Why Not Invade North Korea? Threats, Language Games, and U.S. Foreign Policy

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International relations theory has difficulty explaining how similar policies produce different outcomes. Iraq and North Korea have been identified as members of the “axis of evil” with weapons of mass destruction programs that threaten the United States. Yet in late 2002, the United States prepared to attack Iraq whereas it chose to negotiate with North Korea, even after North Korea admitted to a secret nuclear program in direct violation of its 1994 agreement with the United States. Moreover, a direct comparison with Iraq shows North Korea to possess the greater material capability to threaten the United States. I argue that a language-based constructivist approach can explain these differences in U.S. foreign policy where other theoretical approaches cannot. By examining the U.S. entanglement in intersected language games—the implementation of the 1994 Agreed Framework with North Korea and the enforcement of United Nations Resolutions in Iraq—it becomes possible to show how the United States could construct North Korea’s nuclear program as a manageable threat that could be dealt with diplomatically.

International relations theory continues to have significant difficulty accounting for the dogs that do not bark in world politics (Snyder, 1984/85:93). Mainstream theoretical approaches have yet to formulate a coherent theoretical explanation of why certain policy outcomes do not occur, especially when leading theories suggest that they should. While Hemmer and Katzenstein (2002) advocate an eclectic approach to overcome a theory’s shortcomings, blending constructivism with neo-liberal and neo-realist approaches, conventional norm-oriented constructivism remains much better at explaining similarities than differences in international outcomes (Finnemore, 1996). I argue that a language-based constructivist approach (Kratochwil, 1989; Onuf, 1989; Fierke, 1998, 2002; Frederking, 2003) is useful for explaining differences in international outcomes—revealing not only that they can occur, but how they can occur. An analysis of the language games that constitute international relations reveals the different rules that create differences within a family of otherwise similar situations and the possibilities of different outcomes even when alternative approaches, focusing on alternative explanatory factors, would predict otherwise.

This paper will compare realist expectations of how the United States could have responded to North Korea’s renewed nuclear program in 2002 (U.S. use of military

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force) to language game-based expectations of what has in fact happened (U.S. reliance on diplomacy). It begins with a comparison of the three members of the “axis of evil:” Iran, Iraq, and North Korea. I then explore realist and conventional constructivist theoretical explanations for differences in U.S. policy toward two of those states, Iraq and North Korea. Next, I follow the practice of diplomacy (Neumann, 2002) between the United States and North Korea, showing how the development of a particular language game entangled the Bush administration in an existing set of rules on how to deal with nuclear issues. I use the Bush administration’s invasion of Iraq as a foil to the North Korea case. As a foil, the case of Iraq illuminates and illustrates significant elements of the North Korea case because Iraq shows the plausibility of a different policy outcome. This article advances the claim that U.S. entanglement in a certain language game with respect to North Korea produced certain policy results within the Bush administration not anticipated by realism.

Comparing the Axis of Evil

In his now-famous State of the Union Address, President George W. Bush (2002a) labeled Iraq, Iran, and North Korea an “axis of evil” posing a “grave and growing danger” to the United States. Bush specifically indicated that his administration would take definitive action to prevent these three states from acquiring and using weapons of mass destruction (WMD) to threaten the United States. While the focus on the WMD threat from these three “rogue” states was not new for the Bush administration (Rice, 2000), his assertion of a more aggressive and forceful preemptive policy (Bush, 2002d; Ikenberry, 2002) represented a significant shift from the traditional U.S. reliance on containment for rogue states (Lake, 1994).

Initially, some critics questioned North Korea’s inclusion in the axis with Iran and Iraq (O’Hanlon, 2002). Iran and Iraq had been rhetorically linked throughout the 1990s in the policy of dual containment in the Persian Gulf (Lake, 1994). The rationale for including North Korea1 in the axis of evil rested on the DPRK’s covert nuclear program, longtime involvement in WMD and missile proliferation, and repeated hostilities directed at the United States and its South Korean and Japanese allies (Cha, 2002a). Moreover, North Korea remains on the State Department’s list of state sponsors of terrorism. Bush’s new approach suggested a similar get-tough militarized policy toward all three states. Yet, in late September and early October 2002, Bush dispatched his Assistant Secretary of State for East Asian and Pacific Affairs to North Korea to confront North Korea diplomatically on its nuclear program and offer a “bold initiative” of benefits in exchange for WMD and force reductions (Samore, 2003: 11–12) while at the same time requesting that Congress pass a resolution authorizing the use of force against Iraq for defying United Nations (UN) resolutions calling for WMD disarmament. The U.S. delegation to North Korea had intelligence reports indicating that North Korea was cheating on its 1994 deal freezing its nuclear program by pursuing a second, secret nuclear program to develop weapons-grade highly enriched uranium (HEU). When presented with the evidence of their cheating, North Korea eventually admitted to the HEU program.2

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1 I use North Korea and Democratic People’s Republic of Korea (DPRK) interchangeably throughout the text. I similarly use South Korea and Republic of Korea (ROK) interchangeably.

2 Early reports of the Kelly trip indicated that, in addition to admitting to a secret HEU program, North Korean envoys boasted of other “more powerful things as well” (Sanger, 2002b), a supposed reference to an existing nuclear capability. U.S. officials, stunned by North Korea’s admission, never got to their second set of talking points. North Korea, South Korea, and Kelly all would later dispute this account. The significance of North Korea’s admission, however, lay in its perceived willingness to use the new nuclear program as a bargaining chip to negotiate away. Some saw this as an opening “gambit” to future negotiations. See Samore (2003).
For 12 days, the administration sat on this bombshell, keeping the covert DPRK nuclear program out of the news. In that time, it successfully won passage of a Congressional resolution authorizing the president to use military force against Iraq and further pressed its case against Iraq in the UN. Bush (2002b) challenged the UN to enforce its resolutions on Iraq and called upon Iraq to readmit international weapons inspectors, asserting that “Security Council resolutions will be enforced . . . or action will be unavoidable.” Upon revealing North Korea’s statement to the public, the Bush administration stated that it intended to solve the North Korean issue through diplomacy and immediately dispatched diplomats to “confer with friends and allies” (Boucher, 2002). Why such a markedly different approach to the two members of the axis of evil? This obvious question was not lost on the reporters and commentators who peppered administration officials for a response. What was so unique and threatening about Saddam Hussein and Iraq as to demand an invasion, while North Korea, a country with a far more developed WMD program, could be dealt with through multilateral diplomacy? Why not invade North Korea?

Indeed, a comparison of the material capabilities of the three members of the axis of evil prior to the U.S. invasion of Iraq reveals that North Korea has the largest military as well as the most advanced WMD program. Its million-man army is larger than the former Iraqi and Iranian armies combined, and North Korea has nearly 10 times the number of artillery pieces that Iraq had. Table 1 gives a comparison of the military capabilities possessed by each state in the axis of evil in late 2002.

As Table 1 shows, North Korea’s military is significantly larger than both the former Iraqi and Iranian militaries. North Korea also has a larger air force than Iran has or Iraq had. The North Korean navy is also larger and more capable, possessing a sizable fleet of submarines. Moreover, when geographic considerations are added, the disparity in conventional forces is further multiplied. The bulk of North Korea’s artillery is within firing range of Seoul, home to a quarter of South

<table>
<thead>
<tr>
<th>Category</th>
<th>Iraq</th>
<th>Iran</th>
<th>North Korea</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active troops</td>
<td>424,000</td>
<td>513,000</td>
<td>1,082,000</td>
</tr>
<tr>
<td>Active main battle tanks</td>
<td>1,900</td>
<td>1,565</td>
<td>3,500</td>
</tr>
<tr>
<td>Self-propelled artillery</td>
<td>150</td>
<td>310</td>
<td>4,400</td>
</tr>
<tr>
<td>Combat aircraft</td>
<td>316</td>
<td>283</td>
<td>621</td>
</tr>
<tr>
<td>Submarines</td>
<td>0</td>
<td>3</td>
<td>26</td>
</tr>
<tr>
<td>Short-range missiles</td>
<td>25 Scud*</td>
<td>~ 200 Scud B, Scud C</td>
<td>500 + Scud B, Scud C</td>
</tr>
<tr>
<td>Medium-range missiles</td>
<td>0</td>
<td>Shahab 3 (1,200 km), limited numbers</td>
<td>50–100 No Dong</td>
</tr>
<tr>
<td></td>
<td></td>
<td>potentially deployed, tested three times</td>
<td>(1,500 km)</td>
</tr>
<tr>
<td>Long-range (intercontinental) missiles</td>
<td>0</td>
<td>0</td>
<td>3-Stage Taepo-Dong, tested 1998; 2-Stage Taepo-Dong 2 untested</td>
</tr>
<tr>
<td>Nuclear program</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Chemical weapons</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Biological weapons</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fissile nuclear material</td>
<td>None confirmed</td>
<td>None confirmed</td>
<td>~ 2 bombs worth, plus</td>
</tr>
</tbody>
</table>

*Estimated Scud Assemblies surviving from 1991 Gulf War.

