

# The United Nations and the Korean peninsula; Critical perspectives, positive suggestions

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The year is 2045 and the world is celebrated the 100<sup>th</sup> anniversary of the United Nations. Of course, some things have changed with the passage of time. The decline of the United States and the rise of China has led to the UN headquarters being transferred from New York to Shanghai, in recognition of the new geopolitical realities. These new realities have led to the expansion of the Security Council and now the United States, no longer dominant, finds itself utilising the veto in somewhat the same way as the Soviet Union did in the 1950s and 1960s. However, since the veto had not been much used in the period between the latter days of the Cold War and the Chinese ascendancy, the United States too uses it rarely, as an instrument of last resort. Thus it did not veto the lifting of UNSC resolutions 1695, 1718, and 1874 which had previously imposed sanctions on the DPRK for testing of nuclear devices and attempted satellite launches. The United States only sparingly used its veto to block sanctions against the ROK when it was successful in launching satellites on rockets that it had developed itself, after giving up the joint venture with the Russians. It did not veto the resolutions condemning the ROK nuclear tests of the 2020s – cynics claimed that Washington considered that condoning a nuclear-armed ROK would give Seoul too much leverage, and would make the nuclearisation of Japan, which had abandoned its ‘peace constitution’ after the naval clash over Dokdo, unstoppable.

Although the UN sanctions regime against the ROK is by no means as onerous as that imposed on the DPRK, trade and investment are greatly impeded and the economy has declined from its peak in the early 2020. Meanwhile, the DPRK economy has grown strongly, as it is no longer constrained by UN sanctions while unilateral US sanctions becoming increasingly ineffective with the decline of its dominance of the global economy. This decline is exemplified by the replacement of the US\$ by the Chinese Yuan as the world’s reserve currency, and the shift of the international banking system in to Chinese hands. The DPRK’s per capita GDP has overtaken that of the ROK, and since its population has kept growing, albeit at a slower rate, after the ROK’s went into decline, the populations of the two Koreas are approaching parity.

Because the Korean situation has not been resolved, the United Nations Command is still in existence, but now the commanding general is Chinese, based in Pyongyang. The new Secretary-General of the United Nations is a Korean, for the second time in the organisation’s history. Like his predecessor, Ban Ki-moon, he is a former Foreign Minister, this time of the DPRK. And like Ban, whilst condemning the ROK’s ‘provocations’ he has called for humanitarian aid.<sup>1</sup>

An uncomfortable scenario for South Korea?

Undoubtedly, and whilst the future will not, of course, mirror the past, this counter-factual scenario does bring home how much the United States has dominated the United Nations, and how this has

moulded the organisation's policy towards Korean issues. It also draws attention to the question of what might happen if the United States loses its hegemonic primacy and is supplanted by China.

Just a few years ago such an idea would have seemed preposterous but now it has entered mainstream debate. The eminent American historian Immanuel Wallerstein is perhaps overstating the case when he writes:

A decade ago, when I and some others spoke of U.S. decline in the world-system, we were met at best with condescending smiles at our naivety. Was not the United States the lone superpower, involved in every remote corner of the earth, and getting its way most of the time? This was a view shared all along the political spectrum.

Today, the view that the United States has declined, has seriously declined, is a banality. Everyone is saying it, except for a few U.S. politicians who fear they will be blamed for the bad news of the decline if they discuss it. The fact is that just about everyone believes today in the reality of the decline.<sup>2</sup>

Incumbent political leaders of course put a brave face on things, but even that is wearing thin. President Obama made a stirring speech after the downgrading of the United States credit rating in August 2011 by the rating agency Standard and Poor, but that was to little avail:

Obama's attempt to reassure the public that the United States "always will be a triple-A country" fell flat, at least with the markets. When Obama started speaking, the Dow Jones Industrial Average was down about 410 points. By the time he finished it had dropped further, and it ended the day down 635 points, the largest single-day drop since 2008.<sup>3</sup>

The Republications, naturally, blamed Obama, and the Democrats in general, and the President blamed the Republicans. Many observers have become distressed and outraged at what they see as partisan 'blame game' and dysfunctional governance in Washington.<sup>4</sup>

However, as Wallerstein points out, the crisis is primarily not a matter of individuals, or party politics, but of system transformation:

The newspapers are full of analyses of the political errors of Barack Obama. Who can argue with this? I could easily list dozens of decisions Obama has made which, in my view, were wrong, cowardly, and sometimes downright immoral. But I do wonder whether, if he had made all the much better decisions his base thinks he ought to have made, it would have made much difference in the outcome. The decline of the United States is not the result of poor decisions by its president, but of structural realities in the world-system.<sup>5</sup>

Whether or not Wallerstein's world-systems approach offers a correct appraisal of the decline of the United States there can be little doubt that there is considerable angst amongst ordinary people as well as the elite, that American world hegemony is coming to an end.<sup>6</sup> With that we might expect to see a diminution of its domination of the United Nations. Would that entail some sort of multipolar control of the United Nations? That could conceivably take various forms, of which leadership of the present Security Council is perhaps the less likely. More plausible is an enlarged Security Council taking in contemporary major powers to supplement those from 1945 (Japan, India, Brazil, etc.) or and abandonment of the 1945 composition and its modernisation – out with France and Britain, in with India and Japan.

