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# Thinking about engaging North Korea: A study on the framing of the U.S. human rights public discourse in the *Washington Post* and *New York Times* between 2001 and 2017

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## Abstract

North Korea said in January 2019 that it was exploring ways to engage the human rights issue. This was a much welcomed announcement because the issue must be addressed in order for the two countries to reach a formal, comprehensive peace agreement and the lifting or easing of unilateral sanctions. This study utilizes framing as an analytical tool to examine how the North Korean human rights discourse is framed in the United States for the purpose of identifying the salient rights-based issues covered in two traditional media outlets, namely, the *Washington Post* and *New York Times*. Next, it reframes the discourse using a coding schema based on the convergence of the human rights, human security, and non-traditional security discourses. A reframing of the discourse highlights how the universalist-particularist debate in the traditional rights-based literature masks the underlying issues of the rights problem. A combination of the traditional rights-based discourse and the masking of the issues contributes to a disconnect in the way in which North Korea has been engaged in the past. Therefore, a reframing of the discourse using the convergence of the human rights,

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human security, and non-traditional security discourses could open new pathways for engagement.

#### KEYWORDS

Australia, Human rights, North Korea, United Nations, United States

## 1 | INTRODUCTION

Of all the issues that the Americans consider when confronted with world news, human rights is of the deepest concern due to their civic sensibilities of freedom instilled into them from their earliest education. This issue elicits strong emotive reactions from the U.S. population, ranging from calling policymakers to take action to organizing public protests and demonstrations to bring attention to what are perceived to be abhorrent human rights violations in whatever country such transgressions occur. For some time, North Korea has been one such country that has been called out by U.S. policymakers as an egregious violator of human rights. U.S. policymakers have taken bipartisan action ranging from public laws to resolutions calling for North Korea to respect and protect the human rights of its people as they are enshrined in the United Nations (UN) Declaration of Human Rights.<sup>1</sup> They have consistently asserted that human rights must be a key element in negotiations between the United States and North Korea and incorporated as part of any comprehensive agreement between the two countries. Additionally, the U.S. executive branch cannot waive existing sanctions without certifying to the U.S. Congress that North Korea has made significant improvements toward human rights including the release of and accounting for abductees, family reunification, reform of the prison and labor camps system, and decriminalizing political expression. Therefore, when the UN Special Rapporteur Tomas Ojea Quintana reported on January 14, 2019, that North Korea was exploring ways to engage the human rights issue, there was a sense that maybe this time around the North Korean government was more serious about pursuing peace and integrating itself into the global community (Hotham, 2019).

The United States has attempted to engage North Korea on the human rights issue in the past, but there has been little success in getting the government to make substantial progress that would satisfy the requirements of the U.S. Congress. This is in large part because of the

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<sup>1</sup>Resolutions passed by the House and/or Senate do not have the force of law. However, they express the sense or concern of Congress or of specific congressional representatives. Only public laws have the force of law. The actual public laws that have been passed focusing on human rights include the North Korea Human Rights Act of 2004, Pub. L. No. 108-383, 118 Stat. 1287 (2004); the North Korea Child Welfare Act of 2012, 126 Stat. 2432 (2012); and the North Korea Sanction and Policy Enhancement Act of 2016, 130 Stat. 93 (2016). Specific congressional resolutions expressing the sense of Congress of the House of Representatives include H. Res. 109-108, 2003; H. Con. Res. 168-109, 2005; and H. Con. Res. 234-110, 2007. These resolutions were passed by all of the House. Congressional resolutions sponsored by one or more congressional representative but not passed by or expressing the sense of the entire body of Congress include H. Res. 3573-108, 2003; S. Res. 1903-108, 2003; S. Res. 4052-109, 2006; H. Res. 3650-110, 2007; H. Res. 705-111, 2009; H. Res. 1980-111, 2009; H. Res. 5350-111, 2010; S. Res. 1416-111, 2009; H. Res. 1321-112, 2011; H. Res. 673-113, 2013; H. Res. 204-114, 2015; S. Res. 180-114, 2015; H. Res. 866-115, 2018; H. Res. 861-115, 2018; H. Res. 976-115, 2018; H. Res. 4140-115, 2017; H. Res. 5435-115, 2018; S. Res. 2047-115, 2017; H. Res. 6094-115, 2018; S. Res. 481-115; and S. Res. 3142-115, 2018. The majority of those cited resolutions were bipartisan; that is, they were sponsored by both Democrats and Republicans. However, in 2018, there were more Democrats than Republicans who sponsored resolutions. This suggests that human rights are not a partisan issue and of great concern to the majority of the U.S. Congress.



diverging philosophical perspectives that the two governments have on human rights. The U.S. government adopts a universalist discursive approach to human rights and gives priority to sociopolitical rights. A universalist rights-based discourse rejects the particularist critique that first, second, and third generations of rights enshrined the UN Declaration of Human Rights are “Western”; argues that all member states of the UN have been using a rights-based discourse since 1948; and posits that all rights are universally applicable to each individual irrespective of nationality and culture. Particularists argue that the rights-based discourse of the international community is western centric; dispute the importance afforded to and applicability of all types of rights and give priority to the right to development (socioeconomic rights); and adopt a cultural relativist position on the implementation of rights in either a region or a country. North Korea posits that human rights are conditional and shaped by national context and the domestic reality on the ground; collective rights are above individual rights; and welfare and subsistence rights (socioeconomic rights) have special importance (Son, 2017, p. 142). The government discourse does not outright reject the claim that there is a universal rights discourse. In fact, it recognizes that there are certain universal principles to which all states can agree but prioritizes socioeconomic rights over sociopolitical rights. The United States does not recognize socioeconomic rights. Furthermore, North Korea’s human rights discourse is more in line with non-traditional security discourse that is prevalent within the human rights debate in the Asia Pacific region, whereas the United States has not adopted the use of the non-traditional security discourse in the rights debate. Therefore, there is likely to be little progress on engagement between the two countries toward the rights issue in the absence of a discursive shift within the U.S. public discourse on North Korean human rights issue.

U.S. public discourse on the human rights issue in North Korea has not been examined previously. Therefore, this study seeks to utilize framing as an analytical tool to examine how the North Korean human rights discourse is framed for the purpose of identifying the salient rights-based issues covered in two traditional media outlets, namely, the *Washington Post* and *New York Times*. Next, it reframes the discourse using a coding schema based on the convergence of the human rights, human security, and non-traditional security discourses. A reframing of the discourse as such highlights how the universalist–particularist debate in the traditional rights-based literature masks the underlying issues of the rights problem. This study makes the argument that a combination of the traditional rights-based discourse and the masking of the issues contributes to a disconnect in the way in which North Korea has been engaged in the past. Therefore, a reframing of the discourse using the convergence of the human rights, human security, and non-traditional security discourses could open new pathways for engagement and increase the changes for successful dialogue.

Section 2 provides an in-depth discussion of the methodological approach adopted and outlines the main theoretical assumptions underpinning the analysis. The study draws on assumptions derived from the framing, human rights, human security, and non-traditional security literature. Section 3 provides a brief overview of the human rights literature and introduces the human rights, human security, and non-traditional security discourses nexus. The human rights discourse has witnessed a convergence with the human security and non-traditional security discourses in the international community in the period beginning in 2012. However, the U.S. discursive approach to engagement with North Korea remains rooted in the traditional right-based approach. Section 4 reports on and discusses the findings. It concludes by re-examining human rights in the U.S. national security debate and outlines a new pathway for engagement with North Korea on the rights issue. Finally, the study concludes by arguing that how we frame and discuss North Korea matters for addressing issues such as human rights.

## 2 | METHODOLOGY

Framing refers to the process for constructing an interpretation or set of interpretations from a set of events, which entails interpreting and evaluating a central organizing idea, issue, problem, or phenomenon under investigation (Carlyle, Slater, & Chakroff, 2008; Evans, 2010; Mello & Tan, 2016; Sheehan, 2013). Reframing refers to the process of reorganizing the frame within a specific discursive framework. Both framing and reframing are analytical tools used by scholars and media professionals to make sense of the world and the issues affecting society, politics, culture, and communication. Framing scholars in the fields of political science and policy studies tend to focus on how both the media and politicians frame issues, actors, and countries in order to understand how events transpired or explain policy action (see Entman, 2003). Some policy scholars use framing to understand the perceptual limits to policymakers' actions in a particular policy environment. This study utilizes framing as an analytical tool to examine how the North Korean human rights discourse is framed for the purpose of identifying the salient rights-based issues covered in the media. Next, it reframes the discourse using a coding schema based on the convergence of the human rights, human security, and non-traditional security discourses. A reframing of the discourse as such highlights how the universalist-particularist debate in the traditional rights-based literature masks the underlying issues of the rights problem. This study makes the argument that a combination of the traditional rights-based discourse and the masking of the issues contributes to a disconnect in the way in which North Korea has been engaged in the past. Therefore, a reframing of the discourse using the convergence of the human rights, human security, and non-traditional security discourses opens new pathways for engagement. This section outlines the theoretical underpinnings, describes the analytical process, and discusses the methodological limitations of the study.