Source: Cordesman (2002a–d).
Korea’s population as well as the headquarters of the U.S. combined forces command in Korea, effectively holding Seoul hostage. Both Iranian and former Iraqi forces were based farther from major allied population centers.

The disparity between the three states is most striking when WMD capabilities are compared. In 2002, all three were suspected of possessing chemical and biological weapons, although postwar investigations have revealed that U.S. intelligence estimates of Iraq’s chemical and biological weapons programs were vastly over-stated. Yet these two elements of the WMD trio are significantly less potent than nuclear weapons. While the still devastating potential toll from a chemical or biological weapon depends on favorable atmospheric conditions and proper delivery mechanisms, nuclear weapons have a known lethality guaranteed to wreak havoc wherever detonated. All three states have nuclear weapons development programs, but the best publicly available estimates indicate that North Korea’s is substantially more advanced.

According to a Central Intelligence Agency (CIA)(2002) report released as part of the Bush administration’s efforts to make the case for war, Iraq “probably does not yet have nuclear weapons or sufficient material to make any.” The main obstacle to an Iraqi bomb is lack of sufficient fissile material (plutonium or HEU) for the bomb. The Central Intelligence Agency (2002) concluded that: “Iraq is unlikely to produce indigenously enough weapons-grade material for a deliverable nuclear weapon until the last half of this decade. Baghdad could produce a nuclear weapon within a year if it were able to procure weapons-grade fissile material abroad.” At the time Bush made the case for war, Iraq lacked the immediate capability to retaliate with nuclear weapons.

Iran also does not have the fissile material for a nuclear weapon, leaving it with a military capability that “closely approximates” Iraq’s former capability (Cordesman, 2002a, d:20). Iran has had a long-standing nuclear program, but still lacks the ability to enrich spent fuel into weapons-grade material. It “can probably design efficient implosion weapons and produce every component except for the fissile material” (Cordesman, 2002a; 2002d:20). Iran had explored several commercial deals, most notably with Russia, to import additional nuclear plants and reﬁning ability, but U.S. pressure has so far prevented these deals from reaching fruition. Despite this fact, recent International Atomic Energy Agency (IAEA) inspections have revealed a more extensive Iranian effort to produce fissile material than was suspected in 2002.

North Korea, however, does have the ability to produce fissile material—reprocessed plutonium—and has, by its own admission, already done so (Sanger, 2003). While DPRK ofﬁcials claim to have produced only gram quantities of bomb-grade nuclear material prior to 1994, the United States estimates that North Korea made one to two bombs worth of plutonium. In addition, fuel rods removed from North Korea’s existing nuclear reactor at the height of the 1994 crisis remained in sealed containers in a cooling pond under U.S. and IAEA surveillance until December 2002. North Korea’s reprocessing of those rods produces an additional 25–30 kg of plutonium, enough for five or six bombs. Were North Korea to re-activate its existing nuclear reactor at Yongbyon and complete its two other reactors already under construction, it could then produce 45–55 bombs worth of fissile material per year. Without the 1994 Agreed Framework (AF) freezing the North Korean nuclear program, the DPRK could have produced enough plutonium for 60–80 bombs by 2000 (Albright and O’Neill, 2000).

3 At the time of the AF in 1994, in addition to its active 5 MW(e) reactor at Yongbyon, North Korea had a 50 MW(e) reactor under construction at the Yongbyon site and a 200 MW(e) under construction at Taechon. Construction on both reactors was frozen in 1994, and it would take several years for both reactors to be completed and begin to produce weapons-grade material. See Albright (2003) for a detailed breakdown of the production capabilities of each reactor.
Compounding the gulf in nuclear capability is a similar disparity in delivery capability—missiles. A substantial missile capability dramatically raises the stakes of nuclear weapons. As Wendy Sherman, the former State Department Counselor who coordinated U.S. policy for North Korea observed, “As bad as missiles are, missiles with nuclear warheads are horrific.” Under U.N. sanctions, Iraq was barred from developing any missiles with range greater than 150 km. Cordesman (2002d) estimated that if permitted, Iraq could internally develop a new medium range ballistic missile by mid-decade and an intercontinental ballistic missile within 10 years of a decision to do so. The Central Intelligence Agency (2002) estimated that “Saddam retains a covert force of up to a few dozen Scud-variant short-range ballistic missiles with ranges of 650–900 km” similar to those launched against Israel and Saudi Arabia in the 1991 Gulf War, representing Iraq’s most dangerous delivery vehicle. Yet throughout the 2003 war, Iraq did not launch any Scud missiles and managed to launch only 19 surface to surface missiles (US Air Force, 2003). Iran has a number of short-range missiles and is actively developing and testing the Shahab 3 missile with a range of 1,200 km. Much of Iran’s missile program, though, is based on technology obtained from North Korea (Cordesman, 2002a).

North Korea has an active missile development program and has demonstrated its willingness to proliferate its missile technology to international buyers. It received substantial technical assistance from Pakistan on the HEU project in exchange for missile technology, and ships carrying North Korean missiles have been intercepted in route to destinations such as Yemen and Libya. It has deployed a 1,300 km range No Dong missile. In 1998, North Korea stunned U.S. analysts when it launched a three-stage intercontinental ballistic missile over Japan and into the Pacific Ocean. Although the 1998 test was a failure, it demonstrated North Korea’s rapid progress in developing a multi-stage intercontinental ballistic missile. The 10,000 km range, two-stage Taepo-Dong 2 missile is in advanced stages of development but has to be tested. When deployed, it would be capable of delivering a WMD payload to the West coast of the United States, while a three-stage version of the same missile would put the entire United States within range (Cordesman, 2002b). Of the three states in the axis of evil prior to the invasion of Iraq, North Korea was by far the closest to developing an indigenous capability to threaten an independent nuclear strike on the United States.

Attempting to Explain the Difference

Although North Korea’s existing weapons capability surpasses both that of Iran and Iraq, Bush (2002c) contended: “While there are many dangers in the world, the threat from Iraq stands alone.” The Bush administration argued that Iraq represented the largest and most significant threat to the United States, and the United States should therefore focus its military power on disarming Iraq first. North Korea’s “serious violation” (Boucher, 2002) of its nuclear treaty with the United States, on the other hand, could be settled through negotiations over time.

Realism, with its focus on the material balance of power (Waltz, 1979; Mearsheimer, 2001), would predict just the opposite. Realism contends that states rationally focus on the distribution of material capabilities and act accordingly. One state’s increasing material capabilities necessarily threaten other states because those increased capabilities could be used for an attack any time. Those with the largest material capabilities determine the structure of world politics, and to protect their position, they seek to deny any relative gains to their competitors or potential competitors (Grieco, 1990). Developing WMD is most certainly a relative gain, for it

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4 Interview with Wendy Sherman, March 22, 2002, Washington, DC. Sherman served as coordinator for North Korea policy while Counselor to Secretary of State Madeline Albright, a position with rank equivalent to an Undersecretary of State.
offers a quantum leap in material capability. Going from zero to one or two nuclear weapons, like North Korea and Iraq attempted to do, is a substantially larger relative gain than the United States’ ability to add one or two more nuclear weapons to an arsenal that already numbered in the thousands.

Following the comparison of material capabilities presented in Table 1, North Korea poses a bigger threat to the United States because it has the greatest capability to threaten U.S. interests. The DPRK has a larger military, more forces concentrated closer to U.S. and allied targets, more missiles with longer ranges, and more fissile material than either Iran or Iraq. While Iran and Iraq do have the ability to severely disrupt the global oil markets, North Korea also has the ability to threaten the global economy. Japan and South Korea, the second and 11th largest economies in the world, respectively, as well as major U.S. trading partners, are both vulnerable to any DPRK attack. A nuclear-armed North Korea could also drastically shift the military balance in North East Asia, prompting South Korea and Japan to develop nuclear programs and increase their military forces to protect against North Korea (Oh and Hassig, 1995). China and Russia, both sharing a border with North Korea, would also be implicated in any future Korean conflict. The potential danger of an unchecked North Korean nuclear program is so severe that the United States was prepared to go to war in 1994 to prevent North Korea from acquiring nuclear weapons (Reiss, 1995; Sigal, 1998; Oberdorfer, 2001; Howard, 2002; Drennan, 2003).

