

UNITED STATES CA  
CONGRESSION

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Korea  
ADT3500

# KOREA: SECURITY vs. HUMAN RIGHTS?

*Submitted to the  
House Committee on  
International Relations  
by Rev. J. Bryan Hehir  
November, 1975*



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United States - Foreign Relations

Internationally, the pervasive presence of American power creates a responsibility of using that power in the service of human rights. The link between our economic assistance and regimes which utilize torture, deny legal protection to citizens and detain political prisoners without due process clearly is a question of conscience for our government and for each of us as citizens in a democracy.

United States Catholic Conference  
On the Universal Declaration  
of Human Rights  
November 13, 1974

## GENERAL CONSIDERATIONS

Neither successive U.S. administrations nor the U.S. Congress have been patently successful in giving specific weight to human rights criteria in the formulation and execution of U.S. foreign policy. To cite a few recent examples:

- Our recent negotiations on military bases in Spain, conducted at a time when public opinion in Western Europe was outraged at the manner of Franco's summary execution of terrorists;

- Congress' failure to reinstate U.N.-approved sanctions against Rhodesia;

- U.S. efforts to facilitate emigration of Jews from the Soviet Union—a concession to public opinion and political pressures which the present administration seemed to regard as an obstacle to the conduct of detente;

- Some U.S. programs in Latin America, e.g., police and military training, have actually helped dictatorial military regimes in repressing political protest movements.

It is especially important, therefore, for non-governmental entities such as the U.S. Catholic Conference and other religious and humanitarian organizations to propose or support specific legislative measures to ensure adequate recognition of human rights issues in the conduct of U.S. foreign policy.

It can readily be observed in many countries of the world, including many socialist countries and some developing nations, that the conception and implementation of a comprehensive and consistent concern for human rights is lacking. To some of these countries, the United States provides substantial military and economic assistance.

This lack of concern coupled with the principle of non-intervention in the domestic affairs of other states seems to provide an excuse for inaction by U.S. policy makers. Even where substantial U.S. aid programs would appear to endow the United States with considerable leverage, administration spokesmen often plead inability to influence the internal policies and actions of recipient states. When it is suggested that aid to recipient countries with repressive regimes might be curtailed or terminated, the official response is that such aid is given primarily in support of U.S. political or security objectives rather than from a disinterested concern for the welfare of the people of the country. The end result has been, at least until recently, a do-nothing policy in the area of human rights.

The purpose of the following remarks is to explore the relationship between the United States and Korea and to develop it as a test case to show the possibility and even necessity of balancing human rights considerations and security interests. The development of the case details the extent of U.S.-Korean contacts, the policy choices facing the United States and, finally, the significant points of influence available to the United States in its relations with Korea.

## POST-KOREAN WAR

My testimony last year before the Senate Foreign

Relations Committee focused on U.S. policies in Latin American countries where no obvious strategic or security interests could be legitimately cited to justify U.S. programs of military assistance.\* This is not the case with Korea where the U.S. security interest has recently been specifically cited by former Defense Secretary Schlesinger to explain the presence of U.S. military forces and nuclear weapons in that country. The U.S. relationship with the Republic of Korea therefore provides probably the hardest test case of whether U.S. policies and actions must always accord a distinctly secondary or token place to human rights questions.



The United States, by defeating Japan, liberated Korea from Japanese oppression. It also, by an agreement with the Soviet Union regarding occupation arrangements, divided Korea in two parts, one Communist, one — in intention — democratic.

The subsequent U.S.-Korean relationship has been one in which the U.S. influence has been massive, sustained and effective in a variety of ways:

- the U.S. military defense against the aggression of the North Koreans insured the political sovereignty of the South;

- South Korean children have been exposed to the thoughts of Abraham Lincoln, the democratic premises of U.S. constitutional government and the writings of countless American liberals;

- the United States acquiesced in the ouster of President Syngman Rhee when his regime became blatantly corrupt and repressive;

- President Kennedy threatened complete U.S. withdrawal to induce President Park Chung-Hee to reestablish constitutional rule in 1963.

U.S. assistance programs have radically transformed South Korea's domestic economy and its political structures. Three major U.S. inputs contributed to this transformation: food, development aid and foreign investment.

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\*Full text of testimony in booklet "Human Rights — A Priority for Peace," available from the Office of International Justice and Peace.

