

# Unilateral, Bilateral and Multilateral Actions against Nuclear Proliferation: The Korean Nuclear Crisis, 2002-2006

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## I. Introduction: Problem Statement

Over the past several years, North Korea has abandoned its previous commitment to maintaining a non-nuclear Korean Peninsula and has once again taken steps leading to the production of nuclear weapons. The crisis precipitated by these steps raises the central problem I wish to address in this paper: What can concerned governments do to prevent the proliferation of nuclear weapons? This paper examines the key events of the crisis on the Korean Peninsula involving North Korean efforts to acquire nuclear weapons during the period from October, 2002 to March, 2006 analyzing the various forms of action taken by North Korea, South Korea, China, Russia, Japan and the US to determine their impact on the outcome of the crisis.

In the twenty-first century Northeast Asia remains just as pivotal to international security on the continent as it was in the twentieth. The region includes at least four dangerous elements: 1) the military forces of four major powers (the US, Russia, China and Japan); 2) a

continued military confrontation on the Korean Peninsula that in a major crisis would immediately trigger direct US military involvement and would likely entail the use of weapons of mass destruction (WMD's); 3) an increasing array of ballistic missiles deployed in key locations; and 4) the growing risk of military hostilities in several places, most notably the Korean Peninsula and the Taiwan Strait.<sup>1</sup> Over the twentieth century, unilateral actions taken by one or another of the major powers have resulted in wars of horrifying magnitude. Today, although great power rivalry has been dramatically reduced and the most powerful nations of the region are deeply invested in the maintenance of peace among them, nuclear proliferation confronts the international system with dangers that are parallel to those of the Cold War era, and the potential consequences of misguided action are similarly horrifying.

This paper addresses the single most important problem for the reduction of armed conflict in Asia, that of nuclear proliferation in Northeast Asia, or more precisely, preventing the acquisition of nuclear weapons by North

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### Key Words :

General Deterrence Theory, Nuclear Proliferation, Unilateralism, Bilateralism, Multilateralism

Korea, an event which would greatly alter the military balance of power in the region and would likely bring about great political destabilization as well. In this paper I ask what combination of actions on the part of concerned governments can best sustain a peaceful status quo in the region and avoid the dangerous escalation of the military threat which acquisition of nuclear weapons by North Korea would cause.

## II. Research Question: the Analysis of Anti-Proliferation Action

From the general problem of nuclear proliferation I move to the more specific question of how to prevent the proliferation of nuclear weapons on the Korean Peninsula. Given the current crisis and the need to prevent such weapons from destabilizing the region, I have formulated my research question in the following terms: what forms (modes and types) of counter-proliferation actions are most likely to produce a return to stable, non-nuclear status quo in Northeast Asia? I divide the "forms" of government actions into combinations

of "modes" and "types" of action. The "modes of action" refer to whether an individual government acts unilaterally, bilaterally or multilaterally. When a government acts alone, we say it acts unilaterally. When it acts in conjunction with one other government, it does so bilaterally. Finally, when it acts with two or more other governments, it acts multilaterally.

I describe any government action regarding the nuclear proliferation issue as a "form" of action, defined as a combination of one of these modes of action and one of the following four types of action.

The four types of action are:

1) international legal regimes, such as the Nonproliferation Treaty (NPT) or any similar agreement between or among nations;

2) "supply side" actions designed to prevent the spread of nuclear technology or access to weapons;

3) "demand side" actions designed to provide alternatives to the acquisition of nuclear weapons;

and 4) military actions, which include options ranging from preemptive air strikes

**Figure 1. Activities Designed to Prevent or Retard Nuclear Proliferation: Possible Combinations of Types and Modes of Action**

		<u>Types of Action</u>			
		International Legal Regimes	Supply Side Action	Demand Side Action	Military Action
<u>Modes Of Action</u>	Unilateral	-	-	X	X
	Bilateral	-	-	X	X
	Multilateral	X	X	X	X

Source: Adapted by the author from Barry R. Schneider, "Nuclear Proliferation and Counter-Proliferation: Policy Issues and Debates," *Mershon International Studies*, vol. 38. Supplement 2, October, 1994, p. 216.

against nuclear facilities to intelligence gathering, troop deployments, increased weapons production and the development of new weapons systems.<sup>2</sup>

I have arrayed the various modes and types of counter-proliferation action in Figure 1 on page 33, showing the “types” of action on the horizontal axis and the “modes” of action on the vertical axis. This produces a matrix of twelve combinations with four types of action for each of the three modes of action as shown in Figure 1. Throughout the paper I will refer to these combinations as “forms” of action. Stated in more specific terms, therefore, the problem I explore in this paper is to identify which combination or combinations of modes and types of action would most likely reduce the danger of nuclear proliferation in Northeast Asia.

As stated above, this research employs the nuclear crisis on the Korean Peninsula from 2002 to 2006 as a case study. In it I ask what forms of governmental action will produce the most effective counter-proliferation strategy in Northeast Asia. This assumes that I am able to state a comprehensive account of possible counter-proliferation actions. In this section I discuss these forms of action in greater detail by examining each type of action as it manifests itself within each of the various modes.

#### **A. Types of Actions in the Unilateral Mode**

The unilateral mode illustrates that any combination of mode and type of counter-proliferation action may appear in a variety of ways. For example, to say that a nation may act both “unilaterally” and “internationally” (see Figure 1) might seem contradictory, yet that is an accurate way of describing what occurs when

a nation renounces any desire to seek nuclear weapons, as some nations, including Japan, have done. Nevertheless, the unilateral mode of action in the context of an international legal regime would also describe the situation in which one nation, and only one, possessed all nuclear weapons and controlled every phase of nuclear weapons development. Such a nation might be able to bind all other nations to an agreement renouncing nuclear weapons for themselves while it retained sole possession of those weapons.

