

North Korea's Growing Nuclear Threat: Implications for the U.S. Extended Deterrence in the East Asian Region

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North Korea has carried out more than six nuclear weapons tests, including delivery systems, since it quit the Non-Proliferation Treaty. In the wake of the Six Party Talks, North Korean leadership has offered numerous rationales for its growing nuclear weapons program. Many think that this program has increased its nuclear capability and undermined the strategic stability of the East Asian region. Since North Korea no longer agrees to denuclearization and the arms control processes, it offers rationales for its nuclear weapons. This article unpacks these rationales and offers explanations for why North Korea has increasingly demonstrated its growing nuclear capability, and how this in turn affects the U.S. policy of extended deterrence. This article concludes that the North Korean nuclear threat is credible and the U.S. and its Asian allies have few options to prevent North Korea from using its nuclear weapons.

Keywords: North Korea Nuclear Capability, Increasing Nuclear Threat, The U.S. and its Asian Allies, Nuclear Preemptive Strike, The East Asian Region

Introduction

North Korea warned that it would withdraw from the Non-proliferation Treaty (NPT) in the 1990s, and eventually withdrew in 2003, after evaluating the U.S. preemptive strike threat on Iraq, Iran, and North Korea itself. It tested its nuclear capability in 2006 and declared itself to be a nuclear weapons state. In subsequent years, North Korea conducted more nuclear weapons tests, including an H-bomb and an Inter-Continental Ballistic Missile (ICBM) in 2017 with ranges capable of reaching

some parts of the U.S. North Korea's program appears to be unstoppable, and the country could undertake further nuclear and missile tests in the East Asian region. The Democratic People's Republic of Korea (DPRK) maintains the option of carrying out H-bomb tests in the Pacific Ocean,¹ something the National Committee on North Korea (NCNK) has claimed it has already done. In January 2017, it stated: "We conducted the first H-bomb test-firing of various means of strike and nuclear warhead test successfully to cope with the imperialists' nuclear war threats..."² Also in 2017, the NCKNK argued, "Our valiant People's Army reliably defended the security of the country and the gains of the revolution by resolutely frustrating the enemy's reckless moves for aggression and war, and gave perfect touches to its political and ideological aspects and military and technical preparations, as befits an invincible army."³ It has further warned that attacks with Electromagnetic pulse (EMP) could become the "biggest threat" to the United States, capable of shutting down the U.S. power grid and killing 90% of Americans.⁴ Since announcing its intention to acquire nuclear weapons, North Korea has become a security threat to the U.S. and its Asian allies. For example, former U.S. Secretary of Defense Robert Gates stated that North Korea's "continuing development of nuclear weapons and their development of ICBM is becoming a direct threat to the United States."⁵ U.S. Senator Chuck Hagel views this as a "real and clear danger,"⁶ and former ranking official Ashton Carter emphasizes, "How dangerous things are on the Korean Peninsula."⁷ In 1994, the U.S. military commander in the

1. Hyonhee Shin and Linda Sieg, "A North Korea Nuclear Test over the Pacific? Logical, Terrifying," *The Reuters*, September 22, 2017.

2. NCKNK, "Kim Jong Un's 2017 New Year's Address," The National Committee on North Korea, January 01, 2017.

3. Ibid.

4. Paul Bedard, "Congress warned North Korean EMP Attack would Kill '90% of all Americans,'" *The Washington Examiner*, October 12, 2017.

5. Robert M. Gates, "Media Roundtable with Secretary Gates from Beijing, China," U.S Department of Defense, News Transcript, January 11, 2011.

6. "Hagel Calls N. Korea Real and Clear Danger, as U.S. Plans Defense System in Guam," *Fox News*, April 03, 2013.

7. Aditya Tejas, "Ashton Carter Condemns North Korean Missile Launch Just

Republic of Korea (ROK), Gary Luck, warned U.S. President Bill Clinton that the next Korean War would “kill one million people, cost the United States one hundred billion dollars, and cause one trillion dollars’ worth of industrial damage.”⁸

Despite multiple open warnings by the U.S. to the North Korean leadership – calling its leader “rocket man,” threatening “fire and fury” and “total destruction of North Korea”⁹ – it is interesting to observe that the international community, including those major nuclear weapons states Party to the international non-proliferation regime, has failed in six-party talks with North Korea on its nuclear development issue to prevent North Korea from acquiring and testing nuclear weapons. Today, North Korea appears to have achieved an operational nuclear weapon capability, and has walked away from negotiations on denuclearization, disarmament and arms control. This seems to have complicated the U.S. decision-making process, and dissuaded U.S. leadership from carrying out a direct preemptive strike on North Korean leadership and its nuclear deterrent forces, although the U.S. has kept the military strike option on the table. Although the U.S. and its Asian allies have tremendous potential to disrupt and destroy the North Korean leadership and its nuclear deterrent forces, the U.S. continues to show a strategy of “strategic patience,” due to the fear that any military strike will escalate to a nuclear level. This, in turn, could further complicate the strategic equation involving China and Russia, a fact that encourages both sides to show restraint and resolve through political and diplomatic dialogue.

That being said, it is imperative to understand the rationale behind North Korea’s growing nuclear threat, and its security impact on the U.S. and its Asian allies in the East Asian region. Much of the existing research on the central theme of this article – how North

before Meeting in Seoul,” *International Business Times*, September 25, 2015.

8. Gary Luck quoted in, Sung Chull Kim and Michael D. Cohen, *North Korea And Nuclear Weapons: Entering the New Era of Deterrence*, (eds) Washington: Georgetown University Press, 2017), pp. 5 & 6.

9. See, for example, Steven Lee Myers and Choe Sang-Hun, “Trump’s ‘Fire and Fury’ Threats Raises Alarm in Asia,” *The New York Times*, August 09, 2017.