### 2.1 | Theoretical underpinnings: Discourse, framing, and the right-based discursive approaches

Given that there has been no study to date on what is being attempted, the theoretical underpinnings are rooted in and guided by the assumptions present in the existent literature on framing, human rights, human security, and non-traditional security. In the framing literature, there are five main assumptions that are often seen to be present. Each of these assumptions deals specifically with media coverage. They are supplemented by another five theoretical assumptions extracted from the existing literature on human rights, human security, and non-traditional security. These assumptions focus on the human rights debates, the type of rights prioritized, and the evolution of the rights discourse to include human security and non-traditional security discourses. All of the assumptions are discussed in relation to the study in the remainder of this subsection, whereas the literature on human rights, human security, and non-traditional security is discussed in more detail in Section 3.

Discourse plays a central role within both the framing and reframing processes (Evans, 2010; Iannarino, Veil, & Cotton, 2015; Sheehan, 2013). First, it is the dominant medium through which frames are cast and conveyed to an audience. Second, it sets the discursive parameters around which the public and policymakers form, understand, and discuss their perceptions. According to Jervis (2017, p. 3), “perceptions of the world and of other actors diverge from reality in patterns that we can detect and for reasons that we can understand.” Lastly, framing affects and influences the mindset of all who are exposed to it, especially in consistent and

repetitive salvos such as occurs regularly in mainstream media news outlets. The mainstream media is the primary mode of dissemination of views regarding events in either direct ways through framing in op-eds or indirectly through the less obvious but ever present pejorative tones and news angles that are focused on in what is known as “objective journalism.” True objectivity is an ideal that cannot be achieved through limitations with language and points of view. Even a simple recounting of an event is structured by whatever personal or institutional biases that bare influence on the reporter, editor, advertisers, or policymaker for that outlet. Consequently, the media discourse tends to be the focus of scholars in the fields of communication, policy, and political science.

Media discourse is considered to be “an authoritative version of reality, a way of knowing” (Barker-Plummer, 1995, p. 305; Evans, 2010). Therefore, the first assumption is that media plays a central role in framing issues and influencing the perceptions of policymakers and the public, which in turn affects their actions (Blackstone, Cowart, & Saunders, 2017; Carlyle et al., 2008; Evans, 2010). Policymakers also use the coverage as a way in which to gauge public opinion on issue areas (Evans, 2010; Peksen, Peterson, & Drury, 2014). This assumption implies that the first step in understanding both issues and perception is to examine the media discourse.

The second assumption found in the framing literature asserts that partisan viewers or readers of media tend to gravitate toward content that agrees with their perceptions and avoid content that disagrees with their perception (Blackstone et al., 2017, p. 602). However, according to these scholars, these kinds of viewers and readers comprise a minority. The implication derived is that the majority of viewers or readers accept the discursive frames constructed and conveyed in the traditional media outlets and only a minority reject them for bias (either their own or that of the outlet). The third assumption shows that media coverage leads the public to understand issues from a particular perspective or frame thereby making certain elements more salient and “increasing the chance that certain schema of interpretations is evoked” (Carlyle et al., 2008, p. 158). For instance, the U.S. public is likely to understand the issues on North Korea such as human rights from the perspective or frame conveyed in the traditional media outlets. This inference is supported by Dalton, Jung, Willis, and Bell (2016, p. 524), who highlight traditional media as being central to how the international community understands the discourse around North Korea.

The fourth assumption is that frequent coverage can result in the adoption of a particular frame including the reproduction of stereotypes irrespective of counterframes. This implies that the traditional rights-based discursive approach will continue to define how the rights issue is understood by the U.S. public in the absence of a shift in the discursive approach used to frame the issue. A shift in the discursive approach to one that corresponds to the convergence of the human rights, human security, and non-traditional security discourses will highlight the complexity of the rights issue. As Dalton et al. (2016) highlight, media coverage of North Korea tends to be overwhelmingly negative and sensationalized. According to the framing literature, negative coverage leads the public to perceive the other as “bad” or “evil” and the consequence of which serves to delegitimize, marginalize, or demonize actors (Carlyle et al., 2008; Dalton et al., 2016; Evans, 2010; Saleem & Mian, 2014). It also contributes to the public calling for action. Complex coverage, on the other hand, can lead the public and policymakers to distance themselves from the issues, leaders, or countries or to adopt a more neutral position. More complex coverage of the rights issue that includes North Korea’s discourse and its actions taken to address human rights is likely to reduce the emotive responses to the rights violations and open the door to policymakers for a more in-depth discussion on alternative ways to address the issue.

The fifth assumption from the framing literature is that media attention to human rights abuses increases and, in some instances, reinforces negative perceptions of the country while increasing empathy toward the victims (Chung, 2014; Peksen et al., 2014). As media attention to the rights issue increases, so too does public mobilization and support for action toward the abusing country. This means that U.S. policymakers are more likely to take action against North Korea as there is increased media coverage and public calls for action on the rights issue. However, support for and the actual action taken will be tempered by national strategic security objectives (Forsythe, 2002). National security will continue to trump rights in the denuclearization negotiations, but the rights issue is likely to remain a significant factor in the implementation of a final peace agreement and for satisfying members of Congress on lifting some of the unilateral sanctions imposed by the U.S. government.

The sixth assumption, which is derived from the human rights literature, asserts that human rights in North Korea have been a central concern for the U.S. public and Congress since the 1970s and for the global public and international community since 2004. Between the years of 2004 and 2014, the United States and the international community sought to bring attention to and link the human rights and security issues in framing the discourse on North Korea. Denuclearization, missile developments, weapons of mass destruction, provocative actions, and support for terrorism (i.e., sharing or selling weapons technology to either state sponsors of terrorism or non-state actors designated by the U.S. government as terrorist groups) tended to be the main focus of the “security issues” in the linking process. Security deprivation issues that are commonly associated with human rights were omitted. This is largely explained by continued salience of the traditional rights-based discursive approach to human rights.

The seventh assumption posits that the framing of the human rights discourse on North Korea is centered within the larger universalist–particularist debates, with the United States placing greater emphasis on sociopolitical rather than socioeconomic rights. As Forsythe (2002) highlights, the United States places rhetorical emphasis on universal human rights in foreign policy but practices a particularist interpretation of human rights in its own adherence to the UN Declaration of Human Rights. The international community and the European Union in particular recognize all types of human rights—first-, second-, and third-generation rights. This implies that the United States and North Korea talk *at* rather than *to* one another, and thus, the international community may be a more appropriate actor for engaging the North Korean government.

The eighth assumption, which is derived from the human rights literature on North Korea, avers that North Korea has been actively using human rights discourse in its public discourse. North Korea recognizes the general principles of the UN Declaration of Human Rights but places emphasis on socioeconomic rights and adopts a particularist interpretation of rights toward implementation. Its discursive approach therefore is philosophically at odds with the traditional rights-based discursive approach of the United States. However, both the United States and North Korea converge on the particularist interpretation to the implementation of rights. The particularist interpretation, as discussed in more detail in Section 3, asserts that national governments must factor in both the domestic context and social, economic, and political development in their application of a rights-based policy. Greater emphasis on socioeconomic rights rather than sociopolitical rights in North Korea’s rights problem is likely to reduce the government’s hostility to engagement. It is in this context that the convergence of the human rights and human security discourses becomes relevant. The human security discourse places greater emphasis on socioeconomic rights and development than the traditional human rights-based discourse.

The ninth assumption is that North Korea's discourse on socioeconomic rights is similar to China's discourse on human rights and human security. According to Breslin (2015), China situates human rights and human security within the non-traditional security paradigm. In this discourse, socioeconomic rights must be prioritized over sociopolitical rights because economic security is the underlying dimension that transcends all of the dimensions of human security. Human insecurity therefore is an existential threat to the state's national security. The state must be the source for providing the individual with security rather than being a source of insecurity. China's discourse thus transforms the state's obligation, thereby making human security a moral responsibility for governing officials. This discourse opens the door to dialogue with North Korea on the rights issues that falls within the dimensions of human security.

Finally, the last assumption is gleaned from the literature focusing on North Korea's non-traditional security threats. According to Park (2013) and Suh (2013), non-traditional security issues such as economic security, food security, and environmental/energy security have a more immediate impact on North Korea's national security, and the way to reduce the legitimacy threat they pose to regime stability is to help North Korea with its non-traditional security issues (Park, 2013; Suh, 2013). North Korea has consistently argued that emphasis on the human rights issue by the United States and international community is designed to foment regime instability. For the most part, its argument has been dismissed by the United States as an excuse to avoid focusing on the rights problem. However, when the argument is examined within the context of the human security and non-traditional security discourses, there is some credence to North Korea's concerns. Those concerns must be factored in when thinking about how to engage the government.

## 2.2 | The analytical process

Traditional media outlets tend to be the main source of information for the U.S. public on foreign policy-related issues due to the perception that they are more credible (Iannarino et al., 2015). The two traditional outlets selected for analysis in this study were the *Washington Post* and the *New York Times*. Both of the outlets are within the top 10 most read newspapers by the U.S. public, the top five of the newspapers read internationally, and the most commonly used by communication, political science, and policy studies scholars. They are also easily accessible to academics via the LexisNexus (a.k.a. Nexus Uni) database. A sample of 398 articles was selected using "North Korea" and "human rights" as the key search terms,<sup>2</sup> and of them, 186 covered the Bush administration period and 212 covered the Obama administration period. The two administrations were selected because they represent the two major parties and due to the fact that each president served two terms and also because of the variance identified in each administration in the framing of human rights in U.S. foreign policy in Schofer's (2015) study (discussed in the next section). Appendix A contains an alphabetized list of the article titles retrieved from the database. All the data were examined over a specified period of time for the purpose of observing patterns both inductively and deductively. This subsection outlines the six-phased analytical process used in the study.

