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THEY SAID IT

Creon: "And still you had the gall to break this law?"

Antigone: "Of course, I did. It wasn't Zeus, not in the least, who made this proclamation – not to me. Nor did that Justice, dwelling with the gods beneath the earth, ordain such laws for men. Nor did I think your edict had such force that you, a mere mortal, could override the gods, the great unwritten, unshakable traditions. They are alive, not just today or yesterday: they live forever, from the first of time, and no one knows when they first saw the light. These laws – I was not about to break them, not out of fear of some man's wounded pride."

Antigone, Sophocles, 442 B.C.

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NATURAL LAW VS. . . . WHAT?

Early in the Clinton years, Bill, or someone in the White House speaking for him, complained that managing foreign policy was more difficult in the new, wide-open, post Cold War period than it had been for prior presidents, who governed in the good old days when the world was divided into two well-defined camps and the unwritten rules concerning the doctrine of Mutually Assured Destruction were well known by the leaders of both.

I don't remember exactly how the White House put it or when, but I do remember that some conservative pundit (probably George Will) wrote a scathing rebuttal to this position, arguing that Bill had it easy as the leader of the world's sole remaining super power when compared to his predecessors who had to protect the United States and its interests worldwide against a mortal threat from two giant enemies, each armed with thousands of ready-to-launch nuclear warheads and each dedicated to the destruction of the United States.

Now, on balance, I believe that the conservative was correct. Even today, in the midst of a hot war in Iraq and under threat from determined militant Islamic terrorists, who are arguably capable of killing tens of thousands of Americans, the President at least does not have to worry about making a mistake that would lead to the total destruction of the United States and possibly the entire civilized world.

As that conservative columnist pointed out, when Jack Kennedy decided to take a stand against Soviet missiles in Cuba, the threat of an all out nuclear war was real. And when President Reagan deployed advanced Pershing II tactical missiles and land-based Tomahawk cruise missiles to Europe to meet the

threat of the new Soviet SS-20 Sabers, each of which could deliver three independently targeted nuclear warheads of up to 250 kilotons each in less than nine minutes from launch to impact, he was playing for stakes that were higher than anything Bill Clinton could imagine in the post-Cold War world.

On the other hand, it must be said that Bill had a point. The “grand game” of geopolitics did indeed become considerably more complex with the fall of the Berlin Wall, the emergence of China as a major player on the world stage, and the advent of global, Islamic terrorism. And while the stakes in this new game fall short of the immediate annihilation of all mankind, the chances of a less catastrophic but still horrible disaster are probably greater. And the long-term costs of making a serious mistake in a world where small groups of fanatics could use chemical, biological, and nuclear weapons may be just as high.

In any case, it is easy to see why Bill would have preferred the Cold War world to the one he encountered when he came to the White House. After all, he was a child of the Cold War. He knew it cold, so to speak. He understood the players and the stakes involved, and he had a prepackaged set of well-defined positions that required very little original thought to implement.

He was a dove. He shared the belief of his close friend and *Time* magazine reporter Strobe Talbott, the man who would have been his Secretary of State if the Senate would have confirmed him, which it wouldn't; namely that the Cold War could not be won and that the best way to fight it was via a combination of formal arms control agreements and an informal policy of appeasement. He also shared the belief of his first Secretary of State Warren Christopher, who noted in his 1985 book *The Hostages of Iran* that the take-home message from that particular crisis was “a clear vindication of talking as a means to resolve international disputes.”

In short, Bill would have been much more comfortable as a Cold War president. It is very unlikely that he would have been successful, if success

were measured in terms of progress toward a safer world or toward a position of greater American strength vis-à-vis its enemies. But he would have been comfortable nevertheless, always certain that by adhering to his liberal prescriptions he was “doing the right thing” no matter how ineffective or counter-productive, like a hapless, primitive shaman confidently rubbing cow dung on an open wound in an effort to stop the infection.

On the other hand, as his above-cited complaint indicated, he was uncomfortable in the post-Cold War world, where the pastiche of liberal nostrums that made up the whole of his foreign policy proved to be of little use in dealing with Islamic fanatics who declared war on the United States by trying to blow up the World Trade Center, with social chaos in Haiti, with a bloody genocidal war in the Balkans, with murderous rebels in Somalia, and with recalcitrant, anti-American dictators in Iraq, Iran, Libya, and North Korea.

