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Stephen J. Solarz

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# SPEECH

## UNITED STATES-KOREAN RELATIONS: TOWARD THE 21ST CENTURY

Congressman Stephen J. Solarz\*

In the early 1950s, more than a million Americans spent months, and in many cases years, slogging up and down the Korean peninsula.<sup>1</sup> Included among that number were Senator John Glenn, Congressman Charles Rangel, and several of my other colleagues in the United States Congress. Since I was only a young boy at the time, I missed out on that visit. But I've been trying to make up for my late start ever since.

This is my ninth trip to South Korea. Apart from Senator Glenn, Congressman Rangel, and the few other Korean War veterans in the Congress, I suspect I have spent more time on the Korean peninsula, trying to obtain a better understanding of the people, politics, and problems of South Korea, than perhaps any other member of the House of Representatives.

While I did not personally share in the suffering and sacrifices of

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\* Stephen J. Solarz (D-N.Y.) is the chairman of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs. He delivered this speech before the Korean-American Association in Seoul, South Korea on August 18, 1989.

1. See D. REESE, *KOREA: THE LIMITED WAR 1-2* (1964) (offering a description by South Korean Ambassador John Muccio of the Korean conflict that began on June 25, 1950, as an all-out offensive). On that same day, the United Nations passed two resolutions: G.A. Res. 82, U.N. Doc. S/INF/4/Rev.1 (1950) and G.A. Res. 83, U.N. Doc. S/INF/4/Rev.1 (1950). The first resolution requested that North Korea withdraw from South Korean territory below the 38th parallel. G.A. Res. 82, U.N. Doc. S/INF/4/Rev.1 (1950). The second resolution requested the support of United Nations members in repelling the attack. G.A. Res. 83, U.N. Doc. S/INF/4/Rev.1 (1950). On June 26, 1950, United States air and naval forces hastily entered combat to prevent the imminent collapse of South Korea. D. REESE, *supra*, at 1; see also *Jurisdiction Over Offenses by United States Forces in Korea*, July 12, 1950, 5 U.S.T. 1408-09, T.I.A.S. No. 3012 (noting the absence of an official agreement between the United States and Korea concerning the scope of United States intervention).

those brave Americans who put their lives on the line to defend freedom in South Korea, I am not at all unmindful of the courage and the constancy they displayed during the course of that bitter and bloody conflict. Of course, the 54,000 Americans<sup>2</sup> who lost their lives during the Korean War constitute only a small number compared to the one million South Koreans—men, women, and children—who perished during the struggle to preserve South Korea's independence<sup>3</sup> and the right of the South Korean people to determine their own destiny. As a result of that war and those sacrifices, the United States was able to demonstrate that aggression does not pay, and that the free peoples of the world are prepared to resist force with force.

Another positive outcome of that otherwise tragic war was the creation of a strong partnership between South Korea and the United States. And I am here today to tell you that the Korean-American partnership has been a real success story for both our countries. For almost four decades it has preserved the peace and promoted stability on the Korean peninsula, and we Americans are proud to have shared the sacrifices and the triumphs of nearly forty years with our South Korean allies.

I have returned to South Korea at a particularly auspicious moment in your history. Having earlier wrought an economic miracle out of the devastation of a bitter war, South Korea has, over the past two years, engineered a stunning political miracle that has gone a long way toward bringing genuine democracy to your country.

The long and continuing march on the road from dictatorship to democracy in South Korea has many heroes. There is, first and foremost, the South Korean people, whose courageous willingness to put their careers and even their lives on the line for democracy was—and remains—a reflection of their commitment to those fundamental values on which my own country was founded over two centuries ago. The progress which has been made in the effort to establish a genuine democracy in South Korea is also a reflection of the efforts on the part of Korean leaders such as Roh Tae Woo, who was prepared to put the interests of his nation ahead of his personal political interests, and Kim Dae Jung and Kim Young Sam, who for one dark year after another held aloft the torch of liberty in South Korea.<sup>4</sup> I would like to think, it

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2. THE WORLD ALMANAC AND BOOK OF FACTS 756 (1989).

3. 22 THE NEW ENCYCLOPEDIA BRITANICA 526 (15th ed. 1986).

4. See F. BUNGE, SOUTH KOREA: A COUNTRY STUDY 36-37 (1982) (describing the role that the two Kims held in leading the opposition New Democratic Party, a major force that prompted the democratic elections). In 1976, Kim Dae Jung received a five-to eight-year prison term for leading the democratic movement and running as a candi-

is also at least partially a result of American diplomacy, made effective by a bipartisan consensus in the United States that the best way to maintain peace and prosperity in South Korea was through the establishment of democracy, rather than by a continuation of repression.

