A NEW U.S. - ROK ALLIANCE:
A NINE-POINT POLICY RECOMMENDATION FOR A REFLECTIVE AND MATURE PARTNERSHIP

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# Table of Contents

I.  Interposing a Problem ................................................................. 3

II. Problem Solving ................................................................. 5

   The Guiding Principle:
   The Pursuit of a Reflective and Mature Partnership ................. 5

   A. Policy Recommendations: Strategic Issues .................... 7

      1. *Discuss strategic flexibility of USFK* .................. 7
      2. *Promote global security, maintain ROK security* .. 12
      3. *Prepare for a multilateral security regime* ......... 13

   B. Policy Recommendations: Military Issues .................... 16

      4. *Transfer control of ROK forces to ROK* .......... 16
      5. *Evolve from combined to joint* ......................... 21

   C. Policy Recommendations: Politico-Diplomatic Issues ...... 22

      6. *Understand anti-American sentiment* .............. 22
      7. *Revise SOFA* ...................................................... 29
      8. *Increase exchanges and understanding* ............. 31
      9. *Form a unified front on North Korea* .............. 32

III. The Alliance is Alive ................................................................. 34
I. Interposing a Problem

In June 2002 hundreds of thousands of Korean citizens, participating in a series of candle-light vigils, protested against the acquittal of two U.S. soldiers charged with negligent homicide in the deaths of two teenage Korean girls during an off-base training exercise. The protesters also requested an apology from the U.S. and a major revision of the Status of Forces Agreement (SOFA), the legal code governing the U.S. soldiers stationed in the Republic of Korea (ROK). Some went even further by demanding the complete withdrawal of the U.S. Forces in Korea (USFK) and the termination of the U.S.-ROK security pact which has been a cornerstone of the close bilateral relationship for over fifty years. The magnitude and significance of the street protests were so great that, just days before the close of the tight presidential race later that year, the competing candidates each tried to tap into the rising tide of anti-American sentiment.

From an American perspective that considers the U.S. the ROK’s savior in the Korean War -- and still deploys tens of thousands of soldiers to protect the ROK from its menacing neighbor to the north -- such an aggressive and persistent hostility toward the U.S. represented ingratitude, even betrayal. As the election ended with a win for Roh Moo-hyun who, while a candidate, said that “he might offer to mediate if the U.S. and North Korea went to war,”1 American concerns toward the ROK appeared to have deepened.

Other, more specific tensions in the alliance remain an obstacle to increased trust in Washington. Most conspicuously, the allies have been unable to forge a unified front facing North Korea’s nuclear threat. The ROK is afraid that the U.S.’s desire for punitive measures against the North may spark a catastrophic war on the Korean peninsula. Conversely, the U.S. is dissatisfied with the ROK’s inclination to what it perceives as appeasement of the North. In November 2004, President Roh stated that North Korea’s claim that it pursued nuclear weapons and missile capabilities to safeguard its security by deterring external threats was understandable, considering the country’s international security environment.2 This pronouncement was answered by an unusually strong private statement from the U.S. State Department that the U.S. hoped to discuss elements of the President Roh’s comments with senior ROK officials in the near future.

Assuming that the security pact will remain intact, tensions between Washington and Seoul over the future of the alliance are likely to endure. Another key difference in the two countries’ positions involves the role of the USFK. The U.S. seems to view it as an absolute necessity that the USFK take on a global role as an expeditionary force (preferably in cooperation with ROK forces) to defend and secure American security and strategic interests. However, the ROK is extremely reluctant to embrace this expansive idea lest it find itself entangled in an unwanted, devastating war.3

2 President Roh’s address given to the Los Angeles World Affairs Council, November 12, 2004; available online on the website of the Blue House, http://english.president.go.kr/warp/app/home/en_home.
3 President Roh maintained that he did not mean to imply flexibility of the USFK’s role in East Asia when he said that the ROK should cooperate with the U.S. to ensure that it could, with flexibility, adjust
Despite the frictions and disagreements, both American and Korean policymakers are aware that the alliance can continue to effectively serve each nation’s individual interests. For the ROK, the alliance plays the role of a military footstall that promotes security and stability on the peninsula and preserves the existing security order, which is critical on the peninsula and in Northeast Asia. The alliance also provides an economic benefit. During the several political and military crises the ROK has faced in the past, the alliance and the presence of the U.S. forces on the peninsula have helped to ensure that the ROK maintained the confidence of foreign investors. Furthermore, the alliance could play the role of a financial supporter that facilitates the process of unification and market-democratic consolidation, and could supplement a unified Korean military in meeting the peninsula’s external security requirements. There is no doubt that the U.S.-ROK alliance, if properly managed, is one of the most important security assets of the ROK.

For the U.S., the alliance is significant in many regards as well. First, it serves U.S. security interests. The vibrant and viable alliance prevents a potentially reckless arms race of a “self-help” type that may erupt in the region if, for example, the USFK had to withdraw and if the only other principal location for U.S. forces was Japan, “a state that worries countries throughout East Asia.” If Japan were to decide to reduce the USFJ for diplomatic or political reasons, the ability of the U.S. to project power in East Asia would be greatly constrained. Meanwhile, Japanese hardliners could easily foment a more assertive, independent military posture that could seriously jeopardize regional stability. The U.S.-ROK alliance has kept this Pandora's box tightly closed. The alliance is an instrumental security asset that would serve the U.S. interest in preventing the emergence of a regional hegemon. Conversely, a strategic alignment between the ROK and China would contradict U.S. efforts to block Chinese military thrusts toward Taiwan and the Philippines, and would complicate efforts to augment Japan’s role in regional security. The North Korean nuclear effort poses a threat to regional stability and also to the U.S. interest in enhancing the non-proliferation regime. A peaceful resolution of this problem, to which the U.S. is committed, requires prudent policy coordination between the U.S. and the ROK that would not be as effective as it should be without a close alliance partnership.

Second, the alliance serves U.S. economic interests. Korea has the 11th largest economy in the world and is the 7th largest trading partner for the U.S. Standing behind Japan, China, and the United Kingdom, and ahead of the OPEC economies, Korea is the 4th largest foreign holder of U.S. treasury securities with $69 billion. Korea holds about $205 billion in currency reserves, the world's 4th largest after Japan, China, and Taiwan. On the day it was reported that Korea was seeking to diversify its official reserves away from the U.S. dollar, the Dow Jones average decreased over 174 points, the dollar fell sharply, and bonds were down as well. Although not all of this can be directly attributed

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to the news from Korea, it shows that there are important economic aspects to the U.S.-
ROK relationship.\(^6\)

Third, and most importantly, proper maintenance of the alliance will serve U.S. long-term
strategic interests vis-à-vis a unified, nationalist Korea. A unified peninsula could
“[align] itself with China, an emerging Asian superpower that the unified Korea would
view as a counterbalance to former colonial master Japan,”\(^7\) which the U.S. cannot afford
to lose as an ally. The strategic importance of a unified Korea is amplified by its location
at the strategic center of Northeast Asia: the Japanese have called the peninsula “a dagger
pointed at Japan’s heart,” and the Chinese regard it as a dangerous gateway to continental
Asia through which Japan has entered in the past.

Considering the great mutual interests and benefits that the alliance generates, therefore,
it is imperative for U.S. and ROK policymakers to stabilize the alliance by smoothing
bilateral frictions at various levels, crafting a new concept for it that reflects changing
domestic and security conditions, and renovating the alliance structure in accordance with
the new environment. This paper will suggest a framework of policy alternatives to that
end. Areas in which the interests of both sides converge and diverge will be identified,
and means will be suggested to help expand the former and reduce the latter. Suggestions
focus on the nature of the alliance, the role of the USFK, regional multilateral security
cooperation, the operational command structure, the SOFA, anti-American sentiment in
South Korea, and policies toward North Korea.

II. Problem Solving

To help solve the problems that the two allies face, three separate sets of policy
recommendations addressing the strategic, military, and politico-diplomatic realms are
proposed. Before delving into the specific recommendations, an explanation is necessary
of the overarching concept or principle that characterizes a desirable future of the alliance,
and should therefore guide research and thinking.

The Guiding Principle: The Pursuit of a Reflective and Mature Partnership

During the Cold War period, the guiding principle was simple: to mount an effective
combined effort to deter communist expansionism on the Korean peninsula. Accordingly,
the content of the alliance included mechanisms such as a trip-wire, a nuclear umbrella,
military assistance and training, and the Combined Forces Command (CFC). In a way,
the alliance was a client-patron relationship.

Major changes in security conditions have transpired over the last decade and demand a
search for a new guiding principle. The nature and many aspects of the Cold War

\(^6\) Matt Geraghty, “The U.S. Current Account Deficit: Is Our Economic Health in Foreign Hands?”
\(^7\) Ben Barber, “South Korea considers benefit of China as ally: Action could hinder U.S. strategy,”
Washington Times, June 7, 1996. See also A Blueprint for U.S. Policy toward a Unified Korea: A Working
relationship now seem out of date. Many notions, including “horizontal,” “equal,” and “mature” relationships have been suggested to replace it. At this point, the most desirable and realistic notion would be a mature relationship, which could usefully be rephrased as a “mature partnership.” This concept is suitable because it recognizes the development of the ROK’s national capabilities and socio-political pluralism. It is also desirable since it is based not on a confrontational or zero-sum relationship, but on a cooperative or positive-sum dynamic that encourages the partners to look at their common objectives rather than blaming one another for failures. This concept is also realistic in that it takes into account the differences in national capabilities and historical/cultural structures that the two nations have built over the past several decades.