Korea's growing nuclear threat and the rationales behind it affect the U.S. and its Asian allies in the East Asian region – focus on the question of why North Korea acquired nuclear weapons in the first place.¹⁰ Other key readings on the North Korean nuclear issue focus on historical analysis of North Korea's nuclear weapons program.¹¹ Many articles engage specifically with China's role in the North Korean nuclear issue.¹² Other readings theorize about what nuclear strategy North Korea will adopt and why.¹³ Many readings offer solutions to the North Korean nuclear issue associated with regime collapse,¹⁴ while

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10. S. M. Ahn, "what is the root cause of the North Korean nuclear program?" *Asian Affairs: An American Review*, 38 (4), 2011, pp. 175-187. Shaheen Akhtar and Zulfqar Khan, "Understanding the nuclear aspirations and behavior of North Korea and Iran," *Strategic Analysis*, 38 (5), 2014, pp. 617-633. B. Habib "North Korea's nuclear weapons programme and the maintenance of the Songun system," *The Pacific Review*, 24 (1), 2011, pp.43-64.
 11. Lee. S. D. Lee, "Causes of North Korean belligerence," *Australian Journal of International Affairs*, 66 (2), 2012, pp. 103-120. F. Ying, *The Korean nuclear issue: past, present, future*, Washington: Brookings, 2017).
 12. G. T. Carpenter, "Great expectations: Washington, Beijing, and the North Korean Nuclear crisis," *Korean Journal of Defense Analysis*, 18 (4), 2006, pp. 7-29. S. J. Lee, "China-North Korea relations in the post-cold war era and new challenges in 2009," *The Chinese Historical Review*, 21 (2), 2014, pp.143-161. C. Shulong, "China's perception and policy about North Korea," *American Foreign Policy Interests*, 37 (5), 2015, pp. 273-278.
 13. D. N. Anderson, "Explaining North Korea's nuclear ambitions: power and position on the Korean peninsula," *Australian Journal of International Affairs*, 2017, pp. 1-21. H. Gaertner, "North Korea, deterrence, and engagement," *Defense and Security Analysis*, 30 (4), 2014, pp.336-345. C. E. J. Hymans, "North Korea's Nuclear Neurosis," *Bulletin of the Atomic Scientists*, 63(3), 2007, pp. 44-74. J. Cotton, "North Korea's nuclear ambitions," *The Adelphi Papers*, 33 (275), 1993, pp. 94-106. Zafar Khan, "North Korea evolving nuclear strategy under the pretext of minimum deterrence: implications for the Korean peninsula," *International Journal of Korean Unification Studies*, 24(3), 2015, pp. 181-216. Vipin Narang, "Nuclear strategies of emerging nuclear powers: North Korea and Iran," *Washington Quarterly* 38 (1), 2015, pp. 75-77.
 14. Zafar Khan, "North Korean nuclear issue: regime collapsism or negotiation?" *International Journal of Korean Unification Studies*, 25 (2), 2016, pp. 105-129. J. K. Choi, "The perils of strategic patience with North Korea," *The Washington Quarterly*, 38 (4), 2016, pp. 57-72.

others find greater risk in this scenario.¹⁵ Yet, there are few key readings whose central argument urges the major players to revisit the diplomatic and political negotiations with the North Korean leadership, with the aim of resolving the growing and increasingly complex North Korean nuclear issue.¹⁶ This chapter begins with an analysis of North Korea's rationale for its growing nuclear threat, followed by a closer analysis of how this threat affects the U.S. policy of extended deterrence in East Asia.

The rationale for North Korean increasing nuclear threat

There are multiple rationales behind North Korea's growing nuclear assertiveness in the face of what it perceives as a preemptive strike threat on the Korean Peninsula. Amongst them, the pre-dominant factor involves state security and regime survivability. As long as North Korea perceives a threat of being preemptively attacked, it will continue to justify its nuclear status, capability, and willingness to use nuclear forces in the event of a crisis in the East Asian region. In 2017, the NCNK stated, "our country achieved the status of a nuclear power, a military giant, in the East which no enemy, however formidable, would dare to provoke."¹⁷ It is, therefore, essential to closely analyze the rudimentary rationales of North Korean nuclear assertiveness amid the increasing threat of nuclear weapons use in East Asia, so that the international com-

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15. D. V. Cha, "Can North Korea be engaged?" *Survival*, 46 (2), 2004, pp. 89-107. Kihl, W. Y. "Confrontation or compromise on the Korean peninsula: the North Korean nuclear issue," *Korean Journal of Defense Analysis*, 6 (2), 1994, pp.101-129. S. D. Lee, "A nuclear North Korea and the stability of East Asia: a tsunami on the horizon?" *Australian Journal of International Affairs*, 61(4), 2007, pp. 436-454. Y. Kim and M. Kim, "North Korea's risk-taking vis-à-vis the U.S. coercion in the nuclear quagmire," *Korean Journal of Defense Analysis*, 19 (4), 2007, pp. 51-69.
 16. Khan, "North Korean nuclear issue: regime collapsism or negotiation?" B. M. Reiss, "A Nuclear-armed North Korea: Accepting the 'Unacceptable'?" *Survival*, 48 (4), 2006, pp. 97-109. H. Gaertner, "North Korea, deterrence, and engagement," *Defense and Security Analysis*, 30 (4), 2014, pp. 336-345.
 17. NCNK, "Kim Jong Un's 2017 New Year's Address."

munity may prevent a major crisis that could escalate up the nuclear ladder.

