What We Should Do About Korea

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With the end of the U.S. involvement in Vietnam and Indochina attention has turned to the Korean Peninsula. For the past two decades an uneasy peace has been maintained between two Korean governments—the one Communist, totalitarian, and revolutionary; the other non-Communist, yet authoritarian, undemocratic, and indeed almost as totalitarian in its lack of regard for opposition political voices and the rights of the individual. Probably nowhere else is American power and influence so greatly exposed as on the Korean Peninsula—with all the attendant risks for involving the U.S. in a land war on the Asian mainland.

Any sensible discussion of alternatives to U.S. policy in Korea should begin with consideration of the commitment of the U.S. to the defense of Korea, as embodied in the treaty between the U.S. and Korea that entered into force in November, 1954. Two sections of the treaty are important:

> Article III, wherein each party recognizes that an armed attack in the Pacific area on either of the parties in territories now under their respective administrative control would be dangerous to its own peace and safety, and declares that it would act to meet the common danger in accordance with its constitutional processes.
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> Article IV, wherein the ROK granted to the U.S. the right to dispose land, air, and sea forces in and about the territory of Korea as determined by mutual agreement.

To begin with, it is important to understand that the commitment by the United States concerns an external attack *against* Korea, and that, moreover, the obligation of the U.S. extends only to that territory the U.S. recognizes as lawfully brought under the administrative control of Korea. Both understandings were emphasized in the Senate resolution endorsing the treaty for obvious reasons—i.e., to preclude the U.S. becoming involved in a war precipitated by the South or on territory not under the control of the South. As of the date of the treaty, territories north of the 38th parallel were considered not under the control of the South, and this continues to be true.

But perhaps the most important requirement in the entire treaty, and certainly the one that causes the Korean side the greatest anxiety, is contained in the phrase "in accordance with the constitutional processes." For in these words the Senate made explicitly clear that any military action by the U.S. on behalf of the Republic of Korea requires Congressional approval, as specified in the U.S. Constitution. Article IV simply grants to the U.S. the right to station forces in Korea; it does not require the U.S. to do so. Moreover, it does not grant a vote to the Koreans or even a consenting role to the removal of these forces from Korea, as has been claimed by the Koreans in the past.

So far as the commitment is concerned, the major issue is simply whether the U.S. should be tied to a line of defense drawn *on* the Asian mainland, as against a defensive posture less hazardous in the Pacific area. Scholars as well as statesmen state that the more sensible line of defense should be drawn through the Tsushima Straits separating Korea and Japan (thus excluding Korea) but including Japan, the Philippines, and the Aleutian chain of islands extending from Alaska. In support of such outer limits of defense are the memories of the Korean War ("the wrong war in the wrong place, etc."), the involvement of China, and the more recent experience of Vietnam.

Those who support the present treaty commitment are quick to point out, however, that it was such a defensive line between Korea and Japan that led North Korea to launch aggression against the South in 1950. Secretary of State Dean Acheson in a major address in January of that year had made clear that Korea was not regarded as

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being within the perimeter of nations the U.S. would defend against aggression. But, probably lending as much support for the present contention is the experience of the past twenty-five years—there has been peace, if not tranquillity, on the peninsula. Thus, while it may well be that it is no longer logical to maintain the treaty, to do away with it could invite miscalculation by the North. In this sense the U.S. is faced with the dilemma of riding a tiger: difficult to stay on and impossible to get off.

Integrally associated with the commitment is the issue of stationing forces in Korea. The issue concerns both the actual disposition of forces on the Asian mainland and the level of those forces. From almost the end of the Korean War until mid-1971 the U.S. maintained some 62,000 troops in Korea, largely comprised of two infantry divisions: the Second Infantry Division positioned on the DMZ and the Seventh Infantry Division well below the front in reserve.

In early 1971, as the result of an extensive national security study, one division (the Seventh) was withdrawn and the other repositioned in reserve so that it was no longer astride the historical invasion route from the North; all told, some 20,000 troops were withdrawn from Korea in this shuffle. Today some 42,000 troops serve in Korea: about 32,000 ground forces, an air force of 8-10,000 and no more than a handful of Navy and U.S. Marine personnel.

Should U.S. forces be stationed in Korea, and if so, what size and composition? The answer depends on an analysis of the North Korean threat, our judgment regarding the reliability of the South Korean military, and our view of the implications for Asian stability, including, in particular, Japan.