Furthermore, the future alliance relationship should be guided by a concept that carries enough flexibility to effectively reflect rapidly changing domestic and external conditions affecting the two nations. If unable to reflect such changes, the concept governing the alliance structure may become an anachronistic fetter that would not only hinder the development of bilateral relations, but also, if left unattended, seriously impair the alliance. Thus, the concept should reflect changes such as the end of the Cold War that have encouraged newer notions of security (i.e. cooperative security, human security, and security from asymmetric threats), a shift in the balance of power on the Korean peninsula, a democratized and more autonomous ROK, and a new America that has become more attentive to terrorist and asymmetric threats since 9/11. In particular, the conceptual framework that guides the search for a new alliance should reflect that China, a nation once considered a grave security menace to the U.S. and the ROK, has become a key economic partner even while it still poses a potential security threat. Moreover, it should also reflect the possibility that North Korea, a nation stipulated as a “common danger” in the U.S.-ROK security treaty, may become a secure member of the international community once mutual concerns are adequately addressed. It seems plausible, therefore, that the concept of “a reflective and mature partnership” can guide the process of readjustment in U.S.-ROK relations in general and the military alliance in particular.

The specific content of the guiding principle naturally flows from these general notions. It includes ensuring the security and prosperity of both nations, enhancing regional and global peace, promoting shared values, and supporting peaceful unification on the peninsula. Keeping this conceptual framework in mind, we now turn to discussing specific policy recommendations.
A. Policy Recommendations: Strategic Issues

There are three strategic issues that must be addressed in forming a mature and reflective partnership.

1. The U.S. and the ROK should open a serious discussion on the strategic flexibility of the U.S. Forces Korea and reach an agreement that addresses common concerns.

The surge of anti-American sentiment in the ROK, combined with the displeased response from the U.S., caused tensions in the military alliance to the extent that it appeared that a rift was being created. The two governments moved quickly to reverse the trend by making a collective effort to craft a blueprint for the future of the alliance. This is reminiscent of American and Japanese efforts to stop the drift of their alliance in the mid-1990s by issuing the Nye Report and agreeing to a joint communiqué that called for revitalization of the alliance. However, the U.S.-Korea joint initiative has been focused too narrowly on relatively minor issues such as the relocation of the U.S. Second Infantry Division and the redeployment of the U.S. garrison in Seoul to south of the Han River, while postponing discussion of more fundamental issues. Although there was some technical necessity for the two allies to “put the cart in front of the horse,” it would be more reasonable and constructive to prioritize from generalities to particulars because decisions made on broader, fundamental issues may reverse actions taken based on premature decisions on smaller issues.

In charting the future of the alliance, perhaps the most crucial and controversial issue to be dealt with is the redefinition of the nature and the role of the USFK. The U.S. concept of “strategic flexibility” for USFK has already become the object of heated debate in the Korea. This concept involves the possibility of the USFK—whose objective under the Mutual Defense Treaty has thus far been to deter a war on the peninsula—becoming an expeditionary force with the potential to intervene in regional military conflicts.

The desire of the U.S. to have the USFK play a regional role extends back to the previous U.S. administration, when President Clinton stated that the U.S. must maintain its military presence in Asia even if “tensions between North and South Korea decrease and if China continues to open up,” because U.S. forces “are not in Asia simply to respond to danger, but to be a balance wheel for stability that prevents danger from arising.”

In November 2002, however, more serious and concrete proposals emerged during the Security Consultative Meeting, reflecting a changed U.S. security perspective since the end of the Cold War and the advent of the war on terror.

From the U.S. perspective, the concept of the USFK as a strategically flexible force seems to be a foregone conclusion, and is an outcome of the transformation of America’s global defense posture. During the Cold War, the struggle was over global hegemony

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between the two camps with antagonistic interests, visions, and ideologies. U.S. military strategy was based on the notion of global containment of Soviet-led communist expansion. Geopolitics and ideology determined avenues of conflict with little need for strategic flexibility. The U.S. viewed the ROK as a regional outpost functioning as a barrier to communist expansionism in East Asia. Therefore, the U.S.-ROK alliance was regarded as a “peninsula-bound alliance” and large bodies of U.S. troops stationed in the ROK were considered a “fixture” on the Korean peninsula.

Nevertheless, the changed global security conditions, particularly those formed by the end of the Cold War, have had a profound impact on the U.S. military strategy. This strategy has now become more focused on coping with new threats, such as regional conflicts due to nationalism and religion materializing with the demise of global ideological competition that had previously prevented such instabilities. After 9/11, an event that revealed U.S. vulnerability to global terrorist attacks and other non-traditional security threats, the U.S. military strategy was forced to undergo yet another significant overhaul.

The new U.S. military strategy, as far as its overseas forces are concerned, is to transform the existing basing structure rooted in Cold War dynamics to one that reflects a new security environment where U.S. global commitments have proliferated in recent years. In other words, the U.S. is now attempting to create “a smaller, more mobile force that is based closer to the likely sites of future conflicts.” As Secretary of Defense Donald Rumsfeld has said, “the U.S. will move people where it needs them.”

A logical conclusion of this fundamental change in the U.S. military strategy would be that the USFK, as it is currently structured and defined, is an unnatural and ultimately unsustainable Cold War relic, and it needs to be expanded into a mobile force capable of coping with any regional or global contingency. Some might argue that with the partial deployment of the 2nd Infantry Division to Iraq as an expeditionary force, the transformation of the USFK has already been completed.

If the ROK insists upon the USFK remaining a “peninsula-bound deterrent,” the U.S. may question the utility of its military presence on the peninsula. For example, in the event of a regional or global emergency, if the U.S. were unable to utilize the USFK, it would indicate a serious misallocation of its increasingly valuable military resources. Given that the balance of power on the peninsula greatly favors the South, Seoul’s insistence on a peninsula-bound USFK may appear to the U.S. to mean that Korea desires a “unilaterally beneficial alliance.”

A number of ROK government officials may maintain that the ROK would welcome the inflow of U.S. forces stationed outside the peninsula, but would object to the outflow of the USFK to other areas. The U.S. would rebut this by asking the following: “Would it be acceptable to the ROK if Japan disallowed the outflow of USFJ in order to defend the

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ROK against a North Korean invasion; in other words, if Japan did not allow the U.S. to fulfill its obligations as an ally of the ROK?"

From the ROK perspective, however, the concept of strategic flexibility has implications for contingencies in the Taiwan Strait, the East China Sea, and even in North Korea—all of which would hold very serious political and security connotations. In this connection, the ROK has been reluctant to get involved in what it perceives as a U.S. move to contain Beijing and/or to punish North Korea for several reasons.

One main reason is trade. In Seoul, some call China the “new America.” Since the ROK and China established diplomatic relations a decade ago, trade between the two nations has increased at least tenfold to a total of more than $60 billion per year. The main destination for the ROK's exports is no longer the U.S., but China. In 2004, the ROK replaced Japan as the third largest investor in China, directing 45.8 percent of its total overseas investment there. China became the third largest investor in Korea, after the U.S. and Japan, with more than US$11.6 billion in 2004. This is in sharp contrast to the modest US$1 million it had invested in 1991, when diplomatic relations with Korea were established.

Furthermore, China is the key nation with which South Korea must work in promoting peace and unification on the peninsula, as it has more influence over North Korea than any other nation. South Koreans tend to believe that the peaceful unification of the peninsula will be possible only if China is assured that a unified Korea will not be hostile to it.

Probably the most important reason why the ROK has been hesitant to engage with the U.S. in containing China would be the possibility of an unintended war between the ROK and China. If a conflict occurs in the Taiwan Strait, the U.S. is likely to ask for the deployment of the USFK (and USFJ) to the theater. China may launch missiles at USFK bases in Korea in an attempt to hamper or delay U.S. reinforcement efforts. The ROK would then be forced to take self-defense actions.

However, given China’s paramount interest in “reconstructing” its economy, one can argue that it seems unlikely that it would risk a full-fledged war against the U.S. and Korea (and probably Japan) by escalating the conflict in the Strait. The concern that the change in the role of the USFK will expose the ROK to Chinese aggression appears, in fact, to contain an element of exaggeration. However, as history shows, in many cases the decision to go to war is not based on rational strategic calculation. China and other powers may be drawn into a conflict that is not justifiable from a strategic perspective. For South Koreans, the alliance with the U.S. is extremely important, but not as important as their own lives.