A further possibility is the replacement of US dominance by that of a new hegemon. The obvious candidate for that is China.

The rise of China has spawned an extensive literature in recent years revolving around a series of inter-related questions –

- When will China overtake the US in terms of GDP?
- Will China overtake the US in a more valid definition of economic success, including such key variables as innovation and quality of life, and if so when?
- Will China overtake the US in military power?
- Will China's Softpower exceed that of the US?

And then, perhaps the most important of all, if China becomes ascendant, reducing the US to some sort of subordinate position, how will that ascendancy be exercised. Will China be content to be *primus inter pares*, a first among equals, seeking global harmony in a multipolar world, that recognises the sovereignty of other nations (as enshrined in the UN Charter) or will it seek, as the United States and other dominant powers have in the past, to become a hegemon claiming special status and rights over other nations?

It is clear that there is no consensus on any of these issues. The range of opinions may be represented by those such as the Briton Martin Jacques who argue that China will, effectively, 'rule the world' and in a different way than the West did. As he put it on his website announcing his new book on China:

For over two hundred years we have lived in a western-made world, one where the very notion of being modern was synonymous with being western. The book argues that the twenty-first century will be different: with the rise of increasingly powerful non-Western countries, the west will no longer be dominant and there will be many ways of being modern. In this new era of 'contested modernity' the central player will be China.

Martin Jacques argues that far from becoming a western-style society, China will remain highly distinctive. It is already having a far-reaching and much-discussed economic impact, but its political and cultural influence, which has hitherto been greatly neglected, will be at least as significant. Continental in size and mentality, and accounting for one fifth of humanity, China is not even a conventional nation-state but a 'civilization-state' whose imperatives, priorities and values are quite different. As it rapidly reassumes its traditional place at the centre of East Asia, the old tributary system will resurface in a modern form, contemporary ideas of racial hierarchy will be redrawn and China's ages-old sense of superiority will reassert itself. China's rise signals the end of the global dominance of the west and the emergence of a world which it will come to shape in a host of different ways and which will become increasingly disconcerting and unfamiliar to those who live in the west.<sup>7</sup>

At the other extreme we get those such as the American Eric C. Anderson who:

...challenges the widespread perception of China as a rising giant whose authoritarian program to supplant the United States as global hegemon poses a grave international threat. He weighs in against doomsday prophets such as Martin Jacques, who predicts that China's economy and diplomatic influence will equal those of the United States by 2025 and will eclipse them by a factor of two by 2050. Anderson, a player in Washington's China policy debates who enjoys deep access to Chinese

intelligence sources, counters with a careful argument that Beijing's overriding aim is in fact to foster a stable global environment conducive to its economic development and regional hegemony based on legitimate political authority rather than coercion.<sup>8</sup>

Whilst Jacques's prognostication is rather florid it is probably more useful than Anderson's 'business as usual assessment'. The reason for that is that the present international economic and political order, exemplified in part by institutions such as the United Nations, is heavily skewed to the advantage of the United States.

The war against Libya offers a contemporary illustration of this. Whilst Sarkozy and Cameron may have had their own personal reasons for intervention – Sarkozy in particular was battling plummeting public support for his domestic policies — the United States' foray into the Libyan war came for reasons of strategic *realpolitik*. It has now become clear that media reports of indiscriminate civilian casualties – the grounds for UN Resolution 1973 had been exaggerated and were in fact a pretence for an intervention with quite a different agenda.<sup>9</sup> Significantly, many explanations include America's competition and confrontation with China.<sup>10</sup>

The Russian analyst Anatoly Tsyganok, writing in *International Affairs*, the journal published by the Russian Foreign Ministry, claimed that:

The goals of the US permanent presence in Libya are to punish Gaddafi for his refusal to join USAFRICOM, to drive the Chinese away from Libya and to cut the access to oil resources for Europeans.<sup>11</sup>

The Chinese response has been multifaceted. On the one hand it has attempted to draw a line in the sand over substantial ground forces, and has stressed what we might call 'UN values' of respect for national sovereignty even as the UN violates those values:

