomising the US "hostile policy" only intensified following the US invasion, particularly the eventual fate of Saddam Hussein. A former South Korean negotiator with the DPRK underscored how the Iraq intervention caused North Korea to be "afraid of the US, because when the US declares they will do something, they do something", and the DPRK "thought giving up their plutonium programme was one way of avoiding US "hostile policy" turning into actual hostility."⁷⁰ What was of concern to North Korea was the US (mis)perception of Iraq as possessing nuclear weapons, and also, importantly, that Iraq, like North Korea, was, according to the US, part of the 'axis of evil.' As a journalist who met North Korean officials at the time put it: "Bolton's going around saying *North Korea's next*, and the Bush administration is pushing the doctrine of regime change. If you're North Korea thinking *how do we protect ourselves?* The logic of having the bomb is irrefutable."⁷¹

Trilateral talks between China, the United States, and the DPRK – in April 2003 – attempted, unsuccessfully, to compel the DPRK to comply with the non-proliferation regime, but only underscored a theme that would characterise the 'crisis', namely that North Korea would

⁷⁰ ROK official (interview, 2019).

⁷¹ US journalist (interview, 2019)

neither dismantle its nuclear programme unilaterally nor allow IAEA inspections, unless the US offered “normalised relations, economic aid, security guarantees, and a nonaggression pact.”⁷² In light of this deadlock, it seemed likely that North Korea would only continue to “build up a nuclear deterrent force” should the US not “abandon its hostile policy.”⁷³ Following the unsuccessful talks, North Korea advanced its reprocessing of spent fuel rods, a move it deemed to be increasingly justified in light of the US invasion of Iraq, and US rhetoric, such as the denunciation of Kim Jong-il as a “tyrannical rogue state leader” by John Bolton, a move which only heightened questions amongst the North Korean regime, of whether the US actually intended to engage in talks with the DPRK.⁷⁴

As the next section will show, however, when North Korea did agree to the Six-Party Talks (SPT) – involving South Korea, China, the United States, Japan, and Russia – it pursued its objective of normalising relations with the US voraciously, by using the multilateral forum as a vehicle to engage in bilateral talks with the United States, and assert itself as a negotiating partner, albeit an unequal one. In so doing, North Korea wanted to “show the world community whether the U.S. has a true willingness to make a switchover in its policy towards the DPRK or not.”⁷⁵

Six-Party Talks: attention-seeking and “free goods”⁷⁶

⁷² Chinoy (2008:171)

⁷³ KCNA, ‘KCNA on DPRK’s nuclear deterrent force’, 10 June 2003.

⁷⁴ KCNA, ‘Spokesman for DPRK Foreign Ministry Slams U.S. Mandarin’s Invective’, 4 August 2003.

⁷⁵ KCNA, ‘DPRK Foreign Ministry Spokesman on Six-Party Talks’, 5 August 2003.

⁷⁶ Track 1.5. official (interview, 2019).

From the outset of the SPT, which commenced in August 2003, the DPRK viewed the Talks – hosted by China – as impinging upon its preference for bilateral dialogue with the United States. Yet, within this multilateral format, North Korea continued to pursue the normalisation of relations with the United States. A former South Korean negotiator with the DPRK stressed to the author how, from the inception of the Talks, “the most meaningful negotiating channel was between Pyongyang and Washington.”⁷⁷ Yet, even beyond any meaningful negotiations, as a US negotiator put it: North Korea’s involvement in the Talks “was partly done out of a sense of good manners towards the Chinese [as the host country of the SPT], but also done out of a sense of *let’s see if there is anything in it for us*.”⁷⁸ Indeed, the bargaining power gained by the DPRK’s participation, the economic benefits – fuel oil and food aid – that could be reaped through vague commitments to an unspecified process of disarmament, coupled with a fear of US intervention, influenced North Korea’s involvement in the Talks. In addition, the DPRK could continue its dual-pronged strategy of pursuing nuclear development beyond the NPT-regime, for deterrent purposes, whilst feigning compliance with the norms of the nuclear order to reap dividends.⁷⁹

At the same time, North Korean pronouncements in the first week of Talks stressed how whilst the DPRK remained committed to the “denuclearization of the Korean peninsula”, it would “have no option” to “increase [its] nuclear deterrent” if the US continued “to stifle the DPRK by force.”⁸⁰ Thus, delinquent behaviour remained an option for the DPRK if the ensuing negotiations did not favour its interests. Then-Vice Minister of Foreign Affairs, Kim Yong-il, clarified as to how North Korea foresaw the sequencing of negotiations. The DPRK would

⁷⁷ ROK official (interview, 2019).

⁷⁸ US official (interview, 2019)

⁷⁹ Embassy Shanghai, WikiLeaks Cable: 08SHANGHAI273_a, 22 July 2008; Embassy Beijing, WikiLeaks Cable: 08BEIJING4223_a, 14 November 2008.

⁸⁰ KCNA, ‘Keynote Speeches Made at Six-way Talks’, 30 August 2003.

only allow nuclear inspections; halt nuclear production; dismantle its nuclear facility, and “put on ice the missile testfire and stop its export” if the US signed a non-aggression treaty and established diplomatic relations; completed LWR construction as set in the Agreed Framework; compensated for the loss of electricity caused by the freeze at Yongbyon; increased humanitarian food aid supplies, and guaranteed inter-Korean and Japan-DPRK economic cooperation.⁸¹ Although these demands may have been seen by the US as lofty, for North Korea they were anything but, since the USA’s inability to fulfil its pledges according to the AF, whilst plutonium production at Yongbyon was suspended, represented an unequal agreement that North Korea wished to resist.

North Korea’s participation in the SPT has been variously described by US and ROK negotiators as aimed to “draw attention [on the DPRK] and get free goods.”⁸² Nevertheless, whilst the material benefits of nuclear deterrence and possible economic assistance were valued by North Korea, the DPRK also treasured social recognition as a negotiating partner with the US, and, arguably more importantly, the possible recognition as an exceptional, nuclear-armed state. Somewhat surprisingly, North Korea’s ambitions regarding the latter were established from the outset of the SPT, despite not having yet tested a nuclear device. As a former US official stressed to the author: “they [the DPRK] want to be accepted – and they stated it in 2003 – as a nuclear weapons state; not *de facto*, but *de jure*.” In a discussion with his North Korean counterparts in 2003, what surprised this official was “the candour with which they said: *accept us as a nuclear state, as you accept Pakistan, and accept the possibility that we could sell or provide weapons or fissile weapons.*” Whilst this remark was expressed privately, since “they know it’s a red line internationally”, such blatant admission of the possibility of

⁸¹ KCNA, ‘Keynote Speeches Made at Six-way Talks’, 29 August 2003

⁸² Track 1.5. official (interview, 2019).

selling or providing nuclear weapons to other states “goes well beyond the pale.”⁸³ This remark would prove timely, but as corroborated by other South Korean and US officials, acceptance as a nuclear-armed state, and for any negotiations to take place on these terms, remained a crucial goal for the DPRK.

The first three rounds of the SPT were inconclusive, marred by North Korea’s opposition to the US policy of ‘complete, verifiable, irreversible dismantlement’ (CVID), which the DPRK rejected as “a demand which can be forced on a defeated country only.”⁸⁴ Such a statement highlights the centrality of North Korea’s desire for social recognition as a significant actor in international relations. The inconclusive initial talks were, as put forth by a US official who participated in the dialogue, partly due to the “foolish” nature of the US approach. The US insisted that any negotiations take place within the multilateral format, instead of the DPRK’s preferred bilateral form. In light of this decision, North Korea could thus “pretend they were interested in dialogue and negotiations, and it was the big, bad, Americans who were not,”⁸⁵ and thus further lower the status of the United States in front of other international actors.

Yet, in signalling its determination to develop a nuclear deterrent, North Korea did not wait for the US to offer concessions before furthering bad behaviour. In January 2004, North Korea restarted plutonium processing at Yongbyon, announcing that the “plutonium that was to have been used for peaceful purposes would now be used for weapons.”⁸⁶ This instance signified the value placed by the DPRK upon reciprocity, following of the US decision to suspend heavy

⁸³ US official (interview, 2019)

⁸⁴ ‘Six-Point Consensus Reached at Six-party Talks: Chinese Vice FM’, 29 August 2003; ‘Full text of Chairman’s statement for six-party talks’, 1 March 2004. See: KCNA, ‘Spokesman for DPRK FM Ministry on Third Round of Six-Party Talks’, 16 June 2004.

⁸⁵ US official (interview, 2019)

⁸⁶ These statements were made by Kim Kye-gwan to an unofficial U.S. delegation on their visit to the DPRK in January 2004. See: Hecker (2004).

fuel oil exports to the DPRK, countering the Agreed Framework. At the same time, as revelations surfaced of North Korea's involvement in a clandestine network of nuclear trade, commandeered by Pakistani physicist, A.Q. Khan, North Korea's careful response – put forth by then-President of the Presidium of the SPA, Kim Yong-nam – emphasised its entitlement “to sell missiles to earn foreign exchange” but, crucially, that it “would never allow such transfers to al-Qaeda or anyone else.”⁸⁷ In an interview with erstwhile North Korea scholar Selig Harrison, in 2004, then-Foreign Minister, Paik Nam-soon, remained open to the DPRK's abandonment of nuclear weapons, stressing how President Bush was “using the shock of the September 11 attacks to turn Americans against North Korea,” but, “the truth is that we want and need your friendship.”⁸⁸ These assertions show how whilst North Korea did not deny the importance of nuclear development – and the financial value of nuclear exchange – it sought to show moral boundaries to its behaviour, to avoid associations with terrorism, even as US calls for regime change continued. The DPRK's role within the illicit network was described by a senior US official as “purely transactional”, rather than out of solidarity with other ‘rogue’ nuclear states.⁸⁹

In so doing, North Korea was able to maintain its aim of “friendship” with the United States but continue to increase its “nuclear deterrent force.” Through norm-transgressive behaviour, namely its withdrawal from the NPT in January 2003, the DPRK was able to reap recognition as a dialogic partner of the United States, despite the inequality within the SPT format. Such recognition was accepted as necessary – by the other five parties – to pursue any meaningful negotiations. Following three inconclusive rounds of talks, from August 2003 to July 2004, the

⁸⁷ Mallet (2004)

⁸⁸ Drezner (2004). In another interview with the *New York Times*, Harrison noted how the DPRK “want[s] improved relations with the United States...[and] a step-by-step process of simultaneous trade-offs in which the two sides agree on step one—you do this, we do this –and when that happens, which moves the two countries closer to being friends, then you go to step two.” See: Harrison (2004).

⁸⁹ US diplomat (interview, 2019)

US proposed a new ‘phased approach’ to incentivise North Korean denuclearisation, whereby the five parties would only provide “lasting benefits” to North Korea after it “had dismantled its nuclear programmes.”⁹⁰ In an interesting manoeuvre, however, as a former senior US official mentioned how even though China “scheduled another session from September 2004, the North Koreans would not come back then, because they were hoping they could wait out and benefit from the US elections.”⁹¹ Such a move would become a typical strategy for the DPRK; anticipating whether a new US administration would continue the first Bush administration’s goal of complete disarmament.⁹²

North Korea thus placed value in strategising its response to the US “hostile policy.” Assessing how it might respond to US behaviour was of greater importance than multilateral dialogue. From North Korea’s perspective, the US “hostile policy” only widened with time, with the continuation of US-ROK military exercises,⁹³ and the passing of the US North Korean Human Rights Act (HRA) in September 2004.⁹⁴ Arguing it had little choice “but to possess a nuclear deterrent” to “counter the ever-growing US threat and aggression against the DPRK”⁹⁵ –whilst the HRA did not specifically target its nuclear ambitions – these instances show that for the DPRK, delinquent nuclear behaviour, and the development of a nuclear deterrent became the sole means to combat such “hostility.” Indeed, following the staging of US-ROK military

⁹⁰ Kelly (2004)

⁹¹ US official (interview, 2019)

⁹² Although in September 2004, then-North Korean Ambassador to the UN, Pak Gil-yon, denied such a strategy to US official Charles Pritchard, future chapters will show a clear pattern of North Korean provocations in US election years, before holding off from further provocations during the immediate prelude to an election. See: Pritchard (2005:107); Wu (2005).

⁹³ The so-called ‘Team Spirit’ military exercises between the US and ROK were held between 1974 and 1993, but suspended from 1994 to 1996 following the Agreed Framework. These exercises were renamed ‘Foal Eagle’ from 1997 to 2000, and, subsequently, RSOI (Reception, Staging, Onward Movement, Integration) from 2001 to 2007. The exercises continued, from 2008, under the name of Key Resolve.

⁹⁴ ‘North Korea Gesture’, *WP*, 23 September 2004; H.R.4011 – 108th Congress: *North Korean Human Rights Act of 2004*, Public Law No: 108-333, 2004.

⁹⁵ ‘Statement by H.E. Mr. Choe Su Hon’, UNGA, 27 September 2002; see also: KCNA, ‘U.S. “North Korean Human Rights Act” Flailed’, 5 October 2004.

exercises, the DPRK suspended its participation from the SPT in September 2004. Only after the re-election of President Bush, in November, did Pyongyang recommit to the Talks. In line with the framework of strategic delinquency, the DPRK was able to evaluate its participation in the SPT according to whether any benefits could be reaped.

As the next section will show, however, the second phase of the ‘second nuclear crisis’, with the second Bush administration in power, saw an intensification in North Korea’s exercise of provocations, particularly given how Pyongyang perceived the US “hostile policy” to gain in potency during this time. This exacerbation which would reach new heights in 2005, not only due to US actions and rhetoric, but also the increasing willingness of North Korea to gain recognition and assert itself as an equal, but also exceptional, nuclear-armed state.

Part III

A self-declared nuclear state: delinquency and compliance

The second phase of the second nuclear crisis, which commenced with North Korea’s decision to resume its participation in the SPT in January 2005, was marked by North Korea’s self-declaration as a nuclear-armed state, culminating in its first nuclear test in October 2006. During this phase, the DPRK exercised a critical act of norm-compliant behaviour in relation to nuclear norms, namely in signing the Joint Six-Party Talks Statement of 19 September 2005. At the same time, however, this phase was characterised predominantly by an acceleration of delinquency, owing to North Korea’s perception of a heightened US “hostile policy” but also a weakened global nuclear order which it could leverage for its own gain. At the same time, the DPRK’s deployment of norm-deviant and norm-compliant behaviours marked a continuation of its dual-pronged strategy during the first phase, aiming to secure normalisation

of relations with the United States whilst pursuing nuclear development. Given how the DPRK had been unsuccessful in deceiving the international community of its HEU programme, this section argues how in the second phase of the crisis, North Korea paid particular attention to exercising provocative behaviours through intensifying brinkmanship.

Phase 2: Agency-assertion and provocation as a self-declared nuclear state

The DPRK's decision to re-enter into the SPT highlighted how normalisation of relations with the United States, and the resultant social benefits that would ensue, remained a potent goal for the DPRK even after its withdrawal from the NPT. Yet, North Korea stressed it would only "respect and treat [the US] as a friend unless the latter slanders the former's system."⁹⁶ Only several days after this announcement, then-US Secretary of State, Condoleezza Rice, described the DPRK, together with Iran, Cuba, Belarus, and Zimbabwe, as "outposts of tyranny", against which the US must "insist that Iran and North Korea abandon their nuclear weapons."⁹⁷ Not only was the DPRK part of the 'axis of evil' – as decried by Bush in 2002 – but a further social label, which North Korea deemed to be evidence of vilifying its status, was imposed. Thus, North Korea responded by self-declaring its withdrawal, once more, from the SPT, arguing how any subsequent denunciations of the regime-state, which North Korea interpreted as part of the US policy of regime change, would only trigger further nuclear development.⁹⁸ North Korea, therefore, clearly cared about its social status.

⁹⁶ KCNA, 'U.S. Congress Delegation Leaves', 15 January 2005

⁹⁷ Rice (2005). For the DPRK's denunciation of this term, see: KCNA, 'Spokesman for DPRK FM Blasts U.S. State Secretary's Reckless Remarks', 17 March 2005.

⁹⁸ KCNA, 'DPRK on Its Stand to Suspend Its Participation in Six-party Talks for Indefinite Period', 10 February 2005.

On 31 March 2005, North Korea publicly acknowledged its nuclear programme for the first time, announcing it had “become a full-fledged nuclear weapons state” and would only return to the SPT given an “end to the growing U.S. nuclear threat.”⁹⁹ This assertion culminated an extensive period of denial of any nuclear development, and occurred within the context of a weakened global nuclear order, characterised by evidence of the DPRK’s export of nuclear material to Libya and Pakistan, and the subsequent US-India civilian nuclear deal.¹⁰⁰ North Korea’s announcement troubled policymakers in Washington, “making a rollback immensely more difficult.”¹⁰¹ Yet, the DPRK was able to use such a declaration to assert agency in the SPT in the future, leveraging the multilateral talks to pursue bilateral dialogue with the US, receive benefits from the international community, whilst refusing to concede on its nuclear development.

Amidst failed international attempts to convince the DPRK to return to the SPT, even despite Sino-DPRK and US-ROK talks in 2005,¹⁰² Kim Jong-il stressed, surprisingly, that the DPRK would, in fact, return to the SPT, but only “if the United States firmly recognizes North Korea as a partner and respects it.”¹⁰³ This view was corroborated by another senior North Korean official, Kim Yong-nam, arguing how “if the United States recognizes our system and institution, we too will treat it as a friend.”¹⁰⁴ These statements preceded the DPRK’s confirmation of its return to the SPT on 9 July 2005, following its satisfaction that the US would “recognize the DPRK as a sovereign state, not to invade it and hold bilateral talks within the framework of the six-party talks”, which the DPRK interpreted as a “retraction of its

⁹⁹ KCNA, ‘DPRK Foreign Ministry Spokesman on Denuclearization of Korea’, 31 March 2005.

¹⁰⁰ Sanger & Broad (2005); Linzer (2005).

¹⁰¹ Abramowitz & Laney (2003:45)

¹⁰² Hu (2005); Kahn (2005a).

¹⁰³ Onishi (2005).

¹⁰⁴ J. Chang (2005).

remark” of labelling it an “outpost of tyranny.”¹⁰⁵ North Korea, therefore, continued to emphasise the importance of social recognition as an equal negotiating partner of the US, which it could attempt to reap through participating in the SPT, and, more importantly, by securing a commitment towards such recognition from the United States. At the same time, Pyongyang’s security ambitions, namely the defensive value of a nuclear deterrent, remained pertinent. As a former British Ambassador to the DPRK put it: “what it wants, is, crucially...respect and security. It has, over a long period, formed the belief that the only way to achieve these things is to develop a credible nuclear deterrent: it simply doesn’t believe that the international community will ever be nice to it unless it can defend itself.”¹⁰⁶ Yet, as the framework of strategic delinquency shows, this assertion need not necessarily be seen as supporting the claim that North Korea’s *sole* concern during this time period was defence. Whilst a pertinent goal, North Korea’s pursuit of defence through sustaining nuclear deterrence – a material benefit of its nuclear ambitions – was concurrent with its social objectives of recognition as an equal and exceptional state, the latter with reference to its self-declared status as a nuclear-armed state outside of the NPT.

US rhetoric of regime change weakened with the second Bush administration, demonstrating a greater willingness for normalisation of relations as a reward for North Korea’s denuclearisation.¹⁰⁷ As was witnessed in the tit-for-tat diplomacy of the 1990s, the DPRK responded accordingly during the fourth round of the SPT. Following the US commitment not to pursue regime change, and how it “remain[ed] prepared to speak with the D.P.R.K. bilaterally in the context of the talks,” North Korea reacted by deploying norm-compliant

¹⁰⁵ KCNA, ‘Spokesman for DPRK FM on Contact between Heads of DPRK and U.S. Dels’, 11 July 2005; KCNA, ‘Contacts between Heads of DPRK and U.S. Delegations to Sixth-Party Talks Made’, 11 July 2005.

¹⁰⁶ UK diplomat (Interview, 2019)

¹⁰⁷ Funabashi (2007:377) highlights how the then-new US negotiator to the SPT, Christopher Hill, was keen to ensure that subsequent SPT “would not be a carbon copy of the previous three rounds.”

rhetoric.¹⁰⁸ The DPRK Foreign Ministry argued that North Korea did not “intend to keep [its nuclear weapons] permanently” and would abandon its nuclear programme were the US “open to the relations of peaceful co-existence.”¹⁰⁹ A common theme across North Korean statements during the second nuclear crisis, such as those highlighting its support for “denuclearisation”, related to the sequencing of such a process. Problems of sequencing not only hampered the fourth round of SPT, but, as will be demonstrated later in this chapter and in subsequent chapters, would obstruct future progress in US-DPRK relations. At its core, whilst the US was willing to improve and normalise relations with the DPRK only after North Korea had engaged in verified dismantlement of its nuclear programme, North Korea insisted on the reverse, namely that any normalisation precede any nuclear concessions.¹¹⁰

A cynical reading of North Korea’s behaviour would contend that, as a former US diplomat involved in the SPT put it: he had “never seen any indication that the North Korean regime [wa]s truly interested in better relations with the US on anything other than its own terms.”¹¹¹ A former South Korean negotiator with the DPRK supported this view, arguing that North Korea “didn’t care about status: what they care[d] about is nuclear weapons, or not...all they want is real nuclear weapons to rely on, in a time of crisis, as a marker of deterrence against the US.”¹¹² Nuclear development, according to these perspectives, was merely for defensive purposes, and as a successful leverage in negotiations. Social benefits of recognition, or the possibility of elevated status or legitimacy that may have arisen from normalisation of relations, were merely subsidiary by-products of any nuclear deterrence. Yet, a former Professor at Kim Il Sung University questioned such scepticism, arguing how “improving ties with the United

¹⁰⁸ ‘Opening Statement at the Fourth Round of Six-Party Talks’, 26 July 2005.

¹⁰⁹ KCNA, ‘DPRK FM on Government’s Stand for Peace and Stability on Korean Peninsula’, 31 July 2005.

¹¹⁰ This logic would form a prominent reason for stalled US-DPRK relations in 2019, as Chapter Four will contend.

¹¹¹ US official (interview, 2019)

¹¹² ROK official (interview, 2019)

States was unquestionably the number one priority for North Korea. The fact that the DPRK was willing to endure the awkward dialogue structure of the Six-Party Talks indicated just how important contact with the US was to North Korea,” for international and domestic gain.¹¹³ As the next section will argue, North Korea’s endurance for the SPT’s “awkward dialogue structure” would be witnessed in pledges of compliant behaviour with the norms of the global nuclear order.

The September 19 declaration: a non-nuclear weapons state in all but name?

Given North Korea’s reticence towards denuclearisation, the signing of the Joint Statement at the fifth round of the SPT, on 19 September 2005, was surprising. The statement defined North Korea’s denuclearisation as verifiable elimination of all nuclear weapons and programmes, a return to the NPT, and compliance with IAEA safeguards. In return, the five parties would provide substantial benefits. The US agreed to peaceful coexistence, normalisation of relations, and restated its lack of intention to invade or attack the DPRK. The ROK agreed neither to receive nor deploy nuclear weapons on the Korean Peninsula, in accordance with the 1992 inter-Korean Joint Declaration. The six-parties agreed to replace the Korean War Armistice Agreement with a permanent peace treaty.¹¹⁴ Yet, disagreement between the parties remained, pertaining to the “appropriate time” to discuss the provision of LWRs. According to the USA, LWRs would only be provided after North Korea had eliminated all nuclear programmes; for North Korea, the former was a precursor to the latter.¹¹⁵ A central clause within the Joint Statement, however, was that of “commitment for commitment, action for action”, which stressed how simultaneous steps would be taken by the other five parties in response to steps

¹¹³ Embassy Seoul, WikiLeaks Cable: 06SEOUL498, 14 February 2006.

¹¹⁴ ‘Joint Statement of the Fourth Round of the Six-Party Talks, Beijing, 19 September 2005.’

¹¹⁵ KCNA, ‘Spokesman for DPRK Foreign Ministry on Six-Party Talks’, 21 September 2005.

taken by North Korea, regarding concessions on its nuclear programme. This logic would be exploited by the DPRK throughout this second crisis, and in future years, in resisting US calls for unilateral disarmament.

A Chinese nuclear analyst offered a somewhat optimistic reading of the Joint Statement, deeming it to represent a “fundamental breakthrough”, which “might have signalled North Korea’s willingness to relinquish the nuclear option.”¹¹⁶ Yet, scepticism in Washington and Seoul prevailed. As Mike Chinoy wrote: “the September 19 agreement began to fall apart almost literally before the ink was dry on the declaration.”¹¹⁷ This opinion was supported by a former US National Intelligence officer for the DPRK, who emphasised to the author how, at the time, “there’s no way they’re [North Korea] going to just denuclearise (sic) and wait for the benefits to come.”¹¹⁸ Yet, these two perspectives need not be seen as being in tension with each other. Whilst the Joint Statement represented a de-escalation in the Bush administration’s earlier rhetoric of regime change, as North Korean officials would later reveal, the agreement only reaffirmed the US desire for unilateral dismantlement on the part of the DPRK.¹¹⁹

Although the Joint Statement represented one means by which North Korea would re-comply with the nuclear order as a non-nuclear weapons state in all but name, it was ill-timed, amidst a so-called crisis within the nuclear order. The lack of commitment to disarmament from NWS at the 2005 NPT Review Conference, coupled with disagreement within the non-proliferation regime towards how to withhold the nuclear ambitions of non-NPT signatories, and especially a former signatory – the DPRK – only exacerbated the fragility of the nuclear order.¹²⁰

¹¹⁶ Chinese analyst (interview, 2019).

¹¹⁷ Chinoy (2008:251)

¹¹⁸ US official (interview, 2019)

¹¹⁹ WikiLeaks: The Podesta Emails, no. 56939, 4 August 2009.

¹²⁰ Ku (2017:187-188)

Moreover, the signing of the US-India civilian nuclear deal in 2005 questioned whether a so-called “Indian option” would be available for North Korea, namely “achieve normalization and a peace regime while keeping even a small number of nuclear weapons.”¹²¹ As a former US diplomat involved in the SPT put it: North Korea’s dissatisfaction with the US intensified following the US-India nuclear deal, with North Korean officials arguing how “you get along with India and Pakistan, and they have nuclear weapons, and whether you like it or not, we’re going to outlast you, and you’re going to get used to it.”¹²²

It is unclear as to whether North Korea intended to comply with the Joint Statement as a path towards denuclearisation, or, as a South Korean official underscored, that the DPRK was “ready to abandon their nuclear programme on the condition that they could hide it...they wanted at least latent nuclear capability even after they claimed they gave up their programme.”¹²³ North Korea’s behaviour after the Joint Statement, however, shows how it continued to interpret the notion of “denuclearisation of the Korean Peninsula” on its own terms, comprising reciprocal acts from the US, in particular, the withdrawal of the US security guarantee over South Korea, such as through the cessation of US-ROK military exercises and removal of US troops from the ROK.¹²⁴ By maintaining the discrepancy between how it interpreted denuclearisation, in contrast to the other five parties, the DPRK could gain two benefits: firstly, the possibility of future negotiations through continually blaming the US for its refusal to end US-ROK military exercises as part of the “hostile policy”; secondly, asserting itself as a negotiating partner – not least as a self-perceived nuclear state – of the United States.

¹²¹ Embassy Seoul, WikiLeaks Cable: 07SEOUL2696, 5 September 2007

¹²² US official (interview, 2019)

¹²³ ROK official (interview, 2019)

¹²⁴ Park (2005); Grzelczyk (2009). As Chapter Four contends, the DPRK’s invocation of its preferred term of “denuclearisation of the Korean Peninsula” would gain prominence in the Kim Jong-un era.

The Joint Statement, together with the DPRK's earlier self-declaration as a nuclear-armed state, saw North Korea continue its ambitions of developing a nuclear deterrent whilst simultaneously foster social recognition as an exceptional actor, and attempt to shape US behaviour in its favour. As a former South Korean official put it to the author, North Korea's lack of denial of its nuclear programme, post-2005, was manifest in how North Korean officials would frequently assert how "we have no plan to nuclearise; what you are doing is forcing us to go that way."¹²⁵ Thus, from North Korea's perspective, any future deviant nuclear behaviour would be a necessary response to the continued US "hostile policy." Denuclearisation would only arise after the receipt of benefits. Nevertheless, soon after the signing of the Joint Statement, North Korea would learn that its past delinquent behaviour, beyond its pursuit of nuclear weapons, would generate considerable financial costs. In response, the DPRK only furthered its provocations, with the aim of counter-stigmatising – and degrading the status of – the United States, in front of the other five-parties in the SPT.

The costs of delinquent behaviour: Banco Delta Asia and provocations

A former South Korean official emphasised to the author how the DPRK saw "all US attitudes towards North Korea as hostile", ranging from condemnation of its nuclear programme to its human rights abuses, and domestic governance. According to North Korea, mitigating this "hostile policy" was central for any future improvement in US-DPRK relations. As revealed in a private conversation between a South Korean official and North Korean diplomat Kim Kye-gwan, the DPRK would judge "whether the US [wa]s serious about abandoning its hostile policy, or not...on the basis of the providing of light-water reactors." Yet, it was not just the

¹²⁵ ROK official (interview, 2019).

material benefit of LWRs that would initiate norm-compliance from the DPRK. Social benefits, such as a peace treaty to end the Korean War, were also desired.¹²⁶

Further negotiations, however, stalled following the US government's freezing of over \$24million of North Korean assets in a Macau-based bank, Banco Delta Asia (BDA). The US government designated BDA as a "financial institution of primary money laundering concern", in light of the laundering of profits from drug trafficking and currency counterfeiting by North Korean officials, and the engagement in illicit activities through front companies working via BDA.¹²⁷ The resultant asset freeze saw US-DPRK dialogue stagnate, and was derided by the North Korean Foreign Ministry as a "fabrication solely intended to tarnish the image of the DPRK."¹²⁸ The BDA issue represented a culmination of prior investigation into North Korea's clandestine activities, as part of the US's Illicit Activities Initiative, launched in 2003.¹²⁹ Thus, behaviour circumventing international norms did not always bring dividends. Despite these financial sanctions, which did not strictly pertain to North Korea's nuclear ambitions, the US insisted that the SPT continued. The fifth round – from 9 November – only lasted two days, with North Korea withdrawing following the US's unwillingness to unfreeze the assets.¹³⁰ The subsequent US withdrawal from KEDO, too, represented a turning point for North Korea, after which a notable acceleration in delinquent behaviour took place. Rejecting the decision as evidence that the "U.S. totally scrapped the A[greed] F[ramework]...causing huge economic losses to the DPRK," this incident underscored the potency of the "hostile policy" as a heuristic through which North Korea conceptualised international order.¹³¹ Although the US viewed the

¹²⁶ ROK official (interview, 2019)

¹²⁷ USDT, "Finding That Banco Delta Asia SARL Is a Financial Institution of Primary Money Laundering Concern", 20 September 2005. For more on North Korea's illicit activities, see Chestnut (2007).

¹²⁸ KCNA, 'DPRK Foreign Ministry Spokesman Urges U.S. to Lift Financial Sanctions', 28 February 2006.

¹²⁹ Asher (2006)

¹³⁰ KCNA, 'DPRK Delegation Returns from Six-Party Talks', 12 November 2005; Kahn (2005b). See also KCNA, "Kim Kye Gwan Interviewed in Beijing", 12 November 2005.

¹³¹ KCNA, 'KCNA Blasts U.S. and KEDO's Total Stoppage of LWR Construction', 6 December 2005; KCNA, "Japanese Heavyweight's Ridiculous Remarks Flayed", 7 December 2005.

BDA issue as separate from the need to compel North Korea to denuclearise, for the DPRK, the issue remained part and parcel of the US's "hostile policy," which it would continue to resist.¹³²

Interviews with South Korean and US negotiators during this time reveal that the DPRK's anger at the asset freeze was twofold: firstly, a domestic reason, that the owners of the accounts were "powerful agencies" within the North Korean regime.¹³³ Secondly, following the US withdrawal from KEDO, the BDA freeze represented yet another financial constraint on North Korea. As a former US official highlighted, the DPRK's inability to have light-water reactors would go against what they deemed as "their sovereign right, as they would put it, to having civilian nuclear energy." Thus, North Korea engaged in counter-stigmatisation, accusing the United States of failing in its duties in upholding the global nuclear order. As this US official put it: "there's an obligation on the part of nuclear weapons states to provide civilian nuclear assistance to non-nuclear weapons states. You can see where North Korea is on about that."¹³⁴

The BDA issue catalysed further bad behaviour from North Korea vis-à-vis the global nuclear order. Indeed, in response to the freeze, North Korean official Kim Kye-gwan threatened to his South Korean counterpart that the DPRK was "ready to go to nuclear testing."¹³⁵ This comment highlights how North Korea sought to capitalise upon its withdrawal from the NPT, in developing its nuclear capabilities without the institutional and normative constraints of the non-proliferation regime. Moreover, however, in light of how North Korea framed the financial sanctions as part of the US "hostile policy", and an imposition of negative status, North Korea

¹³² Lague (2006).