Moreover, the ROK may not accept the U.S.'s analogy of the USFJ’s inflow to the peninsula as a legitimate reason to justify the USFK’s strategic flexibility. It may argue that Japan’s decision to allow strategic flexibility to the USFJ is a relatively easy decision to make for three major reasons: 1) North Korea’s military power is not comparable to
China’s; 2) the relationship between North Korea and Japan is not comparable to the relationship between the ROK and China; and 3) North Korea is conquerable whereas China is not, and therefore Japan would not have to deal with a vengeful North Korea that has survived the war while the ROK would make a powerful and permanent enemy in China.\(^{10}\)

When the U.S. signed the Mutual Defense Treaty with the ROK in 1953, a stipulation was added that “neither party is obligated to come to the aid of the other except in case of an external armed attack against such party; nor shall anything in the present Treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States.” Understandably, the U.S. did not and does not have any intention to become entangled in an unwanted war. In 2003, Turkey, one of the U.S.’s closest allies and a member of NATO, rejected a measure that would have allowed thousands of U.S. troops to use the country as a base for the attack against Saddam Hussein’s Iraq. This rejection was influenced by polls which indicated that an overwhelming majority of the Turkish people opposed their country’s involvement in a war against Iraq. Following the parliamentary vote, the U.S. Embassy in Ankara said that American ties with Turkey would not be threatened by the vote, which was democratic vote and would be respected by Washington. It resonated as a rational and reasonable response and is still considered just that.

The Koreans would certainly aid the U.S. military if the U.S. was invaded, but like the Turkish people in 2003, they are not likely to risk their lives in order to accommodate U.S. strategic interests. It is difficult to imagine that Seoul would jeopardize its security and other vital interests in China to support a unilateral American decision to dispatch the USFK to areas of conflict with China, unless the conflict was started by unprovoked aggression on China’s part. Seoul’s aversion to hostilities with China is well illustrated by a 2004 survey of National Assemblymen from the ruling Uri Party, in which 63 percent of respondents indicated that China, rather than the U.S., should be the nation of highest priority in Korea’s diplomatic and trade relations.\(^{11}\)

The ROK’s reluctance contrasts with Japan’s apparent willingness to create a more active bilateral military alliance with the U.S. In March 2005, Japan joined the U.S. in declaring that “peaceful resolution of issues concerning the Taiwan Strait”\(^{12}\) is a common strategic objective of both nations, effectively opposing China’s refusal to deny itself the option of the use of force in solving the issue. However, it should be noted that relations between China and the ROK are different from Sino-Japanese relations in many regards. Most importantly, the following negative features of the China-Japan relationship are lacking in the China-Korea relationship: 1) An enduring historical mistrust; 2) Numerous competing territorial claims throughout the region; and 3) Perceived security threats from each to the other. These differences are more substantial than the recent bilateral friction


between the ROK and China, mainly the issue referred to as the “Northeast Project,” or Beijing’s attempt to claim that Koguryo, an ancient Korean kingdom, was a “subordinate state that fell under the jurisdiction of the Chinese dynasties.” This claim, no doubt, inflamed both Koreas, but does not amount to a strategic challenge for either Seoul or Pyongyang. On the other hand, Japan—unlike Korea—does not have to be concerned with Chinese influence over national unification.

Having said that, it seems unclear whether Japan would, indeed, confront China in a U.S.-led military conflict that may put its vital interests at serious risk, unless China initiated a conflict without provocation or direct threats to its territory. Although China’s military build-up and the Bush administration’s encouragement have emboldened Japan to take a more aggressive attitude toward China, it must be noted that Japan’s economic and geopolitical conditions have basically remained unchanged. China, for the first time, replaced the U.S. as Japan's largest trading partner in 2004. Japan’s geopolitical location, next to a rising China, creates significant long-term implications for Japanese security strategy, especially assuming that China will remain a great power surviving a conflict on its periphery.

Like China, North Korea is both an opportunity and a threat for the ROK. Depending on the situation, the North could be an economic blessing or a military catastrophe. Although the North’s menacing intentions and unpredictable behavior remain significant concerns, what is more significant regarding the strategic flexibility of the USFK is that North Korea has thus far been adequately deterred by the allied forces on the peninsula. Therefore, rather than an outright failure of deterrence, one becomes more worried about the possibility of a war on the peninsula caused by a North Korean misperception, perhaps based on a belief that it is about to be attacked by the U.S. in a preemptive war. The probability of such a misperception is likely to increase if the USFK becomes strategically flexible because such flexibility may indicate to North Korea a transformation of strictly defensive forces into potentially “offensive” ones.

Meanwhile, from a more objective perspective, the notion of strategic flexibility appears to worry Koreans since the Bush administration designated the North as an “outpost of...

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13 South Koreans strongly challenged the treatment given to Koguryo in the papers of the Northeast Project, a government-funded organization established in Beijing in 2002 for the purpose of studying historical issues of Northeast China. The South Koreans objected to the Northeast Project’s assertions that Koguryo was merely a dependent regional authority of China. It is popularly assumed in South Korea that China intends to take Koguryo’s heritage from Korea. The justification is understood to be that China was preparing a case for a preemptive territorial claim in the case of a North Korean collapse. Mark Byington, “The War of Words Between South Korea and China Over An Ancient Kingdom: Why Both Sides Are Misguided,” September 6, 2004, http://hnn.us/articles/7077.html. On the other hand, one cannot completely deny that the Northeast Project was more of a defensive move by China anticipating that a unified Korea may become irredentist. Beijing has indeed been gravely concerned over the destabilizing impact of diverse ethnicity. For example, Uighur nationalists, among others, have derided the “one people” policy as Beijing’s attempt to undermine their efforts for autonomy. For the “internal domino” theory that has been applied to China, see Thomas J. Christensen, “Chinese Realpolitik,” *Foreign Affairs*, Sep/Oct 1996. Vol. 75, Issue 5.
tyranny”\textsuperscript{14} and declared that the ultimate goal of its foreign policy is to remove tyrannies.\textsuperscript{15} For many South Koreans, concern about a U.S. preemptive attack on North Korea is not without grounds given the fact that the U.S. risked war on the peninsula in 1994 without adequate consultations with the ROK government. Moreover, at that time, the role of the USFK was simply to help deter, or defeat if necessary, any North Korean aggression against the ROK. If a war breaks out the Korean people would incur great losses, regardless of who gains victory or suffers defeat. The ROK government appears to believe that it can slowly disarm and unify the peninsula without firing a shot through long-term exchanges and peaceful coexistence with North Korea. It also appears to believe that an expanded role for the USFK may undermine this inter-Korean deep-engagement process.

Assuming that the ROK desires the continued presence of U.S. forces on the peninsula, and that the U.S. would continue to appreciate the strategic and other values of an ever growing and unified Korea as its ally in the region—where a regional hegemon may emerge with intentions of changing the status quo—the following agreement would seem to be beneficial for both allies:

(2) The United States and the ROK acknowledge, on the one hand, that the role of the USFK should be broadened to include promotion of global security and meeting new common threats around the world, but, on the other, that this new strategic flexibility should not unnecessarily jeopardize the security of the ROK. To that end, the two allies agree that the use of the USFK from bases in the ROK and/or the flow of US forces into and out of the ROK shall not jeopardize the security of the ROK except when an act of aggression or a breach of global peace occurs. Specifically, the USFK may both engage in military operations from bases in the ROK or deploy elsewhere even if such actions result in a direct threat to the ROK from any third party, but only if those actions are necessary to counter an act of aggression or a breach of the peace by a third party. In specific cases, the two sides shall jointly determine, through their respective constitutional processes, whether the use and/or deployment of the USFK is necessary to resist an act of aggression or to repair a breach of the peace, and whether such use and/or deployment will constitute a direct threat to the security of the ROK.

The rationale behind acknowledging the necessity of a strategically flexible USFK is to demonstrate the strategic importance of the U.S.-ROK alliance through joint efforts to swiftly meet global security challenges and prevent the emergence of a regional hegemon that is hostile to both U.S. and ROK interests. The acknowledgement is basically in sync

\footnotesize{\textsuperscript{14} Condoleezza Rice, “Opening Remarks of Secretary of State-Designate Dr. Condoleezza Rice,” Washington, DC, January 18, 2005; http://www.state.gov/secretary/rm/2005/40991.htm.}

with the U.S. position that the USFK is in the end an American force and that the “strategic flexibility envisaged for the U.S. Forces in Korea is not a one-way street and the concept would allow the U.S. to deploy additional forces stationed in other regions to Korea in any emergency on the peninsula.”\(^{16}\) It would also be a precautionary and reassuring measure for the ROK in that it could contribute to mitigating the concerns in Seoul caused by the recent Chinese “Northeast Project” which the Koreans tend to perceive as having an expansionist motive, and by the possibility of a Chinese takeover of North Korea in case of the collapse of the regime in Pyongyang.

The two allies should avoid the term “regional” so as not to unnecessarily provoke China and other countries in the region. The use of concepts such as “global security” and “new threats” would show that the U.S. is not anticipating a pre-destined clash with China.

