
GERMAN REUNIFICATION AS A BLUEPRINT FOR NORTH AND SOUTH KOREA

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ABSTRACT

The reunification of the Korean Peninsula has long been a central aspiration for both North and South Korea, with policymakers frequently looking to Germany's reunification as a potential model. However, while Germany's experience provides useful insights, fundamental political, economic, and social differences between the two cases prevent a direct application of the German framework to Korea. This paper conducts a comparative analysis of German reunification and Korea's ongoing efforts toward unification, examining four key dimensions: social integration, economic integration, structural integration, and international relations. The paper concludes that while Germany's reunification experience offers valuable lessons—particularly in addressing ideological divides and economic restructuring—Korea's unique political landscape and international relations necessitate a tailored approach to reunification, rather than a strict replication of the German model.

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I. INTRODUCTION

The reunification of the Korean Peninsula has been a shared aspiration for both North and South Korea since the signing of the 1991 Basic Agreement on Reconciliation.¹ Despite decades of effort toward this goal, there is little concrete evidence that reunification is closer to being realized. Throughout this process, Korean diplomats and government officials have often looked to Germany's reunification as a model. Before becoming a single, sovereign state, Germany was divided into two distinct geopolitical regions: East Germany, supported by the Socialist Unity Party and communist principles, and West Germany, aligned with democratic ideals.² This major parallel has naturally made German reunification a focal point for advocates of Korean reunification.

This paper will explore the history of German reunification alongside Korea's efforts toward reunification, highlighting the legal instruments and political decisions that have driven unification in each context. I will examine four dimensions of reunification, focusing on proposals for Korea through various lenses and conducting a comparative analysis of the strategies employed by Germany. The first dimension, social integration, examines the social obstacles to unity, particularly the ideological differences between North and South Korean populations. The second dimension, economic integration, addresses how a reunified Korea might approach economic issues, including establishing a unified currency system,

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¹ Agreement on Reconciliation, Non-Aggression, and Exchanges and Cooperation between South and North Korea, S. Korea and N. Korea, United Nations Peacemaker (1991) [hereinafter Basic Agreement].

² Robert Citino, *The Foundation of the Socialist Unity Party*, THE NAT'L WORLD WAR II MUSEUM NEW ORLEANS (Apr. 21, 2021), <https://www.nationalww2museum.org/war/articles/socialist-unity-party>.

resolving employment challenges, and enhancing overall welfare and productivity. The third dimension, structural integration, considers different forms of government and reviews historical proposals from both North and South Korean administrations. The final dimension, international relations, assesses how reunification might affect each country's international obligations and the role of foreign countries in influencing the reunification process.

The paper concludes that while Germany's reunification model shares some surface-level similarities with Korea's situation, it cannot serve as a perfect blueprint due to the differing political contexts. Nevertheless, valuable lessons from Germany's experience can inform strategies for Korean reunification.

II. HISTORICAL BACKGROUND

A. *German Democratic Republic (GDR) and Federal Republic of Germany (FRG)*

After the end of World War II, Germany was divided into four occupied zones by the Allied Powers as a measure to prevent future aggression.³ Foreign influence in Germany was substantial during this period, with Western nations, aligned under the North Atlantic Treaty Organization (NATO), and communist countries, bound by the Warsaw Pact, both playing significant roles.⁴ From 1945 to 1990, communist influence in Germany gradually diminished.⁵ To curb migration to the West and reduce Western influence, the Soviet Union constructed the Berlin Wall; the Soviet Union also initiated the Berlin Blockade, cutting off rail, road, and water access to Allied-controlled areas of Berlin.⁶ However, the Allied Powers responded with the Berlin Airlift, which ultimately led to the blockade's removal.⁷

³ *The End of WWII and the Division of Europe*, UNC CTR. FOR EUR. STUD., <https://europe.unc.edu/the-end-of-wwii-and-the-division-of-europe/#:~:text=After%20the%20Potsdam%20conference%2C%20Germany,Soviet%20Union%20in%20the%20east> (last visited Jan. 25, 2025).

⁴ See U.S. Department of State, *The Warsaw Treaty Organization, 1955*, OFF. OF THE HISTORIAN, <https://history.state.gov/milestones/1953-1960/warsaw-treaty> (last visited Dec. 31, 2023).

⁵ Amanda Onion, Missy Sullivan, Matt Mullen & Christian Zapata, *Berlin Blockade*, HISTORY.COM (June 1, 2010), <https://www.history.com/topics/cold-war/berlin-blockade>.

⁶ See U.S. Department of State, *The Berlin Crisis, 1958-1961*, OFF. OF THE HISTORIAN, <https://history.state.gov/milestones/1953-1960/berlin-crisis> (last visited Feb. 19, 2025); see U.S. Department of State, *The Berlin Airlift, 1948-1949*, OFF. OF THE HISTORIAN, <https://history.state.gov/milestones/1945-1952/berlin-airlift> (last visited Dec. 31, 2023).