¹³³ Kim Kye-gwan stressed this point in conversation with a senior South Korean negotiator. ROK official (interview, 2019)

¹³⁴ US official (interview, 2019)

¹³⁵ ROK official (interview, 2019)

would enhance its nuclear deterrent to force the United States to “create the condition[s]” for the DPRK to re-enter the SPT, namely through instigating dialogue.¹³⁶ The BDA freeze saw North Korea engage in weak mock compliance with the global nuclear order, affirming its intent to abide by its pledges made in the Joint Statement, namely abandonment of its nuclear programme, in return for LWRs, and diplomatic normalisation with the United States.¹³⁷ As the framework of strategic delinquency highlights, and as accurately corroborated by a former South Korean diplomat, oscillating between delinquent and compliant behaviour was central to Pyongyang’s strategy of negotiations during this time: “when the cost is too high, and when US pressure becomes unbearable, they would pretend to retreat. When things become better, they would proceed, stop, and/or retreat, depending on the situation.”¹³⁸ By calling on the US to engage in dialogue whilst feigning its commitment to denuclearisation, North Korea was able to test whether such mock compliance would lead to benefits, a lesson learned from the ‘first nuclear crisis’, such as seen in the DPRK’s retraction of its intention to withdraw from the NPT, in March 1993.

Yet, such mock compliance was short-lived. Despite a moratorium on missile testing placed in 1999, the DPRK fired at least seven missiles, including a long-range *Taepodong-2*, on 5 July 2006, which state media justified as a self-defensive manoeuvre without which “the US would have “attacked the DPRK more than once as it had listed the former as part of an “axis of evil” and a “target of preemptive nuclear attack.”¹³⁹ No longer part of the NPT, and a non-signatory to the Missile Technology Control Regime, the DPRK emphasised how it was “not bound to any commitment” under such regimes, and could therefore escalate belligerent behaviour at

¹³⁶ KCNA, ‘To Increase Military Deterrent Is DPRK’s Right For Self-Defense: Kim Yong Nam’, 14 April 2006.

¹³⁷ For the Foreign Ministry’s statement vis-à-vis the asset freeze, see KCNA, ‘DPRK Foreign Ministry; DPRK’s Stand on Six-Party Talks Reclarified’, 1 June 2006.

¹³⁸ ROK official (interview, 2019)

¹³⁹ KCNA, ‘DPRK Foreign Ministry Spokesman on Its Missile Launches’, 7 July 2006.

will.¹⁴⁰ Even despite UNSCR 1695 condemning the launches, the DPRK threatened to “bolster its war deterrent...in every way”, on account of the sanctions, derided as an “extremely hostile act of the U.S,” and an “act of war.”¹⁴¹ This escalation of attention-seeking behaviour and brinkmanship, through rhetorical and visible provocations, can be attributed to several factors. First, the “hostile act” to which the North Korean Foreign Ministry referred did not exclude the BDA asset freeze, in line with the increasingly frequent references by the DPRK to the US “hostile policy” following the freeze. Secondly, North Korea’s desire to assert itself as a self-declared nuclear power. Despite invoking the defensive nature of its missile and nuclear developments in state media pronouncements, North Korea’s actions – and the sequencing of its actions in response to US behaviour – epitomised a need for social recognition as an exceptional nuclear state. The acceleration of brinkmanship during this period – what Pacheco Pardo terms “high-intensity brinkmanship”¹⁴² – was part of a broader North Korean strategy, whereby nuclear development became both a defensive end in itself, and a means towards a social outcome, namely recognition as an exceptional nuclear power – which had undergone nuclear development beyond the NPT – and negotiating partner of the United States. In so doing, North Korea could continue to blame the US, and its “hostile policy”, to vindicate its provocations, hoping that the US would offer concessions pertaining to economic and diplomatic normalisation.

A nuclear North Korea: increased agency and a quest for recognition

Six days before North Korea conducted its first nuclear test, the DPRK Foreign Ministry hinted that the “U.S.’s extreme threat of a nuclear war and sanctions and pressure” may “compel the

¹⁴⁰ *Ibid.*

¹⁴¹ KCNA, ‘DPRK Foreign Ministry Refutes “Resolution of UN Security Council’, 16 July 2006. UNSCR 1695 (2006), 15 July 2006.

¹⁴² Pacheco Pardo (2014)

DPRK to conduct a nuclear test.” The same statement highlighted the DPRK’s “principled stand...to materialize the denuclearization of the peninsula through dialogue.”¹⁴³ Although these claims may seem contradictory, North Korea recognised the importance of at least pledging mock compliance with nuclear norms, particularly nuclear disarmament, a commitment that the US, as the custodian of the global nuclear order, had not fulfilled.

North Korea followed through on its warning: its first nuclear test, on 9 October 2006, was its most attention-seeking manoeuvre to date. As state media asserted, the test – which international observers described as only “partially successful”¹⁴⁴ – was motivated by domestic and international factors: the former, representing the desires of the “KPA and the people to have powerful self-reliant defence capability”; the latter, as “entirely attributable to the U.S. nuclear threat, sanctions and pressure.” Yet, the Foreign Ministry also emphasised how the test would “constitute a positive measure” for the implementation of the September 19 Joint Statement, in abiding by “Kim Il Sung’s last instruction” regarding his “will to denuclearize the peninsula through dialogue.”¹⁴⁵

This statement may seem paradoxical, whereby, according to the DPRK, its first nuclear test signified a “positive measure” for implementing an agreement whereby North Korea would re-enter into compliance with the NPT, in effect, as a non-nuclear weapons state. Yet, when understood through the lens of negative status, and the framework of strategic delinquency, North Korea’s claims are not illogical. As a former South Korean official to the SPT highlighted, the nuclear test was a means of protection in the face of “the absolute military

¹⁴³ The Foreign Ministry described the “grave situation on the Korean Peninsula in which the supreme interests and security of our State are seriously infringed upon and the Korean nation stands at the crossroads of life and death.” KCNA, ‘DPRK Foreign Ministry Clarifies Stand on New Measures to Bolster War Deterrent’, 4 October 2006.

¹⁴⁴ Hecker (2010:47)

¹⁴⁵ KCNA, ‘DPRK Foreign Ministry Spokesman on U.S. Moves Concerning Its Nuclear Test’, 12 October 2006.

power of the US” and the US “hostile policy...North Korea said that their nuclear weapons would expedite the denuclearization process since North Korea could deal with the US as an equal partner, with equal treatment.”¹⁴⁶ Thus, norm-deviant behaviour would catalyse bilateral dialogue with the United States, from which status recognition as an exceptional, nuclear state, could be gained.

Whilst the logic behind North Korea’s decision to conduct a nuclear test, particularly during the Six-Party Talks, was deemed as “perverse” by a former UK Ambassador to the DPRK, “in North Korea’s eyes, [the Talks] were dead.”¹⁴⁷ One possible reason for North Korea’s decision vis-à-vis nuclear testing in October 2006 could have been that Kim Jong-il was pressured into doing so by factions within military elites.¹⁴⁸ At the same time, a former US official stressed how North Korean officials revealed to him that “it was because of the Banco Delta Asia [issue] and the feeling that the US was not sincere in its Joint Statement of 2005.”¹⁴⁹ The DPRK’s emphasis on reciprocity – a lesson learned from the failure of the Agreed Framework – became a core means for North Korea to justify its delinquent behaviour, including the nuclear test, within the context of the US failure to abide by its pledges in the Joint Statement, and its continued “hostile policy” owing to the BDA freeze. Such a reason was supported by a former negotiator of KEDO, who highlighted to the author how the nuclear test took place since the DPRK “felt there was no benefit...from continuing to talking to the US, and they wanted to up the ante; so, they doubled down and said, *ok, now we’ve got nuclear weapons, it’s going to cost you more.*”¹⁵⁰

¹⁴⁶ ROK official (interview, 2019).

¹⁴⁷ UK diplomat (interview, 2019)

¹⁴⁸ Embassy Shanghai, WikiLeaks Cable: 06SHANGHAI6518_a, 13 October 2006. a

¹⁴⁹ US official (interview, 2019)

¹⁵⁰ KEDO negotiator (interview, 2019)

Thus, interview evidence with South Korean and US officials concur that the frozen BDA funds influenced North Korea's decision to test its first nuclear device in 2006. Moreover, the nuclear test offered North Korea leverage in any dialogue with the United States in the longer-term.¹⁵¹ Whilst the so-called "treasured sword" of nuclear weapons did indeed bring material benefits, namely deterrence, the nuclear test became a critical "brinkmanship tactic", as a South Korean official aptly put it:

"whenever they [the DPRK] make provocations, they get something in return. When the North Koreans blasted the first bomb, the Americans began negotiations...North Korea believes that this is the way to handle America; by making provocations to try and form a certain atmosphere in which they can have some negotiations in their favour."¹⁵²

Other officials emphasised the status value of North Korea's nuclear weapons programme. A senior South Korean negotiator argued how the DPRK could have delayed the nuclear test "if they had a satisfactory deal with the US", but "they decided that by testing, they would get the upper hand, but also take the opportunity to make technical progress in nuclear development." Indeed, the visible provocation of the nuclear test represented confirmed North Korea's earlier assertion of its status as a "full-fledged nuclear state."¹⁵³ As the envoy put it: "before that [test], they were clearly saying they had a nuclear deterrent, but they wanted others to believe they had the capabilities [so that] they could have a much better deal on the table." Despite the short-term cost of the BDA asset freeze, the nuclear test demonstrated the power of negative status, whereby, as the negotiator emphasised, North Korea "could expect to have different treatment

¹⁵¹ US official (interview, 2019).

¹⁵² ROK official (interview, 2019).

¹⁵³ KCNA, 'DPRK Foreign Ministry Spokesman on Denuclearization...' 31 March 2005.

when the US knew they had nuclear weapons”, marked by social recognition as an exceptional nuclear state, and an equal nuclear partner.¹⁵⁴ As these statements show, the DPRK continually pursued technical development of nuclear weapons, coupled with the normalisation of relations with the United States.

Yet, Pyongyang would have to wait for any “better deal” and “different treatment.” UNSCR 1718 called on North Korea to return to the Six-Party Talks and Non-Proliferation Treaty, a move which North Korea dismissed as an infringement on sovereignty, whilst concurrently reassuring the international community of its commitments to “promote the worldwide nuclear disarmament.”¹⁵⁵ Such lip-service to nuclear norms can be seen within the context of how the nuclear test provided North Korea with an opportunity to assert itself as a nuclear-armed state, towards domestic and international audiences, whilst continue to blame the US “hostile policy” for its nuclear behaviour. Indeed, North Korea insisted it would only return to the SPT if the BDA funds were unfrozen, and that it would not conduct any further nuclear tests “unless the US harasses the North.”¹⁵⁶ Thus, the DPRK’s focus on the US “hostile policy”, and its emphasis on reciprocal measures, became a recurrent theme during the second nuclear crisis. As the framework of strategic delinquency demonstrates, and as a former US official involved in the SPT corroborated to the author, North Korea’s negotiating strategy at this time was premised around the idea that they “always want you to give up as much of your stuff at the beginning, while they reserve all their important stuff for the end”, such as to maximise the social and material payoffs from their minimal concessions: “no sanctions; give us a peace treaty; and then we’ll address your concerns, which is explicitly what they said.”¹⁵⁷

¹⁵⁴ ROK official (interview, 2019)

¹⁵⁵ UNSCR 1718, S/RES/1718 (2006), 14 October 2006; KCNA, ‘DPRK Foreign Ministry Spokesman Totally Refutes UNSC “Resolution”’, 18 October 2006.

¹⁵⁶ ‘China envoy holds talks with Kim Jong-Il in Pyongyang’ *Xinhua*, 19 October 2006; “N Korea won’t stage second nuke test unless provoked” *Xinhua*, 22 October 2006.

¹⁵⁷ US official (interview, 2019)

Negotiating with a nuclear North Korea?

The international community was desperate for the DPRK to return to the Six-Party Talks. In particular, the US wished to avoid being seen, by domestic audiences, as unwilling to compel North Korea to comply with the global nuclear order. At the same time, North Korea's reservations about returning to the SPT remained centred around its unequal status within the multilateral forum. Such inequality, from Pyongyang's perspective, was recounted by a former South Korean official, who stressed how North Korean officials would repeatedly lament that "the Six Party Talks are not a tribunal against North Korea", hosted by China, and led by the United States.¹⁵⁸ Whilst dialogue may, in North Korea's eyes, have granted recognition as an exceptional nuclear state vis-à-vis the DPRK's ability to develop indigenous nuclear capability beyond the nonproliferation regime, such exceptionality remained a negative attribute according to the other five parties. Although trilateral talks between the US, DPRK, and PRC, in October and November 2006, led to North Korea agreeing to re-enter the SPT, North Korea only underscored its preference for bilateral dialogue with the United States, not least owing to the social benefits of recognition as a dialogue partner. This perspective reinforced North Korea's approach towards the bifurcated nature of the global nuclear order, whereby the distinction between NWS, NNWS, and non-NPT signatories was both arbitrary and discriminatory towards the DPRK. North Korea continued to view the multilateral talks as obstructing any bilateral negotiations between the US and DPRK.¹⁵⁹

¹⁵⁸ ROK official (interview, 2019)

¹⁵⁹ Singaporean official (interview, 2019).

The recommencement of the SPT on 18 December 2006 was short-lived, given North Korea's opposition towards the continual freeze of BDA funds, and the US's ongoing refusal to lift any sanctions prior to any nuclear concessions from the DPRK. Yet, North Korean statements highlight that senior DPRK officials may have been aware of the US's dilemma between incentivising the DPRK into compliance, whilst remaining adamant that the sequencing of denuclearisation should commence with nuclear concessions from Pyongyang. In one example, a statement by North Korean official Kim Kye-gwan reinforced how the DPRK viewed the US as "jointly undertaking dialogue and pressure, carrots and sticks. And we are standing against them with dialogue and shields, and by a shield we are saying we will further improve our deterrent."¹⁶⁰ As was becoming a common theme throughout the second nuclear crisis, the DPRK would only take concessionary measures following those adopted by the United States. In line with the strategic delinquency framework, North Korea wanted to ensure it could regain the unfrozen BDA funds without making substantial concessions on its nuclear programme. Thus, during the second phase of the second nuclear crisis, Pyongyang's behaviour was increasingly driven by a need to assert its self-perceived status as a "nuclear state." However, over time, the DPRK would learn that to reap benefits, it could not continue its obstinacy in refusing to make nuclear concessions, whether verbal or tangible.

Phase 3: The benefits of feigned compliance

Mitchell Reiss, KEDO's chief negotiator to the DPRK, admitted in 2008 how a key "procedural shortcoming" of the SPT was that the DPRK would only "emerg[e] from its shell [at the talks]

¹⁶⁰ Kahn (2006); 'North Korea blames stalled talks on U.S. money curbs' *Reuters*, 22 December 2006.

after many months of cajoling, flattery, and outright bribery by some of the other parties...it sometimes seems as if the sole objective of the Six-Party Talks is to get Pyongyang simply to show up.”¹⁶¹ During the third phase of the second nuclear crisis, the DPRK only decided to “show up” after benefits were provided by the other five parties.

The third phase was characterised by several themes pertaining to North Korea’s behaviour: first, as was consistent with the first two phases, a repeated preference for bilateral talks with the US, instead of the multilateral format of the Six-Party Talks; secondly, increased mock compliance with the norms of the global nuclear order; thirdly, heightened agency-assertion as a nuclear-armed state, particularly following its first nuclear test in 2006. As will be argued in this section, from November 2006 to August 2009, the DPRK initially exercised ‘mock’ compliance with the nuclear order to accelerate the receipt of high-level dialogue, and possible economic concessions from the United States. Whilst low-intensity brinkmanship and tit-for-tat behaviour with the US continued until Pyongyang’s interests were accommodated, such brinkmanship intensified when North Korea recognised that no further benefits could be obtained from the Six-Party Talks. Table 2 shows the shift in North Korea’s behaviour, particularly as the Six-Party Talks stalled over the issue of verification of North Korea’s nuclear programme.

Date	US behaviour	North Korean response	Type of behaviour on the part of DPRK
13 Feb 2007	Joint Statement Pledges to continue US-DPRK bilateral relations; aims to remove DPRK from State Sponsor of Terrorism (SST) List and end Trading with the Enemy Act (TENA); five parties agree to	Joint Statement Pledges to close and seal Yongbyon and reprocessing facility within sixty days; invite IAEA inspections; declare nuclear programmes in full.	Compliant

¹⁶¹ Reiss (2008:111)

	provide energy, economic, and humanitarian aid to DPRK.		
14 June 2007	Transfers Banco Delta Asia funds to North Korea.	Invite IAEA inspectors to discuss shutdown of operations at Yongbyon; operations suspended in July.	Compliant
7 September 2007	In response to North Korea's pledge, President Bush outlines plans for a peace agreement with the DPRK following its disarmament.	Pledges to declare its nuclear programmes and disable all existing facilities in return for economic, enemy, and humanitarian aid.	Compliant
3 Oct 2007	Joint Statement Pledges to increase US-DPRK bilateral exchanges; instigates processes to remove the DPRK from the SST list and TENA in parallel with North Korea's actions.	Joint Statement Agrees to disable all nuclear facilities and reprocessing plants; would provide a complete declaration of all nuclear programmes by end of 2007.	Compliant
31 Dec 2007	Continues dialogue even after North Korea does not meet the 31 December deadline for its nuclear declaration.	Accuses the US of renegeing on its commitments vis-à-vis removal from SST list.	Delinquent
26 June 2008	North Korea presents a declaration of its nuclear stockpile to China; US delists North Korea from the Trading with the Enemy Act; Bush notifies Congress of intention to remove the DPRK from the list of SST.	Agrees to implement September 19 agreement; destroys a cooling tower at an atomic reactor at Yongbyon.	Compliant
August 2008	Fails to delist the DPRK as a state sponsor of terrorism within the intended timeframe.	Restarts fuel reprocessing at Yongbyon; IAEA removes seals and surveillance from the reprocessing plant; IAEA inspectors barred from 9 October.	Delinquent
11 Oct 2008	Removes North Korea as a state sponsor of terrorism	Resumes disablement of nuclear facilities; allowed US inspectors to Yongbyon	Compliant
Dec 2008	Suspends fuel shipments to DPRK given lack of verification commitment	Threatens to adjust disablement of nuclear facilities if aid is suspended	Delinquent
		Launches a <i>Taepodong-II</i> missile which it claims to be a "communications satellite."	Delinquent
April 2009	UNSC condemns <i>Taepodong-II</i> missile launch.	Withdraws from the Six-Party Talks.	Delinquent
29 April 2009		Restarts fuel rod reprocessing at Yongbyon and warns of further missile launches and nuclear tests.	Delinquent
25 May 2009		Conducts second nuclear test.	Delinquent

Table 2: Strategic delinquency in the third phase of the second nuclear crisis

The benefit of bilateral negotiations

Early in this third phase, high-level negotiations in January 2007 saw North Korea gain benefits in return for substantive concessions. North Korea agreed to re-enter the SPT; freeze its Yongbyon nuclear facility; allow IAEA monitoring, and halt future illicit activities after which the US would release the frozen Banco Delta Asia funds, and provide economic aid.¹⁶² With the resumption of the SPT on 8 February, the ROK, too, agreed to provide the DPRK with heavy fuel oil following an initial freeze at Yongbyon, and would increase the quantity should North Korea disable the reactor completely, and declare its nuclear programmes. Within policy circles in Seoul and Washington, there was hope. As a South Korean negotiator to the SPT stressed: “with BDA alone, we could get something significant from North Korea.”¹⁶³

Such optimism continued with the signing of a further agreement between the six parties, on 13 February 2007, which aimed to implement the Joint Statement of 19 September 2005. North Korea was given sixty days to close Yongbyon and its reprocessing facility, invite IAEA inspections, and declare its nuclear programmes. In return, US-DPRK bilateral talks would continue, and the US would aim to remove the DPRK from the State Sponsors of Terrorism (SST) list, and end the Trading with the Enemy Act with respect to the DPRK. The five parties agreed to provide energy, economic, and humanitarian aid to the North.¹⁶⁴ In no uncertain terms, North Korea was receiving material and social benefits. Yet, it must be recognised that the social stigma of North Korea being listed a state sponsor of terrorism concerned officials in Pyongyang. In a conversation with his South Korean counterpart, Kim Kye-gwan, the then-lead North Korean negotiator to the SPT, reiterated these concerns, arguing how “the image of North Korea began to be tarnished from the time North Korea was put on the list.” North Korea

¹⁶² Kessler & Cody (2007); Yardley (2007).

¹⁶³ ROK official (interview, 2019).

¹⁶⁴ USDS, ‘North Korea – Denuclearization Action Plan...’, 13 February 2007.

thus feared that international perceptions of the regime-state as a rogue actor could “be used on them in a bad way by the US, when the US was fighting the war on terrorism.”

The same South Korean official, however, expressed cynicism at North Korea’s newfound desire to comply with nuclear norms, asserting how “they believe[d] the February 13, 2007 agreement was produced after, and as a result of the first nuclear test...when they showed the US the real capability to do harm. The US had no choice but to come [to negotiations].”¹⁶⁵ Such logic supports the framework of strategic delinquency; whilst delinquent behaviour may, in itself, bring benefits, oscillations between delinquency and compliance offer another path towards positive outcomes. Moreover, as will be contended, this oscillation would intensify in the second nuclear crisis’s third phase. As a Chinese governmental official put it, in 2008: North Korea is akin to “a misbehaving child who requires chocolates and patience to induce positive behavio[u]r.”¹⁶⁶

The US decided to release the BDA assets after North Korea pledged to use the funds solely for humanitarian and educational domestic purposes.¹⁶⁷ Whilst the actual receipt of the funds would occur much later, according to a South Korean negotiator instrumental in their release, doing so was not a mere act of goodwill on the part of the US and its allies: “when we promised to unfreeze the funds of BDA, we insisted that a [nuclear] unfreeze was not enough. What Kim Kye-gwan agreed to, was the disablement of Yongbyon facilities.”¹⁶⁸ Yet, the US overestimated the extent to which North Korea would concede on its nuclear programme following the unfreeze of the funds. As a former KEDO negotiator wryly emphasised, “Chris

¹⁶⁵ ROK official (interview, 2019).

¹⁶⁶ Embassy Moscow, WikiLeaks Cable: 08MOSCOW2856_a, 24 September 2008.

¹⁶⁷ USDT, “Statement by DAS Glaser on the Disposition of DPRK-Related Funds Frozen at Banco Delta Asia”, 19 March 2007,

¹⁶⁸ ROK official (interview, 2019).

Hill thought he was one meeting away from a breakthrough [regarding a denuclearisation deal with the DPRK] after unfreezing their funds.”¹⁶⁹

The US desperation for North Korea to comply with the Six-Party Talks was evident in the extent to which the five parties of the SPT were willing to reward North Korea for its norm-compliant behaviour, even if such compliance could be easily reversed. Following the suspension of its facilities at Yongbyon, in July 2007, South Korea provided the DPRK with 50 000 tons of heavy fuel oil. With the Yongbyon reactor disabled and sealed, the DPRK pledged it would declare all nuclear programmes and disable all existing facilities in return for economic, energy, and humanitarian aid, and normalisation of relations with the US.¹⁷⁰ In response, the suggestion of a peace agreement to end the Korean War, put forth by President Bush, and proposal of a joint inter-Korean economic zone by South Korean President Roh Moo-hyun, all sought to reward the DPRK.¹⁷¹

Yet, international suspicions of North Korea’s continued involvement in clandestine nuclear proliferation networks were revived following Israel’s successful air strike on a suspected nuclear reactor in Syria, at the al-Kibar site, on 16 September, given speculation about North Korea’s involvement in the construction of the reactor, and its nuclear trade with Syria during the 1990s.¹⁷² Nevertheless, despite the negative status imposed upon the DPRK by such revelations, the US strongly desired to continue negotiations, in response to North Korea’s

¹⁶⁹ KEDO negotiator (interview, 2019).

¹⁷⁰ ‘Press Communiqué of the Head of Delegation Meeting of the Sixth Round of the Six-Party Talks’, 20 July 2007.

¹⁷¹ ‘President Bush Meets with South Korean President Roh’, 7 September 2007, *WH*. Yet, evidence asserts that the meeting did not make any substantial progress on removing mistrust in inter-Korean relations See: Embassy Seoul, WikiLeaks Cable: 07SEOUL3006, 4 October 2007.

¹⁷² Mazzetti & Cooper (2007); Kessler (2007); ‘Background Briefing with Senior U.S. Officials’ *ODI*, 24 April 2008; U.S. State Department, WikiLeaks Cable: 09STATE103755_a, 6 October 2009.

increasing pledges of compliance with the norms of the nuclear order, as outlined in the 13 February agreement.

Greater compliance with the nuclear order

North Korea displayed further compliance with nuclear norms during the second phase of the sixth round of SPT, from 27 to 30 September 2007. The Joint Statement of 3 October outlined the second set of actions to implement those in the September 2005 Joint Statement. On the part of the DPRK, these actions comprised the disablement of all nuclear facilities and reprocessing plants, and a complete declaration of all nuclear programmes by the end of the year. In return, the US would accelerate US-DPRK bilateral dialogue, remove the DPRK from the State Sponsor of Terrorism List, and terminate the Trading with the Enemy Act. Such actions would take place “in parallel with the DPRK’s actions.”¹⁷³ North Korea also committed to greater cooperation with the South, even if its concessions in relation to nuclear norms were more limited. In a second inter-Korean summit in 2007 – between President Roh and Kim Jong-il – the two Koreas agreed to non-interference, implementation of the SPT statements, and greater economic cooperation.¹⁷⁴ In contrast to previous phases of the second nuclear crisis, North Korea was indeed able to reap benefits from norm-compliant – in addition to norm-breaking – behaviour.

It would be premature to suggest, however, that the DPRK abandoned its core goals of developing a nuclear deterrent, and normalising relations with the United States. Although Pacheco Pardo posits how after the first nuclear test, North Korea’s pursuit of diplomatic

¹⁷³ USDS, ‘Six-Party Talks -- Second-Phase Actions for the Implementation of the September 2005 Joint Statement, October 3, 2007.’

¹⁷⁴ ‘Declaration on the Advancement of South-North Korea Relations, Peace and Prosperity’, 4 October 2007.

normalisation decreased in potency, given its more aggressive quest for nuclear development, the framework of strategic delinquency highlights how these objectives need not be in tension.¹⁷⁵ The material benefit of deterrence and the social benefit of recognition as a sovereign actor – brought by diplomatic normalisation – could be concurrently reaped.

From the end of 2007, as Table 2 shows, North Korea's behaviour shifted from norm-compliant to increasingly delinquent actions vis-à-vis the nuclear order, driven by several material and social concerns. First, a visit by US experts to Yongbyon in November 2007 found traces of enriched uranium on aluminium tubes, suggesting how although earlier in the crisis, North Korea may have learned the limits of deception, the DPRK did not completely abandon this type of delinquent behaviour. As a senior South Korean negotiator put it: "I suspect Kim Kye-gwan knew that North Korea was trying to hide. From that moment [when US officials were shown the North's nuclear facilities], they thought that even if they abandoned their plutonium programme, they could still pursue a nuclear weapons programme without being detected."¹⁷⁶ This observation suggests that during the latter phase of the second nuclear crisis, the DPRK could have implemented lessons from its behaviour during the early Bush administration, namely, pledging to halt plutonium reprocessing at Yongbyon, but develop nuclear weapons through other, covert means.

Eager to reach a deal with North Korea, high-level US-DPRK talks continued even after the DPRK failed to meet the 31 December 2007 deadline to declare its nuclear programmes. The North Korean Foreign Ministry justified the delay on account of the US "not honor[ing] its commitments to cross the DPRK off the list of "sponsors of terrorism" and stop applying the

¹⁷⁵ Pacheco Pardo (2014:118)

¹⁷⁶ ROK official (interview, 2019).

“Trading with the Enemy Act”.¹⁷⁷ North Korea retained interest in dialogue, but tit-for-tat diplomacy would continue apace. The DPRK would not abide by any commitments if the US did not realise its own assurances towards North Korea. By committing to “work towards” complete dismantlement of its Yongbyon nuclear facility by October 2008, North Korea attested how any progress towards dismantlement would only bear fruit if the US “hostile policy” diminished.¹⁷⁸

Evidence of such tit-for-tat actions can be seen when, on 26 June 2008, North Korea provided a declaration of its nuclear stockpile to China, after which the US removed the DPRK from the Trading with the Enemy Act, and President Bush notified Congress of his intention to remove the US from the SST list.¹⁷⁹ In a visual act of norm-compliance, the DPRK destroyed a cooling tower at an atomic reactor at Yongbyon, on 28 June, in view of international observers.¹⁸⁰ Such an example reinforced North Korea’s preference for bilateral dialogue with the United States over any multilateral initiative, given how it was ultimately the US “hostile policy” that determined North Korea’s behaviour.

Yet, the intentions underpinning the destruction of the cooling tower were unclear, particularly whether North Korea intended to comply with nuclear norms, “in show of nuclear accord”, as *The Washington Post* reported, or if such an act merely represented feigned compliance. Interview evidence points to both arguments. A US negotiator with the DPRK viewed the destruction of the cooling tower as “a symbol that somehow, we were getting them off their

¹⁷⁷ KCNA, ‘DPRK Foreign Ministry Spokesman on Issue of Implementation of October 3 Agreement’, 4 January 2008.

¹⁷⁸ ‘Press Communique of the Heads of Delegation Meeting...’, 12 July 2008.

¹⁷⁹ USDS, ‘North Korean Six-Party Talks and Implementation activities’; USDS, ‘North Korea: Presidential Action on State Sponsor of Terrorism (SST) and the Trading with the Enemy Act (TWEA)’ 26 June 2008; “President Bush Discusses North Korea”, *WH*, 26 June 2008.

¹⁸⁰ Choe (2008a); Onishi (2008); Harden & Kim (2008).

plutonium programme”, admitting how whilst the US engagement did not succeed in “getting North Korea not to be interested in nuclear weapons”, it allowed the US to “sabotage things”, namely plutonium and HEU production.¹⁸¹ Nevertheless, North Korea would engage in “low-intensity brinkmanship” – as Pacheco Pardo posits – and heighten its provocative behaviour over time, given what it deemed to be an increasingly unwillingness of the United States to abandon its “hostile policy.”¹⁸²

Verification problems: an acceleration of delinquency and the US “hostile policy”

From August 2008, North Korea exacerbated its delinquent behaviour in response to what it deemed to be a failure of the US to fulfil earlier commitments, as Pyongyang realised that continued participation in the SPT, and dialogue with the United States, would not bring its desired outcomes. As a former South Korean envoy to the SPT emphasised: “if the prospects of negotiations were dim, then they would shift to brinkmanship to cause other states to make concessions. It was a cycle of negotiations, provocations, then negotiations. This would go on and on.”¹⁸³ This cyclical behaviour became particularly potent from mid-2008, whereby North Korea exercised brinkmanship to seek the attention of the international community, especially the US, whilst avoiding any compromise on its nuclear ambitions. Although interviews with serving South Korean and US negotiators with the DPRK at the time show how such behaviour became increasingly anticipated, there remained a lack of clarity as to the extent of North Korea’s commitment to previous agreements made as part of the SPT, since “North Korea would continue with the Six-Party Talks, but make further demands to maximize its awards at each stage.”¹⁸⁴

¹⁸¹ US official (interview, 2019)

¹⁸² Pacheco Pardo (2014:57-63; 2019:68-79).

¹⁸³ ROK official (interview, 2019)

¹⁸⁴ Embassy Shanghai, WikiLeaks Cable: 07SHANGHAI416_a, 5 July 2007.

Low-intensity brinkmanship involved the recommencement of fuel reprocessing at Yongbyon, removal of IAEA seals and surveillance, and barring of IAEA inspectors from 9 October 2008, after the US did not delist the DPRK as a State Sponsor of Terrorism (SST) in the pledged forty-five day timeframe, as President Bush assured in June.¹⁸⁵ The DPRK's persistent concern with being listed as a SST reflected its highly social framing of international order, and its understanding that whilst negative status may bring benefits, the social costs of being portrayed as a 'rogue' nuclear state could be used by the US to exacerbate its "hostile policy." At the same time, North Korea was able to exploit the US's reticence towards immediately removing it from the SST list, by continuing its nuclear ambitions, owing to the damage to its status brought by such a social designation.¹⁸⁶

The US did eventually remove the DPRK as a SST, on 11 October 2008, a manoeuvre reciprocated with the DPRK's resumption of disabling its nuclear facilities; IAEA and US inspectors were also permitted to revisit Yongbyon.¹⁸⁷ Such reactive behaviour can be placed within the context of North Korea's goals at the time: the first, as underscored by a former South Korean official, that the DPRK was "desperate for a deal" with the US, owing to the social and economic benefits of recognition.¹⁸⁸ Secondly, that North Korea wished to please the United States – and other SPT members – by exercising mock compliance with the nuclear order, whilst "retain[ing] a hedge to be able to restart the facilities if the [October 3 2007] agreement f[e]ll through."¹⁸⁹ These two aims are not mutually exclusive, particularly vis-à-vis

¹⁸⁵ KCNA, 'Foreign Ministry Spokesman on DPRK's Decision to Suspend Activities to Disable Nuclear Facilities', 26 August 2008; IAEA, 'IAEA Inspectors No Longer Permitted Access to Yongbyon', 9 October 2008; "U.S. won't take N. Korea off terrorism list yet" *Reuters*, 11 August 2008.

¹⁸⁶ ROK official (interview, 2019)

¹⁸⁷ KCNA, "Foreign Ministry Spokesman on DPRK's Will to Cooperate in Verification of Objects of Nuclear Disablement", 13 October 2008.

¹⁸⁸ ROK official (interview, 2019)

¹⁸⁹ Report of visit to the Democratic People's Republic of North Korea (DPRK), Pyongyang, and the nuclear center at Yongbyon, February 12-16, 2008. Prof. Siegfried S. Hecker." Center for International Security and

the importance of feigned compliant behaviour in masking delinquency. Indeed, a lesson the DPRK learned from the collapse of the Agreed Framework was that the US would not always follow through on its commitments; the collapse of the Framework became a core reference point to which North Korea would continually refer, to justify its future nuclear behaviour.