One may suggest that ROK forces could join the USFK if the latter gets involved in a conflict outside the peninsula because the two forces are partnered under the CFC and headed by a four-star U.S. general. The U.S. seems to desire such military cooperation, with the USFK chief of staff and 8th Army commander having stated that “a combined U.S.-South Korean force could even be called upon in other contingencies around the Pacific.”\(^{17}\) But, as President Roh has suggested,\(^{18}\) joint regional missions by the Combined Forces are not only politically infeasible in the ROK, but also legally illegitimate because the CFC commander is required to use his operational control (OPCON) to “defend the ROK from Communist aggression.” Furthermore, the discussion of this type of military cooperation will be mooted when the ROK is restored full operational control over its own armed forces.

The other principle governing the expansion of the USFK’s role is that expansion should not unnecessarily jeopardize the security of the ROK. It is the supreme, non-negotiable responsibility of the ROK government to make its nation safe and secure. The U.S. and the ROK shall determine whether the strategic flexibility of the USFK constitutes a direct threat to the security of the ROK. However, as a member of international community, the ROK shares the responsibility to promote global peace. In case of a breach of the peace or an act of aggression, the ROK should actively assist in the USFK’s mission even if such actions result in a direct threat to the security of the ROK. In order to preserve global peace and safeguard the ROK’s security, the two allies shall jointly determine whether any breach of peace or aggression necessitates the USFK’s complete freedom of maneuver.

The “joint determination” should not be construed as the ROK’s inclination to veto the use of the USFK from bases in the ROK and/or the flow of U.S. forces into and out of the


\(^{18}\) Presidential address at the commencement of the ROK Air Force Academy, March 8, 2005.
ROK. What is important is the trust between the two nations and that U.S. global leadership is respected throughout the world. The joint determination clause shall be a symbol of a mature partnership between the allies.

(3) The U.S.-ROK alliance, with the possibility of an expanded role, should be adapted to operate in close collaboration with a multilateral security regime seeking to prevent crises and maintain peace and stability in Northeast Asia.

The Mutual Defense Treaty between the U.S. and the ROK, which is the basis of the alliance that authorizes the existence of the USFK, stipulates that the two nations “desired to strengthen their efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive and effective system of regional security in the Pacific area.” More than a half century has passed since the signing of the treaty and the Cold War has ended; thus, the primary structural reason for the treaty no longer exists. It is time to think about the development of a comprehensive and effective system of multilateral regional security in Northeast Asia to replace the rigid alliance politics currently in place.

However, given the increasing probability of clashes between expansionist forces in the area and mistrust among the regional powers, the creation of a regional security system based on the concept of common/cooperative security and on abolishing the military alliances is not likely to receive strong support from the U.S. or the ROK. A reasonable compromise, therefore, would involve the coexistence of the alliance system with a multilateral security institution. The product of the Helsinki process, the Organization for Security and Cooperation in Europe (OSCE), can be used as a benchmark.

There are many complications in the institutionalization of multilateral security cooperation in Northeast Asia. Historical enmities, a lack of experience in multilateral coordination, and nationalist cultures are often cited as the main problems obstructing such collaboration. However, the more prevalent the obstacles are, the greater the need to collectively remove them. As the severe Cold War tension, exacerbated by nuclear and conventional arms races in Europe, helped invent the notion of common/cooperative security and led to the Helsinki process, the increased possibility of a serious conflict among major powers in Northeast Asia, for example over the North Korean nuclear threat or security in the Taiwan Strait, highlights the need for an effective regional security regime.

In addition to this obvious need, there are some recently emerging facilitating factors, including the generational change in the Chinese military. The younger officers of the

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19 Since the 1950s, European countries have discussed multilateral security cooperation in Europe, but the Cold War prevented any substantial progress until talks began in Helsinki in November of 1972. The Soviet Union initiated these talks during a hostile arms race between the two antagonistic camps, hoping to use the talks to maintain its control over Eastern Europe. Western Europe, however, saw these talks as a way to reduce the tension in the region, further economic exchanges, and improve human rights conditions in the Communist nations in Europe.
People’s Liberation Army are “better educated and trained, spent time abroad, speak foreign languages, and do not evince the insular tendencies” of their seniors, who “spent their careers largely in regional field commands deep in the interior of China, have been socialized in a military institution and political culture that prizes discipline and secrecy, and thus do not appreciate the importance of defense transparency as a security-enhancing measure.”

The U.S. and the ROK should take the initiative in galvanizing multilateral security cooperation that will collaborate with the existing alliance system in a way that prevents crises and maintains stability in the region. The six-party talks regarding North Korean nuclear disarmament can serve as a useful starting point that could develop into a more comprehensive security community in Northeast Asia. The Korean Peninsula Energy Development Organization (KEDO), which is now virtually a non-functioning entity although it had the potential to develop into a multilateral security institution, still has relevance today as nations are faced with communication problems that require a multilateral approach.

In Europe, coexistence of an alliance (NATO) and multilateral security cooperation (OSCE) is the reality. The dynamic interactions between the two entities tend to lessen the impermeability of alliance politics and promote preventive diplomacy. The U.S.-ROK alliance, in close consultation and collaboration with multilateral security institution in Northeast Asia, would contribute significantly to reducing mistrust, misperception, misunderstanding, and miscommunication among the regional players and therefore enhance peace and stability in the area.

Some analysts have proposed the creation of a “virtual alliance” among the U.S., the ROK, and Japan in the interests of what they perceive to be long-term regional peace and stability. They suggest that the virtual alliance could be effectively formed by strengthening the bilateral security cooperation between Seoul and Tokyo, taking the Trilateral Coordination and Oversight Group (TCOG) as an example that has helped to institutionalize this three-way cooperation, at least as far as dealing with Pyongyang is concerned. It is often suggested that helping to form or joining the virtual alliance is a necessity for the ROK as the alternative would likely put it “on a collision course with the U.S., whose national security strategy rests upon the foundation of close U.S.-Japan relations and greater Japanese involvement in regional security affairs.”

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21 The dynamic interaction between NATO and OSCE has moved the security discourse in the direction of more multilateralism and preventative diplomacy. Indeed, after the end of the Cold War, NATO managed to adjust itself to a new security environment by accepting and incorporating the comprehensive/cooperative security concept. It now includes region-wide conflict prevention and crisis management among its missions. NATO still assumes collective-defense as its core operational concept. Nevertheless, the fact that it now exists progressively, in harmony with such institutions as OSCE in a broad security framework, indicates that the dominant discourse on security in Europe moves in directions that reduce the rigidity of the alliance politics.
However, the virtual alliance does not seem to be a serious option for the ROK to consider for many reasons. Most importantly, ROK-Japan security cooperation is politically infeasible in light of the long-standing Dokdo/Takeshima dispute that will likely remain unresolved for the foreseeable future. While the ROK maintains effective control of the islands by posting coast guard personnel there, Japan will continue to dispute Korea’s claim and Japanese ultra-nationalists will periodically fan the flames. The issues concerning Japanese “history textbooks” and “sex slaves” will also keep these two key U.S. allies at odds. Meanwhile, a U.S. policy toward Northeast Asia that favors Japan may embolden Japan and thereby increase tensions with other regional powers instead of promoting peace and stability.

The virtual alliance is also not acceptable to the ROK from a strategic point of view. If formed, the virtual alliance would likely transform the current regional security order into a structure similar to that of the Cold War rivalry between land powers and maritime powers, a structure which the ROK views as seriously detrimental to its national interests, including the reunification of the peninsula. The TCOG was successful as a trilateral forum because at the time of its operation, the three nations saw a convergence of interests in engaging North Korea, an endeavor that would improve the prospects for regional stability and the peaceful unification of Korea. Moreover, any transformation in the alliance linking the ROK and Japan may be misinterpreted by the Chinese and North Koreans as being part of America’s hidden agenda to isolate and lay siege to them. For example, if the U.S.-led network of ally-supported missile defense materializes, the threat perceived by the nations on the East Asian continent may force them into a network of their own, threatening the very regional stability that the U.S. and the ROK seek. As discussed earlier, multilateral security cooperation in Northeast Asia that would aim to diffuse regional tensions, prevent an arms race, and help pave the way for a peaceful unification of Korea has been one of the security policy priorities of a democratized Republic of Korea. The virtual alliance would definitely undermine multilateral security cooperation and stand at odds with the ROK’s security objectives. In a nutshell, from the ROK perspective, the idea of a virtual alliance seems not only infeasible, but also quite anachronistic and even dangerous in many regards.

B. Policy Recommendations: Military Issues

Pursuant to the three strategic recommendations discussed above, a mature and reflective partnership demands two changes in the military alliance:

(4) The U.S. should transfer full operational control over the ROK armed forces to the ROK, making sure that the transfer is done in close cooperation and in a staged manner.

Currently, the ROK has delegated to the head of the CFC “war-time” operational control over most units in the ROK armed forces, as well as a great portion of “peace-time”

The term peace-time is actually a misnomer, since there has been no peace agreement to conclude the 1950-53 conflict, only an armistice agreement. Although "peace-time" is used in this essay, "armistice-time" or "non-conflict" would be more accurate.
operational control. This less-than-normal military command structure, shown schematically below, has its origin in the Korean War.