This post-Cold War world required more from him than talking and appeasement. It required him to produce a comprehensive blueprint for America's role as the world's sole remaining superpower, clearly defining its aspirations, recognized obligations, and the principles that would guide it. Relative to this last requirement, it required that this blueprint be built upon an intellectually and morally solid foundation, so that it would stand up to the inevitable challenges from friends and foes alike and provide the President with continuing confidence that his actions were in keeping with both practical and moral imperatives as previously defined.

Bill had neither the foreign policy expertise nor the moral awareness to develop such a plan, and no one in his administration was any more qualified than he. The result was that most of the time he made it up as he went along, which understandably made it difficult for him to muster the kind of confidence and courage that it takes to act decisively, especially in the face of criticism. In the end, his default position was to simply apply classic liberal, do-good ideology to world affairs. Michael Mandelbaum, professor of American

Foreign Policy at Johns Hopkins School of Advanced International Studies, called this approach “Foreign Policy As Social Work,” and described it as follows.

The abortive interventions [in Bosnia, Somalia and Haiti] shared several features. Each involved small, poor, weak countries far from the crucial centers that had dominated American foreign policy during the Cold War. Whereas previous administrations had been concerned with the powerful and potentially dangerous members of the international community, which constitute its core, the Clinton administration turned its attention to the international periphery.

In these peripheral areas the administration was preoccupied not with relations with neighboring countries, the usual subject of foreign policy, but rather with the social, political, and economic conditions within borders. It aimed to relieve the suffering caused by ethnic cleansing in Bosnia, starvation in Somalia, and oppression in Haiti. Historically the foreign policy of the United States has centered on American interests, defined as developments that could affect the lives of American citizens. Nothing that occurred in these three countries fit that criterion. Instead, the Clinton interventions were intended to promote American values.

Needless to say, this approach was not effective, either politically at home or practically in the respective nations involved. And to make matters worse, toward the end of his presidency Bill became occupied with other, more pressing matters and seemed to lose interest in foreign affairs altogether, except as an opportunity to drop an occasional bomb on someone as a way of distracting the American public from whatever scandal that was engulfing him at the time.

I recall this troubled history because I believe it provides an excellent basis from which to analyze President Bush’s starkly contrasting approach to

foreign policy in the post-Cold War world. History will judge whether the Bush method is brilliant or foolish. But, unlike Bill’s, it is unquestionably being conducted according to a comprehensive blueprint for America’s role as the world’s sole remaining superpower, and this blueprint has unquestionably been built upon an intellectually and morally solid foundation.

Indeed, this blueprint, which entered the development stage shortly after the September 11 attacks, is as unambiguous and comprehensive as George Kennan’s famous “X Paper,” which outlined the policy of containment that served as the model for American foreign policy from shortly after the beginning of the Cold War to the fall of the Berlin Wall.

Among other things, it involves the following:

- That the United States will view nations that are not on its side in the fight against terrorism as being on the side of its enemies.
- That while the United States believes in multilateralism, it will not shrink from doing what it thinks is right even if some of its friends disagree with its actions.
- That the United States will not hesitate to act alone, if necessary, to exercise its right of self defense by acting preemptively against any nation or group of individuals to prevent them from doing harm to it.

Judging from the comments of supporters and critics alike, this blueprint is clear and easily understood. What appears to be less understood, both in the United States and abroad, is the intellectual and moral foundation upon which this doctrine was built. This is unfortunate because it is this foundation that makes the doctrine more interesting and more formidable than Bill Clinton’s ad hoc approach.

There are two important principles that provide the foundation for the Bush foreign policy doctrine. The first is that free nations are inherently less likely to attack the United States than totalitarian ones, so it is in the best interests of the United States to promote

freedom around the world and to support the efforts of citizens who live in totalitarian nations to attain freedom. The second principle is that the United States is further justified in this position by the fact that the laws of nature entitle all men to freedom.

The first of these principles is empirically easy to support. The second is more controversial. It is based on an ancient idea that is most often described as natural law theory. There are many ways to define “natural law,” but for purposes of this discussion it can be described as a belief that there exists a set of principles that are fundamentally unchanging, universally applicable, and that supercede written laws issued and enforced by men and societies of men. Some philosophers, beginning with Hugo Grotius in the 17th century, have argued that while these laws do exist, they do not necessarily reflect God’s will but can be determined by reason. However, most adherents to natural law theory argue that these laws represent the will of a supreme being.