With the balance of power in Northeast Asia hanging on the thread of North Korea’s nuclear status, realism would dictate that North Korea be a top priority for U.S. foreign policy. Moreover, North Korea’s nascent nuclear capability offers it an internal balancing capability not available to Iran or Iraq (Waltz, 1979). The threat of a North Korean intercontinental ballistic missile capable of reaching the continental United States armed with a nuclear warhead poses the gravest of dangers to U.S. national security. This is a material threat that neither Iran nor Iraq is capable of making. With the Bush administration’s new strategy of preemptive action against the most pressing threats to U.S. security and its willingness to use military force to accomplish these goals, a realist might expect North Korea to be the first target of U.S. military power. Yet the Bush administration chose to focus militarily on Iraq while maintaining the status quo with respect to North Korea by sending a high-level envoy to offer an ultimatum and a new initiative based on the talks begun in 1994. Realism, with its clear focus on material balances of power, is at a loss to explain negotiations with North Korea in the face of military threats to Iraq. A U.S. military threat against North Korea is, in this case, the dog that did not bark.

One potential realist response could be that key decision makers within the Bush administration have misperceived the objective threat posed by North Korea (Jervis, 1976). This argument crumbles, however, since many high-ranking Bush administration officials have considerable experience with North Korea and played a central role in constructing North Korea as a rogue threat to the United States worthy of inclusion in the axis of evil. Deputy Secretary of State Richard Armitage led an independent commission in a “Team-B” analysis of the AF (Armitage, 1999). Their report, a reaction to William Perry’s congressionally mandated North Korea policy review, soberly assessed the dangers of a nuclear armed North Korea. Armitage took a tougher line than Perry, playing up the threat of a nuclear-armed North Korea and advising a harder line U.S. policy that included strict punishment when North Korea deviated from the 1994 agreement. Secretary of Defense Donald Rumsfeld also led an independent commission created to assess the threat of ballistic missiles to U.S. national security. He focused on the threat of North Korea’s missile and WMD program. The Rumsfeld (1998) report concluded that “the extraordinary level of resources North Korea and Iran are now devoting to developing their own ballistic missile capabilities poses a substantial and immediate
danger to the U.S.” This threat stands in direct contrast to Iraq’s missile capability, which the commission viewed as “less developed than those of North Korea or Iran as a result of actions forced by UN Resolutions and monitoring.” The Bush administration used these reports to justify the need for a national missile defense (NMD) system (Lindsay and O’Hanlon, 2001). North Korea’s unique combination of ballistic missile and WMD development and proliferation—particularly nuclear—was a centerpiece of the argument for NMD. Thus, the Bush administration not only knew well the material capability of North Korea but was instrumental in constructing this capability as an “immediate danger” (Rumsfeld, 1998) and threat to the United States demanding a military response through the development of NMD.

Another potential realist rebuttal is that the United States didn’t invade North Korea precisely because it was stronger—North Korea’s military capabilities effectively deterred U.S. action. Kang (2003:320) concludes that mutual deterrence has effectively prevented a second Korean war. He asks: “[W]hy develop an expensive ballistic missile to shoot at the United States when it would be so much easier just to smuggle a nuclear weapon into the United States? It is important to distinguish between capabilities and intentions—North Korea already has the capability to blow up bombs in these cities, but their intentions are aimed at survival, not increasing tension.” In deterrence, intentions give capabilities meaning as threats. A purely material comparison does not provide a satisfactory explanation of the policy differences toward Iraq and North Korea. Both theory and practice must turn to a consideration of threat—which state seems more likely to use WMD to harm U.S. interests. Bush (2002c) easily makes this distinction, labeling the threat from Iraq as “unique.” Bush saw Saddam Hussein as more likely to use his WMD against the United States than Kim Jong-Il despite the fact that Bush “loathes” the North Korean leader (Woodward, 2002). When directly asked about his policy, Bush (2003a) observed:

There are countries which are developing weapons of mass destruction, and we will deal with them appropriately. One country is Iraq. Obviously, we expect them to live up to the UN Security resolutions (sic) and disarm, and if they won’t, we’ll lead a coalition to disarm them. Another country is North Korea. And we are working with friends and allies in the region to explain clearly to North Korea its not in their nation’s interest to develop and proliferate weapons of mass destruction ... [I]ts a diplomatic issue, not a military issue ...

Bush’s decisions turn to the question of which state is more likely to use WMD, not which state has the greatest WMD capability. Thus, any realist explanation of American actions must demonstrate why the Bush administration believed that Iraq was more likely to use its WMD, or, alternatively, why did U.S. decision makers believe North Korea was less likely to use its WMD despite its greater capability to do so?

Yet, asking a question of belief and motive ultimately creates an insurmountable burden of proof—it is impossible to read the minds of all relevant decision makers to know why they act as they do. Rather, the relevant question is one of intent. Intentions are publicly articulated reasons for actions, meant to be understandable to others as a justification for action and accessible to researchers and decision makers alike (Kratochwil, 1989). Thus, we can pose the question: Why did U.S. policy makers agree that North Korea had relatively more benign intentions than Iraq?

Walt sought to augment realism by adding the issue of intent to capability, developing balance of threat theory as a replacement for balance of power theory. Walt (1987:5) argued that states balance against “threats rather than against power alone.” The evaluation of threat reflects how material capabilities are seen through
the lens of “geographic proximity, offensive capabilities, and perceived intentions.” For the contemporary United States, geographic concerns are moot. The members of the axis of evil are all thousands of miles from U.S. borders, yet, Bush asserts, threaten the U.S. homeland through global terrorist networks and ballistic missiles armed with WMD. The United States does have allies and forward-based military personnel in close proximity to all three axes of evil members, yet the paramount concern is the potential for a catastrophic attack on the United States itself. With offensive capabilities discussed above, what remains relevant from Walt’s balance of threat theory is a state’s perceived intentions. Threat perception is necessarily based on ideational and identity issues, not material capability, and necessitates a turn away from a materialistic explanation to an idealist one.

Perceived intentions are inherently intersubjective, the product of rules and identity attached to particular actions. As such, Walt advances an early constructivist argument: the meaning attached to material capabilities—identity—is more important than the physical destructive power of those same capabilities (Barnett, 1996). This point was neatly articulated by Wendt (1995) when he made the classic observation that two North Korean nuclear bombs are more threatening to the United States than 200 British bombs. Great Britain has the superior material capability, in both bomb and delivery device, and yet the identity of those bombs as allied weapons precludes them from being seen as threatening. The United States clearly perceives a friendly intention behind British military capability. While it is easy to see how a North Korean nuclear program might be seen as more threatening than a French or British nuclear program, the more vexing issue is how that same North Korean bomb appeared less threatening than a potential Iraqi bomb.

This identity-based question seems tailor-made for a constructivist analysis. Many constructivist approaches to world politics use norms and identity to account for policy outcomes (Katzenstein, 1996). International norms both constrain and create the realm of possible foreign policy actions, producing a narrower range of potential policy choices. Identity similarly narrows policy choices by structuring preferences and limiting what practices states find acceptable. Unfortunately, conventional constructivists who focus exclusively on norms and identity encounter significant difficulty when encountering stark policy differences in otherwise similar circumstances.

Finnemore (1996:136) pointedly observes that norms best explain similar behavior across states: “Norms of international society may create similar structures and push both people and states toward similar behavior.” Ruggie (1997) shows how U.S. identity produces a unique approach to the formation of a world order. The post-World War II world order reflects unique elements of an American approach to governance, differing from a British or Soviet or German approach to world order. Hemmer and Katzenstein (2002) observe, however, that such universal explanations are unsatisfactory when examining important policy differences. If American identity shapes attempts at order building, one would expect a similar approach by the United States in separate order building endeavors. Yet, there was no Asian NATO, and the United States did not pursue the same multilateral policies from Europe in Asia. Universal explanations that rely on norms or identity to explain policy “are unable to account for the regional differences in U.S. policy” (Hemmer and Katzenstein, 2002:579). Norm-oriented constructivism, like other universal approaches such as realism, is unable to explain why the United States was willing to talk to one member of the axis of evil, North Korea, while it invaded another, Iraq.

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5 The Bush administration intimated possible links between Iraq and the al-Qaeda terrorist network, with the vice president being one of the most vocal proponents of the Iraq-al-Qaeda connection. U.S. forces in post-invasion Iraq have not yet produced any evidence of such cooperation, and Bush did publicly deny any connection existed.
Language as the Alternative

A language-based constructivist approach, however, can explain how these policy differences are possible where other theoretical approaches fall short or remain inconclusive. Kratochwil (1989) argues that even the most basic of security agreements are sets of rules. Any foreign policy move—negotiation, appeasement, threat, commitment, or challenge—requires a shared framework to make the action understandable to all participants. Actors rely on “background knowledge” as a basis for interpreting others’ moves (Kratochwil, 1978). It is only within this framework that action then appears “rational” or not. Discussing the Cuban Missile Crisis, Kratochwil showed that the construction of shared understandings of “brinkmanship” and “last clear chance” constituted the game of deterrence (Kratochwil, 1989). Khrushchev could offer to de-escalate from the brink of nuclear war because both U.S. and Soviet policy makers understood that they had reached the brink, and that the brink meant the last clear chance to avoid mutual destruction in nuclear war.