[Figure 1] Command relationships for USFK and ROK armed forces: peace-time

OPCON: Operational Control
CODA: Combined Operational Delegated Authorities

[Figure 2] Command relationships for USFK and the ROK armed forces: war-time

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On July 15, 1950, 20 days into the Korean War, ROK President Rhee Syngman gave the Supreme Commander of United Nations Forces “command authority over all land, sea and air forces of the ROK during the period of the continuation of the present state of hostilities.” General MacArthur subsequently assumed “operational control authority.”

This arrangement continued even after the armistice in 1953 and until November 17, 1954, when the Rhee government, which had independent ambitions to conquer North Korea, finally agreed to put ROK forces under the operational control of the United Nations Command (UNC) “while that Command has responsibilities for the defense of the ROK.” A military coup occurred on May 16, 1961, violating the agreement. Then, on May 26, 1961, the military junta headed by General Park Chung Hee, “returned operational control of all ROK armed forces to the Commander in Chief, UNC, who would use his operational control only to defend Korea from Communist aggression.”

Operational control was subsequently transferred to the American Commander of the bi-national Combined Forces Command, created in 1978 in the wake of a UN resolution calling for the dissolution of the UNC and the withdrawal of the U.S. 7th Infantry Division from the ROK. For 16 years thereafter, the CFC Commander retained OPCON.

As the end of the Cold War began to affect the U.S. global defense posture—evidenced by the Nunn-Warner Amendment (1989) and the East Asian Strategic Initiative (EASI, 1990)—and in response to incidents in 1979 and 1980 violating the operational control agreement (instigated by Chun Doo Hwan and his followers), the U.S. handed “peacetime” operational control over to the ROK on December 1, 1994. The U.S. had planned to transfer full operational control to the ROK during the third-stage (after 1996) of the EASI plan. However, the plan was suspended due to the North Korean nuclear threat that emerged in the early 1990s.

There are several reasons why the transfer of OPCON to the ROK would promote the mutual interests of the two allies and contribute to a reflective and mature partnership. Most importantly, the ROK leadership is determined to restore its national sovereignty and pursue a self-reliant defense policy; this sentiment is not likely to wane. Most political leaders, especially younger ones, regardless of their political orientations, are ashamed that the ROK is the only nation in the world that is obligated to give OPCON of its own armed forces to a foreign commander. From their perspective, restoration of full-fledged sovereignty to the ROK will not be complete without the restoration of OPCON over its own military.

Some in the U.S. and ROK Defense Departments may argue that the CFC Commander does not actually have operational-control over the ROK armed forces, because he is

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24 The difference between “command authority” and “operational control authority” is that the former includes authority over administrative and logistical matters as well as operational control. Korea, by assigning command authority to the UNC Commander, wanted to emphasize the importance of the responsibility of the UNC, while the United States, by accepting only the operational control authority, wanted to avoid the burden of logistical and other support, according to correspondence from then-Korean President Rhee Syngman to the American Embassy (July 15, 1950), and the reply of General MacArthur to President Rhee through American Ambassador John J. Muccio (July 18, 1950). The Treaties of the National Defense, Vol. I, War History Compilation Committee, Ministry of National Defense, ROK.
supposed to execute orders from the Commanders-in-Chief of the two nations passed through the Military Committee, which is co-hosted by the Chairmen of the Joint Chiefs of Staff. If this is the case, in other words, if the ROK authority has substantive OPCON rights, there is little reason to give the CFC Commander merely formal authority. There are a number of officials in the U.S. Department of Defense and in the USFK Command who feel that it is premature for the U.S. to transfer control for strategic, political, and budgetary reasons. Nevertheless, the U.S. should take into account this compelling reality that the ROK faces and fully cooperate with the ROK in order to make a smooth transition.

Furthermore, restoration of OPCON to the ROK is relevant to enhancing the ability of the ROK’s armed forces to execute their proper role in a mature partnership. This is one of the key bases of President Roh’s self-reliant defense policy, which is more of an initiative to improve the software aspect of the ROK armed forces than a drive to increase its hardware capability. For example, the Roh government desires to construct its own operational plan that would be both in sync with the U.S. strategic plan and be suitable for the ROK’s military and geopolitical conditions, while at the same time reflecting its ever-changing strategic environment and promoting its long-term security interests. It is imperative that the ROK reacquire OPCON in order to accomplish this crucial task.

One well-known reason why the U.S. has aspired to retain OPCON is to preclude the possibility of a unilateral ROK attack on North Korea, thereby involving the U.S. in an unwanted conflict. This strategy of restraining both North and South is referred to as dual-deterrence. However, since the ROK launched the “Nordpolitik” policy under the Roh Tae Woo government, established diplomatic relations with Russia and China, and became fully democratized under governments whose North Korea policies were based on peaceful coexistence, the possibility of the ROK attacking the North has become virtually non-existent. This fundamental political and strategic development should be taken into account when discussing the transfer of OPCON within the U.S. government and during bilateral deliberations.

The restoration of OPCON to the ROK would boost its negotiating position vis-à-vis North Korea, and would also likely relieve the U.S. of the burden of having to directly deal with the North. North Korea has long refused to negotiate with the South on military issues because the South was not a signatory to the armistice agreement and does not wield full authority over its own armed forces. On these grounds, the North has argued that the U.S. is the only party it will negotiate security issues with it. Because of this issue, then-ROK President Kim Dae-jung was unable to insert clauses regarding the reduction of military tension into the landmark “June 15 Joint Declaration” by South and North Korea in 2000.

Moreover, the transfer of OPCON to the ROK seems more and more necessary in light of the probable reduction of USFK personnel. It simply would not make sense for a U.S.

25 More recently, the North has been suggesting that it needs to deal directly with the U.S. because it is the only nation that threatens the North.
general who commands a small U.S. force to maintain OPCON over more than 600,000
ROK troops—especially with the declining threat of the North Korean conventional force.

The transfer of OPCON, a process that could take years to complete, should be
administered in a staged manner. First, the two allies need to draw up a timetable
stipulating the concrete objectives and the means required to accomplish each goal. As a
first step under this timetable, the ROK should prepare to receive the six Combined
Operational Delegated Authorities (CODA), which form an instrument of “control of
ROK forces during peace-time exercised by the CFC commander to support his daily
armistice responsibilities per national treaties and UN resolutions,” including combined
crisis management for deterrence, defense and armistice compliance, combined joint
documentation development, and conducting combined joint training and exercises, as a step
leading to a transfer of full OPCON rights. The U.S. and ROK governments should
consider allowing an ROK general to exercise temporary OPCON during joint exercises
such as Reception, Staging, Onward Movement, and Integration (RSOI); Foal Eagle; and
Ulchi-Focus Lens. As a second step, the two governments should also consider having
qualified Korean officers of the ROK Joint Chiefs of Staff hold an additional post at the
CFC, as the U.S. officers at the CFC hold posts either at the 8th Army Command or the
USFK Command.

Implementing these temporary measures and practices would provide the ROK with an
opportunity to develop, with U.S. support, its own advanced military techniques. The
ROK would be able to enhance its capabilities and design an independent, “U.S.-
compatible” operation plan. In the meantime, the Korean government must also improve
its ability to secure and analyze strategic intelligence, for which the ROK has previously
been heavily dependent on the USFK. After these landmarks are reached, according to an
agreed-upon timetable, the two sides would be prepared for a reversion of full operational
control of ROK armed forces to the Korean government.

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26 CODA is a term agreed upon by the two nations that reflected the nature of the relationship required for
unity in combined effort. It outlines the CFC’s daily armistice authority over ROK forces while preserving
the ROK command of its forces on a day-to-day basis. The parameters of CODA are (1) combined crisis
management for deterrence, defense and armistice compliance; (2) deliberate planning; (3) combined joint
documentation development; (4) planning and conducting combined joint training and exercises; (5) combined
(5) In the long term, the most viable reversion of operational control would involve transforming the current Combined Forces Structure (CFS) into a Joint Forces Structure (JFS) by restructuring the CFC along the lines of the U.S.-Japan military arrangement in which the two forces cooperate with each other as separate operational entities. A new Bi-national Contingency Planning Agency will be created to redress concerns regarding the war-fighting capability of the allied forces in specific contingencies.

On May 3, 1994, President Clinton signed Presidential Decision Directive 25, which distinguishes command and operational control and maintains that although the President never relinquishes command over U.S. military personnel, he may place them under the OPCON of a non-U.S. commander for limited and defined purposes. This Directive, however, was related to peace-keeping operations, and it remains unclear if the U.S. Constitution permits the President to place U.S. military personnel under the OPCON of a foreign commander under any conditions. Therefore, some in the ROK worry that the transfer of OPCON could lead to the withdrawal of the U.S. forces from Korea. However, this concern is groundless because, as shown in Figure 3, the transfer envisions cooperation through a bilateral operational coordination mechanism between the separate operational structures rather than top-down control of USFK by the Korean government.