The crisis in Libya catalyzed China's geopolitical activity which reached unprecedented proportions. The principles of sovereignty and territorial integrity are traditional pillars of Beijing's diplomacy. Chinese leader Hu Jintao formulated the position with utmost clarity on March 30 when – receiving N. Sarkozy, a vociferous proponent of the intervention in Libya – he said that the use of force aggravates rather than helps to resolve problems and that if the military offensive harms the civilian population it constitutes a departure from the stated goals of UN Security Council Resolution 1973. Beijing is open about its determination to veto an overland operation in Libya, and the position confronts the undecideds with a clear-cut choice. As of today, we witness China evolve into the center of power uniting the international majority which continues to believe in the primacy of the international law.<sup>12</sup>

At the same time it has taken measures to enter into dialogue with the National Transitional Council (NTC), the rebel 'government', or perhaps a faction within it.<sup>13</sup> The NTC is known for its schisms, including the assassination of army commander Gen. Abdul Fatah Younis by a rebel faction on 28 July.<sup>14</sup> Whilst most of the top leadership is aligned with the United States, with Khalifa Hifter a rival of Younis for instance seen to be a 'CIA asset' it may well be that if the NTC does assume national power another faction may look to China.<sup>15</sup> The reasons would be as compelling for them as they were for Gadhafi; the US may have the military might but China offers better commercial deals.<sup>16</sup>

However, what China has not done is to use its veto in the Security Council. Indeed, China has used its veto far less than any of the other Permanent Members; five times since the People's Republic of China took over the China seat in 1972, compared with 18 for France, 32 for Britain, 82 for the

United States and 124 for the Soviet Union/Russia.<sup>17</sup> There are specific historical reasons for this pattern, and it would be unwise to invoke culturalist explanations asserting that China, with its Confucian roots, opts for harmonious, consensual solutions rather than confrontational ones in the Western manner. The important thing is that we should not confuse this non-use of the veto with a lack of conflict of interest. Moreover, what has obtained in the past may not in the future. When China gains ascendancy it may not act in such a cavalier fashion in the United Nations as the United States has, but then it might.

What is needed is a recognition of how the United States has violated the Charter of the United Nations during its hegemony. There are innumerable examples. Libya has just been mentioned. Every time the United States has attacked or invaded another country over this period without condemnation let alone action on the part of the United Nations there has effectively been a breach of the Charter. Sanctions, which have killed, or deprived countless people, have usually been in infringement of the Charter; the sanctions against the DPRK are a case in point.<sup>18</sup> Significantly, although it may not have directly resulted in death or malnutrition, allowing the rump government in Taiwan to hold the China seat in the Security Council from 1949 to 1971 was the most egregious abuse of the United Nations in its history. China, then the Republic of China under Chiang Kai-shek, had been a founder member of the United Nations and a Permanent Member of the Security Council from its inception. When Chiang lost the civil war in 1949 and fled to Taiwan the China seat went with him and the United States blocked moves to transfer it to the successor government of China, the People's Republic of China. Nowadays it seems astounding that the most populous nation on earth could be deprived of its seat in this institution which claimed to be representative of mankind. Not merely was China not represented, but its voice was handed over to a failed government that lacked legitimacy.<sup>19</sup>

If we see clearly what has happened we are in a position to think of solutions. One problem is that written texts such as the Charter of the United Nations, are no impediment to abuse by the powerful. There are plenty of other examples of that around. According to the US Constitution the President needs the approval of Congress before declaring war. In recent years especially, Libya being the latest example, this has been blatantly ignored.<sup>20</sup> The Japanese Constitution, especially Clause 9, is quite explicit in its rejection of war and armed forces (which is why it is known as the 'Peace clause'). However, as the US Congressional Research Service calmly explains that has proved no impediment to remilitarisation (popular opposition in Japan is another matter):

The most prominent is Article 9 of the Japanese constitution, drafted by American officials during the post-war occupation, that outlaws war as a "sovereign right" of Japan and prohibits "the right of belligerency." However, Japan maintains a well-funded and well-equipped military for self-defense purposes, and the current interpretation of the constitution would allow, in theory, the development of nuclear weapons for defensive purposes.<sup>21</sup>

To assert that reality can be overturned by the simple expedient of adding 'self-defence' into a title is truly worrying. As we all know it became fashionable in the 20<sup>th</sup> century to rename ministries of war as ministries of defence; that did not prevent tens of millions of people being killed.