Playing any security “game” requires a set of rules (Fierke and Jorgensen, 2001; Kubalkova, 2001; Frederking, 2003). The constitutive rules of a particular security game define the parameters of the game and allow actions to assume meaning within that context. In chess, the rules of mate define the object of the game. The rules of rook and bishop establish permissible moves. The more sophisticated and extended games in international politics depend on negotiated rules about what things are and how to play. The rules of the language game create possibilities, make things possible, and give meaning to action. While North Korea and Iraq have both engaged in “threatening” behaviors, the existence of a different set of rules makes it possible to call North Korea’s expulsion of IAEA inspectors a cry for help and opening gambit in a game of reconciliation while labeling Iraq’s expulsion of IAEA inspectors an escalation to crisis in an ongoing confrontation. In viewing international politics as a game, language defines the logic of possibility underlying the structure of world politics. Causality comes in the form of constraints and mechanisms. An actor can only choose from a limited list of potential alternatives, and each of those alternatives has an internal logic determined by its constitutive rules. This approach preserves agency—the choice remains the actor’s to make—but the menu of choices and their implications are structured by the rules of the game.

A language-based constructivist approach does not require that international politics be wholly contained or explained within one set of rules. Instead, international politics can be treated as a family of games that resemble each other, sharing certain similar characteristics with each; nonetheless, individually distinguishable and unique (Wittgenstein, 1958). Moreover, a linguistic approach allows for the analysis of strategic interaction in a series of overlapping and interlinked games. It is therefore possible to study how actors change the games they are playing as well as how they develop different games within a family (Fierke, 1998, 2002).

Applying such an approach to Bush’s (2002d) National Security Strategy, it is possible to view the axis of evil as a set of rules for U.S. practice that constructs a family resemblance among three intersected games rather than as one definitive doctrine. U.S. foreign policies toward Iran, Iraq, and North Korea all share certain family resemblances—all are labeled “rogue” states that defy U.S.-backed inter-

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6 When I refer to language, I mean to include both “behavior” and “rhetoric” as elements of language. Neither can stand alone—both require a framework of rules to convey any meaning. One fault of some language-based approaches is their focus on discourse at the expense of practice, especially the ways in which “foreign policy and global politics are experienced as lived practices” (Neumann, 2002: 628). In fact, both are essential to the creation and deployment of the meanings that form a message. The intersubjectivity of language demands the duality of word and deed—meaning must be conveyed between actors such that it is shared.
national norms and actively threaten U.S. declared interests in critical regions of the globe. This makes it possible to group them into one recognizable family. Yet, the Bush administration’s language of the axis of evil and preemption is not a universal set of rules meant to produce the same behavior in all circumstances. Rather, it is a language and set of rules that has created a series of intersecting games. The language can be used differently in different circumstances. Each game resembles the other, allowing for linkages and comparisons. Yet, each game retains certain unique qualities that separate it from the others. The shared language of the axis of evil and the National Security Strategy sets many of the rules, but the remaining rules emerge from historical interactions and previous U.S. commitments in intersecting games (Howard, 2002). As a result of prior U.S. entanglement in rules with respect to both Iraq and North Korea, it becomes possible to see how each game would evoke a different strategy.

Actors become entangled in a set of rules when they begin to express their security in terms of those rules (Frederking, 2003). An entangling set of rules comes to reconstitute the states’ interest in participating in a security game. Rules define a game, a way to use language, a way to act. Actions have meaning only in terms of the game being played, in terms of the language used to describe them in such a context. Actors can attempt to change the rules, but in doing so, they change the meaning of their actions and change the game. If states are going to keep playing a game, they need to follow its rules. States use their common language of security developed through playing a game of international politics to talk about policy actions and to enact policy (Howard, 2002). This type of linguistic entanglement is similar to the deployment of both Bially-Mattern’s (2001) representational force and Jackson’s (2003) rhetorical commonplaces. All three focus on the strategic use of language to limit and create the realm of possible and permissible future action.

Thus, the difference in U.S. policy toward Iraq and North Korea can be understood as U.S. entanglement in a game of nuclear negotiations with North Korea stemming from the 1994 AF. This entanglement makes it not only possible, but desirable, for the United States to consider negotiations over North Korea’s nuclear status. U.S. policy toward Iraq, while bearing a family resemblance to North Korea policy, is nonetheless different because the Iraqi game intersects a different set of rules stemming from the 1991 Gulf War. The following section will show how the United States has become entangled in a particular game of nuclear negotiations with North Korea, creating a language that allows for the possibility of a negotiated settlement of nuclear differences. A brief contrast with the United States–Iraq game reveals the lack of a similar language of negotiation. The absence of this language means that possibilities available in the U.S.–North Korea case were not available in the U.S.–Iraq case. Even if the United States had wanted to negotiate with Iraq, it could not have—the language was simply not there.

**Negotiating with North Korea**

To fully understand the significance of North Korea’s nuclear statements in 2002, it is necessary to return to 1994, when the United States and North Korea stood at the brink of war over North Korea’s threat to withdraw from the Nuclear Non-Proliferation Treaty (NPT). The DPRK had refused to come into compliance with its NPT obligations by blocking a series of IAEA inspections designed to reveal North Korea’s nuclear past (Sigal, 1998; Oberdorfer, 2001; Drennan, 2003). North Korea has a small working reactor at Yongbyon, originally provided by the Soviet Union during the Cold War, which is estimated to have produced up to 10 kg of weapons-grade plutonium prior to the 1994 crisis, as well as larger reactors under construction at both Yongbyon and Taechon (Albright and O’Neill, 2000). At the height of the 1994 crisis, North Korea de-fueled the Yongbyon reactor, removing the rods of spent nuclear fuel from the reactor core and placing them in a cooling pond.
These fuel rods contained enough plutonium to produce as much as five to six bombs worth of nuclear material.

After a round of difficult negotiations, North Korea agreed to “suspend as long as it considers necessary the effectuation of its withdrawal” from the NPT. At a second round of talks in Geneva, North Korea indicated that it was prepared to accept limits on its own nuclear program in exchange for light water reactors (LWRs). This proposal mirrored a non-paper passed from the North Koreans to a State Department official accompanying a Congressional Delegation in North Korea earlier that year. That non-paper identified a quid-pro-quo of “reciprocal simultaneous steps” through which North Korea would comply with U.S. demands in exchange for substantive inducements—the LWRs.

The United States agreed, in principle, to support the introduction of LWRs into North Korea, and the two sides issued a second joint statement indicating just that. For the United States, replacing the gas-graphite reactors with LWR was a significant breakthrough. The United States wanted to preserve the idea behind the 1991 Joint Declaration between North and South Korea, which banned nuclear weapons and prohibited reprocessing nuclear fuel throughout the peninsula, by subsuming it under a U.S.–North Korea agreement. Under these rules, the existing North Korean nuclear program posed a contradiction. The fuel used in the gas-graphite reactors required reprocessing for safe storage—otherwise it would dangerously rust, producing a toxic gas while sitting in cooling ponds once removed from the reactor core. Reprocessing is also what separates the weapons-grade nuclear material from the rest of the fuel rods. Spent fuel from LWRs, on the other hand, does not require reprocessing—it can be stored as is. Thus, North Korea was offering to replace its proliferation prone gas-graphite reactors with more proliferation resistant LWRs.

On October 21, 1994, U.S. Assistant Secretary of State Robert Gallucci and DPRK First vice-minister of foreign affairs Kang Sok Ju signed an agreement in Geneva that came to be known as the AF. This detailed document resolved the outstanding nuclear crisis by articulating a set of rules for regional security and elaborated series of reciprocal steps to implement these rules. At its core, the AF established the fundamental rule that the future of the Korean Peninsula would be non-nuclear and settled through multilateral dialogue involving, at a minimum, North Korea, South Korea, and the United States.