Although North Korea maintains a sizable military machine and is provocative in nature, practically all U.S. and Japanese intelligence estimates are that it is not capable of sustained military aggression against the South without either Soviet or Chinese support, and probably both. Such support is highly unlikely, because neither the Soviets nor the Chinese see war on the Korean Peninsula as in their own national interests. They must consider the impact of a war on their already existing bilateral problems or their own relations with the U.S. These same U.S. intelligence estimates credit the South Korean military forces with being able to contain, without U.S. manpower, any North Korean thrust not participated in by Chinese or Soviet troops. Should Soviet or Chinese forces become engaged in war on the peninsula, then obviously one ground division of U.S. troops could hardly stem the tide.

Before setting aside the issue of the North Korean threat it is well to attempt to put it into perspective. The North is a fanatical revolutionary power that in the past has exported revolution and terrorism. But the world has changed, and it is no longer in the interests of its patrons to support the North's aggressive adventures. The evidence, for example, is that whenever within the last decade Kim Il Sung has turned to China for help in any aggressive scheme he has been told to "cool it." Nevertheless, because he is determined to maintain a tight rein on the internal affairs of South Korea, President Park has at least semiannually since 1970 raised the specter of another Korean war. He manipulated this issue in the fall of 1971 after Kissinger had been to Peking; in 1972 when he abandoned the Constitution; in 1973 and 1974 when he clamped down on human rights; and early in 1975 when the U.S. left Vietnam. And this year he was reported as saying in his annual New Year's press conference that a North Korean attack might come during the U.S. Presidential elections.

In essence, then, U.S. ground forces in Korea have a political rather than a military mission— i.e., a warrant of the U.S. intention to defend Korea. This much the Pentagon accepts. And inasmuch as this is clearly the case, the question of the size of ground forces is secondary, a conclusion certainly implied in reference to our forces in Korea as simply constituting a "trip wire." Apparently the U.S. Joint Chiefs of Staff thought so at the time they approved the 1971 reduction. It was their plan then to reduce forces further to a so-called all-purpose brigade in Korea by the mid-seventies. Would not such a smaller ground force detachment serve the intended political purpose? Or for that matter, would not the same resolve to the defense of Korea be demonstrated by maintaining only those units with a military as well as political mission, i.e., air forces? For where no argument can be made that the comparative North-South Korea ground force disposition requires the presence of U.S. ground troops, a case can be made that the U.S. air wing of F-4s is useful and desirable until such time as the South is able to redress the imbalance in the air.

The other element always associated with the defense commitment is military assistance, i.e., the supply of arms and weapons either through grant or credit arrangements that the U.S. Government underwrites. Through 1975 the U.S. provided Korea with approximately $6.3 million of such assistance, of which all but a very small portion was extended as grants. In 1971, as steps were taken to reduce our force levels in Korea, the U.S. agreed to assist in the modernization of the Korean military so that Korea could be better able to provide for its own defense without American manpower. It was understood that this modernization program would cost the U.S. roughly $1.5 billion over a five-year period, although no formal commitment to that amount was made, and the Korean Government was clearly given to understand that this plan was dependent on Congressional appropriation. As of the end of 1975 the U.S. contribution to this program was well over $1 billion.

Over the years military assistance to Korea has been justified in varying terms as the nature of security in the Pacific Area changed. But whether put in terms of the Nixon Doctrine, or the more recently enunciated Pacific Doctrine of President Ford, essentially what is being claimed is that the independence of Korea is important to stability in Asia, to the balance of power in the Pacific, and to American security. And that this being the case, the U.S. has a major role to play in providing Korea with

the weapons required to defend itself. Were this simply the issue, however, military assistance to Korea would have greater credibility, and it is doubtful it would have generated as much concern as is today the case.

Those who oppose military assistance to Korea do so for equally convincing reasons. Essentially they quarrel with the basic premise of the U.S. role in Asian security and stability, i.e., they believe the U.S. should revoke the commitment to Korea under which umbrella military aid is justified. They are concerned that the U.S. is contributing to an arms race in an especially sensitive area, the inevitable result of which will be a clash between power-mad despots and possibly nuclear war. But these critics, never large in number, have been joined today by another group composed of many of South Korea's loyal friends and supporters, including increasing church representation, with perhaps an even more persuasive argument: Military assistance is being provided to an undemocratic government and is utilized to maintain in power an authoritarian ruler who denies to the populace the most basic of human rights. To this the official response from the Department of State has been that it does not approve of Korea's repressive measures, but that security considerations are overriding.