State security and regime survivability

More broadly, a state's security remains one of the fundamental factors in its decision to acquire nuclear weapons. Arguably, it is the pre-dominant factor, although other factors such as prestige, organizational imperative, and technological pull also shape a state's intention for acquiring nuclear weapons and their delivery systems.¹⁸ Through the security lens, if one has to closely analyze this puzzle, one may reach a logical conclusion that almost every nuclear weapon state has acquired nuclear weapons in order to address the issue of insecurity. The U.S. first acquired nuclear weapons because of the fear that Germany would quickly acquire this capability and use it against the U.S. and its allies. Russia went nuclear because it believed the U.S. nuclear deterrent undermined its security. China developed nuclear weapons for security purposes when it was threatened with the use of nuclear weapons during the Korean civil war (1951-1953). India acquired nuclear weapons because of its short war with China in 1962 and the subsequent Chinese acquisition of nuclear weapons in 1964. Pakistan followed suit after India's nuclear weapons tests in 1974 and 1998. In the existing literature, security remains the predominant factor in state's decision to acquire nuclear weapons.

It was in a similar context that North Korean leadership vowed to protect the state's independence and freedom in the early 1950s, after it was confronted during the civil war by South Korea largely supported by its ally the U.S., who later posed a threat to use nuclear weapons in East Asia. Kim Il-sung stated, "Although the U.S. is threatening our country with nuclear bombs, it does not affect our people's will to fight the U.S. for retaining freedom and independence."¹⁹ North Korea's

18. Bradley A. Thayer, "The Causes of Nuclear Proliferation and the Utility of the Nuclear Non-Proliferation Regime," *Security Studies*, 4(3), 1995, pp. 463-519.

19. Kim Il-sung, "Report for the 6th Anniversary for the Liberation (August 14, 1951)," *Kim Jong-il Seonjip* [Kim Il-sung Works], vol. 6 (Pyongyang: Workers

departure from the Non-proliferation Treaty (NPT) in 2003, and its declaration of itself as a nuclear weapon state in 2006, followed a similar security logic against the background of a perceived potential threat emanating from the U.S. and its allies. The U.S. Nuclear Posture Review (NPR) 2001 depicted North Korea as part of an "axis of evil" along with Iran and Iraq, that posed a security threat to the U.S. and its close Asian allies. Also, in subsequent years, the Quadrennial Defense Review (QDR) and National Security Strategy, the two crucial U.S. policy documents, mentioned North Korea as one of the greatest challenges and threats to the U.S. and its allies.

The U.S. could utilize the option of a preemptive strike against North Korea to defend its homeland and guarantee the security of its Asian allies. While observing the U.S. preemptive strikes against Iraq and others, North Korea feared it could be next. North Korea then withdrew from the NPT and used the term "nuclear deterrence" for the first time in 2003 prior to its nuclear tests in subsequent years. For example, North Korea's foreign ministry declared, "as far as the issue of nuclear deterrent force is concerned, the Democratic People's Republic of Korea (DPRK) has the same legal status as the United States and other states possessing nuclear deterrent forces."²⁰ The Central North Korean News Agency also stated in response to a possible U.S. preemptive strike against the North Korea, "the DPRK will have no option but to build up a nuclear deterrent force."²¹ These statements reflect the intention of North Korea's leadership to ensure state security and the continuation of the Kim regime.

The Kim regime has survived for many decades despite international pressure and sanctions. It has learned how to live through the complexity and hardship created by its decision to go nuclear. It has learned to effectively convey messages to the international community regarding the survivability of its regime by testing and acquiring

Party of Korea Publishing, 1980), p. 429.

20. Korean Central News Agency (KCNA), "Choseon oemuseong 8gaeguk sunoejahoweui seoneone choseonmunjega phamdeonde dehayeo" [spokesperson for DPRK Foreign Ministry on Declaration Adopted at G8 Summit], June 6, 2003.

21. KCNA, "Our nuclear deterrent is no a means of threat," June 9, 2003.

nuclear weapons. The North Korean *byeongjin* strategy under the Kim regime and its associates pledges to the nation both nuclear and economic development.²² It is interesting to note that North Korean nuclear leadership under the command of Kim's regime combines nuclear and economic strategy to appease the population and win their favor. Those who disfavor and/or challenge the regime may face punishment and possible death. Many from Kim's own family, including high ranking military officials, have been killed recently under the young and inexperienced regime.²³ It is not wrong to assume that one of the fundamental rationales for North Korea's growing nuclear assertiveness is the protection of state sovereignty and the survivability of the regime.

Ensuring escalation dominance in its favor

After successfully ensuring state security and enabling the protection of the regime, North Korean nuclear leadership defends its assertive nuclear strategy as a hedge against South Korea's much more advanced conventional forces. An assertive reliance on nuclear forces offers North Korea an effective countermeasure and equalizer, given the conventional force asymmetry between the two adversaries. This disparity also existed between the U.S. and the Soviet Union during the Cold War. South Asia's nuclear rivals likewise experience conventional force asymmetry in a way that may be applicable to the Korean Peninsula, though North Korea may not be able to achieve escalation dominance quite yet. North Korea appears to rely on its nuclear forces and delivery systems to not only offset the conventional asymmetry against the South Korean modernized conventional forces, but also to keep escalation dominance in the Korean Peninsula. Although North Korea has recently shown

22. Chaesung Chun, "The North Korean Nuclear Threat and South Korea's Deterrence Strategy," in Sung Chull Kim and Michael D. Cohen, *North Korea and Nuclear Weapons: Entering the New Era of Deterrence*, (eds) Washington: Georgetown University Press, 2017), pp. 113-128, p. 114.

23. K.J. Kwon and Ben Westcott, "Kim Jong-Un has executed over 300 people since coming to power," *CNN*, December 9, 2016.

rapid development in the nuclear domain, its conventional forces are no match for the advanced South Korean conventional deterrent forces, including a U.S. security commitment that could offset the North Korean strategy for ensuring escalation dominance. Nevertheless, to keep escalation dominance in the region, North Korean leadership could craft a strategy involving more nuclear and missile tests. It could also demonstrate its ability to carry out low intensity attacks in the future.