In the first phase of analysis, the articles were analyzed inductively to understand how the human rights discourse was framed within and across the two presidential administrations

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<sup>2</sup>Some of the articles only contained references to human rights or North Korea, whereas others mentioned North Korea, but their focus was on human rights in China. The articles selected specifically mentioned human rights in relation to North Korea.



and to identify the salient human rights issues. Next, the articles were coded to assess the target audience, the salient human rights issues-at-play according to type of deprivation and in relation to the existing human rights debates, the dimensions-at-play, the response or solution to the problem, and the patterned variations within the policy environment. The target audience refers to who was the main target of the article. For example, if the article discussed domestic politics or highlighted the need for policymakers or the government to act toward the specific issues, then it was coded as domestic. It was coded as international if the article discussed the international community or specific members of the community (including bilateral relations with the United States) or called for the international community to act on specific issues. The domestic audience category was further examined to identify whether it was the policy community or the human rights, non-governmental organization (NGO), or activist community who was the main actor referenced or cited in the discourse. Both the domestic and international target audience categories were assessed to determine whether the discourse was either political or neutral. Political coverage refers to references where a position is adopted such as being one sided (not mentioning or referencing North Korea's position or interest), using language that attempts to delegitimize, marginalize, or demonize international actors, or supporting, opposing, or calling for action toward specific issues. Neutral coverage refers to references where human rights abuses were mentioned but the language used did not attempt to delegitimize, marginalize, or demonize North Korea or the government, where there was simply a reporting on meetings between the United States and North Korea and congressional hearings, or notification of the findings in the U.S. Department of State's country reports on human rights and religious freedom around the world.

In the third phase of analysis, the salient human rights issues and their corresponding subissues were identified inductively and then placed into the respective human rights and deprivation categories based on the human rights debates. Civil and political issues were placed in the civil and political rights category, whereas economic, cultural, and social issues were placed in the economic, political, and social rights categories. Security issues were treated as a separate category because the heart of the debate in the literature on human rights and non-traditional security is regarding whether the blurring of the line between human rights and security issues helps or hinders efforts to bring awareness to or action against violators of human rights abuses. The political, economic, social, cultural, and security deprivation categories correspond to the UN's use of deprivation as measure of development and their common use in the conflict studies literature to understand domestic, regional, and international stability. Table 1a provides an overview of the coding categories by type of rights, deprivation, and their corresponding issues and subissues.

In the fourth phase of analysis, the articles were coded for and categorized by dimensions (ideological, psychological, political, military, or religious/cultural) to assess the perceived threat to North Korea's ideological, psychological, political, military, and cultural security. The dimensions correspond to the categorical prisms used in the foreign policy decision-making literature and the literature focusing on operational planning in military science. Each article was coded based on reference to keywords (Table 1b).

In the fifth phase of analysis, articles were examined inductively and coded according to the proposed responses or solutions (e.g., dialogue, sanctions, behavioral change, regime change, or regime transformation) to assess the range of policy actions that might be supported by the U.S. public and policymakers within the context of human rights issues. Within the coded responses or solutions mentioned, references to regime change or regime transformation were specifically looked for because of North Korea's claims that the United States engages in hostile activity by

**TABLE 1A** Coding categories for types of rights, deprivation, and their corresponding issues

Type of rights	Type of deprivation	Specific issues
Civil and political rights	Political deprivation	Nature of governance including access, rights such as freedom of expression and due process, corruption, lack of transparency, and politicization of human rights
	Social deprivation	Freedom of movement; class-based system, caste system—inequality; other
Economic, social, and cultural rights	Economic deprivation	Food security; economic mismanagement and the public distribution system; labor conditions and policy; corruption; migration (China’s policy, refugee/asylee/defect issues; human trafficking, smuggling, sexual exploitation, forced marriages)
	Human deprivation	Health, education, and welfare (well-being and poverty)
	Cultural deprivation	Religion including freedom of practice and discrimination; culture of mistrust
Security rights	Security deprivation	Criminal justice system (general and its lack of independence and transparency), criminal code (arrests, charges, interrogation tactics, and investigative procedures), sentencing, solitary confinement, and border security policies; treatment of inmates including lack of rights, ill-treatment by guards, nature of punishment for behavioral violations, and inadequate access to health care; camps, detention centers, and totally controlled zones and their conditions; corruption among guards and local government officials; kidnapping/abduction

**TABLE 1B** Coding categories by dimension and keywords

Dimension	Keywords
Ideological	Communism, stalinism, kimism, and political liberalism
Psychological	Legitimacy, nazism, genocidal, inhumane, evil
Cultural	Culture
Political	Governance system, leadership, political culture
Military	Military

raising the human rights issue, ostensibly for the purpose of fomenting instability and facilitating regime change.

In the sixth phase of analysis, the findings were tabulated within and across the two presidential administrations to identify patterned variations and frame convergence and divergence. Patterned variations within the policy environment refer to the context in which human rights were discussed (e.g., in relation specific to U.S. bilateral relations or U.S. foreign policy in general). Frame convergence refers to where there is overlap in the two administrations by target

audience, type of rights, deprivation, issues, dimensions, policy action, and patterned variation. Divergence refers to where there is variance in the frames and between the two administrations. Both convergence and divergence were assessed in relation to the policy environment in order to better understand the relationship between the variables within and across the two administrations. All the findings were triangulated with both the theoretical assumptions outlined in Section 2.1 and the inferences made in the studies cited in Section 3.

### 2.3 | Limitations of the methodological approach

There are several limitations to the methodological approach adopted in this study. They center on framing as a tool and methodology, the media sources selected for data analysis, the small sample size of the articles and their representativeness, and the qualitative nature of the study. First, framing has limited ability in practice to move support for a contentious issue in one direction or the other or on policy preferences (Bechtel, Hainmueller, Hangartner, & Helbing, 2014). However, the authors do highlight that it does impact partisan viewers and individuals with less knowledge on the framed issues. Partisan views are more likely to adopt the party line on a contentious issue regardless of their pre-existing beliefs on knowledge to reinforce existing partisan orientations. Individuals with less knowledge on the issue are likely to be persuaded by frames outside of partisan considerations. This study does not factor in partisanship nor does it examine the demographics of reader viewership of the two traditional media outlets selected for analysis. Human rights are a contentious issue, and there is research suggesting that partisanship plays a role in whether supporters are likely to side with one party over another on the issue in an era of deep partisanship such as is present in the United States at the time of this writing. There is also research suggesting that the human rights issue transcends party lines and that there is only variation on policy preferences. Second, framing as a methodology (also referred to in the literature as frame analysis) may capture interpretative frames and shed light on the discursive context within which they are constructed but the inherent bias in the process itself raises issues of variability, reliability, and validity of the findings. Frames become static once they are captured in time and are dependent on the selected sources used for data analysis. This implies that use of alternative sources could result in varying counterframes and thus contradictions in the findings. Existing research examining variance in frames constructed by mainstream media and alternative media highlights this problem. Counterframes were not focused on this study, which implies that the findings are only valid within the context of the interpretive framework and the media sources used in and the temporal boundaries imposed on the study.

Relatedly, the selection of only two traditional mainstream media outlets is problematic for several reasons. First, existing research has highlighted the profit-driven nature of traditional mainstream media in contrast to the non-profit-driven nature of alternative media. Second, all media tend to publish articles based on episodic or crisis events and use sensationalized discourse strategically to increase viewership and the temporal and geospatial span in which a story runs. All media have harnessed the use of social media to expand both the temporal and geospatial life of a story. This study does not factor in how social media are used by the selected outlets nor examine the impact of the framing of human rights media discourse on the transnational rights advocacy or policy networks. Third, there is an ideological bias given that both the *Washington Post* and *New York Times* are considered to be more liberal media outlets in the United States. A more robust study would take into consideration local and state

media as well as other national news media to assess the strength of how the issues are framed and whether there is what the framing literature calls a cascading frame effect. Fourth, the small sample pool size and the representativeness of the different media outlets limit the generalizability of the study. Additional research is needed to increase the reliability of the preliminary research conducted in this study.

Finally, the qualitative nature of the study opens the door to criticisms of subjectivity and bias. Issues can be viewed from multiple perspectives, and the frames themselves represent specific patterns of interpretation of both the source and the researcher. Despite these limitations, the study does make a significant contribution to the existing literature and the ongoing negotiations between the United States and North Korea. This is the first study to the researcher's knowledge that examines the framing of the U.S. public human rights discourse on North Korea. It is timely in a practical sense because North Korea has recently stated that it is considering ways to engage the human rights issue.

### **3 | HUMAN RIGHTS, HUMAN SECURITY, AND NON-TRADITIONAL SECURITY: A BRIEF LITERATURE REVIEW**

Egregious abuse of human rights in North Korea is an issue that no one could rationally dispute, not even the North Korean government (Song, 2011). According to Oh (2015, pp. 285–286), such transgressions have long been the purview of the Human Rights Council in Geneva and the UN General Assembly and are an area of concern for human rights specialists. The global public did not express concern until 2004 (Hwang & Kim, 2006). Between 2004 and 2014, human rights activists across the globe including those in South Korea and the United States joined forces with transnational advocacy networks to campaign against human rights violations. State and non-state actors were, and still remain, divided over the type of rights to focus on for advocacy, tactical approaches (activism or humanitarianism), and the means for compelling North Korea to protect its citizens.