Prior to World War II, Korea exported great quantities of rice to Japan, most Koreans being forced to subsist on other cereals. Today, South Korea must import 3 million tons of cereal grains, and it is becoming a \$1 billion market for U.S. farm exports.

South Korea has received more Food for Peace commodities (\$2 billion) than any other country with the exception of India. Over the years, the United States also provided food aid loans at very favorable terms so that South Korea could buy another \$1.5 billion worth of assorted U.S. agricultural exports. Local currency proceeds of the sale of agriculture commodities supplied under the Food for Peace program have been used to help defray government expenditures to support the Korean military establishment.

The U.S. association with the Seoul government is so intimate that, when the United States attempted to curtail rice shipments to South Korea in 1973 because of heavy demands elsewhere, Seoul officials reminded the United States of its commitment to P.L. 480 sales made in exchange for South Korea's voluntary reduction of textile exports to the United States. The food shipments were resumed.

Since the end of the Korean War, Korea has been one of the major recipients of U.S. official development aid. For example, gross U.S. development aid commitments were \$170 million in FY 1971, \$252 million in FY 1972 and \$189 million in FY 1973. During these years Korea stood respectively in fourth, third and third places among the major recipients of U.S. development assistance.

In the area of foreign investment, a recent survey by the Republic of Korea government of foreign investor's reasons for investing in the nation disclosed that among the five major motives were: cheap labor, anticipation of relatively high profit rates and political stability. The United States leads all other countries in the value of the foreign investment, about \$180 million (52% of the total), with Japan in second place (37%). In the Republic of Korea there are no minimum wage regulations, and strikes by employees of foreign corporations are prohibited. The economy relies heavily on exports. Fully one third of the GNP is intended for export. Further 70% of the export trade is dependent upon markets in the United States and Japan.

The U.S.-Korean relationship is clearly, then, somewhat unique—marked by a variety of areas in which both nations' interests intersect and in which U.S. actions have materially affected Korean internal affairs and continue to do so.

## **RECENT DEVELOPMENTS**

Today, the Republic of Korea is once again under dictatorial rule. President Park in 1972, citing a threat of invasion from the North and subversion at home, proclaimed martial law and dissolved the National Assembly. He has since revised the constitution by fiat to ensure his continuance in office indefinitely. One third of the members of the National Assembly are selected by him.



Not content with this stranglehold on the political process, he has proceeded to muzzle the press and to make criticism of his government a criminal offense punishable (and punished) in some instances by death. His chief political opponent Kim Tae-jung was kidnapped in Japan, brought back to Korea and nullified by surveillance and threats of imprisonment. All this is justified by Park to foreign critics as not only necessary to preserve national unity in the face of threatened invasion from the North, but also as a suitable way of governing the Korean people. Despite the fact that in the most recent national election he won with only 50% of the votes cast, he represents the political opposition as negligible and the visible opposition to his policies as confined to a tiny number of intellectuals, Christian clergy and those educated abroad.

I will not recite a litany of Korean victims of Park's repression. The House Subcommittee on International Organizations has amassed the evidence from a variety of witnesses with firsthand experience in Korea, scholars, missionaries and diplomats. In his Congressional testimony, Ambassador Philip Habib, Assistant Secretary of State for East Asia, has recited facts which corroborate the presence of arbitrary rule, control of the press and suppression of criticism. Ambassador Habib stressed that he was describing, not justifying, the Republic of Korea government's internal policy, and recalled that the U.S. government publicly expressed regret at the execution of eight political prisoners. At the same time, he pointed out that the Korean government "views its domestic policies as internal matters not subject to consultation with other governments."



This latter observation epitomizes the U.S. posture. The U.S. is "concerned," and is assured "that the Korean government is aware of the public impact within the United States of certain of its actions." Concluding his testimony, Habib stated:

We neither associate ourselves with, nor justify, internal repressive actions and will continue to make clear our concern and that of the American people over the protection and preservation of human rights. At the same time we will continue our security policies which serve the interest of

Korea, the region as a whole, and the United States. The preservation of peace on the peninsula remains the essential prerequisite for political development and the exercise of human rights in Korea.