⁷ See *id.*

The fall of the Berlin Wall on November 9, 1989, marked a symbolic step toward reunification.⁸ On August 31, 1990, East and West Germany signed the Unification Treaty, formally integrating East Germany into the Federal Republic of Germany.⁹ Finally, on September 12, 1990, the Treaty on the Final Settlement with Respect to Germany was signed at the Two Plus Four Conference.¹⁰ This international agreement, attended by the former occupying powers—France, the Soviet Union, the United Kingdom, and the United States—formally completed Germany’s reunification.¹¹

The Unification Treaty outlined the framework for German reunification, covering key issues such as the effects of accession, the designation of a new capital city, the establishment of foundational laws and financial systems, and the harmonization of legal frameworks.¹² In addition to addressing domestic affairs, the Treaty secured a spot for Germany on the global stage by codifying the following: “The German people, freely exercising their right of self-determination, have expressed their will to bring about the unity of Germany as a state ... [and] as an equal and sovereign member of a united Europe.”¹³ Despite strong opposition from Russia regarding NATO expansion, the newly reunified Germany was also formally integrated as a full member of the military alliance.¹⁴

The German reunification process can be analyzed through four key dimensions: social integration, economic integration, structural integration, and international influences. The interaction of these elements was essential to achieving reunification and influenced the overall success of Germany’s efforts.

1. Social Integration: Adapting from Socialism to Democracy

During the four decades of division, the people of East and West Germany developed distinct attitudes toward society and work. In East Germany, where the government maintained a pervasive presence in daily life, levels of self-

⁸ See *Fall of Berlin Wall: How 1989 reshaped the modern world*, BBC (Nov. 4, 2019), <https://www.bbc.com/news/world-europe-50013048>.

⁹ *Treaty between the Federal Republic of Germany and the German Democratic Republic Concerning the Completion of the Unity of Germany*, Oct. 3, 1990, 1696 U.N.T.S. 124 [hereinafter *Unification Treaty*]; Jai Kwan Jung & Chad Rector, *Pathways of National Reunification in Germany, Yemen and Korea*, 29 PAC. FOCUS INHA J. OF INT’L STUD. 211 (2014).

¹⁰ *Unification Treaty*, *supra* note 9.

¹¹ See *The Era of Partition*, BRITANNICA, <https://www.britannica.com/place/Germany/The-era-of-partition> (last visited Nov. 8, 2024)

¹² *Unification Treaty*, *supra* note 9.

¹³ *Id.* at 125.

¹⁴ *Germany and NATO*, NORTH ATLANTIC TREATY ORGANIZATION, https://www.nato.int/cps/en/natohq/declassified_185912.htm (last accessed Dec. 31, 2023).

reliance were generally lower.¹⁵ Capitalistic behaviors such as entrepreneurship, self-employment, and investment were also highly restricted under communism.¹⁶ To this day, the lingering effects of communism continue to shape the perspectives and attitudes of individuals in modern-day East and West Germany.¹⁷

Despite the differences within divided Germany, clear signs of a shared desire for reunification began to emerge. Before the construction of the Berlin Wall in 1961, substantial migration from East to West Germany took place.¹⁸ Later, public demonstrations, such as the Monday Demonstrations, and the eventual fall of the Berlin Wall, further underscored the public's wish to eliminate the physical and ideological divide.¹⁹ Upon reunification, there was a mass migration of East Germans to the West. This migration was motivated by ideological differences as well as a desire to escape the violence perpetrated by the Soviet Army.²⁰ Overall, reunification was viewed positively by the general population, particularly in East Germany, where many celebrated it as a moment of liberation from Cold War-imposed division.²¹ Reunification allowed separated friends and families to reunite and provided an opportunity to rebuild as one nation. However, West Germans generally held a more cautious view, seeing reunification as a costly and disruptive process that placed additional burdens on the West.²²

Upon reunification, the West German government took steps to facilitate educational and employment integration.²³ Although education was managed by individual states rather than the central government, many East German states adopted the educational models of their Western counterparts.²⁴ These reforms aimed to address East Germany's practice of embedding socialist ideals from early childhood, prompting a revision of educational curricula.²⁵ Additionally,

¹⁵ Sascha O. Becker, Lukas Mergele & Ludger Woessmann, *The Separation and Reunification of Germany: Rethinking a Natural Experiment Interpretation of the Enduring Effects of Communism*, 34 J. OF ECON. PERSP. 143, 160 (2020).

¹⁶ *See id.* at 151.

¹⁷ *See id.* at 168.

¹⁸ *See id.* at 155.

¹⁹ *See* Laurence Peter, *East Germany 1989 – The March that KO'd Communism*, BBC (Oct. 13, 2019, 07:36 AM), <https://www.bbc.com/news/world-europe-50003305>.

²⁰ *See* Becker, *supra* note 15, at 157.

²¹ John Michael Wallace-Hadrill & Kenneth Barkin, *The Reunification of Germany*, BRITANNICA, <https://www.britannica.com/place/Germany/The-reunification-of-Germany> (last visited Jan. 25, 2025).

²² *See id.*

²³ *See* KARL ULRICH MAYER, AFTER THE FALL OF THE WALL: LIFE COURSES IN THE TRANSFORMATION OF EAST GERMANY 1, 52 (Martin Diewald et al. eds., 2006).

²⁴ *See id.*

²⁵ *See id.* (“The ten- or twelve-year general comprehensive school that nearly all children attended in the GDR was quickly replaced by different versions of the tracking systems that existed in West Germany. With unification, the responsibility for schools and universities was handed over from the central government to the newly

standardized exams and certification procedures were implemented to ensure that students' qualifications were widely accepted, thereby improving access to higher-level jobs.²⁶ The addition of Article 37 in the Unification Treaty further supported integration by recognizing degrees obtained by East Germans before 1989 as equivalent to West German certifications, thus aligning employment opportunities across East and West Germany.²⁷ Ultimately, the most powerful incentives for social integration were the shared desire for reunification and the collective goal of achieving national unity and stability.