Yet, as Table 2 highlights, late 2008 saw an acceleration in bad behaviour and a divergence from compliance with nuclear norms. Cleavages within the Six-Party Talks regime developed, regarding disablement and verification mechanisms of North Korea's nuclear facilities. There was a marked increase in agency assertion from North Korea, in insisting how any verification would be limited to "field visit, confirmation of document and interview with technicians" specifically at its Yongbyon facilities.¹⁹⁰ Such a minimal approach contrasted starkly with the US policy of complete verification and dismantlement of all declared and undeclared facilities, and the collection of samples from these facilities; an approach unacceptable to North Korea. In response, North Korea postponed the pace of unloading fuel rods, justifying this move with the delayed receipt of economic compensation by the five parties, as set out in the February and October SPT agreements.¹⁹¹ A US official "in the room" at the time recounted to the author how North Korean officials "were saying *we can't give you a carte blanche to look at every facility that is suspicious, but why not start with what you had [in the declaration], and we can increase the scope in the future.*" Central to the North Korean approach, as had become clear from the beginning of the SPT, was the emphasis on "countermeasures" taken by the US in response to any "very small steps" taken by the North.¹⁹²

Cooperation, Stanford University", in "North Korea and its Nuclear Program – a reality check. A report to Members of the Committee on foreign Relations, United States Senate, October 23, 2008", p.7. available at: https://fas.org/irp/congress/2008_rpt/dprk.pdf

¹⁹⁰ KCNA, 'Foreign Ministry Spokesman Holds Some Forces Accountable for Delayed Implementation of Agreement', 12 November 2008.

¹⁹¹ The 'delayed economic compensation' referred to the energy assistance that the DPRK claimed it would receive from the other five parties, following the freeze of the Yongbyon reactor in July 2007. See: Crail (2008b).

¹⁹² US official (interview, 2019)

This time, high-level US-DPRK dialogue would not be a sufficient benefit for North Korea to accommodate international demands, even via mock compliance. Nevertheless, normalisation of relations with the United States – and the accompanying social benefits of recognition – continued to be an objective for North Korea. Specifically, North Korea’s strategic engagement with international order remained premised upon the idea that any benefits from its behaviour did not outweigh the costs. In this case, the costs of verification surpassed the benefits of talks to compel the US into accommodating North Korea’s demands. High-level US-DPRK dialogue in October 2008 achieved merely an “oral understanding”; whilst all parties to the SPT agreed to implement the disablement of the Yongbyon nuclear facilities in return for economic and energy assistance to the DPRK, this consensus was not realised in practice.¹⁹³ North Korea did, however, benefit from continued economic and energy provisions of Russia and China, irrespective of progress at Yongbyon, but the suspension of US fuel shipments to the DPRK in December 2008 only catalysed further provocations from North Korea, both rhetorical and visible.¹⁹⁴

The collapse of the Six-Party Talks

North Korea subsequently restarted nuclear operations, a manoeuvre which initiated the precipitous collapse of the Six-Party Talks.¹⁹⁵ Interview evidence from US and South Korean officials involved in the SPT reveals a consensus regarding how the SPT regime broke down quickly over the issue of verification. A former US negotiator with the DPRK stressed how since North Korea “would not agree to inspection, verification, and an inspection protocol that

¹⁹³ ‘Chairman’s Statement of the Six-Party Talks’, 11 December 2008, *Ministry of Foreign Affairs of Japan*.

¹⁹⁴ USDS, ‘Daily Press Briefing, Sean McCormack’, Spokesman, Washington, DC, 12 December 2008.

¹⁹⁵ ‘N. Korea threatens to slow nuclear disablement’ *Reuters*, 14 December 2008.

would address undeclared sites...all of our efforts to get negotiations started to fall apart.”¹⁹⁶ These observations were corroborated by those of another senior US official, who insisted to the author how the “failure of the Talks lay on the North Korean side”, given the North Korean refusal to allow “inspection, verification, and [an] inspection protocol that would address undeclared sites.”¹⁹⁷ Given Hill’s role as the US negotiator to the Six-Party Talks, with a strong domestic impetus for reaching a deal with the DPRK, such a conclusion is unsurprising. As a US analyst who engaged in Track 1.5 dialogue with the DPRK, pointed out, on meeting Hill after the SPT were over, Hill admitted cynically: “I’m glad I left the job...these guys [the DPRK] won’t implement.”¹⁹⁸

South Korean envoys to the SPT corroborated the idea that the issue of verification was a “direct cause of the collapse” of the SPT, but, concurrently, a more fundamental question pertained to how “North Korea didn’t like the six-party format. They preferred to have bilateral negotiations with the Americans...the North Koreans mentioned frequently that the Six-Party Talks are dead.”¹⁹⁹ Whilst the Talks may have provided Pyongyang with an opportunity to negotiate with the US and other parties, not least the PRC, North Korea was not an equal participant as such, given how the aim of the SPT was to compel the DPRK towards denuclearisation. Moreover, somewhat ironically, visits by US scientists to the DPRK’s nuclear facilities throughout 2008 did not reconcile the divergent US and North Korean approaches to verification. Rather, US suspicions of North Korea’s covert HEU programme, as was evident in the early 2000s, only heightened. As a former South Korean negotiator corroborated: “North

¹⁹⁶ US official (interview 2019)

¹⁹⁷ US official (interview, 2019)

¹⁹⁸ Track 1.5 official (interview, 2019)

¹⁹⁹ ROK official (interview, 2019).

Korea believed that by going so far as showing their missile plant and giving samples... they could clarify US suspicions; but it only enhanced them. It backfired.”²⁰⁰

North Korea continued to justify its lack of compliance with US demands for verification owing to the US’s inability to uphold the “action for action” principle of the SPT agreements, and the lack of provision of the pledged economic benefits.²⁰¹ Such evidence also points to North Korea’s longstanding approach of capitalising upon the SPT to extract economic assistance, and recognition as a dialogue partner of the United States, whilst making unsubstantial concessions on its nuclear programme. Indeed, it was not simply that the DPRK began to see any further negotiations regarding verification as not achieving its demands; at its core, the regime-state knew that, as a former US negotiator with the DPRK summarised: “if they [the DPRK] agreed to verification; they would have to give up [nuclear weapons],” a move that would fundamentally contradict North Korea’s interests.²⁰²

Whilst the SPT were slowly collapsing, questions of North Korea’s internal politics proliferated policy circles in Washington and Seoul. Speculation of Kim Jong-il’s health, following a stroke in mid-August 2008, led to some negotiators concluding that “decision making was breaking down” within the North Korean regime.²⁰³ Kim’s “failure to anoint a successor” in a similar vein to his father escalated concerns of regime stability, given increasing uncertainty amongst policymakers regarding whether any decision for the DPRK to disarm

²⁰⁰ ROK official (interview, 2019).

²⁰¹ KCNA, ‘KCNA Dismisses Misinformation about Verification Issue’, 24 November 2008; KCNA, ‘Foreign Ministry Spokesman Holds Some Forces Accountable for Delayed Implementation of Agreement’, 13 November 2008.

²⁰² US official (interview, 2019).

²⁰³ US official (interview, 2019). For speculations on Kim Jong-il’s health, see: ‘Kim Jong-il’s first son signals father’s illness’, *Yonhap*, 19 September 2008; ‘N. Korean leader has little chance of full recovery: ex-CIA officer’ *Kyodo*, 19 September 2008; ‘S. Korea ‘still confirming’ reports on N. Korean leader’s health’ *Kyodo*, 18 September 2008; Choe (2008b). The DPRK dismissed such speculation; see: ‘N.K. negotiator denies speculation on Kim’s health as ‘sophism’ *Yonhap*, 19 September 2008.

would be taken by Kim Jong-il himself, or as a result of pressure from the military.²⁰⁴ Beyond domestic politics, changes in North Korea's external geopolitical environment, too, would affect North Korea's future behavioural calculations. Whilst the election of the Democrat, Barack Obama, as US President on 4 November 2008 may have signalled a less hawkish policy to the DPRK compared to that of Bush, the arrival of the conservative Lee Myung-bak administration in Seoul, in February 2008, impacted North Korea's behaviour and its relations with the US. Lee's anti-engagement approach was evident, jeopardising everything that the US had "struggled, schemed, and bargained to achieve" throughout the SPT process."²⁰⁵ Sympathising with North Korea's frustrations, a US official who negotiated with the DPRK exclaimed: "it's not a one-sided history...Lee Myung-back tore up the 2007 North-South deal that was negotiated when the Bush government took over."²⁰⁶

During this time, North Korea's understandings of the US "hostile policy" broadened much more explicitly into the idea of a hostile US-led international order, which only intensified North Korea's provocative behaviour. The launch of a *Taepodong-II* missile on 5 April 2009, termed an "experimental communications satellite", was condemned in a UNSC Presidential Statement. Yet, whilst in earlier phases of the second nuclear crisis, North Korea exercised mock compliance with the nuclear order to reap benefits, this time, it abruptly declared its permanent withdrawal from the SPT, which Pyongyang deemed to have "lost the meaning of their existence."²⁰⁷

Withdrawal from the Six-Party Talks

²⁰⁴ Embassy Seoul, WikiLeaks Cable: 08SEOUL1020_a, 20 May 2008.

²⁰⁵ Chinoy (2008:374)

²⁰⁶ US Track 1.5 negotiator (interview, 2019).

²⁰⁷ KCNA, 'DPRK Foreign Ministry Vehemently Refutes UNSC's "Presidential Statement"', 14 April 2009.

North Korea's self-declared withdrawal from the SPT was similar to that from the NPT in 2003, allowing it to escape the constraints of the respective multilateral regime, and justify any future breaking of commitments made whilst participating in the Talks. Pyongyang's withdrawal differed from its frequent self-imposed suspensions from the SPT, when it deemed the other parties to be refusing to accommodate its demands, and would only return to the Talks if benefits were provided, such as high-level dialogue with the United States. As a US official in the Obama administration highlighted, North Korea's decision to withdraw was due to an intersection of several factors, namely UNSC condemnation of the missile launch; a new US administration; a conservative administration in Seoul, and frustration with the SPT regime.²⁰⁸ As corroborated by a US negotiator with the DPRK official: "Kim Jong-il made a very conscious decision at the beginning of the Obama administration to destroy the previous Six-Party Talks, in order to start afresh with Obama."²⁰⁹ Whilst the DPRK "could have continued the Six-Party Talks despite the breakdown, they decided to reset the terms of the debate" since it felt no benefits could be gained from continued talks.²¹⁰ Akin to North Korea behaviour in anticipation of the US election outcome in 2004, with the Obama administration's arrival in 2008, from North Korea's perspective, "the slate was wiped clean", and the DPRK could recalculate its behavioural strategies given the likely change in US policies.²¹¹ One slate that was never cleaned, however, was the US "hostile policy", and, furthermore, the DPRK's unwavering preference for bilateral dialogue with the United States as a means of obtaining benefits.

The DPRK sought to leverage the negative status gained from its withdrawal from the SPT by intensifying provocations, threatening to "punish anyone who encroaches upon the sovereignty

²⁰⁸ US official (interview, 2019).

²⁰⁹ US official (interview, 2019).

²¹⁰ US official (interview, 2019).

²¹¹ US official (interview, 2019)

and dignity of the DPRK”, such as through any multilateral sanctions imposed following its missile test.²¹² The continuation of bellicose behaviour throughout April 2009, marked by the restarting of fuel rod reprocessing at Yongbyon, and warnings of future nuclear and missile tests “to defend its supreme interests” culminated in a second nuclear test on 25 May.²¹³ Yet, this time, North Korea did not wait for the US to respond with conciliatory measures to which it could react. The second nuclear test, defended on the grounds of strengthening the DPRK’s “nuclear deterrent for self-defence”, represented a critical moment in North Korea’s desire to develop increasingly sophisticated nuclear and missile capabilities, underscoring the path it could pursue – namely continued nuclear development – if the conditions for normalising relations with the United States were not met.

After the second nuclear test, North Korea exacerbated its counter-stigmatisation of the US, blaming the United States as responsible for the failure of the SPT. As a statement from senior WPK official, Kim Jong-nam, in August 2009, demonstrates, North Korea’s frustrations with the SPT were tethered to its opposition towards the bifurcated global nuclear order, manifest in its dissatisfaction at the “insult” of UNSC sanctions imposed following its nuclear and missile tests, since “the United States, Russia, and China...had launched numerous satellites and conducted numerous nuclear tests.” Kim Yong-nam accused these states of having “killed the Six Party Talks”, and “applying a double standard.” Indeed, Pyongyang’s lack of interest in any of multilateral dialogue was witnessed in Kim’s claim that “the Six Party Talks were dead”, and that “the nuclear issue should be discussed between the United States and the DPRK” only.²¹⁴ This statement reinforced North Korea’s continued preference of bilateral

²¹² KCNA, ‘KPA General Staff Spokesman Blasts Hostile Forces’ Anti-DPRK Racket’, 18 April 2009.

²¹³ KCNA, ‘UNSC Urged to Retract Anti-DPRK Steps’, 29 April 2009

²¹⁴ ‘Meeting with Kim Yong Nam...4 August 2009’, WikiLeaks: The Podesta Emails, no. 56939...

talks with the United States, not least given how for the DPRK, the “hostile policy” remained inherently a product of US policy.

The next section will contend how although North Korea continued to pursue diplomatic relations with the United States, it was unwilling to seek this objective at all costs. As the framework of strategic delinquency demonstrates, delinquent behaviour can be held as a reserve option if attempts at norm-compliant behaviour compromise the state’s interests. Indeed, the DPRK highlighted, in no uncertain terms, how “if the United States was unwilling to co-exist with the DPRK” and “continued to make it difficult for the people of North Korea”, the regime-state “would have to continue to make missiles and nuclear weapons.”²¹⁵

Part IV

Strategic delinquency and the second nuclear crisis

As this chapter has argued, during the second nuclear crisis, North Korea pursued two contradictory goals: diplomatic normalisation with the United States, and the development of a viable nuclear weapons programme. In seeking these two opposing objectives, which may seem strange bedfellows, North Korea exercised delinquent and norm-compliant behaviour, criticising US attempts to uphold the global nuclear order through the promotion of nuclear norms, not least disarmament. The DPRK capitalised upon fissures within the global nuclear order – notably in the first and second phases of the crisis – and exposed inconsistencies within US policy towards North Korea.

²¹⁵ ‘Meeting with Kim Yong Nam...4 August 2009’

The framework of strategic delinquency demonstrates how delinquent and compliant behaviour with respect to international norms can bring dividends; behaviour that induces negative status can, in fact, generate positive outcomes for the state in question. This logic was seen in several instances during the second nuclear crisis, although, ultimately, the DPRK's withdrawal from the Six-Party Talks stemmed from its realisation that no dividends could be gained from continued norm-compliant or delinquent behaviour within the multilateral forum. During the second nuclear crisis, North Korea aimed to rebuke the US, deeming it to be an unbenevolent hegemon, through counter-stigmatisation. In so doing, Pyongyang could justify its behaviour in response to a "hostile" US foreign policy, not only in reframing the social stigma from its delinquent behaviour into a point of social pride but – in furthering Goffman's notion of counter-stigmatisation – gain material benefits as a result.

During the first phase of the crisis, the DPRK's deceptive and norm-transgressive behaviour was both successful and unsuccessful at achieving positive outcomes: the former, given its participation in the Six-Party Talks – albeit as an unequal participant – which it could co-opt for bilateral purposes; the latter, for instance, in its unsuccessful attempt to deceive the US of its covert HEU programme. In the second phase, following its self-declaration as a nuclear state, North Korea initially deployed norm-compliant behaviour vis-à-vis the nuclear order but accelerated provocations after two events, namely the Banco Delta Asia asset freeze in September 2005, and the first nuclear test in 2006. The third phase saw greater norm-compliant behaviour, not least as manifest in the signing of two agreements that pledged to uphold the Joint Statement of 19 September 2005, and abide by nuclear norms. Yet, following the US insistence on verification mechanisms concerning nuclear dismantlement, North Korea felt that such a demand would compromise its national interests, and thus resorted to delinquency, as exemplified in its withdrawal from the SPT, and conduct of a second nuclear test.

Diplomatic normalisation and nuclear development may seem contradictory goals, given how North Korea rejected previous US offers for normalisation of relations, such as during the negotiations for the Agreed Framework. Yet, as has been seen, over the course of the second nuclear crisis, North Korea remained unwilling to sacrifice nuclear development for the benefits of social recognition as a sovereign, equal and exceptional – nuclear – state, if the only path towards normalisation involved verification of its nuclear programmes and facilities according to the terms of the United States. Were North Korea to have acquiesced to the collection of samples from its nuclear facilities, any discrepancies found – akin to the DPRK’s incomplete plutonium declaration in 1992 – would have likely imposed additional financial and social costs. As a former US negotiator with the DPRK put it: once the DPRK refused US overtures for dialogue vis-à-vis verification, “that was the end of the deal.”²¹⁶

In the latter part of the second nuclear crisis, North Korea recognised that the negative status that would ensue from its withdrawal from the Six-Party Talks, and subsequent missile and nuclear testing, would not reap sufficient social and material benefits. The social benefit of recognition as an equal negotiating partner, which could be gleaned through bilateral dialogue with the United States, would prove futile, in North Korea’s calculus, given the USA’s insistence on verification and dismantlement before any normalisation of relations took place. Nevertheless, the DPRK did not revert towards compliant behaviour to bolster US trust. Rather, it accelerated bellicosity and provocations, recognising that the tit-for-tat diplomacy that it had pursued after its first nuclear test would not lead to any changes in the US position.

²¹⁶ US official (interview, 2019)

Part V

Alternative Explanations

Deterrence

It would be naïve to suggest that North Korea's behaviour during the second nuclear crisis cannot, to an extent, be explained by notions of defence and deterrence. Indeed, the DPRK asserted, multiple times, the exclusively defensive nature of its nuclear programme. Victor Cha, former Director of Asian Affairs in the National Security Council, posited how the second nuclear test was not conducted simply as part of a brinkmanship tactic, or to gain international attention; rather, "Pyongyang seeks to build a better nuclear weapon and ballistic missile, and there is no substitute for learning by doing."²¹⁷ The need for North Korea to develop a viable nuclear deterrent against which it could counteract an increasingly "hostile" United States presents one credible explanation. Moreover, North Korea's adamance at developing nuclear capabilities for deterrent purposes could have driven its decision to engage with the SPT regime, and pledges of compliance with the SPT's calls for nuclear disarmament, as a means of distracting the international community from its nuclear ambitions. Such scepticism remained prominent amongst US negotiators, especially vis-à-vis the DPRK's "deliberate effort...to create a crisis which they thought they could milk, by getting bigger concessions. They were not going to give up their nuclear weapons."²¹⁸

²¹⁷ Cha (2012:293).

²¹⁸ US official (interview, 2019)

Yet, such approaches only shed partial light on North Korea's behaviour. Were deterrence the sole motivator behind its behaviour, North Korea's voracious pursuit of social recognition would not have been as prominent. Whilst one US official acknowledged that the DPRK was unlikely to disarm from the outset, the official admitted that "it's no question that status is part of North Korea's behaviour", given how the regime remained "hounded by a lack of legitimacy", internationally.²¹⁹ A former US official stressed how in discussions with North Korean officials during the second nuclear crisis, it became evident that acceptance and recognition as a nuclear state was the DPRK's "overarching goal", which "they mentioned...in our negotiations, no question, going back to 2003." The exasperation of North Korean officials with the Six-Party Talks was partially owing to this lack of recognition accorded to the regime-state over time.²²⁰ As corroborated by a former South Korean official, Pyongyang had little choice but to "blast a bomb and go nuclear, and continue negotiating on that basis; so, that was their strategic decision."²²¹ Deterrence, therefore, may have been one benefit of continued nuclear development, but as an explanation in and of itself, does not fully illuminate the reasons underpinning North Korea's strategic engagement in delinquent behaviour, not least the range of social benefits that could ensue.

Domestic legitimacy

During the 2000s, North Korea was struggling to revive its economic development as a consequence of the famine of the mid-to-late 1990s. Several elite and non-elite North Korean defectors highlighted to the author how whilst the dogged pursuit of nuclear weapons by the regime initially bolstered population acquiescence, realisation of the high financial cost of

²¹⁹ US official (interview, 2019)

²²⁰ US official (interview, 2019)

²²¹ ROK official (interview, 2019)

nuclear development dampened popular support towards the value of nuclear weapons. Research has shown how the embedding of North Korea's nuclear doctrine within *juche* ideology offers one mechanism through which the DPRK attempted to justify its nuclear development to its citizens.²²² Yet, North Korea's extensive if begrudging engagement with the Six-Party Talks regime – given its disdain for the format – highlights how the international level of analysis must have influenced North Korea's behaviour.

Moreover, an approach centred around domestic legitimacy would posit how given the lasting wish of Kim Il-sung regarding reconciliation with the United States, not least as a hedge against the then-rise of China, the DPRK would have likely pursued such rapprochement at any cost.²²³ North Korea's delinquent behaviour during the second nuclear crisis, however, particularly in response to its status designations as part of the 'axis of evil', and following its first nuclear test, highlights how the regime remained concerned about how it was perceived at the international level, and did not wish to compromise any possible international recognition of its nuclear-armed status in the pursuit of normalisation of relations with the United States. Furthermore, even if, as a Russian analyst put it, "some elements of the North Korean government were looking for more isolation, fearing that real contact with the outside world would threaten regime survival", the DPRK's exercise of oscillating compliant and deviant behaviour within the context of the Six-Party Talks would be incongruent with this claim.²²⁴

Scholarship has highlighted how after the first nuclear test, North Korea's goal was modified from a rigorous pursuit of diplomatic normalisation with the United States, to one of "peaceful coexistence."²²⁵ Yet, if domestic legitimacy were the sole driver of North Korea's attempts to

²²² Howell (2020a)

²²³ Sigal (2020:178)

²²⁴ Embassy Moscow, WikiLeaks Cable: 09MOSCOW1216_a, 20 May 2009

²²⁵ Pacheco Pardo (2014:118-121; 2019:68-84)

reap benefits from the pursuit of diplomatic relations with the United States, why would it have engaged in bilateral dialogue with the US in pursuit of international-level benefits? Indeed, even as Kim Jong-il's health declined from 2008, North Korea continued to engage in negative status-inducing behaviour at the international level, such as withdrawing from the multilateral SPT, having failed to improve ties with the United States according to its own terms.

Conclusion

As this chapter has shown, North Korea intensified its delinquent behaviour throughout the 'second nuclear crisis' owing to the collapse of the Agreed Framework – which the DPRK viewed as a failure of the United States to uphold its normative and material commitments – and the policy of containment of the Bush administration, perceived by Pyongyang as seeking to enforce regime change. In relation to this thesis's framework of strategic delinquency, the second nuclear crisis demonstrates how whilst rule-breaking behaviour might be seen as delinquent from the perspective of wider international society, in the eyes of the delinquent actor – the DPRK – such behaviour is not necessarily evaluated as 'bad', if it can reap positive outcomes in so doing.

From January 2002 to November 2009, North Korea pursued parallel – if contradictory – goals of normalising relations with the United States, and the development of nuclear capabilities, as manifest in its first nuclear test in October 2006. In pursuing these aims, North Korea sought to obtain material and social benefits: the former, vis-à-vis regime survival through developing a credible nuclear deterrent, and economic assistance from the international community; the latter, in terms of recognition as an equal negotiating partner of the United States, and an exceptional nuclear-armed state.

The DPRK's strategic engagement in delinquent behaviour during this time was driven by its conceptualisation of an ever-expanding US "hostile policy", which North Korea sought determinedly to resist; a willingness to degrade the status of the United States vis-à-vis the international community, and a preference for bilateral negotiations with the United States instead of multilateral initiatives to address its nuclear development. North Korea also exploited the fissures within the global nuclear order, becoming the first state to accede and withdraw – albeit self-declaredly – from the Non-Proliferation Treaty, and subsequently advanced its nuclear development. Thus, Pyongyang was able both to disrupt and contribute to the nuclear order, epitomising the order's weak enforcement powers once a state had withdrawn from it, and subsequently assert itself as a self-declared nuclear state.

Whilst North Korea primarily deployed deception and provocations during the early stages of the crisis, the DPRK recognised the limits of deceptive behaviour – following international discovery of its HEU programme – and heightened visible and rhetorical belligerence. After being compelled to the Six-Party Talks following its withdrawal from the NPT, North Korea recognised that compliant behaviour – such as by pledging to halt nuclear production – would garner benefits. Yet, although the Six-Party Talks provided North Korea with the opportunity to negotiate with the United States, China, and South Korea, *inter alia*, the DPRK remained an unequal participant in the Talks. From the second phase of the second nuclear crisis, North Korea engaged in reactive behaviour, intensifying delinquency when the US did not provide benefits, and retreating from belligerence when dividends were reaped, such as seen following North Korea's removal as a US State Sponsor of Terrorism in 2008. Nevertheless, when North Korea felt no further benefits could be gained from dialogue with respect to the Six-Party Talks, the DPRK retreated from the multilateral forum, and accelerated delinquency. Indeed, actions

of the US – and other parties to the Talks – heavily influenced North Korea’s behavioural responses, not least following the US’s earlier attempts to accommodate the DPRK’s interests as a means to induce compliance with international norms.

The second nuclear crisis allowed North Korea to realise two lessons: first, that deceiving the international community was harder than the DPRK initially thought, witnessed in the US’s revelation of North Korea’s covert HEU programme in 2002. Secondly, despite this realisation, North Korea learned that provocative behaviour could be rewarded by negotiations with the United States, from which further benefits could be gained. Yet, when the DPRK was forced to compromise on its national interests within these negotiations, it asserted agency in refusing to pursue dialogue, and withdrew from negotiations in their entirety.

These lessons from the second nuclear crisis had a lasting impact on Pyongyang’s future behaviour, as the next chapter contends with respect to the rule of Kim Jong-un, and the Trump administration in the United States. As Chapter Four will argue, following the initial hostility between Washington and Pyongyang, the decision by the Trump administration to provide North Korea with dividends in the form of presidential-level negotiations, in 2018 and 2019, demonstrated how the DPRK could obtain payoffs whilst heightening provocative behaviour. At the same time, amidst North Korea’s determination to increase the sophistication of its nuclear capabilities, the DPRK recognised the value of exercising mock compliance to US demands of denuclearisation, if doing so would generate further dividends, especially presidential-level dialogue. As will be seen, the DPRK was able to use the leverage gained from its nuclear tests during the second nuclear crisis to assert its role as a nuclear-armed state more vigorously, which it would exploit to garner maximum benefits whilst making few concessions, not least given the unusual style of diplomacy pursued by President Trump

towards Kim Jong-un. As a former South Korean negotiator with the DPRK bemoaned to the author in 2019: “North Korea takes its nuclear weapons for granted now.”²²⁶

²²⁶ ROK official (interview, 2019)

CHAPTER FOUR

Completing the state nuclear force: the status parity of US-DPRK summitry¹

“Will the US give a damn shit to us if we don’t have nuclear weapons?”² When asked about North Korea’s three launches of intercontinental ballistic missiles (ICBMs) in 2017, a senior South Korean negotiator with the DPRK exclaimed that this would be the mentality adopted by his North Korean counterparts. As this chapter will show, this view was indeed reflected in North Korea’s behaviour.

This chapter illuminates North Korea’s behaviour from 2012 to 2019, under the rule of Kim Jong-un. It argues how North Korea engaged in delinquent and compliant behaviour in relation to the nuclear order and broader international order, in pursuit of two goals: first, to bolster the sophistication of its nuclear capabilities; second, in so doing, to receive international recognition and status as a nuclear-armed power. This chapter contends that whilst pursuing these goals in a more potent fashion than in previous years, the DPRK aimed to resist the US “hostile policy” and mitigate the costs of increasingly stringent international sanctions enforcement.

In making this argument, this chapter categorises the time period into four phases: the first, from 2012 to 2016, saw North Korea heighten delinquency, conducting two nuclear tests and over seventy missile tests.³ In the second phase, from January to December 2017, the arrival of the Trump administration witnessed heightened provocations from the DPRK, as seen in

¹ On 21 April 2018, Kim Jong-un proclaimed how the DPRK had “perfectly accomplished the great historic cause of building the state nuclear force” in 2017, and “a fresh climate of détente and peace is being created on the Korean peninsula.” See: MFA, ‘Third Plenary Meeting of Seventh C.C., WPK Held in Presence of Kim Jong Un’, 21 April 2018.

² ROK official (interview, 2019).

³ L. Collins (2017)

three ICBM launches. The third phase, from January to October 2018, saw an unusual shift to increasingly compliant behaviour from North Korea, characterised by US-DPRK presidential-level summitry in Singapore. In contrast, the fourth phase, from November 2018 to December 2019, saw a return to delinquency, oscillated with instances of compliance – the latter in the form of US-DPRK summitry – where North Korea exhibited increased confidence in its self-declared status as a nuclear-armed power.

This chapter's predominant focus upon US-DPRK relations is far from unwarranted. Whilst North Korea's interstate relations during this time period did indeed comprise growing inter-Korean and Sino-DPRK ties, these relations formed part of – and were also held captive to – Pyongyang's broader strategy vis-à-vis Washington. Thus, from North Korea's perspective, its relationship with the US was the most salient, given its perception of the US as its main provocateur, and the referent actor of its behaviour.⁴

The framework of strategic delinquency usefully sheds light on the types of behaviour which North Korea exercised, and their respective outcomes, during this time. As this chapter will contend, during the first phase, North Korea deployed rhetorical and visible provocations owing to the lack of benefits received from the international community. The “strategic patience” policy of the Obama administration inflicted substantial costs on the DPRK, particularly multilateral sanctions.⁵ In the second phase, the hawkish rhetoric of the Trump administration, coupled with intensified multilateral and unilateral sanctions imposition, was met with rhetorical provocations, and nuclear and ICBM tests, as part of North Korea's

⁴ This claim was made by the DPRK's first-Vice Foreign Minister, Choe Son-hui, at The Moscow Nonproliferation Conference, 21 October 2017.

⁵ “Strategic patience” took shape following North Korea's provocations in 2009 and 2010, see: D. Kim (2016:33); Snyder (2013:99-102); ‘Clinton calls ‘Exploratory’ Meeting with North Korea ‘Quite Positive’’, *VOA*, 10 December 2009.

increasingly vocal calls for sanctions easing. During the third phase, whilst Pyongyang continued to insist on sanctions easing as a condition of any nuclear concessions, Kim Jong-un importantly declared, in April 2018, the “completion” of North Korea’s nuclear programme. This phase, in particular, saw the DPRK exercise feigned compliance with the demands of the US – within which comprised the norms of the nuclear order – where North Korea aimed to garner material benefits of deterrence and economic assistance, and social benefits of recognition as an equal and exceptional state from the US and South Korea. In the short-term, North Korea would be successful in this regard: US-DPRK presidential-level summitry in Singapore would indeed occur without any substantial nuclear concessions. In the fourth phase, despite continued presidential-level talks in 2019, North Korea reverted to delinquent behaviour when it realised that no such benefits, particularly sanctions easing, would be reaped. As this chapter contends, following the inconclusive US-DPRK Hanoi summit in February 2019, North Korea lost interest in dialogue with the US, and engaging with the notion of the global nuclear order. Instead, Pyongyang made weak assertions of its commitment to non-proliferation, no-first-use, and nuclear restraint – perceiving itself as a “responsible nuclear state” – whilst simultaneously justifying its nuclear behaviour according to its position outside the NPT, and an ongoing US “hostile policy.”⁶

This chapter proceeds in five parts. Part I argues how post-2010, North Korea’s relationship with the nuclear order comprised continued criticisms of international efforts to strengthen the order, predicated upon the partiality of the non-proliferation regime, and lack of US commitment to nuclear disarmament, which Pyongyang exploited to defend its own nuclear ambitions. Part II focuses on the first and second phases of the Kim Jong-un era, as outlined

⁶ E.g. KCNA, ‘Kim Jong Un Makes Report on Work of WPK Central Committee at Its 7th Congress’, 7 May 2016

above. Parts III and IV focus on the third and fourth phases respectively, paying attention to how even despite summitry between Kim Jong-un and Donald Trump, as well as South Korean President Moon Jae-in, North Korea escalated provocations when it recognised no additional benefits could be gained from talks with the US or South Korea. Part V tethers North Korea's behaviour from 2012 to 2019 with the theoretical framework of strategic delinquency, prior to Part VI, which presents alternative explanations of deterrence and domestic legitimacy for its behaviour. Yet, these explanations only provide limited insight into North Korea's behaviour during this time, understandings that must be complemented by recognising its desire to reap benefits from behaviour that generated negative status.

Part I

North Korea and a fluctuating nuclear order

This section will outline the main developments within the global nuclear order post-2010. During this time, since, as Walker argues, “few signs of tangible progress” were made vis-à-vis global disarmament,⁷ North Korea was able to exploit fissures within the order to accelerate its nuclear ambitions and resist the US's role as the order's custodian.⁸ Even as attempts to strengthen the nuclear order ensued, North Korea deployed similar behaviour to that during the ‘second nuclear crisis’, justifying its norm-deviant actions according to the US's inability to follow through on its own commitments vis-à-vis nuclear disarmament.

As an IAEA official mentioned to the author, instability within the contemporary nuclear order remains underpinned by the “US's philosophy is that *we are stronger and bigger than anybody*

⁷ Walker (2018:96). One partial exception was the TPNW, signed in 2017. See: Roberts (2019:112-119); Meyer & Sauer (2018); Sagan & Valentino (2017)

⁸ Sigal (2011:81)

*else, and for the strongest, that means not to have any legal restrictions.”*⁹ Rajagopalan, writing in 2009, echoed such sentiment vis-à-vis how the nuclear nonproliferation regime “was created, sustained, and managed by the US because it was in American interest, and the US was able to convince others in that project.”¹⁰ North Korea was never “convinced”, and, as this chapter contends, used growing US disinterest with respect to the nuclear order during the Trump administration, to challenge the order’s norms, before losing interest in the order altogether, and embracing its self-perceived exceptional status as a nuclear-armed state.