Within the existing literature, the strategic and tactical debates correspond to the larger philosophical or normative debates on the “universality” or “particularity” of human rights (Avonius & Kingsbury, 2008; Jacobsen & Bruun, 2005; Song, 2011).<sup>3</sup> Universalists posit that the conceptions of human rights including civil and political rights (first-generation rights), economic, social, and cultural rights (second-generation rights), and conceptions of peace and a sustainable environment (third-generation rights) are neither culturally specific nor “Western” in their orientation and therefore universally applicable (Avonius & Kingsbury, 2008, p. 21). Moreover, they argue that since the time of the adoption of the UN Declaration of Human Rights in 1948, states have engaged in debates on each type of rights thereby cultivating a universal human rights discourse. Critics of the universalist position claim that the human rights put forward are “Western” rather than “universal,” particularly with the emphasis on sociopolitical over socioeconomic rights and the “individual as a person” over the “individual as a citizen of the state.” Also, they argue that the rights cannot be universally applied because of variance in local interpretation. Some scholars have rejected the Westernization argument but recognize that “every culture has its own ways and strategies to identify and fight oppression”

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<sup>3</sup>Because a large body of human rights literature exists on this debate, only a summary of the universalist and culturalist debates are presented in this study.

(Avonius & Kingsbury, 2008, p. 10). Particularists call for a culturally and developmentally specific interpretation of rights and the application of the type of rights to be contextually determined. Most of the discourse within this debate focuses on sociopolitical rather than socioeconomic rights. Of course, there are variations in the dominant paradigmatic debates.

A third approach emerged, which attempts to bridge the two types of human rights discourse. It recognizes that there are general principles to which all states within the international community can agree but posits that implementation requires states to take into consideration social, political, economic, and cultural context and economic, human, and social development of society in their interpretation of rights (Chart, 2005). Song (2011) advocates an approach to human rights discourse on North Korea that is similar to this approach. North Korea has been actively using human rights discourse in its public documents and trying to impose its own perceptions of human rights on domestic and international policies since 1945 (Song, 2011, p. 2). Ideologically, North Korea's discourse is influenced by Confucian ideas, Marxist-Leninism, and Juche Ideology. Confucian ideas such as a virtuous ruler, citizens duties in return for granted rights, and the importance of social roles and duties of both the ruler and the ruled for collective unity and social harmony were used by Kim Il Sung to shape thinking about the nature of social relations within Korean society despite. Marxist-Leninism influenced North Korea's interpretation of collective interests and socioeconomic rights, whereas Juche Ideology influenced its interpretation of the individual as a citizen of the state. An amalgam of these influences was integrated into "Our-Style" Human Rights in 1995. Our-Style rights are characterized by "citizens duties and loyalty to the party and the leader in return for the protection of basic subsistence rights and security, and the conception of rights are granted, not entitled inherently when a person is born" (Song, 2011, p. 146). The discourse may be contrary to the liberal human rights discourse used by U.S. policymakers that places emphasis on sociopolitical over socioeconomic rights, but it is not completely at odds with the overall development of international human rights discourse and the convergence of the human rights, human security, and non-traditional security discourses in the post-2012 period (Breslin, 2015).

Human security entails the ability of the state to provide its population with economic security, food security, health security, environmental security, personal security, community security, and political security (Gomez & Gasper, 2012). Economic security refers to having a stable income or other resources now and in the future. Food security refers to having access to a sufficient quantity of affordable, nutritious food. Health security refers to access to resources that minimize public health events that endanger the public, and, for an individual, it refers to access to resources to ensure that he or she can live as healthy as possible. Environmental security refers to the reduction of threats to the environment, including repairing the damage done because of conflict or war or environmental/natural disasters. Personal security refers to the protection from personal harm. In this framework, an individual should be able to live free from harm by another and be able to call for and summons assistance. Community security refers to both preventing and protecting society from crime and promoting human development. Political security refers to being free from any sort of political oppression. According to Park (2013), the human security areas deemed most critical for North Korea, at least in the short term, are economic security, food security, and environmental/energy security. These are areas where the U.S. Congress has authorized aid to North Korea in the past.

Non-traditional security discourses include the issues of terrorism, extremism, transnational organized crime, irregular migration, human trafficking, and human security. China's discourses on human rights and human security are rooted in the non-traditional security paradigm (Breslin, 2015). The evolution of its discourse corresponds to the convergence of peace,

security, development, and human rights discourses at the UN in the post-2012 period. Therefore, it is argued here that a reframing of the U.S. discourse on human rights in North Korea to correspond to the evolution of human security and non-traditional security discourses may open the door to dialogue with North Korea on the human rights issue. According to Jae-Jung Suh (2013), non-traditional security issues have a more immediate impact on the people of North Korea and impinge on the state's security policies, thereby making it and its people as well as the region more insecure. Human insecurity, he posits, can exacerbate national insecurity, and the way to reduce that legitimacy threat is to help North Korea by focusing on the non-traditional security issues.

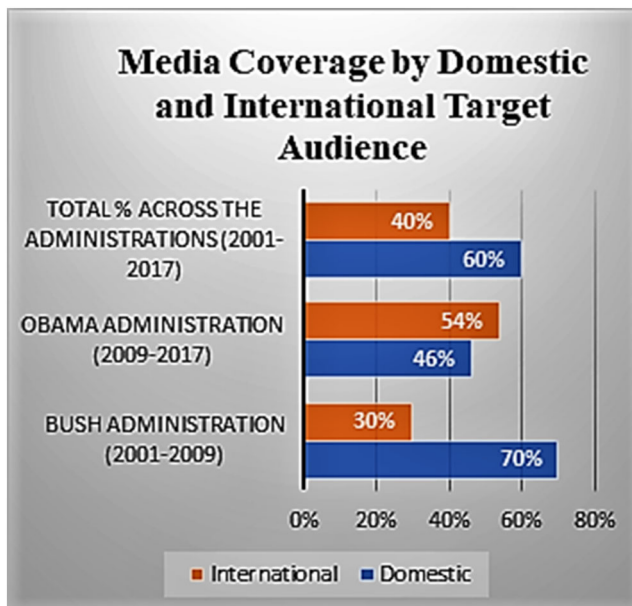
Heretofore, framing has not been the focus of existing scholarship examining the relationship between human rights and national security within the context of U.S. foreign policy. However, Morgan Schofer does highlight the explanatory power of framing in his study examining the relationship in U.S. counterterrorism legislation during the Bush and Obama administrations. According to Schofer (2015), how specific human rights norms were framed by President Bush in contrast to President Obama help to account for the differences in U.S. policy where there was a conflict between human rights and national security. Schofer argues that framing was successfully used by President Bush to overcome the human rights hurdle in U.S. foreign policy, where President Obama was unsuccessful in reframing the human rights and national security tradeoff when attempting to reassert the importance of human rights in U.S. policy. When looking specifically at the discourse they used, President Bush successfully blurred the “human rights” and “security” discourses to reframe the debate, thereby ensuring that national security trumped human rights within counterterrorism policy. President Obama attempted to reassert the distinction by drawing on the traditional human rights discourse used by U.S. Congress in an attempt to facilitate specific counterterrorism policy changes (in particular on U.S. policy transfer and treatment of Guantanamo Detainees). The U.S. Congress did not support his attempt at policy change despite the discourse used and the role human rights policy has played in U.S. congressional efforts to influence U.S. foreign policy. Thus, it can be seen how framing is important because frames shape how the U.S. public and policymakers perceive North Korea and whether they call for policy action on its human rights violations as they are perceived from each camp. A reframing of the human rights discourse may provide for greater opportunities to engage North Korea on the human rights issue.

## **4 | FRAMING THE HUMAN RIGHTS DISCOURSE ON NORTH KOREA**

### **4.1 | Coverage by target audience**

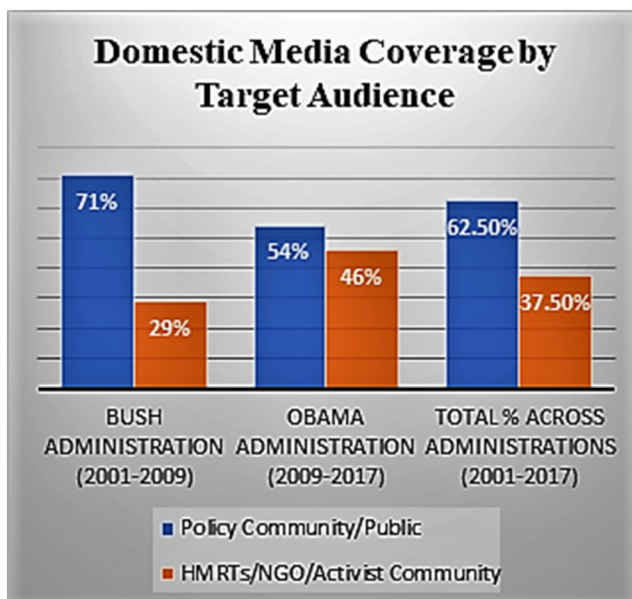
The total media coverage between the years 2001 and 2017 primarily targeted the domestic rather than the international community and was overwhelmingly neutral. However, there was variation between the two administrations by target audience (Figures 1–3).