The progress which has been made in establishing a system of real political pluralism must not obscure the continuing obstacles to the establishment of a truly genuine democracy that must be overcome. So long as people are imprisoned not for what they have done, but for what they have said, and so long as people can be convicted of being an enemy of the state on the basis of national security legislation that does more to impair the faith of the citizenry in the fairness of the government than it does to protect the country from the real threat of subversion, it will not be possible to say that the people of South Korea are fully free. Nevertheless, the hard and undeniable fact is that the South Korean people have gone a long way toward laying the groundwork for what we hope will be an enduring political stability and continued economic prosperity. These conditions are as much in the American as in the Korean interest, and their achievement amply testifies to the vigor and vitality of United States-Korean ties.

This is not to say that there are not potential problems that could destabilize relations between our two countries. It does seem to be the case, however, that the people in each nation who are most apt to criticize the U.S.-South Korean relationship are those who do not appreciate the extent to which this partnership has succeeded in preserving peace and promoting prosperity for almost four decades. There are some Americans, for instance, who have called for the unilateral withdrawal of all American forces from the Korean peninsula. There are others who have suggested a more modest but still significant withdrawal, presumably in the hope that by so doing, substantial cost savings can be achieved.<sup>5</sup>

Yet, upon examination, this argument fails to withstand close scrutiny. Unless the withdrawn troops are actually demobilized, there will

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date in the 1973 election. *Id.* After the assassination of President Park in 1979, however, the newly elected Choi Kyu Hah released Kim Dae Jung and promised direct presidential elections. *Id.* at 176-77. During Kim Dae Jung's absence, Kim Young Sam gained some prominence and formed a new political party. *Id.* at 182-83. In May of 1980, the government again decreed martial law and arrested the two Kims. *Id.* Kim Dae Jung and Kim Young Sam later joined to lead an opposition party after their release from prolonged prison terms. *Id.*; Jameson, *Two Rivals Vow Unity for South Korean Democracy*, L.A. Times, Mar. 7, 1985, at A1 (describing the meeting between the two former rivals).

5. See, e.g., S. 1264, 101st Cong., 1st Sess., 135 CONG. REC. 7516 (1989) (offering a proposal by Senator Dale Bumpers requiring the removal of 10,000 out of 43,000 troops presently in Korea no later than 1992).

be no budgetary savings; troops simply redeployed elsewhere would cost at least as much as if they were maintained in Korea. And if they were fully demobilized, this would still save only modest sums, while at the same time diminishing the credibility of the American defense commitment to South Korea.

The presence of 43,000 American troops in South Korea serves as a tangible manifestation of the United States commitment to the security of South Korea. As long as a significant indigenous military imbalance continues to exist on the Korean peninsula, the United States should not withdraw any of its forces from South Korea, unless the Republic of Korea has taken steps to increase its own forces so as to offset the United States cuts and ensure that there is no loss in deterrent capability. A unilateral American troop withdrawal, without any compensatory increases in Republic of Korea forces, would significantly diminish the deterrent value of our mutual security treaty, thereby threatening the preservation of peace on the peninsula.

Unless we are willing to move South Korea outside the United States defense perimeter—which we tried once before with regrettable results,<sup>6</sup> and which we are emphatically not prepared to do again—it would be exceedingly unwise to take a step that might well be extremely costly in terms of the blood and treasure that would be required to repel a North Korean attack if deterrence failed, simply to save a marginal sum of money. We must keep reminding those Americans who push for the unilateral withdrawal of United States forces that, across the border, barely 30 miles from Seoul, lies a hostile North Korea run by one of the most repressive regimes in the world, a regime which has never renounced its ambition of reunifying the Korean peninsula under Communist control.

As South Koreans hardly need to be told, North Korea currently enjoys significant military advantages in men and materiel. With a trained army of one million troops, it has fifty-six percent more men under arms than the South. It also has a two or three to one advantage in armor and artillery, including tanks, armored personnel carriers, and self-propelled artillery.

Fortunately, since the South's economy is five times the size of the North's, it should be possible to establish an indigenous balance on the peninsula over the course of the next decade. In the meantime, as South Korea continues to increase its military capabilities, we should

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6. Address by Secretary of State Dean Acheson to the National Press Club (Jan. 12, 1950) 12 DOCUMENTS ON AMERICAN FOREIGN RELATIONS 426, 431-32 (R. Bennett & R. Turner eds. 1950).

not preclude the possibility of partial reductions of United States forces. There is nothing immutable about the figure of 43,000 men. Not all that long ago, there were 80,000 American troops in South Korea. More recently, there have been as few as 40,000.<sup>7</sup> Indeed, what was truly impressive about this drawdown a few years ago was the manner in which it was done without in any way diminishing the American commitment to South Korea or the value of the American deterrent. So one can easily imagine the possibility of some reductions in the future.