Hence when Bush said, as he did in his 2003 State of the Union speech, that “the liberty we prize is not America’s gift to the world; it is God gift to humanity;” and when he said in his 2003 speech in Senegal that “All the generations of oppression under the laws of man could not crush the hope of freedom and defeat the purposes of God;” and when he said in his recent inaugural address that “From the day of our Founding, we have proclaimed that every man and woman on this earth has rights, and dignity, and matchless value because they bear the image of the Maker of heaven and earth,” he is reflecting a belief in an authority that is greater than that of any earthly law or government.

The germ of this idea dates back to the early Greek philosophers. In fact, one of the clearest examples in literature of this concept dates to Antigone’s famous response to her uncle, King of Thebes, as quoted above in the “They Said It” section. She acknowledges that the King had the earthly authority to order her not to bury her brother. But she cites higher laws, “great unwritten, unshakable traditions,” that have existed from the “first of time.” And she announces that she is “not about to break them,” even if it costs her her life. Which it did.

More recently, this concept was the central idea in the founding documents of the United States, as in: “WE hold these truths to be self evident; that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.”

It should be noted here that this concept has, in the United States at least, never been associated with one political faction or party more than any other, although it has figured prominently in many of the nation’s most ambitious projects of social change.

It was, for example, the underlying philosophical proposition on the winning side in two of the nation’s most heated domestic quarrels, namely the anti-slavery movement in the 19th century and the civil rights movement in the 20th. Indeed, it is probably not an exaggeration to say that neither movement could have succeeded without the concept of natural law acting as a driving moral force.

The following is a quote from John Brown, given in the courtroom following his sentence to be hanged, which does an admirable job of stating the fundamental proposition of the antislavery movement, namely that God’s laws supercede those of the man.

This court acknowledges, too, as I suppose, the validity of the law of God. I see a book kissed here which I suppose to be the Bible, or at least the New Testament, which teaches me that all things whatsoever I would that men should do to me, I should do even so to them. It teaches me, further, to remember them that are in bonds, as bound with them. I endeavored to act up to that instruction . . . I believe that to have interfered as I have done--as I have always freely admitted I have done--in behalf of His despised poor was not wrong, but right. Now, if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice, and mingle my blood further with the blood of my children and with the blood of millions in this slave country whose rights are disregarded by wicked, cruel, and unjust enactments, I say, let it be done.

And here is a clip from Martin Luther King's famous letter from the Birmingham jail, written in April 1963, maintaining a similar natural rights proposition.

We have waited for more than 340 years for our constitutional and *God-given rights* [emphasis added] . . . Now . . . how does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust.

Of course, the fact that Bush's policy is firmly built upon a natural law foundation does not make it unassailable. But it makes the debate more interesting and the challenge presented to his critics more formidable than was the task of questioning Bill Clinton's foreign policy actions, which had no organizing theory but were, for the most part, based on a variety of good intentions and liberal clichés.

As John Kerry discovered during the campaign, he could attack individual details of Bush's foreign policy, but each time he did he found that he was eventually forced to address the package as a whole on terms such as these: You must agree with the proposition that free states pose less of a threat than totalitarian ones, don't you? And you must agree that America's founders were correct when they proclaimed that all men are entitled by God to freedom. I mean, wasn't that idea integral to the arguments of the abolitionists and to those who led the civil rights movement? Isn't it woven into the very fiber of American life? And doesn't it follow then that it is in the interests of the United States both practically and morally to promote freedom? So doesn't it also follow that the project of replacing the government in Afghanistan and deposing a tyrant in Iraq was justified both practically and morally? Which part of this unified theory for America's foreign policy do you find offensive? Or do

you agree with each of the separate parts but disagree with the actions to which it leads because you lack the courage to follow your convictions?

To understand how important the natural law element is in protecting Bush's foreign policy from a direct assault by American politicians, it is only necessary to realize how totally useless it is when it comes to dealing with Old Europe.

