

Forward-deployed and Host Nation Interaction: U.S.-ROK Cooperation under External Threat and Internal Frictions

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Abstract

This paper argues external threat perception and internal friction dominate a government's cost-benefit analysis for hosting foreign troops. As a result, security cooperation between the Republic of Korea and United States varies with the degree of threat Seoul perceives from North Korea and the intensity of incidents related to the Status of Forces Agreement (SOFA). The ROK government's domestic political costs and perceived security benefits of the alliance produce a mix of nationalist and cooperative behavior toward the United States. The level of cooperation Seoul offers Washington shapes how effective and efficient the United States considers the alliance, which determines the ratio of American unilateral and cooperative behavior. How coordinated U.S. actions are with the ROK in turn affect Seoul's calculations of the costs and benefits of the alliance.

This basic model of forward-deployed and host nation interaction is presented to account for post-Cold War patterns of cooperation between South Korea and the United States. It is argued that this process explains variation in U.S.-ROK cooperation better than popular arguments focused on the level of amity between leaders or the strength of national capabilities. The paper suggests how recent U.S. unilateralism and South Korean nationalism are related, producing negative feedback that can inhibit future cooperation. To successfully update and transform the alliance, Washington and Seoul need to be more attentive to how national policies affect the costs and benefits the other side associates with the alliance. Given the urgency of foregoing American unilateralism and Korean nationalism for alliance cooperation in the face of a nuclear North Korea, this analysis demonstrates the importance of Washington regaining the trust of the South Korean people and Seoul making accurate assessments of the North Korean threat.

What accounts for changing levels of cooperation between a country with forward military deployments and the nation hosting those military forces? This is one of the most fundamental questions in East Asian security, as bilateral alliances and the United States military presence continue to shape the regional security landscape. Understanding forward-deployed and host nation interaction is complicated by the fact that alliances forged during the Cold War face a much different security environment today, and nations that entered into security partnerships decades ago have themselves changed over time. The most relevant case is the alliance between the Republic of Korea (ROK) and the United States, a relationship in the process of transformation and exhibiting significant fluctuations in cooperation.¹

Theories of alliances have paid great attention to the formation, development and maintenance of cooperative security relations.² International relations theory literature on cooperation has advanced understanding of government decision-making by focusing on strategies for maximizing utility, especially in two-level games of domestic and international politics.³ These studies are useful for their general findings, as they often begin with a research question about cooperation between generic states. The motivating question for this paper—concerning forward-deployed and host nation cooperation—is more specific in that it recognizes different roles and positions for each state, and hence different perspectives and concerns for each alliance partner.

The relationship between forward-deployed and host nations need

1 On transformation of the U.S.-ROK alliance, see Charles M. Perry, Jacquelyn K. Davis, James L. Schoff and Toshi Yoshihara, *Alliance Diversification and the Future of the U.S.-Korean Security Relationship* (Washington, DC: Potomac Books, 2004). On the changed international context for the alliance, see Jae-Chang Kim, "The New International Order and the U.S.-ROK Alliance," *Korean Journal of Defense Analysis*, Vol. 15, No. 2 (Fall 2003), pp. 57–75.

2 See Glenn H. Snyder, *Alliance Politics* (Ithaca, NY: Cornell University Press, 1997); Stephen M. Walt, *The Origins of Alliances* (Ithaca, NY: Cornell University Press, 1990).

3 See for example, Helen V. Milner, *Interests, Institutions, and Information*

not be asymmetric in terms of material power, decision-making control or benefits derived from the alliance. But by definition, the alliance contributions of forward-deployed and host nations are different. The ROK allows the United States to maintain military bases on Korean territory and provides host nation financial and logistical support to American forces. The United States devotes significant resources for stationing in South Korea a contingent of the most advanced and best trained military in the world. As a result, South Korea receives the strong deterrent capacity of U.S. conventional forces and nuclear umbrella, and a credible commitment that Washington will come to Seoul's defense in the event of a North Korean attack. The United States benefits greatly from having a forward presence in Northeast Asia to protect U.S. interests in the region, including the maintenance of regional stability, which requires reassurance of U.S. allies, deterrence of potential threats, and rapid U.S. response to various contingencies on and off the Korean peninsula.⁴

Over its half-century history, the U.S.-ROK alliance has become a more equal partnership, both in terms of contributions and benefits. But it is important to recognize that a security relationship where one country maintains military forces abroad and the other hosts that country's forces, bases, equipment and training exercises on their home soil means that the political costs and security benefits of the alliance will be of a different nature for the two governments. General theories of alliances and international cooperation do not take this differentiation into account.⁵

⁴This statement of ROK and U.S. contributions to and benefits from the alliance does not begin to touch upon the non-traditional security benefits and positive spillover effects related to trade, investment, diplomatic coordination, civil society exchange, cooperation on environmental and health crises, and potential of the alliance to deal with off-peninsula security concerns. But the benefits of the alliance are not without controversy. For a critique of the post-Cold War relevance of the American presence in Asia emphasizing the costs of the U.S.-ROK alliance, see Ted Galen Carpenter and Doug Bandow, *The Korean Conundrum* (New York: Palgrave MacMillan,

2004); Chalmers Johnson, *Blowback: the Costs and Consequences of American Empire* (New York: Owl Books, 2004); Selig S. Harrison, *Korean Endgame: A Strategy for Reunification and U.S. Disengagement* (Princeton: Princeton University Press, 2003).

126 *Forward-deployed and Host Nation Interaction*

There are, however, popular explanations for forward-deployed and host nation cooperation that focus on the compatibility of national leaderships and levels of military capabilities. This paper considers these arguments in the context of the U.S.-ROK alliance and finds them of limited use for explaining variation in cooperation after the Cold War. Based on these findings, the paper develops a more detailed, but still straightforward process to capture forward-deployed and host nation interaction.