The AF contains four sections—the LWR project; IAEA inspections; normalizing U.S.–DPRK relations; and reviving North–South dialogue—tying all four games together at one intersecting point. While the first two issue areas have received

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8 Light water reactors use H$_2$O (as opposed to heavy water composed of deuterium and oxygen) to moderate the fuel rods in a reactor’s core. They are much more advanced than the DPRK’s existing graphite-gas moderated reactors and somewhat more proliferation resistant. For a technical discussion of the LWRs to be supplied to North Korea, see May (2000).
9 A non-paper is a standard diplomatic device for communicating draft positions in negotiations. It contains no headings or identifying marks and officially does not exist as part of the diplomatic record. The North Koreans were not familiar with this technique, and it had to be explained to them before they could provide the draft. Interview with Kenneth Quinones, March 20, 2002, Washington, DC. Quinones worked at the State Department’s Korea desk and participated in talks with North Korea.
11 Interview with Robert Gallucci, March 21, 2002, Washington, DC. Gallucci served as Assistant Secretary of State for Political-Military Affairs and was the chief U.S. negotiator in the talks with North Korea.
12 Although the four sections of the AF were not negotiated equally—the nuclear trade was the focus of significantly more diplomacy than the North–South dialogue—the final agreement does create a link between each element, allowing the possibility that future moves in one area become tied to moves in another. The North Koreans saw these divergent areas as much more tightly linked than their American counterparts. On the U.S. side, the implementation of each section of the AF was independently handled by a different office within the bureaucracy. North Korea, however, continued to link progress in one area to progress in another throughout the implementation phase. Interview with Kenneth Quinones, March 20, 2002, Washington, DC.
the most attention in subsequent discussion and evaluation of the AF, the other issue areas are equally essential to understanding the agreement’s significance, successes, and failures. Taken together, the elements of the AF created the possibility for rule-based security cooperation on the Korean Peninsula.

The first section of the AF contains the core nuclear trade—both sides cooperating “to replace the DPRK’s graphite-moderated reactors and related facilities with LWR power plants.” The United States agreed to arrange for an international consortium to provide a new 2000 ME(e) LWR power plant originally targeted for completion in 2003. This clause gave birth to the Korean Peninsula Energy Development Organization (KEDO), the multi-national consortium created to implement the terms of the AF. The AF identified the United States as the principal point of contact for North Korea on all nuclear issues, necessitating a U.S. leadership role in the eventual international consortium. Establishing a pattern that would repeat in future negotiations, the AF put off the technical details of both the consortium and the LWR supply agreement for future talks.

The replacement deal contained three additional important elements besides the LWR construction project. The second element was the provision of heavy fuel oil (HFO) to North Korea. Ostensibly for “heating and electricity production” to replace the energy “forgone” due to the nuclear freeze, the HFO was an additional reward for cooperation. The HFO was the only immediate benefit for North Korea, and HFO is only good for limited energy production. Yet, the AF promised future involvement through construction projects and other investments. The third element of the replacement deal further enumerated the DPRK’s nuclear freeze. North Korea agreed to freeze all nuclear activity and allow the IAEA to monitor the freeze. When the LWR project is complete, the entire North Korean nuclear program is to be dismantled and all spent fuel rods removed from DPRK control. When fully implemented, this clause would leave North Korea with only one nuclear site, the proliferation resistant and fully monitored LWR project. The fourth element of the replacement deal called for talks on how to preserve and protect the spent fuel in the interim.

The fourth section of the AF committed both sides to “work together to strengthen the international nuclear non-proliferation regime.” Doing so requires North Korea to remain a party to the NPT and allow IAEA inspections to resume. It is the final clause of this section, however, that embodies a key compromise. Only after a “significant portion of the LWR project is completed, but before the delivery of key nuclear components,” must North Korea come clean to the IAEA about its nuclear past. Thus, the intersection between the global nuclear non-proliferation regime and North Korea’s program was refashioned to include inducements for compliance. This process reflected the approach of other U.S. counterproliferation efforts in the former Soviet Union (Ellis, 2001). While initial inducements were diplomatic—high-level talks and the cancellation of the annual U.S.-ROK joint military exercise Team Spirit—full compliance would be rewarded with the completed LWR project.

With these two areas of agreement, the Clinton administration decided to trade total knowledge of North Korea’s nuclear past for a freeze on its nuclear future. Past IAEA inspections had revealed some reprocessing and plutonium recovery, but without the complete inspections, there was no way to know the exact amount of plutonium North Korea produced or what happened to that plutonium. Until

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14 The 2000 MW(e) refers to the electrical generating capacity of the final project in terms of megawatts (electrical). A LWR project of this size contains 2 Korean Standard reactors, each generating 1000 MW(e).
15 Numerous officials interviewed expressed this view.
16 Interview with Kenneth Quinones, March 20, 2002, Washington, DC; see also Reiss (1995).
North Korea fully complies with IAEA safeguard agreements and inspections, however, the United States must live with this ambiguous nuclear posture.

Yet the Clinton administration decided that living with a one or two bomb ambiguity was better than the alternative—a sizable North Korean nuclear arsenal. The spent fuel removed at the height of the crisis in 1994 could produce 25–30 kg of plutonium when reprocessed, and, had the graphite reactor remained in operation, it could have produced an additional 300–400 kg of plutonium by 2000. This is enough nuclear material for 60–80 bombs (Albright and O’Neill, 2000). Those potential weapons represented the most immediate threat to the United States. Chief U.S. negotiator Gallucci knew that if he could freeze the plutonium production, he could postpone consideration of the political issues. His solution was “time—that was the breakthrough.” Stretching the implementation of the AF over time bought the United States immediate security while providing both sides assurances that the other would comply with the deal.

Taken together, these two sections of the AF provide a vehicle for a denuclearized Korean Peninsula. By freezing and then dismantling the proliferation-prone North Korean nuclear program and replacing it with a proliferation resistant and fully monitored nuclear power plant, the AF eliminates the top regional security concern. The AF then intentionally links nuclear cooperation with other security building activities. The middle two sections of the AF accomplished this task. The second section of the AF called for “full normalization of political and economic relations” between the United States and DPRK. Thus, North Korea’s acceptance into the U.S.-led international community is intersected with and contingent on its nuclear status. The language developed in the AF and its implementation created a nuclear dialogue between the United States and North Korea and established its constituent rules. The remaining sections of the AF called for a renewed North–South dialogue and the normalization of diplomatic relations between the United States and DPRK. For North Korea, these two sections held the promise of additional economic assistance through the promise of future trade and other economic arrangements. The AF, however, tied such normalization to success on the nuclear front.

U.S. domestic critics, including many who would later join the Bush administration, loathed the Framework. The Republican Congress criticized the agreement and accused the Clinton administration of succumbing to nuclear blackmail. Many believed that North Korea was fleecing the United States—securing immediate gains in HFO shipments and diplomatic recognition while all the while planning to cheat the deal and retain a secret nuclear program. The 2002 revelations of the secret nuclear program bolster this case, showing that North Korea was indeed cheating on its commitments. Nonetheless, even with these revelations, the Bush administration has not yet broken out of the existing game of nuclear negotiation as these original AF critics would have desired. The alternative policy choice would be containment designed to isolate North Korea and wait for it to collapse under the weight of its own dysfunctional system (Cha, 2002a, b).

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17 This is a conservative estimate of potential plutonium production. In addition, as mentioned above, North Korea had two larger reactors under construction that were frozen as part of the agreement. Had the program not been frozen in 1994, these reactors could have come on-line and begun producing significantly more weapons-grade fissile material.

18 Interview with Robert Gallucci, March 21, 2002, Washington, DC.

19 Including not just those in Congress, but some Clinton administration officials who worked on the deal as well. Interviews with various former Clinton administration officials. Some adherents of this view now feel vindicated by North Korea’s admission of cheating and advocate scrapping the deal entirely.

20 The Bush administration allowed a scheduled shipment of HFO to continue after the admission of cheating, but persuaded the RENO executive board to suspend future HFO shipments until North Korea scrapped the HEU program.
The AF set the stage for a wider and deeper dialogue with North Korea. It provided the diplomatic validation North Korea had long sought and tacitly recognized the legitimacy of the Kim regime by engaging it in such a long-term and complex deal. In this respect, the references in the text of the AF to the June 11, 1993 U.S.–DPRK Joint Statement and the 1991 Joint Declaration on Denuclearization are important instances of intersecting games. The reference to the 1993 Declaration links any U.S. security guarantees to North Korea to a prohibition on using force to reunify the peninsula. Although the DPRK would prefer to exclude the ROK from further negotiations, linking the AF to the 1991 Joint Declaration ensures that any dialogue on the future of the Korean Peninsula will be premised on North–South peaceful cooperation. Thus, the future of the Korean Peninsula has become a multilateral question that must be answered through dialogue, in a non-nuclear environment, where South Korea and the United States play central roles.