Over two hundred years ago, the nations of Europe abandoned any and all notions that there is a link between politics and God. Thus, European politicians can today dismiss with contempt any notion that God, if there is one, cares one whit what happens in Iraq. That individuals are lined up and shot; that entire towns are wiped out with poison gas; that tongues are cut out; that girls are raped, has no meaning to the sophisticated politicians of Old Europe, and this allows them to cut immediately to practical considerations, which in their case weighed heavily in favor of keeping Saddam Hussein in power regardless of how he treated the Iraqi people. After all, there was business to be done, money to be made, friendships to seal. And then, of course, what would the Arabs living among us think if we objected to these things? It's the way they live. It's their choice. Who are we to judge?

Depending upon their mood or inclination, European politicians can cite Bentham's view that what Bush describes as natural laws are nothing more than customs dressed up in fine clothing. Or they could reference Nietzsche, who maintained that there are no ultimate, overarching truths, and that judgments about right and wrong are simply the means by which some people control others. Or they could simply shrug and offer the view that while there may be such a thing as God's laws, no human could possibly know what they are, so it isn't worth discussing.

Certainly, a great many American politicians would agree with any or all of these propositions, as would a great many ordinary American citizens. The problem that any American politician would have in citing them openly as an argument against President Bush's

policies is that, as was demonstrated in the recent election, a majority of Americans find these views deeply offensive, not only because they deny God's existence but because they go against the underlying philosophy of the American system of government as stated in its founding documents.

The result is that, whether it proves effective or not, Bush has, unlike Bill, put together a comprehensive blueprint for America's role as the world's sole remaining superpower, which clearly defines its aspirations, recognized obligations, and the principles that underlie it. And he has constructed this blueprint upon an intellectually and morally solid foundation, which means that it stands up well to the inevitable challenges from friends and foes alike and provides him with continuing confidence that his actions are in keeping with both practical and moral imperatives as previously defined. Which is not bad for a man who was once described by John Kerry as "this idiot."

THE NORTH KOREAN NUCLEAR CRISIS, REDUX.

The past couple of weeks have, in most respects, been hugely successful for President Bush in general and for his Middle East policy specifically. In addition to the much-ballyhooed elections in Iraq, newly installed Secretary of State Condoleezza Rice's first visit to the region coincided with the signing of a cease fire agreement between Israeli Prime Minister Ariel Sharon and new Palestinian President Mahmoud Abbas; a cease fire that, unlike previous such agreements, looks like it might mean something.

As if to prove to the world that Bush's decision not to deal with Yasser Arafat was a stroke of brilliance, Abbas moved immediately to demonstrate his sincerity and to show the world that his reign will differ greatly from that of his predecessor. When Palestinian militants shelled Israeli settlements in the Gaza Strip on Thursday, just two days after the signing of the ceasefire, Abbas actually did something about it.

While there is little doubt that the Palestinian President still has a long way to go to prove himself both willing and capable of stemming the violence against Israelis,

the fact that he fired three of his "security chiefs" in response to the attacks demonstrates a certain amount of good will, which had been sorely lacking during Arafat's corrupt, murderous, and duplicitous tenure as President.

But rather than allow President Bush to savor these recent successes and use them to enhance the global reputation of the United States and to advance its causes, his critics have instead, as has become their custom, gone looking for the cloud that accompanies the silver lining. And with the North Koreans reaffirming their dedication to nuclear weaponry and announcing that they had, in fact, already built one or more nuclear bombs, that cloud was not hard to find. Bush's problem, his critics smugly admonished, is that he is so caught up in waging the war on terror, transforming the Middle East, and promoting freedom among unwitting and uncooperative Muslims, that he took his eye off the proverbial ball with regard to the "more serious" and imminent threat emanating from Pyongyang.

Of course, even before Kim Jong Il and his band of thugs made their startling "revelation," the usual suspects had already turned their attention away from the good news in Iraq and to the apparent bad news in North Korea. On Wednesday, the day *before* Pyongyang's announcement, the *New York Times'* junior foreign policy guru, Nicholas Kristoff called North Korea "the most dangerous failure of U.S. policy these days." Kristoff's assertion stemmed in turn from an account published in his paper the week before, which purported that a new intelligence report showed fairly conclusively that the enriched uranium collected by Libya for its now-aborted nuclear program came from North Korea, thereby proving not only that North Korea is a direct threat but that it is a proliferation threat as well.