Even in the context of the achievement of an acceptable balance of power, however, I strongly believe that the United States should not totally withdraw its forces from South Korea unless there has been a dramatic reduction of North-South tensions that has eliminated the threat of war on the Korean peninsula. So long as the threat of war remains, the requirements of deterrence remain with it.

If recent press reports are correct that North Korea has taken the first incipient steps to achieve an indigenous nuclear weapons capability,<sup>8</sup> such steps would constitute a deeply disturbing development which should concern everyone who cares about the survival of the Korean people. Considering this new factor in the security equation, it may make sense to explore the possibility of negotiating an agreement between the two Koreas, as well as the People's Republic of China, the Soviet Union, and the United States, designed to preclude both the development and deployment of nuclear weapons on the Korean peninsula, thereby allaying both the South's fears of the North's capability and the North's fear of the alleged presence of United States nuclear weapons in the South. Such an agreement, which clearly would have to be accompanied by comprehensive and effective verification procedures, would go a long way toward preventing a nuclear arms race on the Korean peninsula.

In addition to those Americans concerned about security issues, many other Americans are more concerned about the existence of an almost \$10 billion trade deficit between our two countries. Of course, with a bilateral trade balance very much in South Korea's favor,<sup>9</sup> and

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7. *The Military Balance 1988-89*, INT'L INST. FOR STRATEGIC STUDIES 28 (1988).

8. Oberdorfer, *North Koreans Pursue Nuclear Arms*, Wash. Post, July 29, 1989, at A9; Fialka, *North Korea May Be Developing Ability to Build Nuclear Weapons*, Wall St. J., July 19, 1989, at A16.

9. See U.S. DEP'T OF COMMERCE REP., FOREIGN ECONOMIC TRENDS AND THEIR IMPLICATIONS FOR THE UNITED STATES (KOREA), 7 (June, 1989) [hereinafter U.S. DEP'T OF COMMERCE REP.] (offering a comprehensive evaluation of the Korean economic picture).

at a time when the United States has a global trade deficit of \$137 billion,<sup>10</sup> it is incumbent upon Seoul to respond creatively to American concerns if ways to contain protectionist pressures in the United States are going to be found. At the same time, however, it is equally important that Americans remember that for all the economic progress that South Korea has achieved over the past quarter century, South Koreans still do not enjoy anything approaching the standard of living of our European and Japanese friends. West Germany's per capita income is over \$10,000; France's, \$9,200; Britain's, \$7,800; and Japan's, \$16,000.<sup>11</sup> South Korea's per capita income, on the other hand, has only recently surpassed \$4,000.<sup>12</sup> So while Americans have ample reason to be concerned about their trade deficit with South Korea, one would hope that we do not overexaggerate its significance.

It is also true that South Korea has taken a number of constructive steps to address specific United States complaints about unfair Korean practices. Your currency revaluation over the past two and a half years has had the effect of reducing what had been an artificial exchange rate advantage. Last May, representatives of our governments reached agreements that avoided the legal necessity, under the Super 301 requirements of last year's Omnibus Trade Act, of considering retaliatory measures against South Korea.<sup>13</sup> Significant progress is being made on "local content" issues. Korean investment regulations are being amended so as to afford more equitable treatment to foreign businesses that wish to operate in South Korea.<sup>14</sup>

Finally, Americans would do well to recall that, according to the United States Trade Representative, even if South Korea eliminated all its trade barriers, a bilateral trade deficit would still remain as a result of structural and other factors. Under these circumstances, Americans and Koreans need to be cautious about pushing trade disputes to the point where they could jeopardize important political ties between our countries.

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10. INTERNATIONAL MONETARY FUND, INT'L FIN. STATISTICS (1989).

11. THE EUROPA WORLD YEAR BOOK 1989 xiv (30th ed. 1988).

12. *Id.* at xv.

13. See Park, *International Trade-Agreement Between the United States and the Republic of Korea Concerning Insurance Market Access and Intellectual Property Protection in the Republic of Korea*, 28 HARV. INT'L L.J. 166, 168-170 (1987) (noting that United States investigations ceased after the two countries agreed that South Korea would strengthen its intellectual property protection).