With the rules of the nuclear game set by the AF, the United States and ROK could pursue other initiatives toward the DPRK. North–South reconciliation and talks, U.S.–DPRK bilateral diplomatic relations, economic development in North Korea, and regional security cooperation all depended on the stable nuclear security situation provided by the AF (Cossa, 1999b). As a result, the vast majority of U.S.–ROK diplomatic dialogue in the late 1990s was to coordinate policy toward the North.21

From 1996 until 1998 the AF appeared, to U.S. policy makers, to have solved the nuclear question in Korea. The KEDO project of building the LWRs, however, met with numerous delays. Negotiating the necessary supply agreement and protocols took significantly longer than expected. Fuel oil shipments were delayed and rarely on time, prompting North Korea to accuse the United States of not abiding by the terms of the AF. The reactor project started significantly later than was originally anticipated by the initial ambitious schedule. KEDO lacked the necessary financing from its members to fully fund its operations. Despite these delays, the KEDO did manage to establish a working language of commerce and construction with the DPRK, a significant accomplishment as North Korea opened its borders to a Western commercial infrastructure project. The protocols negotiated between KEDO, its contractors, and the DPRK provided this language and a way to work through the repeated difficulties that emerged from the LWR project.

For example, the negotiations over the Communication and Transport protocols were extremely technical. A major "infrastructure project needs lots of bread and butter things" to work—rules and regulations taken for granted in the United States.22 KEDO needed to construct the technical common sense taken for granted in construction projects in more open countries. Thus, the talks included doctors, ship captains, pilots, and engineers on both sides. They discussed how deep the harbor needed to be to support barge traffic or the availability of adequate medical care. Other protocols allowed South Korean nationals working for KEDO to travel to the site without fear of arrest and imprisonment in North Korea. Resolving these bread and butter issues forced North and South to speak to one another and figure out how to make their two systems interface.23

North Korea gradually became upset with the accumulated delays and what it perceived as a U.S. failure to make sufficient progress implementing the AF, making the year from the spring of 1998 until the spring of 1999 "awful." Washington was not paying attention to North Korea, seemingly oblivious to the fact that North

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22 Interview with former KEDO official, January 29, 2002, New York, NY.

23 These are but a few examples. For a more detailed account of KEDO's construction of a common language, see Howard (2002).
Korea needed handling and constant attention.24 Thus, North Korea stopped its cooperation on implementing elements of the AF. It halted work on the spent fuel canning project and threatened to re-activate part of its nuclear complex. Then, in early August 1998, press reports revealed that U.S. intelligence officials suspected North Korea of developing an underground nuclear site at Kumchang-ni (Sanger, 1998). Clinton administration officials felt that the suspect site was a “legitimate case” but would have preferred to watch it develop before drawing conclusions. Once the story leaked to the media, however, the Clinton administration had no choice but to resolve the issue.25

The United States demanded that North Korea allow a U.S. team to inspect the suspect site, and North Korea objected. The United States explicitly linked Kumchang-ni to the viability of the AF, suggesting that North Korea was engaged in activity prohibited by the agreement. The United States wanted to verify the non-nuclear status of the suspect site to ensure North Korean compliance with the AF. Wary of an Iraq-like inspection regime, North Korea resisted. Through a series of bilateral talks, the United States agreed to donate additional food aid through the World Food Program in exchange for a series of special visits to Kumchang-ni. Once on the ground, the United States learned that the suspect site was not associated with the nuclear program.26 Importantly, the AF served as a site to intersect other games of regional security. The United States was able to use the language developed in the AF to entangle North Korea into accepting inspections.27

Frustration with the implementation of the AF led Congress to mandate the appointment of a special coordinator to conduct a high-level review of North Korea policy in 1998. Former Defense Secretary William Perry took the job and began a comprehensive review of U.S. policy toward North Korea. He met with officials from the United States, its KEDO partners and allies—Japan and South Korea—as well as North Korea. His recommendations produced immediate results. The United States, Japan, and South Korea increased their coordination on North Korea policy, creating a truly united front, by implementing a coordinating commission as recommended in Perry’s report. Within the U.S. government, North Korea moved “up the food chain.” Talks moved from the office director level to a Deputy Assistant Secretary of State, to an Ambassador, and then to the office of the Counselor of the Department (equivalent rank to Undersecretary of State).28 By the end of the Clinton administration, the Secretary of State herself would visit North Korea to discuss a potential presidential visit. The Clinton administration’s investment in the Perry report tightened the intersection produced by the AF, and the high-level attention made it easier to move issues through the government bureaucracy.29

The Perry report directed shift in U.S. policy dovetailed with a new South Korean approach to its Northern neighbor. Elected in 1998, South Korean President Kim Dae Jung instituted the “Sunshine” policy of cooperative engagement with the North. Kim was much more willing than his predecessors to cooperate with the North, meet with the North, and send aid to the North. The Sunshine policy and Perry’s recommendations reinforced each other in that both counseled cooperative

24 Interview with Desaix Anderson, January 29, 2002, New York, NY. Anderson served as Executive Director KEDO.
27 Food aid thus came to be tied to North Korea’s cooperation on its international agreements. As North Korea’s cooperation waned in 2002, so did the overall amount of food aid provided by the United States and Japan.
29 Interview with U.S. Government official, April 25, 2002, Washington, DC.
engagement with the existing regime. Yet the Sunshine policy depended on KEDO’s success in that there could be no engagement with an ongoing nuclear crisis. KEDO’s ability to resolve the outstanding nuclear issues and open regular contact between North and South created the space for Sunshine style engagement (Cossa, 1999a). The Perry process, KEDO, and Sunshine policy intersected, allowing the separate games to become mutually reinforcing. Most significantly, the common language developed in one game could then be used in the other intersecting arenas.

Having established a set of rules and developed common language through the implementation of the AF through 2000, the United States and North Korea became entangled in those rules. This entanglement made certain future moves possible while also restricting other potential actions. In many ways, the AF is a “first encounter” between North Korea and the United States (Wendt, 1999). Since the Armistice ending the Korean War, North Korea has had only sporadic contact with the United States, much of it hostile. Negotiating and subsequently maintaining the AF have produced a language that has allowed North Korea to begin to move from a Hobbesian relationship of strategic competition through power and force with the United States toward a somewhat more cooperative relationship based on open and equal exchange. This evolution requires a language to make such exchange possible, the language developed in implementing the AF. North Korea’s use of this new language produced a number of significant entanglements.

The most significant entanglement produced by the implementation of the AF and KEDO was that North Korea was largely dependent on its benefits. KEDO provided limited material benefits to North Korea under the terms of the AF—enough that it was very difficult (although not impossible) for the DPRK to withdraw from the agreement. In maintaining the AF, North Korea and the United States were able to develop a common language allowing them to talk to each other about exchanging resources. KEDO supplied HFO and income from labor contracts and also made possible the food aid and economic benefits from trade with the South that are all now indispensable to a North Korean economy dependent on this engagement framework. An elite within North Korea has become “hooked” on the benefits of international cooperation. The KEDO supplied HFO represents 45% of North Korea’s total HFO supply (General Accounting Office, 1999). That oil “kept the lights on in Pyongyang”32. This international involvement has stabilized the DPRK economy, albeit at an extremely low level.33 Before the AF, discussing such an arrangement would have been unthinkable.

This dependence emerged despite the fact that the AF has yet to provide substantial material benefits to North Korea. The HFO provided by KEDO burnt up North Korea’s old power generating plants. The substitution of Uzbek laborers for DPRK workers on the KEDO project deprived North Korea of a chance to earn hard currency. Indeed, the AF entangles North Korea by providing the DPRK with consumable goods with little resale value. If the LWR project is ever completed, North Korea will have electric power but will be completely dependent on the United States and South Korea for the additional fuel, training, and spare parts

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31 Interview with U.S. Government official, April 25, 2002, Washington, DC.
32 Interview with Desax Anderson, January 29, 2002, New York, NY. However, others disagree. Hayes (2002) believes that the loss of the HFO will “be of little consequence” to the North Korea energy sector and that Washington overrates the leverage provided by the HFO shipments.
33 One official remarked that many first time visitors to North Korea see the state of the economy and come away thinking that it is in crisis and collapse is imminent. The official noted that there is not presently a crisis in North Korea—somehow it survives at that extremely low level. Interview with U.S. Government official, April 25, 2002, Washington, DC.
34 Interview with Kenneth Quinones, April 18, 2002, Washington, DC.
necessary to make the reactors work. As North Korea reaches further into this web of international assistance, it has "gradually been drawn into a web of commitments."35 Continued progress on the LWR project requires IAEA inspections. These links are built into the structure of the AF as an "interlocking" process—each successive interaction depends on following a prior rule.36 The rules of the language game call for continued play to realize any benefit. North Korea continues to receive assistance only to the extent that it complies with the terms of the AF. Inspections continue only so long as KEDO makes progress on the LWR project. Ending the AF prior to its completion leaves North Korea little to show for its cooperation—the reciprocal nature of the agreement leaves all the material benefits until the end. KEDO’s progress in implementing the terms of the AF makes it possible to engage North Korea in other intersecting games. These games, however, will never go faster than progress on the AF.37 North Korea’s ability to threaten its neighbors has been constrained by the rules of the AF and KEDO project. Failure to abide by these rules terminates the project and the benefits it brings. Speaking the language of the AF and following these rules allowed greater contact with the United States, South Korea, and the global economy.