North Korea’s behaviour exacerbated fragility within the nuclear order, amidst impatience amongst NNWS and non-NPT signatories vis-à-vis the lack of progress regarding the Article VI obligations of NWS. Attempts to revive the order occurred through the US-Russia New START Treaty, and the Nuclear Security Summit communiqué, both of 2010; the latter which stressed the importance of implementing treaties on nuclear security and preventing non-state terrorist actors from acquiring nuclear weapons.¹¹ Yet, the 2010 NPT RevCon failed to reach a consensus on verification mechanisms of states’ nuclear facilities. Questions of how the UNSC should respond to non-compliance with the NPT, too, remained unanswered. The DPRK’s withdrawal from the NPT in 2003 remained a persistent concern of the guarantors of the nuclear order, since NWS could do little to encourage the DPRK to re-comply with the NPT, and only feared that other states would follow suit. At the time, North Korea urged the US to uphold its commitment towards nuclear disarmament,¹² a criticism it would leverage to rationalise its nuclear ambitions in the future.¹³

⁹ IAEA official (interview, 2020).

¹⁰ Rajagopalan (2009:24)

¹¹ ‘Communiqué of the Washington Nuclear Security Summit’, 13 April 2010, available at: https://www.mofa.go.jp/policy/un/disarmament/arms/nuclear_security/2010/pdfs/communique.pdf [Last Accessed 30 December 2020]

¹² KCNA, ‘KCNA on NPT Conference’, 14 May 2010. The DPRK stressed how it “d[id] not care about” questions from the RevCon vis-à-vis its right to nuclear possession, given its position “outside the NPT.” See: KCNA, ‘FM Spokesman on Right to Bolster Nuclear Deterrent’, 24 May 2010.

¹³ KCNA, ‘KCNA Commentary Accuses U.S. of Posing Nuclear Threat and Sparking Arms Race’, 11 May 2015.

The instability of the nuclear order was, however, not solely due to North Korea's actions. India and Pakistan's bolstering of their nuclear forces with few regional arms control arrangements, together with China's struggle to balance nuclear responsibility with its own nuclear capabilities – albeit as a legal NWS – furthered global concern.¹⁴ Within this context, North Korea operationalised its status as a non-NPT, nuclear-armed state, to reinforce its contempt at the US as the custodian of the global nuclear order. In so doing, as this chapter will argue, North Korea aimed to oppose what it perceived to be an increasingly “hostile” United States, through delinquent nuclear behaviour.¹⁵ In one example, in 2010, North Korea chastised the US for “brand[ing] the DPRK as “a nuclear criminal”, and “spreading [the] assertion that the DPRK should not be recognized as a nuclear weapons state.”¹⁶ Although Pyongyang asserted how it “d[id] not want any body to recognize it as a nuclear weapons state” and remained “satisfied with the pride and self-esteem that it is capable of reliably defending the sovereignty of the country...with its own nuclear weapons”, this statement does not mean that the regime-state was content with its low status within the nuclear order.¹⁷ North Korea desired independence in security – in line with *juche* ideology – and international acceptance as a nuclear-armed state, dismissing international claims of any North Korean “nuclear threat” as false.¹⁸

As an IAEA official highlighted, however, Pyongyang's concerns were not unwarranted: “the Americans are dragging their feet...to discuss what are the conditions needed to get disarmament going; but this is hypocrisy.”¹⁹ Nevertheless, the creation of the Joint

¹⁴ Walker (2018:99-100); Leveringhaus & Sullivan de Estrada (2018).

¹⁵ KCNA, ‘DPRK's Will to Strive for Nuclear-free World Declared’, 2 March 2011.

¹⁶ KCNA, ‘Hostile Forces’ Brigandish Accusations against “Nuclear Issue”, 3 June 2010.

¹⁷ KCNA, ‘FM Spokesman on Right to Bolster Nuclear Deterrent’, 24 May 2010.

¹⁸ KCNA, ‘KCNA Commentary Accuses U.S. of Posing Nuclear Threat and Sparking Arms Race’, 11 May 2015.

¹⁹ IAEA official (interview, 2020)

Comprehensive Plan of Action (JCPOA) between Iran, the Permanent Members of the UNSC, and the European Union, in July 2015, raised hopes of strengthening the nuclear order, committing to reduce Iran's nuclear stockpile, implement IAEA inspections on Iran's nuclear facilities, and ensure peaceful nuclear usage.²⁰ The Treaty on the Prohibition of Nuclear Weapons (TPNW), too, passed on 7 July 2017, elevated hopes of a future nuclear-free world, aiming to restrain the weaponised nuclear ambitions of non-NPT signatories and non-NWS – such as Israel, Pakistan, and the DPRK – which the NPT had failed to address.²¹ Yet, though supported by two-thirds of UN member states, the Treaty was not signed by NWS, non-legal nuclear-armed states, nor states in nuclear alliances with the USA, such as Japan or South Korea.²² Somewhat ironically, the DPRK was the sole nuclear-armed state to vote in favour of negotiations for the Treaty prior to its establishment.²³

North Korea would utilise these efforts to stabilise the nuclear order to its advantage, furthering its derision of the US as shunning its responsibilities as the guarantor of the nuclear order and broader international order. For instance, the DPRK stressed how it would only accede to the TPNW if the US agreed to do so, and abandon its “hostile policy.”²⁴ As this chapter will show, the “hostile policy” became a core heuristic invoked by North Korea to influence its disruptive behaviour vis-à-vis the nuclear order, for instance, as seen by three ICBM launches, and a nuclear test – the latter deemed to be a hydrogen bomb – in 2017.²⁵ In brief, statements from

²⁰ ‘Joint Comprehensive Plan of Action’, 14 July 2015, available at: <https://www.europarl.europa.eu/cmsdata/122460/full-text-of-the-iran-nuclear-deal.pdf> [Last Accessed 3 January 2021]

²¹ Hamel-Green (2018:437); Yoshida (2018:99)

²² Sagan & Valentino (2017); Thakur (2017:81); Mukhatzhanova (2017); Meyer & Sauer (2018). For an argument that the TPNW would reinforce the NPT, see Müller & Wunderlich (2020).

²³ Thakur (2016); Reif (2016).

²⁴ See: KCNA, ‘Report on the Fifth Plenary Meeting of the 7th Central Committee of Workers’ Party of Korea,’ 1 January 2020.

²⁵ MFA, ‘Kim Jong Un Gives Guidance to Nuclear Weaponization’, 3 September 2017. KCNA claimed that the previous nuclear test, on 6 January 2016, was also of a hydrogen bomb. See: KCNA, ‘Commentary Lauds Successful H-bomb Test in DPRK’, 8 January 2016.

North Korean officials reinforced the DPRK's intent to bolster its nuclear forces, given the hawkish approach of President Trump, not least his claim at the 2017 UNGA to "totally destroy North Korea" if the DPRK threatened the US or its allies.²⁶

Nevertheless, the Trump administration's disdain for multilateralism exacerbated instability within the global nuclear order, which the DPRK exploited for its own gain. Following the US withdrawal from the JCPOA in May 2018,²⁷ the DPRK expressed solidarity with Iran's resistance to sanctions imposition by "hostile forces", and supported Iran's claims that it had maintained its commitments under the agreement.²⁸ From North Korea's perspective, the US withdrawal reinforced the view that "challengers" to the US, namely those states upon which the US had imposed sanctions, such as Iran, and the DPRK, could, in fact, "advance[e] along their own roads" unconstrained by normative pressure.²⁹ As Victor Cha argues, the US withdrawal from the JCPOA "strengthened expectations ahead of a summit with Kim Jong-un" in June 2018, revolving around Washington's ability to strike a deal with Pyongyang, particularly following Trump's promise that the US "would not stand for a deal that only partially denuclearized North Korea."³⁰ Yet, as this chapter will contend, North Korea would leverage these opportunities to gain benefits without complying with nuclear norms.

Part II

The costs of delinquent behaviour

Phase 1: Strategic delinquency meets strategic patience

²⁶ 'Remarks by President Trump to the 72nd Session of the United Nations General Assembly', *WH*, 19 September 2017.

²⁷ 'Remarks by President Trump on the Joint Comprehensive Plan of Action', *WH*, 8 May 2018. In January 2020, Iran subsequently withdrew from the JCPOA, see: Hafezi (2020).

²⁸ PT, 'Standing up to sanctions and pressure', 10 February 2019; PT, 'Sanctions are never a one-size-fits-all solution', 27 March 2019.

²⁹ PT, 'US withdrawal from Iranian nuclear deal under fire', 14 May 2018.

³⁰ Cha (2018:473)

North Korea's provocative behaviour during the first Obama administration, witnessed in numerous – albeit unsuccessful – missile launches, and nuclear tests, did not generate benefits, particularly within the context of the US policy of “strategic patience.” Strategic patience saw the US attempt to uphold its role as the guarantor of the global nuclear order and broader international order by waiting for North Korea to undertake “concrete and irreversible steps to fulfill its obligations and eliminate its nuclear weapons program” before any dialogue or economic assistance ensued.³¹ The DPRK responded with delinquency, seeking to compel the US into making concessions. Yet, during the two terms of the Obama administration, only four instances of high-level US-DPRK dialogue took place.³² Although these instances followed North Korean provocations, they did not bring sufficient benefits for Pyongyang. The resultant delinquency was costly, resulting in unilateral and multilateral sanctioning from the US, ROK, and the United Nations. These costs, for which the DPRK would blame the US “hostile policy”, however, would neither induce compliance with nuclear norms nor US demands for denuclearisation, but heighten bad behaviour.³³

Following the DPRK's second nuclear test on 4 July 2009, high-level US-DPRK talks between US Special Envoy for North Korea Policy, Stephen Bosworth, and senior North Korean official, Kim Kye-gwan, took place in December 2009, whereby North Korea pledged to resume the Six-Party Talks. Such dialogue, however, was an insufficient concession for the DPRK, given how the US insisted that the UNSC would “evaluate the status of the sanctions” only if the DPRK returned to SPT and made “significant progress” on denuclearisation.³⁴

³¹ ‘Remarks by President Barack Obama and President Lee Myung-Bak of Republic of Korea’, *WH*, 19 November 2009.

³² *Beyond Parallel*, ‘Database: U.S.-DPRK Negotiations from 1990 to 2018’, available at: <https://beyondparallel.csis.org/u-s-dprk-negotiations-1990-2017/> [Last Accessed 3 December 2020]

³³ KCNA, *Joseonminjujuuin mingonghwagug-ui haegjeongchaeng* [The DPRK's nuclear policy], 21 April 2010.

³⁴ Stephen Bosworth, ‘Briefing on Recent Travel to North Korea’, *USDS*, 16 December 2009.

Further instances of delinquency occurred, namely the North Korean sinking of a South Korean naval vessel – ROKS *Cheonan* – on 26 March 2010, and artillery fire against South Korean forces on the ROK’s Yeonpyeong Island, on 23 November; the former, justified by the DPRK in light of planned US-ROK military exercises; the latter in response to South Korean forces shelling into North Korean territory.³⁵ Indeed, South Korean sanctions – the ‘May 24 measures’ – halted inter-Korean trade, aid projects, and banned South Koreans from visiting the DPRK for business.³⁶ Yet, heightened North Korean provocations could not bring the US to the negotiating table to the same extent as during the first and second nuclear crises.

Meetings between Bosworth and Kim Kye-gwan continued in 2011.³⁷ Although the DPRK affirmed its readiness to resume the SPT, this was a weak pledge given its inherent dislike of the multilateral forum, as Chapter Three demonstrated. Moreover, concessions from Washington would only arise if Pyongyang took the first step to denuclearise. Strategic patience, according to a former US official in the Obama administration, aimed “to make clear to North Korea that it was not going to be accepted as a nuclear weapons state.”³⁸ North Korea would take advantage of this lack of acceptance through deploying deviant behaviour – perceiving the US to be disinterested in the DPRK – particularly following the death of Kim Jong-il on 17 December 2011, and subsequent succession to Kim Jong-un.

The previous power transition from Kim Il-sung to Kim Jong-il – as Chapter Two contended – witnessed disquiet amongst US and South Korean policymakers given then-prevailing

³⁵ KCNA, ‘KPA Supreme Command Issues Communique’, 23 November 2010. The US condemned the Yeonpyeong attack as a violation of the Korean War Armistice Agreement, and asserted the “defensive” nature of planned military exercises in November and December 2010. See: ‘Statement by the Press Secretary on North Korean Shelling of South Korean Island’, *WH*, 23 November 2010; ‘Naval Readiness Exercise Announced’, *USFK*, 24 November 2010.

³⁶ ‘South Korean President Lee’s National Address’, 24 May 2010.

³⁷ Stephen W. Bosworth, ‘Remarks After Meeting With North Korean Vice Foreign Minister’, *USDS*, 29 July 2011

³⁸ US official (interview, 2019)

speculation of regime collapse. The transition to Kim Jong-un – who, according to reports, was designated as successor from early 2009 – instigated different questions, namely how the inexperienced leader would address the DPRK’s economic development and foreign relations.³⁹ As a US governmental advisor told the author, Kim had to “show legitimate progress on the economy,” but “if the world keeps North Korea in a box, Kim Jong-un has no alternate course but to continue down the path of the nuclear programme, and try to use the programme to extort whatever money they can, from the international community.”⁴⁰

Over time, the DPRK would view “strategic patience” as keeping it “in a box”, against which attempts to extort benefits from the United States, through continued bad behaviour, would be unsuccessful. The ‘Leap Day Deal,’ signed between the US and DPRK on 29 February 2012, offers one example. The US offered “nutritional assistance” and would facilitate cultural and educational exchanges if North Korea suspended long-range missile launches, nuclear tests, operations at Yongbyon – including uranium enrichment – and opened its nuclear facilities to IAEA inspection. A senior US official recounted, however, that the deal was a “terrible embarrassment” for Washington,⁴¹ since only two weeks after signing the agreement, North Korea violated the deal, announcing it would test a missile – unsuccessfully disguised as a satellite – aboard an *Unha-3* rocket, which duly happened on 12 April 2012. Despite the failed launch, which questioned the extent of Pyongyang’s missile capabilities, North Korea continued its intransigence, refusing to accept that the launch – deemed by the regime to be of a *satellite* for peaceful space exploration – had violated UNSC sanctions resolutions.⁴² Thus, despite the opportunity to make small-scale concessions on its nuclear programme in return for

³⁹ ‘N. Korean leader names third son as successor: sources’, *Yonhap*, 15 January 2009. See: Gause (2014)

⁴⁰ US government advisor (interview, 2017)

⁴¹ US official (interview, 2019)

⁴² KCNA, ‘DPRK’s Satellites for Peaceful Purposes to Continue Orbiting Space: Spokesman for KCST’, 19 April 2012.

comparably larger benefits, Pyongyang's reneging on the Deal abandoned any provision of benefits, only intensifying its nuclear ambitions within the context of minimal inter-Korean and US-DPRK engagement.⁴³

Statements from the North Korean regime demonstrate how status was a core concern for Kim Jong-un at the time. Kim's constitutional revision of 13 April 2012, which referred to the DPRK as a "nuclear state" – a continuation of the DPRK's first declaration of its nuclear status in 2005 – emphasised the importance of being accorded recognition as a nuclear state, even if it was not granted internationally.⁴⁴ Following this declaration, increased missile and nuclear testing only strengthened this ambition for such recognition, manoeuvres which North Korea would justify in response to growing condemnation of its actions.⁴⁵ A successful satellite launch on 12 December 2012, together with a third nuclear test on 15 February 2013 saw North Korea continue to exploit the lack of US engagement.⁴⁶ The DPRK threatened "more powerful" countermeasures against the US if sanctions were imposed, and nullified the Korean War Armistice Agreement in March 2013.⁴⁷ Indeed, Pyongyang refused to accept UNSCR 2094, enforced after its third nuclear test, deriding it as having been "cooked up" by the US as part of its "hostile policy" to "stifle the DPRK."⁴⁸

⁴³ UK diplomat (interview, 2019)

⁴⁴ Naenara, 'Preamble' to the Constitution of the DPRK, available at: <http://naenara.com.kp/en/great/constitution.php?1> [Last Accessed 3 January 2021]

⁴⁵ KCNA, 'KCNA Releases Report on Satellite Launch', 12 December 2012; KCNA, 'DPRK People Seized with Great Joy over Satellite Launch'; KCNA, 'Army-People Rallies Hail Successful Satellite Launch', 15 December 2012; KCNA, 'DPRK Terms U.S. Hostile Policy Main Obstacle in Resolving Nuclear Issue', 31 August 2012.

⁴⁶ KCNA, 'KCNA Report on Successful 3rd Underground Nuclear Test', 12 February 2013.

⁴⁷ KCNA, 'Second Korean War Is Unavoidable: DPRK FM Spokesman', 7 March 2013. For another attack on the US "hostile policy", see: KCNA, 'US Criminal Propensity Justifies North Korea's Nukes', 12 March 2013.

⁴⁸ KCNA, 'DPRK Refutes UNSC's "Resolution" Pulling Up DPRK over its Satellite Launch', 23 January 2013; see also: KCNA, 'DPRK NDC Issues Statement Refuting UNSC Resolution', 24 January 2013; KCNA, 'U.S. to Blame for Nuclear Issue on Korean Peninsula', 29 January 2013.

⁴⁸ KCNA, 'U.S. to Blame for Nuclear Issue on Korean Peninsula', 29 January 2013

Although delinquent behaviour brought costs to the DPRK, internationally, such behaviour allowed Kim Jong-un to consolidate power domestically. Nuclear ambitions and international recognition as a nuclear state became intertwined with domestic goals. In March 2013, Kim declared the *byungjin* line of parallel nuclear and economic development, telling “his people that they can have both nuclear weapons and prosperity.”⁴⁹ In light of this policy, the enshrinement of the DPRK’s status as a “full-fledged nuclear weapons state” into law on 1 April 2013, and resumption of operations at Yongbyon – following their disablement in October 2007 – was unsurprising.⁵⁰ Heightened brinkmanship, manifest in provocative rhetoric, was epitomised, *inter alia*, in Kim’s call for the KPA to be “fully battle ready to launch surprise operations” on 20 August 2015 following inter-Korean skirmishes over anti-North Korean broadcasts disseminated by the South.⁵¹ North Korea conducted two further nuclear tests on 6 January and 9 September 2016 – the former deemed to be of a hydrogen bomb, in response to US-ROK military exercises – in addition to a long-range rocket launch on 7 February.⁵²

In contrast to previous junctures, as Chapters Two and Three demonstrated, North Korea’s response to the so-called US “hostile policy” was far more belligerent – going beyond rhetoric – comprising nuclear and long-range missile launches. Increasingly stringent UNSC resolutions following the North’s nuclear tests only catalysed, rather than restrained, bad behaviour.⁵³ UNSCR 2270, approved by all permanent and observer UNSC members, banned metal and coal exports, imposed a travel ban and asset freeze on North Korean officials

⁴⁹ Pak (2020a:227-228).

⁵⁰ KCNA, ‘Law on Consolidating Position of Nuclear Weapons State’, 1 April 2013; KCNA, ‘DPRK to Adjust Uses of Existing Nuclear Facilities’, 2 April 2013.

⁵¹ KCNA, ‘DPRK FM on Situation That Reached Brink of War’, 21 August 2015.

⁵² KCNA, ‘DPRK Succeeds in Nuclear Warhead Explosion Test’, 9 September 2016.

⁵³ KCNA, ‘DPRK Representative to UN Sends Letter to UN Secretary General’, 6 December 2016; KCNA, ‘UNSC “Resolution on Sanctions” 2321 Rejected’, 22 December 2016.

involved in nuclear development, and sanctioned institutions such as the Munitions Industry Department, and Reconnaissance General Bureau.⁵⁴ In response, Kim Jong-un would vindicate the missile launch on 7 February as part of the DPRK's preparations to make a "retaliatory nuclear strike at the U.S. mainland any moment."⁵⁵ UNSCR 2321, imposed on 30 November, was deemed the "toughest and most comprehensive sanctions regime ever imposed", calling on states to suspend scientific and technical cooperation with groups representing the DPRK, whilst subjecting eleven additional officials to a travel ban and asset freeze.⁵⁶ Although North Korea dismissed these sanctions, their effects in driving future delinquency were far from minimal.⁵⁷

In response to the lack of benefits from the international community, and to mitigate the constraints of sanctions, Pyongyang's goal of accelerating nuclear development became entrenched during the final year of the Obama administration. Reinforcing this point, a South Korean official recalled to the author how in a meeting with two of Kim Jong-un's most senior aides in 2016, a document outlining the DPRK's recent missile and nuclear tests was dated November 2015, despite working-level inter-Korean dialogue taking place during that time. As the official concluded, North Korea's core objectives during the early Kim Jong-un era were "to complete ballistic missile tests, be seen as a nuclear power, and [eventually] declare itself a nuclear power," a goal which, as will be seen, remained in place after the end of the Obama administration.⁵⁸

⁵⁴ UNSCR 2270 (2016), S/RES/2270 (2016), 2 March 2016.

⁵⁵ KCNA, 'Nobody Can Block DPRK's Advance: Its NDC Spokesman', 3 April 2016.

⁵⁶ See: UN, 'Security Council Strengthens Sanctions on Democratic Republic of Korea', 30 November 2016; UNSCR 2321 (2016), S/RES/2321 (2016), 30 November 2016.

⁵⁷ KCNA, 'DPRK Govt. Spokesman Clarifies Its Stand to Resolutely Counter UN "Resolution on Sanctions"', 4 March 2016; KCNA, 'DPRK Foreign Ministry Spokesman Rejects UNSC "Resolution on Sanctions"', 4 March 2016; KCNA, 'DPRK People Enraged at Adoption of UNSC "Resolution"', 5 March 2016.

⁵⁸ ROK official (interview, 2019)

Thus, during the Obama administration, North Korea responded to “strategic patience” with strategic delinquency, even if delinquency came at growing financial cost.⁵⁹ Pyongyang derided “strategic patience” as tantamount to “doing nothing”, exemplifying the US intention to “suffocate its economy”, not least through sanctioning.⁶⁰ Yet, “strategic patience” also divided policymakers in Washington. Although some officials deemed the Obama administration to be operating under limitations,⁶¹ given the DPRK’s refusal to engage in US calls for dialogue, former US DNI, James Clapper, opposed the policy vehemently. Clapper argued convincingly how “Korea was one issue on which I let President Obama know – privately – that I thought his policy rationale of not discussing anything else until North Korea agreed to end its nuclear capacity and ambitions was flawed.”⁶² As Sigal argues, aspirant nuclear powers “crave reassurance to ease their insecurity and often respond better to inducements than to threats.”⁶³ The lack of inducement from the United States only furthered North Korea’s bad behaviour.

A former US official underscored how “when there’s a leadership change in the US, things change in regard to relations to North Korea.”⁶⁴ The election of President Donald Trump on 8 November 2016 was no exception. In line with previous elections, North Korea enhanced provocations prior to the election to test the resolve of the new incumbent, but only conducted large-scale provocations once the new President had taken office.⁶⁵ Nevertheless, Trump’s election occurred at a time when sanctions would catalyse North Korean threat escalation. For instance, the DPRK invoked how UNSCR 2321 had “created the danger of imminent war on

⁵⁹ US official (interview, 2019)

⁶⁰ KCNA, ‘FM Accuses US of Creating Atmosphere of International Pressure’, 28 May 2010.

⁶¹ E.g. US official (interview, 2019)

⁶² Clapper (2018:49)

⁶³ Sigal (2011:81)

⁶⁴ US official (interview, 2019).

⁶⁵ For example, after the third round of the Six-Party Talks, ending on 26 June 2004, it is speculated that the DPRK suspended its return to the Talks until after the result of the US presidential election of November 2004 was announced. See: Pritchard (2007:107).

the Korean peninsula”, against which the “U.S. and other countries involved...will have to be wholly responsible for the ensuing consequences.”⁶⁶ Such heightened brinkmanship, however, would take place within the context of a revealing approach towards the DPRK pursued by Trump.

Phase 2: Fire, fury, and accelerated delinquency

The influence of the unique disposition of President Trump in catalysing North Korea’s actions, delinquent and compliant, cannot be understated. With respect to the former, the DPRK would exploit delinquent behaviour to reap dividends, as subsequent parts of this chapter will contend. At the same time, the costs of sanctions imposition from 2016, which would accelerate during the early Trump administration, also affected North Korea’s behavioural strategies.

In his pre-election campaign, Trump unusually, in a break with tradition, emphasised his eagerness to meet Kim Jong-un over a “hamburger on a conference table.”⁶⁷ This early rhetoric of engagement was extolled by North Korean media, given Trump’s expressions of disdain towards the US-ROK alliance, a view which the DPRK supported.⁶⁸ Nevertheless, such engagement was combined, paradoxically, with harsh rhetoric of containment; soon after taking office, Trump declared that the “era of strategic patience” was “over.”⁶⁹ As this section will contend, the Kim regime attempted to capitalise upon the unprecedented diplomacy of Trump by pursuing two goals: first, accelerating the development of its nuclear capabilities;

⁶⁶ KCNA, ‘UNSC “Resolution on Sanctions” 2321 Rejected’, 22 December 2016.

⁶⁷ Holland & Flitter (2016); see also: Gass (2016); Talev & Jacobs (2017).

⁶⁸ Trump expressed such disdain in an interview with *The New York Times*. See: Sanger & Haberman (2016). A pro-North Korean news outlet in China praised Trump’s claim regarding possible withdrawal of US troops from South Korea. See: DPRK Today, *teuleompeuchung-gyeog eulo boneun hangugui jeongcheseong* [Trump’s Shock Doctrine on the identity of Korea], 31 May 2016.

⁶⁹ ‘Remarks by President Trump and Prime Minister Abe of Japan’ *WH*, 6 November 2017

secondly, seeking *de facto* international recognition and acceptance of its nuclear status through exercising belligerent behaviour. By intensifying provocations, the DPRK aimed to compel the United States into offering benefits, not least recognition as an equal negotiating partner.

In his New Year's Address of 2017, Kim Jong-un announced how the DPRK was in its "final stage" of ICBM preparations.⁷⁰ Such high-intensity brinkmanship vis-à-vis the US would exacerbate throughout 2017, as Pyongyang continued to advance its nuclear capabilities. Ballistic missile launches took place in February and March 2017, coupled with a rhetorical threat of the DPRK's readiness for "all-out war" against the US,⁷¹ following the US deployment of aircraft carrier, *USS Carl Vinson*, to the Korean Peninsula, against which the DPRK warned it would "deal merciless blows at the enemies."⁷² These provocations were in response to the early Trump administration's discourse of containment and regime change, which, in North Korea's perspective, resonated with that of the Bush administration. Then-Secretary of State, Rex Tillerson, offered one example, highlighting how the US was "reviewing all of the status of North Korea, both in terms of state sponsorship of terrorism as well as the other ways in which we can bring pressure to bear on the regime in Pyongyang...[to] reengage with us on a different footing than the past talks have been held."⁷³ Although Tillerson's statement suggested a more equal status bestowed upon North Korea in any possible talks with the US – in contrast to the inequality of the Six-Party Talks – Pyongyang responded by threatening a "super-mighty preemptive strike" that would "wipe out not only the US imperialists' invasion forces in South Korea and its surrounding areas, but the US mainland

⁷⁰ KCNA, 'Kim Jong Un's 2017 New Year's Address', 2 January 2017

⁷¹ RS, *Uri inmingundaenun baegdu-ui daeeob-eul tteobaddeuneun eogcheog-ui gidung-ida* [Our People's Army is a pillar of repression that supports Bakedu's cause], 23 April 2017.

⁷² KCNA, 'Final Doom Waits U.S.: Minju Joson', 23 April 2017.

⁷³ 'Secretary of State Rex Tillerson: Press Availability', Washington DC, 19 April 2017.

and reduce them to ashes.”⁷⁴ The DPRK viewed Tillerson’s claims as invoking physical and social components of the US “hostile policy”, the latter, especially regarding the possibility of reinstating North Korea as a State Sponsor of Terrorism, which – as Chapter Three highlighted – it had previously resisted determinedly.

The war of words between the US and DPRK during the first year of the Trump administration would intensify over time. North Korea would react to confrontational rhetoric from the US with provocations of its own, a strategy common to previous time periods. As expected by the framework of strategic delinquency, an intensification of brinkmanship – through provocations – formed part of Pyongyang’s quest for status parity with the US, from which it could reap material benefits of economic assistance and sanctions removal, and social recognition as an exceptional nuclear state and dialogue partner. It could be argued that Kim Jong-un’s dual-pronged strategy of enhancing North Korea’s nuclear capabilities, coupled with reaping dividends from pursuing improved ties with the United States, was not dissimilar to that pursued by Kim Jong-il during the Clinton administration. Yet, unique to 2017, however, was the increasingly interpersonal interactions between the US and North Korean leaders, as will be discussed later in this chapter.

The DPRK’s ambitions for status parity with the US grew in 2017. Test-fires of short and medium-range missiles in April and May, and, crucially, two ICBMs – *Hwasong-14* – on 4 and 28 July, further attested its willingness to attract the attention of the US. ICBMs, capable of striking the US mainland, were lauded by the DPRK as evidence of its status as a “full-fledged nuclear power”, warning the US of the dangers of provoking the DPRK.⁷⁵ ICBM development

⁷⁴ RS, *jamyol-eul jaechonghaneun “daebugseonjetagyeog” gido* [Praying for the self-defeating “preemptive strike on North Korea”], 20 April 2017. See also: KCNA, ‘Rodong Sinmun Blasts U.S., S. Korea for DPRK-targeted Military Moves’, 20 April 2017.

⁷⁵ KCNA, ‘Report of DPRK Academy of Defence Science’, 4 July 2017.

was inherently tethered to North Korea's desire for international attention. A former US negotiator and CIA analyst highlighted, how, in a conversation with Director General of the North American Department of the Ministry of Foreign Affairs, Choe Son-hui, Choe mentioned how the Kim regime was guided by the mentality "that unless we can show the Americans that we can hit them, they won't take us seriously."⁷⁶ Beyond attracting attention, Pyongyang underscored how its ICBM capability was a "precious strategic asset that cannot be bartered for anything."⁷⁷ By demonstrating it was capable of striking the US mainland, Pyongyang hoped to preserve nuclear deterrence, and regime survival, whilst also underscore its nuclear status. Then-Foreign Minister, Ri Yong-ho, reinforced this claim, arguing how the DPRK would "under no circumstances, put the nukes and ballistic rockets on [the] negotiating table...unless the hostile policy and nuclear threat of the U.S. against the DPRK are fundamentally eliminated."⁷⁸ Over time, the "hostile policy" became a central heuristic used by the DPRK to influence its recalcitrance towards nuclear dismantlement.

From July 2017, North Korean statements show how Pyongyang was determined to reap benefits without resorting to norm-compliant behaviour – namely dismantlement – with respect to the global nuclear order. Rhetorical tensions between Trump and Kim reached an apotheosis in August 2017, whereby the US president warned that North Korea's nuclear threats would be "met with fire, fury, and frankly power."⁷⁹ In response, the Commander of the KPA Strategic Force lambasted Trump, stressing how "only absolute force can work on him." In the same statement, the DPRK considered "enveloping fire" on a US Air Force base in Guam to "neutralize" the "threat" of US B-1B bomber aircraft flying over the Korean Peninsula, arguing

⁷⁶ CIA official (interview, 2020).

⁷⁷ MFA, 'Kim Jong Un Guides Second Test-fire of ICBM Hwasong-14', 28 July 2017.

⁷⁸ 'Statement by H.E. Ri Yong Ho...ASEAN Regional Forum', 7 August 2017; MFA, 'FM Ri Yong Ho Makes Speech at Ministerial Meeting of the ASEAN Regional Forum', 8 August 2017.

⁷⁹ Baker & Choe (2017)

how North Korea would be “closely watching the speech and behavior of the U.S.”⁸⁰ The DPRK not only admitted how its behaviour would be contingent upon actions taken by the US, but warned how preventive war was not simply a “privileged option for the U.S.”⁸¹

Although this warning may contradict Kim Jong-un’s earlier statements describing North Korea as a “responsible nuclear state” that would not use nuclear weapons first, Kim insisted that the DPRK’s no-first-use policy would only hold “unless its sovereignty is encroached upon by any aggressive hostile forces with nukes.”⁸² Further missile launches in August 2017 were followed by a sixth nuclear test in September, claimed by the DPRK to be of a thermonuclear hydrogen bomb.⁸³ Despite UNSCR 2375 imposed on 11 September, reducing oil provision to the DPRK by 30%, and limiting the issuing of visas by foreign governments to North Korean workers, provocations continued.⁸⁴ Indeed, Pyongyang reiterated after this nuclear test that it would produce as many “powerful nuclear weapons...as it wants,”⁸⁵ and threatened to “reduce the U.S. mainland into ashes” and “sink” Japan.⁸⁶ Trump’s escalatory rhetoric only exacerbated tensions. Of note, at the UNGA in September 2017, Trump announced, using language uncharacteristic of previous US presidents, that the US would “have no choice but to totally destroy North Korea” if “forced to defend itself or its allies”, and, in reference to Kim Jong-un, claimed how “Rocket Man is on a suicide mission for himself and his regime.”⁸⁷

⁸⁰ MFA, ‘KPA Will Take Practical Action; Commander of Strategic Forces’, 10 August 2017

⁸¹ KCNA, ‘Preventive War’ Is Not Privileged Option for U.S., 11 August 2017.