14. See U.S. DEP'T OF COMMERCE REP., *supra* note 9, at 8-9 (including a summary of the July 1, 1987, laws passed to help alleviate violations in intellectual property rights); see also Airgram from American Embassy in Seoul to Department of State—unclassified (June 28, 1989) (noting that since the July 1987 laws were passed there has been some improvement in protections).

In addition to being more sensitive to the military imbalance and to economic realities on the Korean peninsula, the United States also needs to pay attention to the understandable and legitimate nationalistic concerns of the South Korean people. I would hope, for instance, that we would be prepared to press ahead with plans to relocate United States army headquarters out of Seoul into a less-populated part of the country. We have to understand that for many South Koreans, the presence of the headquarters complex, complete with an extensive golf course, in the midst of some of Seoul's priciest real estate constitutes a running political and nationalistic affront. The United States has agreed in principle to relocation. We now need to move forward with the implementation of this agreement. One way to do this is for the Korean government, given the opportunity to reclaim this choice land, to agree to assume all reasonable costs associated with the relocation.

Finally, we should accelerate the current discussions on shifting command of the combined United States-Korean forces in South Korea from an American to a South Korean general. Such a move is long overdue. Today there are approximately 640,000 South Korean troops under United Nations command, compared to 43,000 American troops. Given this disparity, it is easy to understand why many South Koreans resent having a foreigner in seemingly perpetual command of their armed forces. Moreover, many South Koreans are fully aware of the World War II practice where British and American troops served under the command of whichever nation contributed the larger force in that particular theater. There seems no reason why we cannot abandon these anachronistic arrangements so as to be responsive to South Korean sensitivities without in any way diminishing the credibility of America's defense commitment to South Korea or undermining the legal fiction that United States forces are here as part of the United Nations command.

But just as there are people in the United States who, through misinformation or malevolence, create problems for the bilateral relationship, so too are there those in South Korea whose actions and arguments threaten to poison the well of Korean-American relations. And just as there are steps the United States might take to ward off potential problems before they become major difficulties, so too are there comparable actions the South Korean government might take as well.

While recognizing that a substantial majority of the Korean people appreciate the role the United States continues to play in the defense and development of South Korea, the American people have been deeply disturbed by the spread of anti-American sentiment in South Korea beyond the small group of radical students where it has festered

for a number of years. Ironically, this new anti-Americanism has been facilitated by the growth of democracy, since it is now far easier to voice such sentiments than it was when the government tightly controlled political expression.

There are those, for instance, who persist in condemning the United States for its alleged role in the 1980 Kwangju massacre.<sup>15</sup> At this late date, it should hardly be necessary to say again that the two battalions of the Special Warfare Command initially involved in the atrocities at Kwangju—those troops responsible for most of the civilian casualties—were not under the operational control of the American commander. In fact, American authorities had no prior knowledge that these units were being sent to Kwangju and were not even aware of their presence there.<sup>16</sup> Nor were the 20th Division troops that subsequently entered Kwangju under United States operational control, since they had been removed from the combined forces command earlier, which the South Korean government was entitled to do under the agreement. Now is it true that American officials were consulted prior to the dispatch of the 20th Division forces. By this time, however, news of the violence in Kwangju had leaked out, and the American authorities concluded that if negotiations to bring about a peaceful resolution of the crisis failed, it would be desirable to have the 20th Division, which had received riot-control training, replace the far more brutal Special Warfare troops as a way of averting further bloodshed.

The crucial point, however, is that we had no legal authority to block the dispatch of the 20th Division, even if we had wanted to, and honestly believed in any case that sending these units to Kwangju would diminish the likelihood of continued violence. So in reality, rather than approving or encouraging the events at Kwangju, American authorities remained largely ignorant of them until after most of the blood had already been shed. At no time were they in a position to have taken decisive action to prevent the bloodletting which took place.

None of this is to condone what happened at Kwangju. The events there were tragic and terrible. They deserve to be denounced and deplored. But this constant condemnation of the United States, as distin-

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15. See *Seoul Students Attack U.S. Embassy*, N.Y. Times, May 21, 1988, at 3 (noting that students held signs blaming the United States for the Kwangju massacre). The incident occurred following the government's declaration of martial law and the arrest of opposition leaders Kim Dae Jung and Kim Young Sam; BUNGE, *supra* note 3, at 182-83 (offering a description of the events).

16. See U.S. Government Statement on the Events in Kwangju, Republic of Korea, in May 1980, June 19, 1989 (offering a detailed State Department White Paper account of the events).

guished from legitimate criticism of those Korean officials who were actually responsible for the affair, hardly constitutes a constructive contribution to good relations between our two countries.