One, North Korea continues to conduct more nuclear and missile tests. After successfully carrying out five nuclear weapons tests as of 2016, North Korea carried out a sixth using an H-bomb, followed by a successful test of an ICBM that could deliver the H-bomb to some parts of the U.S. In the wake of the H-bomb test, North Korea pledged to carry out another H-bomb test in the Pacific Ocean, directly threatening U.S. overseas forces and its Asian allies. Two, North Korea has developed tactics for keeping escalation dominance in its favor by carrying out low-intensity warfare while using its nuclear deterrent force as a shield. North Korea has carried out multiple low-intensity attacks against South Korea to demonstrate its assertiveness in achieving its economic and military goals. For example, the *Cheonan* and Yeonpyeong shelling incidents of 2010 reflect the North Korean strategy of keeping escalation dominance against South Korea while using its nuclear weapons as a shield to protect from and deter a response by South Korean conventional forces. Interestingly, South Korea has not carried out counterattacks or reprisals following these low-intensity episodes, which inflicted casualties and caused material damage to the South Korean forces. This indicates a classic stability-instability syndrome: North Korea, due to its heavy reliance on nuclear weapons to deter all-out nuclear war at the strategic level, also enjoys the freedom to wage limited and/or low-intensity strikes without being punished severely.

The dynamic described above could allow the North Korean leadership to achieve and maintain escalation dominance in the Korean region. With more nuclear and missile tests, North Korea could demonstrate its nuclear assertiveness in the East Asian region. The more North Korea increases its nuclear capability in favor of its perceived strategy of escalation dominance, the more it increases its confi-

dence in nuclear weapons to deter the U.S. and its Asian allies from counter-conventional attack following low-intensity North Korean strikes. This provides a strong motive for North Korea to use nuclear weapons to dim the long-term prospects of the extended deterrence security guarantee that the U.S. provides to its Asian allies.

Discouraging the prospects of U.S. extended deterrence in the Korean region

One of the rationales of North Korea's growing nuclear assertiveness as part of its strategy is to discourage the prospects of the U.S. extended deterrence in East Asia. Just as the U.S. and its Asian allies, in particular South Korea, fear the unpredictable North Korean nuclear situation and the Kim regime's consistently stated intention to acquire and use nuclear weapons, it is expected that Kim's regime likewise fears being preempted by a stronger military power like the U.S., bolstered by advanced conventional forces. Yet, the Kim regime appears to be willing to accept this risk. Both sides on the Korean Peninsula fear an all-out nuclear war that would kill millions of people. Therefore, it would be ideal for North Korea to prevent the U.S. security commitment as part of its extended deterrence in Asia, and keep the escalation dominance in its favor, thus offsetting the existing conventional asymmetry on the Korean Peninsula through its nuclear weapons, though it is not yet clear whether the North Korean leadership will be able to shift such dominance in its favor. Patrick Morgan argues that North Korea is motivated by "a belief that the United States would not fight for the ROK if faced with a DPRK nuclear threat."²⁴

That being noted, the DPRK could demand of the U.S. to disengage its security commitment in Northeast Asia; remove its nuclear umbrella from South Korea; withdraw its military forces from the Korean Peninsula; and develop a U.S.-DPRK strategic relationship on

24. Partrick Morgan, "North Korea and Nuclear Weapons: Nonproliferation or Deterrence? Or Both?" in Sung Chull Kim and Michael D. Cohen, *North Korea And Nuclear Weapons: Entering the New Era of Deterrence*, (eds) Washington: Georgetown University Press, 2017), pp. 15-30. p. 25.

the level of the ROK-U.S. alliance.²⁵ This scenario assumes that North Korea's increasing nuclear threat may become gradually associated with the U.S. extended deterrence towards its Asian allies. For example, it may be argued that the more pressure the U.S. puts on the DPRK in terms of the denuclearization of the Korean Peninsula, the more North Korea will opt for more nuclear and missiles tests, thus increasing its nuclear threat in the Korean region. However, it is imperative to ask whether or not the North Korean nuclear threat could realistically be mitigated by reducing and/or removing the U.S. extended deterrence over the ROK. It is also important to consider whether North Korea would threaten to use its nuclear forces against the ROK, which is not a nuclear weapons state. As part of North Korea's evolving nuclear policy, North Korea may not use its nuclear weapons against a non-nuclear weapon state, particularly when that state is not supported by the nuclear security guarantee of another state.²⁶

It may be encouraging that, as part of its evolving nuclear policy, North Korea would not use nuclear weapons against South Korea, when and if South Korea chooses not to acquire its own nuclear deterrent forces, and when the Americans no longer offer a nuclear guarantee to South Koreans. But although this may be partially convincing, essentially it remains unclear if North Korea will actually carry out a nuclear preemptive strike against either the U.S. homeland or its Asian allies. Arguably, doing so could have adverse effects on the U.S. and its Asian allies: 1) the withdrawal of the U.S. extended deterrence from East Asia could result in a feeling of abandonment in its Asian allies; 2) since states do not really trust each other in the realist paradigm of international politics, this could increase the chances that North Korea

25. Jonathan D. Pollack, "North Korea's Nuclear Weapons Development: Implications for Future Policy," (Proliferation Paper, Security Studies Center, spring 2010).

26. See, Sung Chull Kim, "North Korea's Nuclear Doctrine and Revisionist Strategy," in Sung Chull Kim and Michael D. Cohen, *North Korea And Nuclear Weapons: Entering the New Era of Deterrence*, (eds) Washington: Georgetown University Press, 2017), pp. 31-54.

would preempt South Korea while observing the U.S. withdrawal of its extended deterrence; 3) it could trigger an arms race between Asian allies, with South Korea developing its own nuclear deterrent forces against the increasing threat by North Korea. Japan, meanwhile, could also quickly mobilize its program for acquiring an independent nuclear weapons capability.