**Figure 3** Differences between CFS and BFS

<table>
<thead>
<tr>
<th>Combined Force Structure</th>
<th>Joint Force Structure</th>
</tr>
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<tbody>
<tr>
<td>CFC</td>
<td>Coordination Mechanism</td>
</tr>
<tr>
<td>OPCON</td>
<td></td>
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<tr>
<td>ROK Forces</td>
<td>USFK</td>
</tr>
<tr>
<td>USFK</td>
<td>ROK Forces</td>
</tr>
</tbody>
</table>

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There is also concern that the transfer may weaken the allied military ability to deter North Korean aggression. This is a realistic but not completely warranted concern. Deterrence works only if the potential aggressor is convinced that his adventurism will cost him greatly and if he is not under the perception that his own military vulnerability will induce a preemptive external attack against him. Considering the vast imbalance in conventional military capabilities on the peninsula, it is important to maintain a “reasonably sufficient” level of deterrent capability without causing a misperception in North Korea that may prompt a desperate suicidal attempt or a preemptive action.

Another concern in both nations regarding the effectiveness and efficiency of the bi-national forces structure in carrying out a war is that planning and transparency may suffer due to the absence of the CFC. To address this concern, in the final stage of the transfer, as the CFC is being progressively dismantled, a new bi-national Contingency Planning Agency will be created to perform some of its functions. One of the major duties of the Contingency Planning Agency will be to study how to effectively put the separate operational military structures back under a combined command when or if it becomes necessary.

C. Policy Recommendations: Politico-Diplomatic Issues

Finally, to implement the strategic aspects and complement the military aspects of the reflective and mature partnership, this proposal includes four recommendations on political and diplomatic issues.

(6) To abate anti-American sentiment in Korea, the U.S. should gain a proper understanding of its sources and complexities and keep up with developments in a new and evolving Korea.

In the politico-diplomatic realm, the most immediate task the U.S. and the ROK governments must tackle is the abatement of anti-American sentiment in the ROK. For the U.S. especially, this is necessary to achieve its strategic objectives on the peninsula and throughout Northeast Asia in the long-term. To rollback anti-American sentiment in the ROK, the U.S. must attain a proper understanding of the phenomenon itself and then must take certain steps to fix the problem.

At the core of the Korean anti-American sentiment lies Seoul’s perception that the U.S. historically has been callous to or has shown too little respect for Korea’s interests. This implies that the sentiment is not a transient phenomenon, but is deep-rooted. One historical example of poor treatment by Washington is the Taft-Katsura Agreement of July 29, 1904, by which the U.S. effectively nullified the Chemulpo Treaty, the “first treaty” between Korea and the U.S., and gave Japan a free hand on the peninsula. After securing U.S. consent, Japan moved fast and made Korea a protectorate. Unaware of the secret agreement, King Kojong sent Homer Hulbert, an American advisor to the Korean court, to Washington to seek U.S. aid under the Chemulpo Treaty. President Roosevelt refused to see Hulbert. This historical event remains very clear in Koreans’ thinking, and has been one of the key subjects in Korean national history textbooks. It has recently
received renewed attention as the American policy of strengthening its alliance with Japan is perceived in Korea as emboldening Tokyo to play a more active role in the region.

A more contemporary example is the 1980 Kwangju incident, in which the Korean military junta ordered soldiers to fire on demonstrators protesting the military government’s implementation of martial law. The U.S. was considered an accomplice in the massacre because it failed to act precisely when South Korean citizens needed it most. This failure by the Americans to use their influence for democratic and humane principles cut deep into the Korean psyche. Ordinary people opposing the military dictatorship, not just leftist radicals, began to seriously doubt the American commitment to the ideals of freedom, democracy, and human rights as the U.S. maintained a close relationship with authoritarian rulers while staying away from angry Korean citizens. Only after President Chun Doo Hwan stepped down at the end of 1987 and the opposition in the National Assembly grew stronger did the U.S. begin answering questions concerning its involvement in Kwangju. On June 19, 1989, Washington issued the “United States Government Statement on Events in Kwangju, Republic of Korea,” in response to formal requests from the National Assembly. While the report rebutted most of the myths of American culpability for events in 1979 and 1980, the ten-year delay in issuing the report did little to assuage the feelings held by many Koreans. These citizens persisted in believing that the U.S. was in some way a party to the military takeover in May 1980, and had a hand in the harsh suppression of the Kwangju demonstrations that followed.

Another example of U.S. callousness toward Korean interests is U.S. policy during the 1994 North Korea nuclear crisis. Then-Secretary of Defense William Perry said in 2003, the “crisis was the only time in my tenure as Secretary of Defense that we came close to a major war. We were willing to risk war because we believed that a nuclear weapon production program in North Korea posed an unacceptable security risk.” South Koreans felt that North Korea was very much responsible and understand that the U.S. eventually settled on diplomacy, but the fact that the U.S. was risking their lives without properly consulting them was shocking and outrageous to them. This incident is one of the reasons that many Koreans are beginning to feel that the U.S., not North Korea, is the main threat to their security.

30 William Perry, “Confronting North Korea,” presentation at Center for Strategic and International Studies, May 15, 2003. Perry also stated that “he ordered a plan to be drawn up to augment our deployment in Korea with tens of thousands of American troops and our embassy in Seoul prepared plans for the evacuation of non-essential civilians from Korea. President Clinton was within hours of authorizing those actions when he received word that Kim Il Sung was ready to freeze the activity at Yongbyon and begin serious negotiations.” See “Crisis on the Korean Peninsula: Implications for U.S. Policy in Northeast Asia,” Speech at a Brookings Institution Leadership Forum, January 24, 2003; http://www.brookings.edu/comm/events/20030124.pdf.
31 A poll conducted on January 5, 2004, indicated that 39% of the respondents believed that the U.S. is the most threatening to the security of South Korea, topping North Korea with 33%. The third was China with 11.6%, which was followed by Japan with 7.6%. When looked at in terms of generational breaks, the data show that 57% of respondents in their 20s viewed the U.S. as the most threatening while 20.3% in this age...
The June 2002 incident involving two middle-school students is one of the more recent instances in which Koreans experienced a lack of respect from the U.S. government. Many Koreans thought that it was unfair that those accused of killing Koreans on Korean soil were prosecuted by U.S. military officers in a U.S. military court, resulting in a not guilty verdict delivered by a jury composed only of U.S. military personnel. Adding to Koreans’ indignation was that the USFK arranged to have the two accused soldiers court-martialed at different times, which ruled out the possibility of cross-examination by the prosecution. Koreans viewed this whole process as an infringement of national sovereignty, and resented the U.S. for having little respect for Korean human rights. They demanded that the SOFA, “a source of structural unfairness between the two nations,” be fundamentally revised.

The examples cited above are the most prominent instances of severe injury to Korean self-esteem by the U.S. Anti-American sentiment have historic roots and has always been in the minds of the Korean people. Although such instances date back over 100 years, why does the surge of anti-American sentiment appear to come out of the blue? As shown in Figure 4, recent great and rapid changes in political, social, and security conditions caused this pre-existing sentiment to explode and erupt.

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group considered North Korea the top threat. 46.8% and 22.2% among respondents in their 30s, and 36.3% and 34.4% among respondents in their 40s considered the U.S. and North Korea the most threatening, respectively. Only among respondents in their 50s did a majority view North Korea as the main threat: 52.2% compared with 18.1% for the U.S. A phone survey was conducted by Research and Research on 800 samples on January 5, 2004. Chosun Ilbo, January 12, 2004.
Prior to the mid-1990s, the ever-present anti-American sentiment was held back by a firm structural block that was composed mainly of the ROK’s security concerns and its governments’ authoritarian repression. These two elements were closely related and mutually reinforcing. During the Cold War, there was a dominant perception in the ROK, especially among the politically and economically influential Northerners who had sought freedom in the South, that the nation’s security was perennially threatened by North Korea and could only be deterred by the presence of the USFK. Indeed, Korea not only depended on the U.S. for a security guarantee, but also for economic development and diplomatic support. In addition, many ordinary Koreans were grateful to the U.S. for its support. They were encouraged by the government to show their gratitude; at the same time, however, many Koreans also felt frustration and resentment, which they had to keep to themselves.

Korea’s Cold War-era authoritarian governments played a significant role in containing anti-American resentment within the sturdy structural block, not only by actively disseminating the “clientelist” idea reinforcing the existing security concerns, but also by condemning anti-American sentiment as an act jeopardizing national security. In reality, the reasoning behind the suppression of anti-American sentiment by the authoritarian governments was as much related to their desperate need to legitimize their regimes as it was to their perception that it would actually endanger national security. For these
governments, regime legitimacy could be acquired only through “external validation”\textsuperscript{32} by the U.S., and anti-American activities posed serious challenges to this political connection.

The structural block began to lose its strength under internal and external pressure—namely democratization and a decrease in the North Korean threat. Internally, as the ROK democratized, people were allowed to voice their complaints about what they perceived as an unfair relationship between the U.S. and Korea. It is important, for instance, to understand that candle-light protests in the ROK were just as much an expression of newly found freedom as they were an expression of opposition to American policy or attitude. Previously, under authoritarian rule, collective actions were not allowed. Equally important, Korea’s new democratic government no longer needs external validation from the U.S in order to legitimize its political authority. There is no need to punish those challenging U.S. policies for the sake of the regime survival.

Externally, a decrease in the North Korean threat has further weakened the politically-engineered national security ideology that had suppressed anti-American sentiment. Moreover, as dependence on the U.S. for security declines, Koreans are now asking for more autonomy. A Korean version of the concept of a “normal nation” is gathering strength in the ROK.