Similarly, unilateral supply side actions would include all actions taken by any single country to prevent other nations from gaining access to its own nuclear secrets; but it might also include action taken by a single country to prevent another nation from transferring nuclear technology to a third country as long as the first country acts entirely on its own initiative. Unilateral demand side actions might present themselves in a similar way and would include all actions taken by one country to discourage one or more other countries from seeking a nuclear capability whether those actions involved forming alliances or, on the other end of the scale, promising to refrain from hostile action. Lastly, unilateral military action as a counter-proliferation strategy takes in the full spectrum of moves preparatory to armed conflict. This would include hostile threats or other bellicose public statements as well as an increase in weapons production or a deployment of troops. It might also take the form of armed attack, such as a preemptive bombing raid or missile attack against another nation’s nuclear facilities, or even a full scale military invasion of the rival nation’s territory. In any case, it is

unilateral if one nation acts alone against one or more rival nations.

### **B. Types of Actions in the Bilateral Mode**

From this brief description of the types of counter-proliferation action in the unilateral mode, it should not be difficult to imagine what the various types of action might look like in either the bilateral or the multilateral mode. Any unilateral action becomes bilateral as soon as one nation either engages a rival nation in negotiations or enlists an ally in undertaking action to prevent nuclear proliferation. In the bilateral mode, two nations agree to act in concert to take counter-proliferation action of one type or another. This would include any negotiated agreement between two rivals involving quid pro quos on both sides, as was the case in the 1994 Agreed Framework between the US and North Korea. If bilateral negotiations between two rival nations fail, unilateral military action by one nation against the other may be the result. (Reportedly, President Clinton had the option of launching a US missile attack against North Korean nuclear sites if negotiations between the two countries had broken down.)

### **C. Types of Action in the Multilateral Mode**

In multilateral mode, more than two nations may undertake any of these same types of action. As in the case of bilateral action, multilateral action may involve negotiations to reduce weapon stockpiles or to secure the renunciation of nuclear weapons by one or more of the participants in the negotiations. If negotiations fail, then unilateral, bilateral, or multilateral military action is a possible result.

In all cases, the objective of any action is counter-proliferation whether it proves successful or not. The obvious example of multilateral counter-proliferation action affecting Northeast Asia is the six-nation talks among the US, Japan, China, Russia, North Korea and South Korea.

The history of the nuclear age shows the increasing complexity of counter-proliferation efforts over the past forty years or so since 1965 when the Geneva disarmament conference began consideration of a draft nonproliferation treaty. When the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) entered into force in 1970, the US, UK and USSR were among its 43 signatories. By 2001 NPT membership had grown to 187 countries and the Treaty was hailed by the US Department of State as "one of the great success stories of arms control."<sup>3</sup> While these multilateral relationships continue to be vital, bilateral negotiations between the US and the Russian Federation have resulted in the dismantling of thousands of nuclear weapons. Unilateral measures on the part of the US to denuclearize the US Army, Marine Corps and the surface and air components of the US Navy and to withdraw 85% of the tactical nuclear weapons dedicated to the NATO alliance have also been important steps.<sup>4</sup>

Northeast Asia, however, has been a region marked by tension and periodic efforts on the part of North Korea to join the nuclear club even as other nations were renouncing any such ambitions. In 1994 the US and North Korea settled a dispute over nuclear weapons development by signing the bilateral Agreed Framework which, among other things, brought about a freeze in North Korea's nuclear program. The dispute re-emerged, however, in

2002 when US Assistant Secretary of State James Kelly informed North Korean officials that the US was aware that North Korea had a program underway to enrich uranium for use in nuclear weapons. After initially denying this accusation, in 2003 North Korea acknowledged its possession of nuclear weapons. Since that time, efforts of every kind have been underway to bring about the denuclearization of the Korean Peninsula. As we will see in the next section, concepts from general deterrence theory are useful in addressing this question.

### III. Theory: General Deterrence and Nuclear Proliferation

Counter-proliferation actions often occur within a context of general deterrence. General deterrence describes an adversarial relationship between or among nations in which leaders in at least one nation, Nation A, would resort to force to alter the status quo because it believes that one or more adversaries, Nations B and C, would be prepared to use force contrary to the interests of Nation A.<sup>5</sup> General deterrence, therefore, is a policy put in place by one or more nations to keep other nations from altering the status quo unless such alterations favor the interests of the nation or nations that are enforcing the general deterrence regime. A general deterrence policy attempts to anticipate military crises between rival nations and create a state of affairs among nations that prevents the occurrence of such crisis. Thus, a policy of general deterrence succeeds if no challenger nation demands change in the status quo and then either threatens or initiates military action against its rival through border reinforcements, large-scale mobilization or other action designed

to indicate the potential imminence of hostilities. It fails when such demands are made and the probability of armed conflict begins to increase.<sup>6</sup>

Several non-proliferation activities can reinforce a general deterrence regime of the sort I have just described. Supply-side activities, for example, attempt to make the acquisition of nuclear weapons more difficult by applying export controls to sensitive technology, negotiating treaties and agreements to help inhibit the spread of technology or the diversion of enriched uranium and plutonium, and imposing sanctions against those developing such weapons or assisting aspirant states.<sup>7</sup> Demand-side activities may accomplish the same result by offering aspirant states a viable alternative to nuclear weapons acquisition or assistance in managing the arms they already possess.<sup>8</sup> Preemptive military action, however, is also an available alternative under the most extreme of conditions as outlined by Barry Schneider in a 1994 monograph.<sup>9</sup>