It is reasonable to conclude that military assistance to Korea has served to maintain the peace and to preserve the independence of South Korea. Yet continued grant military assistance can no longer be justified, either in terms of Korea's economic development or in consideration of the huge sums Korea expends in maintaining a gigantic KCIA operation at the expense of civil rights. If, as Congressman Donald M. Fraser said recently, Korea is embarked upon an experiment in authoritarianism, let it not be with American underwriting.

Korea does require military assistance, however, and it would seem more logical that this be procured under credit arrangements (which are not without considerable U.S. expense). Such purchases should be carefully monitored so that they meet the criterion of defense, and not fall into the category of offensive capability. This admittedly is a hard line to follow, given the demands of the ROK military and the persuasion of the U.S. armaments manufacturers, but the stakes are high and all possible caution is required.

Easily the most vulnerable element in U.S. foreign policy toward Korea is the role accredited to human rights. For where in other elements of policy the criticism is frequently of degree, on this issue it is one of substance, and the difference with policy-makers is substantial. Basically, the question is what role should the U.S. adopt with respect to the denial of human rights in Korea? And here it is important to emphasize that the issue is *not* whether there has been a denial of human rights in Korea, a view that our government is prepared to concede. The issue is whether the U.S. is involved and what it should do.

At the outset it is well to recognize that since Korea regained its independence in 1948, there has been probably only one limited period—roughly from Aprii, 1960, to May, 1961—when Korea could claim without fear of some contradiction to have a democratic government. From 1948 to 1960 Korea was under the leadership of Syngman Rhee, whose rule was characterized by heavy-handed authoritarianism, repression, and corruption of the entire political and social order. In April, 1960, Rhee's government fell, the victim of a people's revolt against the abuse of power; the immediate issue was the massively corrupt national election of that year. Installed next was a democratically elected government, headed by men who were unable to maintain the reins of leadership and at the same time meet the rising expectations that emerged after twelve years of Rhee's oppression. Thus, after nine months in office the Chang Myun government was overthrown in May, 1961, by a military coup in which the present President of Korea, the then Major-General Park Chung Hee, played a leading role.

From its inception Park's government undertook extralegal means to subordinate the nation to his control. In fact, the years since 1961 have been marked by a gross abuse of power, the culmination of which came in the winter of 1972 with the abandonment of the previous constitutional guarantees and the promulgation, while the country was under martial law, of a new constitution, which attempted to give legal sanction to one-man rule.

The sordid record in Korea since then has included just about every example of subjugation of human beings by government: the arrest and conviction of the country's leading Catholic spokesman (Bishop Daniel Chi) and the sentencing to death of the country's most prominent poet (Kim Chi Ha, also Catholic), both of whom had been active in defense of human rights; the arrest of nationally prominent Protestant churchmen (e.g., Kim Kwan-suk, General Secretary of the National Council of Churches in Korea; the execution of eight alleged members whose guilt as members of a so-called antistate People's Revolutionary Party was never proved; the trial and conviction of Korea's only living ex-President (Yun Po-sun) on charges of having contributed funds (about $2,000) to student protest; the kidnapping from Japan in August, 1973, and continued house arrest ever since of Kim Dae-Jung, Park's most outspoken political rival, who ran against him in 1971. On December 13 Kim was sentenced to one year in prison for having likened Park to a generalissimo during the election campaign. These actions, a mere handful in the larger record of despotic rule, were justified under emergency measures themselves wholly inconsistent with democratic concepts. And while it may be said that certain of the sentences were subsequently lessened, it should be noted that the government did so only after making clear the extent to which it was prepared to go to enforce its will.

In summary, Korea is under a government about as undemocratic as any to be found outside the Communist world. Those essential elements long identified with representative government are conspicuous today in Korea by their absence: no rule of law, no free press, no freedom of speech, worship, or assembly—indeed, no human rights.

In response to these deplorable developments our Secretary of State has formulated a sophisticated but disingenuous policy on human rights seemingly aimed at

homage to American values so as to appease moralists, yet at the same time serving to undermine these traditions by greater emphasis on unrelated or exaggerated security considerations. For while our government does not publicly condone what is transpiring in Korea, neither does it publicly condemn or speak out forcefully against the loss of human rights in a country whose independence we are pledged to maintain even at the cost of life and treasure. What Secretary Kissinger has put together as preferred guidelines for an American policy on human rights regarding Korea is this:

> Dedication to human rights is innately a part of the American tradition;
> The U.S. does not condone repressive practices;
> Human rights are a legitimate international concern; and accordingly the U.S. will use its influence against repressive practice and speak up in appropriate forums and in exchanges with other governments;
> But we must be mindful that we promote human rights more effectively by counsel and friendly relations than by confrontation;
> And, finally, that although we do not approve of many of the actions taken by the government of Korea, security considerations are overriding.