2. Economic Integration: A Rapid Transition to the Free Market Economy

Upon Germany's reunification, East Germans experienced a rapid and radical shift to a capitalist economy, often described as a "shock therapy" approach.²⁸ East Germany faced unique hardships due to its centrally planned economy and was already at a disadvantage because of war-related damages.²⁹ Furthermore, East Germany struggled with low productivity levels, and its economic troubles were exacerbated by the declining economies of its socialist allies, including the Soviet Union and much of Eastern Europe.³⁰ With minimal competition, East German businesses had little incentive to reduce costs or improve productivity. High government subsidies further strained the economy, consuming nearly a quarter of public expenditure by 1989.³¹ In response, the German government moved to privatize much of East Germany's industry and implemented policies to promote social and economic integration, including currency consolidation and efforts to prevent high unemployment.³² The German government also compensated

found states, and they often copied the school model of their West German partner state. In all East German states children attend primary school up to grade 4 (in Brandenburg grade 6). Afterward, they are sent to Gymnasium or Real- or Hauptschule (upper, middle, or lower secondary schools), depending on their performance. The states differ greatly in their provision of schools or classes that integrate two or more of these tracks, in the opportunities to change tracks and their procedures of allocating children to schools.”).

²⁶ *See id.* at 53 (“Central schedules and controlled exams guaranteed the general acceptance of occupational certificates by employers, and labor market allocation of persons, especially the access to qualified jobs, was powerfully predefined by those credentials.”).

²⁷ *See id.* at 54; *Unification Treaty*, *supra* note 9.

²⁸ MAYER, *supra* note 23 at 46.

²⁹ Becker, *supra* note 15, at 154.

³⁰ Dora Damjanović, *The Reunification of Germany & Global Social Evolution*, 3 *CADMUS* 44, 52 (2018).

³¹ Saraid L. Donnelly, “*Sell or Slaughter*”: *The Economic and Social Policies of German Reunification*, CMC SENIOR THESES 1, 2 (2012).

³² *See id.* at 8.

the losses with significant subsidies, but this still did not lead to much self-sustaining growth in the East.³³

The German Federal Bank succeeded the former Central Bank of the GDR and assumed responsibility for East Germany's national debt.³⁴ Instead of adopting an austerity program to mitigate economic strain on West Germany, Chancellor Helmut Kohl pursued an ambitious approach that prioritized rapid integration over economic caution.³⁵ Under the State Treaty between the FRG and GDR on the Creation of a Monetary, Economic, and Social Union, a 1:1 conversion rate was established between the Deutschemark and the former East German currency, and the Deutschemark became the official currency of the reunified Germany.³⁶ However, this revaluation of East German currency by over 300-400% had severe repercussions for West German businesses, forcing many to close due to increased competition and financial strain.³⁷ While the policy demonstrated a strong commitment to social integration, the currency appreciation, intense competition, and lack of a unified economic strategy led to a one-third decline in Germany's total output.³⁸

Under East Germany's socialist system, unemployment was minimal, leaving East Germans unprepared for the high unemployment rates that followed reunification.³⁹ To address this, Germany enacted the Employment Promotion Law, which sought to align with Western labor market policies while adapting to the unique challenges of reunification.⁴⁰ This law provided short-time wage subsidies to a broad segment of the population, and it also included maintenance allowances for East Germans undergoing occupational retraining.⁴¹ Further initiatives, such as the 1996 Action Program for Investment and Jobs, aimed to deregulate businesses and encourage start-ups.⁴² Despite these efforts, significant employment disparities remained between East and West Germany, reflecting broader social and economic divides. While East Germany experienced an economic slump post-reunification, West Germany benefited from the influx of a new market of 16

³³ Heinz-Jürgem Bremm, *German Unification, European Integration and the Breakdown of Communism: Spatial Development Trends in a Unified Germany and Post-Communist Eastern Europe*, 19 BUILT ENVIRONMENT 40, 41 (1993).

³⁴ MAYER, *supra* note 23, at 46.

³⁵ *See id.* at 47.

³⁶ The State Treaty between the FRG and the GDR on the Creation of a Monetary, Economic, and Social Union, May 18, 1990, FRG-GDR, BULLETIN (Presse-und Informationsamt der Bundesregierung) Nr. 63/S. 517 (1990) (entered into force July 1, 1990); Donnelly, *supra* note 31, at 9.

³⁷ MAYER, *supra* note 23, at 46.

³⁸ Donnelly, *supra* note 31, at 10.

³⁹ *See id.* at 21.

⁴⁰ *See id.* at 22; West German Employment Promotion Act (1985).

⁴¹ VITO TANZI, *TRANSITION TO MARKET: STUDIES IN FISCAL REFORM* 215 (Vito Tanzi ed., 1993).

⁴² Donnelly, *supra* note 31, at 24.

million East Germans, fueling economic growth.⁴³ Ultimately, despite the economic difficulties faced by both East and West German post-reunification, the robustness of the Western economy and the drive to modernize the nation were central to the economic integration process.

3. Structural Integration: Unilateral Absorption of the East and West German Dominion

Article 8 of the Unification Treaty provided for the admission of five new states and East Germany into the Federal Republic of Germany, with the laws of West Germany applying *ipso iure*.⁴⁴ The absorption of one state by another is one of the mechanisms by which divided countries can unify.⁴⁵ Some scholars have deemed absorption analogous to an annexation of the weaker country, an option that is undesirable if seeking to maintain equal elements of both countries.⁴⁶ However, absorption was only one of the two mechanisms proposed by the Basic Law for the Federal Republic of Germany.⁴⁷

The constitution of the FRG set out two routes for the establishment of a “reborn and unified Germany”: Article 23 and Article 146.⁴⁸ Article 23 provided for absorption, allowing for “other parts of Germany” to “join the area of applicability of the Basic Law.”⁴⁹ This approach aligned with the conservative viewpoint, as it proposed that the foundations of a united Germany would rest on the existing institutions of the FRG, with any modifications made solely to accommodate a new population and additional territory.⁵⁰

In contrast, Article 146 stipulated that the German people could freely adopt a new constitution for reunification, thus enabling the creation of a new state.⁵¹ While it is likely that the framers of the Basic Law intended reunification to occur through the adoption of a new constitution under Article 146, there was limited authoritative precedent to guide such a process, and this would have effectively replaced the foundational institutions of both the FRG and the GDR.⁵² Chancellor Kohl also proposed establishing a confederation in which both East and

⁴³ Damjanović, *supra* note 30, at 54.