During the Bush administration period, the domestic coverage primarily focused on human rights in the context of either U.S. foreign policy in general (i.e., the role of human rights in U.S. policy) or more specifically, within the context of U.S.–North Korean relations. It targeted the policy community, subject matter specialists, and the U.S. public. A minority of the media coverage focused specifically on human rights in North Korea as a policy issue. In this coverage, the target audience was the human rights community. International media coverage was more

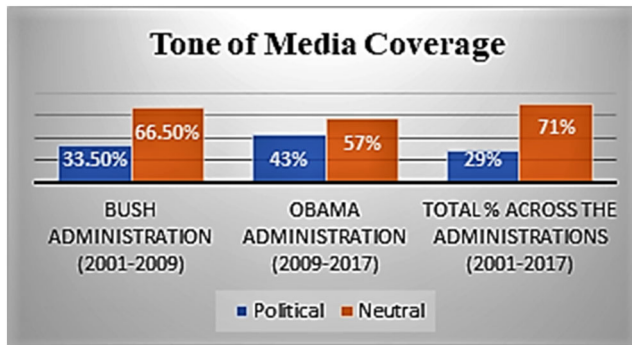


**FIGURE 1** Media coverage by domestic and international target audience

varied. Forty-two percent of the media coverage focused on the human rights issue within the context of Inter-Korean relations, U.S.–South Korea relations, or specific developments within South Korea such as domestic tensions. Thirty-seven percent of the coverage focused on U.S. relations with the international community or specific actors within the international community and their relations with North Korea or in response to U.S. foreign policy. Finally, 21% of the international media coverage focused on U.S.–China relations and China's treatment of and policy toward North Korea defectors, refugees, asylees, and economic irregular migrants,



**FIGURE 2** Domestic media coverage by target audience. NGO, non-governmental organization



**FIGURE 3** Tone of media coverage

China–North Korea security cooperation toward irregular migration, and the human rights community's critique of Chinese migration/refugee policy.

A majority of the coverage under the Obama administration targeted an international audience rather than the domestic audience. This finding confirms the assumption that between the years 2004 and 2014, the United States sought to bring greater attention to the human rights issue in the international community but also finds that the real turning point in terms of framing occurred during the Obama administration. The international coverage focused primarily on bringing attention to and generating global awareness of the human rights abuses in North Korea, presenting defector narratives, calling for the international community (and the UN in particular) to act, and highlighting the actions undertaken by the UN. Non-state actors from the human rights community including activists and subject matter specialists and policymakers who advocated for the centrality of human rights in dialogue with North Korea were primarily targeted in the coverage. The domestic coverage primarily focused on and debated whether human rights should be a foreign policy agenda item in U.S.–North Korean relations, with some members of Congress calling for policy action. Both the debate and the calls occurred amidst coverage of the Americans who were detained for illegal entry and committing crimes under North Korean law. The U.S. policymaking community and subject matter specialists were the primary targets of the coverage.

To conclude the discussion of the media coverage by the target audience across the two administration periods, the domestic audience was the primary target audience in the framing of the discourse, and it was primarily the U.S. foreign policy community rather than the human rights community that was targeted. This information highlights the importance of human rights to U.S. foreign policy. The coverage targeting the international community was primarily concerned with bringing attention to the human rights issue rather than calling for action to be taken by specific actors in the international community. This finding opens the door for either the international community or certain actors within the international community to engage in dialogue with North Korea on the human rights issue. Coverage of the human rights discourse is seen to have been primarily neutral rather than being politicized despite the claims of North Korea that the issue was politicized and the general assumption found in the literature that coverage tends to be overwhelmingly negative. However, the finding on the tone of coverage suggests that it may vary by the policy issue. For instance, Dalton et al. (2016) demonstrate that coverage on the nuclear issue remains primarily negative.



## 4.2 | Coverage by the human rights debates, salient issue areas, and dimensions

The debates in the human rights literature primarily focus on whether the first, second, and third generation of rights are universal and on the primacy of the first-generation rights (i.e., sociopolitical rights) over second-generation rights (i.e., socioeconomic rights). As Song (2011) highlighted, North Korea has been using human rights discourse in both its public statements and policy documents since 1945. North Korea's discourse recognizes the universal nature of human rights discourse but disputes the primacy of sociopolitical rights over socioeconomic rights. Forsythe (2002) highlights the use of a universalist human rights discourse and advocacy of sociopolitical rights in the international human rights regime by the United States as well as its preference for a particularist approach to human rights when it involves the application of the UN Declaration of Human Rights at home. Both North Korea's and the U.S. approaches to implementation are, therefore, more in line with the third approach to the human rights debate. However, it also confirms that there is a disconnect in the way in which human rights are discussed within the context of bilateral relations.

A framing of the human rights discourse concerning North Korea between 2001 and 2017 reinforces the salience of the universality of the human rights discourse in the media coverage but diverges from the universalist's emphasis on sociopolitical rights (Figure 4). The socioeconomic rights discourse trumped the sociopolitical rights discourse once the security discourse was removed. As will be recalled from Section 2, the security issues were treated as a separate category in order to get at another debate in the literature on the linking of the human rights discourse, human security discourse, and non-traditional security discourse in the post-2012 human security paradigm (Breslin, 2015). The findings suggest that the security discourse became an important form of discourse in the human rights debate on North Korea between 2009 and 2017. Also, when looking across the administrations, it was far more significant than the sociopolitical rights discourse and almost equal to the socioeconomic discourse. The salience of the socioeconomic discourse throughout the years reinforces the assumption that a reframing of the human rights discourse on North Korea could open the door to dialogue given North Korea's emphasis on socioeconomic rights in the rights debate.

An examination of the types of rights emphasized in the human rights discourse on North Korea finds that economic deprivation and security deprivation are the major underlying challenges to the North Korea human rights issue (Figure 5). As the chart highlights, economic



FIGURE 4 Media coverage by the human rights and non-traditional security debates

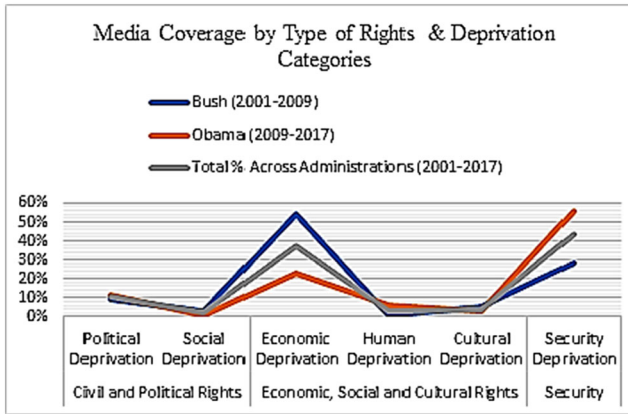


FIGURE 5 Media coverage by types of rights and deprivation

deprivation was prominent in both administrations, but there was more of an emphasis on it in the media coverage during the Bush administration than the Obama administration. Security deprivation was more salient during the Obama period. Although there was less emphasis on security deprivation in the Bush period, it still trumped political deprivation.

A breakdown of the economic, political, and security deprivation categories by their corresponding economic, political, and security issues reinforces the convergence of the human rights, human security, and non-traditional security discourses (Table 2).

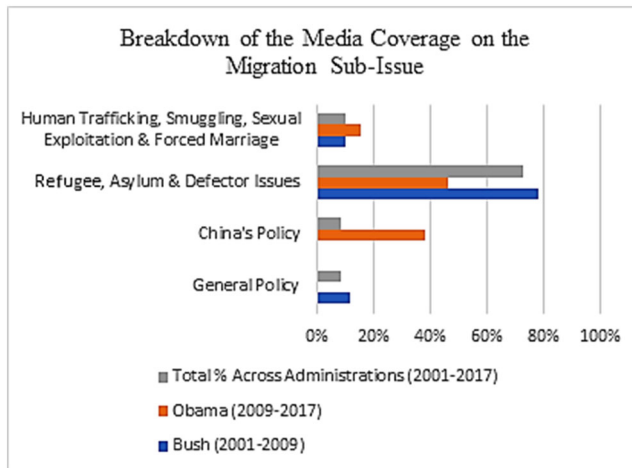
Food security and migration are two of the rights subissues underlying economic deprivation, and they were notable within and across the administrations. Ireson (2013) discusses North Korea's food insecurity and highlights how the Public Distribution System (PDS) was only able to provide food security up until the 1980s. By 2000, the public no longer depended on the PDS, particularly in the areas that were the hardest hit during the famine of the 1990s (Kim, 2014). According to both authors, modifications in agricultural technology and institutions are needed to increase production and reduce the national security threat that food insecurity poses to the regime and region. The PDS and economic mismanagement are two salient subissues contributing to economic deprivation in the media coverage. They are also related to the set of migration subissues. Irregular migration from North Korea to China and other regional countries is largely a byproduct of the lack of both food and economic security rather than from the issues underlying political deprivation. However, as will be discussed shortly, there is overlap in the economic and political deprivation categories.