Moreover, the United States has created a new common language of security with North Korea, one that is also shared by its closest allies in the region—Japan and South Korea. Once hostile toward each other, South Korea and Japan have developed a way to speak with one another about regional security issues. Japan has used the opening to renew diplomatic ties with North Korea, learning the whereabouts of several Japanese citizens kidnapped by North Korean agents. This new language of regional cooperation permitted this opening, a major step for both Japan and North Korea. Entanglement is not limited to the DPRK—the United States has also come to find itself entangled in these rules of regional security. Establishing the KEDO as an international consortium has given South Korea and Japan a new voice in regional security matters. This regional cooperation created "a new concert like pattern of consensus building among the four Asia-Pacific powers along with South Korea" (Shirk, 1997). The United States must now accord greater weight to its partners who are funding KEDO, as well as Russia and China who have a significant stake in the nuclear status of their shared neighbor.

The Bush administration, echoing earlier conservative Congressional critics, was initially skeptical of the AF. Bush’s remarks about North Korea’s untrustworthiness at his press conference with Sunshine policy author and Nobel laureate Kim Dae Jung and his axis of evil speech seemed to leave the future of the U.S. commitment to KEDO in question. But, after an internal policy review, the Bush administration decided to maintain the Clinton policy preserving the AF and negotiating North Korea’s nuclear status (Campbell and Reiss, 2001; Pritchard, 2001). Given the logic of the existing game, this is the best deal the United States can reach. Without a new game to supplant the existing AF game, the Bush administration faces the same unpalatable alternatives that the Clinton team faced—an uncooperative North Korea armed with nuclear weapons or war. Even the Bush administration “hawks” have become entangled in the language of North Korean engagement (Cha, 2002a, b). Given this existing language, they have no way to present meaningful policy alternatives—any alternative must beat the AF at its own game, a nearly insurmountable burden. Consequently, Bush proposed restarting talks between the two countries (Slevin, 2002). This overture led to the Kelly mission that confronted DPRK officials with evidence of cheating on the AF and the unexpected revelation of a secret nuclear program.

35 Interview with Kenneth Quinones, March 20, 2002, Washington, DC.
36 Interview with U.S. Government official, April 25, 2002, Washington, DC.
Instead of declaring the DPRK in “material breach” of the AF, as they have Iraq in UN Security Council resolutions,\(^\text{38}\) the Bush administration sat on North Korea’s revelation for nearly 2 weeks, coordinating with allies and developing a response. The rules developed in the AF process entangled the United States in a process of close coordination with its allies in responding to North Korea’s revelation. Japan and South Korea developed a strong interest in continuing an open dialogue with North Korea, as participation in the AF process demonstrated to South Korea and Japan that negotiations could produce a more acceptable outcome than confrontation. These desires were reflected in the Bush administration’s diplomatic response. Accordingly, the administration sought to “work with our allies and make sure that they are comfortable with it (U.S. response) and move at the same speed we do” (Allen and Kessler, 2002).

The Bush administration’s response to North Korea’s secret nuclear program was to seek a diplomatic and negotiated solution, consistent with the rules established by the AF. North Korea also seems to be playing by these rules, albeit from a significantly different position. Feeling that the Bush administration violated the terms of the AF that called for resumption of normal diplomatic relations by initially shutting down the Clinton-era talks and branding the DPRK a member of the axis of evil, North Korea sought to refocus U.S. attention on themselves the only it way can in the existing game—a nuclear related outburst. In this light, the stunning admission of a secret program can be seen as a cry for help—one last chip to bargain away in the same fashion as the original reactor was in 1994. Indeed, North Korean officials seemingly confirmed this approach, acknowledging that “our government will resolve all U.S. security concerns through the talks, if your government has a will to end its hostile policy” (Shenon, 2002a). In rejecting the North Korean gambit, the United States fell into the language of the AF, calling on North Korea to “dismantle its nuclear program and honor its treaty obligations” (Shenon, 2002b). The language of the AF provided the Bush administration with a harder line but still in-game response to the secret North Korean nuclear program. The common language among the allies developed through negotiating and implementing the terms of the AF has provided a channel for policy coordination. The language of the AF provides a set of signals that each side can understand—including stopping HFO shipments, expelling IAEA inspectors, and reprocessing the canned fuel. The language of the AF constructs a new “brink” for each side to approach in what has become a negotiation by brinkmanship.

In sum, the language developed by the 1994 AF and resulting KEDO program has created a set of rules for negotiating nuclear issues on the Korean Peninsula. The United States, Japan, South and North Korea are all entangled in these rules as a result of playing this game since 1994. These rules led the United States to approach its allies first when confronted with a new North Korean nuclear crisis, and they have left open the possibility for a negotiated solution. Entanglement in the existing language of nuclear negotiation makes a negotiated solution a first option, relegating a unilateral military strike to the bottom of the list of potential responses. Such is not the case with Iraq.

### Preparing for War with Iraq

In 2002, a very different language game existed with respect to Iraq. The Bush administration intersected an existing language of unilateral force in dealing with a

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\(^{38}\) This contrast is even more pronounced in the context of U.S. diplomacy at the U.N. The Bush administration sought a set of U.N. resolutions authorizing war in Iraq, and while it was able to get an initial resolution that declared Iraq in “material breach” of its prior commitments, attempts to pass a second resolution ultimately failed. In contrast, the Bush administration has been less aggressive pursuing North Korean nuclear proliferation through the Security Council.
criminalized Iraq (Fierke, 2000) with its new rules of national security to produce a different game with Iraq. It is a game of confrontation that made the Bush administration's strategy of preemptive war much more plausible and, from the administration's point of view, desirable.

The U.S.–Iraqi relationship lacked any equivalent to the KEDO in North Korea—a multilateral forum capable of addressing a regional security concern with U.S. and allied leadership. With Iraq, just the opposite game evolved—an increasingly unilateral approach to sanctions enforcement that turned against allied initiatives. Over the course of the 1990s, international support for maintaining the U.N. sanctions regime placed on Iraq in the wake of the 1991 Gulf War significantly eroded. The UN Special Commission (UNSCOM) charged with running the inspections regime of Iraq's WMD program became an increasingly confrontational forum through which the United States and Iraq developed a cat and mouse game in search of WMD. Intelligence agencies from both sides were involved, turning UNSCOM from a multilateral U.N. enterprise into a bilateral confrontation. Permanent Security Council members France and Russia, in particular, explored economic openings in Iraq seeking oil concessions and repayment of debts. From the U.S. perspective, these openings only weakened the sanctions regime to the benefit of Iraq. Enforcement became a U.S. and U.K. led project with little allied assistance.

As sanction enforcement became a more unilateral U.S. policy, the United States lost its need to coordinate Iraq policy with potential allies in a strategy of confrontation. The United States maintained support from its regional allies through a series of bilateral agreements and relationships but did not form any permanent multilateral coalition with its own internal logic and structure to address Iraq. Early attempts to do so around the broad mandate of regime change met with resistance from strategically important allies such as Saudi Arabia and Turkey.

The critical break in the Iraq game can be traced back to the crisis that ended UNSCOM inspections in 1998. While making large strides toward engagement on the Korean Peninsula, the United States continued to maintain and enforce a punitive sanctions regime against Iraq. The sanctions and inspection imposed by the Security Council in 1991 had deteriorated by 1998, with Iraq playing "cheat and retreat" (Alterman, 2003) with the UNSCOM inspectors. The remnants of the U.S.-led coalition that had won the 1991 Gulf War threatened further military action if Iraq did not cooperate fully with the inspectors, leading initially to the Agreement on Mutual Understanding brokered by U.N. Secretary General Kofi Annan.\textsuperscript{39} The Agreement, however, died within months as Iraq failed to provide inspectors adequate access to WMD sites, allowing both sides to slip back into the language of confrontation. After a threat of force and yet another UNSCOM crisis, the United States and United Kingdom finally launched a unilateral series of military strikes against Iraq, Operation Desert Fox. Significantly, the United States and United Kingdom claimed to enforce the will of the Security Council, in reference to past Security Council resolutions, without having a specific mandate from the Council for Desert Fox. As this crisis was unfolding in Iraq, President Clinton signed into law legislation officially changing U.S. policy toward Iraq to "regime change."\textsuperscript{40}

This series of events set the stage for the plausibility of Bush's arguments for war 4 years later. The policy of regime change established a new threshold for success and the unilateral military strikes provided a new method for action. The United States and United Kingdom continued to patrol the no-fly zones in northern and southern Iraq, attacking Iraqi aircraft and ground based air-defense sites constantly

\textsuperscript{39} Fierke (2000) chronicles, in both theoretical and empirical detail, the way in which the UNSCOM crisis of 1997–1998 produced a change in the game between Iraq, the United States and the United Nations.