The explanation advanced by this paper focuses on different costs and benefits the forward-deployed and host nations associate with their security alliance, in a process driven by external threat and internal friction. In particular, the ROK government's domestic political costs are determined by the degree of threat Seoul perceives from North Korea and the intensity of Status of Forces Agreement (SOFA) incidents involving U.S. troops and the South Korean population. The South Korean government's political costs at a given time produce its combination of nationalist and cooperative behavior toward the United States. The level of cooperation Seoul offers Washington shapes how effective the United States considers the alliance. Perceived effectiveness of the alliance and U.S. assessment of the costs of forward deployment determine the ratio of American unilateral behavior versus coordinated action with South Korea. Washington's alliance behavior then feeds back into South Korean calculations of the alliance's utility and perceptions of its domestic political costs.

This interactive and dynamic process offers a new way of understanding changes in the level of cooperation between South Korea and the United States after the Cold War. A comprehensive analysis of the U.S.-ROK alliance is beyond the scope of this article; rather the goal is to provide a framework for further analysis of forward-deployed and host nation interaction of which the South Korea-U.S. relationship is one case.

The paper proceeds as follows. First, two popular arguments are

5 An informative discussion of alliance theories and Korea is provided by Victor D. Cha, *Alignment Despite Antagonism* (Stanford, CA: Stanford University Press, 2000) although this work focuses on explaining U.S.-ROK-Japan triangular relations rather than forward-deployed and host nation interaction.

Leif-Eric Easley 127

considered: that the level of alliance cooperation is determined by the countries' leadership compatibility, or by the host nation's level of military capabilities and resources. Then, the paper offers a more useful model for understanding variation in South Korea-U.S. cooperation. Particular attention is paid to changes in the level of threat Seoul perceives from the North, and the intensity of SOFA incidents involving U.S. troops on South Korean soil. The article concludes with implications for future U.S.-ROK cooperation, facing the emerging reality of a nuclear North Korea.

Leadership Compatibility Argument

One competing explanation for cooperation between forward deployed and host nation governments is the compatibility of their leaderships. This argument focuses on how well particular pairings of administrations match up in terms of personal relations, party ideologies and form of government. There is a rich literature on political elites, political ideology, and regime type (democratic versus authoritarian system) related to this argument.⁶ cursory reviews of recent U.S.-ROK alliance history seem to support this explanation. Presidents Bill Clinton and Kim Dae-jung had relatively good personal relations and were from the more liberal of the two major parties in their respective democracies. South Korea-U.S. relations appeared more cooperative under this pairing than the more recent configurations of a conservative President George W. Bush and liberal Presidents Kim Dae-jung and Roh Moo-hyun in South Korea.

Further analysis, however, raises important historical inconsistencies with this argument. Consider the review of ROK and U.S. alliance behavior in figure 1. This chart does not include important

long-term and continuous U.S.-ROK cooperation via the Combined Forces Com

6 For the classic statement of “first image” or individual level explanations of international relations, see Kenneth N. Waltz, *Man, the State, and War* (New York: Columbia University Press, 1959). On ideology, see Mark L. Haas, *Ideological Origins of Great Power Politics* (Cornell University Press, November 2005). On regime type related explanations, see Bruce Russett, *Grasping the Democratic Peace* (Princeton University Press, 1994), pp. 24–40.

128 *Forward-deployed and Host Nation Interaction*

mand, annual Security Consultative Meetings, joint military exercises, weapons procurement, and host nation support. Rather than cover important day-to-day institutionalized cooperation within the alliance, figure 1 highlights actions taken by different administrations that were particularly cooperative or non-cooperative in the context of the alliance. This paints a more complicated picture of post-Cold War South Korea U.S. cooperation.

For example, when Y.S. Kim was democratically elected the first civilian president of the ROK in 1992, he was widely expected to be a progressive leader. At his inauguration in early 1993, Kim made significant overtures to North Korea. President Bill Clinton, just elected in the United States, was seen as a political friend and ally. However, the two presidents, despite their apparent compatibility, went different ways once faced with North Korea's threat to withdraw from the Nuclear Nonproliferation Treaty (NPT). Kim took an increasingly hard-line stance toward North Korea while Clinton negotiated directly with Pyongyang. The Kim administration worried about the U.S. cutting deals over South Korea's head, and Clinton appears to have seriously considered a surgical strike against North Korea without consulting Seoul. The first North Korean nuclear crisis was resolved not via U.S.-ROK cooperation but with the Framework Agreement, agreed between the United States and North Korea with little input from the ROK.

In 1998, Kim Dae-jung took over as South Korean president. President Kim was apparently compatible with President Clinton, and the two staunchly engaged North Korea. But the Kim administration made significant decisions that were non-cooperative in the context of the alliance. These included deflecting blame for South Korea's

Framework provisions to supply energy to DPRK.		<i>U.S. draws up surgical strike plan against DPRK nuclear facilities at Yongbyun; the plan is later considered without consultations with ROK.</i>	sanctions on North Korea. U.S. supports ROK plans for provision of South Korean designed and supplied LWRs to DRPK.
ROK-U.S. continue postponement of "Team Spirit" to appease NK, but conduct smaller exercises.	<i>U.S. reduces USFK deployment; considers dismantlement of CFC. U.S. welcomes ROK diplomatic normalization with China, and ROK and DPRK entry into the UN. U.S. pledges cooperation with Seoul concerning North Korea's nuclear program.</i>	<i>U.S. sends patriot missile defenses to ROK. U.S. reaches understanding with North Korea that leads to Agreed Framework, without significant ROK participation or input on nuclear negotiations.</i>	U.S. sends food aid to North Korea to alleviate effects of famine. U.S. proposes Four-Party Talks to include ROK.
ROK reacts strongly to DPRK submarine incursion.			
At U.S. request, ROK withdraws Korean candidate to head IAEA and cancels plan to receive weapons systems from Russia as form of loan repayment.	<i>U.S. postpones drawdown of USFK because of NK.</i>	<i>U.S. eases</i>	U.S. pushes KEDO project forward; although behind schedule, construction at LWR site begins. U.S. cooperates with ROK on export controls.

