Who Takes North Korea Seriously?
U.S. Congress and Policy toward Pyongyang, 2009–2012

Seo Jungkun*

Kyung Hee University, Seoul, Republic of Korea

How and why do legislative members weigh in on foreign policy dilemmas? U.S. Congress often seeks to carve out spheres of influence over international relations and yet we know little about why and how some America’s lawmakers take North Korea seriously. This article explores a host of North Korea measures during the 111th and 112th U.S. Congress (2009–2012) and identifies the sources of legislative activism toward Pyongyang’s nuclear weapons threats and atrocious human rights records. Empirical analyses show that a group of congressional members use bill cosponsorship strategies and call on the Obama administration to revamp its policy concerning North Korea. The findings shed light on why lawmakers would bother to introduce such specialized foreign policy bills even if their prospects for becoming law are uncertain.

Keywords: U.S. policy toward North Korea, legislative activism, bill cosponsorship, U.S. Congress, the Obama administration

“Mr. President, this bill establishes for the first time—the first time in at least a generation—a human rights principle toward North Korea. This bill brings into focus a United States Government position on North Korean human right abuses, which are extensive, probably the worst human rights abuses in the world.”

Sen. Sam Brownback (R-KS)
(Congressional Record S 9805, September 28, 2004)

Introduction

On November 23, 2010, North Korea fired barrages of artillery onto a South Korean island, Yeonpyeong, the latest in a series of provocations and “the most dangerous moment on the Korean peninsula since the truce ending the Korean War in 1953.” ¹ The Obama administration was quick to condemn North Korea’s attack and confirm the United States’ commitment to the defense of South Korea.² And yet, President Obama and his foreign policy team are basically facing the “land of lousy options.”³ Economic sanctions against the reclusive regime have not worked. Even on January 10, 2003, North Korea became the first country ever to withdraw from the international
non-proliferation treaty (NPT). Military options were also off the table, because launching small-scale airstrikes could risk an all-out war on the Korean peninsula and make Seoul an immediate target of the North Korean military. Obviously, “doing nothing” is not an option, yet viable policy alternatives toward Pyongyang appear to be absent.

The deadly North Korean shelling of a densely populated island in the South also stunned members of the U.S. Congress. Senate Republican Leader Mitch McConnell of Kentucky released a statement saying, “I join the President in his strong condemnation of what is sadly just the latest in a long string of hostile actions.” Chair of the Armed Services Committee, House Democrat Ike Skelton of Missouri condemned the artillery attacks and commented that “The North Korean regime is more dangerous than most people realize.” On November 29, Rep. Howard Berman (D-CA), chair of the House Foreign Affairs Committee in a “lame-duck” Congress, introduced the House Resolution 1735, “criticizing North Korea in the strongest terms for its unprovoked military attack against South Korea on November 23, 2010.” The resolution secured 33 cosponsors from both sides of the aisle. Just three days later, the Senate approved the House resolution by unanimous consent. Sen. Jim Webb (D-VA), chair of the Senate Subcommittee on East Asia and Pacific Affairs and the sponsor of the resolution, had 14 Democratic senators and 12 Senate Republicans on board as cosponsors.

Anecdotal evidence like this shows that members of the U.S. Congress do introduce, debate, and sometimes pass bills and resolutions over foreign policy dilemmas. Indeed, the list of America’s legislative responses to North Korea is not in short supply. Senate Democrats in 1996 rallied behind President Clinton by supporting the Lieberman (D-CT) amendment to restore funding for the Korean Peninsula Energy Development Organization (KEDO). Senator Mitch McConnell (R-KY), on the contrary, attempted to cut the KEDO aid in half, without even bothering to split with his traditional internationalist co-partisans. A resolution proposed by Rep. Ron Paul (R-TX) in 2003 calling for the withdrawal of American troops in South Korea made the U.S. allies in East Asia scratching their heads over its seriousness as well as significance. In 2004, the North Korea Human Rights Act (NKHRA), although having sailed through U.S. Congress with virtually no opposition, stirred a complex debate over its policy ramifications on refugees from the Democratic People’s Republic of Korea (DPRK). Recently, some congressional members urged President Obama to fill the vacant position of special envoy for North Korean human rights, as they were critical of the former envoy Jay Lefkowitz for having worked on a part-time basis during the Bush administration.

In short, military provocations and nuclear proliferations by Pyongyang do invoke concerns in Washington and some U.S. lawmakers continue to address foreign policy challenges originating from a small communist regime in the Far East. What is puzzling then is why and how some congressional members would bother to keep introducing bills addressing the world’s most reclusive nation. The fact is that the prospects of such bills on North Korea becoming law are uncertain and Pyongyang’s threats have yet to constitute major foreign policy agendas in America’s domestic and electoral politics. Voters and groups do not necessarily weigh in on the North Korea question when they go to the ballot box or hire lobbyists. It is argue in this paper that when it comes to thorny foreign policy challenges like North Korea, members of the U.S. Congress do not necessarily look up their typical electoral or partisan playbook for their legislative behavior. The context is that presidents have a tough time finding