⁸² KCNA, ‘Kim Jong Un Makes Report...’, 7 May 2016. Yet, from North Korea’s perspective, the US “hostile policy”, encapsulated in Trump’s rhetoric, justified its violation of its no-first-use policy.

⁸³ KCNA, ‘Kim Jong Un Gives Guidance to Nuclear Weaponization’, 13 September 2017.

⁸⁴ UNSCR 2375 (2017), S/RES/2375 (2017), 11 September 2017,

⁸⁵ KCNA, ‘Kim Jong Un Gives Guidance...’ 13 September 2017.

⁸⁶ MFA, ‘KAPPC Spokesman on DPRK Stand toward UNSC “Sanctions Resolution”’, 13 September 2017.

⁸⁷ ‘Remarks by President Trump to the 72nd Session of the United Nations General Assembly’, *WH*, 19 September 2017.

North Korea vindicated its provocative actions in response to bombastic rhetoric emanating from the US, particularly Trump. In one notable instance, Kim Jong-un dismissed the US President as a “mentally deranged U.S. dotard” who “made the most ferocious declaration of war in history that he would destroy the DPRK”, against which North Korea would adopt “the highest level of hard-line countermeasure in history.”⁸⁸ Although the precise countermeasure was uncertain, Ri Yong-ho emphasised how “none other than Trump himself is on a suicide mission”, repeating how North Korea’s nuclear possession and development was a “righteous, self-defensive measure.” Unusually, Ri asserted how the DPRK does “not need anyone’s recognition of our status as a nuclear weapon state and our capability of nuclear strike”, a claim which may seem incongruent with North Korea’s status ambitions at the time.⁸⁹ Yet, Ri’s claim can be read, ironically, as demonstrating increased North Korean confidence in its status as an exceptional nuclear state that had nuclearised beyond the restraints of the NPT regime. In return, the DPRK wished to gain international recognition of such nuclear status.

Trump’s own provocations against North Korea only continued, tweeting that the DPRK “won’t be around much longer”⁹⁰, which Ri Yong-ho dismissed as a “declaration of war” for which “all options will be on the operations table.”⁹¹ This tweet offers salient comparison with heightened US-DPRK tensions during the first nuclear crisis. Whilst the 1990s saw discourse of regime change pervade within Washington, amidst fears of North Korea initiating a conventional war, concerns of regime change featured less frequently in 2017. Yet, the dread of conventional and even nuclear conflict, and its consequences on South Korea, were no less profound.⁹²

⁸⁸ MFA, ‘Statement of Chairman of State Affairs Commission of DPRK’, 22 September 2017.

⁸⁹ ‘Statement by H.E. Mr. Ri Yong Ho... 72nd Session of the UNGA, 23rd September 2017.’

⁹⁰ Donald Trump, Twitter Post, 24 September, 4:08AM, <https://twitter.com/realdonaldtrump/status/911789314169823232?lang=en>

⁹¹ ‘North Korea accuses U.S. of declaring war, says can take countermeasures’, *Reuters*, 25 September 2017.

⁹² US journalist (interview, 2020)

Although North Korea did not follow through on its threats to commence “war” until any US response became explicit, intensified threats towards the US became one means to attract the attention of the global hegemon. Such an observation was corroborated by a former US negotiator, whereby North Korea’s provocative behaviour in the Kim Jong-un era, and, especially during Trump’s presidency, was underpinned by brinkmanship, namely “to get very close to the red line, but not quite cross it.”⁹³ The framework of strategic delinquency categorises such brinkmanship as part of the broader behaviour of provocations, whereby North Korea hoped that by escalating belligerence, the US would eventually accommodate its interests, akin to during the first nuclear crisis.

North Korea continued to defend its behaviour in response to the US “hostile policy,” which, importantly, as in previous junctures – not least the second nuclear crisis – it did not perceive to be confined to the nuclear domain. The imprisonment of US university student, Otto Warmbier, during his visit to the DPRK in 2016, and subsequent death upon returning to the US in June 2017, was largely seen as a result of North Korean brutality.⁹⁴ The resultant relisting of the DPRK as a State Sponsor of Terrorism (SST) in November 2017 was criticised by the regime as exemplifying the US desire to “suffocate independent countries disobedient to it.”⁹⁵ Ideas of “suffocation” featured prominently in North Korean rhetoric following UNSCR 2397, imposed after another ICBM launch on 28 November. The resolution, which curtailed petroleum imports and called on North Korean workers abroad to be repatriated within 24 months, was rejected by the DPRK Foreign Ministry as an “act of war...tantamount to [a]

⁹³ US ambassador ROK (interview, 2019).

⁹⁴ According to the DPRK, Warmbier attempted to steal a propagandistic poster from his hotel.

⁹⁵ MFA, ‘FM Blasts U.S. for Re-listing DPRK as “Sponsor of Terrorism”’, 22 November 2017. See also: MFA, ‘Statement by Director of Press of Institute for American Studies of DPRK Foreign Ministry’, 28 November 2017; Uriminzokkiri, ‘U.S. Should Withdraw Re-listing of DPRK as “Sponsor of Terrorism”’, 25 November 2017; KCNA, ‘DPRK People Enraged at Another Provocation Made by U.S.’, 24 November 2017.

complete economic blockade”, ignoring the DPRK’s “fair and legitimate” right to nuclear and missile development.⁹⁶

North Korea’s delinquent behaviour, marked by frequent invocations of war, was in no small part owing to the hawkish approach of the Trump administration. Yet, such acts generated substantial costs. In response to the relisting of North Korea as a SST, and resultant negative social status – which, in the 2000s, it had vehemently opposed – the DPRK threatened that “the more desperate efforts Trump makes to strangle the DPRK by “demonizing” it, the dearer price the U.S. will have to pay.”⁹⁷ Social recognition and status perceptions, therefore, affected North Korea’s behavioural calculations during the first year of the Trump administration. At the same time, North Korea’s behaviour remained incongruent with its ambitions. As a South Korean governmental official highlighted to the author, Pyongyang yearned for “negotiations with the IMF and the World Bank, its name removed from the list of US State Sponsors of Terrorism, and they may want to have diplomatic recognition from Western countries”, whilst refusing to “give up nuclear weapons.”⁹⁸

The impact of the Trump administration’s initial approach towards North Korea’s behaviour was, therefore, profound. In discussion with North Korean officials in 2016, a US negotiator informed the author how these officials revealed that the DPRK strongly wanted to “get over the disaster of Obama and pick things up again” in resurrecting dialogue with the US.⁹⁹ One way of reviving dialogue was to intensify belligerence and give the US little choice but to respond in a conciliatory fashion. A senior South Korean negotiator corroborated this claim, arguing after the ICBM launches of 2017, North Korean officials exclaimed: “will the US give

⁹⁶ MFA, ‘Statement of DPRK Foreign Ministry Spokesman’, 24 December 2017.

⁹⁷ MFA, ‘U.S. Flayed for Re-listing DPRK as “Sponsor of Terrorism”, 22 November 2017.

⁹⁸ ROK government advisor (interview, 2019)

⁹⁹ CIA official (interview, 2020).

a damn shit to us if we don't have nuclear weapons?"¹⁰⁰ Nevertheless, 2018 would see North Korea alter its behaviour by engaging in greater outward compliance with the US's demands, within which comprised abiding by nuclear norms, to reap dividends.

Part III

Easing off the brink: no more nuclear weapons?

Phase 3: Compliance with the global nuclear order?

Surprisingly, from January to October 2018, North Korea deescalated its delinquent behaviour. As this part will argue, even if the DPRK did not intend to heed the norms of international order, this behavioural change was characterised by a more determined pursuit of two goals: firstly, to diminish the negative consequences of increasingly stringent sanctions imposed upon the regime-state; secondly, to receive recognition as a *de facto* nuclear state, particularly from the United States.

In his New Year's Address in 2018, Kim Jong-un forewarned the United States that the "nuclear button is on my office desk all the time", rhetoric which was "not merely a threat but a reality."¹⁰¹ His 2018 address mentioned the word "nuclear" 24 times – in contrast to five mentions in 2017 – as well as "war" and the "United States" 13 and 10 times respectively (compared to nine and four times in 2017). In the same speech, however, Kim called for dialogue with the South, pledging to send a North Korean delegation to the February 2018 PyeongChang Winter Olympic Games. The liberal Moon Jae-in administration in Seoul

¹⁰⁰ ROK official (interview, 2019)

¹⁰¹ RS, 'Kim Jong Un's New Year Address', 2 January 2018.

succeeded in fostering inter-Korean talks – which had stalled under the previous two South Korean conservative administrations – by reopening the Seoul-Pyongyang hotline on 3 January, and convincing the DPRK to send athletes to PyeongChang.¹⁰²

Inter-Korean dialogue in early 2018 would facilitate talks between Washington and Pyongyang.¹⁰³ ROK-DPRK talks in March preceded a visit by South Korean officials to the US, to convey Kim Jong-un's intention for negotiations with the US.¹⁰⁴ Trump quickly agreed, aiming to “meet Kim Jong-un by May to achieve permanent denuclearization”, whilst continuing to exercise “maximum pressure” and induce nuclear dismantlement from the DPRK.¹⁰⁵ Ties between Pyongyang and Beijing, however, would also strengthen, marked by meetings between Kim Jong-un and Xi Jinping in March 2018.¹⁰⁶ The former, however, would hinder the latter in the future, not least given growing Sino-US tensions.¹⁰⁷ Nevertheless, a Chinese negotiator during the Six-Party Talks reaffirmed that despite China's desire for denuclearisation, a key consensus between the PRC and DPRK revolved around “step-by-step” measures, whereby North Korea should suspend missile and nuclear tests only if US-ROK military exercises halted.¹⁰⁸

The Xi-Kim meeting was not unbeknownst to the US. The Trump administration cited the talks as “evidence that our campaign of maximum pressure is creating the appropriate atmosphere

¹⁰² *Nambuggoweubhoedam gongdongbodomun jeonmun* [Joint Press Release on inter-Korean high-level talks] *Yonhap*, 9 January 2018.

¹⁰³ KCNA, ‘DPRK High-level Delegation Meets S. Korean President’, 11 February 2018.

¹⁰⁴ Kim Jong-un stressed the need to “vigorously advance the north-south relations” and “write a new history of national unification.” See: KCNA, ‘Kim Jong Un Meets Members of Delegation of Special Envoy of S. Korean President’, 6 March 2018.

¹⁰⁵ ‘Remarks by Republic of Korea National Security Advisor Chung Eui-Yong’, *WH*, 8 March 2018.

¹⁰⁶ U.S. State Department Spokesperson, Twitter Post, 27 April 2018, 4:06PM, <https://twitter.com/statedeptspox/status/979011782894346242>

¹⁰⁷ ‘U.S. hails developments on Korean Peninsula issue after Kim Jong Un's China visit’ *Xinhua*, 29 March 2018.

¹⁰⁸ PRC official (interview, 2017)

for dialogue with North Korea.”¹⁰⁹ Yet, maximum pressure would initiate dialogue not out of the DPRK’s willingness to make nuclear concessions *per se*, but rather to extort benefits from the United States. With UNSC sanctions on the DPRK increasing in severity – three resolutions were passed during the first year of Trump’s presidency – North Korea’s overtures to dialogue, whilst part of its longer-term goals of recognition as a *de facto* nuclear state, also sought to resist the growing constraints of sanctions on its behaviour. In Pyongyang’s view, sanctions and US-ROK military exercises epitomised the US “hostile policy,” which the DPRK continued to resist. As Vice-Foreign Minister Choe Son-hui emphasised in 2017, since according to the DPRK, “direct nuclear and military threats are coming from the United States...we have to settle the problem with the United States.”¹¹⁰ However, “settl[ing]” the problem” did not mean complying with nuclear norms of disarmament or non-proliferation. As a former senior US negotiator to the DPRK mentioned, during the Trump administration, North Korea wanted to “have its cake and eat it too...continue to develop nuclear weapons, while, in the meantime, deflecting attention from that, and trying to get sanctions lifted.”¹¹¹

Despite the constraints of sanctions, North Korea repeatedly asserted its status as a non-member of the NPT to vindicate its nuclear behaviour. Yet, in April 2018, Kim Jong-un surprisingly announced a moratorium on nuclear, intermediate-range, and intercontinental missile testing, and pledged to shut down the Punggye-ri test site, used for the past six nuclear tests. Kim justified this decision owing to the regime-state having “accomplished the great historic cause” of “completing the state nuclear force” in 2017, and its wish “to make positive contributions to the building of a world free from nuclear weapons.”¹¹² Concurrently, Kim announced that the *byungjin* policy of parallel economic and nuclear development would be

¹⁰⁹ ‘China briefs Trump on Kim Jong Un’s visit: White House’, *Reuters*, 28 March 2018.

¹¹⁰ Statement by Choe Son-hui...Moscow Nonproliferation Conference, 21 October 2017.

¹¹¹ US official (interview, 2019)

¹¹² For more on the ‘new strategic line’, see Carlin (2018)

replaced by a “new strategic line” focusing exclusively on domestic economic development. The DPRK had, in its view, obtained nuclear status,¹¹³ from which it hoped to realise the “prospect of DPRK-U.S. dialogue”, as Kim heralded earlier in the year.¹¹⁴

Declaring nuclear status, and suspending nuclear and long-range missile tests, however, did not epitomise an intention to comply with the global nuclear order, but formed part of a strategy to reap economic benefits – namely sanctions easing – without abiding by the order’s norms, as the framework of strategic delinquency suggests. After this self-declaration, North Korea’s interest in complying with the norms of the nuclear order waned. Instead, it increasingly called on the US to ease sanctions, seeking to be treated and respected as a *de facto* nuclear state, whilst making weak commitments towards global disarmament, non-proliferation, and nuclear restraint. According to the DPRK, any negotiations with the US, thenceforth, would occur between two nuclear powers.

The inter-Korean summit on 27 April 2018 evidenced North Korea’s minimal intention to engage with the nuclear order. The resultant Panmunjom Declaration saw the two Koreas pledge to establish a peace regime on the Peninsula, enhance inter-Korean economic competition, and work towards the realisation of “a nuclear-free Korean Peninsula.” Yet, the declaration itself made little mention of any substantive North Korean compliance with nuclear norms.¹¹⁵ The two Koreas established a liaison office – *de facto* embassy – in Kaesong, north of the DMZ. Yet, Trump’s hailing of the “historic meeting” between the leaders of the two Koreas,¹¹⁶ which, in his view, epitomised how “the intense pressure of sanctions is working,”

¹¹³ MFA, ‘Third Plenary Meeting of Seventh C.C., WPK Held in Presence of Kim Jong Un’, 21 April 2018.

¹¹⁴ MFA, ‘Meeting of Political Bureau of C.C., WPK Held under Guidance of Kim Jong Un’, 10 April 2018.

¹¹⁵ ‘Panmunjom Declaration for Peace, Prosperity and Unification of the Korean Peninsula’, 27 April 2018.

¹¹⁶ Donald Trump, Twitter Post, 27 April 2018, 11:55 AM,
<https://twitter.com/realDonaldTrump/status/989820401596366849>

was naïve.¹¹⁷ North Korean rhetoric may have softened from invoking nuclear war¹¹⁸ to “putting an end to the history of division and confrontation on the Korean Peninsula.”¹¹⁹ Nonetheless, as a South Korean official stressed to the author, “from Kim Jong-un’s inauguration, they were determined to go for nuclear weapons” vis-à-vis Kim’s aims of international recognition of North Korea as a *de facto* nuclear power, whilst concurrently receiving “economic, diplomatic, and political gains” from the US and South Korea.¹²⁰

Inter-Korean summitry was coupled with a revival of hostility between the US and DPRK, as North Korea continued to reject US calls to abandon nuclear weapons unless it obtained prior concessions from the US, a logic that would repeat itself throughout the Trump administration.¹²¹ North Korea emphasised how unilateral disarmament would not take place, and delinquent behaviour revived, if its interests were not accommodated, not least following US invocations of the “Libya model” of possible military intervention if “Kim Jong-un doesn’t make a deal” with the US.¹²² Pyongyang stressed its status as “a nuclear weapon state” – in contrast to “Libya that had simply installed a few items of equipment” – and warned how “whether the U.S. will meet us at a meeting room or encounter us at nuclear-to-nuclear showdown is entirely dependent upon the decision and behavior of the United States.”¹²³

Trump initially cancelled the planned meeting with Kim “based on the tremendous anger and open hostility” in North Korea’s assertion of its nuclear status, to which North Korea responded

¹¹⁷ ‘Statement from Vice President Mike Pence on the Inter-Korean Summit’, *WH*, 27 April 2018,

¹¹⁸ This phrase was mentioned by then-North Korean ambassador to the United Kingdom, Hyon Hak-bong, at Chatham House, London, 1 October 2015.

¹¹⁹ MFA, ‘Historic North-South Summit for National Reconciliation and Unity, Peace and Prosperity’, 28 April 2018.

¹²⁰ ROK official (interview, 2019)

¹²¹ MFA, ‘Press Statement by First Vice-Minister of Foreign Affairs of DPRK’, 16 May 2018. For more on CVID, see: Davenport (2018).

¹²² ‘VP Mike Pence on Russia probe, alleged campaign surveillance’, *Fox News*, 21 May 2018.

¹²³ MFA, ‘Press Statement by Vice-Minister of Foreign Affairs of DPRK’, 24 May 2018.

mildly, reiterating its opposition to US calls for disarmament.¹²⁴ Ironically, Trump's cancellation – on 25 April – occurred on the same day as the DPRK's announcement of the demolition of the Punggye-ri nuclear test site, a visible act demonstrating Pyongyang's *ability* to comply, outwardly, with nuclear norms.¹²⁵ Yet, further inter-Korean summitry in May, and continued US-DPRK dialogue, induced Trump to reinstate his meeting with Kim, for 12 June, in Singapore.¹²⁶ In making this decision, Trump faced opposition from hardliners, particularly National Security Adviser (NSA) John Bolton, who, sceptical of North Korea's intention to denuclearise, feared that any summit would risk "legitimizing Kim Jong Un...undermining key sanctions by suggesting the North was no longer dangerous." Yet, as Bolton revealed, Trump's decision to reestablish the summit was impulsive, with the US President proclaiming: "I want to go. It will be great theater."¹²⁷

Kim Jong-un not only valued the theatre of meeting his US counterpart. Having self-declared the DPRK as a nuclear state only months before the summit, North Korea's overture towards diplomacy was strategic: the DPRK now had expanded nuclear capabilities and "plausible second-strike capability."¹²⁸ Pyongyang could negotiate with Washington from what it perceived to be a position of strength – far stronger than on previous occasions – in hoping to exploit the US-ROK alliance, and reap economic and social benefits.

Following the US withdrawal from the JCPOA agreement in May 2018 whilst US-DPRK talks were ongoing, the DPRK hoped to capitalise upon the US's retrenchment from multilateralism,

¹²⁴ 'Letter to Chairman Kim Jong Un', *WH*, 24 May 2018. For the North Korean response, see: MFA, *joseon-oemuseong je-1-busang damhwa balpyo* [Statement by First Foreign Minister], 25 April 2018.

¹²⁵ MFA, 'Statement of Nuclear Weapons Institute of DPRK', 24 May 2018.

¹²⁶ 'Address by President Moon Jae-in on the May 26 Inter-Korean Summit', *Cheong Wa Dae*, 27 May 2018; 'Remarks by President Trump after Meeting with Vice Chairman Kim Yong Chol', *WH*, 1 June 2018.

¹²⁷ Bolton (2020:94-95). A former Singaporean diplomat revealed to the author how he urged North Korean officials to "cut out a deal" with Trump, since Trump "has no conception of the past."

¹²⁸ Jackson (2019:201)

to garner favourable outcomes bilaterally. Certainly, the Singapore Summit would bring dividends to North Korea: socially, the status as an exceptional nuclear state and equal dialogue partner of the US; materially, retaining its nuclear arsenal, bolstering deterrence and regime survival. As a former US negotiator put it, the DPRK was “quite confident” prior to the summit that it could continue its nuclear ambitions whilst simultaneously obtaining benefits from the US.¹²⁹

Singapore: a small victory for North Korea?

For all its optics, North Korean was the victor of the Singapore Summit. As a former US negotiator at the Six-Party Talks emphasised, the DPRK “succeeded in bringing Donald Trump as [a] supplicant” and could continue “getting something out of it even though they are not putting something in.”¹³⁰ The Singapore Summit highlighted the importance of social recognition for the DPRK – as a negotiating partner of the US – and, moreover, its desire to gain sanctions easing.

Trump’s ability to overcome past derisions of the North Korean leader – who he had previously described as being “full of shit”¹³¹ – and proceed with the summit, was, naturally, unpopular with John Bolton, for whom the summit was “meaningless.”¹³² As Bolton correctly argued, Kim Jong-un recognised the value Trump placed on the mere summit itself, in being the first incumbent US President to meet with their North Korean counterpart. Recalling one example, Bolton stressed how, in Singapore, when the North Korean leader asked as to what Trump

¹²⁹ US official (interview, 2019)

¹³⁰ US official (interview, 2019)

¹³¹ Bolton (2020:107) noted how prior to the summit, although Trump claimed that the US could impose “three hundred more sanctions” on the DPRK, for the President, the summit was “all about publicity”, and was an opportunity he could not miss.

¹³² Bolton (2020:107)

thought of him, “it was a question designed to elicit a positive response, or risk ending the meeting right there...it showed he had Trump hooked.”¹³³

The central claim of the framework of strategic delinquency, that bad behaviour can bring payoffs, was evidenced in the Singapore Summit. North Korea made no concessions on its nuclear ambitions before the summit, but reaped rewards, not least of regime survival. The equivocal nature of the Joint Statement was a further benefit, which saw ambiguous commitments towards “new U.S.-DPRK relations”, a “lasting and stable peace regime on the Korean Peninsula”, the recovery of prisoner-of-war remains, and a North Korean commitment “to work toward complete denuclearization of the Korean Peninsula,” a term devoid of any substantive meaning.¹³⁴ Pyongyang also gained a pledge by Trump to halt US-ROK military exercises, which Trump dismissed – using North Korea’s own words – as “very provocative...war games.”¹³⁵ With respect to sanctions, Trump hubristically asserted that he “look[ed] forward to taking them off.”¹³⁶ As a former US negotiator during the Clinton administration highlighted, Trump insisted on giving the impression that “*he* stopped long-range ballistic missile testing and nuclear testing”¹³⁷, which, a former South Korean official corroborated, would be a feat “his predecessors never achieved.”¹³⁸

Yet, definitional divergences between the US and DPRK vis-à-vis the sequencing of the “denuclearization of the Korean Peninsula” would reinforce North Korea’s reluctance to comply with nuclear norms, despite state media hailing the summit as ushering a “new chapter”

¹³³ Bolton (2020:109)

¹³⁴ ‘Joint Statement...at the Singapore Summit’, *WH*, 12 June 2018; MFA, ‘Joint Statement from Kim Jong Un and Trump after Summit’, 13 June 2018.

¹³⁵ The DPRK has long-derided US-ROK military exercises as “war games” and “nuclear war rehearsals”, which, in one example, compelled North Korea to threaten its withdrawal from the NPT in March 1993.

¹³⁶ ‘Press Conference by President Trump’, *WH*, 12 June 2018.

¹³⁷ US official (interview, 2019)

¹³⁸ ROK official (interview, 2019)

in US-DPRK relations.¹³⁹ Whilst the US focused on the denuclearisation of North Korea in terms of nuclear dismantlement, the DPRK's preferred term – denuclearisation of the *Peninsula* – referred to a removal of the US security guarantee over South Korea; cancellation of joint military exercises, and sanctions relief, before any nuclear concessions were made. As a former US negotiator with the DPRK asserted, North Korea ultimately wished for “lifting the US ‘threat’ that’s always been there.”¹⁴⁰ Pyongyang’s emphasis on “simultaneous action” vis-à-vis denuclearisation of the Peninsula,¹⁴¹ however, was nothing new: reciprocity was central to its negotiating strategy with the US during the first and second nuclear crises.

Trump’s verbal claim to ease sanctions did not materialise, much to the DPRK’s chagrin. According to a former South Korean negotiator, the Singapore Summit allowed North Korea to try and move towards a broader objective, namely “the termination of US hostile policy” through “new relations with the US, sanctions relief, a peace regime that would end the state of war, and turn US-North Korean relations into normal relations that could destroy the rationale for US troops in Korea and the UN Forces Command.” Indeed, as North Korean statements and actions show, the DPRK’s objectives of summitry were to gain acceptance as a nuclear weapons state, and compel the US to withdraw its “hostile policy.” The pledge of “a security assurance that the US would never resort to force on the Korean Peninsula” signified US recognition of North Korea as an equal but exceptional power. Crucially, however, the “hostile policy” extended beyond the domain of security.¹⁴² Indeed, some US officials expressed cynicism at whether North Korea would ever engage in nuclear disarmament. In one

¹³⁹ PT, ‘Epoch-making summit opens up new chapter of DPRK-US relations’, 13 June 2018; RS, ‘Kim Jong Un Returns Home’, 14 June 2018.

¹⁴⁰ US ambassador ROK (interview, 2019)

¹⁴¹ MFA, ‘Historic First DPRK-U.S. Summit Meeting and Talks Held’, 13 June 2018.

¹⁴² ROK official (interview, 2019).

example, an official in the Trump administration ridiculed the Singapore Summit, since in his view, “diplomacy without viable military options” is “absolutely worthless.”¹⁴³

Thus, although the Trump administration attempted to “mak[e] North Korea believe they’re more secure so they can give up nuclear weapons”, as a former US official responsible for North Korea Policy told the author, the DPRK was able to “decode Trump’s showmanship” and pledge ambiguous claims at the Singapore Summit without any real intention to alter the status quo vis-à-vis its nuclear programme.¹⁴⁴ These actions are not incongruent with the expectations of the framework of strategic delinquency. The negative status bestowed upon Pyongyang with respect to its provocations in 2017, and positive status arising from its de-escalation of tensions in early 2018, culminated in the receipt of payoffs: a US pledge to suspend US-ROK military exercises, ambiguous commitment to denuclearisation (material); recognition as an equal dialogic partner and exceptional nuclear state through presidential-level dialogue (social).

After the summit, North Korea revived bellicose rhetoric following a visit to Pyongyang by then-US Secretary of State, Mike Pompeo, whereby the DPRK dismissed the US’s “gangster-like” demands of CVID, and expressed distrust of Trump’s claim to suspend US-ROK exercises. Pyongyang’s insistence that any “denuclearisation” process comprise “simultaneous actions” from the US and DPRK was a lesson learned from the Agreed Framework.¹⁴⁵ At the same time, the DPRK did fulfill some of its pledges made in Singapore. A rocket engine test stand at the Sohae Satellite Launching Station at Tongchang-ri, was dismantled on 24 July 2018, a key missile launch site in the development of ICBM technologies.¹⁴⁶ Moreover, fifty-

¹⁴³ Senior US official (interview, 2019)

¹⁴⁴ US official (interview, 2019).

¹⁴⁵ KCNA, ‘FM Spokesman on DPRK-U.S. High-level Talks’, 7 July 2018.

¹⁴⁶ Bermudez (2018)

boxes comprising remains of US service members during the Korean War were returned to the US.¹⁴⁷ Nevertheless, these actions did not demonstrate outward compliance with the nuclear order *per se*, but compliance with US demands, within which featured the equivocal goal of denuclearisation of the Peninsula. Dismantlement of the Sohae site was a minimal concession; deconstruction could be reversed, and further testing sites were most likely present.¹⁴⁸ Having received recognition from the US as a dialogue partner, and declared itself a nuclear power, North Korea's short-term focus post-Singapore was centred on acquiring sanctions relief rather than being seen as complying with the nuclear order. Portraying itself as adhering to nuclear norms, therefore, was not the principal goal behind North Korea's more compliant behaviour.

North Korea's behaviour during this time epitomised its desire to obtain status parity as an equal actor with the US. In response to the view of US hardliners that sanctions should be strengthened,¹⁴⁹ the DPRK accused the US of "insulting the dialogue partner...going against the intention of president Trump to advance the DPRK-U.S. relations."¹⁵⁰ Indeed, North Korea remained well aware of the value, for Trump, of his interpersonal relationship with Kim Jong-un, even if the relationship was not reflected in improved interstate ties. Trump's penchant for flattery – whereby upon receipt of communication from Kim Jong-un, the US President would read "one oleaginous passage after another" to his administration – was not shared by Bolton, who told Trump that as "a dictator of a rat-shit little country", Kim Jong-un "doesn't deserve another meeting with you."¹⁵¹ Pyongyang would exploit Trump's personal disposition for dialogue, however, and request a second summit between Kim and Trump – which the US

¹⁴⁷ A. Ward (2018)

¹⁴⁸ As will be outlined later in the chapter, construction at Sohae recommenced following the Hanoi Summit in February 2019.

¹⁴⁹ One such hardliner, John Bolton, made this assertion in an interview with Fox News; see: Sonmez (2018). USDS, 'North Korea Sanctions & Enforcement Actions Advisory', 23 July 2018.

¹⁵⁰ MFA, 'Press Statement of Spokesperson for DPRK Foreign Ministry', 9 August 2018.

¹⁵¹ Bolton (2020:125)

would accommodate, announcing plans for the occasion in September 2018 – thus providing a further opportunity for Pyongyang to call for sanctions easing in exchange for limited nuclear concessions.¹⁵²

Inter-Korean dialogue, manifest in a third summit in September 2018, agreed upon enhancing humanitarian cooperation between the two Koreas, a joint hosting of the 2032 summer Olympic Games, and the removal of landmines, guard posts, weapons, and personnel in the Joint Security Area. Yet, regarding the global nuclear order, North Korea's commitments were far less substantive. The DPRK agreed to dismantle the missile engine test site at Tongchang-ri – where deconstruction of the rocket engine test-stand occurred in July – and its Yongbyon nuclear facilities as one step towards nuclear disarmament. These actions, however, were underpinned by a crucial caveat: Pyongyang would only take such steps if the US adopted corresponding measures.¹⁵³ The logic behind North Korea's behaviour during this third phase of the Kim Jong-un era was unsurprising, given the lessons it learned from the collapse of the Agreed Framework, and the Six-Party Talks, namely, not to reward the US with unilateral concessions. The lead US negotiator to the AF corroborated this view, arguing how following the collapse of the Framework, the DPRK “had got pretty expert at circumventing sanctions”; as the official put it: “I don't see them as getting a whole lot; I see them as having given a little.”¹⁵⁴

Although the Singapore Summit did bring social dividends to the DPRK, as a former Obama administration official stressed: “I'm not sure what the benefit [of summitry] is if they can't achieve sanctions relief.”¹⁵⁵ As the next section will argue, from November 2018, North Korea

¹⁵² Shin & Holland (2018)

¹⁵³ ‘Pyongyang Joint Declaration of September 2018’, 19 September 2018.

¹⁵⁴ US negotiator (interview, 2019)

¹⁵⁵ US advisor (interview, 2019).

continued to call for dialogue with the US aiming to receive sanctions relief, but once this goal looked unlikely to materialise, it lost interest both in talks with the US, and outward compliance with nuclear norms.

Part IV

Disinterest in the nuclear order: a return to delinquency

Frustrated at the lack of dividends from the United States post-Singapore, the DPRK revived provocations from November 2018, albeit in a less belligerent fashion compared to those exercised in 2017. Pyongyang justified such behaviour in response to the US's inability to fulfil its pledges made in Singapore, especially Trump's verbal claim of sanctions easing. At the same time, North Korea still desired negotiations, hoping that the US would accommodate its call for a "step-by-step" approach towards concessions.¹⁵⁶ The DPRK's logic contrasted with that of the US, as surmised by a former US negotiator: "the US position has been *you do everything first, and then I'll do something afterwards. Until then, I'll do nothing.*"¹⁵⁷

Pyongyang tested short-range missiles, and, on 15 November, an "ultramodern tactical weapon."¹⁵⁸ Unusually, in December 2018, the DPRK provided its clearest exposition of how it interpreted the "denuclearisation of the Korean Peninsula", namely "removing all elements of nuclear threats from the areas of both the north and the south of Korea and also from surrounding areas from where the Korean peninsula is targeted." Were these goals not fulfilled,

¹⁵⁶ E.g. MFA, 'Ri Yong Ho Calls for thoroughly Implementing DPRK-U.S. Joint Statement', 30 September 2018. A Track 1.5. official validated this strategy to the author, in 2019.

¹⁵⁷ US negotiator (interview, 2019)

¹⁵⁸ MFA, 'Supreme Leader Kim Jong Un Supervises Newly Developed Tactical Weapon Test', 16 November 2018.

Pyongyang would “look for a new way.”¹⁵⁹ Rhetoric of this “new way” was repeated by Kim Jong-un in his 2019 New Year’s Address, vis-à-vis “defending the sovereignty of the country”, referring, most likely, to a revival of nuclear development and missile testing given how the 2018 moratorium was self-imposed, and could simply be renounced.¹⁶⁰ Thus, North Korea’s propensity to revert to delinquency can be seen, especially if it felt no positive outcomes would result from any norm-compliant behaviour.