		States. ROK refuses to cooperate on missile defense.	to the U.S.” ROK sends 3000 troops to help with reconstruction in Iraq.
1999 2000		ROK manages history flare up over Nogun-ri. ROK stresses continuing alliance after breakthrough in relations with North at inter-Korean summit.	Roh statements suggest North Korea’s desire for nukes “understandable” given U.S. threat. ROK agrees to USFK relocation in FoTA talks.
2001			
		ROK critical of U.S. demands on DPRK, skeptical of U.S. force redeployment and strategic flexibility.	
2002 2003 2004		ROK seeks reduced KEDO commitment; some politicians suggest U.S. unhelpful in “IMF crisis.” Weak ROK official response to Tae podong missile test and suspicious DPRK activity at Kumchang-ri.	U.S. increases KEDO contribution and offers lifting DPRK sanctions, contingent on Four-Party Talks progress on replacing armistice with peace treaty. U.S. Congress refuses full funding of HFO to NK.
		Trilateral Consultation and Oversight Group (TCOG) initiated among the ROK, Japan and the United	In summit meetings, President Clinton stresses U.S. cooperation with South

Korea concerning North's nuclear program.	Secretary of State Albright visit to Pyongyang.	Seoul on ROK missile programs for South Korea to join MTCR.	<i>part of an "Axis of Evil" in State of the Union address.</i>	
U.S. supports inter-Korean summit, reconciliation.	<i>Bush administration telegraphs harder line on DPRK; promises to review U.S. policy.</i>	<i>Bush administration critical of Sunshine Policy.</i>	U.S. initiates Six Party Talks process. U.S. initiates Proliferation Security Initiative (PSI) as	U.S. says USFK troops deployed to Iraq will not return to Korea. U.S. pledges to upgrade USFK capabilities.
Clinton engagement peaks with	U.S. reaches agreement with	<i>President Bush labels North Korea</i>	<i>a mechanism to inspect and</i>	
		Leif-Eric Easley 131		
	ROK-alliance Behavior	<i>DPRK missile tests.</i>		<i>funds.</i>
	ROK coordinates with U.S. in Six Party Talks.	<i>ROK weak implementation of UNSC resolution sanctions after DPRK nuclear test; continues Kaesong and Kungang projects with North Korea.</i>		
2005 2006	Launch of ROK-U.S. Security Policy Initiative.	<i>Roh expresses frustration with U.S. inflexibility and drops "main enemy" designation of North Korea.</i>	U.S.-alliance Behavior U.S. coordinates with ROK in Six Party Talks toward joint statement on nuclear dismantlement. U.S. leads international financial crackdown on alleged Pyongyang illicit	DOD publicly suggests earlier date for handover of wartime operational control. U.S. leads international sanctioning efforts after DPRK missile tests and nuclear test.

* Note: Italics are used in Figure 1 to differentiate noncooperative from cooperative behavior.

on Iraqi reconstruction and agree to U.S. Forces Korea (USFK) redeploy ments and base relocations. The leadership compatibility argument thus does not appear to capture important variation in South Korea-U.S. cooperation, suggesting a consideration of another popular argument about alliance trends driven by changing national capabilities.

Military Capabilities Argument

Another popular explanation of variation in forward-deployed and host nation cooperation focuses on the host nation's need for protection. This argument is capabilities driven: as long as the host nation has insufficient capabilities to provide for its own security, it will cooperate with the forward-deployed nation as necessary for the national defense. Cooperation is thus expected to decrease as the host nation becomes more capable of defending itself, without assets and assurances from the forward-deployed nation. This capabilities-based analysis is inspired by the realist balance-of-power school of international relations.⁷

⁷ See John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: Norton, 2001), pp. 55–82.

As with the leadership compatibility argument, this explanation seems to fit the South Korea-U.S. case after the Cold War. As ROK national capacity has risen with rapid economic development, Seoul's decisions to cooperate with Washington are less a matter of necessity and more a matter of choice. So, the argument goes, a more capable ROK cooperates less with America and focuses more on steps toward reconciliation and eventual unification with North Korea. The problem with this argument is that it too does not hold up to further scrutiny.

Since many research programs employ national capabilities as an explanatory variable, there are projects devoted to tracking changes in these capabilities. One prominent dataset is provided by the Correlates of War Project, which was used to generate the graph of ROK national capabilities below.

Figure 2. Post–Cold War Trend of ROK National Capabilities⁸

This graph shows a steady increase in ROK capabilities until 1997. That year, the Asian Financial Crisis significantly disrupted the South Korean economy. As a result, South Korea's composite index of national capability decreased between 1997 and 1998. National capability recovered somewhat in 1998, and then leveled off.

8 Data from the National Material Capabilities Data Set, version 3.02, June 2005, available at <http://www.correlatesofwar.org>.

Leif-Eric Easley 133

According to the capabilities argument, ROK alliance cooperation should have gradually decreased in the post-Cold War period up until 1997. Referring back to figure 1, this does not seem to be the case. Cooperation should then have increased in 1998, but according to ROK alliance behavior in figure 1, this also was not the case. What is more, the leveling off in ROK capabilities means that capabilities cannot account for changes in cooperation after 1998, meaning that something else must be causing the variation. Improvements in ROK capabilities do not seem to have driven less cooperation, nor did a brief but significant reduction in ROK capabilities lead to more cooperation. An argument could be made that the balance of military capabilities affects the shape of burden and role sharing, or the structure of decision-making. But there is little evidence here for a strong relationship between capabilities and cooperation.

There is, however, a missing variable in the popular explanation of a “host nation in need.” That is the level of threat perceived by the host nation. External threat perception is important because it determines what level of capabilities is needed. The host nation relies on the forward-deployed nation to fill the gap between host nation capabilities and the level necessary to counter the perceived threat. It follows that if ROK threat perceptions of North Korea were to decrease significantly, ROK need for the United States, and thus expected ROK cooperation, would decrease as well.

The most significant reduction in South Korean threat perception of the North was associated with the 2000 inter-Korean summit. But according to figure 1, there was no corresponding decrease in ROK alliance cooperation with the United States. While changing South Korean threat perception of the North likely has major implications for the U.S.-ROK alliance, the relationship between threat perception and cooperation does not appear to be a simple inverse linear correlation. The explanation for forward-deployed and host nation cooperation advanced below thus looks to incorporate threat perception as an important factor in an interactive process of security benefits and political costs that drive alliance behavior.