Counter-proliferation actions are often taken as part of a general deterrence policy. For example, look at the US response to the 1993 discovery of North Korea's secret nuclear weapons program, its withdrawal from the Non-Proliferation Treaty, and its refusal to allow the inspection of its nuclear facilities by the International Atomic Energy Agency (IAEA). These steps taken by North Korea constituted a challenge to the general deterrence policy which was in effect in Northeast Asia at that time. The US response took the form of "bilateral, demand-side action". In other words, the US engaged North Korea in negotiations designed to provide alternatives to nuclear arms development and reduce North Korea's

desire (or demand) for such weapons. The result was the Agreed Framework reached in 1994 after more than a year of talks.<sup>10</sup>

Under the Agreed Framework, North Korea froze its nuclear weapons program and promised to dismantle two graphite-moderated reactors which were under construction at that time as well as one other reactor and nuclear fuel reprocessing facility. In return North Korea was to receive alternative energy, initially in the form of heavy oil and later two proliferation-resistant light water reactors. The agreement also included the promise of gradual improvement of relations between the US and the DPRK as well as a commitment on the part of both nations to work toward the strengthening of the international nuclear non-proliferation regime.<sup>11</sup> Once concluded, these negotiations produced a new status quo within the context of the original general deterrence policy.

This, however, did not prevent subsequent perceived challenges to the status quo emanating from North Korea. North Korea's missile program dated back to the early 1980's when it was able to obtain a 300-kilometer range Scud missile from the Soviet Union, copy its design and produce a number of them. Within about ten years, North Korea was able to produce a larger missile called the Nodong with a range of 1,000 to 1,300 kilometers capable of delivering a nuclear warhead.

In 1998, North Korea tested its first multiple stage missile, the Taepo Dong 1, whose infamous flight over Japan caused alarm bells to ring from Tokyo to Washington, D.C. and beyond. It was this flight, and the elaborate missile development program which lay behind it, that gave such great impetus to the issue of national

missile defense in the US. North Korea not only demonstrated that it could launch such a missile but also convinced US military planners that it could produce enough of them to be able to sell them to nations whose interests were at odds with those of the US. This led political leaders in the US to label North Korea and all of the potential recipients of its missile technology as "rogue states." North Korea's ability to engineer missiles of this type suggested that within five years, if it chose to do so, North Korea could develop a missile with sufficient range to reach the US.

This time the response of the US was unilateral and military. The US did not strike back with violent force, but instead chose to increase funding for research and development of a large-scale national missile defense system. This added fuel to the fire of domestic political competition within the US and helped to bring George W. Bush into the presidency after the disputed 2000 election. The Bush Administration acted quickly in its first year to double expenditures on missile defense while simultaneously issuing a barrage of critical and inflammatory statements designed as thinly veiled threats against the North Korean regime. These successive rounds of missile rattling and belligerent rhetoric between North Korea and the US led to further destabilization of the general deterrence policy. North Korea soon reinitialized its nuclear program and withdrew from the Agreed Framework. One effect of this was to put Japan directly in the crossfire, and once again, Japan began to agonize over its role in an increasingly militarized region. North Korea had raised the stakes another time.

No reestablishment of a stable status quo

took place as a result of these events. Instead, a multilateral effort has been undertaken over the past several years by the US, Japan, Russia, China and North and South Korea. To date, however, no successful result has been achieved despite several rounds of negotiation. The remaining sections of this paper are concerned with the application of the theoretical approach I have just outlined to the possible outcomes of these six-nation talks.

#### IV. Hypotheses

As the events of the 1993-1994 crisis show, unilateral actions tend to move toward escalation of danger and increase in tension. Perhaps this is a necessary prelude to bilateral or multilateral negotiations that lead to peaceful resolution of a crisis, but this is by no means clear. As general deterrence theory asserts, wars result from escalating unilateral actions, often in the form of threats and counter-threats leading to military action. Furthermore, the lesson of the past seems to be that actions on one side that tend to reduce the other side's perceived need or desire for nuclear weapons are the most effective means to resolve a proliferation crisis.

From the above discussion, therefore, I have developed the following working hypotheses regarding the course of negotiations in the six-nation talks:

1. The unilateral mode of action when it takes the form of military threats, assertions of power and arms build-ups tend to endanger the policy of general deterrence and is thus less effective in deterring the proliferation of nuclear

weapons than either bilateral or multilateral modes of action;

2. The multilateral mode of action involving supply side and demand side negotiations tends to be more effective than either bilateral bargaining or unilateral action both in reinforcing the policy of general deterrence and in achieving denuclearization.

#### V. Significance of the Study

General deterrence is among the most important and least systematically studied phenomena of international politics.<sup>12</sup> What is especially lacking is any attempt to link the theoretical study of general deterrence to concepts which allow its direct application to ongoing threats and crises. Specifically, no empirical study now exists which brings general deterrence theory to bear on the resolution of current crises involving nuclear proliferation.

My study attempts to link general deterrence theory to a typology of counter-proliferation actions in an effort to evaluate the effectiveness of the various modes and types of action as counter-proliferation strategies. Furthermore, I attempt to apply this theoretical framework to a current, unfolding event in international affairs, one that has important implications for today's non-proliferation regime. I hope to show that the six-nation talks offer important lessons for security planners not only in Northeast Asia, but in the rest of the world as well. In my conclusion I will present a series of proposals which I hope will be seen as an apt summary of those lessons.