These guidelines having been developed at the highest level in the Department of State—for there is no gainsaying that they bear the mark of the Secretary's inventiveness—it is not surprising then that others in the bureaucracy develop their own adaptations. It is in this vein that we are also apt to hear that what is transpiring in Korea is "an internal affair" (not quite compatible, however, with the Secretary's assertion that human rights are a legitimate international concern), and in any case that the U.S. is "neither involved nor associated" with the South Korean Government's internal actions.

It is hard to fault the most basic of the Secretary's premises; concern for human rights is as deep in our history as the American Revolution, our Constitution, and our national consciousness. But it is not hard to fault the manner in which this principle has been applied, nor indeed various claims made in its behalf.

Beginning first with reference to the security issue, the lack of action by the Secretary of State on behalf of human rights is actually undermining the American attachment to the security of Korea—strangely enough the very element of our policy toward Korea that our government seeks most to preserve. Public opinion polls, editorials, and legislative actions increasingly indicate that a growing number of Americans see little in common with a repressive government, and less reason to conclude they should contribute either money or troops to its defense. Two legislative bills are currently before Congress that would restrict military assistance because of gross violations of human rights or begin the process of U.S. force reduction because of Korean repression.

The claim that our government is not "involved nor associated" with what is taking place in Korea is both callous and illogical. To be sure, the U.S. is not the hand on the switch that transmits shock treatment to political prisoners. But the United States has provided more than $1 billion in military assistance over the past five years and has stationed at huge cost (probably one-half billion dollars annually) troops in a country that denies its citizens the simplest right of redress of grievances; and the United States does spend countless hours in diplomatic representation in the U.N. and in world capitals on behalf of a so-called democratic government that arrests, convicts, and even executes citizens without the most rudimentary concern for due process of law. Given the Korean War and a quarter of a century of American economic assistance in rehabilitating Korea, indeed a century of U.S. missionary involvement, this rationalization is as flawed in its reason as it is irresponsible in its intention.

And, finally, there is the very question of how seriously we are to accept the Secretary's claim that "we have and will continue to use our influence against repressive acts in Korea." When, one is led to ask, did Secretary Kissinger throw his weight and considerable influence, either as President Nixon's top advisor on foreign policy or as Secretary of State, against the outrageous events that took place in Korea from 1971 on? The clear evidence is that not only did he not do so, but that he obstructed others from trying to counsel moderation by Korea's leaders. In fact, it was Secretary Kissinger, as well as President Nixon, who in their explicit remarks and actions gave President Park reason to believe that the U.S. would not stand in his way, no matter how nefarious his actions.

Whenever the issue of human rights in South Korea is raised, the assertion is made that the situation is worse in North Korea. By the very nature of the Communist society in the North, this must, of course, be true. But beyond expression of concern, the U.S. is powerless to act and obviously has no leverage. For unlike the situation in the South, there the U.S. is truly neither involved nor responsible.

From all of these observations there follow some foreign policy recommendations.

Maintain the Treaty Commitment. For more than two decades now the commitment of the United States to the defense of Korea has helped maintain stability and peace in a dangerous corner of Asia, where the national interests of superpowers converge. South Korea has a right to independence, and the U.S. commitment has made this possible. The independence of South Korea is important, moreover, to the balance of power in the Pacific Area, and to the continued security of Japan, whose industrial strength and capacity contributes to stability of the entire Pacific region. The U.S. has a legitimate national interest in peace in Asia and *accordingly, there is every reason to continue the treaty commitment*.

Emphasize Human Rights. Just as the Administration has recognized that social justice and popular will are prerequisites of resistance against subversion or aggression, it must recognize that the denial of human rights leads directly to internal instability and insecurity. And as Secretary Kissinger has proclaimed that human

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rights are a legitimate international concern, we should make clear to the Korean Government that there is a direct relationship between the commitment and the status of human rights. For not only does repression destroy the popular will in Korea, it also erodes our determination to defend a country whose government has little in common with the declared values of democratic rule as perceived by the average American.