134 *Forward-deployed and Host Nation Interaction* **External Threat and**

Internal Friction Explanation

The contribution of this paper is to offer a more rigorous and detailed explanation for changes over time in forward-deployed and host nation cooperation. The argument is applied to the South Korea U.S. case in which context it is shown to be analytically useful, with greater explanatory power than the popular explanations above. However, future research should further test this new explanation against existing arguments, not only in the U.S.-ROK alliance case, but in other cases as well.⁹

Recent studies have highlighted the importance of domestic politics for U.S. alliance relations and forward deployment in the region.¹⁰ In particular, scholars and analysts have become increasingly concerned about friction between forward-deployed forces and host nation populations.¹¹ In the South Korea-U.S. case, greater attention is

being paid to changing South Korean attitudes about America and increasing Korean nationalism.¹² Post-September 11th perceived American unilateralism has been shown to interact poorly with South Korean public opinion and raise the political costs of the alliance.¹³ This growing body of work, with its observations of significant change in South Korean perceptions concerning the North, calls for an analytical model that

- 9 The goal of this article is thus to challenge the “conventional wisdom” about forward-deployed and host nation cooperation, suggest an alternative theory, and conduct a “plausibility probe” in the U.S.-ROK case.
- 10 Sheila A. Smith, *Shifting Terrain: The Domestic Politics of the U.S. Military Presence in Asia* (Honolulu: East-West Center, 2006).
- 11 Controversy surrounding the Status of Forces Agreement has brought the future of U.S. forward-deployed bases, “the foundation for stability in East Asia,” into question. Sheldon W. Simon, ed., *The Many Faces of Asian Security* (Washington DC: Rowman & Littlefield, 2001), p. 232.
- 12 See Sook-Jong Lee, “Allying with the United States: Changing South Korean Attitudes,” *Korean Journal of Defense Analysis*, Vol. 17, No. 1 (Spring 2005), pp. 81–104; Woosang Kim and Tae-hyo Kim, “A Candle in the Wind: Korean Perceptions of ROK-U.S. Security Relations,” *Korean Journal of Defense Analysis*, Vol. 16, No. 1 (Spring 2004), pp. 99–118.
- 13 Shi Young Lee and Taejoon Han, “An Economic Assessment of USFK: Linking Public Perception and Value,” *Korean Journal of Defense Analysis*, Vol. 15, No. 2 (Fall 2003), pp. 131–52.

Leif-Eric Easley 135

integrates the factors of internal friction and external threat. For any parsimonious explanation or model, every relevant factor is not included, nor is every possible connection between variables examined. What a model provides is an intelligent simplification of reality, where the major factors or moving parts are examined, and the causal paths behind important outcomes or behaviors are considered. In the present analysis, the outcomes to be explained are ROK cooperative versus nationalist behavior, and U.S. cooperative versus unilateralist behavior. Figure 3 provides details for coding the different types of alliance behavior included in the model.

Figure 3. Cooperative and Non-cooperative Alliance Behavior

Forward-deployed nation alliance behavior	<p>Cooperative: policies and statements, which are coordinated with the host nation within the framework of the security alliance. Such actions improve the host nation's cost/benefit ratio</p> <p>Such actions may decrease the host nation's security benefits or increase its political costs.</p> <p>Cooperative: actions of public, logistical and financial support of the forward-deployed nation, or of the bilateral security relationship in general. Such actions can increase forward-deployed nation security benefits and decrease its alliance costs.</p>
<p>Host-nation alliance behavior associated with the alliance.</p> <p>Unilateralist: policies and statements which are not coordinated or agreed upon with the host nation and thus tend to be dominated by the forward-deployed nation's interests.</p>	<p>Nationalist: policies and statements that play to or inflame domestic discontent for the forward deployed nation, or which pursue national interest in ways that undermine the alliance. Such actions negatively affect the forward-deployed nation's cost/benefit ratio for the alliance.</p>

136 Forward-deployed and Host Nation Interaction

To explain changes in these alliance behaviors, the model focuses on the relationship of the costs and benefits the forward-deployed and host nation derive from the alliance. In terms of benefits, both sides are most interested in the security benefits they receive from the alliance. In terms of cost, the host nation government is primarily concerned with the domestic political costs of the alliance, which include the government's financial contribution and in particular, public grievances associated with the maintenance of foreign troops on host nation soil. The forward-deployed nation is primarily concerned with the economic costs of maintaining forces abroad and any opportunity costs of deploying forces in the host country rather than some place else.

As for friction between forward-deployed forces and the host nation population, the model focuses on incidents related to the Status of Forces Agreement (SOFA). These incidents include training accidents that result in death or injury of a civilian, serious environmental pollution from military forces, and rape or harassment committed by a service member. SOFA incidents cause an accumulation of host nation political costs by catalyzing domestic political resentment for the alliance.

As for external threat, the model focuses on the threat perception of the host nation (e.g. ROK threat perception of North Korea). Specifically, this is the threat perceived by the host government. Threat perception among the population is also important, but the government makes the decisions regarding cooperative or non-cooperative alliance behavior and is also responsible for much of the population's knowledge and perception of external security concerns. Whereas SOFA incidents are seen as a key variable affecting the host nation's cost of the alliance, external threat is a key variable that informs the need for the alliance and thus highlights its benefits. This is not to say that an alliance with out external threat cannot be justified, but rather that common threats do much to hold an alliance together and that changing threat perceptions have important implications, depending on interaction with other variables.

Many analyses of intra-alliance interaction focus on sequential patterns of cooperation and defection. However, such a view of causality for state behavior assumes a rather simplistic action-reaction process between states. This paper's explanation postulates that cooperative and

Leif-Eric Easley 137

non-cooperative actions by one side do not directly affect the behavior of the other side, but rather influence the costs and benefits they associate with the alliance. In other words, the real world is more complicated than tit-for-tat: if the United States takes some non-cooperative action, the ROK does not take a knee-jerk non-cooperative action in response. Rather, the U.S. action may or may not have some impact on alliance costs and benefits for the ROK. It is the balance of, and changes in, these costs and benefits that motivate subsequent ROK action.