That being noted, the U.S., as part of its non-proliferation responsibility to the international non-proliferation regime in general, and to sustaining its power projection in Asia in particular, cannot allow its Asian allies to acquire nuclear weapons. However, it could convey a message to the North Korean leadership that, as part of its “basing strategy,” the U.S. could continue to stay and will not soon withdraw its extended deterrence from Asia. To this affect, North Korea may argue as part of its nuclear policy that it could consider the use nuclear weapons against South Korea when and if it is granted a nuclear security guarantee by the U.S. The North Korean leadership could say that it may not be ready to negotiate as long as the U.S. threatens it with a preemptive strike strategy. North Korea might also not desire denuclearization, but rather opt to develop a strategy to secure nuclear legitimacy in the East Asia region, thus justifying its acquisition of nuclear weapons for security and deterrence purposes.

Nuclear legitimacy

When North Korean leadership institutionalizes its nuclear deterrent forces, and crafts a nuclear policy that these weapons are not like conventional weapons, there may exist an understanding that North Korean nuclear forces are for deterrence purposes, and that the country acquired nuclear weapons for security, rather than military, purposes. That is, if North Korean leadership opts to use its nuclear weapons against the U.S. and its Asian allies, it could have disastrous consequences for Kim’s regime and its associates. The international community Party to the NPT does not recognize North Korea as a nuclear weapons state. Nevertheless, after withdrawal from the NPT, and following a number of nuclear tests, North Korea appears to be crafting a nuclear

policy with a broader motive related to nuclear legitimacy, one that justifies its acquisition of nuclear weapons on familiar grounds of deterrence and security. It will be beyond the scope of this piece to elaborate as to why and how states acquire nuclear weapons, but security remains the predominant paradigm for a state's decision to go nuclear.

However, in this context, it is interesting to note that North Korean leadership has already attempted to associate its nuclear weapons capability with state law that it believes will provide its nuclear legitimacy in the East Asian region. In April 2013, North Korea's Supreme People's Assembly successfully institutionalized its nuclear weapons capability by adopting a law called Nuclear Weapons State Law concerning its nuclear deterrent forces. This included the following ten rudimentary provisions: 1) nuclear weapons are a self-defensive means of coping with the hostile policy of, and nuclear threat from, the United States; 2) nuclear weapons serve the purpose of deterring and repelling aggression and retaliation against enemies; 3) the DPRK is strengthening its nuclear deterrence and retaliatory strike power both in quantity and quality; 4) nuclear weapons will only be used on the final order of the Supreme Commander of the Korean People's Army; 5) nuclear weapons will not be used against non-nuclear weapons states unless they join a hostile nuclear weapons state in its invasion of the DPRK; 6) the DPRK maintains the safe management of nuclear weapons and ensures stable nuclear tests; 7) the DPRK has established a mechanism to prevent the illegal export of nuclear technology and nuclear materials; 8) the DPRK will cooperate with international efforts toward nuclear non-proliferation and the safe management of nuclear materials; 9) the DPRK strives to avoid a nuclear war and fully supports international nuclear disarmament efforts; and 10) the relevant institutions will take steps to implement this ordinance.²⁷

North Korean nuclear leadership appears to have taken encouraging measures to officially institutionalize its nuclear weapons doctrine and make sure that nuclear weapons remain under the tight control of

27. KCNA, "The adoption of the law on consolidating the status of a self-defensive nuclear weapons," April 1, 2013, quoted in Kim and Cohen, *North Korea and Nuclear Weapons: Entering the New Era of Deterrence*, p. 34.

centralized safety and security mechanisms. These measures ensure that its nuclear weapons will not be used for military purposes unless absolutely not needed – that is, following the theoretical dictum and dichotomy of “always/never” proposed by Peter D. Feaver.²⁸

In further unpacking and analyzing the North Korean Nuclear Weapons State Law, the following assumptions should be considered regarding how North Korean nuclear deterrent forces could impact the policy of North Korean leadership and security on the Korean Peninsula. One, this official nuclear policy paper shows that North Korean nuclear leadership largely perceives its nuclear weapons acquisition as driven by security needs. Two, it is intended to discourage the U.S. policy of extended deterrence in East Asia that in turn puts mounting pressure on North Korea to expand its nuclear deterrence forces, and make them more credible as a threat to the U.S. and its Asian allies. Three, North Korean policy documents clearly indicate that these deterrent forces are under proper command and control mechanisms (i.e., both civilian and military) that prevent their illegal export and ensure their safety and security. Four, North Korea seemingly holds a conditional no-first use doctrinal posture, declaring that it will not use its nuclear weapons against non-nuclear weapon states. At the same time, it states that it would consider using its nuclear forces if a non-nuclear weapons state is in close alliance with a nuclear weapons state. In practice, the North Korean nuclear threat appears to contradict the doctrinal use of nuclear forces as codified in the Nuclear Weapons State Law. Kim and Cohen have correctly assumed that, while closely analyzing North Korea’s evolving nuclear strategy, “North Korea’s nuclear doctrine is associated with a revisionist strategy. It aims at breaking the status quo on the Korean Peninsula and in the Asia-Pacific more broadly.”²⁹

Nevertheless, this is just one of the first institutionalized steps North Korean leadership has undertaken to secure international nuclear legitimacy. It will not be easy for North Korea to achieve nuclear

28. Peter D. Feaver, *Guarding the Guardians: Civilian Control of Nuclear Weapons in the United States*, (Ithaca: Cornell University Press, 1992).