⁴⁴ *Unification Treaty*, *supra* note 9, art. 8.

⁴⁵ Giovanni Distefano & Aymeric Hêche, *State Succession in International Law*, OXFORD BIBLIOGRAPHIES (2018) (“*Unification of states* is the merger of two or more states into a new entity. The predecessor states usually disappear; if not, one of them continues to exist and the case is referred to as *absorption*.”).

⁴⁶ Wenhao Du, *Wiedervereinigung oder Anschluss?: The Effects of Reunification in Former East Germany*, 1 VANDERBILT HIST. REV. 49 (2016).

⁴⁷ Grundgesetz [GG] [Basic Law], art. 23, translation at https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0128 (Ger.) [hereinafter the Basic Law].

⁴⁸ *Id.* at art. 146.

⁴⁹ *Id.* at art. 23.

⁵⁰ Peter E. Quint, *The Constitutional Law of German Unification*, 50 MD. L. REV. 475, 512 (1991).

⁵¹ Basic Law, art. 146.

⁵² *See id.*; *see* MAYER, *supra* note 23, at 45.

West Germany would maintain their individual structures and governments, merging only in certain aspects.⁵³ This model was attractive due to concerns about abrupt political changes and the potential for domestic and foreign opposition. However, the idea of maintaining two conflicting political systems within a single nation proved incompatible with the goal of creating a fully integrated state.⁵⁴ As a result, this quasi-unification model garnered little support and was quickly abandoned.⁵⁵

In conclusion, the structural integration of Germany was a relatively straightforward process, as the mechanisms for reunification were already embedded in the West German Constitution. With an existing legal framework for reunification, along with West Germany's established democratic institutions and robust economy, the process of structural integration was ultimately successful.

4. International Context: Foreign Obligations and Influence

In drafting the Unification Treaty, the drafters addressed the future of the international obligations held by the GDR. Article 10(1) of the Unification Treaty stated that international treaties, including the three Treaties Establishing the European Communities, as well as all related international treaties, conventions, and resolutions, would remain in effect after reunification.⁵⁶ Article 11 specified that treaties currently applicable to the FRG would be extended to the GDR.⁵⁷ The reunification of the two German states was also significant for the rest of Europe, as it would expand the European Economic Community (EEC) without following the usual EEC Treaty accession process. The European Parliament emphasized that "German reunification and European integration were two sides of the same coin," noting that closer integration of the EEC would provide a foundation for stronger ties between the German states, while the accession of East Germany into the EEC would help foster better relations with Central and Eastern Europe.⁵⁸ Consequently, the European Parliament established a Temporary Committee to assess the impact of German reunification on the EEC, particularly concerning budgetary implications, military alliances, and relations with the broader European continent.⁵⁹

The role of foreign nations, particularly the United States and the Soviet Union, significantly influenced the ability of the two Germanys to reunify.⁶⁰ When relations between these two global superpowers were strained, it placed pressure on both Germanys to refrain from pursuing peaceful interaction toward

⁵³ Quint, *supra* note 50, at 506.

⁵⁴ *See id.* at 530.

⁵⁵ *See id.* at 507.

⁵⁶ *See id.* at 623; *Unification Treaty*, *supra* note 9.

⁵⁷ Quint, *supra* note 50, at 537.

⁵⁸ *See id.*

⁵⁹ *See* EUROPEANA, THE EUROPEAN PARLIAMENT AND THE CHALLENGES OF GERMAN REUNIFICATION.

⁶⁰ *See* Ronald Bitzer, *Soviet Policy on German Reunification in 1952*, 132 WORLD AFFAIRS 245, 251-254 (1969).

reunification.⁶¹ This dynamic was also reflected in NATO's response to the reunification process.⁶² Chancellor Kohl committed to ensuring that a reunited Germany would remain part of NATO, and that the World War II Allies would play an active role in the unification.⁶³ However, each NATO member country held differing views on reunification. Nations like France and the United Kingdom remained cautious and distrustful of Germany, while the United States supported reunification and Germany's continued participation in NATO.⁶⁴

B. Korean Peninsula

The Korean War began on June 25, 1950, when the North Korean People's Army crossed the 38th parallel, the boundary separating the Soviet-backed Democratic People's Republic of Korea to the north from the pro-Western Republic of Korea to the south.⁶⁵ This invasion marked the beginning of one of the first proxy wars of the Cold War, representing a confrontation between the forces of international communism and those aligned with the West.⁶⁶ The war ended in July 1953, resulting in the continued division of the Korean peninsula.⁶⁷ Following the conclusion of the Korean War, North and South Korea entered into an armistice agreement that remains in effect to this day.⁶⁸ The armistice stipulated that the goal of both Koreas was to transition from a state of armistice to peace. Since the signing of the Basic Agreement, each South Korean administration has worked toward this goal.⁶⁹

⁶¹ See Damjanović, *supra* note 30, at 51.