## VI. The Korean Peninsula in the Nuclear Age, 1950-2002

For the past half century, complex relationships among the US, Japan and both North Korea and South Korea have been key to US policy toward Asia. North Korea has long been a natural location for nuclear development both for peaceful and non-peaceful purposes because of the existence of geological deposits of nearly 26 million tons of uranium within its borders. In the years immediately following the end of World War II, the USSR imported thousands of tons of this uranium for its own use.<sup>13</sup>

When the North Korean army invaded the South across the 38<sup>th</sup> parallel in 1950, the US military headed the United Nations force whose mission was to repel the invasion. At several points during that conflict American military leaders actively considered the use of nuclear weapons to deter the entrance of China into the war, but chose to keep the nuclear sword in its sheath.

After the establishment of an armistice on the Korean Peninsula in 1953, North Korean nuclear scientists and engineers were trained in the Soviet Union. By 1964 the Soviets and North Koreans were able to build the Yongbyon Nuclear Research Complex sixty miles north of Pyongyang, and a year later the first Soviet-supplied research reactor was under construction there.<sup>14</sup> A fifty-megawatt atomic reactor at Yongbyon was completed in 1987 capable of producing enough plutonium each year to build one atomic weapon.

In 1985, however, despite many years of slow but steady development of a nuclear

weapons capability, the North Korean government under Kim Il Sung entered into the Nuclear Non-Proliferation Treaty. This might have been hailed as a great turning point in the history of nuclear disarmament but for the Yongbyon reactor and the fact that in 1984 North Korea apparently broke ground for two even larger reactors. North Korea's claim that the goal of the Yongbyon reactor is electricity generation has been disputed by American observers who had access to satellite photos of the reactor complex. Reportedly, these reactors have no attached power lines, which would be necessary if they were to be used for generation of electrical power.<sup>15</sup>

In 1989 the North Korean government shut down the active reactor at Pyongyang for ten weeks for the apparent purpose of removing the nuclear core and processing a quantity of plutonium sufficient to produce one or two atomic bombs. The US response was to employ diplomacy to bring North Korea back into line with the NPT. Its first act was a unilateral, demand-side removal of its nuclear weapons from South Korea. Next it urged the North to enter into a bilateral denuclearization agreement with the South. Following that, the US persuaded the North to reach a "safeguards agreement" with the International Atomic Energy Agency (IAEA), which required the North to report all nuclear programs and make facilities available for inspection. Between June 1992 and February 1993, there were six such inspections.<sup>16</sup>

Soon after these inspections began, IAEA officials found evidence that North Korea had not fully accounted for its nuclear stockpiles. This led IAEA to pursue the inspection of two



concealed nuclear waste sites at the Yongbyon complex. The North's response to this move was to announce its intention to pull out of the NPT, which in turn brought the Clinton Administration to its decision to launch the round of negotiations that led to the Agreed Framework in 1994.

North Korea's goal throughout this period seemed to have been to "have its cake and eat it, too." In other words, it sought to join the nuclear club — if surreptitiously — while simultaneously renouncing nuclear weapons and purporting to be assisting in the maintenance of a nuclear-free Korean Peninsula. The IAEA inspectors seemed to have unmasked the intentions and the goals of the North Korean regime, which may have been surprised by the doggedness of the inspectors in pursuing their mission. In any event, the Agreed Framework appeared to have finally brought the North Korean regime under the thumb of a complex series of bilateral and multilateral, legal arrangements. In compliance with the agreement, it postponed indefinitely its departure from the NPT, shut down the nuclear reactor, froze construction of the two larger reactors, accepted a ban on plutonium enrichment programs, and agreed to improve relations between Pyongyang and Washington, D.C.

If the US goal in these negotiations had been to denuclearize the Peninsula, it appeared to have accomplished its purpose. This was not done, however, without considerable strain. President Clinton later admitted that in the midst of the standoff he had considered a plan to bomb the Yongbyon complex, which was a unilateral military act whose consequences even now seem difficult to calculate. Would such an

attack have succeeded in view of the formidable defenses that surround the complex? Would a successful attack have ended North Korea's nuclear ambitions forever? Or would it merely have created a greater determination to achieve those ambitions? Although rebuilding the complex would have taken several years, North Korea could simply have done so and added more security around it. Would the North have retaliated by attacking the South? All of these unanswerable questions indicate the high level of risk such a unilateral military action would have entailed for the US and for its allies in East Asia. Instead, the US chose a much lower risk diplomatic solution, which took the form of bilateral demand side action. The US sought to lower North Korea's desire to obtain nuclear weapons by offering specific concession in exchange for the North's renunciation of its nuclear ambitions. This approach appeared for some time to have been quite successful, but it did not make North Korea any less an adversary of the US.

After several years, the real success of the 1994 negotiations proved to be more illusory than real. Soon after signing the Agreed Framework, North Korea entered into an arrangement with Pakistan to trade its missile technology for Pakistan's uranium enrichment techniques — a technical violation of the Agreed Framework — and continued developing these techniques for next three years.

Apparent bad faith of this kind led the US to alter its goals on the Korean Peninsula from denuclearization of the Peninsula to regime change in North Korea. This change was signaled by President George W. Bush's inflammatory statements in his 2002 State of the

Union Address in which he labeled to the government of Kim Jong Il part of the “axis of evil” which had “terrorist allies” and was “arming to threaten the peace of the world.” These arms, President Bush added, could be used to “attack our allies or attempt to blackmail the US.” In any case, he argued, “the price of indifference would be catastrophic.”<sup>17</sup> This set the stage for the crisis.