29. Kim, “North Korea’s Nuclear Doctrine and Revisionist Strategy,” p. 36.

recognition, and will have to confront a number of challenges. The experiences of other nuclear states that are not Party to the NPT – such as Israel, believed to have acquired nuclear capability in 1960, and both India and Pakistan which tested their nuclear capabilities in 1998 – suggest that it is extremely hard for nuclear weapons states to secure nuclear legitimacy despite longstanding efforts. Unless there is a dramatic reform to the NPT on the part of the major nuclear weapon states party to the Treaty, there appears to be a little or no possibility of these states accepting the legitimacy of North Korea's nuclear status within the international nonproliferation regime.

Regardless of North Korea's ability to secure nuclear legitimacy, it can continue to change and challenge the status quo, despite the policies found in its official nuclear doctrine. It could show its nuclear assertiveness by increasing the number of nuclear warheads and their related delivery systems. This, in turn, could affect the threat perception of the U.S. and its Asian allies to whom the U.S. protects through its policy of extended deterrence.

The U.S. extended deterrence amid North Korean increasing nuclear threat

Both Japan and South Korea have been under the U.S. security guarantee umbrella since the Cold War era. The U.S. continues to extend security guarantees to both Japan and South Korea in the East Asian region in order to prevent North Korean direct preemptive strikes. Although the U.S. security guarantee has successfully prevented the North Korean nuclear strike, it has failed to prevent conventional, low-intensity attacks. This has been challenging for the U.S., and more importantly for South Korean leadership. Also, North Korea recently tested its long-range missile over Japan. Japan considers this an increasing threat to its security. North Korea's intention for carrying out H-bomb tests in the Pacific could potentially increase this threat to both Japan and U.S. overseas bases. It is imperative to analyze how North Korea's growing nuclear assertiveness affects the U.S. policy of extended

deterrence in East Asia, and whether Japan and South Korea will revisit the decision to go nuclear, as they once desired, or whether they will continue to enjoy the U.S. security commitment to deter North Korea's increasing nuclear threat at both the strategic and tactical level.

Japan

The United States continues to offer its policy of extended deterrence to Japan almost three decades after the end of the Cold War. In 2005, the U.S. Department of Defense published a document on the value of his policy: "U.S. strike capabilities and the nuclear deterrence provided by the U.S. remain an essential complement to Japan's defense capabilities in ensuring the defense of Japan and contribute to peace and security in the region."³⁰ The continuity of U.S. extended deterrence covering Japan can be seen in statements made by the current U.S. State Secretary Rex Tillerson during his first major foreign trip to Japan, where he expressed his view that the North Korean nuclear issue required a "different approach" as "the diplomatic and other efforts of the past 20 years to bring North Korea to a point of denuclearization have failed despite the U.S. economic assistantship up to \$1.35 billion."³¹ However, it is not clear what he meant by this. This could convey signals to the North Korean leadership that the U.S. continues to maintain extend deterrence toward Japan, and that the U.S. along with its Asian allies could keep a military strike option on the table against North Korea. Mr. Tillerson also expressed his hope for deep cooperation among the United States, Japan and South Korea "in the face of North Korea's dangerous and unlawful nuclear and ballistic missile programs."³²

Japan has been and remains one of the closest U.S. allies in East Asia under the U.S. nuclear security guarantee, even though Japan was

30. Minister of Foreign Affairs Machimura and Minister of State for Defense Ohno, "Security Consultative Committee Document U.S.-Japan Alliance: Transformation and Realignment for the Future," October 29, 2005.

31. Motoko Rich "Rex Tillerson, in Japan, says U.S. needs 'different approach' to North Korea," *The New York Times*, March 16, 2017.

32. Ibid.

the first country to suffer the effects of atomic bombs at the close of WWII in 1945. Since then, most Japanese have favored a world free from nuclear weapons. Japanese posture becomes complex and interesting when 1) it relies on the U.S. for extended deterrence; 2) it has expressed a commitment to and responsibility for global disarmament and non-proliferation; and 3) when it openly acknowledged its possession of a latent deterrent – that is, the ability to quickly develop nuclear weapons.³³ However, amongst the three elements of its complex posture, the reliance on the U.S. extended deterrence remains the central policy pillar.³⁴ The strategy for the U.S. policy of extended deterrence was crafted during U.S. President Lyndon Johnson's January 1965 meeting with Japanese Prime Minister Eisaku Satō, which led to the Mutual Security Treaty that codified the U.S. security guarantee to Japan. This followed the Chinese nuclear test in 1964. The U.S. successfully committed Japan and Satō to the principles of non-proliferation and a mutual understanding that Japan would not produce, possess and allow nuclear weapons in its homeland.³⁵

However, interestingly, Japan later developed a middle path between the latent deterrent state with the capability to acquire nuclear weapons when and if Japan needs to, and the path of non-proliferation commitment, due to the so-called "nuclear allergy" of the Japanese public that opposes the acquisition of nuclear weapons. That being said, Japan can be called a "virtual nuclear weapons state" that has the capability to acquire nuclear weapons quickly against any rising threat.³⁶ More importantly, when and if the U.S. security guarantee is uplifted, Japan could consider the nuclear option. For now, the U.S. consistently promises the cover of extended deterrence to assure Japan that it has no need to go nuclear. The U.S. commitment, past and recent, of security guarantees to Japan and other Asian allies reflects

33. F. Hoey, "Japan and extended nuclear deterrence: security and non-proliferation," *The Journal of Strategic Studies*, 39 (4), 2016, pp. 484-501, p. 485.

34. *Ibid.*, p. 485.

35. *Ibid.*, p. 495.

36. Rajesh, M. Basrur, *Minimum Deterrence and India's Nuclear Security*, (California: Stanford University Press, 2006), pp. 28-29.

the U.S. intention to continue maintaining extended deterrence in order to retain its power projection over its Asian allies and retain its position as the pre-dominant player in the region.³⁷ The U.S. may not allow Japan to go nuclear for two obvious reasons: 1) allowing Japan to go nuclear would undermine the non-proliferation regime to which both Japan and the U.S. are signatories; 2) it could provide incentive for Seoul to consider its own nuclear option; and 3) it could weaken U.S. power projection in East Asia at a time when more states in the region could emerge as nuclear weapons states. Whether the ROK eventually decides to go nuclear, or continue relying on the increasing extended deterrence by the U.S., is our next subject.