At the same time, Kim Jong-un capitalised upon Trump’s personal desire for negotiations.¹⁶¹ As a former US official emphasised: “Trump has given them [the DPRK] face, legitimacy, and he has flattered the leader, and the leader is very important to them...he has not talked about things like human rights abuses.”¹⁶² As Bob Woodward posits, ‘love letters’ between the two leaders – as Trump termed such correspondence – increased in frequency and cordiality after the Singapore Summit, each leader praising the other for their willingness to resolve the North Korean issue. In one such letter of December 2018, Trump, praising his unique relationship with Kim, wrote how “a great result will be accomplished between our two countries...the only two leaders who can do it are you and me.”¹⁶³ Yet, effusive interpersonal communication would be no substitute for an amelioration in interstate ties, or North Korean compliance with the norms of the nuclear order.¹⁶⁴ State media continued to laud how Kim Jong-un’s “pledge to work towards “complete denuclearisation” of the Peninsula was “irreversible”, and that

¹⁵⁹ KCNA, ‘It Would Be Better to Search for New Way Rather than Facing Barrier on Old Way’, 20 December 2018

¹⁶⁰ RS, ‘New Year Address of Supreme Leader Kim Jong Un for 2019’, 1 January 2019. State media would repeat this threat throughout January and February, see: Arirang Meari, *ijeneun migug-i silcheonjeoghaengdong-eulo hwadabhaeya handa* [Now the United States must respond by taking practical action], 4 February 2019.

¹⁶¹ A US official exclaimed to the author how Trump “treats Kim Jong-un as his buddy”, which “helps Kim Jong-un for the things he shouldn’t be doing, but also makes the United States to be seen as a country that is falling apart.”

¹⁶² US official (interview, 2019)

¹⁶³ Woodward (2020:174)

¹⁶⁴ Choe (2020) notes how according to senior North Korean official, Kim Kye-gwan, “although Chairman Kim Jong Un has good personal feelings about President Trump, they are, in the true sense of the word, ‘personal.’”

Pyongyang would “no longer make or test nuclear weapons”, nor “use them or propagate them.”¹⁶⁵

Though these statements may expound outward compliance with the nuclear order, they were not evidence of any concrete steps taken by the DPRK to dismantle its existing nuclear programmes. Such weak outward compliance – keeping open the possibility of reverting to delinquency – formed part of the DPRK’s strategy to reap dividends from the US. A further visit by Kim Jong-un to Beijing, from 7 to 10 January 2019, reinforced how the North Korean leader was keen to secure payoffs from a second US-DPRK summit, seeking advice from Xi Jinping with respect to this aim, particularly as dialogue between Washington and Pyongyang began to stall, post-Singapore.¹⁶⁶

Following high-level US-DPRK dialogue, the US confirmed that a second summit would be held in Hanoi, from 27 to 28 February,¹⁶⁷ prior to which Trump, in writing to Kim, had high expectations of reaching an agreement.¹⁶⁸ Nevertheless, Trump did respond to staunch opposition to the summit from within his administration, particularly John Bolton,¹⁶⁹ who successfully convinced Trump to adopt the approach of “walking away” if no acceptable consensus could be reached in talks with Kim Jong-un.¹⁷⁰ As the next section will show, however, the Hanoi Summit presented another opportunity for Pyongyang to be seen as an equal negotiating partner of the US, and pursue material ends, namely sanctions easing. At the same time, as former Head of the US CIA Korean Mission Centre, Andrew Kim, stressed,

¹⁶⁵ RS, *gimjeong-eun jang-gun pyeonghwaui sae lyeogsaleul sseuda* [General Kim Jong-un’s New History of Peace], 13 February 2019.

¹⁶⁶ Choe (2019).

¹⁶⁷ Donald Trump, Twitter Post, 9 February 2019, 12:33AM, <https://twitter.com/realDonaldTrump/status/1094031561861881856>

¹⁶⁸ Woodward (2020:174)

¹⁶⁹ State media decried such opposition; see: KCNA, ‘U.S. Opponents to DPRK-U.S. Negotiations Must Be Prudent’, 24 February 2019

¹⁷⁰ Bolton (2020:324)

North Korea entered the summit pursuing conflicting goals: a “strong desire to improve North Korea’s relationship with the U.S.” without compromising on its nuclear programme,¹⁷¹ an approach which would eventually catalyse unfavourable outcomes for both sides.

Phase Four: The failure of summitry and reversion to delinquency

The timing of the Hanoi summit saw Kim Jong-un exploit the weaknesses within the global nuclear order – given the US’s reticence to sign the TPNW in 2017 – by feigning compliance with Washington’s demands, within which comprised nuclear disarmament. The summit’s curtailed ending, however, saw North Korea lose interest in dialogue with the US if it could not gain benefits in so doing. Pyongyang’s desire to be seen as complying with nuclear norms also diminished. From November 2018, the DPRK determinedly pursued two goals: bilateral and multilateral sanctions easing, and social recognition as an exceptional nuclear state, the latter, which, it hoped, could be garnered through improved ties with the US.

A leaked internal North Korean document from November 2018 underscored Kim Jong-un’s goals for a second summit, namely to reach a “final deal” towards international acceptance as a “global nuclear strategic state... raising the [DPRK’s] status as a world-class nuclear force nation”, in countering US attempts “to get rid of our nuclear weapons by [any] means” – including negotiations – and “protect the revolutionary leadership like an impregnable fortress.”¹⁷² Such admission of its status ambitions contrasted with earlier claims from US officials, as Chapter Three contended, that the DPRK was uninterested in normalising relations with the United States, even if solely as a means towards ascendant social status. At the same

¹⁷¹ ‘Transcript: Andrew Kim on North Korea Denuclearization and U.S.-DPRK Diplomacy’, 25 February 2019.

¹⁷² S. Baik (2019)

time, Pyongyang voraciously pursued nuclear development, and would only normalise relations with the US if doing so did not hinder its nuclear ambitions. As a former South Korean official put it, delinquency is “the only way Kim Jong-un can sit with Trump. *How can that happen if we don’t have an operational arsenal, they [North Korean officials] would say? Only when we resort to forceful things that the US dislikes does the US pay attention to us, and the US has to have a deal.*”¹⁷³

During the Hanoi Summit, North Korean media praised the “era of peace and prosperity that has newly arrived” between the US and DPRK,¹⁷⁴ and the “significant advance in the DPRK-U.S. relations” brought by the meeting.¹⁷⁵ Such pronouncements – directed domestically – however, erroneously implied a successful summit. Far from it, the summit ended inconclusively, owing to disagreement upon the extent of concessions on North Korea’s nuclear programme. Ostensibly, one of the victors was John Bolton, who successfully persuaded Trump to “walk” from the talks when it became clear that no consensus could be reached. Disagreement about the summit’s ending, from both sides, also prevailed. According to Trump, although Kim Jong-un was “willing to denuke a large portion of the areas that we wanted”, Kim refused to concede on other, more important areas. In return, the US “couldn’t give up all sanctions.”¹⁷⁶ According to North Korea’s differing interpretation, however, the US rejected the DPRK’s proposal for the removal of five specific sanctions resolutions imposed in 2016 and 2017 – targeting “the economy and livelihood of our people” – in return for dismantlement of “all the nuclear material and production facilities in the Yongbyon area, including plutonium and uranium, in the presence of US experts.” Trump’s insistence that the

¹⁷³ ROK official (interview, 2019)

¹⁷⁴ KCNA, ‘Supreme Leader Kim Jong Un Has Chat and Dinner with President Donald J. Trump’, 28 February 2019.

¹⁷⁵ KCNA, ‘Supreme Leader Kim Jong UN, President Trump Hold Second-day Talks’, 1 March 2019.

¹⁷⁶ ‘Remarks by President Trump in Press Conference | Hanoi, Vietnam’, *WH*, 28 February 2019

DPRK “take one more step besides the dismantlement of nuclear facilities” at Yongbyon, was unacceptable to Kim.¹⁷⁷

Whilst not explicit in Trump’s rhetoric, such a step could have comprised dismantlement of facilities beyond Yongbyon, a costly compromise which would have hampered Pyongyang’s nuclear development. This view was corroborated by a former US negotiator, who argued how the “main stumbling block to making any forward progress” in negotiations was “Trump[’s] demand[s] that they include undeclared enrichment facilities” beyond Yongbyon.¹⁷⁸ A former ROK Unification Minister supported this claim, stressing how in order to fulfill Kim Jong-un’s aims, namely to “improve relations with the US...but still have nuclear power...they will give some parts away. In Hanoi, Kim Jong-un talked about Yongbyon, but there are many other nuclear facilities! This is typical of North Korea’s negotiating behaviour.”¹⁷⁹ Whilst some analysts emphasise how Kim Jong-un’s ultimate goal, even during these presidential-level summits, remained, and continues to remain the reunification of the Peninsula according to the North’s terms, this long-term objective need not be seen as incompatible with the DPRK’s shorter-term attempts to improve relations with the US.¹⁸⁰ As a former US CIA official contended, the DPRK would “keep it [reunification] open as a possibility” without doing “anything that would push you in that direction, because it would upset all your other near-term plans.”¹⁸¹

Interview evidence shows how although Kim Jong-un sought to reap benefits without giving away any substantial nuclear concessions, the ‘no deal’ of Hanoi came at great social cost,

¹⁷⁷ ‘Press Statement by Ri Yong-ho, Hanoi, Vietnam (midnight),’ 1 March 2019, *Global News*.

¹⁷⁸ US official (interview, 2019)

¹⁷⁹ ROK official (interview, 2019)

¹⁸⁰ For one such view, see: Pak (2020a:235)

¹⁸¹ Pak (2020a:235); CIA official (interview, 2019)

particularly personal embarrassment owing to unrealistic expectations of the US's willingness to reach an agreement.¹⁸² As a former US negotiator with the DPRK and CIA official put it, Kim's "position was so assaulted by the total failure in Hanoi, he could not conceivably go back to talks with the Americans unless there was a huge, demonstrable change in the American position."¹⁸³ One such "change" was sanctions relief, which some argue was a higher priority for North Korea, at Hanoi, than improved relations with the US.¹⁸⁴ A former diplomat serving in Pyongyang explained how the failure of the summit lay in how North Korean officials "grossly overestimated how bad Trump was; they thought the US was weak; they had no Plan B. They thought, too, that Trump was desperate for a deal for internal political reasons." The diplomat emphasised how according to those in the room at the time, "when it was clear Trump was going to walk out of the room, Kim Jong-un went pale; blood drained from his face."¹⁸⁵ An official in the Trump administration validated this assertion, explaining to the author how Kim Jong-un "went to Hanoi thinking he was going to get everything he wanted. He was going to blow up a tunnel at Yongbyon and get everything he wanted; he thought it'd be easy, like the good old days under the Bush and Clinton administrations."¹⁸⁶ A South Korean official also concurred, arguing how North Korea wished to retain its nuclear weapons, and secure a "level of normalisation with the US", with South Korean support.¹⁸⁷ These US and South Korean accounts demonstrate two common themes. Firstly, at Hanoi, the DPRK misjudged the willingness of the US to accommodate its interests, basing its logic upon past agreements, such as the Agreed Framework. Secondly, social recognition as an equal dialogue partner of the US was insufficient to induce North Korea to comply with the US's demands, given the latter's

¹⁸² In email correspondence with the author, in 2019, a British Track 1.5. negotiator with the DPRK disparagingly termed the summit as the 'Hanoi hijack.'

¹⁸³ CIA official (interview, 2020)

¹⁸⁴ Pak (2020:223-224)

¹⁸⁵ UK diplomat (interview, 2019). Pak (2020a:223) agrees, arguing how Kim miscalculated by "gambling that he had a more malleable partner" in Trump.

¹⁸⁶ Senior US official (interview, 2019)

¹⁸⁷ ROK official (interview, 2019)

refusal to ease sanctions. The DPRK's Vice-Minister for Foreign Affairs, Choe Son-hui, offered a scathing conclusion following the summit: "I have a feeling that our Chairman [Kim Jong-un] lost the will to continue the US-DPRK exchanges."¹⁸⁸ North Korea's lack of "intention to compromise with the U.S. in any form" would only exacerbate.¹⁸⁹

Post-Hanoi, despite criticism of the US "hostile policy" following scaled-down US-ROK military exercises – *Dong Maeng*¹⁹⁰ – from 4 to 12 March,¹⁹¹ North Korea continued to call for improved ties with the US.¹⁹² Kim Jong-un made clear, on 13 April, that there was "no need to be obsessed with the summit with the U.S. with a thirst for the issue of easing sanctions", insisting his openness towards "solving a problem through dialogue and negotiation." In the same statement, however, Kim urged the US "to quit its current calculation method" and would "wait for a bold decision from the U.S. with patience till the end of this year."¹⁹³ These statements suggest how North Korea wished to reinforce its status as a negotiating partner of the US, by setting the terms of dialogue and providing the US with a timeframe to alter its calculus or face detrimental consequences. Yet, akin to when North Korea abandoned the Six-Party Talks when it deemed no further benefits could be gained, the same rationale would feature nearly two decades later.

Post-Hanoi provocations: a return to delinquency?

¹⁸⁸ 'Press Statement by Ri Yong-ho, Hanoi, Vietnam', 1 March 2019...

¹⁸⁹ Talmadge (2019).

¹⁹⁰ Translated into English, *Dong Maeng* means "alliance."

¹⁹¹ MFA, 'DPRK Foreign Ministry Spokesperson Criticizes Some Forces for Making Issue of Its Routine Self-Defensive Military Drill', 8 May 2019.

¹⁹² KCNA, *Gyeong-aehaneun choegolyeongdoja kimjeong-eundongjikeseo choegoinminhoeui je-14-gi je-1-chahoeuieseo sijeong-yeonseol-eul hasiyeossda* [Supreme Leader Kim Jong Un Makes Policy Speech at First Session of 14th SPA] 13 April 2019.

¹⁹³ KCNA, 'Supreme Leader Kim Jong Un Makes Policy Speech at First Session of 14th SPA', 13 April 2019

North Korea failed to gain sufficient benefits from the US despite its return to delinquent behaviour, as witnessed in the testing of a “new-type tactical guided weapon” on 18 April.¹⁹⁴ Amidst increasing denunciations of Kim Jong-un from the US, not least by then-Secretary of State, Mike Pompeo – who dismissed Kim as a “tyrant” – senior North Korean official, Kwon Jong-gun, threatened how the DPRK would not “move...one iota” in offering concessions if “Pompeo engages in the talks again.”¹⁹⁵ A further call from John Bolton, that the DPRK demonstrate a credible indication of its intention to denuclearise prior to any US concessions, was lambasted by the DPRK Foreign Ministry.¹⁹⁶ *Ad hominem* attacks on the Trump administration were coupled with short-range missile testing in May 2019, the latter justified by the DPRK as fulfilling “the need to further increasing the capability of the defence units.”¹⁹⁷ Yet, North Korea was unsuccessful in attracting the attention of the US, with Trump retorting nonchalantly how he was “not bothered” about the launches.¹⁹⁸ A former diplomat in Pyongyang emphasised how: “leaked documents out of North Korea indicated that senior North Korean officials were really furious that they fired these missiles, and Trump said *hey, I don’t care*. This really wasn’t what they wanted.”¹⁹⁹

Thus, since the social indicators of the “hostile policy” prevailed, especially verbal criticisms of North Korea from US officials, the DPRK resurrected its belligerent behaviour, but did not close the door completely to dialogue with the US. Nevertheless, North Korea’s perception of a “hostile” US-led international order only grew stronger, especially given Bolton’s continued

¹⁹⁴ MFA, ‘Supreme Leader Kim Jong Un Guides Test-Fire of New-Type Tactical Guided Weapon’, 18 April 2019.

¹⁹⁵ KCNA, ‘U.S. Secretary of State Slammed’, 18 April 2019.

¹⁹⁶ Bolton’s remarks were made in an interview; see: Crooks & Wadhams (2019). For Choe’s response, see: MFA, ‘Answer by First Vice-Minister of Foreign Affairs of DPRK’, 20 April 2019.

¹⁹⁷ RS, ‘Supreme Leader Kim Jong Un Guides Strike Drill of Defence Units in Forefront Area and on Western Front’, 10 May 2019.

¹⁹⁸ ‘Remarks by President Trump and Prime Minister Abe of Japan’, *WH*, 27 May 2019.

¹⁹⁹ UK diplomat (interview, 2020)

cynicism towards further dialogue with the DPRK.²⁰⁰ Bolton chastised those within Washington in favour of dialogue, as wanting “nothing more than to return to the Clinton Administration’s Agreed Framework, or the Bush Administration’s Six-Party Talks, or the Obama Administration’s Six-Party Talks, or the Obama Administration’s “strategic patience”.”²⁰¹ As a US negotiator to the DPRK put it to the author, the rationale behind Bolton’s scepticism was his conviction that “someday North Korea is going to understand that nuclear weapons are not going to help them.”²⁰² Another former US negotiator revealed how Bolton preferred that the US entered a “mode of aggressive containment with the use of force as necessary.”²⁰³

Yet, Trump’s proclivity towards interpersonal dialogue with Kim did not abate, despite the collapse of the Hanoi Summit. In one example, Trump asserted in the aftermath of the summit how “Chairman Kim promised me last time [that] he’s not going to do testing of rockets and nuclear...I take him at his word.”²⁰⁴ North Korea would exploit the US President’s penchant for engagement by setting the conditions for future US-DPRK negotiations, in persuading the US to accommodate its desires, akin to during the ‘first nuclear crisis.’ Yet, Bolton’s antagonism towards dialogue would hamper US decisiveness. In one example, Bolton dismissed a US-ROK agreement in May 2019, where the US would provide food aid to the DPRK, on the grounds that “North Korea could conclude “we fire missiles and get free food”.”²⁰⁵ Whilst it is unsurprising that Bolton remained a target of criticism from the DPRK,²⁰⁶ his reasoning for North Korea’s behaviour was, in fact, in line with that expected by

²⁰⁰ KCNA, ‘U.S. Is Accountable for Rupture of Hanoi Summit Talks: DPRK Foreign Ministry Spokesperson’, 24 May 2019.

²⁰¹ Bolton (2020:333)

²⁰² US official (interview, 2019)

²⁰³ US negotiator DPRK (interview, 2019)

²⁰⁴ ‘Remarks by President Trump in Press Conference | Hanoi, Vietnam’, *WH*, 28 February 2019.

²⁰⁵ Bolton (2020:342-343)

²⁰⁶ KCNA, ‘Spokesperson for Ministry of Foreign Affairs of DPRK Slams U.S. National Security Adviser’, 27 May 2019. The DPRK castigated Bolton, on several occasions, as an “anti-DPRK war maniac” obstructing

the framework of strategic delinquency. Pyongyang's rhetorical threats only reinforced its frustrations at being called to comply with the global nuclear order by the US, despite the US's inaction at heeding its own NPT commitments towards disarmament, its refusal to sign the TPNW, and lack of amenability towards any agreement at Hanoi. North Korea's framing of the global nuclear order as coterminous with the US "hostile policy" only intensified, as did its perceptions of the US as pursuing a "scheme to annihilate [the DPRK] by force" through refusing to reach any agreement at Hanoi.²⁰⁷

Kim Jong-un's end of year deadline became further engrained in North Korea's decision-making following the US Department of Defense's *Indo-Pacific Strategy Report* of June 2019. The report categorised the DPRK as a "rogue state", "serial proliferator", and "security challenge for the Department of Defense, the global system, our allies and partners, and competitors", calling for the "final, fully verifiable denuclearization as committed to by Chairman Kim Jong-un."²⁰⁸ Concomitant with its behaviour during the first year of the Trump administration, North Korea reacted provocatively to what it perceived as a clear indicator of the "hostile policy", and intended to lower the status of the US in the eyes of the wider international community. In Pyongyang's eyes, it would only commit to such "denuclearization" if the US, too, made concessions on its part. North Korea denounced the report as evidence of the US insulting its dialogue partner, "reveal[ing] once again...its aggressive attempt to bring us to our knees by force" through its "ambition of disarmament first and overthrow of system thereafter."²⁰⁹ Whilst such rhetoric was far from the 'fire and

dialogue. See: Naenara News, 'Bolton's Sheer Sophism Failed', 28 May 2019; 'Pyongyang set to break off denuclearization talks with Washington', *TASS*, 15 March 2019.

²⁰⁷ MFA, 'Fate of DPRK-U.S. Joint Statement: Spokesperson for Ministry of Foreign Affairs of DPRK', 4 June 2019.

²⁰⁸ U.S. Department of Defense, *Indo-Pacific Strategy Report*, 1 June 2019, p.12.

²⁰⁹ KCNA, 'U.S. Slammed for Its Provocation against DPRK', 5 June 2019.

fury' of 2017, Pyongyang's frustrations with Washington would catalyse a return to delinquency.

Third time lucky?

Personal communication between Trump and Kim was, however, not worthless. Trump's tweet expressing his willingness to meet Kim Jong-un at the DMZ – during the President's visit to South Korea – in June 2019, resulted in a meeting on 30 June, facilitated by South Korean President Moon Jae-in.²¹⁰ Whilst the meeting's impromptu nature is debatable, Trump's pride at becoming the first US president to enter the DPRK was reflected in hyperbolic statements, pledging to "invite [Kim Jong-un] right now – to the White House."²¹¹ Once again, such a meeting brought theatre but little substance. Both sides agreed to advance dialogue in "making a new breakthrough in the denuclearization of the Korean peninsula and in the bilateral relations."²¹² Such ambiguity, however, was a payoff for the DPRK. Kim Jong-un was once more seen, internationally, as an equal negotiating partner of the US. Pyongyang also pledged a commitment it could easily disregard, and did not make substantial nuclear concessions. Nevertheless, the DPRK received few other benefits. As Pak argues, this meeting revealed to Kim the importance of "creating the illusion of progress" by "appealing to Trump's penchant for the theatrical", in being seen – domestically and internationally – to have met with the North Korean leader.²¹³ Beyond the optics, however, the meeting reinforced the importance, for North Korea, of reciprocity. As a former US negotiator put it, divergent views on sequencing between Washington and Pyongyang, alluded to at the DMZ meeting, would hinder future

²¹⁰ Moon "hope[d] that President Trump will go down in history as the president that has achieved peace on the Peninsula." 'Opening Remarks by President Moon Jae-in...' *Cheong Wa Dae*, 30 June 2019.

²¹¹ 'Remarks by President Trump, Chairman Kim Jong Un, and President Moon', *WH*, 30 June 2019.

²¹² MFA, 'Supreme Leader Kim Jong Un Has Historic Meeting with U.S. President Donald Trump at Panmunjom', 1 July 2019.

²¹³ Pak (2020a:224)

talks. Whilst the DPRK argued that “before we take a step...we need to see something on your side that’s demonstrable”, the US’s strategy was a “mirror image of what they [the US] tell the North Koreans”, namely, “we can’t move ahead unless you do something.”²¹⁴

The vague commitments at the DMZ gave Pyongyang leeway to resume provocations, launching short-range ballistic missiles in July and August, and a new submarine-launched ballistic missile on 2 October.²¹⁵ With working-level US-DPRK talks planned, North Korea developed renewed interest in negotiations following Trump’s removal of John Bolton as National Security Advisor. Trump himself empathised with North Korea’s criticisms, chastising Bolton’s invocations of the ‘Libya model’ vis-à-vis the DPRK, even claiming that he “did not blame Kim Jong Un” for “want[ing] nothing to do with John Bolton.”²¹⁶ North Korea’s willingness for “comprehensive discussions” following Bolton’s departure, however, was an unconvincing signal of any compliance with nuclear norms, rather epitomising its impatience in light of Kim Jong-un’s ‘deadline’ and a lack of change in the US “hostile policy.”²¹⁷

Talks for the sake of talks?

Whilst North Korea used presidential-level meetings at Hanoi and the DMZ to assert itself as an equal dialogue partner of the US, subsequent working-level US-DPRK talks, on 5 October 2019 in Stockholm, saw North Korea lose interest both in negotiations, and in being seen, internationally, to comply with the norms of the nuclear order. Akin to the collapse of the Six-

²¹⁴ CIA official (interview, 2020)

²¹⁵ Voice of Korea, ‘DPRK succeeds in test-firing new-type submarine-launched ballistic missile’, 2 October 2019.

²¹⁶ ‘Remarks by President Trump in Meeting on E-Cigarettes’, *WH*, 11 September 2019.

²¹⁷ MFA, ‘DPRK First Vice Foreign Minister Issues Statement’, 9 September 2019.

Party Talks, North Korea withdrew from the Stockholm talks when it recognised no positive outcomes would bear fruit unless the US brought a “new package” for negotiations, and did not “abus[e] the DPRK-U.S. dialogue” for domestic purposes, namely the presidential election in November 2020.²¹⁸ As a former US negotiator with the DPRK put it, the DPRK “didn’t think they [the talks] were going to get anywhere.”²¹⁹ Kim Kye-gwan, advisor to the North Korean Foreign Ministry, and lead negotiator during the Six-Party Talks, buttressed this claim, stating how North Korea was “no longer interested in such talks that bring nothing to us”, and would only return to dialogue if the US took “a bold decision to drop its hostile policy.”²²⁰

North Korean statements demonstrate two reasons for its withdrawal from these talks. First, it did not wish to engage in “sickening negotiations” if the US did not provide concessions.²²¹ Secondly, it wished to lower the social status of the US in the eyes of the international community – owing to the latter’s “hostile policy” – whilst advancing its own nuclear development. As was common in its negotiating strategy since the first nuclear crisis, the DPRK utilised its withdrawal from any agreement or dialogue to justify delinquent behaviour. Yet, with North Korea’s self-imposed moratorium on long-range nuclear and missile testing still in place – and despite short-range missile tests in May 2019 – the DPRK intensified *rhetorical* provocations, and rebuffed US overtures for negotiations.²²²

In a role reversal from earlier in the Trump administration, it was not the DPRK seeking talks, but the US, against which North Korea proceeded to set the conditions for any negotiations.

²¹⁸ MFA, ‘Fate of DPRK-U.S. Dialogue Depends on U.S. Attitude: DPRK Foreign Ministry Spokesperson’, 6 October 2019.

²¹⁹ CIA official (interview, 2020)

²²⁰ MFA, ‘Advisor to DPRK Foreign Ministry Issues Statement’, 18 November 2019.

²²¹ PT, ‘Fate of DPRK-US dialogue depends on US attitude: DPRK Foreign Ministry spokesperson’, 7 October 2019; MFA, ‘DPRK Foreign Ministry Roving Ambassador Issues Statement’, 14 November 2019.

²²² Donald Trump, Twitter Post, 17 November 2019, 2:58PM, <https://twitter.com/realDonaldTrump/status/1196080086686011398>

Such actions can be contextualised with respect to North Korea's frustration with the lack of sanctions easing.²²³ Plans to conduct US-ROK military exercises in November 2019 – dismissed as exemplifying the US “hostile policy” – saw North Korea threaten “shocking punishment” in response.²²⁴ From North Korea's perspective, whilst the US reaped payoffs of domestic and international legitimacy from presidential-level dialogue with the DPRK, the DPRK did not gain any comparable benefits.²²⁵ The postponement of US-ROK exercises, and their eventual reduction in scale, did not represent a significant concession; Pyongyang urged the US to “quit the drill...once and for all” or else abandon realisation of the US “dream” of denuclearisation.²²⁶

North Korea lost its appetite for future talks as it became increasingly dissatisfied with the lack of reciprocal actions taken by the US. In November 2019, Pyongyang conducted artillery drills near its maritime border with South Korea, followed by short-range projectile launches from a new “super-large multiple launch rocket system.”²²⁷ With US-DPRK dialogue stagnating, North Korea continued to impose conditions upon the US before any talks would occur. The conduct of a “crucial test” to “bolster up the reliable strategic nuclear deterrent” on 14 December, speculated to be a ground test, took place at the Sohae test site, a venue which the DPRK had pledged – at Singapore – to dismantle.²²⁸ This revival of operations demonstrated the spurious and reversible nature of North Korea's past pledges, and how North Korea's behaviour remained highly contingent upon US actions.

²²³ MFA, ‘Advisor to DPRK Foreign Ministry Issues Statement’, 18 November 2019.

²²⁴ KCNA, ‘Chairman of Korea Asia-Pacific Peace Committee Issues Statement’, 14 November 2019.

²²⁵ KCNA, ‘Statement of Spokesman for DPRK State Affairs Commission’, 13 November 2019.

²²⁶ KCNA, ‘U.S. Should not Dream about Negotiation for Denuclearization before Dropping Its Hostile Policy towards DPRK’, 18 November 2019. A similar statement was expressed by the DPRK mission to the UN on 22 November, see: ‘North Korea says it's gained nothing from US but ‘betrayal’, *AP*, 22 November 2019.

²²⁷ KCNA, ‘Supreme Leader Kim Jong Un Inspects Test-fire of Super-large Multiple Launch Rocket System’, 29 November 2019.

²²⁸ KCNA, ‘Spokesman for Academy of Defence Science of DPRK Issues Statement’, 14 December 2019.

In late 2019, North Korea stressed how even following Bolton's resignation, the US failed to reward the DPRK for its actions taken with respect to previous inter-Korean and US-DPRK agreements, such as the dismantlement of the Punggye-ri test site.²²⁹ Indeed, as a former US negotiator put it, the DPRK "cannot unilaterally say they're denuclearising if they don't get something from the Americans, and it's got to be in a more or less reciprocal fashion: sanctions is not enough, they need a military step," such as a cessation of US-ROK exercises.²³⁰

With the end of year 'deadline' nigh, and any alteration in the US "hostile policy" unlikely, Kim Jong-un warned that the DPRK would "take positive and offensive measures for fully ensuring the sovereignty and security of the country", in "the fields of foreign affairs, munitions industry, and [the] armed forces."²³¹ Kim's end of year address to the Workers' Party further intensified such bellicosity, arguing how "the more the U.S. stalls for time...the more helpless it will find itself before the might of the Democratic People's Republic of Korea", criticising the US for failing to respond to the DPRK's long-range testing moratorium, and shutdown of "the nuclear-test ground." In the same statement, Kim affirmed how since the DPRK would "live under the sanctions by the hostile forces in the future", the "world will witness a new strategic weapon to be possessed by the DPRK."²³² A far cry from its de-escalation of tensions in 2018, a former US negotiator aptly surmised North Korea's core thinking at the end of 2019, namely that since "nothing positive is going to happen with the Trump administration... no one's going to stop him [Kim] from building up his [nuclear] force."²³³ North Korea's belief

²²⁹ Statement by Jo Chol Su, Director of the North American Department of the MFA, at The Moscow Nonproliferation Conference, 8 November 2019.

²³⁰ CIA official (interview, 2020)

²³¹ KCNA, 'Second-Day Session of 5th Plenary Meeting of 7th C.C., WPK Held', 30 December 2019.

²³² KCNA, 'Report on 5th Plenary Meeting of 7th C.C., WPK', 1 January 2020.

²³³ CIA official (interview, 2020)

that “the guy they can do a deal with is Trump” declined rapidly.²³⁴ Sitting with the enemy was not enough; for Pyongyang, tangible concessions had to be obtained.

Throughout the Trump administration, the DPRK paid lip service to nuclear norms of non-proliferation and disarmament, whilst underscoring the necessity of its nuclear weapons for defensive, deterrent purposes. Complying with the nuclear order, however, was fundamentally inconducive towards maintaining its nuclear arsenal.²³⁵ Despite its reticence towards making concessions on its nuclear programme, North Korea did not completely shun dialogue with the US, even in late 2019. In November, senior Foreign Ministry official, Jo Chol-su, stressed how although Pyongyang was “not interested” in talks that “cannot bring about any tangible results”, it would be “ready to meet at any time” if it obtained a “constructive and positive signal” from Washington. Jo admitted how “DPRK-US relations are now being maintained purely by personal relations formulated between the supreme leaders of the DPRK and the United States.”²³⁶ Nevertheless, such interpersonal communication – despite their reduced frequency after the Hanoi summit – remained no substitute for improved interstate relations.

A senior US negotiator asserted how “I’ve never seen any major credible indication that the North Korean regime is truly interested in better relations with the US on anything other than its own terms.”²³⁷ Pyongyang’s behaviour after the Hanoi summit epitomises this somewhat cynical sentiment, whereby only when its “own terms” were fulfilled, namely a reduction in the US “hostile policy”, would it deescalate its provocative behaviour. Else, it would continue provocations to compel the US to negotiations, irrespective of the US response.

²³⁴ US Track 1.5 negotiator (interview, 2019)

²³⁵ Statement by Choe Son-hui...Moscow Nonproliferation Conference, 21 October 2017.

²³⁶ Statement by Jo Chol Su...Moscow Nonproliferation Conference, 8 November 2019.

²³⁷ US official (interview, 2019)

Part V

Strategic delinquency and Kim Jong-un

The framework of strategic delinquency sheds useful insight on North Korea's behaviour from 2012 to 2019. During this time, in line with the expectations of the framework, delinquent behaviour and the resultant negative status brought payoffs – but also costs – for North Korea. The provision of benefits took place owing to several scope conditions. First, the regime could take advantage of the contradictory policies of a charismatic US leader – President Trump – namely “maximum pressure” and a personal penchant for engagement. The initial US responsiveness to North Korean belligerence – both rhetorical and visible – allowed Pyongyang to attract the attention of Washington through its provocative rhetoric and actions. Secondly, a pro-engagement administration – under Moon Jae-in – in Seoul could be exploited by Pyongyang, in conveying its intentions to the United States, particularly in terms of sanctions easing. At the same time, North Korea also exercised compliant behaviour with respect to the demands of the US – and the global nuclear order – as a means to obtain further benefits. Table 3 outlines the oscillation between delinquency and compliance from 2012 to 2019, under the rule of Kim Jong-un.

Date	North Korean behaviour	US behaviour	Type of North Korean behaviour	Benefits and costs
2012-2016	Increased nuclear and missile testing. Nuclear tests on 12 February 2013; 6 January and 9 September 2016. Leap Day Deal terminated following “satellite” launch on 12 April 2012.	US-DPRK ‘Leap Day Deal’, 29 February 2012	Delinquent	Costs: UNSCR 2087 (22 January 2013) UNSCR 2094 (7 March 2013) UNSCR 2270 (2 March 2016) Lack of negotiations with the US Benefits: Nuclear deterrence Regime survival Agency of nuclear-armed status.