Now, there is little question that nuclear weapons technology in the hands of a nut case like Lil' Kim is a serious matter that commands serious attention from serious people. After all, Kim may well use that technology himself and has already demonstrated a willingness to transfer it to his fellow nut cases around

the world. But before the rest of the world goes hurtling headlong after Kristoff, declaring that Bush's "mishandling of North Korea has been appalling," a few caveats are in order.

First, this "crisis," while serious, is largely manufactured. Second, while President Bush's critics complain that his policy has been ineffective, that assumption is based on imperfect information and is a matter of conjecture, not fact. At the same time, the only serious alternative strategy any of these critics propose is one that has been definitively proven to be worse than ineffective. And third, though there is hardly any guarantee that the President's strategy will work, there can be little doubt that it is, like Ronald Reagan's strategies for facing down the Soviet menace, imaginative, daring, and completely misunderstood by its critics. Consider the following.

Last Friday, February 11, 2005, the headline on the *New York Times* story on North Korea's latest revelation regarding its nuclear weapons programs read, "North Koreans Say They Hold Nuclear Arms." Compare that, if you will, with the headline from the *Washington Post* story, which read, "North Korea Says It Has Nuclear Arms: At Talks with U.S., Pyongyang Threatens 'Demonstration' or Export of Weapon." Except for a little added detail in the subhead from the *Post*, the headlines are virtually identical. But here's the catch: as *Slate's* Fred Kaplan noted over the weekend, the *Post* headline and accompanying article aren't exactly brand new, published as they were on April 25, 2003.

The idea that the North Koreans' possession of nuclear weapons is breaking news would be laugh-out-loud funny if the subject matter weren't so serious. Kim and company, obviously, have made this same announcement at least once before. And it appears that they've trotted the old line out again, in the hopes of regaining some of the ground they lost when they pulled out of talks last July, in the expectation that John Kerry would be elected in November, thereby making their lives easier.

But the fact of the matter is that the entire world has known for several years that the North Koreans likely possess one or more nuclear weapons. Additionally, the world has known that North Korea has the knowledge and capacity to make nuclear weapons since the days when George H.W. Bush was in the White House.

Indeed, the crisis of 1993-94, which was "resolved" with the "agreed framework" between Kim and the Clinton administration, centered on the ultimate disposition of the North Koreans' spent fuel rods, which, if reprocessed could have been used to make nuclear weapons. Note that this was more than a decade ago and seven years before George W. Bush entered the White House. In other words, there is nothing particularly new in Kim's latest announcement, and there is no particularly new crisis on the Korean peninsula.

None of this matters terribly to President Bush's critics, though, who insist that by refusing to negotiate directly and exclusively with Kim, Bush has exacerbated the problem tremendously and ensured that there will be no happy ending to this story. The only hitch in this assessment is that the critics don't know – in fact, can't know – anything of the sort. Since this succession of crises with the North Koreans has largely been a fabrication – a series of staged declarations of anger and resentment from a dishonest regime trying to leverage the same weapons over and over again – the pronouncements of the Bush policy's failure that accompany these crises must be taken as equally dubious. That the Bush policy has not yet produced the desired results is proof only that geopolitical strategies can take considerable time to effect change, not that the policy has failed.

Nevertheless, the skeptics argue that it is long past time for the President to drop his "macho act" and deign to negotiate with Kim. Kristoff suggests that Bush should follow "the path that Richard Nixon pursued with Maoist China: resolute engagement, leading toward a new 'grand bargain' in which Kim Jong Il would give up his nuclear program in exchange for political and economic ties with the international

community.” *Slate’s* Kaplan echoes the sentiment, declaring that the President should “swallow hard and pick up the phone.”

This is, as they say, a triumph of hope over experience, as Dr. Johnson said about second marriages. The “agreed framework” noted above was the product of the type of bilateral negotiations advocated by the likes of Kristoff and Kaplan. In 1994, the Clinton administration agreed to give North Korea two light-water nuclear reactors to produce fuel, and, in return, Kim Jong Il agreed to halt his nuclear weapons program and not to reprocess the spent fuel rods from his nation’s existing reactor into plutonium for weapons. And that agreement, Bush’s critics insist, produced “peace in our time.” Or, as Kristoff put it, “as best we know, it [North Korea] didn’t make a single nuclear weapon during Bill Clinton’s eight years in office . . .”