## **VII. The Korean Nuclear Crisis, 2002-2006**

### **Stage 1: Unilateral Rhetoric, Military Posturing**

The Korean nuclear crisis came to public attention as the result of a lengthy round of unilateral charges and counter-charges, threats and counter-threats, which had the net effect of heightening tensions between the US and North Korea. On a visit to the North Korean capitol in early October 2002, US Assistant Secretary of State James Kelly confronted North Korean officials in Pyongyang with evidence of the uranium project. This was followed by a US announcement two weeks later that during Kelly’s visit, the North had admitted to having a secret nuclear arms program. The initial response to this from North Korea was an admission of the existence of the program and a demand that the US enter bilateral talks to draft a non-aggression pact. The demand was rejected on the ground that, since the proposed negotiations did not include South Korea, such a pact would compromise South Korean security. Before the end of the year, the North announced that it would re-start the shut down reactor and resume the previously frozen projects on the two larger reactors.<sup>18</sup>

Once again, events began to spin out of

control. Four months of escalating rhetoric was soon replaced in December 2002 by unilateral action having military implications. The North began to remove monitoring devices from the Yongbyon plant and initiate repairs to the plant. Soon it began shipping one thousand fuel rods to Yongbyon for the apparent purpose of producing plutonium.<sup>19</sup> Thus, North Korea was off and running again with an intact nuclear research and weapons development center. If the two larger reactors had been completed and made operational, Kim Jong Il’s government might have been able to produce as many as a dozen atomic bombs per year. With such a strong potential to use nuclear blackmail against the rest of the world, North Korea no longer would have had any incentive to even pretend to support a non-nuclear status quo.

The Bush Administration, however, bore a significant part of the blame for the escalation of the crisis. Bush’s January 2002 State of the Union Address had included North Korea with Iraq and Iran as part of the “axis of evil” arrayed against the US. In spring 2002, North Korea was included in US nuclear target planning, and the national security strategy of September 2002 included the possibility of preventive air strikes against the North.<sup>20</sup>

### **Stage 2: Bilateral Conversation, Military Maneuvers**

With these alarming realities confronting the region, the year 2003 began with efforts by South Korea to get China to use its influence with the North to reduce tension over the nuclear issue. This led to agreement on January 9, 2003 by the North to hold bilateral, cabinet level talks with the South, but this was followed the next day by the North’s announcement that

it would withdraw from the NPT. North-South talks ended on January 24 without making any progress. A few days later, President Bush again used the occasion of his annual state of the union message to unleash yet another barrage of inflammatory rhetoric aimed at the North. The North responded with a new demand for bilateral talks with the US on a non-aggression pact. This demand was rejected out of hand by the US.<sup>21</sup>

Quasi-military actions followed the belligerent rhetoric. The US and South Korea announced joint military exercises to be carried out in March, and the North Koreans fired a test missile into the sea between South Korea and Japan. Through the spring of 2003, North Korea continued an erratic pattern of military and diplomatic moves, firing another test missile into the sea in March, but then seeking a dialogue with the US to resolve the nuclear issue in April. China did indeed host bilateral talks between the US and North Korea late in April, 2003, but they ended in mutual recrimination within two days when, apparently, the North announced for the first time that it possessed nuclear weapons. A few days later, however, US Secretary of State Colin Powell stated that North Korea had offered to end its nuclear program in exchange for major US concessions including normalization of relations and economic assistance, and the US was studying the proposal. For the first time it may have seemed as if the crisis had peaked and might finally have moved toward resolution; but at that point, North Korea withdrew from the 1992 agreement it had made with South Korea to maintain a nuclear-free Korean Peninsula. This ended Pyongyang's last

remaining international agreement on nuclear nonproliferation.

At this point Americans became aware of the plight of Japanese citizens who had been abducted from their homeland by North Korean agents and held captive for many years. The Japanese-American Museum in Los Angeles announced that it would lobby the US government to put pressure on North Korea to release abducted Japanese citizens.<sup>22</sup> The breakdown of negotiations meant frustration for Japan on this issue.

### **Stage 3: Multilateral Effort, Unilateral Rhetoric**

North Korean rhetoric continued in the same bellicose direction as it had previously. In June a visiting delegation of US congressmen led by Rep. Curt Weldon, an expert on the US missile defense system and East Asian relations, reported that North Korean officials had told the delegates that the North now had nuclear weapons and had nearly completed the reprocessing of 8,000 spent fuel rods, which would allow it to build more. This was confirmed by American scientists who were able to visit the Yongbyon facility.<sup>23</sup> A month later a South Korean spy agency reported that the North had begun reprocessing a small number of the fuel rods. Amid these mixed signals, on August 1, North Korea agreed to participate in six-nation talks with South Korea, Japan, China, Russia and the US regarding its nuclear program. This first round of the talks began and ended in late August without significant accomplishment, but the delegates agreed to meet again.<sup>24</sup>

For the rest of the year 2003, North Korea continued to alternate announcements about its

progress toward building a “nuclear deterrent” with offers to suspend or “freeze” its nuclear program in exchange for US concessions. Finally, on December 27, the North agreed to a second round of six-nation talks to begin in early 2004, but when the talks met in Beijing on February 25, no breakthrough occurred and the talks were suspended for five more months. The third round of talks began in late June with a new offer from the US to give the North fuel aid if it dismantled its nuclear program, but at length the North rejected the offer despite direct bilateral talks between Colin Powell and North Korean Foreign Minister Paek Nam-sun. By the end of the year, North Korea claimed to have turned plutonium from 8,000 spent fuel rods into nuclear weapons.<sup>25</sup>

In the fall 2004, with the US in the midst of a close presidential election campaign, a rhetorical cease-fire seemed to be in effect on the US side. The Korean Nuclear Crisis was not raised as an issue in the campaign despite the ineffectiveness of the Bush Administration in handling it over a period of more than two years. Early in 2005, after President Bush had won a close reelection victory, North Korea expressed willingness to restart the stalled talks on its nuclear program. Soon after the talks began again in February, however, North Korea suspended its participation in them on February 10 for an indefinite period blaming the Bush Administration for trying to “antagonize, isolate and stifle it.”<sup>26</sup> Again, unilateral military actions followed with the firing of another test missile by North Korea.