⁶² See Pierre Gerbet, *German Reunification: an international and European issue*, UNIVERSITÉ DU LUXEMBOURG, <https://www.cvce.eu/en/recherche/unit-content/-/unit/02bb76df-d066-4c08-a58a-d4686a3e68ff/87aeb88b-735e-4afa-bf0b-e0e3731a96e4> (last visited Jan. 25, 2025).

⁶³ See *id.*

⁶⁴ See *id.*

⁶⁵ *Korean War*, HISTORY.COM (May 11, 2022), <https://www.history.com/topics/asian-history/korean-war>.

⁶⁶ See Kathryn Weathersby, *The Soviet Role in the Early Phase of the Korean War: New Documentary Evidence*, 2 J. OF AMERICAN-EAST ASIAN REL. 425 (1993).

⁶⁷ See *id.* at 438 n. 38.

⁶⁸ Bong-geun Jun, *70 Years After the Armistice, the Korean Peninsula Still Struggles for Peace*, U.S. Inst. for Peace (Sept. 11, 2023), <https://www.usip.org/publications/2023/09/70-years-after-armistice-korean-peninsula-still-struggles-peace>; Korean Armistice Agreement, July 27, 1953, U.S.-N. Kor., 4 U.S.T. 234.

⁶⁹ See Jun, *supra* note 68.

1. *The Republic of Korea*

Since 1948, the Republic of Korea has been a democratic republic with a centralized government headed by the President.⁷⁰ In pursuit of reunification, South Korean President Park Chung Hee, who served from 1963 to 1979, announced the Special Foreign Policy Statement Regarding Peace and Unification.⁷¹ This initiative represented one of the earliest expressions of South Korea's willingness to improve relations with communist countries, focusing on normalizing ties with North Korea, China, and the Soviet Union.⁷² His reunification strategy, known as *Nordpolitik*, became the hallmark foreign policy of his successor, Roh Tae-woo.⁷³ The economic motivation behind this strategy included diversifying South Korea's trade partners, but the primary goal remained ensuring peace and stability on the Korean peninsula.⁷⁴

Subsequent administrations broadened the perspectives on reunification. The policy of Kim Young Sam, South Korea's president from 1993 to 1998, was called the "Three-Stage Unification Formula for Building a Korean National Community," which emphasized liberal democracy as the foundation for a unified nation.⁷⁵ His administration advanced this vision by implementing a nationwide educational program on reunification, strengthening public education efforts, promoting research on reunification, and fostering public consensus on unification issues.⁷⁶ Kim Dae Jung, who served as president from 1998 to 2003, introduced the "Sunshine Policy," which outlined three core principles: 1) no armed provocation by the North would be tolerated; 2) the South would not seek to absorb the North; and 3) the South would actively pursue cooperation and reconciliation with the North.⁷⁷

Despite these assurances, the North Korean government remained skeptical, suspecting that Kim Dae Jung's emphasis on gradual reform was a covert attempt to undermine the North's political system.⁷⁸ Nonetheless, Kim met with Kim Jong Il at the June 2000 Summit, leading to the U.S. relaxing some sanctions it

⁷⁰ *What Kind of Government Does South Korea Have?*, WORLD ATLAS, <https://www.worldatlas.com/articles/what-type-of-government-does-south-korea-have.html> (last visited Jan. 25, 2025).

⁷¹ Byung Hwa Lyou, *Peace and Unification in Korea and International Law*, 2 OCCASIONAL PAPERS/REPRINT SERIES IN CONTEMP. ASIAN STUD. 1, 75 (1986).

⁷² Tae Dong Chung, *Korea's Nordpolitik: Achievements and Prospects*, 15 ASIAN PERSP. 149, 151 (1991).

⁷³ *See id.* at 154.

⁷⁴ *Id.* at 150.

⁷⁵ Bong-geun Jun, *Will South Korea's New 'Unification Doctrine' Succeed Where Past Policies Have Failed?*, U.S. INST. OF PEACE (2024).

⁷⁶ Young Whan Kihl, *Unification Policies and Strategies of North and South Korea*, 1 INT'L J. OF KOREAN STUD. 232, 239.

⁷⁷ *See id.* at 244.

⁷⁸ SELIG S. HARRISON, *KOREAN ENDGAME: A STRATEGY FOR REUNIFICATION AND U.S. DISENGAGEMENT* 74, 83 (Princeton University Press 2002).

previously imposed on North Korea.⁷⁹ Under Park Geun Hye's administration from 2013 to 2017, *Nordpolitik* evolved into *Trustpolitik*, which placed a greater emphasis on building trust and mutual agreements between the two Koreas.⁸⁰ However, establishing a solid foundation of trust has been challenging due to the lack of a framework to reward positive, trust-building actions.⁸¹ Since the Park administration, there has been limited progress toward reunification. Currently, the Ministry of Unification oversees South Korea's unification strategy, which prioritizes inter-Korean dialogue, exchanges, and cooperation.⁸² The Ministry has outlined three key goals for the two Koreas: economic revitalization for North Korea, preservation of South Korea's welfare standards, and the promotion of a shared Korean cultural identity.⁸³

2. *The Democratic People's Republic of Korea*

The North Korean government is often described as one of the world's longest-running dynastic dictatorships, marked by military dominance and strict repression under the Kim family.⁸⁴ Over the decades, North Korea has proposed various theories of reunification.⁸⁵ One such theory is the "Whole Korea Revolution Theory," which envisioned establishing a Democratic Republic of Koryo with "equal participation from both sides, based on mutual tolerance of ideological differences."⁸⁶ Consistent with its communist ideology, North Korea has maintained that the Kim dynasty is the rightful master of the nation.⁸⁷ Additionally, the North Korean government has denounced Japanese and U.S. imperialism, influenced by a sense of encirclement by imperialist forces since the Korean War.⁸⁸ As a result,

⁷⁹ *See id.* at 91.