Not that it didn’t try. As Kristoff himself concedes, almost immediately after signing the agreement with Clinton, North Korea went back to work on developing nuclear weapons, using enriched uranium rather than reprocessed fuel rods. Though North Korea didn’t confess to violating the agreed framework until 2002, throughout the ‘90s, Kim’s treachery was common knowledge. In March 1999, former Secretary of Defense Bill Perry, who had, a year earlier, been appointed special envoy to North Korea by Bill Clinton, said of the North Koreans, “What they’re doing is moving forward on their nuclear weapons . . . We believe this is very serious. The long-range-missile program itself suggests in parallel the development of a nuclear weapons program.” Not that anyone should have been surprised by this, since there is evidence that the CIA warned the Clinton administration that North Korea “would dismantle its known program, [only] if it had covertly developed another source of fissile material.”

In short, no serious person even pretends any longer that Kim Jong Il is a man who can be trusted or that any agreement reached with him can be considered meaningful in any sense. Yet President Bush’s critics suggest that he has no choice but to restart bilateral

negotiations simply because there are no other options. This quiet desperation is a guaranteed loser of a strategy indicative of a lack of both imagination and a sense of recent history.

Over the past couple of years, a number of conservatives and other admirers of President Bush have compared his lonely struggle against the forces of evil represented by radical Islam to President Reagan’s similarly lonely struggle against the evil of Soviet Communism. Certainly there is something to be said for such a comparison, namely that both struggles required a leader with unusual moral clarity and vision. But it is Bush’s North Korean predicament that is, in my opinion, most reminiscent of Reagan’s Soviet dilemma.

Like the Reagan-era Soviets, Kim’s North Korea has the acknowledged capacity to wreak havoc on the world through the use of nuclear weapons, and appears to have little compunction about doing so. And like the Soviets, Kim’s regime is precariously balanced. It is an economic basket case that has neither the resources to sustain its weapons programs nor the ability to placate its restless and battered population over the long term. Finally, Kim’s regime, like the Soviet regime before it, benefits greatly from the unwitting aid a handful of American dupes who insist that the only way to defuse tensions is to “give a little to get a little.”

I can’t say this for certain about every one of the critics of President Bush’s North Korea policy, but I suspect a great many of them also thought that détente with the Soviets was the only reasonable course of action and that President Reagan’s insistence that there was another way was grossly irresponsible and astoundingly dangerous. Certainly the current President’s political adversaries, folks like John Kerry and Ted Kennedy, were also President Reagan’s adversaries. They were appeasers then and are appeasers now. But they were also wrong then, just as they are wrong now.

In their desire to see the strategy of conciliatory diplomacy (i.e. appeasement) vindicated, Bush’s

detractors appear to have missed or at least misjudged the importance of two critical factors that will play a disproportionate role in the ultimate disposition of Kim Jong Il and his nuclear-powered regime.

The first of these is the nature of the role China plays in this drama. China is not merely the patron state of North Korea that can be called upon by the United States to exert a little influence over its client on America's behalf. She is rather an aspirant superpower that seeks regional hegemony and which almost certainly understands the threat a nuclear-armed North Korea poses to her ambitions.

Critics of the six-way talks argue that President Bush is merely trying to duck responsibility for dealing with Kim and to pass the buck onto the Chinese. During his run at the White House, John Kerry called the President's reliance on the six-party arrangement "one of the greatest abdications of foreign policy that I've seen in all the years that I've been in the Senate." As usual, Kerry and his ilk are wrong. President Bush's goal in involving the Chinese in the negotiations with North Korea is not to convince them of America's interest in pacifying Kim, but to convince them of their own interest, which is undoubtedly even more compelling.

The longer Kim continues to pose a problem, the longer American troops will remain in South Korea; the more likely the United States will be to cultivate strong relationships with regional allies like Taiwan; and, perhaps most importantly, the more agitated the Japanese will become.

As I have noted during a couple of previous North Korean "crises," Kim Jong Il's nuclear ambitions have been taken quite seriously in Tokyo. And they are, among other things, pushing the Japanese closer to the United States, particularly on matters of joint defense, including a regional missile defense system; providing justification for the acceleration of Japanese rearmament; and making it all the more likely that Japan will, in the very near future, apply technology it already has to build its own "defensive" nuclear weapons.