#### **Stage 4: Continued Multilateral Effort,**

##### **Temporary Resolution**

Shortly after the May 11 announcement,

however, North Korea started a bilateral effort with South Korea to obtain fertilizer for its agricultural sector and food aid for its people. These were the first talks between North and South in ten months. Two weeks later, China’s UN envoy said that he expected the North to return to the six-nation talks “in the next few weeks.” In July, as the newly appointed US Secretary of State Condoleezza Rice began a tour of the region, North Korea fulfilled the expectation of the Chinese envoy by announcing its return to the talks. This news was accompanied by South Korea’s offer of a substantial amount of electrical power to the North as an incentive to end its nuclear weapons program — a plan readily endorsed by Secretary Rice.<sup>27</sup>

On July 25 the fourth round of the talks began in Beijing only to be recessed in deadlock two weeks later. On September 13 the talks resumed with a new request by North Korea for a light water reactor, prompting warnings of a new standoff between the parties; but on September 19, North Korea agreed to give up all its nuclear activities and rejoin the NPT in exchange for aid, security assurances and eventual normalization of relations between the North and the US.

This was hailed as an historic agreement — until the next day. Twenty-four hours after agreeing to dismantle its nuclear program, North Korea announced that it would not do so until it was given a civilian nuclear reactor. This sent matters into an immediate tailspin. Japanese Foreign Minister Nobutaka Machimura said the North’s demand was “unacceptable.” US State Department spokesman Sean McCormack said, “This is obviously not the agreement they

signed.”<sup>28</sup> Mutual suspicion characterized relations between the North and other parties to the talks as a new round of negotiations was planned for November.

The fifth round of the six-nation talks, November 10, 2005, centered around the details of how North Korea would disarm, how their disarmament would be verified and what the North would get in return.<sup>29</sup> According to South Korean official Chung Dong Young, the North Koreans proposed to end production of nuclear weapons, then suspend and later dismantle its nuclear program subject to verification. But despite its proposal, the North stuck by its insistence that Washington offer concessions first before the North made any move. This led to another round of stalemate which was further complicated by US charges of North Korean money laundering and counterfeiting of US currency.<sup>30</sup>

In March 2006, at a meeting between US and North Korean officials to discuss terms for the renewal of the six-nation talks, the North demanded an end to US Treasury Department investigations and US “financial sanctions” as a prerequisite for its return to the negotiating table. This produced exasperation among some in the US Congress. Rep. Jim Leach, chairman of the House International Relations subcommittee on Asia and the Pacific, was quoted as saying, “The six-party process is beginning to appear moribund...there is clearly a problem of communication between our two governments.”<sup>31</sup>

### **Stage 5: A New Level of Crisis**

This problem of communication between North Korea and the US was demonstrated dramatically in the spring and summer of 2006.

During that period, the Bush Administration, in an apparent effort to dampen down accusations from domestic critics that its foreign policy was excessively unilateral, continued to press the North Koreans to revive the six-party talks. North Korea, meanwhile, apparently seeking recognition and prestige, insisted upon one-to-one talks with the US and began preparations to test-fire a Taepo-dong 2 missile, a somewhat longer range missile than the Taepo-dong 1 that overflowed Japan in a 1998 test launch.<sup>32</sup> The chance that either North Korea or the US would get what it wanted at this point was exceedingly small in the absence of any significant diplomatic breakthrough that would indicate a sincere desire on both sides to converge toward agreement on the nuclear weapons issue. No such breakthrough occurred.

The situation between North Korea and the US only worsened in late June and early July of 2006 as a result of Japanese Prime Minister Koizumi’s visit to the US where he, as President Bush’s best international friend, entertained and gave needed support to the beleaguered US leader. The public closeness of the two men as well as their joint warning to North Korea against any missile test, however, seemed to strengthen the resolve of the North Koreans to go through with the tests.<sup>33</sup> On July 5, North Korea launched seven missiles, all of which came to earth in the Sea of Japan. This included one Taepo-dong 2, which appeared to have failed forty seconds into its flight.<sup>34</sup>

If North Korea intended to cause the US to come to the negotiating table for bilateral talks, it failed as badly as the Taepo-dong 2 itself. The immediate consequences of the missile launch were that Japan asked the UN Security

Council to meet in urgent session and Defense Agency chief Fukushima Nukaga issued a public statement citing “a grave problem not only for the safety of our country, but for the stability of the region.”<sup>35</sup> Japan subsequently joined the US in drafting a resolution requiring North Korea to suspend all activities related to ballistic missiles, which would have been enforceable by military action under Chapter 7 of the UN Charter.<sup>36</sup>

Subsequent negotiations (specifically involving China and Russia) removed references to Chapter 7, but produced a document containing a severe condemnation of North Korea for the launch of the missiles. It also required that all UN members refrain from trade with North Korea that would be related in any way to missile technology or the North Korean missile program. It further urged North Korea to return to the six-nation talks on its nuclear program and to return to compliance with the Nonproliferation Treaty.<sup>37</sup> The resolution was adopted on July 15, 2006 by a 15-0 vote that included the support of China, thus providing a stunning rebuke to the North Korean government and Kim Jong Il.<sup>38</sup> As of this writing, however, the full impact of this episode from the launching of the missiles to the adoption of the UN Security Council resolution remains unclear.