The prominent subissues of migration are refugees and human trafficking, smuggling, sexual exploitation, and forced marriage (Figure 6). Park (2013, pp. 57–74) highlights that the nexus between food insecurity, economic insecurity, and gender insecurity contributes to these subissues. Economic insecurity has led to what Park refers to as the “feminization” of labor migration, with there being a disproportionate number of women who migrate irregularly for economic reasons rather than for political reasons. As a June 5, 2018, briefing report issued by Human Rights Watch highlights, North Korean women are more vulnerable to human trafficking, sexual exploitation, and forced marriage (Human Rights Watch, 2018). The remaining two subissues pertain to China's policy toward accepting North Korea “refugees,” whom the government defines as economic irregular migrants, and North Korea's policy on the irregular migrants. The United States and international community have pressured China to not repatriate the irregular migrants because of the criminal penalties these migrants would be subjected to upon their return to North Korea. However, from the Chinese government's perspective, a

**TABLE 2** Media coverage of the economic, political, and security issues and their subissues

Issues	Subissues	Bush (2001–2009) % of coverage	Obama (2009–2017) % of coverage	Total % across administrations (2001–2017)
Economic issues	Food security	41	46	43
	Economic management and the public distribution system	14	15	14
	Labor conditions and policy	4	8	5
	Corruption	0	4	1
	Migration	41	27	40
Political issues	Nature of governance including access, rights such as freedom of expression and due process, corruption, lack of transparency, and the politicization of human rights	91	11	10
Security issues	Criminal justice system (general and its lack of independence and transparency), criminal code (arrests, charges, interrogation tactics, and investigative procedures), sentencing, solitary confinement, and border security policies	12	42	33
	Treatment of inmates including lack of rights, ill-treatment by guards, nature of punishment for behavioral violations, and inadequate access to health care	31	18	22
	Camps, detention centers, and totally controlled zones and their conditions	42	30	34
	Corruption among guards and local government officials	0	5	3
	Kidnapping/abduction	15	5	8

change in policy toward the irregular migrants would pose a larger national security threat due to a potential increase in the influx of irregular North Korean migrants. China's policy of repatriation is governed by two agreements, namely, the Ministerial Cooperation Protocol for the Work of Maintaining National Security and the Social Order and the Border Areas between North Korea and China (Chanlett-Avery, Manyin, & Nikitin, 2018). For the U.S. government and the international community, China's policy contravenes the UN Refugee Convention, of which it is a signatory. In practice, however, the situation is often not so drastic because the policy is applied selectively and targets primarily irregular migrants who have stayed in the country rather than moving on to a third country through one of the diplomatic missions excepting petitions for asylum.

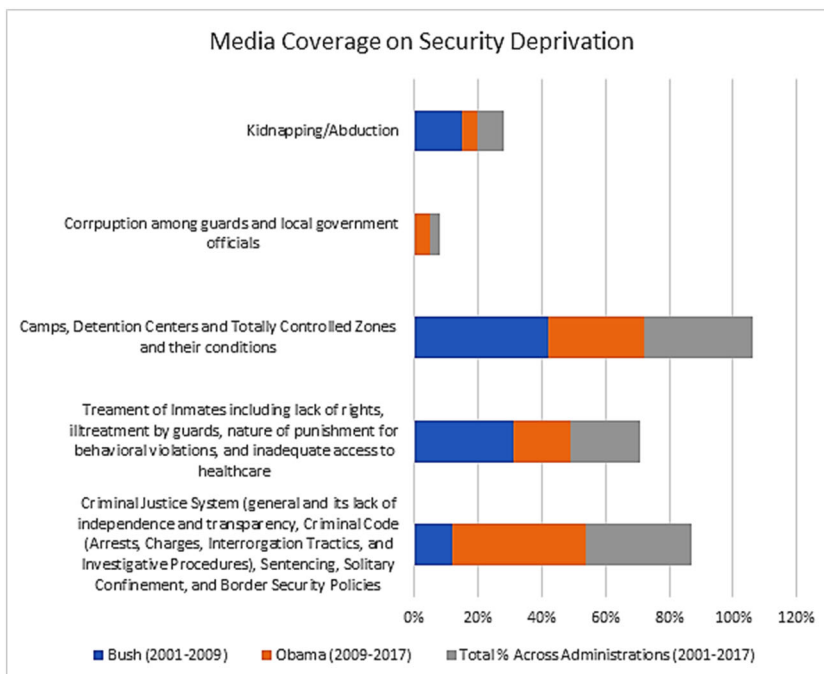


**FIGURE 6** Breakdown of the media coverage on the migration subissue

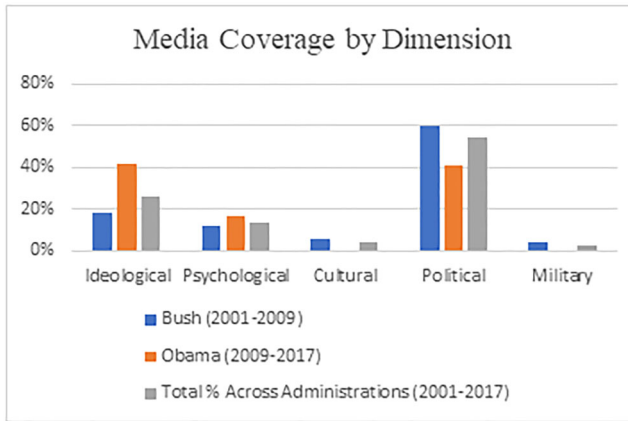
The salient political issues relate to the nature of the governance system in North Korea and, in particular, freedom of expression and due process, corruption, lack of transparency, and the politicization of human rights. Although these are primarily sociopolitical issues, the context in which media covered the lack of due process, corruption, transparency, and politicization of human rights highlights how they intersect with the economic and security deprivation. Media coverage on the lack of due process focused on the treatment of repatriated economic irregular migrants and the North Korea's unwillingness to provide access to and information following their repatriation. According to Margesson, Chantlett-Avery, and Bruno (2007, p. 10), punishments for returnees depend on "whether or not an individual committed crime in China, what the person has done since leaving North Korea, and what he or she was trying to escape from." It is believed that returnees face punishment ranging from a few months of "labor correction" to execution. Media coverage of corruption focused on actions undertaken by border security, prison officials, and local government officials. Haggard and Noland (2009, pp. 1 and 4) note that high levels of discretion with respect to arrest, sentencing, and abusive treatment of prisoners help to facilitate pervasive corruption among officials who extort money from those seeking to avoid the penal system. Media coverage of the lack of transparency focused on the opaque nature of North Korea's criminal justice system. Zook (2012, p. 131) argues that "legal reform may be the most important factor ensuring North Korea's stability and reintegration." Finally, North Korea's claim of the politicization of human rights was noted in the media coverage when the subissues were raised by the United States and the international community. As mentioned earlier, North Korea has consistently argued that U.S. attention to the issue is designed to facilitate regime change whereas U.S. officials have claimed otherwise. Hallet (2006, p. 73) asserts that despite claims by U.S. officials, the government's attention to the human rights issue emerged simultaneously with attempts to use asylum policy to promote political goals and country-specific legislation to facilitate political change in "rogue states." The problem is not per se whether the rights issue is politicized as much as it is the fact that emphasis on political deprivation in the rights discourse masks the underlying issues thereby resulting in a breakdown in dialogue between the two countries. This gap opens the door for the international community to engage North Korea on human rights in the absence of a shift in the U.S. position on the rights issue and the discourse it uses for engagement. A shift in the U.S. position is possible if it focuses more on security deprivation rather than political deprivation.

Security deprivation was the second most significant category across the rights and deprivation categories after isolating the security discourse from the political issues (Figure 6). However, there was variation across the administration periods. In the Bush administration period, camps, detention centers, and totally controlled zones and their conditions were the most recurrent subissues. Those subissues were the second most salient issue during the Obama administration period. Treatment of inmates, and so forth, was the second salient issue for the Bush administration period and third salient area for the Obama administration. Finally, the criminal justice system was the third salient subissue during the Bush administration period and the second most salient issue area in the Obama administration period. Despite the variance in the administration periods, the overall importance of the security rights discourse over the sociopolitical rights corresponds to the normative shift within U.S. rights discourse, which gives priority to security over the rights of an individual as a citizen (Schofer, 2015). An emphasis on security deprivation could possibly reduce the perceived politicization of human rights by North Korea that occurs with emphasis on political deprivation (Figure 7).

Emphasis on political deprivation exacerbates North Korea's perceived threat to its political, psychological, and ideological security and, as a result, narrows the type of dialogue on the human rights issue (Figure 8). However, there was overlap in all three categories. Table 3 provides a breakdown of each type of security by the key references in the Bush and Obama administration periods. The findings substantiate North Korea's perceptions that the United States politicizes the human rights issue and, by continually raising it, aims to foment regime instability. The nature of the discourse itself characterizes North Korea as the "other" and questions the regime's legitimacy and political ideology. Dalton et al. (2016) find similar results when they analyze the public construction of North Korea in Australian media. Consequently, there are limits to the policy preferences that policymakers can choose from when it comes to dealing with North Korea on the rights issue.



**FIGURE 7** Media coverage on security deprivation



**FIGURE 8** Media coverage by dimension

**TABLE 3** Media coverage by type of security and key references

Type of security	Key references	Bush (2001–2009) % of coverage	Obama (2009–2017) % of coverage	
Political security	Nature of the governance system	48	55	
	Government or leader	39	13	
	Political culture	13	32	
Ideological security	Regime ideology			
	Stalinism	52	44	
	Communism	48	34	
	Kimism	0	13	
Psychological security	Othering—Good vs. evil	Political liberalism	0	13
		Evil or “member of the Axis of Evil”	42	0
		Parallel to Nazi Germany	37	38
		Genocidal and inhumane	0	15
	Legitimacy	Misperception	11	0
	Questioning the legitimacy of the state	0	46	

**4.3 | Media coverage of policy preferences**

Peksen, Peterson, and Drury (2014, p. 855) find that although there is increased pressure on U.S. policymakers to act and a greater likelihood of action being taken as the media pays more

attention to human rights violations, policy preferences are conditioned by U.S. strategic ties to potential targets and the strategic importance of the targeted actor to U.S. foreign policy objectives. U.S. policymakers are more likely to act against non-allies who are not strategically important to U.S. foreign policy objectives. They are more likely to act on human rights violations despite objections by the U.S. executive when there are increased calls for action by the U.S. public. The U.S. public's perception of human rights violation in a country is shaped by the U.S. media, and the latter tends to pay closer attention to violations committed by authoritarian, non-strategic allied regimes. U.S. policymakers have acted against North Korea for its perceived human rights violation over the objection of the U.S. executive. Human rights are likely to be an issue raised in any final peace agreement with North Korea. Therefore, an understanding of the policy preferences that find support within the U.S. media coverage of the human rights discourse on North Korea becomes an important starting point for contemplating the development of a strategy to engage North Korea on the human rights issue (Table 4).