With the important elements of the model specified, the process behind U.S. and ROK alliance behavior can be explained by the basic model of forward-deployed and host nation interaction below:¹⁴

Figure 4. Model of Forward-deployed and Host Nation Interaction

To elaborate this process, the paper now turns to a detailed assessment of SOFA incidents and the North Korean threat.

¹⁴The model in figure 4 is basic in that it tries to capture forward-deployed and host-nation interaction as accurately as possible with relatively few variables and linkages. A more complicated model would include more (less important but still relevant) variables and linkages, such as U.S. domestic political costs of the alliance, American threat perception of North Korea, the effect of ROK nationalist/cooperative action on ROK security benefits/political costs and so on. Much like a model airplane, a more complicated analytical model may work more like the real thing, but takes longer to build and is more difficult to use.

¹³⁸ *Forward-deployed and Host Nation Interaction* **Internal Friction and the**

Status of Forces Agreement

The United States has a Status of Forces Agreement (SOFA) with every country where a significant number of American troops are maintained, in order to delineate areas of legal responsibility and jurisdiction of the host government over American military personnel.¹⁵

SOFAs normally deal with issues pertaining to the day-to-day maintenance of U.S. forces on foreign soil, including the entry and exit of forces and goods, labor claims and contracts, and the susceptibility of U.S. personnel to domestic taxes. More importantly, SOFAs deal with civil and criminal jurisdiction and aim to protect the rights of U.S. personnel who are, by the nature of their post, subject to foreign laws and codes of conduct.

Generally, SOFAs recognize the right of the host government to “primary jurisdiction” over U.S. soldiers within its borders.¹⁶ This means that the host country retains the right to exercise jurisdiction over most cases in which U.S. military personnel violate the host country’s laws. There are two major exceptions, however: when an offense is committed by Americans against Americans and when U.S. troops commit an offense while carrying out official duty.¹⁷ In these situations, the agreements stipulate that the U.S. military has primary jurisdiction over the accused.

Most SOFA-related criminal cases, such as traffic violations, go relatively unnoticed by the public. But violent crimes committed by U.S. military personnel against Koreans and other high-profile SOFA incidents attract wide publicity, fueling anti-American protest. Professor Han-Kyo Kim provides a succinct list of historical factors behind the pent-up resentment released during these protests:¹⁸

15 Status of Forces Agreements have long been viewed by the U.S. government as cornerstones of American military deployments abroad; Anthony DiFilippo, *The Challenges of the U.S.-Japan Military Arrangement: Competing Security Transitions in a Changing International Environment* (New York: M.E. Sharpe, 2002), p. 175.

16 See article XXII of the 1966 U.S.-ROK SOFA and section-specific amendments of 1991 and 2001, available at <http://www.korea.army.mil/sofa/docs.htm>. 17 “Backgrounder: Status of Forces Agreements,” U.S. Department of State, Office of International Informational Programs, January 3, 2000.

18 Han-Kyo Kim, “The United States and South Korea Since 1982” in Yur-Bok Lee Leif-Eric Easley 139

- Younger Koreans have no memories of the North Korean invasion, the U.S.-led defense of South Korea, or of post-1945 and post-1953 American aid;
- In their formative years, the “386 generation” saw the U.S. to be

- less than invincible in the Pueblo incident (1968), withdrawal from Vietnam (1973) and the ax murder at Panmunjom, (1975);
- U.S. trade behavior often criticized as high-handed and not generous;
 - America seen as less of an “ideal society” after the 1992 Los Angeles race riots caused some Korean Americans to return to the ROK;
 - Korean economic success engendered great pride and a new nationalism;
 - Korea’s colonial history causes Koreans to feel defensive based on past helplessness;
 - A ubiquitous American presence since the Korean War has bred resentment;
 - The U.S. is held at least partly responsible for a number of historical events including the division of peninsula, the inconclusive end of Korean War, the massacre at No Gun Ri, acquiescence to the 1961 military coup, and approval of combat troops in Kwangju to quell the popular student uprising in 1980;
 - Democratic reforms provided Koreans greater freedom of speech (magnified by internet/wireless communications), allowing expression of anti-American feelings.

Given these historical factors, and media coverage alleging that American suspects are less accountable to the justice system in South Korea than in Japan or Germany, serious crimes and training accidents involving U.S. troops incite emotionally charged political debates over the extent to which American soldiers are subject to reprisal by the host nation government.

SOFA incidents thus significantly increase the host government’s domestic political costs associated with the alliance and have necessitated changes in alliance agreements and operations. In the late 1980s and early 1990s, South Korea objected to the off-base behavior of U.S. soldiers and pushed for a revision of the U.S.-ROK SOFA.¹⁹ SOFA inci

and Wayne Patterson, eds., *Korean-American Relations, 1866–1997* (New York: SUNY Press, 1999), pp. 151–52.

19 In particular, some U.S. soldiers gained a bad reputation for all because of
140 *Forward-deployed and Host Nation Interaction*

dents catalyzed a revision movement in Korea which argued the U.S.-ROK SOFA was uneven in comparison to America’s status of forces

agreements with Germany and Japan and that the SOFA had not been amended since its original signing in 1966, after which time ROK economic, military and political power had increased. South Koreans wanted an updated and more equal agreement. In January 1991, South Korea and the United States amended the SOFA to expand Seoul's jurisdiction to cover all categories of crimes involving United States personnel (previously only felonies were covered), and require the U.S. to guarantee the presence of American criminal suspects before South Korean courts. Other provisions of the agreement concerned customs procedures and the disposition of property no longer used by United States Forces in South Korea. The revision aimed to make the U.S.-ROK agreement comparable with other SOFAs and rearticulate the terms of the alliance to emphasize ROK sovereignty in an equal partnership.