## **VII. Conclusion**

### **A. Evaluation of Hypotheses**

At this writing, the crisis languishes in a state of stalemate with neither side prepared to give ground. This uncertain outcome, however, affords me at least a limited basis for the

evaluation of my two hypotheses. The first of them was that the unilateral mode of action, when it takes the form of military threats, assertions of power and arms build-ups, tend to endanger the policy of general deterrence and are thus less effective in deterring the proliferation of nuclear weapons than either bilateral or multilateral modes of action. My account of the early stages of the Korean Nuclear Crisis would appear to confirm this. For at least two years after the onset of the crisis in October 2002, nearly every action on either side was unilateral and seemed calculated to accelerate the worsening of the situation. Furthermore, the foundation for the crisis had been laid prior to October 2002 by other unilateral actions, especially on the part of the US, which could only have helped precipitate the crisis. Not only was the exchange of threats and counter threats between the US and North Korea ineffective, it also led to a destabilization of the general deterrence regime and to unilateral military responses short of war.

If the first hypothesis seems readily confirmed, the same cannot be said for the second hypothesis, which is that the multilateral mode of action involving supply-side and demand-side negotiations tends to be more effective than either bilateral bargaining both in reinforcing the policy of general deterrence and in achieving denuclearization. This hypothesis cannot be confirmed because, despite the newly adopted resolution by the UN Security Council, the crisis has not been resolved, the policy of general deterrence has not been reinforced, and denuclearization has not been verifiably achieved. Despite successive rounds of multilateral talks over a period of nearly two

years, few efforts seem to have been made by the principal actors to enter into either supply-side or demand-side negotiations. Indeed, at the very moment when it appeared that such negotiations had produced a successful outcome, that success evaporated and we find ourselves once again in a condition of stalemate. The UN resolution may change this by forcing the kind of multilateral actions that have been required in this crisis from the beginning. Nevertheless, the stalemate we confront in late summer 2006 must lead us to consider additional Proposals.

## B. Proposals

The failure of the six-nation talks to produce an effective counter-proliferation strategy must remind us of the Cold War when nuclear confrontation was an even more salient issue facing the world. In 1981, George F. Kennan, American diplomat in the administration of President Harry S. Truman and promoter of the Cold War policy of containment towards the Soviet Union, said that the arms race occurring at that time between the US and the USSR was “nothing new.” He thought that what he was witnessing between the great powers in 1981 was the same phenomenon that had played itself out among the great powers of Europe in the late nineteenth century.

He said,

“I see this competitive buildup of armaments conceived initially as a means to an end but soon becoming the end itself. I see it taking possession of men’s imagination and behavior, becoming a force in its own rights, detaching itself from the political differences that initially inspired it, and then leading both parties, invariably and inexorably, to the

war they no longer know how to avoid.”<sup>39</sup>

Looking at the Korean Nuclear Crisis today and the patterns of behavior exhibited by the major protagonists, the same description might well apply. It does not seem to matter that one of the two countries at the center of the crisis is a military superpower while the other, although it is strong militarily when compared to other nations, is quite weak in relation to its adversary in the crisis. The process resembles the pattern I have described in these pages. When power is distributed unequally, a weaker actor may gain a bargaining advantage over a stronger actor by increasing his resolve. Although the stronger actor may anticipate victory in war, the weaker actor demonstrates by his resolve that the victory will be more costly than it is worth. This, however, is a dangerous tactic because, although it increases the probability of a favorable outcome for the weaker actor, it also increases the probability of war.<sup>40</sup>

As of mid-August, 2006, the Korean Nuclear Crisis remained at stalemate over the interpretation of what appeared to have been an agreement by the US and North Korea in the most recent round of six-nation negotiations. Some analysts of crisis negotiation assume that crises must be resolved if not by negotiated settlement, then by war; but this assumption is not necessary to an understanding of this specific crisis.<sup>41</sup> Another possibility in an extended dispute, like this one in which tensions lie just short of war, is to allow the crisis to end in stalemate provided there is no military buildup on either side. As the North Korean missile tests of July, 2006 have demonstrated,

however, this option is not entirely realistic in this case since both sides have the capacity to increase the military stakes and have costly, ongoing programs to do exactly that. The North Koreans are unlikely to halt their nuclear weapons or long-range missile programmes for long if the US continues to spend eight billion dollars on average each year to build its national missile defense system (NMD), as it has done in every fiscal year since George W. Bush took office as president. Indeed, shelving NMD, a weapons system that is high in cost and low in technical feasibility, might serve as the sort of demand-side action that could help persuade the North that their nuclear program was unnecessary. This option, however, seems not to be politically feasible in the US—especially since the North Korean missile tests. Therefore, allowing the situation to remain in stalemate is not a desirable resolution of the crisis.

Given the undesirability of stalemate, it remains for me to develop other proposals, ones that are specifically tailored to anti-proliferation action and designed to reduce the danger of nuclear conflict. I offer several proposals below as a starting point.

### **1. Seek political reconciliation among the relevant parties**

At the present time there seems to be no agreed conceptual framework for the management of relations with North Korea, and the state of those relations may be fairly described as highly unsatisfactory. The political relationship among all concerned parties must rest on the foundation of firmness and flexibility, and must be mediated by regular communication without name calling or

escalating threats. It would not be enough for the North Koreans and the US to tone down their rhetoric for a period of time. Both sides must recognize that, while tough talk may satisfy certain domestic constituencies within each country, the overall effect of inflammatory rhetoric is to make successful negotiations more difficult. There must also be full communication regarding issues of importance among all concerned nations of the region, including such issues as the abduction of Japanese nationals by the North Koreans.