Diplomacy, engagement, and better bilateral relations between the United States and North Korea and the adoption of a multilateral approach to engagement with North Korea on the human rights issue were the two most salient policy preferences in the media coverage. In the Bush period, there was constant reference to the need for bilateral relations, whereas normalization of relations was debated in the Obama period. The debates, however, concentrated on whether conditions should be imposed within the context of denuclearization rather than for human rights violations. This finding suggests that there is some leeway on the opening of relations with North Korea so long as there is dialogue on issues such as human rights that are central to key policy actors. Only a small minority of support existed for regime change, whereas a majority rejected this option. Regime transformation is another story, particularly given that the second set of salient policy preferences focuses on North Korea's policy reform (to be discussed shortly). This finding is important because of the perceived threat of human rights to North Korea's political and psychological security. Finally, support for a multilateral approach to the human rights issue emerged in the Obama period as a salient policy preference. However, given the overall percentage of references to such an approach in relation to the other policy preferences, there is likely to be support among U.S. policymakers across the political parties for a multilateral approach.<sup>4</sup> This finding opens the door to the idea that the international community's engagement with North Korea may satisfy U.S. policymakers and limit public calls for making human rights a bilateral issue in U.S.–North Korean engagement on and implementation of final peace agreement.

As will be recalled from Table 2, the second set of policy preferences that found support in the media coverage included economic development assistance, policy reform in the areas of the economy, and criminal justice sectors and targeted sanctions. The United States has been one of the largest donors of humanitarian assistance to North Korea since 1995 providing over \$1.2 billion (Chanlett-Avery et al., 2018; Kim, 2014; Manyin & Nikitin, 2014). U.S. assistance has primarily targeted food, energy, and health insecurity. However, as of 2012, the United States has all but halted its aid due to congressional restrictions on the type of assistance that can be provided. Prior to 2016, the U.S. Congress limited the U.S. executive's ability to use the provision of aid as an inducement for denuclearization negotiations and has also required

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<sup>4</sup>Part 2 of this reframing project focuses on analysis of congressional documents for the purpose of identifying the key issues, the discourse surrounding them, and the debates over policy preferences. Part 3 focuses on congressional and executive order sanctions for human rights violations in general and on North Korea more specifically. These projects are being incorporated in a forthcoming book.

**TABLE 4** Media coverage by policy preferences

<b>Policy preferences</b>	<b>Bush (2001–2009) % of coverage</b>	<b>Obama (2009–2017) % of coverage</b>	<b>Total % across administrations (2001–2017)</b>
Dialogue, diplomacy, engagement and better bilateral relations, and normalization of relations (with or without conditions)	28	22	24
Opposition to isolation, confrontation, and support for an easing of tension by the international community	14	2	7
Support for regime change, behavioral change, and/or political transformation by the activist community	14	0	5
Economic and development assistance (food and energy security)—with conditions and without conditions, and reform of the domestic economy	24	7	13
Need to work with North Korea on human rights by adopting a long-term humanitarian approach to aid rather than tying it to human rights activism	2	0	6
Transparency of the governance and criminal justice system, greater access to information to promote awareness and compliance with the UNTOC, reform of the penal system, and develop and prison amnesty program	0	12	7
Need to bring attention to the human rights issue and its linkage with security issues supported by the activist community	16	0	1
Adopt a multilateral approach toward engagement on human rights that promote transparency and greater awareness and access to information on human rights within the country	0	39	24
Need to work with North Korea on human rights by adopting a long-term humanitarian approach to aid rather than tying it to human rights activism	2	0	1
Targeted sanctions on those responsible for human rights abuses	0	18	11

Abbreviation: UNTOC, United Nations Convention against Transnational Organized Crime.

monitoring and controls to be implemented for any type of emergency humanitarian assistance. North Korea has not implemented legislation nor given permission for the implementation of the type of monitoring and controls needed to satisfy the congressional requirement. Instead, North Korea has requested the United States to provide economic development assistance rather than humanitarian assistance; this request has been resisted due to mistrust over the North Korean government's intentions and congressional concern over how the funds will be used (Kim, 2014; Manyin & Nikitin, 2014). However, according to Manyin and Nikitin (2014), the U.S. executive branch does have some leeway in providing economic development assistance under the Foreign Assistance Act of 1961, but any long-term assistance would require congressional approval, changes in congressional legislation, and economic policy reform in North Korea. As Chanlett-Avery et al. (2018) highlight, Kim Jung-Un has pursued economic



policy reform, but it falls short of the type of reform that would satisfy congress. Moreover, the North Korean Sanctions and Policy Enhancement Act of 2016 and the Korean Interdiction and Modernization of Sanctions Act of the Countering America's Adversaries Through Sanctions Act impose further restrictions on economic development assistance by limiting trade to food, medicine, and other humanitarian and neglected goods, prohibiting financial transactions and investment, and opening the door to sanctions to foreign financial institutions that trade with North Korea.

As Peksen et al. (2014) highlight, the U.S. government has consistently imposed sanctions on non-strategic allies for human rights violations. U.S. sanctions policy toward North Korea has primarily targeted the country and its officials for nuclear proliferation and engaging in illicit activities. Up until recently, sanctions have not been imposed on government officials for human rights violation. North Korean officials were sanctioned for the first time for human rights violations in December 2018 (King, 2018). There is a reason to suspect that additional sanctions may be imposed by the U.S. Congress in the future for North Korea's human rights violations in the absence of serious economic and criminal justice reform including the release of political prisoners. Future sanctions are likely to target those who oversee or who are responsible for the violations (e.g., officials responsible for oversight of the provinces where the abuses occur or where the prisons are located). Additional sanctions are likely to produce a negative reaction by the North Korean government. However, the U.S. executive branch's hands are tied on lifting or restricting sanctions on North Korea imposed by U.S. congressional legislation (Chanlett-Avery et al., 2018). Waivers or an easing of sanctions on a recipient country only have been granted in the past in the name of national security.

#### **4.4 | U.S. national security, human rights, and a strategy for engagement**

Cha and Kang (2004) highlight the emotional and ideological context that divides U.S. politics on North Korea into two main camps: the hardliners and the moderates. The hardliners prefer isolation and containment, whereas the moderates argue for engagement, and the hardliners refer to the moderate's approach pejoratively as appeasement, whereas the latter dismiss the former's approach as being too hawkish. This ideological divide is further complicated when factoring in legislative and executive differences. The executive, irrespective of political party, has preferred engagement of varying degrees over full isolation and containment, whereas the U.S. Congress has attempted to challenge the executive branch (again, irrespective of party) on its approach to North Korea through legislation on aid, trade, sanctions, and human rights and conducting hearings on a variety of issues.

North Korea does not make a distinction in its public discourse in response to actions taken by the different branches of the U.S. government, nor does it seem to attempt to understand how political context influences the policy environment. The U.S. executive branch must take the U.S. Congress' concerns into consideration when it not only negotiates agreements with North Korea but also contemplates implementation of any agreements. As Cha and Kang (2004) highlight, the 1994 Agreement broke down during the implementation phase, and one of the most important arguments made by the U.S. Congress at the time was that the agreement had not been approved. President Clinton had replied to the U.S. Congress that approval was unnecessary because it was not a formal agreement. Then Congress moved to impose legislation, which contributed to its breakdown.

Any formal peace agreement will require the U.S. Senate's approval, and funding for and oversight of its implementation will require majority support within both houses of the U.S. Congress. Therefore, the issues and concerns of Congress are important, and human rights are one issue that has been championed by and used to check the U.S. executive branch in the U.S. foreign policymaking process. The only time when human rights have taken a backseat in U.S. foreign policy debates is when it comes to U.S. national security. The U.S. executive branch has separated the denuclearization issue from the human rights issue in its approach to engagement, arguing that it is in U.S. national security interest to engage North Korea on denuclearization. Congress has supported this argument to a large extent across the administrations, but there has been variation over the years on what it would accept to propel the negotiations forward. However, because Congress has linked the two issues in the existing legislation, North Korea will have to engage in dialogue on the human rights issue if it wants a final peace agreement to be implemented and unilateral sanctions lifted. The questions then become: Who should engage North Korea? Which issues should be the focus of engagement? And, given North Korea's past response to attempts to engage it on the rights issue, how should it be engaged?

The United States is not per se the best actor to engage in dialogue with North Korea over the human rights issue based on the findings. There is a disconnect between the official discourse on the human rights issue and how it is framed to the U.S. public via the media. As the discussion above highlighted, North Korea gives preference to socioeconomic rights over sociopolitical rights, whereas the United States emphasizes sociopolitical rights in its official discourse and does not recognize socioeconomic rights in practice. The point of convergence between the United States and North Korea on the human rights issue lies in the non-traditional security discourse, thereby making the security issues a foundation upon which dialogue could start. However, congressional restrictions limit the ability of the United States to actually assist North Korea on addressing the security issues underlying and coexisting with the human rights issue. Therefore, the international community becomes the best actor to engage in dialogue with North Korea. As the findings highlight, the U.S. public discourse opens the door to the international community. The international community's engagement with North Korea may be sufficient to satisfy U.S. policymakers' concerns over human rights.