The ROK

The Republic of Korea (South Korea) came under the U.S. nuclear security guarantee after the end of Korean War. The United States made a security commitment to South Korea to defend it from external aggression in the form of Mutual Defense Treaty, signed in October 1953. In accordance with the Treaty, both the U.S. and South Korea would “consult together” to “develop appropriate means to deter arms attack” and “act to meet the common danger in accordance with its constitutional process.” U.S. forces were stationed in South Korea to deter the possible military aggression from Pyongyang. As part of U.S. President Eisenhower’s “New Look” policy, including his Defense Secretary John Foster Dulles’s doctrine of “Massive Retaliation,” the U.S. began to deploy tactical nuclear weapons.³⁸ In addition to this, the U.S. deployed five other weapons systems in South Korea: the Honest John surface-to-surface missile, the Matador cruise missile, the Atomic-Demolition Munition nuclear landmine, the 280-mm gun, and the eight inch (203-mm) howitzer.³⁹

37. Matthew Kroenig, “Force or friendship? Explaining great power nonproliferation policy,” *Security Studies*, 23 (1), 2014, pp.1-32.

38. Y. Se. Jang, “the evolution of U.S. extended deterrence and South Korea’s nuclear ambitions,” *The Journal of Strategic Studies*, 39 (4), 2016, pp. 502-520, p. 505.

39. *Ibid.*, p. 513.

Despite a deepening strategic partnership that included the presence of tactical nuclear weapons in South Korea, it is interesting to ask why South Korean leadership wanted to acquire nuclear weapons, as coded in its "Project 890" to attain "self-sufficiency" in the late 1960s.⁴⁰ Jang provides an interesting analysis of the South Korean leadership's desire to acquire nuclear weapons. According to Jang, multiple historical factors played a role in South Korea's decision to opt for nuclear weapons technology. Among them, a few deserve special attention: U.S. President Nixon's 1969 Guam Doctrine, which ultimately led to the reduction of U.S. forces; the cold U.S. response to episodes of North Korean military aggression in the 1960s and 1970s; and more importantly the U.S. reluctance to take any unnecessary military action against the rival states in Asia that could drag the U.S. into unexpected conflicts.⁴¹ Nevertheless, the then South Korean leadership officially ordered suspension of Project 890 in December 1976, after U.S. intelligence revealed Seoul was about to go nuclear, and after Henry Kissinger sent his Assistant Secretary Philip Habib to threaten the South Korean leadership with the withdrawal of the United States security commitment if South Korea attempted to acquire nuclear weapons. Most of these instances could take place again, creating a trust deficit between the U.S. and the ROK.

In sum, U.S. extended deterrence has and continues to have a central significance for both the ROK and Japan, even after the disintegration of the Soviet Union (Russia) and the end of Cold War. The U.S. has no desire to see Tokyo or Seoul go nuclear, and has come up with a "different approach" strategy against rising threats in East Asia. This different approach could further sustain the life of extended deterrence, while at the same time asking allies for more burden sharing. Nevertheless, as the North Korean nuclear leadership shows greater nuclear assertiveness, the U.S. appears to be coming closer to its Asian allies with whom it has had long-standing security pacts. The U.S. Defense Secretary James Mattis, and later U.S. State Secretary Rex Tillerson, have both visited Asian allies to reaffirm the U.S. policy of

40. *Ibid.*, p. 513.

41. *Ibid.*, pp. 508-513.

extended deterrence in defense of both Japan and South Korea. That has restored the confidence of Seoul and Tokyo, and enhanced the prospects for the U.S. policy of extended deterrence in Asia.

Extended deterrence revisited: security, power, and prestige?

The recent security commitment made by the U.S. to Japan and South Korea indicates that the prospects for its policy of extended deterrence in East Asia will not dim anytime soon. There are no plans to reduce U.S. forces in the region from its current numbers – 28,000 in South Korea alone, and 50,000-plus including Japan – which testifies to the strength of the U.S. security guarantee toward these Asian allies against the rising threat of North Korea's growing nuclear assertiveness (Price 2017).⁴² To sustain the current U.S. policy of extended deterrence, the U.S. could continue to hold military exercises, improve the conventional capabilities of both Japan and South Korea while retaining the U.S. forces in these countries, develop tactics to bring U.S. naval forces closer to East Asia, and deploy the Terminal High Altitude Area Defense (THAAD) system, whether China likes it or not.

First, the U.S. could continue to sustain its diplomatic, political and military support to Asian allies to ensure its security guarantee against the threat emitting from North Korea. Here, the security factor as conceptualized earlier remains predominant. The current U.S. administration's frequent visits to Asia have the same purpose: to ensure its policy of extended deterrence stays intact, and signals to the North Korean leadership that the U.S. remains committed to its Asian allies security. In this context, the U.S. could potentially increase its security assistance to its Asian allies by further expanding military assistantship, including conducting more military exercises by displaying and using advanced conventional force capabilities during planned joint military exercises. More U.S. military support could potentially show its adversary that the U.S. remains highly committed

42. G. Prince, "U.S. military presence in Asia: troops stationed in Japan, South Korea and beyond," *The Newsweek*, April 26, 2017.

to its Asian allies and partners. It could also put pressure on the North Korean leadership into forgoing more nuclear tests, thereby reducing its nuclear assertiveness in the region.