				Consolidation of power for Kim Jong-un
2017	Intensified brinkmanship between Kim Jong-un and Trump. Sixth nuclear test on 3 September. ICBM launches in July and November. Threat to launch a missile on US bases in Guam. Degrading the status of the US owing to “hostile policy.”	Heightened rhetoric from President Trump; <i>ad hominem</i> attacks on Kim Jong-un	Delinquent	Costs: UNSCR 2356 (2 June) – sanctioning individuals for aiding nuclear programme UNSCR 2371 (5 Aug.) – post-28 July ICBM test UNSCR 2375 (11 Sep.) – post-sixth nuclear test UNSCR 2397 (22 Dec.) – post-<i>Hwasong-15</i> ICBM launch in November. Benefits: Increased US attention. Assertion of status as a nuclear-armed state.
2018	De-escalation of US-DPRK conflict; expressing desire for talks with the US. Reconciliation with South Korea. Declaration of nuclear status, in April, and the “completion” of its nuclear programme; moratorium on intermediate and long-range missile testing	US-DPRK (Trump-Kim) summit in June 2018. Pledges to normalise relations; suspend US-ROK military exercises; possibility of sanctions easing.	Compliant	Benefits: Assert agency as a nuclear-armed state. Deterrence; regime survival (material) Recognition as a negotiating partner of the US, and exceptional nuclear state (social) No new UN sanctions. Negotiations with the US create conditions for concessions.
Nov. 2018-Dec. 2019	Inconclusive ending of Hanoi summit; revival of brinkmanship. Ongoing nuclear ambitions; missile testing in late 2019. Threat to develop a “new strategic weapon” if the US “hostile policy” continues.	Second US-DPRK presidential-level summit ends inconclusively. DPRK withdraws from working-level US-DPRK talks in October 2019. Post-Hanoi, US overtures for dialogue rebuffed by the DPRK.	Delinquent	Costs: UNSCR 2407 (21 March 2018) extends UNSCR 1718 mandate until April 2019. Benefits: Unrestrained nuclear and missile development. Setting the conditions for talks with the US.

Table 3: Strategic delinquency in the Kim Jong-un era

Fundamentally, North Korea did not make any substantial concessions on its nuclear programme despite receiving benefits from the US, notably during the Trump administration. This outcome sits in line with the strategic delinquency framework, and reinforces one of the DPRK’s aims during this time, namely, to bolster its nuclear weapons capabilities.

Provocations, heightened brinkmanship, and deception – the latter, in pledging feigned compliance with nuclear norms – were rewarded by the US with social benefits of recognition as a dialogue partner and exceptional state. Such exceptional nuclear status intensified following the DPRK’s declaration of the “completion” of its nuclear programme in April 2018, which only reinforced how it would not compromise on its nuclear capabilities unless concessions were made from the US. Yet, recognition of North Korea’s exceptional status was far from in a positive vein. As has been seen, substantial costs, namely multilateral sanctions, were incurred during the latter Obama and early Trump administrations. Despite Pyongyang’s calls for their removal, Washington did not grant this reward even after presidential-level negotiations. Following unsuccessful dialogue at Hanoi and Stockholm, North Korea felt no further benefits could be gained from compliant behaviour. In response, it revived delinquency, lost interest in how the United States would respond to its actions, and did not care to be seen by the international community as a nuclear norm-breaker. In line with Grégoire Mallard’s argument regarding the importance of reciprocity in gift-giving, the terms of any US-DPRK agreement were neither premised around reciprocity, nor acceptable for the DPRK.²³⁸

As this chapter has contended, during the Obama administration, minimal US engagement intensified North Korean delinquency, bringing material benefits of regime survival and nuclear deterrence, but few social benefits. During this time, North Korea exercised provocative and deceptive behaviour, the latter as witnessed in the termination of the Leap Day Deal owing to a rocket launch unsuccessfully concealed as a “satellite.” Despite the lack of benefits from the US, North Korea gained time to develop its nuclear capabilities, marked by continued nuclear and missile tests. Yet, the second Obama administration saw growing

²³⁸ Mallard (2019)

sanctions imposition upon the DPRK, a material cost that continued into the Trump administration.

During the early Trump administration, terse US rhetoric was matched with provocations from the DPRK, namely nuclear and missile tests, not least of ICBMs. In so doing, North Korea exercised counter-stigmatisation when it did not receive adequate benefits from the United States, blaming its provocative behaviour on the US's abandonment of its pledges in previous agreements. Trump's initially harsh rhetoric, as witnessed in threatening "fire and fury" on the DPRK, and lambasting Kim Jong-un as "Rocket Man", saw North Korea respond equally delinquently, seeking to attract the attention of the US in calling for negotiations. Yet, the DPRK's subsequent self-declaration as a nuclear state in 2018 saw successful leveraging of this nuclear status to catalyse talks. The US decision to engage in presidential-level dialogue with the DPRK, later that year, brought North Korea recognition as an equal negotiating partner and exceptional nuclear state. Congruent with the framework of strategic delinquency, the DPRK reaped these benefits without making any substantial nuclear concessions, despite being bestowed with negative status owing to its continued nuclear ambitions.

Declaring its nuclear status allowed North Korea to assert agency as an equal dialogue partner of the US. Nevertheless, the self-imposed nuclear and long-range missile test moratorium did not dampen its nuclear ambitions. In North Korea's view, a nuclear-armed state need not engage in ongoing visible manifestations of their nuclear status. Following this declaration, the DPRK resorted to less delinquent behaviour to compel the US to talks, and raise the possibility of acquiring benefits. During this time, since ongoing North Korean provocations did not bring payoffs – given the US's insistence on CVID, and the continuation of sanctions – the DPRK exercised mock compliance with the US's demands. This shift in behaviour can be illuminated

by the strategic delinquency framework, whereby for North Korea, if no payoffs would arise from continued delinquency, reducing delinquency could possibly increase the likelihood of receiving positive outcomes without compromising on its national interests.

Following the lack of material benefits – namely sanctions easing – obtained by North Korea despite three summits with the US, the DPRK increasingly held the US to account vis-à-vis its inability to fulfill its pledges made in Singapore, Hanoi, and in past agreements – not least the Agreed Framework – to justify its revival of provocations. The DPRK’s withdrawal from the NPT – in 2003 – was one such example, as was the US’s lack of fulfillment of its pledges according to the Agreed Framework, as Chapter Two contended.²³⁹ North Korea’s behavioural logic at the Hanoi Summit, however, emphasised how learning from the outcomes of past delinquent behaviour would not always be successful. At Hanoi, the DPRK overestimated the determinedness of the US to reach a consensus at whatever cost. Exasperated at complying with US demands if positive outcomes would not ensue, North Korea accelerated its agency-asserting behaviour after the Stockholm talks. Pyongyang insisted that any further talks would be on their own terms, and continued to blame the US’s “hostile policy” as catalysing the DPRK’s Hobbesian approach towards international order.

Part VI

Alternative Explanations

Deterrence

²³⁹ KCNA, ‘Withdrawal of U.S. Hostile Policy towards DPRK...’, 25 June 2020.

Deterrence remains a plausible explanation for North Korea's behaviour since 2012, especially during the early Trump administration. Under Kim Jong-un, as this chapter has contended, the DPRK has expanded the range and sophistication of nuclear and missile capabilities, the latter as marked by the development of intercontinental ballistic missiles (ICBMs) able to strike the US mainland. As Mark Bell asserts, ICBM development could be indicative of "nuclear opportunism", whereby states heighten aggression when faced with "serious territorial threat", which, in the North Korean case, can be manifest in its ongoing invocation of the US "hostile policy" to justify its nuclear behaviour.²⁴⁰ The DPRK's "siege mentality" and paranoia of being attacked by the United States grew during the early Trump administration, especially following Trump's rhetoric of 'fire and fury'.²⁴¹ One influence upon Pyongyang's bolstering of nuclear deterrence could have been the Obama administration's policy of "strategic patience", whereby North Korea reaped few benefits from the United States, such as seen in the failure of the 'Leap Day Deal' of 2012. Thus, in response, the DPRK sought to enhance deterrence.

For Kim Jong-un, deterrence serves as a "bulwark against attempts at forcible regime change or outside interference in North Korean decision-making."²⁴² As Jackson argues, "only by holding the US homeland at risk of attack could Kim Jong Un be certain that the United States would not invade."²⁴³ Narang and Panda note how Kim Jong-un's "strategy is predicated on a permanent state of brinkmanship on the Korean Peninsula" whereby any conventional attack from the US would be "unthinkable...given the risks of uncontrollable escalation past the nuclear threshold."²⁴⁴ Given the DPRK's conventional inferiority to the US and its regional allies within the East Asia, the escalation of brinkmanship as a path towards nuclear deterrence

²⁴⁰ Bell (2019:9)

²⁴¹ Clapper (2018:49) argues how this "siege mentality" has prevailed since the end of the Korean War.

²⁴² Panda (2020:86-87)

²⁴³ Jackson (2018:134)

²⁴⁴ Narang and Panda (2017:49)

has occurred in two ways: threatening US allies of Japan, ROK, and Guam, and through adopting ICBM capabilities to deter US nuclear retaliation vis-à-vis any potential North Korean first use of nuclear weapons.²⁴⁵

Yet, an official in the Trump administration disagreed with the importance of nuclear deterrence in influencing the DPRK's behaviour, since in his view, North Korea "already has a deterrent capability conventionally."²⁴⁶ Crucially, following a discussion with senior North Korean officials in 2014, former US DNI James Clapper convincingly concluded how if North Korea "didn't have their nuclear weapons, no one would pay attention to them, and they would have no viable deterrent. It is about "face", recognition, and leverage. They have none of that without their nuclear weapons."²⁴⁷ Clapper's perspective disrupts the prevalent realist logic underpinning US foreign policy understandings, and demonstrates how deterrence only sheds light on part of North Korea's delinquent nuclear behaviour. As a US official reinforced to the author, in the Kim Jong-un era, North Korea has aimed to "use the provocations as a precursor to negotiations to extort concessions from US and others, including relaxation of sanctions. Then, enter into a weak unenforceable agreement that they immediately violate."²⁴⁸

Domestic Legitimacy

²⁴⁵ Narang and Panda (2017:48-49); Narang (2017). Yet, North Korea's no-first-use policy is unusual: in 2016, Kim Jong-un asserted how the DPRK would "fulfil its commitments to nuclear non-proliferation" and "not use a nuclear weapon unless its sovereignty is encroached upon by any aggressive hostile forces with nukes." Kim espoused a similar view in October 2020, whereby the DPRK would not carry out a preemptive strike unless "any forces infringe upon the security of our state and attempt to have recourse to military force against us." See: KCNA, 'Kim Jong Un Makes Report on Work of WPK Central Committee at Its 7th Congress' 7 May 2016; KCNA, 'Supreme Leader Kim Jong Un Delivers Speech at Military Parade', 10 October 2020.

²⁴⁶ Senior US official (interview, 2019)

²⁴⁷ Clapper (2017)

²⁴⁸ Senior US official (interview, 2019)

Kim Jong-un's strenuous efforts to consolidate domestic power from the outset of his rule, in removing threats from within the regime, was marked by the purging and execution of his uncle, Jang Song-thaek, in 2013, and killing of his half-brother, Kim Jong-nam, in 2017.²⁴⁹ Defector testimonies highlight how domestic perceptions of Kim Jong-un are markedly less favourable than those of Kim Jong-il or Kim Il-sung.²⁵⁰ Purges of disloyal WPK officials, coupled with increasing restrictions on domestic information flows all indicate Kim's efforts to strengthen domestic control, particularly given growing avenues for North Korean citizens to access outside information.²⁵¹

Kim Jong-un's pursuit of the *byungjin* line – parallel nuclear and economic development – from 2013, reinforced the centrality of nuclear weapons towards garnering domestic legitimacy. In one example, North Korean state media unusually documented the Hanoi Summit whilst it was ongoing, heralding it as a “success” to domestic audiences.²⁵² As this chapter has discussed, Kim's announcement of the completion of the state nuclear forces in 2018, and subsequent moratorium on intermediate and long-range missile testing, took place amidst a policy shift towards the ‘new strategic line’, focusing exclusively on domestic economic development. A former senior South Korean negotiator to the DPRK asserted how the ruling regime now takes its nuclear weapons for granted, a rationale which seems concomitant with this policy shift.²⁵³

Yet, although domestic legitimacy may present a strong account for North Korea's delinquent behaviour during the Kim Jong-un era, it overlooks core international-level considerations,

²⁴⁹ Pak (2020a:104-108; 145-148).

²⁵⁰ This was a common response from defectors interviewed by the author.

²⁵¹ Baek (2016); Gerschewski & Dukalskis (2018)

²⁵² E.g. KCNA, ‘Supreme Leader Kim Jong Un, President Trump Hold Second-day Talks’, 1 March 2019

²⁵³ ROK official (interview, 2019)

particularly the leader's outreach to South Korea, China, and the US, in seeking economic and social benefits. Nevertheless, Kim's aversion towards normalising relations with the US, whatever the cost, counters the insatiable pursuit of his grandfather, Kim Il-sung, towards this aim. International-level considerations, especially of status pertaining to North Korea's continued nuclear development, thus, must have influenced the DPRK's behaviour under Kim Jong-un and within the context of the Trump administration.

Conclusion

This chapter has argued that the power transition in North Korean leadership from Kim Jong-il to Kim Jong-un saw the DPRK accelerate its nuclear ambitions, whilst exercising negative and positive status-inducing behaviour towards the nuclear order, the latter, particularly during the Trump administration. In line with the framework of strategic delinquency, although delinquent behaviour from 2012 to 2019 did generate negative status, given how North Korea made no substantial concessions on its nuclear programme – pledging only to do so if the US took corresponding measures – it was still able to obtain material and social benefits, namely deterrence and regime survival (material), as well as recognition as an equal negotiating partner of the US, and exceptional nuclear state (social).

During this time, North Korea's behaviour revolved around the pursuit of longer-term international recognition as a nuclear-armed state – particularly from the US – whilst developing its nuclear capabilities, and concurrently calling for an easing of sanctions. As this

chapter has argued, these goals accelerated during the Trump administration, as North Korea deployed delinquent and compliant behaviour vis-à-vis international order to assert agency as a nuclear state, attract international attention, and reap benefits of status parity, as manifest in presidential-level US-DPRK and inter-Korean summits in 2018 and 2019. Initially, the DPRK viewed Trump's idiosyncratic approach as a means of compensating for the lack of benefits reaped during the "strategic patience" of the Obama administration – coupled with conservative governments in Seoul – during which time North Korea intensified its belligerent behaviour. Although North Korea did engage in talks with South Korea, and China – especially between 2017 and 2019 – this chapter has focused predominantly on evolving US-DPRK relations during from 2012 to 2019. This focus is warranted, given how from North Korea's perspective, the US remained a central target of North Korea's behaviour, whereby, in Pyongyang's eyes, it could only "settle the [nuclear] problem with the United States."²⁵⁴

Yet, over time, North Korea's pursuit of nuclear weapons became increasingly brazen. Whilst after the Singapore Summit, the DPRK attempted to compel the US to further negotiations from which it could reap payoffs, the collapse of the Hanoi Summit saw North Korea lose interest in two domains: first, towards talks with the US and South Korea; secondly, in being seen as an outwardly compliant power with the global nuclear order. The DPRK rejected future overtures from the Trump administration to talks, since it felt no additional benefits could be gained, especially sanctions relief. Thus, whilst the DPRK capitalised upon Trump's penchant for reaching an agreement with North Korea – and his interpersonal ties with Kim Jong-un – especially throughout 2018, Pyongyang also continued to test the extent to which the US was willing to provide benefits. As this chapter has shown, obtaining the material benefit of

²⁵⁴ Statement by Choe Son-hui...Moscow Nonproliferation Conference, 21 October 2017.

sanctions easing became a predominant goal for North Korea, given stringent sanctions imposition during the late Obama and early Trump administrations.

Thus, North Korea remains unlikely to concede on its nuclear programme, and continues to adopt the mentality that negative status-inducing behaviour will provide benefits. As debate continues regarding questions of North Korea's denuclearisation, the difficulty of generating consensual international policy towards the DPRK remains, particularly given how the regime-state's egregious human rights violations of its citizens presents another obstacle to its integration into international society.

CONCLUSION

North Korea and the payoffs of delinquency: an assessment

To paraphrase former US Secretary of Defense, Donald Rumsfeld, North Korea remains a “known unknown” of international society.¹ Existing attempts to understand the DPRK’s behaviour and its domestic and foreign policy choices are incomplete, and the so-called ‘hermit kingdom’ remains elusive to IR theorisation.² As aptly summarised by a former US negotiator with the DPRK, in conversation with the author:

“if I were doing a fishing treaty with Canada, I could pick apart their government, and now the bureaucraties [sic] of their government...what their domestic concerns are, and what the international concerns are. I can’t do that with North Korea.”³

Although North Korea remains the “blackest of black boxes”, this study has shown the benefit of research into the regime-state through adopting a diverse range of methodologies in order to illuminate one underexplored aspect of international politics. The near impossibility of uncovering the motivations behind North Korea’s behaviour means that any study that claims to do so, causally, should be treated with caution. Cognisant of this difficulty, this thesis has adopted an exploratory approach, elucidating the types of behaviour which North Korea has exercised from the first nuclear crisis of the 1990s to the recent Trump-Kim administrations, and their outcomes. In so doing, this study adopts a North Korea-centric perspective in understanding North Korea’s behaviour, and how it responds to the so-called US “hostile policy.” Without the bounteous insight provided by the extensive documentary analysis and

¹ See: Howell (2018:1)

² E.g. Miller & Narang (2018); D. Kang (2003b); Hagström & Lundström (2019).

³ US negotiator (interview, 2019)

in-depth interviews in this study, it would have been impossible to understand how the North Korean regime-state frames its position in international order, and its resultant behaviour, in inherently social terms.

This thesis contends that North Korea has deployed varying types of delinquent behaviour to yield benefits, for over thirty years. In so doing, it underscores the fundamental claim that for North Korea, bad behaviour with respect to international order, and the global nuclear order more specifically, has been rewarded, which the DPRK has exploited to seek further benefits. In brief, North Korea not only values nuclear weapons for deterrent purposes; it also seeks social status as a nuclear-armed state, and recognition of this status from the wider international community.

There are several scope conditions under which North Korea's delinquent behaviour has garnered payoffs over time, including the nature of the US leadership and the value it has placed upon negotiations with the DPRK; the US's propensity towards imposing sanctions; North Korea's ability to persuade the international community of its willingness to comply with international norms, even if feignedly, and the eagerness of the South Korean administration to engage with their northern counterpart.

Through its rich and invaluable insight, this thesis has argued how delinquent behaviour has brought positive outcomes for the DPRK, predominantly owing to actions taken by the international community – specifically the US – to compel North Korea into greater compliance with the norms of the nuclear order and international order. From the 'first nuclear crisis' – outlined in Chapter Two – to the recent interactions between US President Trump and Kim Jong-un – seen in Chapter Four – North Korea's behaviour has been fundamentally

centred around the pursuit of two conflicting goals: first, normalisation of relations with the United States; secondly, the development of credible weaponised nuclear capabilities. The pursuit of these goals – the former, which the DPRK is yet to achieve, the latter, which it is arguably close to obtaining – remains intimately tethered to how North Korea conceptualises international order and its marginalised position within it, namely through the lens of a US “hostile policy.” Over time, North Korea’s invocations of the “hostile policy” to justify its behaviour became increasingly frequent, especially when it did not gain benefits. In addition to criticising the hostility of the US-led nuclear order, North Korea has also contributed towards shaping the order by exposing its fragilities, namely the weak enforcement power of the non-proliferation regime vis-à-vis states that subvert the nuclear order’s norms. Indeed, the question of whether delinquent behaviour is the default form of behaviour for the DPRK remains highly salient. What this thesis has shown is that whilst Pyongyang’s framing of international order as a set of hostile and discriminatory strictures has influenced its delinquent behaviour, the oscillation of delinquency with norm-compliant actions suggests that Pyongyang *will* exercise ‘good’ behaviour if doing so does not compromise on its national interests.

This thesis’s novel theoretical framework of strategic delinquency sheds light on how, contrary to arguments in existing literature, delinquent behaviour, which inflicts negative status, can, in fact, bring positive outcomes for states. Such a process is particularly potent for smaller states that are marginalised within international society, of which North Korea is one. As Chapter One contended, this framework typifies delinquent behaviour into three categories, which are not mutually exclusive: norm-transgression; provocation; deception. The benefits that may be gained from delinquency are both material and social: the former, pertaining to nuclear deterrence; regime-state survival, and economic assistance; the latter, comprising three forms of recognition, as a sovereign, equal, and exceptional actor. This framework thus challenges

existing scholarship in International Relations and Political Science, which overwhelmingly argues how the main path towards positive outcomes for states is to conform with dominant systemic norms of behaviour. As this thesis has argued, North Korea has deviated from such normative expectations with respect to the global nuclear order and broader international order. Particularly following its withdrawal from the NPT in January 2003, and after having declared the “completion” of the nuclear programme in 2018, the DPRK has been willing to see how far it is able to evade the institutionalised and normative constraints of the nuclear order in pursuing weaponised nuclear development evermore determinedly.

This framework, therefore, helps to make sense of how North Korea interacts with the global nuclear order and wider international order, in understanding its actions in a richer vein than existing analyses, not least by adopting the lens of social status. What can be seen from the empirical evidence in this thesis is that the benefits North Korea gained from its norm-breaking behaviour, over time, were both material and social, in line with the expectations of the framework.

At the same time, this thesis has also argued that North Korea’s delinquency with respect to the global nuclear order has inflicted considerable costs on the regime-state. As Chapter Three contended, in just one example, the DPRK’s desire to be removed from the US State Sponsors of Terrorism list – on which it had been placed in 1988 – highlighted how North Korea attempted to remove the social cost of being labelled as such. The Banco Delta Asia asset freeze – imposed in 2005 – also saw North Korea engage voraciously in calling for the funds to be released, in no small part owing to the social implications of being portrayed to the international community as a ‘rogue’ actor. Whilst the freeze did not specifically pertain to the DPRK’s nuclear behaviour, the regime-state perceived the manoeuvre to exemplify the US “hostile

policy”, in tandem with Washington’s calls for Pyongyang to halt its nuclear development. As such, the DPRK refused to reengage with the Six-Party Talks unless the BDA issue was resolved. In a more recent example, heightened multilateral sanctioning during the late Obama and early Trump administrations – as Chapter Four argued – presented a further financial cost to the DPRK’s delinquency, not least missile and nuclear tests during this time.

Nevertheless, North Korea has not always behaved badly, at times, exercising compliance with the norms of the global nuclear order and broader international order. Such compliance has comprised suspensions of nuclear activity, such as of plutonium production – as a condition of the Agreed Framework – or pledges, though specious and vacuous, to abide by nuclear norms and US demands for denuclearisation. The latter, as Chapter Four contended, became increasingly prevalent as dialogue between Pyongyang and Washington stalled in late 2019. North Korea subsequently lost interest in such talks, even despite the possible recognition as a dialogue partner that could ensue. Yet, compliance – albeit feigned – occurred under several conditions: first, when North Korea recognised that compliant behaviour would reap rewards; secondly, when the DPRK realised that it could exploit the US’s penchant for dialogue, as seen during the first Trump administration. Thirdly, if Pyongyang could attract the attention of a pro-engagement administration in Seoul to convince Washington of its desire for negotiations. Importantly, however, Pyongyang’s decision to engage in norm-compliant behaviour, particularly during the ‘second nuclear crisis’ and the recent engagement between Donald Trump and Kim Jong-un – as Chapters Three and Four show – did not mark a departure from its goals of international recognition as a *de facto* nuclear state, and expansion of weaponised nuclear capabilities.

North Korea has learned from the outcomes of past delinquent actions to inform future behaviour. The DPRK has made ongoing reference to past failed instances of cooperation with the United States to justify its deviance, by framing such behaviour as a rational response to the US “hostile policy.” For instance, even in 2020, North Korea continues to rationalise its nuclear ambitions owing to the failure of the US to fulfil its pledges of the Agreed Framework of 1994, as well as the DPRK’s withdrawal from the NPT, in 2003, which, in Pyongyang’s view, renders it unconstrained by the institutionalised and normative nuclear order.

In addition, North Korea also learned from the outcomes of compliant behaviour, especially during the Six-Party Talks, as well as summitry between Kim Jong-un and Donald Trump. In the latter period, Pyongyang self-imposed a moratorium on nuclear and long-range missile testing, shut down a nuclear test site (at Punggye-ri), and pledged to dismantle a rocket engine launch site at Tongchang-ri. Yet, when North Korea recognised it would not obtain benefits from compliance – even if solely to pay lip-service to US demands – it resorted to delinquency, and did not care to be seen, internationally, as a norm-violating actor.

Theoretical implications: status, delinquency, and nuclear rogues

This thesis’s findings have important theoretical implications, sowing the seeds for bountiful further research in three interconnected strands of scholarship in relation to questions of international society: first, ideas of status in international relations; second, notions of delinquent behaviour; third, understandings of ‘roguehood’ and ‘rogue’ states vis-à-vis the nuclear order.

Firstly, this thesis has shed light upon how negative status can be leveraged by North Korea for instrumental gain. Whilst extant conceptualisations of status within international society remain premised around how compliance with dominant systemic norms can lead to ascendant social status, for states, this thesis has provided an in-depth analysis of a state that has performed the obverse, namely using the negative status inflicted by the custodians of international order as a route towards subjectively positive outcomes. Yet, as this thesis has demonstrated, North Korea holds a somewhat outdated conceptualisation of status, namely whereby *mere* nuclear possession is sufficient to be perceived by the wider international community as a significant international actor. Nuclear weapons are just one marker of recognition for states, however, not least according to a thick, solidarist notion of international society.

Particularly under Kim Jong-un, the North Korean regime is cognisant of the fact that it must open up economically to gain ascendant status and legitimacy within international society. Yet, even despite the ‘new strategic line’ focusing on domestic economic development, initiated in 2018, the costs of prioritising such development at the expense of nuclear ambitions seem too high for North Korea to bear. Fear of the dissemination of outside information into the DPRK would fundamentally contradict the regime-state’s narrative of a “hostile” United States, and exacerbate the possibilities for anti-regime sentiment, particularly amongst ruling elites.⁴

Whilst North Korea may have gained social recognition as a nuclear state in all but name, the DPRK remains excluded from international society, as manifest in its social label as a ‘rogue’ actor, a lack of diplomatic relations – not least with the US – and dearth of international legitimacy owing to its totalitarian domestic governance. The concept of negative social status,

⁴ E.g. Pak (2020b); Baek (2016:196-197)

which undergirds this thesis's framework, can catalyse future theoretical research on status, with respect both to marginalised state actors and rising powers. Both categories of states – the PRC exemplifying the latter – can and do seek to assert agency through exercising both non-compliant and norm-deviant behaviour vis-à-vis international norms. Ergo, how negative status can lead to positive outcomes for rising powers is worth further exploration.⁵

Secondly, the broader, related notion of how delinquent behaviour can become a route to positive ends for states, remains underexplored in existing scholarship. Understanding how and why states negotiate between deploying delinquent behaviour – if doing so can advance their national interests – and international pressures to comply with the diverse norms of international society should be explored beyond the North Korean case. As aforementioned, the PRC – albeit a rising power, and less marginalised than the DPRK – offers a useful example vis-à-vis reconciling domestic and foreign policy goals with its need to be perceived, internationally, as a responsible and legitimate nuclear power.⁶ Furthermore, how powers seek to resist the prevailing international order through behaving delinquently raises important avenues of inquiry for theorisations of the US as the custodian of international society. Indeed, Singaporean diplomat, Kishore Mahbubani, reminds us that US hegemony continues to be predicated upon the “assumption of virtue” vis-à-vis the US's self-perception as a benign global hegemon.⁷

Thirdly, this thesis catalyses further research into the global nuclear order as a social order.

Whilst this study has contended that North Korea's desire to be seen as complying with the

⁵ Hurrell (2006) prefers the term “would-be great powers” to “rising powers.”

⁶ For the intersection of domestic and foreign policy with respect to China, see Deng (2008); Weiss (2014); Reilly (2011)

⁷ Mahbubani (2020:183). Porter (2020) presents a potent challenge to the notion that the US is a benevolent hegemon.

norms of the nuclear order declined with time, questions remain pertaining to how the nuclear order can and should be strengthened given the challenge to the order's stability posed by the DPRK and other nuclear 'rogue' states, such as Iran and Pakistan. As has been argued in this thesis, North Korea's behaviour, particularly during the Trump administration, became more concerned with reacting to the US's demands – not least of denuclearisation – rather than focusing on the nuclear order, and being seen to comply with its norms. At the same time, the DPRK, amongst other states, has contributed towards heightened global concerns regarding the robustness of the nuclear order, exemplifying how states that choose not to join the order can successfully circumvent its core norms of non-proliferation and disarmament. North Korea is a unique case in this respect, as the only state – thus far – to have acceded to but subsequently withdrawn from – albeit self-declaredly – the Non-Proliferation Treaty.

In this vein, two areas of research are worth considering in detail. First, how “rogue” nuclear states envisage their place within the global nuclear order. Evidence in this thesis has contended how North Korea has framed the nuclear order – and wider international order – as a set of discriminatory strictures, led by the US, whereby institutions such as the International Atomic Energy Agency merely reinforce US interests. For North Korea, the global nuclear order is actively part and parcel of the US “hostile policy” designed to overthrow the ruling regime. Yet, this thesis's findings catalyse additional research into the nuclear order beyond the North Korean case, particularly how other 'rogue' actors perceive and narrate the order from localised perspectives. Highly salient questions remain, pertaining to how states that have never joined the NPT, but have greater integration into international society – such as Israel or Pakistan – as well as NPT-signatories that flout the order's norms – such as Iran – define their positions with respect to the global nuclear order.

A second avenue for research rests around the paradox underlying the pursuit of nuclear weapons by ‘rogue’ states, between how they reconcile nuclear possession to bolster domestic legitimacy, and the resultant international illegitimacy that ensues. As this thesis has shown, North Korea exhibits a complex and, at times, messy interplay between the material and social objectives of delinquent nuclear behaviour, whereby any single explanation provides only a partial understanding of its behaviour in relation to the nuclear order. Nevertheless, beyond the North Korean case, in taking the strategic delinquency framework further, a key question for future research revolves around whether other states that resist the norms of the nuclear order prioritise social acceptance as *de facto* nuclear powers, or material goals of prestige and deterrence for domestic and regional objectives. A further question relates to whether so-called nuclear ‘rogue’ states deploy deviant behaviour in order to delegitimise the existing norms underpinning the nuclear non-proliferation regime and international society, not least by proving their lack of universality. A more extreme version of this rationale pertains to whether these norm-breakers are able to shape international order in so doing. If, for North Korea, delinquent nuclear behaviour can bring benefits, despite the bestowal of low status, does this logic prevail across other states?

Policy implications: a tripartite approach

The findings of this thesis have timely implications for policy towards North Korea. For any policy to be effective, it must recognise how North Korea views international order and its place with it, and the influence of key states, not least the US, on North Korean state behaviour. Through the heuristics of negative social status and the “hostile policy”, insight from this thesis has underscored how North Korea’s nuclear ambitions are not merely a product of deterrence or regime-state survival. In a more complex vein, they are a fundamental response to a deep-

rooted perception of being socially disadvantaged within international society, against which the DPRK seeks status and respect.

The following policy recommendations target the United States, South Korea, China, and North Korea. The US is not only the global hegemon; it has become the explicit referent actor of North Korean state behaviour. Thus, there is an urgency for the US to recognise the role it plays in the behavioural calculations of the DPRK. In the case of South Korea, improving inter-Korean ties is a pressing task given the centrality of the US-ROK alliance. Moreover, the premise that the ROK fundamentally perceives the DPRK as an illegitimate state – and *vice versa* – has long-hindered inter-Korean relations. China, too, has been oft-cited as holding the key to any curtailing of North Korea’s nuclear ambitions, given the historically proximate ties between the two states.⁸ Although Sino-DPRK relations have fluctuated over time, the Kim Jong-un era saw North Korea exploit the great power politics between Washington and Beijing for its own advantage. First, in criticising the PRC for voting in favour of UNSC sanctions on the DPRK in 2017, and secondly, through Kim’s numerous meetings with Xi Jinping before and after summits with President Trump. Although Beijing has pledged its support towards the DPRK’s denuclearisation, it must balance this call with its national interests, namely stability on the Korean Peninsula, and a fear that its influence over its “sole treaty ally” would decline following increasing North Korean willingness to “cut its own deals with the United States and South Korea.”⁹

Expounding policy recommendations for North Korea may seem unusual to the reader. Yet, what follows does not encourage continued delinquency, but offers ways for the DPRK to gain

⁸ E.g. Chung & Choi (2013); HN Kim (2013); Jang & Son (2020); Y. Ji (2001).