But the 1991 amendment did not go far enough in the eyes of Korean domestic political forces critical of the alliance, and in May 1995, a string of incidents involving U.S. military personnel ignited South Korean public opinion on the need to revise the SOFA again. Within the space of a month, four U.S. soldiers were accused of assaulting a South Korean passenger on a subway train in Seoul, eight American troops allegedly scuffled with three Koreans in the eastern city of Chuncheon, and another U.S. soldier was accused of beating and raping a bar hostess in northern city of Uijongbu. South Korean television and newspapers gave conspicuous coverage to these incidents, with attention to the fact that the accused U.S. soldiers were immediately released from South Korean custody to U.S. military authorities. Korean outrage over these incidents was manifested in violent student protests in Seoul and Gwangju. Although the U.S. troops involved were returned for questioning, many Koreans argued that the turnover of the soldiers to U.S. custody allowed the accused time to cover up evidence, decreasing the ability of South Korean judicial authorities to pursue charges.

unacceptable behavior toward South Korean women, particularly in "entertainment districts" that catered to U.S. bases; see Katharine Moon, *Sex Among Allies: Military Prostitution in U.S.-Korea Relations* (New York: Columbia University Press, 1997).

Under the U.S.-ROK SOFA at the time, U.S. troops suspected of committing crimes need not be turned over to Korean authorities until a conviction was obtained in a Korean court. The highly publicized incidents of May 1995 focused public attention on the "custody upon indictment" issue. The resulting SOFA revision movement demanded broader prosecution provisions for the ROK government over U.S. troops accused of committing crimes on Korean soil. A serious rape incident on Okinawa in September 1995 led to a quick revision of the U.S.-Japan SOFA that December, allowing Japanese authorities to take custody of U.S. soldiers even before indictment. After this concession to Japan, political pressure in South Korea for a new U.S.-ROK SOFA revision reached a new high.²⁰ In November of that year, South Korea and the United States agreed to open talks on again revising the SOFA. But negotiations soon came to a standstill because Seoul wanted to address a broad range of SOFA revisions, including environmental and labor issues, while Washington was primarily interested in amending custody and prosecution procedures for U.S. suspects, as was done in the Japanese case. It was not until late 2000 that most of these differences were resolved.

In January 2001, the United States and ROK agreed on a SOFA revision including a provision that U.S. soldiers accused of serious crimes (such as murder, rape, and drug trafficking) would be placed in South Korean legal custody after indictment. The South Korean government agreed to strengthen the rights of accused soldiers to question witnesses and their accusers face-to-face. The revision also called for U.S. military facilities to respect ROK environmental regulations and updated agreements on labor and customs regulations.

Despite these amendments, the 2001 revision did not put the SOFA issue to rest. In June 2002, two U.S. soldiers were accused of negligent homicide for running over two Korean schoolgirls with an armored vehicle in Gyeonggi province. In November of that year, both service men were acquitted of these charges, with only "adverse administrative action," i.e. in-house punishment taken by the U.S. military.²¹ An

- 20 "Path to an Agreement: The U.S.-Republic of Korea Status of Forces Agreement Revision Process," Center for Strategic and International Studies (CSIS), July 2001.

142 Forward-deployed and Host Nation Interaction

intense grassroots movement arose throughout South Korea with protests across the country and candlelight vigils in front of the U.S. Embassy calling for another revision of the SOFA, with some even demanding the complete withdrawal of American troops. The demonstrated ability of these public protests to influence the December 2002 presidential election and heighten public pressure for revising the terms of the alliance demonstrate the serious effect SOFA incidents have on South Korean domestic politics. The June 2002 incident still elicited strong reactions from the South Korean public on the one-year anniversary of the two girls' tragic death, as evidenced by demonstrations by tens of thousands of citizens across the country. The SOFA issue remains at the center of the debate among South Koreans over their nation's alliance with the United States.

SOFA incidents affect the dynamics of the U.S.-ROK alliance in direct correlation to host country political costs and hence nationalist behavior.²² In contrast, the security threat from North Korea is inversely correlated with ROK government political costs, and thus directly correlated with host nation support for the alliance.

The North Korean Threat

At the end of World War II, the Korean peninsula was divided at the 38th parallel into Soviet and American zones. In 1948, rival governments were established: the Republic of Korea (ROK) in South Korea and the Democratic People's Republic of Korea (DPRK) in North Korea. North Korea (later aided by Chinese forces) invaded the South on June 25, 1950, beginning a bloody war with the ROK and U.S.-led United Nations forces. The war produced mass devastation and resulted in four million Korean casualties and the death of nearly one million Chinese soldiers.²³ UN casualties were also heavy, including the loss of 33,651

- 21 "Statement from USFK on Court-Martial," United States Forces in Korea, available at <http://www.korea.army.mil/pao/news/021104.htm>.
- 22 For a discussion of the impact of Korean nationalism on relations with the U.S, see Sung-han Kim, "Anti-American Sentiment and the ROK-U.S. Alliance," *Korean Journal of Defense Analysis*, Vol. 15, No. 2 (Fall 2003), pp. 79–108.
- 23 Approximately three-quarters of Korean casualties were North Korean, half were civilian; accessed on UC Berkeley Korean History, available at <http://ist-socrates.berkeley.edu/~korea/casualties.html>.

Leif-Eric Easley 143

American lives.²⁴ An armistice agreement was signed on July 27, 1953, creating the Demilitarized Zone (DMZ) dividing North and South, but the two Koreas technically remain at war.

The military build up on both sides of the DMZ typified Cold War deterrence and containment strategies. But sparks of conflict have flown over border incidents, the discovery of North Korean invasion tunnels under the DMZ, and acts of terrorism. North Korea is credited with the bombing of Korea Airlines Flight 858 in 1987 (an attack linked to the current North Korean leader Kim Jong Il),²⁵ and an attempt on South Korean President Chun Doo Hwan's life in October 1983 that killed four ministers while on a trip to Burma. North Korea is also responsible for, and has recently admitted to, kidnapping Japanese citizens to teach North Korean spies Japanese language and culture. In addition to sending spies on covert operations, North Korea has staged various incursions by sea. A naval confrontation in June 2002 resulted in the destruction of an ROK military vessel and the death of several South Korean soldiers. However, the threat demonstrated by these incidents is small in comparison to those represented by North Korea's conventional forces and weapons of mass destruction (WMD) programs.²⁶

Supported by a "military-first" doctrine, North Korea's army, numbering over one million, is one of the largest in the world.²⁷ Two-thirds

[berkeley.edu/~korea/casualties.html](http://ist-socrates.berkeley.edu/~korea/casualties.html).