In passing on to the Korean Government this American reaction to authoritarianism, the Department of State should not serve as an uninterested party. It should not lead Korean officials to believe, nor even allow them to assume, that the issue is not so much the actions of the Korean Government per se, but merely that repressive actions make for State Department problems with Congress over appropriations for military or economic assistance. As the spokesmen for the American people in their intercourse with other nations, the Department should on its own initiative declare forcefully its outrage at the blatantly undemocratic conduct of a government that seeks our support and aid. We should make clear that *continued repression and violation of human rights will make impossible the maintenance of the commitment* and, as a minimum, American cooperation with Korea, both bilateral and international. And so that the Republic of Korea will not underestimate the American attitude in this regard, Congress should pass both the Humphrey-Case bill, which would make possible the end of military assistance to countries grossly violating human rights, and the Solarz-Fraser amendment, which would bring about by fiscal year 1978 a significant reduction of U.S. forces in Korea.

Reduce Force Level. Even without regard for the issue of human rights, the time has come for a *reduction in U.S. ground force levels in Korea*. As has been noted, U.S. ground forces are stationed in Korea primarily for political reasons. Since they were taken off the DMZ these forces have no military justification; thus no case can be made that a specific number of American troops is required. Why, then, has the figure of 42,000 U.S. troops become sacrosanct?

Before the fall of Vietnam and the removal of U.S. forces from Indochina, the Pentagon looked toward a reduction of U.S. ground forces in Korea by the mid-seventies. Now, however, apparently because of concern that our Asian allies might question our resolve, we are being given to understand that the size of our force levels is related to the commitment. In 1971, when we reduced our forces in Korea by 20,000, we regularly viewed this in the negative. Indeed, in our discussions at that time with the Koreans, as well as the Japanese, we claimed that just one company of American troops could serve the purpose of a "trip wire." Now, however, five years after beginning a dialogue with China, two Presidential visits to Peking, and improved relations with the Soviet Union, the Administration seeks to establish 42,000 troops as the level below which we hazard danger.

Yet for the time being, while the gap in air strength between North and South is being closed, the *U.S. air component of our forces in Korea should remain*. The three squadrons of F-4s not only fulfills a military mission by compensating for the current air imbalance, but it also makes quite clear the will behind the commitment.

Terminate Grant Military Assistance. Finally, the time is at hand for the *end of grant military assistance to Korea*. There are no valid reasons for the continuation of grant assistance to a country of Korea's economic development. Future military assistance should be in the form of commercial credits underwritten as necessary by the U.S. Government. Moreover, there should be close scrutiny of all defense procurement to determine that it is defensive in purpose and does not contribute to an arms race in the Korean Peninsula. It goes without saying that all procurement in any way lending itself to nuclear adaptation or development must be very cautiously reviewed. As it is there are too many suspicious signs that Korea is moving toward a nuclear option.

Support Two Koreas. In the broader sense, the *U.S. should continue to support a concept of two Koreas and both Koreas in the U.N.* This is to recognize the current economic systems, and (on the surface at least) differing political values. The unification of Korea, regardless of how logical this may be ethnically and culturally, is only a distant hope and possibility. Korea's long-range solution is unfortunately a part of the broader quest for Asian stability and is also tied into tensions between the Soviet Union and China. A peace treaty between North and South, possibly with U.S., Soviet, and Chinese guarantees or U.N. Security Council endorsement, remains the best solution for the immediate period.

Evenhandedness Toward North and South. So far as North Korea is concerned there are no major démarches in policy to be launched by the U.S. There are no compelling reasons—economic, political, or military—for such initiatives. The North remains largely a closed society by its own desires. Until such time as its supporters are prepared to recognize the South, there are no reasons why the U.S. should recognize the North. But the U.S. should continue to make clear, in the U.N. and through diplomatic channels, *that it is prepared to recognize the North on the basis of reciprocal treatment for the South*.

In the meanwhile, the U.S. can afford minor initiatives with the North that hazard little danger to the South. These would include selectively granting visas to bona fide North Korean scholars to attend a few international conferences held in the U.S. or to attend limited meetings or seminars with American scholars. In providing such opportunities on a trial basis it should be made clear to both sponsors and participants that the purpose of such attendance is academic exchange and that attempts by North Korean visitors to exploit Koreans living in the U.S. will not be countenanced. Within similar guidelines, the U.S. can also tolerate more relaxed travel regulations for North Koreans at the U.N. Finally, the U.S. should inform friends of the North with whom it has relations that the U.S. is taking these steps in the hope that they will result in similar relaxation by them toward the South.