There are also a handful of South Koreans who throw Molotov cocktails and demand the immediate withdrawal from South Korea of all United States troops. Let me assure you that the American people will not wish to support the presence of American troops where they are not welcome. If South Korea wants to terminate the mutual security treaty and desires that American forces withdraw from the peninsula, we would immediately and undoubtedly comply with its wishes, however unwise and unwelcome such a request would be.

Yet my very strong impression is that the bomb-throwers represent only an irresponsible minority of the Korean people. If this is in fact the case, then it is incumbent upon the Korean government to let the United States government and the American people know clearly and unmistakably that the majority of South Koreans want the United States to remain in South Korea. Otherwise, the American people will draw an erroneous conclusion about Korean desires, and domestic support for maintaining the American presence in South Korea will evaporate.

Some Koreans have seized upon the trade disputes between our two countries to question the value of the entire South Korean-American relationship. Yet even many Koreans who do not challenge the underlying premises binding our two peoples together frequently fail to understand the intensity of American feelings on these economic matters. With a substantial surplus in their favor, it is important that South Koreans understand that, for Americans, fair trade is a precondition for free trade. And in the eyes of many Americans, a number of South Korean trade practices have been neither fair nor free.

Take agricultural goods, for instance. South Korea continues to exclude imports of many American farm goods, while strict quotas limit trade in numerous other agricultural items.<sup>17</sup> Beef is one example, but hardly the only one. If our two governments cannot resolve their differences on Korean treatment of American beef exports by the end of September, President Bush is required by law to make a determination on unfair trade practices and on whether retaliatory measures should be taken. It hardly needs to be said that a spiral of retaliation will be in neither South Korea's interest nor our own.

We have similar problems with telecommunications equipment and

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17. See U.S. DEP'T OF COMMERCE REP., *supra* note 9, at 8 (June, 1989) (offering a summary of the 1988 agricultural trade between the two nations).

services. These are disputes which must be resolved by next February if legally-mandated United States action, possibly including retaliation, is to be avoided. South Korea is also on a special watch list for intellectual property rights violations. It now has good, tough laws on the books protecting intellectual property rights.<sup>18</sup> Unfortunately, they are not vigorously enforced. Here, too, progress is needed if we are to avoid the sort of acrimonious commercial disputes that serve only to undermine our confidence in each other.

Finally, there are South Koreans who seek to blame the United States for the continued division of the Korean peninsula. Let me make it clear that the United States fully supports the peaceful reunification of the Korean peninsula under conditions compatible with the ability of the Korean people to determine their own destiny. We endorse the goal of reunification because we understand that this reflects the deepest aspirations of the Korean people.

But the United States also supports the objective of eventual reunification because we believe that the peaceful reunification of the two Koreas would be very much in the American interest. Reunification would significantly decrease the threat of another war on the peninsula, which in turn would remove a potential flashpoint for a Soviet-American confrontation. And at a time when regional conflicts are being resolved around the world—in southern Africa, in the Persian Gulf, in Afghanistan, and in Southeast Asia—Americans would applaud similar progress toward the peaceful and political resolution of the differences between the two Koreas. So make no mistake about it: The United States fully sympathizes with and supports the hopes and aspirations of virtually all Koreans for the eventual reunification of Korea.

Pending the reestablishment of a reunified Korea, the United States would also strongly back any and all efforts to facilitate the reunification of divided families, the elimination of barriers to the exchange of mail and other forms of communication, and the development of mutually rewarding economic relations between the two Koreas. Indeed, the initiation of such humanitarian and economic arrangements would go a long way toward creating the kind of trust and confidence which will be necessary to facilitate progress on the broader and more difficult political issue of reunification.

The Korean-American partnership is one of the great success stories of the postwar period. For over a third of a century, it has contributed

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18. See Park, *supra* note 13, at 168-70 (discussing the comprehensive bill introduced in the South Korean National Assembly covering extended patent, trademark, and copyright protection).

to peace on the Korean peninsula and stability in the region. But changes have taken place on the peninsula, and especially in South Korea, that ought to be reflected in that relationship.

We do not need dramatic policy shifts. We should avoid abrupt, let alone unilateral, changes. But with wise leadership in both Seoul and Washington, from people who understand how helpful this partnership has been in preserving peace and prosperity in Northeast Asia, we ought to be able to fine-tune the relationship in a way that will carry Korean-American relations on a smooth course into the twenty-first century. As a member of the United States Congress, I am convinced that only in this fashion will American interests be adequately safeguarded. And as a friend and admirer of the Korean people, I am equally convinced that such a prescription would serve the interests of South Korea as well.