It may well be, as Claudia Rosett argued last week, that the six-party talks have degenerated into little more than "spectacles at which the North Korean representative huffs and puffs, and the U.S., Japan, South Korea and Russia all dignify his killer regime with their joint attention, while the Chinese communists smile and serve tea." But this joint attention – not just to North Korea, mind you, but to the entire region over which China seeks hegemony – has to be making the "Chinese communists" more than a little uneasy. And eventually, they can be expected to stop smiling and to address the huffing and puffing of their wearisome client.

The second factor that President Bush's critics have misjudged is the fragility of regimes such as Kim's and the consequent importance of remaining resolute even in the face of bluster and threats. By definition, those who favor two-party talks favor making concessions to North Korea, concessions that include diplomatic and material benefits which Kim and company rightly see as their only hope of maintaining control of their increasingly anarchic country.

Critics argue that President Bush's steadfast refusal to concede anything to the Pyongyang regime is counterproductive and actually plays into Kim's hands. As Kristoff put it last week, "U.S. policy on North Korea for the last four years has only strengthened Mr. Kim and allowed him to expand his nuclear arsenal severalfold." This is and always has been the central contention of advocates of negotiation, of détente, of appeasement. And it is also nonsense.

The North Korean regime is, over the long term, unsustainable. It cannot survive without help from the outside. And "U.S. policy on North Korea for the last four years," has denied that help and therefore made it all the more likely that the regime will not survive.

The downside to this is obvious. Increased instability and fragility of the regime could push an already unstable man to do something truly reckless. There is no question that this is a risk and a deadly serious one at that. But there is, as Kim's treachery in the 90s showed, risk to any policy. But only Bush's policy also

offers the ultimate reward, the possibility of regime change in North Korea, which is the only sure-fire way to end Kim's ambitions for good.

To this end, I would like to close with a long excerpt from a *London Times* piece published two weeks ago that details the state of Kristoff's "strengthened" regime. As I have often written with regard to Iran, predicting indigenous regime change (revolution, if you will) is most certainly a fool's errand. That said, this piece makes a pretty strong case that all is not well in Pyongyang. To wit:

In interviews for this article over many months, western policymakers, Chinese experts, North Korean exiles and human rights activists built up a picture of a tightly knit clan leadership in Pyongyang that is on the verge of collapse.

Some of those interviewed believe the "Dear Leader", Kim Jong-il, has already lost his personal authority to a clique of generals and party cadres. Without any public announcement, governments from Tokyo to Washington are preparing for a change of regime.

The death of Kim's favourite mistress last summer, a security clampdown on foreign aid workers and a reported assassination attempt in Austria last November against the leader's eldest son, Kim Jong-nam, have all heightened the sense of disintegration.

The Japanese intelligence agency, in an unclassified report issued on December 24, referred to "signs of instability" inside the political establishment and predicted a feud among the elite as they strive to seize power

from Kim.

Jang Song-thaek, Kim's ambitious brother-in-law, was purged from party office after he tried to build up a military faction to put his own son in power. Mystery surrounds the fate of Vice-Marshal Jo Myong-rok, the soldier once sent as Kim's emissary to meet Bill Clinton in the White House.

The dictator's favoured heir apparent, his son Kim Jong-chol, 23, who was educated in Geneva, is reported to have staged a shoot-out inside a palace with Kim Jang-hyun, 34, an illegitimate son of Kim Il-sung, father of the dictator and founder of the dynasty. Rumours of rivalry and bloodshed have multiplied since the Dear Leader's last meetings with dignitaries from Russia and China last September. Since then Kim has vanished from view.

Analysts in Seoul say that in recent propaganda pictures the bouffant-haired dictator is wearing the same clothes as in photographs from two years ago, suggesting that they may have been taken then. Observers await Kim's official birthday, February 16, to see if the state media accord him the usual fawning adulation.

According to exiles, North Korean agents in Beijing and Ulan Bator are frantically selling assets to raise cash — an important sign, says one activist, because "the secret police can always smell the crisis coming before anybody else".

A strengthened regime indeed.

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