⁹ Revere (2019:22)

greater integration within international society, instead of receiving dividends solely owing to unsuccessful international attempts to compel the regime-state into norm-compliant behaviour. At the same time, recent events in the DPRK make clear that North Korea does not seek to abandon its nuclear development. As Kim Jong-un reinforced in January 2021, the regime-state has clear ambitions to expand its nuclear programme, not least in terms of enhancing the sophistication of its capabilities through solid-fuel ICBMs, tactical nuclear weapons, military reconnaissance satellites, and submarine-launched ballistic missiles. In justifying such advancements, Kim Jong-un continued to invoke the US “hostile policy”, reinforcing how the “real intention” of the US “policy toward the DPRK will never change, whoever comes into power”, since “key to establishing [a] new relationship between the DPRK and the U.S. lies in the withdrawal of its hostile policy.” Without this eventuality, the DPRK would “continuously strengthen military capabilities”, and “as a responsible nuclear weapons state, would not misapply the nuclear weapon unless the aggressive hostile forces try to use their nuclear against the DPRK.”¹⁰

These pronouncements underscore the centrality of the US “hostile policy” in influencing North Korea’s nuclear behaviour, as this thesis has contended. Thus, the international community must recognise North Korea’s justification for its nuclear behaviour, and seek to resolve issues around the “hostile policy” in a more holistic fashion. Indeed, the so-called ‘North Korea problem’ is not limited to its nuclear programme, extending to its egregious human rights violations, totalitarian domestic governance, and inability to provide public goods for its citizens. Coupled with these multifaceted dimensions, a historical lack of policy consensus in relation to the DPRK’s nuclear ambitions – especially on the part of great powers – has hampered any concerted international approach towards North Korea.

¹⁰ KCNA, ‘On Report Made by Supreme Leader Kim Jong Un at 8th Congress of WPK’, 9 January 2021.

Whilst delinquent behaviour may have generated benefits for North Korea over time, its recognition as an exceptional nuclear state that has developed weaponised nuclear capabilities outside of the NPT – by subverting nuclear norms – is far from positive. Despite gaining recognition as a negotiating partner of the US, the DPRK continues to lack recognition as a trusted nuclear partner of the US, legitimate regime, and ‘good’ citizen of international society. Whilst Pyongyang may have pursued status as a significant nuclear power to catalyse international recognition as a *de facto* nuclear state, it lacks status in being “welcomed by the international community” as a full participant.¹¹

A central goal for the DPRK, as this thesis has argued, has been the normalisation of bilateral relations with the US. Although Pacheco Pardo argues that the prioritisation of this goal declined after North Korea’s first nuclear test in 2006, evidence in this thesis has demonstrated how improved relations with the US has remained an objective of North Korea, given how doing so would mitigate the US “hostile policy”, and bring social and material benefits to the DPRK. At the same time, Pyongyang’s commitment to normalisation has been inconsistent over time. As a former US negotiator highlighted, whilst the DPRK initially rejected the US offer of liaison offices in the 1990s, North Korea was actively suggesting the establishment of a US embassy in Pyongyang by the end of the decade.¹²

As this thesis has shown, the US has previously offered normalisation if the DPRK took tangible steps towards denuclearisation. If North Korea remains keen to reap economic benefits of relations with the US but unwilling to compromise on its nuclear ambitions, a more

¹¹ Kim Jong-un made this claim during his 2019 New Year Address, following US-DPRK dialogue in 2018. See: RS, ‘New Year Address of Supreme Leader Kim Jong Un for 2019’, 1 January 2019.

¹² CIA official (interview, 2020)

pragmatic approach for both the US and the DPRK must be realised vis-à-vis normalisation. Whilst diplomatic and economic normalisation would bestow the DPRK with the status as a sovereign equal to the US, the question of what normalisation entails for the US and DPRK catalyses a dilemma for Pyongyang. For North Korea, normalisation refers to an eradication of the “hostile policy” whereas for the US, it remains centred around sovereign recognition as well as diplomatic and economic ties. One such realistic approach towards ‘normalisation’ was proffered by a former US negotiator with the DPRK, and CIA official, who stressed how, at the end of the Clinton administration, “we weren’t going to become allies, but have a much better relationship.”¹³ Yet, how might such a “better relationship” take place?

The Biden administration faces no easy options; with each successive US administration, the range of available policy choices shrinks. Whilst policy deliberation takes place, the DPRK only continues to expand its nuclear capabilities and ambitions. Trump’s approach of “maximum pressure” failed in its aim to “convince the Kim regime that the only path to survival is to relinquish its nuclear weapons”, as a recently declassified US policy paper revealed.¹⁴ John Mueller asserts how “one way to reduce the likelihood that new nuclear states will emerge is a simple one: *stop threatening them*.”¹⁵ Whilst North Korea is certainly one example of a “new nuclear state” for which deterrence has become a convenient – though not exclusive – justification for its nuclear ambitions, the DPRK’s perception of “threat” as encompassing issues far beyond calls to denuclearise, render any US policy increasingly complex.

¹³ CIA official (interview, 2020)

¹⁴ ‘U.S. Strategic Framework for the Indo-Pacific’, February 2018, p.8

¹⁵ Mueller (2010:145, emphasis original)

Worrying scenarios remain, regarding the ability of North Korean actors – without authorisation from the regime – to export nuclear material to terrorist networks for financial gain, or for terrorist groups to co-opt illicit interstate networks of nuclear trade.¹⁶ Although the world may not have seen the “tragedy and terror” that Philip Bobbitt posited would ensue once North Korea deploys nuclear weapons,¹⁷ nor the nuclearisation of Japan or South Korea,¹⁸ the DPRK’s nuclear ambitions show few signs of abating.

The United States

As a former negotiator with the DPRK stressed: “the United States has been the biggest immediate problem for [the DPRK], because [it] has been able to persuade much of the international community to isolate North Korea more than it would be otherwise, and to keep a lot of sanctions on them, and increase them in recent years.”¹⁹

Policymakers in Washington must face the uncomfortable reality that North Korea may never disarm unilaterally, and it may never return to the Non-Proliferation Treaty (NPT) as a non-nuclear weapons state. Thus, continued iterations of ‘complete, verifiable, irreversible disarmament’ – originating from the early George W. Bush administration – are unlikely to induce meaningful change from North Korea. As Victor Cha correctly asserted, North Korea is the “land of least lousy options”, and any policy should not be devised as presenting the ultimate solution to the North Korean problem, but as comprising the least unpalatable choice.²⁰

¹⁶ Plant & Rhode (2013:70)

¹⁷ Bobbitt (2006:761)

¹⁸ Allison (2005:166).

¹⁹ US official (interview, 2019)

²⁰ Cha (2018:246)

Cha postulates six possible policies for the US: an ‘action-for-action’ small deal; a ‘Libya model’ which pressurises the DPRK to declare its intention to denuclearise; continued “maximum pressure” whereby North Korea is convinced to abandon nuclear weapons through the economic pain of sanctions; interpersonal dialogue between US and North Korean leaders; political normalisation, and an arms-control agreement that stops the growth of North Korean nuclear weapons.²¹ As this thesis has argued, since the “hostile policy” profoundly influences North Korea’s behaviour, the policies most likely to influence North Korean behaviour would be those of political normalisation and even arms-control. A repetition of “maximum pressure”, or a ‘Libya model’ approach threatening preventive military action is unlikely to induce positive signals from the DPRK vis-à-vis its intention to denuclearise, given how these options would merely be derided by Pyongyang as epitomising the US “hostile policy”, as this thesis has contended. Whilst an arms control approach may be dismissed as tacit acceptance of North Korea as a nuclear-armed state, given the unlikelihood that any US policy can denuclearise North Korea, the next best alternative lies in reducing the North Korean nuclear threat, globally and regionally.

The improbability of a denuclearised North Korea should not preclude Washington from engaging with Pyongyang, however, a view shared even by staunch opponents of interpersonal dialogue between Trump and Kim Jong-un. One such opponent, a US official, admitted to the author how engagement with the DPRK was preferable to any alternative option, asking how: “is the alternative not to talk to them?”²² In another example, even despite John Bolton’s scepticism of Trump’s summitry with Kim Jong-un, Bolton vociferously chastised the Obama

²¹ Cha (2020)

²² Senior US official (interview, 2019)

administration's "strategic patience" policy: "Obama had been ready to make significant mistakes on North Korea *without even talking first*."²³ Central to any successful US policy towards North Korea, therefore, is increasing trust and confidence-building between Washington and Pyongyang. Indeed, "strategic patience" may not have rewarded Pyongyang, but also did not curtail its nuclear ambitions.

The US should engage with North Korea, even if only through the 'New York Channel' – via the DPRK mission to the United Nations – which remained open until 2016, when the DPRK severed the communication line. At the same time, Washington should not dismiss North Korean claims to "eliminate or dismantle Yongbyon" even if it "will not give up what they consider their life insurance", comprising nuclear facilities and stockpiles.²⁴ Normalisation of relations with the US remains a longstanding North Korean goal pursued by Kim Il-sung and Kim Jong-il. A move by Kim Jong-un to abandon this objective would be incongruent with the approach taken by his predecessors, and catalyse possible problematic consequences in justifying any such decision domestically.

Three main policy changes from the US would improve relations with the DPRK. Firstly, a continuation of working-level dialogue. Whilst presidential-level summitry has allowed North Korea to reap benefits and pledge equivocal commitments to denuclearisation, working-level talks would demonstrate the US commitment to engagement, and North Korean intentions towards an improvement in ties. Although such talks in October 2019 did not bear fruit, talks should advance a constructive agenda to improve US-DPRK bilateral ties, and, crucially, not have denuclearisation as their starting point.

²³ Bolton (2020:109, emphasis added)

²⁴ IAEA official (interview, 2020)

From working-level dialogue emerges the second recommendation: the signing of a peace treaty to end the Korean War. Although sceptics have contended that the DPRK is likely to treat any peace treaty as a “piece of paper” from which it can abrogate or exploit, such as to call for the removal of US conventional presence in the ROK, the symbolic value of a peace treaty may improve future relations between Pyongyang and Washington, and allow Washington to curb the North Korean nuclear threat more effectively.²⁵ Nevertheless, this recommendation bears risks, given the continuation of the long-standing North Korean goal of reunifying the Korean Peninsula under its own terms, even despite the declining prominence of this objective during the Kim Jong-un era. Resisting this goal, however, can occur through a stronger affirmation of the US-ROK alliance, which seems a likely policy manoeuvre under Biden, given his recalcitrance towards direct talks with Kim Jong-un.²⁶

Thirdly, the US should adopt a more flexible approach to sanctions enforcement, in contrast to the all-or-nothing approach of the Trump administration, which has been ineffective at inducing any meaningful concessions from the DPRK. A more adaptable approach may involve selected sanctions easing – such as of those specifically targeting the North Korean economy – in return for small concessions from the DPRK, such as sections of Yongbyon. If Kim Jong-un is provided with the opportunity to develop the North Korean economy, and a springboard to encourage iterative trust-building with the United States, how might the regime respond in terms of nuclear concessions? This approach offers a *via media* between the dangers of complete sanctions removal and further sanctions enforcement: the former would be exploited by Pyongyang as a *carte blanche* towards continuing the status quo, namely further

²⁵ A senior South Korean negotiator highlighted to the author, in 2019, how North Korea wants something more than a “paper assurance”. Yet, this mentality need not preclude the signing of a peace treaty as the first step towards improved US-DPRK ties.

²⁶ Biden (2020)

nuclear development and human rights violations; the latter, as history has shown, risks North Korea retreating from dialogue completely, and exacerbating delinquency as a result.

At the same time, a core limitation of sanctions easing in altering North Korea's behaviour is Kim Jong-un's repeated emphasis that the DPRK will continue its nuclear ambitions regardless of any sanctions imposition, and learn to "live under the sanctions by the hostile forces".²⁷ Though sanctions easing may be desired, Pyongyang is not expecting it to occur imminently, and, in the meantime, will not alter its behavioural strategies. As Stephan Haggard and Marcus Noland posit, the international community must be "modest in its expectations" regarding any effects of sanctions removal on North Korea's behaviour.²⁸

Nevertheless, without any attempt to engage in dialogue with the DPRK, the US – and international community – will receive nothing in return. For North Korea to make any nuclear concessions, Washington must take the first step, and make some unpalatable decisions, whether through selected sanctions easing, or a more radical manoeuvre such as a temporary suspension of US-ROK military exercises.²⁹ Yet, a central obstacle to any US policy pertains to questions of sequencing of any North Korean denuclearisation, such as highlighted by the regime's repeated calls for reciprocal actions in this vein during the Six-Party Talks.³⁰ Pyongyang's behaviour during the Trump administration, too, indicated how the Kim Jong-un regime valued bolstering its nuclear and missile deterrent through escalating brinkmanship.³¹

²⁷ KCNA, 'Report on 5th Plenary Meeting of 7th C.C., WPK', 1 January 2020

²⁸ Haggard & Noland (2017:249)

²⁹ Such a claim was also posited by Pacheco Pardo (2020:208).

³⁰ MFA, 'Building a Peace Regime on the Korean Peninsula – An Urgent Demand of the Times-Kim Yong Guk, Director General of the Institute for Disarmament and Peace', 4 September 2018. In the early stages of the SPT, the DPRK called for a "reward for freeze" approach as "the only way of finding a solution to the nuclear issue"; the US would reward North Korea after each step taken towards halting its nuclear programme. Interestingly, during this time, the DPRK referred to a "freeze" rather than "disarmament" or "denuclearisation" *per se*. See: KCNA, 'DPRK Foreign Ministry Dismisses U.S. Proposal', 26 July 2004.

³¹ Pacheco Pardo (2020:149)

A US offer of diplomatic normalisation must not be ruled out even if ‘normalisation’ merely refers to forming sovereign US-DPRK ties, and the opening of liaison offices. Just because the DPRK rejected this overture in the 1990s does not mean it will do so in the present-day, especially since, as this thesis has shown, North Korea places great value upon social recognition of its status, especially since the DPRK in the 21st century possess far more sophisticated nuclear capabilities compared to the 1990s.

As Miller and Narang rightly posit, “although it is politically challenging, both internationally and domestically, to be seen as “rewarding” proliferators by offering inducements, the history of the North Korea case shows that the greatest restraints on its nuclear program were in fact achieved when Washington offered substantial inducements, i.e., the 1994 Agreed Framework. Although North Korea violated the spirit of this agreement by starting a secret enrichment program, the United States also failed to fully live up to its end of the bargain by repeatedly delaying delivery of the promised inducements.”³²

South Korea

Despite strenuous recent efforts from South Korean President Moon Jae-in at fostering cooperation – political, social, and economic – with the DPRK, inter-Korean relations reached a nadir in June 2020. Not only did North Korea exacerbate bellicose rhetoric to the South, owing to the continued sending of anti-DPRK leaflets by South Korean activist groups across the DMZ. Surprisingly, the DPRK also severed North-South communication lines, and on 16 June, exploded the inter-Korean liaison office established as part of the Panmunjom

³² Miller & Narang (2018:74)

Declaration.³³ The Moon administration has been exploited by Pyongyang and Washington in fulfilling a mediatory role between the two states, not least in the prelude to the Singapore Summit.³⁴ North Korea has not been oblivious to this fact, lambasting the South Korean government in June 2019 for “meddl[ing] in the dialogue” since “parties to the DPRK-U.S. dialogue are none other than the DPRK and the U.S.”³⁵

The ROK faces a pressing imperative to engage with the DPRK, with Moon’s presidency ending in 2022. Within the context of the Biden administration, Seoul should adopt a more independent stance towards Pyongyang. Even given the DPRK’s ultimate goal of fraying the US-ROK alliance remains, and how inter-Korean ties are, at present, held hostage to US-DPRK relations, inter-Korean economic cooperation should gain traction, commencing through the reopening of the Kaesong Industrial Complex, as well as the Mount Kumgang Tourist Region. The resumption of humanitarian projects, pertaining to the thorny issue of the reunion of ‘divided families’, too, would signal South Korean intentions to improve inter-Korean ties. Even if substantive US-DPRK dialogue does not occur, inter-Korean dialogue may catalyse proactive engagement from the US. Indeed, the resilience of the US-ROK alliance need not be seen as being in tension with improved US-DPRK or inter-Korean ties. The US-DPRK Joint Communiqué of 2000 offers one pertinent example whereby Washington and Pyongyang agreed to “reaffirm that their relations should be based on the principles of respect for each other’s sovereignty and non-interference in each other’s internal affairs”, and recognise “the value of regular diplomatic contacts, bilaterally and in broader fora.”³⁶

³³ RS, ‘We Will Never Sit Face to Face with S. Korean Authorities: Director of United Front Department of WPK Central Committee’, 17 June 2020; KCNA, ‘KCNA Report on Cutting off All North-South Communication Lines’, 8 June 2020.

³⁴ John Bolton (2020:78) criticised the Moon government’s efforts to reinstate the Singapore Summit as a “diplomatic fandango”, following Trump’s initial cancellation in May 2018.

³⁵ MFA, ‘Director-General of Department of American Affairs of DPRK Foreign Ministry Issues Statement’, 27 June 2019.

³⁶ USDS, “U.S.-D.P.R.K. Joint Communiqué”, 12 October 2000

Seoul must also be prepared to make compromises, in order to strengthen US and South Korean relations with the DPRK. For instance, the possibility of scaling down – or temporarily suspending – extant US-ROK military exercises must not be overlooked, a process that indeed took place in 1992, as Chapter Two contended, such that the George H.W. Bush administration could induce concessions on the DPRK’s nuclear programme. Yet, bombastic claims from the US, such as by President Trump vis-à-vis providing a “security guarantee” to the DPRK and ending joint US-ROK exercises in their entirety, are unhelpful.³⁷ Furthermore, whether such a suspension would alter North Korea’s behaviour does remain questionable, given how the DPRK in the present-day possesses far greater nuclear capabilities than in the early 1990s.

At the same time, the ROK must coordinate its policies with those of the US, whereby any engagement cannot be easily exploited by the DPRK, particularly through hindering US-South Korean relations. For instance, the recent South Korean ban on the sending of anti-DPRK media – whether leaflets or USB drives – across the DMZ, particularly by South Korean activist groups, is likely to hamper US-ROK ties.³⁸ Such activism has long been a means of increasing North Korean citizens’ access to outside information, a vital factor in changing domestic perceptions of the ruling regime.

China

³⁷ After the Singapore Summit, Trump stressed how the US would be “stopping the war games...unless and until we see the future negotiation [with the DPRK] is not going along like it should.” See: Woodward (2020:108).

³⁸ Shin (2020)

As Evans Revere asserted, in 2019, following a discussion with a senior Chinese official: “China is prepared to tolerate a nuclear armed North Korea as long as Beijing can point to a negotiating process that offers some hope, however vague, of eventual denuclearization. For China, maintaining even a fictional goal of denuclearization meets its needs.”³⁹ China remains caught within a quandary between being seen as a responsible great power within international society – particularly in institutions such as the United Nations – and sustaining its national interests. Indeed, the Sino-DPRK relationship with respect to the US “hostile policy” also presents a further avenue of research following this thesis’s findings.

The PRC has affirmed how it seeks to maintain relations with both Koreas whilst endorsing global calls for North Korea’s denuclearisation, such as seen in its support for UNSC sanctions in 2017. Beijing does not want to be seen as “coddl[ing] the rogue regime in Pyongyang” for fear of damaging its “international image or national interests” and has emphasised the necessity of cooperating with the international community vis-à-vis sanctions imposition on the DPRK.⁴⁰

At the same time, China has long opposed US influence in the East Asian region, not least US “intrusion and interference in North Korea: directly, like threatening the use of military behaviour...and indirectly, like trying to push for regime change.”⁴¹ China fears growing US conventional presence on its borders, and the worst-case scenario of regime collapse in the DPRK, particularly the resultant entry of North Korean refugees into Chinese territory across the Sino-North Korean border.⁴² Beijing’s vehement resistance towards US regional influence was witnessed following the US deployment of the THAAD anti-missile defence system in

³⁹ Revere (2019:8); see also Plant & Rhode (2013)

⁴⁰ HN Kim (2013:44)

⁴¹ PRC analyst (interview, 2019)

⁴² E.g. Bennett & Lind (2011); Zhu and Beauchamp-Mustafaga (2015)

South Korea, in July 2016.⁴³ China criticised the deployment as containing its own influence in the region, through bolstering the US's security alliances with Japan and the ROK, and feared that the system could track its own military actions and nuclear deterrence postures. Beijing's dilemma was accurately summarised by a US negotiator, who stressed to the author how "China may want to see us off the Korean Peninsula...but it doesn't mean they don't want to see North Korea separated from nuclear weapons. They do. They don't like nuclear weapons; it impinges on their status in the region."⁴⁴

Yet, China remains a crucial economic lifeline and trade partner of North Korea, accounting for up to 95% of global trade with North Korea.⁴⁵ Tolerating a nuclear North Korea – and US presence on the Peninsula – seems the lesser evil for China, whereby, as a US official put it: "China prefers stability [of the DPRK] as a buffer state than doing anything."⁴⁶ The PRC seems to be behaving in accordance with this US official's claim. Xi Jinping has placed "high importance to China-DPRK friendly and cooperative relations" in 2018, even if meetings between Xi and Kim Jong-un only occurred following North Korea's pledges to denuclearise.⁴⁷ With increased communication between the two leaders, both before and after summitry with President Trump, and during the year 2020, China wants to retain leverage in the denuclearisation of North Korea, and any possible US-DPRK deal. As a former Chinese negotiator to the Six-Party Talks (SPT) exclaimed to the author: "we still regard relations with the DPRK as [a] very important one, but do not use the same wording as in the past. We see it not as a *little brother* but as normal state-to-state relations...we do not interfere in each other's

⁴³ 'China says South Korea's THAAD anti-missile decision harms foundation of trust', *Reuters*, 25 July 2016.

⁴⁴ US official (interview, 2020)

⁴⁵ Wertz (2020) argues how this statistic only reveals "part of the story" of North Korea's foreign trade, given its sanctions evasion and unofficial transactions overseas.

⁴⁶ US official Seoul (interview, 2017)

⁴⁷ 'Foreign Ministry Spokesperson Lu Kang's Regular Press Conference', *MFA (PRC)*, 28 March 2018.

internal affairs. We hope to have good relations with our neighbours.”⁴⁸ China is unlikely to support the US proposal of unilateral North Korean denuclearisation. Moreover, although the PRC hosted the SPT, as this thesis has shown, North Korea’s disdain for multilateralism has hampered progress on inducing nuclear concessions. Although, ideally, the PRC should continue to support UNSC resolutions, reinforce the unacceptable nature of North Korea’s violations of nuclear and human rights norms, and seek consensus with the US approach towards the DPRK, this scenario remains highly unlikely given the parlous nature of current Sino-US relations.

North Korea

Although North Korean understandings of its desired security environment on the Peninsula have clarified over time, namely comprising a removal of US troops from the ROK, a cessation of US-ROK military exercises, and sanctions easing, what might Pyongyang’s wish to be accepted as a nuclear state look like? With North Korea unlikely to rejoin the NPT, coupled with the international community’s unwillingness to declare the DPRK a nuclear state – albeit not a legal NWS – acceptance of North Korea’s nuclear status seems possible only in a *de facto* but not *de jure* vein.

Yet, even if the world has little choice but to “live with a nuclear North Korea”,⁴⁹ how might North Korea respond? Ostensibly, North Korea has already secured acceptance as a nuclear-armed state in all but name. Nevertheless, for North Korea to be truly “welcomed” into the international community, and bolster its domestic economic development, as per Kim Jong-

⁴⁸ PRC official (interview, 2017)

⁴⁹ Lankov (2016)

un's wishes, it must be prepared to make concessions on its nuclear programme, even if through a so-called 'small deal' with the US. As a former US intelligence official put it: North Korea would "love all that" – referring to being "welcomed" into the international community – "while retaining a nuclear capability, right, like Pakistan...the challenge for the US is to convince them that you can't have both."⁵⁰

In line with Pacheco Pardo's assertion, therefore, "Washington and Pyongyang must lead the way" in advancing diplomatic normalisation. North Korea should also assert agency and propose diplomatic relations with the United States.⁵¹ Should the US accept this request, the DPRK would be able to strengthen its economic development in line with Kim Jong-un's 'new strategic line.' Pyongyang must realise that the benefits of delinquency will not continue *ad infinitum*, particularly given the Biden administration's likely policy of sanctions imposition, together with heightened economic constraints owing to the ongoing coronavirus pandemic.⁵² As a former US official emphasised to the author, were North Korea to "give up nuclear weapons in favour of a latent breakout capability", the US "would settle for this deal, unhappily, if that's the price."⁵³ Such optimism, however, seems unlikely to be realised given North Korea's recent determination to advance its nuclear ambitions. Just as the world may have to accept the possibility of living with a nuclear North Korea, so too must Pyongyang recognise that it will have to compromise on its nuclear programme – not least its Yongbyon facilities – to reap further benefits as a full-fledged member of international society.

⁵⁰ US official (interview, 2019)

⁵¹ Pacheco Pardo (2020:208)

⁵² 'China's trade with N. Korea down to record low in Oct. amid pandemic', *Kyodo*, 24 November 2020

⁵³ US official (interview, 2019)

Caveats to recommendations

As with any policy recommendations aimed at the DPRK, large caveats exist. First and foremost, the so-called ‘North Korea problem’ extends beyond the DPRK’s possession and development of nuclear weapons. Akin to how North Korea has framed the US “hostile policy” in broad terms, extending beyond the global nuclear order, the international community must recognise that albeit a most unlikely circumstance, a non-nuclear North Korea, *ceteris paribus*, will remain an outlier to international society.

As this thesis has contended, the DPRK has conceptualised any criticisms of the regime-state – whether towards its nuclear programme or domestic governance – as part of the “hostile” US-led international order. In the eyes of the regime – as Chapter Three demonstrated astutely – international condemnation of its nuclear ambitions remains intimately interlinked with criticisms of its human rights violations, construed as part of the US “hostile policy.” This view was corroborated by a former senior South Korean negotiator, underscoring how the central problem for policy towards the DPRK is “how can we make them believe that the US has abandoned its hostile policy? Even if the US says it has done everything...North Korea can still say that the US hasn’t really abandoned its hostile policy”, given how the policy is “not just about joint military exercises. As the negotiator put it:

“When they see a resolution on North Korean human rights at the UN General Assembly; when they see the continuation of Voice of America broadcasting [into North Korea]; that’s hostile policy...when they see the talk about North Korean human

rights in international institutions, they see that as part of subversive activity to overthrow their sacred regime.”⁵⁴

Although North Korea has justified its nuclear weapons as a bulwark against calls for denuclearisation, the all-encompassing nature of the hostile policy, not limited to the nuclear domain, shows how the regime is likely to deploy nuclear delinquency in response to further “hostile” acts beyond calls for denuclearisation, ranging from sanctions imposition to unfavourable concessions from the international community. For North Korea to be integrated into international society – not least according to a solidarist conceptualisation – it cannot leave its human rights violations unaddressed. Whilst unsurprisingly dismissed as invalid by the North Korean regime, the DPRK’s human rights violations have been condemned by the UN Commission of Inquiry Report of 2014, and further reports by the UN Special Rapporteur.⁵⁵ One recent UN statement, in June 2020, highlighted how covid-19 precautionary measures taken by the DPRK, particularly the closure of the Sino-North Korean border in January 2020, have had a deleterious domestic economic impact, exacerbating food insecurity and malnutrition especially outside of Pyongyang, and within political prison camps.⁵⁶

Moreover, international sanctions do not simply target North Korea’s lack of compliance with nuclear norms, but expand into its participation in illicit trade networks, ranging from importation of luxury items, refined petroleum, to nuclear and fissile material. The DPRK does not look to abate its sanction evasion in the future, despite growing international awareness of these activities. A UNSC Panel of Experts report in 2020 concluded that North Korean

⁵⁴ ROK official (interview, 2019)

⁵⁵ For one example of North Korea’s response, see: KCNA, ‘FM Spokesman Denounces U.S. for Anti-DPRK “Human Rights” Campaign’, 16 July 2015

⁵⁶ UNSC, ‘Report of the Panel of Experts established pursuant to resolution 1874 (2009)’ S/2020/840, 28 August 2020, pp.201-203. The UN Panel of Experts aims to support the UNSC Committee Established Pursuant to Resolution 1718, established in 2006 following the DPRK’s first nuclear test.

diplomats overseas are complicit in sanctions evasion, operating bank accounts in multiple countries, and circumventing asset freezes from sanctions, particularly those imposed in 2016 and 2017.⁵⁷ As a recent exposé, *The Mole*, revealed, the readiness of North Korean officials to strike deals in nuclear arms, missiles, drug manufacturing, and other sanctioned items – often involving third-state actors as ‘middle-men’ – as recently as 2017, presents a startling but far from unanticipated picture of the DPRK’s clandestine behaviour.⁵⁸

Further questions abound pertaining to how domestic governance under Kim Jong-un will evolve, given the increasing constraints on the North Korean economy. At the 75th anniversary of the WPK on 25 October 2020, Kim lamented how though he is “entrusted with the important responsibility to lead this country upholding the cause of the great Comrades Kim Il Sung and Kim Jong Il”, his “efforts and sincerity have not been sufficient enough to rid out people of the difficulties in their life.”⁵⁹ Domestic support, whilst difficult to measure, is crucial if the status quo North Korean regime is to continue. As Andrei Lankov accurately postulated, “everything from the failed Hanoi summit in 2019 has been a perfect storm of unmitigated disasters” for Kim Jong-un.⁶⁰ Not only has the DPRK failed to reach any nuclear deal with the United States – prospects for which seem unlikely under the Biden administration – but Kim Jong-un has been unable to fulfil his ‘new strategic line’ of domestic economic development.

Thus, North Korea’s lack of compliance with international norms – beyond the nuclear order – continues to challenge its integration into international society. Pyongyang’s disdain for multilateralism, and its preference for bilateral dialogue with the United States, render any future multilateral forum unlikely to compel the DPRK to concede on its nuclear programme.

⁵⁷ UNSC, ‘Report of the Panel of Experts...’, p.5, 30-45.

⁵⁸ O’Carroll (2020). For more on North Korea’s illicit arms trade, see: Berger (2015).

⁵⁹ KCNA, ‘Supreme Leader Kim Jong Un Delivers Speech at Military Parade’, 10 October 2020.

⁶⁰ Lankov (2021)

Moreover, questions remain as to whether enhanced US-DPRK trust-building or concessions from the US would *actually* catalyse even small reciprocal manoeuvres on North Korea's part. A meeting between North Korean, and European Parliament officials in November 2020 disclosed how the DPRK hopes to forge "a strong relationship with the U.S." but only once the US "hostile policy...is dropped."⁶¹ Whether such rhetoric merely implies North Korea's willingness to reap benefits without making any respective concessions on its part, remains debatable.

In this vein, former US National Intelligence Officer for North Korea, Markus Garlauskas, poses a most pertinent question: "do you believe that if there were a peace declaration and NK [North Korea] were also no longer under international sanctions, but it still maintained Kim family rule under its current police state and ideology, that it would believe that it no longer needs nuclear weapons?"⁶²

Given the present inertia in relations between Washington and Pyongyang, coupled with what seems to be strengthening Sino-North Korean ties, a non-nuclear North Korea seems little more than a pipe dream. As this thesis has demonstrated, North Korea will not abandon its nuclear weapons unless the US provides concessions that are valued by the DPRK, such as the ultimately unrealistic scenario of the withdrawal of US troops from South Korea. To those who believe such a scenario is plausible, even if North Korea *were* to disarm its existing nuclear capabilities as a result, the 'North Korea issue' would continue to haunt the international community. Thus, North Korea's ever-strengthening desire *only* to engage bilaterally with South Korea the United States sit uneasily with Kim Jong-un's calls for the DPRK to be

⁶¹ Martin & Norman (2020)

⁶² Markus Garlauskas, Twitter Post, 12 October 2020, 8:15PM, https://twitter.com/Mister_G_2/status/1315732873836724227

welcomed into international society, such as through participation in the International Monetary Fund or the World Bank. As John Nilsson-Wright convincingly argues, a return to the halcyon days of the Clinton administration, the beginnings of the Agreed Framework, and the US-DPRK Communiqué of 2000, when the potential for more fruitful US-DPRK relations was a plausible goal, seem distant.⁶³

Conclusion

In addressing North Korea's ever-growing nuclear ambitions, the international community must pay greater attention to how North Korea has strategically engaged in bad and good behaviour to reap benefits. For now, the best that can be done is to revive US-DPRK and inter-Korean relations from their stagnant position, even if, at least in the short-term, the world must begrudgingly admit that there is neither a simple nor single solution to the North Korean problem.

Bad behaviour has paid for North Korea, and will continue to do so, unless Washington – and, to a lesser extent, Seoul – makes the first move in engaging with Pyongyang. It always takes two to tango, but even more so with the regime-state of the DPRK. North Korea remains an enigma for the international community: ultimately, our understandings of the so-called 'hermit kingdom' remain far from complete. As a former US negotiator joked to the author: "if, and when, the North Korean regime collapses, there's going to be a race not to get the nuclear material, but to go to the archives!"⁶⁴ Indeed, the wide range of perspectives on North Korea was aptly summarised to the author by a former South Korean Director of National

⁶³ Nilsson-Wright (2019:110)

⁶⁴ KEDO negotiator (interview, 2019)

Intelligence: “we see what we want to see in North Korea”, rendering any consensus on addressing the ‘North Korea problem’ increasingly elusive.⁶⁵

Yet rather than ‘seeing’ North Korea from their own perspectives, states in the international community – including but not limited to the United States – must learn to see the world ‘through Pyongyang’s eyes’, in understanding the social context in which North Korea frames and conceptualises its nuclear ambitions, and how the regime-state has learnt that bad behaviour towards the international community can bring benefits. Only then might we move one step closer in addressing the “known unknown” that is North Korea. Time is of the essence in forming a coherent international policy towards combating the North Korean nuclear threat, and seems increasingly on Pyongyang’s side.

⁶⁵ ROK senior official (interview, 2018)

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For the convenience of the reader, the bibliography is arranged into separate sections: firstly, comprising literature and secondary sources; and secondly, primary sources used in this thesis.

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