The net effect of such statements is that, so far as the U.S. government is concerned, Park is free to continue his present internal policies without fear of any change in the U.S. policy for economic and military support; that while Congressional and public disfavor with Park's policies are an embarrassment to the U.S. government, it will continue to shape its policies not on this issue but on issues of national security. Park is told that some people in the United States are concerned, not that the U.S. government is concerned. Spokesmen reported that President Ford mentioned the human rights question to Park on his visit to Seoul, that former Secretary Schlesinger raised the matter on his recent visit. But what did they say? Congress and the American people have the right to know just how American concerns were expressed. What instructions does Ambassador Sneider have? In a word, how does the administration employ the leverage which U.S.-Korea interrelations surely give us to apply positive pressure on the Park regime?

#### **U.S. POLICY CHOICES**

Admittedly, there is practical difficulty in according a priority to human rights criteria. I would like to quote briefly from my testimony of last year before concluding how human rights criteria can be factored into our Korean policy.

The essence of policy formulation involves making choices among competing, indeed at times conflicting, objectives. Too often, however, it is the human rights criteria which are suppressed in this process of choice. Frequently they are subordinated to other objectives which appear more tangible or defensible to the general public, but which are not tested for validity with sufficient care or discrimination.

There are two alternatives to our present policy of clucking our tongues at the Park regime while at the same time assuring him that his internal policies are irrelevant to our concrete measures of support. One alternative is to begin now to withdraw military and economic assistance. The other alternative is to continue both measures, but under the threat of a gradual diminution of support if Park does not move progressively toward reestablishment of constitutionally protected and enforced human rights, as set forth in the U.N. Universal Declaration of Human Rights to which the Republic of Korea has subscribed.

#### **A Complete U.S. Withdrawal**

Both alternatives have their risks, but both have balancing advantages. The extreme alternative of complete

withdrawal carries the risk of inviting invasion from the North, just as did Secretary Acheson's exclusion of the Korean peninsula from the U.S. "defense perimeter" invite the invasion of 1950. This would not necessarily mean a crippling strategic defeat for the United States: our primary strategic interest in Korea is the defense of the Japanese islands; but, as Ambassador Reischauer has argued plausibly, this could be effected by establishing a defense line in the Korean strait and the Sea of Japan, maintained and enforced against a potential aggressor by U.S. air and sea power. Pyongyang would likely be deterred from accepting the invitation by uncertainty about the U.S. response, and Moscow and Peking would probably do their best to increase this uncertainty. In any case, the threat of an invasion of Japan would not be greatly augmented by the extension of Communist control (from Pyongyang) to the entire peninsula. Kim Il-Sung is not known to entertain any designs against Japan, and Russian and Chinese intentions, whatever they are, are not likely to change with the invasion of South Korea by Pyongyang. Still, the risk of a bloody conflict in Korea is an unwelcome one, and U.S. withdrawal would unfortunately signal to 30 million Koreans who are friendly to the United States and want to stay that way that the United States has given up on them.

Moreover, there is a real possibility that a U.S. withdrawal from Korea would unsettle our relations with Japan, diminish Japanese confidence in the U.S. security guarantee and cause Japan to revamp not only its present defense policy but its established policy of political and economic alignment with the United States and the First World generally. In view of Japanese popular opposition to expansion of its military establishment, to say nothing about nuclear weapons, this possibility appears to be minimal.

On balance, this extreme alternative of complete withdrawal is undesirable at this time for several reasons. First, it would have little or no effect on Park's internal policies (except possibly to make them even more repressive), while eliminating any possibility in the foreseeable future of the United States being able to influence events and policies in a favorable direction. Secondly, to announce such a policy would be to decide prematurely on a U.S. course of action before all of the diplomatic possibilities have been tried and exhausted. It might have the effect of forcing Park to decide prematurely how to respond to increased U.S. diplomatic pressures. If the pressures are applied gradually and subtly he may find himself able to accommodate them.

The chief advantage of withdrawal is the apparent one of being able to say we no longer support the Park regime and no longer can be identified with its policies.

### **Gradual Reduction of Support**

The second alternative—the threat of gradual reduction of support unless Park begins to reinstitute constitutional government—appears to be the desirable one. But the United States can only pursue this course if it stops hiding behind the empty formula of not interfering in





the domestic affairs of other states. Recent disclosures make it abundantly clear that the United States does not hesitate to interfere if specific U.S. political (Chile) or strategic (Portugal) issues are thought to be involved. The United States has interfered before in Korea's internal affairs as indicated above, and it can do so again.