It has often been argued that a \textit{generational change} has worked to \textit{accelerate} the surge of anti-American sentiment in the ROK. The new politically aware generation spent the 1980s and early 1990s in high-school and college—a volatile time during which Korean society underwent great change as democratization surged and the Cold War unraveled. This cohort has enjoyed economic prosperity that their parents never dreamed of, and are far more exposed to foreign countries than their uncles and aunts who believed that the U.S. was the nation around which all of Korea’s international efforts should revolve. They are not influenced as much by Korea’s war-time experience with the U.S. as their predecessors.\textsuperscript{33} Moreover, they are relatively free from the traumatic anti-communist ideology held by powerful Northerners who were inspired by a conservative American Christian faith. In essence, the new generation tends to be more pragmatic and less ideological than the older generations. They are more independent in their outlook and values. Therefore, many members of this generation are able to simultaneously support policies that are both “pro-American” and “pro-engagement with North Korea.”


\textsuperscript{33} Thomas C. Hubbard, U.S. Ambassador to South Korea, said that the “future of the alliance will be in the hands of the new generation of Koreans and American…. The role of the U.S. played by sharing the burdens of the past with the Korean people doesn’t resonate as strongly with them (twenty-year old men or women) as the story about the tragic road accident involving USFK.” Ambassador Thomas C. Hubbard, “U.S. and the ROK: A World of Opportunity,” speech delivered to the Korean News Editors Association Managing Editors Seminar, July 11, 2003.
Americans should realize that this stance reflects pragmatism and a certain degree of sophistication, rather than accusing Koreans of ingratitude and naivety.

That being said, the term "generational change" is not entirely accurate in capturing the scope of change, which is comprehensive and of historical significance. The term “unprecedented social transformation” more accurately describes the scope of change throughout Korean society which has been caused by rapid industrialization, acceptance of modern political, economic, and social concepts, and empowering aspects of information technology (IT). IT tools (for example, cell phones and the Internet) and new social concepts (such as individual empowerment) have rendered modern Korean culture fundamentally unrecognizable to older Koreans who were socialized by more traditional concepts. The 2002 presidential election was a prime illustration of the political importance of this social transformation, which remains a major source of stress in current Korean politics.

“The Bush Factor” worked as a “detonator.” In other words, the Bush administration’s hard-line policy toward Korea, combined with the Koreans’ perception of a reduced North Korean threat, produced the perception in the ROK that the U.S. was unilaterally pursuing its own interests at the expense of South Korea. In fact, the diminished North Korean threat has given the ROK confidence that it can now lead the peace and unification processes on the peninsula. The U.S., which has been deeply involved in Korean peninsula affairs both militarily and otherwise, supported the ROK's initiative on this matter under the Clinton administration by pursuing its own engagement policy toward North Korea, culminating with the visit of Secretary of State Albright to Pyongyang in October 2000. However, following the January 2001 inauguration of a Bush administration seemingly committed to a neo-conservative political ideology and unilateralist foreign policy, and 9/11—an event that provided political lift and gave impetus to such an approach—the American engagement policy became a thing of the past. Instead, the Bush administration’s approach toward North Korea has focused on disciplining the “evil” dictatorship.

In addition to cooling relations between Washington and Pyongyang, the Bush administration’s tough stance has had a dampening effect on North Korea’s opening-up policy and inter-Korean relations. Regardless of their preferences for the ROK's North Korea policy, most Koreans believe that the overly hostile attitude of the U.S. toward the North has seriously lessened the probability of defanging North Korea, realizing long-awaited family reunions, and fulfilling trans-Siberian/European economic dreams generated by the North-South Joint Declaration of June 15, 2000.

Furthermore, during the ROK's 2002 presidential campaign a series of incidents, including the seizure of a North Korean merchant vessel carrying a shipment of Scud missiles to Yemen, contributed to a flare-up of anti-American sentiment in the ROK. When the U.S. demonized North Korea on the eve of the election, a significant portion of the ROK's population became suspicious that the Bush administration was trying to

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interfere with the ROK’s domestic politics. It was perceived that the U.S. government was attempting to make the security issue, which had traditionally favored the more conservative, “anti-North Korea” parties in the ROK, central to the Korean election in order to engineer the result that Washington favored. In this context, the anti-American sentiment held by a large portion of the Korean people is better characterized as opposition to a particular policy (and/or attitude) of a particular American administration, rather than comprehensive and indiscriminate hostility to the U.S. as a nation.

As noted above, however, anti-American sentiment in the ROK has historic roots and is really more complex than it appears. The U.S. should increase its awareness of the historically significant changes in Korean society and culture and adjust its expectations for a more autonomous Korea. The new Korea may seem incomprehensible and even, to some degree, unacceptable to some Americans, but it is a reality. A conservative American columnist encapsulated U.S. anti-Korean sentiment when he wrote, “Today’s Koreans show little gratitude to Americans for shedding their blood in the Korean War.”35 Of course many Koreans, though not all, express heart-felt gratitude to Americans for the charity, assistance, and brotherhood provided during and after the war. But that is gratitude on an individual level. International relations cannot be reduced to individual relations.

Accusations of ingratitude do not impress many Koreans, especially younger Koreans who may ask questions such as: Did Americans—most of whom were not even able to locate Korea on the global map—shed their blood to save Korean lives? Did not the U.S. send its troops to Korea to block the Soviet expansionism threatening U.S. security interests? What would be the appropriate attitude of Koreans toward the U.S. who abandoned them in 1904 to the Japanese, who killed hundreds of thousands of innocent Korean people and brutally exploited their country for 36 years? Was it not the U.S.’s desertion of Korea a hundred years ago that attributed to the division of the peninsula? Was it not U.S. security interests that justified both the Taft-Katsura Treaty and the U.S. participation in the Korean War?

Despite all the causes of anti-American sentiment noted above, there is at least one recent example of an American action that Koreans truly appreciated: In September 2004, U.S. Ambassador Christopher Hill and the U.S. government made a historic decision to visit Kwangju to pay tribute to those killed during the bloody 1980 military crackdown. A similarly positive U.S. attitude toward the ROK’s new self-confidence will enable Washington to design a more realistic Korea policy and better promote its long-term strategic interests in Northeast Asia and beyond.

The U.S. and the ROK should work together to revise the SOFA in a way that reflects the improved legal and human rights conditions of the ROK.

The SOFA has been one of the most significant sources of anti-American sentiment in Korean society. Measures perceived as infringing on Korea’s national sovereignty and human rights have become leading causes of the deterioration in bilateral relations. Although there have been some revisions to the SOFA and its sub-agreements, the “changes are cosmetic rather than fundamental,” even from the perspective of traditional conservatives in Korea.36

The most problematic clauses, noted in Figure 5, are the ones that lay out jurisdiction in criminal cases involving U.S. personnel. According to the Agreement, “when a member of the U.S. armed forces or civilian component is charged with an offense arisen out of an act or omission done in the performance of official duty,” the U.S. military authority has primary jurisdiction over the accused. A U.S. general has authority to judge whether the alleged offense was committed while performing official duty.37

In the case that the alleged offense was committed off-duty, the ROK authority has primary jurisdiction. According to the SOFA, as amended in 2001, the custody of the accused shall be handed over to the ROK authority “at the time of indictment.”38 However, as stated by the amended Agreed Minutes in 2001, only when the offense falls within twelve specified categories of serious crimes, “the custody of an accused, over whom the ROK is to exercise jurisdiction, shall remain with the military authorities of the U.S. until he is indicted by the ROK.”39 In other words, the ROK authority cannot exercise its public power over crimes other than those in the twelve serious categories. For “minor” crimes, the ROK will be given custody only after the conviction of the accused and only when it requests custody.40 Alternatively, according to the U.S.-Japan SOFA, in principle a transfer of custody is made at the time of indictment regardless of the seriousness of the crime.

Furthermore, in cases where the ROK authorities have arrested a suspect for murder or rape, custody of the accused will not be granted to the ROK unless “he was arrested at the scene of the crime in immediate flight therefrom or prior to the accused's return to U.S. control and there is adequate cause to believe that he has committed a heinous crime of murder or an egregious rape, and there is necessity to retain him for the reason that he may destroy evidence, and there is no legitimate cause to believe that a failure to request custody would result in prejudice to the right to a fair trial for the accused.”41

37 Re: paragraph 3(a), Agreed Minutes to the Agreement under Article IV of the Mutual Defense Treaty between the U.S. and the ROK, Regarding Facilities and Areas and the Status of U.S. Armed Forces in the ROK, July 9, 1966.
41 Article XXII 2, Amendments to the Agreed Minutes, January 18, 2001.
The ROK’s jurisdictional sovereignty is therefore seriously constrained in dealing with crimes on its soil, possibly against its own citizens, particularly when compared with the U.S.-Japan SOFA and NATO arrangements, neither of which have such “interfering and impertinent” clauses. The two governments should work together to revise the Agreements reflecting Korea’s democratized legal system and to address the imbalance between the SOFA with Korea and the agreements with other nations.