Second, to strengthen the prospects of U.S. extended deterrence, the U.S. could show its commitment to gradually deploy THAAD in Asia in order to protect its Asian allies, and especially South Korea, from incoming North Korean missiles. THAAD deployment would ensure the security of its allies, most importantly South Koreans, from the incoming North Korean missiles. This could become a security concern for the Chinese, but that would depend on how effectively U.S. and South Korean leadership can argue that such a deployment is not as threatening to China as it might otherwise think. One, the U.S. could say that this is not to undermine the credibility of the Chinese deterrent forces, but rather is being deployed to protect U.S. allies from the incoming missiles from North Korea, and thus avoid bigger wars in the region. Two, the U.S. and its Asian allies could show some transparency on such a deployment, in order to increase Chinese confidence in its deployment. Transparency in this regard would go far toward drawing a clear line of mutual understanding regarding the true aim and objectives of the deployed defense system. A clarity of argument on the part of the U.S. and South Korean security leadership could help generate confidence-building measures between the U.S. and China, which in turn could avert unnecessary pressure from China on U.S. Asian allies regarding the deployment of THAAD. Three, the U.S. and its Asian allies can clearly convey the message that their military posture is defensive, and they want peace and stability in the Korean Peninsula. By saying this to the North Korean leadership, the U.S. and its allies could enhance transparency and avert the possibility of miscalculation.

A third important aspect of U.S. extended deterrence is a burden-sharing approach. This is also true in the security arrangement between the U.S. and its European allies in the post-Cold War period. Conceptually, the U.S. could ask its Asian allies for more security-burden sharing in order to sustain the life of extended deterrence. Given the changed strategic environment, the U.S. may not remain patient

forever with the strategy of freeriding in Europe and Asia. Much depends on the U.S. threat perception level. For example, escalating threats generally lead to a stronger U.S. commitment to its policies of extended deterrence commitments to its European and Asian allies. Presumably, North Korean nuclear assertiveness makes the U.S. more committed to its extended deterrence to its allies in East Asia. Still, none of the U.S. allies in the region should expect to enjoy endless freeriding in the security partnership.

Last but not least, the U.S. cannot afford to lose part of its extended deterrence responsibility for a variety of reasons related to security, power and prestige. Weakening its policy of extended deterrence would be a clear signal to adversaries that the U.S. might not help them out in case of military attack. Although the U.S. policy of extended deterrence has not completely diminished the possibility of smaller border skirmishes or conflicts, it has successfully prevented major wars between its Asian allies and North Korea. Two, the absence of a U.S. security guarantee has the potential to make its allies more vulnerable to military strikes. However, it is because of the U.S. nuclear umbrella that North Korea has not carried out a full-fledged military action against U.S. Asian allies. Three, the absence of U.S. extended deterrence could provide its allies with a sense of abandonment, and such abandonment means that these allies are of their own when it comes to their own security. This, in turn, could lead them to acquire their own nuclear deterrence. Four, U.S. power and prestige could be affected if it lifts its security umbrella from its allies. The U.S. could no longer expect to wield influence over security matters in the region, as it does in the contemporary politics of Asia.

Conclusion

Amongst the many rationales that explain North Korea's increasing nuclear threat, state security and regime survival are predominant. Its nuclear program allows North Korean leadership to prevent a U.S. pre-emptive strike, as well as discourages U.S. security guarantees to its

Asian allies that may involve the use of nuclear weapons. North Korean leadership appears to have learned how to manipulate the international community by utilizing its nuclear deterrent. It has also learned to manage its nuclear forces well when it comes to the safety and security of nuclear weapons and their related facilities. It has declared its official nuclear policy in the form of a Nuclear Weapons State Law that deals with all the essential elements of nuclear weapons and their related delivery systems, as well as the institutionalization and regulation of their command and control structure, and even arms control and disarmament. This law signals the DPRK's longstanding effort to secure nuclear legitimacy and find a space within the existing international non-proliferation regime. Nevertheless, it is unlikely the international non-proliferation regime will accept North Korea's quest for nuclear legitimacy. Other nuclear weapons states that have long tested their nuclear weapons are also in the queue to secure legitimacy and acceptance.

North Korea's evolving nuclear policy, bolstered by the rationales analyzed above, appears to be moving away from either "normalization or denuclearization." North Korea has learned how to live with its strategy of increasing its nuclear capability, despite the looming threat of a U.S. preemptive strike. Despite the international community's sanctions and mounting pressure on North Korea, it continues to go for more credible tests of nuclear weapons and their related delivery system. As the U.S. and its Asian allies continue to be affected by North Korea's growing nuclear threat, there remain a few options. First, the threat of a military strike can be utilized, including the use of nuclear weapons, to create fear and deter the North Korean nuclear leadership at the strategic and tactical level. This remains more abstract, and may not have much credibility with North Korean leadership. Such a threat remains complex and difficult, particularly since the U.S. has already failed to prevent North Korea from acquiring and testing nuclear weapons. Two, the U.S. and its allies could create contingency plans for carrying out military strikes on the North Korean leadership and its nuclear deterrence forces and their delivery systems. But this could complicate the strategic situation by involving Russia

and China in a military crisis, as the DPRK's deterrent forces are kept close to the borders of China and Russia. Three, the U.S. can better utilize the Chinese and Russians in finding a political resolution to the North Korean nuclear issue. This remains one of the most feasible options in dealing with the complex problem of North Korean nuclear assertiveness. The U.S., for one, perceives that the dialogue process has not produced results. North Korea continues to possess nuclear weapons, and continues to conduct nuclear tests that affect the security of the U.S. and its allies in East Asia. Another option, as Scott D. Sagan recently commented, is for the U.S. and its Asian allies to simply keep calm and continue to deter North Korea until the Kim regime collapses, much as the Soviet Union did in 1991 "under the weight of its own economic and political weakness."⁴³

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43. Scott D. Sagan, "The Korean Missile Crisis: Why Deterrence is Still the Best Option," *Foreign Affairs*, 96(6), (November/December 2017), pp. 72-82 (82).

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