²⁴Department of Defense, Commemoration of the 50th Anniversary of the

- Korean War, available at <http://korea50.army.mil>. See also the ROK Ministry of National Defense commemoration page, available at <http://www.koreanwar.go.kr>.
- 25 Dick K. Nanto, "North Korea: Chronology of Provocations, 1950–2003," *Report for Congress*, available at <http://fpc.state.gov/documents/organization/19435.pdf>.
- 26 For analysis of Pyongyang's nuclear, chemical and biological weapons, see Bruce Bennett, "Weapons of Mass Destruction: The North Korean Threat," *Korean Journal of Defense Analysis*, Vol. 16, No. 2 (Fall 2004), pp. 79–108; Seongwhun Cheon, "Assessing the Threat of North Korea's Nuclear Capability," *Korean Journal of Defense Analysis*, Vol. 18, No. 3 (Fall 2006), pp. 35–69.
- 27 See the Nautilus Institute's coverage of North Korea's military-first doctrine and *Juche* philosophy (including DPRK documents), available at http://www.nautilus.org/pub/ftp/napsnet/special_reports/MilitaryFirstDPRK.txt. For explanation of the domination of North Korean society by the Korea People's Army (KPA), see Kongdan Oh and Ralph C. Hassig, "The Military: Pillar of
144 *Forward-deployed and Host Nation Interaction*

of its forces are located along the DMZ, manning thousands of cannons and rockets trained on Seoul, some of which are reportedly armed with shells filled with chemical weapons.²⁸ North Korea's stockpile of biological and chemical weapons is believed to include anthrax, botulinum toxin, plague, mustard and sarin gases, and V-type chemical agents.²⁹ North Korea also has an advancing ballistic missile program and is believed to be one of the most serious proliferators in the world. This missile technology provides North Korea the capability to deliver a payload to South Korea and Japan, and U.S. intelligence reports project that North Korea's Taepodong missile program will soon allow it to hit the United States.³⁰ Pyongyang's test of a multi-stage launch vehicle in August 1998, which flew over northern Japan, amplified regional concern for North Korea's missile capabilities. Its more recent missile tests on July 5, 2006 drew international condemnation and a unanimous sanctioning resolution from the United Nations Security Council. North Korea's missile proliferation and increasing range for delivering conventional warheads constitute a significant threat, but is made an order of magnitude greater with the development of nuclear weapons.

In the early 1990s North Korea was accused of pursuing a clandestine plutonium-based nuclear arsenal. In 1994, a U.S.-DPRK

agreement, known as the Agreed Framework, created the Korean Peninsula Energy Development Organization (KEDO) to provide two nuclear reactors to North Korea and heavy fuel during construction in exchange for a freeze on its nuclear program.³¹ Tensions between the United States and North Korea deepened after September 11, when President Bush branded the DPRK a member of the “Axis of Evil” during his State of the Union address.

Following an alleged North Korean admission in October 2002 of

Society” in *North Korea: Through the Looking Glass* (Washington, DC: Brookings Institution Press, 2000), pp. 105–26.

28 Congressional testimony of Admiral Thomas Fargo, head of US Pacific Command, before the House International Relations subcommittee, June 27, 2003. 29 Nuclear Threat Initiative (NTI), “North Korea Profile,” available at http://www.nti.org/e_research/profiles/NK/index.html.

30 Steven A. Hildreth, “North Korean Ballistic Missile Threat to the United States,” *CRS Report for Congress*, September 20, 2006.

31 Details available on the KEDO, <http://www.kedo.org>.

Leif-Eric Easley 145

pursuing a uranium-based nuclear program, the Agreed Framework unraveled as the United States, ROK, Japan and EU suspended fuel shipments and North Korea expelled UN International Atomic Energy Agency (IAEA) inspectors from its nuclear facilities and withdrew from the Nuclear Nonproliferation Treaty (NPT).

Six-Party Talks, bringing together North and South Korea, China, Japan, Russia and the United States, held several rounds of negotiations on dismantlement of North Korea’s nuclear programs and produced a joint statement in September 2005. But the talks stalled for over a year, with Pyongyang refusing to return to the table as long as the United States led a tightening of international financial restrictions against alleged North Korean counterfeit and illicit funds. On October 9, 2006, North Korea detonated an underground nuclear test, again inviting international condemnation and another UN resolution applying further sanctions.

In addition to the negative economic effects of such sanctions, maintaining a massive military deployment, pursuing missile technology, and developing weapons of mass destruction have proven extremely costly for the North Korean economy. This raises a host of

non-traditional security threats related to a potential North Korean collapse. Poor economic management coupled with natural disasters and the collapse of foreign aid from the Soviet Union culminated in wide spread famine in the 1990s, killing as many as two million people.³² Factories stand idle due to lack of energy and raw materials, making North Korea heavily dependent on Chinese oil and international food aid. In order to earn hard currency for imports ranging from luxury goods for the ruling elite to parts for weapons programs, North Korea relies on the sale of missile technology, smuggling heroine and methamphetamine, and counterfeiting U.S. dollars. The threat posed by North Korea thus also includes a potential humanitarian catastrophe inside North Korea and serious destabilization of the region.