\textsuperscript{40} The Iraqi Liberation Act of 1998, Public Law 105–358, enacted October 31, 1998. Although Clinton signed the act in October, the language of regime change did not enter official U.S. foreign policy discourse until some months afterward.
in response to anti-aircraft fire or radar lock on U.S. aircraft in the zones. Iraq used spot confrontations in the no-fly zones to challenge U.S. authority over Iraqi airspace, and, on many occasions, got away with civilian air traffic in spite of the U.S. enforced ban. The Bush presidential campaign made a tougher stance on Iraq part of its stump speech, vowing to take a harder line than the outgoing Clinton administration in implementing the Iraqi Liberation Act. This harder line was made possible by the ongoing debate within the United States over Iraq policy. Engagement was never an option—the choices were between “containment plus” and regime change, with containment plus coming to mean containment plus regime change (Pollack, 2002).

The Bush administration’s failed initiative to resuscitate the sanctions regime through “smart sanctions” all but eliminated an alternative diplomatic language game. Despite investing serious diplomatic effort to revive the language of sanctions, the Bush administration was rebuffed by its former coalition partners on the Security Council. With no need to consider the views of others in the daily game of containing and confronting Iraq, the United States was able to develop and implement an Iraq policy on its own. The Bush administration was free to speak the language of regime change. Although Bush criticized the Clinton administration for being too soft on both Iraq and North Korea in its campaign, Korean policy had to take into account the entangling rules of the existing engagement policies. With no similar constraints in dealing with Iraq, the Bush administration was free of entanglements to unilaterally implement its own confrontational policy. The requisite language was already in play—especially with the regime change policy as statute. Bush could mesh the rules of the new National Security Strategy with the existing game with Iraq to produce a new strategy of regime change.

Bush’s (2002c) case for war seamlessly blended the language of regime change, WMD programs proceeding absent inspections, and the possibility of further terrorist attacks. As noted above, the existing CIA analysis observed that Iraq lacked the fissile nuclear material necessary to constitute an imminent threat. Bush, however, created the language necessary to impute imminence to the Iraq threat by citing Iraqi attempts to obtain aluminum tubes used to enrich uranium and even claiming in his subsequent State of the Union address (Bush, 2003b) that Iraq was pursuing uranium in Africa, language that completed the linguistic trap for war.41 The Bush administration gave itself no alternatives—the urgency of the WMD threat, the new strategy of preemptive war, and the long-standing policy of regime change demanded U.S. action. The existing game of unilateral enforcement of the no-fly zones actually provided early phases of the war’s air campaign (Graham, 2003). Thus, war became not just an option, but the only option in Iraq while not in North Korea.

Conclusion

Material threat concerns only account for some of the difference in U.S. policy response. Although the U.S. military would most certainly prevail in any conflict

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41 Language that, Bush himself would later admit, was based on false information and forged documents. The CIA successfully kept the Africa line out of the Cincinnati speech (Bush, 2002c), prompting significant controversy over how the language made it back into the State of the Union (Bush, 2003b). A subsequent analysis revealed that administration officials were remarkably consistent in their use of language to characterize Iraq as an imminent threat despite the fact that this language was not backed by intelligence findings (Gellman and Pincus, 2003). The scandal raises the possibility that the administration strategically manipulated the use of language to create the need for war. Such manipulations of fact and language does not hurt this argument, rather, it helps it. The Bush administration was able to manipulate language, threat, and image with respect to Iraq because there was already existing material with which to work. The rules of the game were there to manipulate with the right language. The administration could not do the same for North Korea because the rules of the existing game did not offer a similar opening.
with the impoverished DPRK army (O’Hanlon, 1998; Harrison, 2002: 124–137), American officials are extremely concerned with the cost of such a war. The collateral damage of the opening minutes of an artillery exchange alone could turn Seoul, a city of over 10 million, into a smoldering ruin. Moreover, Japan is easily in range of DPRK medium range missiles and U.S. forces there would certainly be a target. U.S. war planning estimates of a second Korean War show significant casualties on all sides. South Korea and Japan, the eleventh and second largest economies, respectively, would be devastated, doing certain damage to the U.S. economy.

The similarity and contrast with Iraq is telling. The United States was concerned about a close regional ally—Israel—being the target of an Iraqi attack in the event of any war, just as in 1991. But, as in 1991, the United States offered Israel the same type of defense—updated Patriot Missile systems and “SCUD hunting” missions in western Iraq—and options—to let Israel absorb any potential Iraqi assault and sit on the sidelines as the U.S. invasion continued. The relative ease of the initial U.S. victory in Iraq was not completely obvious before the war. Few foresaw the way in which entire divisions of the Iraqi army simply melted away in the face of U.S. ground forces. Early projections of urban warfare in and around Baghdad envisioned significant casualties. While these worst-case scenarios did not come to pass, their plausibility is affirmed by the continuing high cost of occupation in both blood and treasure. And yet, this potentially unfavorable situation in Iraq looked less threatening to U.S. forces while the North Korean alternative appeared more menacing in the face of potential military action. Iraq became a war the United States must bear the burden to fight and win while North Korea remained a war too horrible and costly to contemplate.

The language-based constructivist approach shows why it is possible for the Bush administration to consider a diplomatic solution to the North Korea crisis despite the fact that it represented the larger material threat to the United States and its security interests. Interests, threats, and rules of response are constructed through the rules of language, not by raw material capability. These capabilities have no intrinsic meaning; they only have meaning within a language game. The rules of this game then say what is or is not possible, and the realm of different possibilities allows actors to choose among strategies, opening the potential for both similar and different policy outcomes across instances.

The Bush administration has articulated a set of rules for U.S. foreign policy with its national security strategy and identification of the axis of evil. These rules set out an assertive, unilateral U.S. policy predicated on a willingness to use military strength. These rules then intersect other rules in other ongoing security games. The new rules enter into the language of each policy game to reshape it, but in different ways. Entanglement in existing rules modifies the way in which the new Bush administration language is used in each game. This creates a family of related yet distinct games. The tough position against an “evil” state gives the games a family resemblance, yet each is distinct in its own unique way. The remaining differences allow for a different strategy in each game.

The language of the Bush administration’s National Security Strategy does not necessarily replicate the exact same game in each case. As an administration spokesman said about Iraq and North Korea, “Not every policy needs to be put into a photocopier” (Sanger, 2002a). Rather, the rules are enacted differently, intersecting other ongoing games to form a family of similar, yet distinct, games. Bush depends on older, existing language games for meaning even while he appears to depart from them. The administration cannot make something from nothing—it must start from the realm of existing rules of meaning. 42 In North Korea, Bush’s

42 This also suggests why Bush has been able to rewrite the rules and walk away from some international agreements, such as the Anti-Ballistic Missile treaty, Kyoto protocol, and the International Criminal Court. In each
approach must work within the entanglement of existing engagement programs, creating a more hawkish engagement (Cha, 2002a, b), but some form of diplomatic engagement nonetheless. In Iraq, Bush’s approach intersected the existing conflict between Iraq and U.S.-led enforcement of U.N. sanctions. This game already included the language of force (Fierke, 2000), allowing Bush to make a plausible case for war to the American public and international community.

A universal theoretical approach such as realism or mainstream constructivism misses this possibility for difference by focusing on universal causal factors, such as material power or international norms to explain international outcomes. As a result, significant policy differences become significant theoretical anomalies. A language-based approach, however, allows for such a possibility by eschewing a universal causal approach in favor of an examination of familial resemblance among the linguistic rules of different games. Thus, an actor, such as the Bush administration, can use a similar set of rules simultaneously to play vastly different security games in two critical regions of the world.

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case, a language game existed providing a politically acceptable alternative to the treaties. The end of the Cold War, technological improvements and changes in U.S. law empowered conservative arguments against the AMB treaty as a relic, and the Clinton administration had signed both the Kyoto protocol and ICC with significant reservations acknowledging flaws in the treaties. Bush chose to make the move to the alternative game and abandon these agreements. He could do so because that option was available. Had another administration been in power, it is possible that it would have exercised a different option, maintaining those agreements instead of abandoning them. The important fact remains that the Bush administration had a choice of games and chose to move between them. In the case of Iraq, Bush willingly painted himself in the corner of war. In the case of North Korea, the administration’s entanglement left it with the same options Clinton had in 1994: a nuclear North Korea, war, or diplomacy. Given the rules of the game producing these choices, diplomacy becomes the only acceptable option.


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