⁸⁰ Yun Byung Se, *Park Geun-Hye's Trustpolitik: A New Framework for South Korea's Foreign Policy*, GLOBAL ASIA (Sept. 2013), https://www.globalasia.org/v8no3/cover/park-geun-hyes-trustpolitik-a-new-framework-for-south-koreas-foreign-policy_yun-byung-se.

⁸¹ JONG CHUL PARK & JEONG-HO ROH, LAW AND POLICY ON KOREAN REUNIFICATION: ANALYSIS AND IMPLICATIONS 1, 4 (Center for Unification Policy Studies, 1st ed. 2014).

⁸² *See id.* at 135.

⁸³ *Brief Information*, THE MINISTRY OF REUNIFICATION, https://www.unikorea.go.kr/eng_unikorea/about/aboutmou/information/#:~:text=On%20March%201%2C%201969%2C%20the,end%20of%20the%20Korean%20War (last visited Apr. 14, 2024).

⁸⁴ Eleanor Albert, *North Korea's Power Structure*, COUNCIL ON FOREIGN REL. (June 17, 2020), <https://www.cfr.org/background/north-koreas-power-structure>.

⁸⁵ Wan Kyu Choi, *North Korea's New Unification Strategy*, 25 ASIAN PERSP. 99 (2001); Michael Edmonston, *The Potential of Korean Reunification and a Unified Korean Armed Forces: A Cultural Interpretation*, 5 J. OF INDO-PACIFIC AFF. (2022).

⁸⁶ *See* Edmonston, *supra* note 85.

⁸⁷ *See id.*

⁸⁸ Young Ho Park, *South and North Korea's Views on the Unification of the Korean Peninsula and Inter-Korean Relations* 6 (KRIS-Brookings Joint Conf., 2014)

North Korea has insisted that reunification with the South could only occur through a revolutionary process that would eliminate all foreign influence from the peninsula.⁸⁹ Kim Il Sung's "Ten Point Plan" rejected the possibility of unilateral absorption by South Korea, instead emphasizing that unity should be achieved "on the principle of promoting co-existence."⁹⁰

The guiding principle behind all North Korean action is *juche*, symbolizing North Korea's commitment to independent national liberation and the empowerment of the working class.⁹¹ This ideology combines elements of Confucian loyalty with communist doctrine, which effectively resulted in the exclusion of private religious practice, restrictions on education, and extensive human rights abuses in North Korea.⁹² The 2018 summit between North Korean leader Kim Jong Un and former South Korean president Moon Jae In, which culminated in the Panmunjeom Declaration for Peace, Prosperity and Unification of the Korean Peninsula, indicated some willingness on North Korea's part to engage in peace talks and inter-Korean cooperation.⁹³ However, tensions escalated between the two Koreas in 2023.⁹⁴ In December of that year, Kim Jong Un publicly declared for the first time that North Korea would no longer aim for reunification.⁹⁵ The North Korean government has repeatedly blamed South Korea for the deterioration of their relationship, and the prospect of reunification appears more distant than ever.⁹⁶

("In the Cold War era, North Korea argued that 'there is no place on the earth that is not affected by the evil influence of the U.S. and there is no country that does not feel the menace of aggression [from the U.S.],' and it has maintained that the United States, which had once threatened the North with military assault, is interfering with national reunification.").

⁸⁹ *See id.*

⁹⁰ Bryan M. Ahern, U.S. Security Policy in Asia After Korean Reunification (Dec. 1997) (M.A. thesis, Naval Postgraduate School) (on file with the Naval Postgraduate School Library system).

⁹¹ Bianca Trifoi, *Kim was Korea and Korea was Kim: The Formation of Juche Ideology and Personality Cult in North Korea*, FIU ELECTRONIC THESES AND DISSERTATIONS 1 (2017).

⁹² *See Edmonston, supra* note 85.

⁹³ Permanent Rep. of North Korea to the U.N. & Permanent Rep. of South Korea to the U.N., Letter dated 6 September 2016 from the representatives of the Democratic People's Republic of Korea and the Republic of Korea to the United Nations addressed to the Secretary-General, U.N. Doc A/72/109, 2-4 (Sept. 10, 2018).

⁹⁴ DPA, *Kim Jong-un says North Korea no longer eyeing reunification with South, warns of war 'at any time,'* South China Morning Post (Dec. 31, 2023, 7:00 PM), <https://www.scmp.com/news/asia/east-asia/article/3246812/kim-jong-un-says-north-korea-no-longer-eyeing-reunification-south-warns-war-any-time>.

⁹⁵ *See id.*

⁹⁶ *See id.*

Scholars predict that, if pursued, the process of Korean reunification will be gradual.⁹⁷ The following section will examine the efforts required by both North and South Korea to achieve successful integration of values, economies, and governance structures, as well as the most urgent international issues that must be addressed. This rest of this paper will focus on peaceful reunification strategies that enable the coexistence of both Koreas.