### **2. Eliminate all nuclear weapons from the region**

The battle against nuclear proliferation over the past couple of decades or so has actually fared better than many may have predicted since the days when Soviet leader Mikhail Gorbachev and US President Ronald Reagan offered eloquent speeches on the renunciation of nuclear weapons. Thomas Graham (1991) has recorded some of the most notable successes of non-proliferation policies, for example, the creation of the Latin American nuclear free zone and South Africa's abandonment of its nuclear weapons program.<sup>42</sup> The elimination of all nuclear weapons from the Korean Peninsula would imply that all nations of the region remain part of the NPT and that they comply with the provisions of the NPT. Since the US, Russia and China currently possess nuclear weapons, these countries must engage in negotiations to reduce the number and availability of such weapons. These three nations must collaborate in preventing not only the development of nuclear weapons technology in the region but also the transmission of such



technology from within the region to other nations or to terrorist groups. This would require, in other words, a strict multilateral supply-side anti-proliferation strategy.

### **3. Strengthen the general deterrence regime**

The general deterrence regime must be strong enough to prevent the need for military action to remove a renegade regime which stands on the brink of acquiring nuclear weapons with a desire to threaten the peace of the region. Preemptive war in the absence of unmistakable evidence of the imminent aggressive intent of the adversary must be clearly renounced. A preemptive counter-proliferation strike could only be justified if the nuclear aspirant were led by a hostile government and had reached the threshold of success in its nuclear program. Furthermore, the aspirant state's nuclear program would have to directly and immediately threaten a vital interest of the country considering the preemptive strike. A nuclear preemptive strike would not be justifiable, and all diplomatic options must have been exhausted.<sup>43</sup>

Similarly, the buildup of high-tech weapons systems, such as NMD, must not be construed by potential nuclear aspirants as an effort to develop an offensive, "first strike" capability. In view of Bush Administration's rhetoric and the reality of the current conflict in Iraq, North Korea has a well-founded fear that, as soon as it may be practicable, the US will mount a military campaign to change the North Korean regime. As fervently as the Bush Administration may wish to effect such a regime change, this is not a part of the general deterrence regime, which has the goal of maintaining the military status

quo. Political and social change must be allowed to occur at its own pace for the sake of all concerned. Recent evidence of North-South convergence in Korea reinforces the wisdom of this approach.

### **4. When negotiations are necessary, each party must be prepared to give up more than it had previously been willing to concede for the sake of successful resolution**

One grievance which could have been addressed in the six-nation talks was the Japanese demand that North Korea hand over two North Korean agents responsible for the abduction of four Japanese citizens in 1978. Nothing was done at the talks and the issue has continued to cloud Japanese relations with the North, and years later it remains unresolved.<sup>44</sup> A concession on this point by the North Koreans would have greatly facilitated the handling of other more threatening issues. Failure to do so makes other issues more complicated. The main parties to negotiations should take stock of all grievances among the concerned nations involved in multilateral talks.

### **5. Base arms control agreements on the belief that nuclear weapons are not usable weapons**

Finally, we must assert as a basis for non-proliferation negotiations the great lesson of the Cold War: nuclear weapons are virtually useless for the achievement of any realistic political goal. In 1985, former US Secretary of Defense Robert S. McNamara projected that, without specific progress in arms limitations, by 1990 the US and USSR together would possess 39,000 nuclear warheads with the combined ability to destroy civilization entirely.<sup>45</sup> Fortunately,

strategic arms limitation agreements were achieved by the US and USSR, and the number of warheads declined; but for this to happen, the two most prolific producers of such weapons had to stare into the abyss and realize that the warheads, no matter how many there were, could accomplish nothing of value. Indeed, the more numerous they were, the more useless they became. The destructive power of these weapons negates any gain that might be contemplated from the possession of them. Aspirant nuclear states must face this same reality in the starkest possible terms.

Were North Korea to come to grips with this fact, perhaps the stalemate in the current negotiations could be broken. The North Korean government may believe that the pursuit of a nuclear capability is rational in order to achieve prestige and to be taken seriously by other world powers. It may indeed achieve those goals through the acquisition of such weapons, but it must also contemplate the consequences in terms of isolation from the international system and loss of support from potential allies. The negative diplomatic repercussions of the recent North Korean missile tests must serve as an important lesson in what is rational and what is not.

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## **Unilateral, Bilateral and Multilateral Actions against Nuclear Proliferation: The Korean Nuclear Crisis, 2002-2006**

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In light of North Korean efforts to acquire nuclear weapons, this paper explores the efficacy of various forms of action taken by governments to prevent the proliferation of such weapons. Specifically it focuses on the crisis on the Korean Peninsula beginning in October 2002 with the discovery of North Korea's active nuclear program and continuing until March, 2006 when intensive multilateral negotiations ended in stalemate. In this paper I take this crisis as a case study and test two hypotheses. The first is that unilateral action in the form of military threats and arms build-ups are relatively ineffective counter-proliferation actions; and the second is that multilateral efforts to make the acquisition of nuclear weapons more difficult or to reduce the need

for them are more likely to be successful.

The crisis provides evidence to support the first hypothesis. As long as North Korea and the US traded unilateral threats and continued to work towards the deployment of increasing numbers of weapons to use against each other, the crisis continued to worsen. The second hypothesis, however, found no support because the crisis remained unresolved. The various rounds of six-nation talks involving North Korea, the US, Japan, China, Russia and South Korea failed in the end. The author offers a series of proposals including that arms control agreements should be based on a recognition that nuclear weapons are ultimately unusable in that they can achieve no valid purpose.