Official protestations that the United States does not interfere in the internal affairs of the Republic of Korea find little resonance among Korean opposition leaders. For example, in advance of President Ford's visit to Seoul last year, the U.S. Catholic Conference was advised from confidential and responsible sources that many Koreans believed that Mr. Ford's visit would have very deep and serious repercussions in Korea. In a country where the media is under strict government control and legitimate avenues of civic actions are effectively blocked, it would be interpreted as a sign of solidarity with Park. Furthermore, these loyal Koreans expressed the hope that, if Mr. Ford did visit Korea, a real and positive shift in Park's policy as regards basic civil rights might somehow be brought about either by private persuasion or public comment. Their great fear that his visit was motivated by merely strategic considerations of U.S. security interests, and would have the effect of sanctioning Park's domestic rule, appears to be justified.

The alternative of a phased diminution of support to the Republic of Korea, with ultimate withdrawal contingent on Park's response, is set forth in former



Ambassador to Japan Edwin O. Reischauer's carefully calculated proposals:

We should before long have a clear program to present to Park of measured withdrawals of American troops and reductions of military aid until both are entirely gone within a few years—unless the South Koreans find it possible in the meantime to change course again and start moving back to a freer, more democratic system that would better win the loyalties of their own people and the support of the American public.

To avoid damaging shocks both in Korea and Japan, such a program would have to be spread over several years. Although the crisis is not an immediate one, we must start very soon if we are to complete the maneuver before the situation does reach crisis proportions. (*Washington Post*, June 28, 1975)

Reischauer's prescription is based on his perspective of history: that a continuation of Park's type of political repression, identified with heavy military support by an outside power (the United States) is bound in the end to produce a violent rejection of both, as happened in Vietnam. It is not entirely clear to me that this is bound to happen in Korea.

U.S. policy must, in the foreseeable future, reckon with two possibilities which may determine the course of Korean politics: one, that Park may continue to operate a police state regardless of U.S. pressures and exhortations, and two, that with continued economic growth and rising living standards, the majority of the population will accept/tolerate the absence of constitutional guarantees and the continued violent repression of political opposition.

In such a situation, one cannot easily counsel a U.S. policy of complete withdrawal, an abandonment of the people of South Korea after thirty years of a very close relationship, even if it can be argued that such a course does not present grave risks to the strategic balance in East Asia. It is ultimately the Korean people who will reform their political processes. The United States should not, therefore, drastically alter or end its traditional posture of support to and defense of South Korea because its leader is governing the country tyrannically. The United States, while remaining patient and steadfast, should, however, keep its aid and support to minimum levels, and should continue to counsel and encourage the Republic of Korea government—openly and publicly when this will have a calculable and desirable effect—to return to the practices of democracy. We must find effective ways to factor specific human rights concerns into our diplomacy, as we have learned to do with a host of other concrete but not strategic interests, such as our commercial, labor, agricultural and fisheries interests.

## **POINTS OF U.S. INFLUENCE**

Despite the administration's disclaimers about the potential for U.S. influence on the Park regime, several significant points of contact in U.S.-Korea relations do, in fact, exist and should be explored by the U.S. government. These include both direct and indirect points of influence.

### **Direct Points of Influence**

The various U.S. government direct assistance programs could be used to influence the Republic of Korea. The 1975 Foreign Assistance Act provides that, in addition to \$145 million of authorized military assistance to Korea, an additional \$20 million be granted if the President could certify to the Congress that Park was moving in the direction of reforms in the observance of human rights. This kind of sanction should be continued and perhaps be made even more restrictive. The Republic of Korea is scheduled, in the pending administration request, to receive \$202 million in military assistance, and it is now buying more military equipment from the United States with its own foreign exchange. Delivery of 50% of this scheduled amount could be made contingent as in the 1975 Act.

In addition, military equipment paid for with Korean funds can only be purchased under licenses issued by the U.S. State Department. The power to grant such licenses has with it the responsibility to exercise discretion as to the destination of the equipment. Licensing might be used by the State Department as an additional sanction.

### **Indirect Points of Influence**

Although the Republic of Korea has been cited in recent years as the "economic miracle" of the Far East, by mid-1974, the Park government was forced to search for outside financial assistance to shore up its balance of payments. The alternative, retrenchment of the government's ambitious investment and growth plans, would raise potentially disastrous domestic political problems for Park.