C. Comparative Inquiry

1. Social Integration: *Juche*, Public Ambivalence, and Divergent Ideologies as Obstacles to Integration

The question of Korean reunification must first consider public opinion. Unlike German reunification, which was significantly driven by international political factors, reunification efforts in Korea appear to be driven primarily by a cultural and historical desire to reunite.⁹⁸ Successful integration of values in the North and South Korean context requires an understanding of the day-to-day lives of Koreans. Recent surveys indicate that older generations in South Korea tend to value notions of harmony and equality and hold lower levels of hostility toward North Koreans compared to younger generations.⁹⁹ Many older South Koreans support reunification, viewing it as a way to reduce the threat of war or believing that “the two Koreas are the same people.”¹⁰⁰ In contrast, survey respondents in their twenties were less inclined to support reunification, feeling that “the lived experiences of North and South Koreans are so different” that a shared national identity no longer justifies pursuing reunification.¹⁰¹ This contrasts with the German model, in which a consensus for reunification existed across both East and West Germany.¹⁰²

⁹⁷ David Coghlan, *Prospects from Korean Reunification*, STRATEGIC STUD. INST. 1, 4 (2008).

⁹⁸ See Chung Min Lee, *A Peninsula of Paradoxes: South Korean Public Opinion on Unification and Outside Powers*, KOREAN SEC. AND FOREIGN POL’Y INITIATIVE, in CARNEGIE ENDOWMENT FOR INT’L PEACE (2020) (“A major difference between German reunification in 1990 and how the two Koreas could be unified at some future point is that East and West Germany were rejoined just as the Soviet Union was about to collapse and the United States was on the verge of becoming, at least momentarily, the world’s only superpower. By contrast, in the case of the Korean Peninsula, whenever unification materializes, it will happen at a time when Chinese power and influence are on the rise. This stark geopolitical reality alone portends enormous political and policy challenges.”).

⁹⁹ Woo-Young Lee & Eun-Jeung Lee, *The Issue of Mind Integration in the Unification of Divided Systems: Case Study Focused on Germany and the Two Koreas*, 44 HIST. SOC. RSCH./HISTORISCHE SOZIALFORSCHUNG 253, 259 (2019).

¹⁰⁰ See *id.* at 261.

¹⁰¹ See *id.* at 261-62.

¹⁰² See Peter, *supra* note 19.

South Korea's economic and geopolitical strength suggests that reunification is likely to follow a South Korean-led approach.¹⁰³ The United States has played a significant role in shaping South Korea's democratic state, where citizens' rights to free speech, protest, and freedom of religion are protected.¹⁰⁴ Michael Edmonston argues that a South-led assimilation would require an "unlearning of undesired behaviors" to help North Koreans adapt to the South's democratic, interdependent society.¹⁰⁵ This adjustment may be easier for younger North Koreans compared to the older generation, who have been conditioned by decades of socialist philosophy.¹⁰⁶ Additionally, analysts predict that North Koreans may face challenges in education and employment, with particular difficulties in securing meaningful post-reunification employment due to skill gaps and fewer qualifications compared to their South Korean counterparts.¹⁰⁷ This prediction has already been affirmed by employment statistics for North Korean defectors.¹⁰⁸

Reunification in Germany was similarly dominated by a West German-led strategy, with the initial reforms driven largely by West German actors and strongly influenced by West German corporations.¹⁰⁹ However, unlike North Korea, East Germany had no entrenched ruling "dynasty," and communism lacked a deeply ingrained public figure, so the Unification Treaty required fewer major concessions.¹¹⁰ In 1990, U.S.-backed West Germany benefited from victories in many of the Cold War's satellite conflicts, and the collapse of communism across Europe served as a catalyst for democracy-driven movements that strengthened West Germany's bargaining position, enabling it to lead the reunification process through absorption.¹¹¹ This facilitated social integration, as it mainly involved incorporating East Germans into West German society. Additionally, symbolic events like the Monday Demonstrations and the fall of the Berlin Wall showed that the German public strongly supported reunification.¹¹² In contrast, such support is absent in the Korean context, and it is unlikely that North Korea will display a similar

¹⁰³ See Edmonston, *supra* note 85.

¹⁰⁴ See *id.* at 18 ("As a stabilizing force in the dynamic northeast Asia region and South Korea's most enduring ally, the United States will play a vital role during and after any unification scenario").

¹⁰⁵ *Id.*

¹⁰⁶ See Lee, *supra* note 98.

¹⁰⁷ See Edmonston, *supra* note 85.

¹⁰⁸ Yun Kyung Kim, Jin Yong Jun, In Han Song & Philip Young P. Hong, *Factors Associated with Employment Hope among North Korean Defectors in South Korea*, 59 *Int'l Migration* 180, 182 (2021).

¹⁰⁹ MAYER, *supra* note 23, at 64.

¹¹⁰ See *id.*

¹¹¹ See *Cold War History*, HISTORY.COM (Jun. 26, 2023), <https://www.history.com/topics/cold-war/cold-war-history>.

¹¹² Paul Hockenos, *Zero Hour: The First Days of New Berlin*, BOS. REV. (Nov. 6, 2019), <https://www.bostonreview.net/articles/paul-hockenos-untold-story-berlin-wall-east-germany/>.

willingness to align with South Korean and U.S. initiatives.¹¹³ Nevertheless, North and South Korea share the advantage of ethnic and cultural homogeneity, along with a common spoken language and alphabet.¹¹⁴ This national commonality is crucial for building a unified country, as it fosters a shared identity that transcends political systems, which are subject to change, while national homogeneity remains constant.¹¹⁵

2. Economic Integration: Following a Gradual Model

Economic integration between the two Koreas is closely linked to social integration, and academic discussions on the topic primarily focus on two approaches: radical integration or gradual integration.¹¹⁶ The radical approach seeks to achieve economic integration as quickly as possible following political reunification, modeled after German reunification.¹¹⁷ In contrast, the gradual approach envisions the economies of the two Koreas converging over time, initially in a divided state, followed by the establishment of an economic community, drawing parallels to the European integration model.¹¹⁸ Currently, South Korea's economic integration strategy, known as the Korean National Community Unification Formula, favors gradual integration based on independence, peace, and democracy.¹¹⁹

Privatizing North Korean businesses post-reunification with South Korea would be a formidable task. The stark differences between North Korea's centrally planned economy and South Korea's market-driven system would require

¹¹³ See Bong-geun Jun, *North Korea Has Lost the Unification Competition*, U.S. INST. OF PEACE (Feb. 28, 2024), <https://www.usip.org/publications/2024/02/north-korea-has-lost-unification-competition>.