In stark contrast to the starving and suppressed population under North Korea's isolated regime, South Korea has grown increasingly

32 The famine forced North Korea to allow in international humanitarian assistance, under strict controls; see L. Gordon Flake and Scott Snyder, eds., *Paved with Good Intentions: The NGO Experience in North Korea* (Westport, CT: Praeger, 2003).

prosperous and democratic since the end of the Korean War. With the development of competitive export industries and the security provided by the U.S.-ROK alliance, South Korea has become one of the richest countries in the world. Although the end of the Cold War did not reach the DMZ, Seoul has made many attempts to engage North Korea, notably under President Kim Dae-jung's "sunshine policy," providing its impoverished northern neighbor with food aid and fertilizer, and tourism to North Korea's Mount Kumgang. The two Kims met in a historic summit in Pyongyang in June 2000 and pledged to work toward reconciliation.³³

Tensions appeared to decrease almost immediately with the summit, and relations improved with a steady increase in North-South official meetings and cultural exchanges. In South Korea, pro-reconciliation political theater, de-emphasis of military issues, and positive media coverage of the North combined with hopeful steps such as family reunions and preparation for rail links to

significantly reduce ROK threat perception of the North. The succeeding administration of President Roh Moo-hyun continued the engagement policy by staunchly avoiding diplomatic confrontation with Pyongyang on its nuclear programs and human rights violations, while increasing investment in North Korea's light industries, especially through the Kaesong Industrial Complex. But little substantive progress has been made in military confidence building or security enhancements necessary for a peace regime, in part because of North Korea's lack of reciprocity and in part due to continued tensions between North Korea and the United States.

The United States in recent years has also de-emphasized the threat posed by North Korea because of the Bush administration's focus on the Middle East. It is worth noting that even if a process of reconciliation leading to peaceful reunification removes the North Korean threat all together, the alliance can still continue if the degree of SOFA incidents is kept consistently low and the alliance mission is transformed to regional stability and aiding in off-Peninsula security concerns. But the

33 Despite prompting reunification euphoria in South Korea and the awarding of a Nobel Peace Prize to President Kim Dae-jung, the joint declaration was later tainted by the "cash-for-summit" scandal in which the Kim Dae-jung administration allegedly bribed the DPRK to participate in the historic meeting.

Leif-Eric Easley 147

more immediate issue getting in the way of a smooth alliance transformation process is that the North Korean threat has been played down by both the ROK and U.S. governments for political reasons. Meanwhile, the severity of North Korea's challenge to peace and stability on the Peninsula and in the East Asian region appear only to be increasing with Pyongyang's nuclear and ballistic missile provocations. These trends make it all the more pressing that South Korean and American alliance managers understand the processes behind change in ROK U.S. cooperation, so that policy can direct the alliance toward peaceful resolution of the present North Korean crisis.

Explaining Forward-deployed and Host Nation Cooperation

Recognizing the importance of SOFA incident intensity and changes in the level of perceived threat from North Korea, it is possible to explain most of the South Korea-U.S. alliance behavior that deviates from the norm of institutionalized deep cooperation between alliance partners. By referring to figure 1, one can review the nationalist actions taken by the ROK. Nearly all these actions were taken because a high intensity of SOFA incidents made the alliance politically costly in domestic politics prompting a nationalist response, or because the threat from North Korea was considered low, which deemphasized the security benefits of the alliance and prioritized alliance cooperation below nationalist actions seen to advance the cause of peaceful unification. Viewed within the context of this model, ROK nationalist actions are very understandable, but not unavoidable or always beneficial to the host nation.

Meanwhile, ROK nationalist behavior reduces how effective the U.S. considers the alliance and can increase U.S. deployment costs. Again referring to figure 1, one can review the unilateral actions taken by the United States, from considering a surgical strike against DPRK nuclear facilities at Yongbyun, to pushing forward with PSI, to making uncoordinated statements about troop redeployments. Such U.S. unilateral actions are taken when Washington perceives the alliance as insufficiently effective in dealing with North Korea or when the deployment costs look to be catching up with security benefits. The problem with

148 Forward-deployed and Host Nation Interaction

U.S. unilateral actions is that they rarely confront problems as effectively as a coordinated U.S.-ROK response would, and have the negative side effect of raising ROK political costs or even decreasing ROK security benefits associated with alliance.

The model thus shows how U.S. unilateralism and ROK nationalist actions can produce a negative feedback loop where each side's actions, mediated through the alliance costs and benefits of the other, hinder future security cooperation. This interactive process between forward deployed and host nation has serious policy implications for the U.S.-ROK alliance.

Implications for Future South Korea-U.S. Cooperation

Some commentators argue that U.S.-ROK cooperation is waning and the two countries' interests are diverging. Blanket statements of decreasing cooperation are misleading, given the complexity of intra alliance interaction, and inaccurate, given sustained alliance cooperation over several decades. More importantly, South Korean and U.S. interests are not diverging. Both nations prioritize stability in Northeast Asia for the benefits of trade and avoiding the costs of military conflict. The United States has more interest than any other relevant power in seeing reconciliation and unification on the Korean Peninsula proceed on Seoul's terms. With complementary interests on these most important matters, differences on smaller issues can be worked through if both parties are attentive to the factors and processes behind their cooperation.

This paper's analysis of South Korea-U.S. cooperation suggests that recent concerns of the "alliance unraveling" or an "amicable divorce" are exaggerated. There is much reason and benefit for continued, and indeed expanded, alliance cooperation. More than overlapping interests, South Korea and the United States hold common values, a history of mutual efforts, and shared visions of the future. This is a foundation for cooperation enjoyed by only a handful of military alliances in history.

What is necessary to maintain a high level of cooperation is for the United States to regain the trust of the Korean people by decreasing internal friction and for the South Korean government to be realistic

Leif-Eric Easley 149

about the North Korean threat. The former requires a concerted effort to reduce SOFA incidents by staunchly holding violators accountable and adjusting the USFK footprint in Korea, the move from Yongsan to Pyongtaek being a key example. The latter raises the need for South Korean engagement of the North to be predicated on reciprocity and for the ROK government to accurately report to the public both positive and negative developments regarding North Korea.

Personal relations among leaders, different ideological positions of governments and changes in military capability certainly affect relations between allies. But these factors do not well explain variation in cooperation between South Korea and the United States after the Cold War. By suggesting a model of forward-deployed and host nation cooperation, focused on external threats and internal frictions, this paper has argued that perception of North Korea and SOFA incidents largely drive patterns of cooperation between South Korea and the United States. Addressing these fundamental issues in the forward-deployed and host nation interaction will help mitigate Korean nationalism and American unilateralism and ensure that alliance benefits outweigh the costs for both nations for many years to come.