North Korea's engagement with the international community on human rights has been limited to the submission of communiqués and reports prior to the release of the UN Commission of Inquiry on Human Rights in the Democratic Republic of Korea's report in 2014 (European Parliament, 2016; Ferenczy, 2017; Office of the High Commission on Human Rights [OHCHR], 2017; Son, 2017; Song, 2011). It was only after the report that the government opened a two-track approach to engagement, one with the UN and the other with the European Union. At the UN, high-level government officials openly discussed human rights and engaged in dialogue. For example, North Korea's foreign minister visited the UN General Assembly for the first time in 15 years, whereas the ambassador of permanent mission to the UN publicly discussed the UN Commission of Inquiries recommendation that North Korea be referred to the International Criminal Court (ICC) at an event hosted by the Council on Foreign Relations (Son, 2017). It also accepted the recommendations of the 2009 Universal Periodic Review, submitted alternative reports and published books on human rights in its country, and ratified the Optional Protocol to the Convention on the Rights of the Child and Convention on the Rights of Persons with Disabilities. More recently, North Korea and the OHCHR cosigned the UN strategic framework 2017–2021, which integrates a human rights-based approach for the UN agencies operating in the country (OHCHR, 2017). With the European Union, North Korea sent officials

in 2014 to see about resuming dialogue that has been suspended in 2013. The last round of dialogue held in 2015 focused on nonproliferation, regional stability and security, respect for human rights, the humanitarian situation, and European Union–Democratic People's Republic of Korea relations (Ferenczy, 2017). North Korea has rejected formal dialogue with the United States on human rights to date.

Though recognizing their limitations since the media coverage was limited to U.S. media outlets, the findings highlight that a change in the discourse used and the issues that are focused on may elicit less of a hostile response from North Korea. It seems clear given the cultural and historical context that more emphasis placed economic and security deprivation would be more effective to achieving a common ground for dialogue. The European Union may be the best actor to engage North Korea on the human rights issue given its recognition of socioeconomic rights in a majority of the member states' human rights discourses, the nature of its critical engagement policy, and willingness to engage the government on its own terms and within a narrative that is not perceived to overtly hostile (European Parliament, 2016). Australia, China, and Russia may be the best actors for engaging North Korea on the security issues. Australia has provided a significant amount of security assistance and training to states to deal with non-traditional security issues in the Asia Pacific region, and it is an actor that enjoys good relations with the U.S. government and the U.S. Congress in particular. China and Russia do not have a good relationship with U.S. policymakers, but they have the respect and trust of the North Korean government. They have also provided security assistance and training to North Korea's security forces. Non-traditional security issues have been given priority by all three countries. Finally, China's discourse on human rights security is situated within the non-traditional security paradigm; thus, if the issues raised are within that context, it becomes a lead actor for helping North Korea to address the human rights issue.

The salient issues underlying the human rights issues fall into the economic deprivation and security deprivation categories. Based on the findings, the main issues needed to be addressed and that are not inconsistent with North Korea's human rights discourse include food security, migration, human trafficking, smuggling, criminal justice system and penal reforms, and law enforcement and correctional officer training. Corruption is the only sociopolitical rights issue that is essential to facilitating success in addressing the abovementioned issues. Regarding food security, the World Food Program and the UN have been the dominant actors and have been, to date, effective in their role. However, Manyin and Nikitin (2014) make a strong case for an increased role for NGOs on addressing this issue given that they seem to have a better relationship with the people and government officials inside North Korea. The European Union also gives preference to NGOs and civil society actors for the same reason (European Parliament, 2016). Monitoring and control issues are still going to need to be addressed so that there does not continue to be a donor issue concern. Most of the U.S. humanitarian assistance to North Korea has gone through the World Food Program. On the issue of migration, Australia, the International Office on Migration, and International Labor Organization are three key actors. As studies on irregular migration demonstrate, the keys to reducing irregular migrant flows and facilitating safe, regular migratory flows are reforming the immigration system and law. They are both vital to addressing the underlying refugee and human trafficking issues. As was discussed in the findings, the majority of those who left North Korea in the post-1995 period did so for economic rather than political reasons; thus, regardless of whether they are called economic refugees or economic migrants, migration policy and immigration system reform are essential for addressing the issues. The United States and Australia are key actors for the human trafficking issue. Although the U.S. Congress limits the type of aid that the U.S. government can

provide to North Korea, the United States does have a great training program to help states bring attention to and address human trafficking. U.S. education institutions could potentially fill a gap in lieu of the U.S. Department of State. Australia has worked with Thailand and other ASEAN member states to assist in efforts to combat human trafficking. The Australian law enforcement model may be best suited for North Korea on this issue as well as for training in law enforcement and correctional facility personnel. On the issues of smuggling and corruption, China is a key actor. Finally, for criminal justice system and penal reforms, Australia, Switzerland, and Russia are key actors. Russia has experienced the transition from open to closed penal systems and continues to operate open, closed, and hybrid correctional institutions. Switzerland has unique rehabilitation and community integration programs to help inmates reintegrate into society. This will be important for North Korea because of fear of instability that would result from a release of a significant number of the imprisoned population and the inability of the domestic economy to absorb them back into the labor market. North Korea is also familiar with Switzerland. Finally, at the heart of the criminal justice system reform is law. Again, for the reasons already cited, Australia could be a key actor.

In this discussion, there has been a lot proposed; however, at the end of the day, all success hinges on whether North Korea is willing to fully engage the international community. It is in North Korea's national security interest to engage, not just because human insecurity threatens its long-term stability but also to neutralize one of the issues that may prevent the U.S. executive branch from finding support within the U.S. legislature for a formal peace agreement and the lifting of unilateral sanctions. International engagement of North Korea has been very public in the past thus resulting in a string of vehemently defensive responses from North Korea. This, in part, is because of the conflict in the discourses used. Perhaps, this time, a concerted, multi-pronged quietist approach that breaks the issues down according to key actors and presented within the context of human rights, human security, and non-traditional security discourses nexus would be in the best interest of everyone.

## 5 | CONCLUSION

To conclude, this study sought to examine how the human rights discourse is framed within the *Washington Post* and *New York Times* between 2001 and 2017. As was highlighted, framing is important because it shapes how the U.S. public and policymakers perceive the human rights issue in North Korea. The framed discourse primarily targeted the domestic rather than the international community, and, in particular, it targeted the U.S. public generally and U.S. policymakers more specifically. This finding is important because the U.S. Congress has given human rights a priority in the U.S. domestic–foreign policy nexus since the 1970s. The human rights issue is likely to be raised as a concern by the U.S. Congress in any formal peace agreement that is proposed by the U.S. executive branch.

Although North Korea has thus far refused to fully engage the United States and the international community on the human rights issue, it is in its national security interest to do so if it truly seeks a formal peace agreement with the United States and to prevent future instability that might result from the underlying economic and security deprivation issues. A reframing of the human rights discourse utilizing the human rights, human security, and non-traditional security discourses nexus highlights the salience of socioeconomic rights in the country's human rights problem. The United States does not recognize socioeconomic rights, whereas the international community does, but it has adopted the non-traditional security discourse in the rights

debate on counterterrorism and other non-traditional security policy issues. This opens the door to the international community to engage North Korea on the economic deprivation issues and provides an area of convergence in the rights discourse for the United States and North Korea to eventually engage in dialogue on the security deprivation issues.

As Dalton et al. (2016) discuss, the international community needs to find a new way to engage North Korea in order to facilitate peace. A quietest, multipronged approach to engagement was proposed here, which breaks the issues down by deprivation categories and key strategic actors. The proposed approach is rudimentary and requires far more analysis than what has been conducted in this study. However, it seeks to spark debate on creating a new path to engage North Korea. As Jae-Jung Suh (2013) highlights, the best way to reduce the legitimacy threat posed by human insecurity is to help North Korea by focusing on its non-traditional security issues. Non-traditional security has been given a priority in the security and rights agenda in the surrounding countries in the Asia Pacific and has been promoted by key actors such as China, Russia, and the United States in regional and international fora. A reframing of the rights discourse and the argument for a new approach to the North Korea human rights issue are not meant to exclude the rights community, who has long advocated for the protection of victims who have been abused. Rather, what was attempted here was simply to try to find a way to gently engage North Korea on an issue that is likely to be raised in any final peace agreement. As the studies on framing and discourse highlight, how we frame issues and the way in which they are discussed matter for shaping perceptions and influencing behavior. However, when each side begins to talk *at* rather than *to* one another, then no one can be helped, the issues cannot be resolved, and peace will continue to remain elusive.

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**How to cite this article:** Rudolph RM. Thinking about engaging North Korea: A study on the framing of the U.S. human rights public discourse in the *Washington Post* and *New York Times* between 2001 and 2017. *Asia Pac Policy Stud.* 2019;1–44. <https://doi.org/10.1002/app5.278>

## APPENDIX A

### LIST OF THE 398 NEWS ARTICLES COVERING 2001 TO 2018, RETRIEVED FROM LEXISNEXIS—NEWSWIRES & PAPERS

- A Change in South Korea; A new president sends a different message to the North, (2007, December 21), The Washington Post.
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