While working with the U.S. authorities in revising the SOFA, the ROK government should continue to make a strenuous effort to protect the rights of the accused USFK personnel. One mechanism that the ROK can establish to that end is a “Special Investigation Bureau for Crimes by U.S. Armed Forces’ Personnel” that possesses legal expertise and language competency in dealing with crimes committed by U.S. personnel in Korea.

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42 One of the significant democratic legal reforms in Korea is the National Human Rights Commission Act in 2001. The purpose of this Act is to contribute to the embodiment of human dignity and worth, as well as to safeguard the basic order of democracy, by establishing the National Human Rights Commission to ensure that inviolable, fundamental human rights of all individuals are protected and that the standards of human rights are improved. (Act No. 6481).

43 Examples of improved practices include the May 2003 U.S.-ROK agreement to protect the personality right to one’s portrait.
The U.S. and the ROK should make an aggressive joint effort at various levels to exchange ideas and experiences and to recruit more competent area specialists with expertise in the bilateral relationship.

Differences in customs and cultures, value systems, decision-making processes, and means of communication can lead to mutual misunderstandings. In a bilateral relationship, a language barrier coupled with media reports based on superficial, piecemeal knowledge can lead each nation to overreact and intensify previously formed stereotypes. The U.S. and ROK governments must recognize this and, more importantly, must address the paradigmatic change in ideational orientation that has occurred in both nations over the past several years and manage it in such a way that would mature and strengthen the bilateral relationship. The active exchange of ideas and experiences is especially important in light of the ideational shift toward nationalism in both nations.

In the past, the two nations have engaged in a number of ideational exchanges although the meetings were not nearly as serious and interactive as they should have been. Now, even the traditional mechanisms of exchanges no longer seem to function effectively. Even the National Endowment for Democracy’s Sejong dialogue, which was created under the liberal leadership of Presidents Clinton and Kim Dae-jung, is now closed.

The two nations should immediately conceive and initiate programs of ideational exchanges at various levels, including governmental agencies, legislative bodies, research institutes, academia, media, and civic organizations. In particular, exchanges between the aides and advisors of lawmakers on both sides should be actively encouraged and supported since their policy roles and collaboration efforts have become far more important as the powers of lawmakers in “democratized Korea” have increased rapidly. Exchanges at other levels require particular attention and support from the governments. For example, younger scholars, specialists, journalists, and civil activists with non-traditional views on bilateral relations need to be exposed to their counterparts.

While making an effort to exchange ideas and experiences, the two governments should also be more active in recruiting more skilled area specialists with expertise in bilateral relations. Although the Foreign Ministry of the ROK has assigned the largest number of officials and staff to the North America Bureau, there are not many who have U.S. expertise, including language competency and other communication skills. The situation in the U.S. is worse in that authentic Korean specialists are not easily found in the government. The U.S. government is making efforts to redress this shortcoming by sponsoring, for example, the Boren National Security Education Program that seeks to bring students who have expertise in foreign language/culture, including Korean, into the government. This kind of effort should be strongly encouraged.

In addition, the U.S. should practice more active and far-sighted public diplomacy with Korea—“engaging, informing, and influencing key Korean audiences”—to improve its image there, which will in turn help provide the moral basis for U.S. leadership in the world. One of the key principles that would undergird effective U.S. public diplomacy in
Korea involves a candid U.S. acknowledgment that international politics are driven primarily by national interests including military security, economic opportunities, and political values, and that the alliance is one way of promoting such national interests. It could continue by saying that through a committed alliance, the United States and Korea have established friendship, trust, and shared values that would become key elements in the foreign policy decision-making process of each nation. Furthermore, the U.S. needs to change is its image as an ally with double-standards—demanding Korean gratitude (e.g. the Korean War) while justifying its betrayals by claiming national interest (e.g. the Taft-Katsura treaty).

The ROK was probably not very important to the U.S. in the past. However, it has become as important as any other major power in the world, strategically, economically, and diplomatically. The U.S. should acknowledge the unique character and great importance of U.S.-ROK relations, and in particular, the need to strengthen the relationship’s foundation through institutionalizing active ideational exchanges and enhancing public diplomacy efforts.

(9) Create a unified front toward North Korea by institutionalizing a North Korea policy czar and a U.S.-ROK North Korea Policy Coordination Meeting that will produce a joint, systematic “bottom-up review” of North Korea policies.

Securing effective coordination between the U.S. and the ROK on North Korea policies is important in abating anti-American sentiment in Korea and in restoring and strengthening the bilateral relationship, not to mention the positive effect it could have on the North Korea problem. Many have argued that the drift in the alliance was caused, in part, by differing North Korea policies resulting from divergent interests. The ROK’s fundamental interest is the preservation of stability that would lead to peaceful unification, whereas the U.S.’s primary interest is the non-proliferation of nuclear weapons on the peninsula.

However, the two allies’ differing perceptions on North Korea are no less important. The U.S. tends to regard North Korea as “evil,” “tyrannical,” and a “hellish nightmare,” while the ROK seems to view it as dangerous, though frightened and fragile, and requiring a cautious and reassuring approach. This divergence may derive from the fact that the ROK’s approach is based on a historical experience with the North and the U.S.’s attitude is based on a universalist and moralist philosophy.

Another problem that hindered bilateral cooperation was policy divisions within the U.S. government that created confusion in the ROK. Bureaucratic rivalries within the first Bush administration were so deep that they seemed to paralyze the decision making process. As a result, for more than three-and-a-half years, the national security team was unable to come up with a single, focused policy to deal with North Korea. Although the State Department stated that the proposal made by North Korea in April 2003 in Beijing

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was “reasonable,” the U.S. did not present any further response. Concurrently, a high-ranking State Department official blasted the North Korean leader with highly inflammatory words, equated the U.S. proposal with the Libya model, which the North abhors, and left the North and other participants guessing at the real intentions of the U.S.

In order to create a unified front that will significantly alleviate confusion and tensions in the alliance, and that will increase the efficacy of its North Korea policy, the U.S. should designate a North Korea Policy Coordinator who could enjoy bipartisan support not only in the Congress but also across society. He or she should be guaranteed direct access to the President when needed. A number of prominent former government officials who support President Bush back this idea. George Shultz, the former Secretary of State under President Reagan, said that the Bush administration should appoint a high-ranking special envoy for North Korea. Even Richard Allen, former National Security Advisor to President Reagan, acknowledged some of its merits. The Coordinator would work with relevant cabinet officials to resolve internal divisions, and work to prevent divergent views within the administration from being voiced publicly, especially after a decision has been made.

The Coordinator would also work closely and “interactively” with a South Korean counterpart in order to bridge the gap between the two allies’ divergent perceptions on North Korea. They should create what might be called a U.S.-ROK North Korea Policy Coordination Meeting, in which experts from all relevant departments and agencies would participate. The body would produce a joint, systematic “bottom-up review” of North Korea policies. One task would be to define a precise objective of their harmonized North Korea policy: for example, whether policy should or should not pursue the resolution of non-nuclear problems at this point. The two allies should also reassess North Korea’s threat, conventional and non-conventional, and its intentions based on a first-hand understanding of North Korea’s military power, economic conditions, its atypical political culture, and its authoritarian decision-making process.

A strategic and pragmatic approach that highlights the wisdom that problems which seem intractable now will become far easier to solve thanks to the accumulation of prior
accomplishments could be useful. In particular, the ROK should provide a compelling explanation that collective achievements will contribute to the realization and promotion of democratic principles and values.

With a unified front, the U.S. and the ROK can “kill two birds with one stone.” The institutionalization of a North Korea Policy Coordination Meeting, if executed and managed under strong political leadership, will not only bring forth a more integrated and collaborative policy toward North Korea, but will also reduce communication errors and promote confidence between the U.S. and the ROK in general, thereby helping to put the alliance back on track.

III. The Alliance is Alive

The U.S. has great stakes in the security dynamics of Northeast Asia, a region which is home to four of the world’s major economies, three of America’s major trading partners and, above all, five of the world’s strongest military powers. The ROK, with its strategic location, strong economy, and unique position in resolving the North Korean nuclear dispute, has been and will continue to be critically important for the U.S. in this volatile region. Looking ahead, the impact of a unified Korea on the regional balance will be substantial. In a way, the U.S.-ROK alliance is a keystone in the regional security structure; without it, the U.S.-built structure will crumble.

However, the alliance has not kept up with the greatly changed security environment affecting both nations. This paper has constructed a framework of nine policy suggestions designed to help the U.S. and the ROK develop their alliance into a more mature and reflective partnership that would be realistic, stable, mutually beneficial, forward-looking, and peace-enhancing. The foundation for this framework can only be American respect for its Korean ally, demonstrating that the U.S. does not view Korea simply as a base for adventurism and that it will be happy to update the alliance relationship whenever needed.

An enhanced alliance will become one of the most effective and efficient means available to help promote U.S. and ROK interests, including global security, for the early years of the twenty-first century. Nevertheless, one should keep in mind that although “the alliance is alive,” it is not self-sustaining. It must be continuously attended to and nurtured in order to be healthy, productive, and enduring.

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