Thus we must look at realities, and actions, rather than fine words and rhetoric. If the United Nations is truly going to be an instrument of peace, and for avoiding conflict, abuses of hegemonic power must be condemned and curtailed. If this does not happen during what may well be the

coming transition to Chinese ascendancy, there is a danger that the pattern will continue, with this time China exercising its power to the detriment of others. This is particularly important for Korea (either Korea or a unified Korea), and smaller nations in general.

It would be very appropriate, and timely, for Ban Ki-moon, now starting his second term as UN Secretary-General, to take initiatives in this direction.

Reform of the UN so that it is no longer a foreign policy instrument of the hegemon is vitally important, but it is also necessary to consider the role of the United Nations on the Korean peninsula and what might be done to promote, in the words of former President Roh Moo-hyun, 'peace and prosperity'.<sup>22</sup>

The steps that *should* be taken are easy to map out but whether they can be achieved is another matter.

### **1) The Korea Armistice Agreement should be replaced by a Peace Treaty.**

The DPRK which has frequently called for a peaceful, normal relationship with the United States over the years.<sup>23</sup> The idea of a formal peace treaty has been advanced more often in recent years, especially since 2010.<sup>24</sup> Recently there has been a slight variation in formulation with talk of a 'peace-keeping mechanism'. For instance, the Korean People's Army (KPA) issued a statement on 8 August which, while calling for the cancellation of the Ulchi (Ulji) Focus Guardian joint US-ROK military exercises scheduled to begin on 16 August, said

By canceling the exercises the U.S. and the south Korean authorities should make a bold practical decision to replace the armistice system by a peace-keeping mechanism on the Korean Peninsula.<sup>25</sup>

A 'peace-keeping mechanism' would seem to be less formal than a peace treaty and might represent an interim step towards it. However, it seems that a peace treaty is still the DPRK goal.

The idea of a peace treaty to replace the armistice has received support, and opposition, from a wide range of people

For instance, the veteran American journalist Donald Kirk (no friend of the DPRK) writing in 2003 noted

Diplomatically, the US might also come out with a statement that the Korean War is indeed over - and it's time to replace the armistice of July 1953 with a peace treaty. Members of Bush's entourage undermined hints of this show of largesse, though, by warning publicly that the next round of six-party talks should get down to serious dealing, not just empty talk.<sup>26</sup>

Actually, as Confucians and International Relations 'Constructionists' might agree, a peace treaty is not just empty talk but could play a significant role in bringing about peace.

Whilst they approve of a peace treaty in principle a different position is expressed by the American James Goodby and the Finn, Marku Heiskanen

One of the still unfinished tasks of the Cold War era is to end formally the Korean War, which started 60 years ago, and ended in an armistice in 1953, signed by the U.S, China and North Korea. South Korea did not sign the agreement. A formal peace treaty has never been negotiated.

Participants in the Six-party Talks have said that a peace treaty can be negotiated once the North Korean nuclear issue has been resolved. North Korea has declared that a peace treaty should be negotiated now, as part of the North Korea's return to the Six-party talks.

It goes without saying that this demand is a political impossibility. You don't conclude and ratify a peace treaty overnight. The process can be expected to last even several years. The world cannot tolerate the further development of the North Korean nuclear weapon arsenal while waiting for a peace treaty.<sup>27</sup>

This is a curious argument because there is no reason why disarmament (and of one side only; they are not suggesting that the US should disarm) is a necessary precursor to a peace treaty. An armistice is a cessation of actual hostilities, a peace treaty is a statement that you respect the sovereignty of the other side and will not go to war against it, except, by understanding, in self-defence. If the world has been able to tolerate the massive US nuclear arsenal for 60 years what is the difficulty in tolerating the miniscule (and perhaps not yet functioning) DPRK arsenal?

Where China stands is a bit unclear. It is said that it opposes a bilateral US-DPRK peace treaty (which is how Pyongyang usually couches the proposal).<sup>28</sup> That makes sense; it would not want to be sidelined. However, it has supported 'peace-mechanisms and there seem to be no reason to suppose that it would hold back on a peace treaty between the four belligerents.

In the October 4 2007 agreement marking the summit between Roh Moo-hyun and Kim Jong Il it was stated that

The South and the North share the wish to terminate the existing armistice regime and to build a permanent peace regime, and cooperate to pursue issues related to declaring the end of the Korean War by holding on the Korean Peninsula, a Three or Four party summit of directly-related sides.<sup>29</sup>

The Chinese response was positive if not hugely enthusiastic:

Foreign Ministry spokesman Liu Jianchao ....told a regular press briefing that the establishment of a peace mechanism on the Korean Peninsula was conducive to the interest of its people as well as regional peace, stability and development.  
"And China will play an active role in such a process," he pledged.<sup>30</sup>

It seems highly unlikely that the present administration of Lee Myung-bak would seriously welcome a peace treaty so we will have to wait until the next administration. If there is another Roh Moo-hyun then peace will be back on the agenda. Popular support for the idea of a peace treaty, or some peace-mechanism, might be crucial, which is why the activities of entities such as the Kyung Hee Peace Forum are so important.