An international banking syndicate, led by several U.S. banks, was organized to raise the funds. It ran into difficulty when some banks refused, in principle, to provide funds for balance of payment loans. The Federal Reserve Board advised others that they were already over-extended in their foreign investments. Reportedly, some bankers were forced to probe the issue of political conditions in Korea because of pressures from potential lenders. They joined the consortium when advised that the Park regime was in firm control. Another American bank finally joined when it found that its British affiliate was arranging trade terms with North Korea.

In the Korean situation, characterized by flagrant violations of human rights, it would seem appropriate for the U.S. Department of State to communicate to American financial institutions official reluctance to further increase the investment of the United States in a country where the policies of the government are blatantly arbitrary and repressive.

Another area in which the activities of the Park regime are subject to U.S. government discretion is the presence in the United States of Korean Central Intelligence agents (KCIA). While the conduct of KCIA agents in this country is, of course, difficult to document, allegations have been made of their illegal activities by respected and informed observers, including harassment here of Koreans as well as Korean-Americans. Congressional initiatives to prod the U.S. Department of Justice into investigating these allegations is commendable. Perhaps such investigations should be encouraged publicly by the administration and should be given wider exposure in the public media.

## CONCLUSION

It is not at all clear that such measures would produce the desired results. Administration spokesmen privately refer to the danger that Park would cut loose from the U.S. relationship before submitting to such pressures. It is even hinted, fearfully, that he would proceed to acquire an independent nuclear capability. Perhaps such a possibility cannot be dismissed out of hand. But it seems obvious that, given the geographical situation of the Republic of Korea, clinging to a narrow peninsula of the Asian landmass where it is partially surrounded by enormous communist military power, the present government could not easily or lightly cast itself loose from its only ally and friend, the United States.

Whether or not such policies would bring about a return to democratic constitutional government in Korea, or even a substantial measure of administrative relaxation of the present oppressive system, the United States would be better able to stand forth in the world as being true to its own political and ethical values in the conduct of its relations with a government that perhaps more than any other of the allies of the United States needs that alliance more than does the United States.

The importance of standing forth in this way is not purely symbolic, it is also substantive. It is substantive in the sense that it touches the structure of moral argument which supports the policy proposals of this testimony. The nature of that argument, synthetically stated, is that at the basis of our domestic commitment to human rights is a belief in the dignity of the human person. The affirmation of that belief is universal in its intent and implication; this means that to affirm the rights and dignity of the person here in fact, is to be committed to affirm it in other places in principle. To put the same case from another perspective, there is contained in our belief about human dignity and human rights the idea that when rights are violated with impunity somewhere, they are implicitly threatened everywhere. Every human community, including political society, is held together by bonds of trust and respect which are made visible and tangible in the exercise of responsibility for one another. When we refuse to acknowledge responsibility for the life and dignity of others, then the road is open for rule by terrorism, torture and brute force.

The structure of this moral argument should be



continually related to the substance of U.S. policy and practice as a society. The first point to be made, of course, is that we often fail to do in practice, at home and abroad, what we affirm in principle. Nevertheless, the commitment to human dignity and human rights in principle continues to set a standard of measurement and a goal for our political process.

It is generally acknowledged in the literature of international politics that the two distinguishing elements of the international system involve lack of moral consensus and lack of centralized authority, both of which are presumed in domestic societies. At the same time, the international community is committed in principle to human rights standards as these are expressed in the Universal Declaration of Human Rights. Since no centralized authority exists to implement the principles of the document, the burden falls primarily on individual states which remain the principal agents of authority and action in world politics. The standards to which we as a nation are committed domestically on human rights set a correspondingly high standard for our foreign policy. If we cannot maintain a certain consistency between our national ideals and our international behavior, we weaken the moral claim upon which our own rights are based. There is presently a need to pursue a double task: to strengthen and expand international mechanisms by which human rights can be protected and promoted, and to take seriously in this "interim period" the human rights dimension of our own policies. The military assistance program is on the leading edge of policy questions where human rights standards should provide policy guidance.

An unsupervised military assistance program can be the instrument of moral bankruptcy, a means of corrupting in the world around us the ideals we are pledged to maintain at home. We must continually test our military assistance programs against our most deeply held moral and political beliefs. Those beliefs can be a vital force in shaping our international system founded on the dignity of the person, and committed to building a community of nations in which the political, social and economic rights of the person are acknowledged, protected and fostered. To fail to test all our programs against these moral and political beliefs is not only to sacrifice the rights of others, it is to deny our own best instincts and to deprive the international community of the fruits of our political heritage.

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