The United States has always opposed a peace treaty. Indeed, it does not favour peace treaties in general. Secretary of State Colin Powell dismissed the idea of a peace treaty in 2003:

"We won't do nonaggression pacts or treaties, things of that nature"<sup>31</sup>

Whether the US would agree to a peace treaty under a different name is another matter. After all the treaty between the US and the DPRK in 1994 was called the Agreed Framework precisely because the Americans balked at the word treaty in the title.

Although the administration in Seoul will have some influence in Washington, the United States will only conclude a peace treaty (under that or another name) if it wants a peaceful Northeast Asia. Up until now it has seen tension in Korea as the essential glue to keep together the alliance of Japan and South Korea to contain China. It may be that this strategy will change and it will decide that the best way to handle rising China is through some sort of peaceful resolution to the situation in Korea. Interestingly, according to American reports, Pyongyang has hinted that peace in Korea is really to America's interest in that it would diminish the influence of China, and that the DPRK would welcome friendship with the United States as a counterbalance:

Quite simply, the North Koreans believe they could be useful to the United States in a longer, larger balance-of-power game against China and Japan. The Chinese know this and say so in private.<sup>32</sup>

If Seoul could make the same point, Washington might be swayed towards peace.

## 2) Disbandment of the United Nations Command

If there is peace in Korea then there is no justification for the United Nations Command. This is not quite the same thing as the withdrawal of the US military presence (and operational control over the ROK military) although it is clearly connected. It is conceivable that a peace treaty would leave the US military in South Korea under a US-ROK agreement, though how sustainable this would be is another matter. There would be a lot of popular opposition to it.

It might be mentioned in passing that it is not generally realised just how destabilising the present US military involvement in Korea is. Basically, without the United States a war between the two Koreas is highly unlikely. The South is far more powerful than the North, so a deliberate DPRK attack is not plausible. Two recent metrics bring this out.

Between 2000 and 2008, the ROK spent nearly 100 times as much on purchases of arms from abroad as the DPRK<sup>33</sup>

The Chosun Ilbo, reporting on the naval military balance, noted that

With three Aegis destroyers in service, the Navy has gained a solid edge over North Korea in terms of naval combat capabilities.

The North has about 420 warships, giving it a huge numerical superiority to the South's 120. But many of them are small and old, with only three 1,000-2,000-ton ships and none bigger. By contrast, the South now has three 7,600-ton Aegis destroyers and 11 3,000-ton or larger warships.<sup>34</sup>

There is no doubt that this huge disparity in equipment holds in the other services, especially in airpower.

There are two constraints which militate against the ROK invading the DPRK *on its own*.

Firstly, whilst the DPRK is militarily much weaker, it seems that it still has considerable retaliatory power. We have to be a bit cautious with this assessment because all sides have a vested interest in exaggerating the military capability of the DPRK. The DPRK needs to warn off possible invasion and the US and ROK militaries need to play up the threat from the North. However, it seems fair to say that the DPRK could inflict unacceptable damage on the ROK should it be invaded.

Secondly, it is unclear to what degree the ROK military can actually engage in full scale war fighting as an independent force. Its equipment, and training, are based on interoperability with the US.

Whether the Americans stay or go, it would be good for the United Nations if the UNC were to be closed down. In general, if the United Nations cannot act as a neutral actor in a conflict situation it should not get involved. The deceptive labelling of the US military in Korea as a United Nations initiative is symptomatic of much of what has been wrong with the international body over the years.

Peace could be achieved in Korea without a reform of the United Nations. It would mainly be a matter of the United States deciding that a peaceful Korean peninsula serves its China policy better than the present state of tension. However, for the world in general, reform is imperative. If the United Nations remains essentially an instrument of the foreign policy of the reigning hegemon, then as primacy passes from the United States to China, there is a danger that China will misuse the UN as the United States has. There is a window of opportunity during the transition period for UN practice to move closer to the aspirations and spirit of the Charter. It is important for Korea, and small nations generally, to advocate and support that process.

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- <sup>5</sup> Wallerstein, "The World Consequences of U.S. Decline."
- <sup>6</sup> For a brief survey of the range of elite opinions see Chapter 4 of Tim Beal, *Crisis in Korea: America, China, and the risk of war* (London: Pluto, 2011).
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