¹¹⁴ Yosep Bae, *Analyzing the Two Different Nationalisms in the Two Koreas* (May 2013) (B.A. thesis, Brandeis University) (on file with the Brandeis University Library system).

¹¹⁵ So Kwang Yong, *Federalism: The Fundamental Way for Korea's Reunification* 5, 16 (Institute for Security and Development Policy 2011).

¹¹⁶ Sung-jo Cho & Lieven De Moor, *The Economic Integration Between North and South Korea: Lessons from German Reunification and Economic Integration*, 38 EAST ASIA: AN INT'L Q. 271, 272 (2021).

¹¹⁷ See *id.*

¹¹⁸ See *id.*

¹¹⁹ See Jun, *supra* note 75; see *Unification Plan for One National Community in 1989*, KBS WORLD (Apr. 12, 2018), https://world.kbs.co.kr/service/contents_view.htm?menu_cate=history&board_seq=275279#:~:text=Based%20on%20the%20three%20principles%E2%80%94independence%2C%20peace%20and%20democracy%2C,transitional%20stage%20and%20realizing%20a%20unified%20democratic%20republic (“Based on the three principles—independence, peace and democracy, the new formula calls for creating the Korean Commonwealth in the transitional stage and realizing a unified democratic republic.”).

extensive restructuring, especially under a confederation or commonwealth model.¹²⁰ Establishing a robust legal framework to protect property rights and enforce contracts would be crucial, as would modernizing North Korea's outdated infrastructure.¹²¹ The transfer of ownership from state to private hands would play a central role, potentially involving mechanisms such as auctions or direct sales.¹²² Broader economic reforms, including currency adjustments and trade liberalization, would also be essential.¹²³ However, this transition would carry social implications, requiring measures to mitigate job losses and maintain social stability.¹²⁴ Encouraging foreign investment and securing international support would be vital to facilitating this complex and critical transformation.¹²⁵

Establishing a joint currency between North and South Korea upon reunification would be a pivotal step toward economic integration.¹²⁶ Given the substantial economic disparities between the two Koreas, the adoption of a joint currency would require measures to address challenges such as currency valuation discrepancies, inflationary pressures, and differing economic structures.¹²⁷ A transitional period, involving controlled exchange rates and policies aimed at economic convergence, could help mitigate shocks and ensure stability.¹²⁸ Additionally, establishing a central bank with representatives from both sides would be crucial for effectively managing monetary policy.¹²⁹

In comparing the potential joint currency between North and South Korea to the German model, several parallels and distinctions arise. German reunification saw the adoption of the Deutsche Mark in East Germany, which eventually facilitated the introduction of the Euro in both East and West Germany.¹³⁰ Similarly, a unified Korean currency could serve as a powerful symbol of national unity and economic integration. However, the economic conditions and disparities between North and South Korea are much more pronounced than those between East and

¹²⁰ See discussion *infra* Section J. See Joon Seok Hong, *The Economic Costs of Korean Reunification*, STANFORD PROGRAM ON INT'L AND CROSS-CULTURAL EDUC. (2011).

¹²¹ Krishna B. Kumar, Troy D. Smith, Diana Y. Myers, Timothy R. Gulden & Noah Johnson, *From Hermit Kingdom to Open for Business: Developing a Blueprint for North Korea's Economic Development*, RAND CORP. 1, 4 (2021).

¹²² See *id.* at 35.

¹²³ See *id.* at 76-80.

¹²⁴ See *id.*

¹²⁵ See *id.*

¹²⁶ See Cho & Moor, *supra* note 116, at 273.

¹²⁷ See *id.* at 274.

¹²⁸ See *id.* at 272-73.

¹²⁹ See *id.* at 274.

¹³⁰ See Horst Siebert, *The Transformation of a Socialist Economy: Lessons of German Reunification*, in 4 CENT. AND E. EUR. 62, 66 (Int'l Monetary Fund, 1992).

West Germany.¹³¹ East Germany had a relatively developed industrial base and infrastructure, whereas North Korea's economy is far more underdeveloped.¹³² As a result, the transition to a joint currency in Korea would likely require more extensive economic reforms and support mechanisms to address the significant disparities in economic development and productivity.¹³³ Additionally, while German reunification benefited from the European Union's support and the stability of the Eurozone, a unified Korea may face greater challenges in securing international support and ensuring the stability of its joint currency.¹³⁴

Resolving Korean unemployment rates following reunification could benefit from insights drawn from the German model, though significant contextual differences must be considered.¹³⁵ In post-reunification Germany, the country faced substantial challenges in integrating East German workers into the labor market due to disparities in skills, education, and industrial structure.¹³⁶ To address these issues, Germany implemented comprehensive vocational training programs, retraining initiatives, and infrastructure projects aimed at revitalizing the East German economy.¹³⁷ In the Korean context, investing in education and vocational training, alongside infrastructure development in the North, could help alleviate unemployment. Additionally, fostering entrepreneurship and supporting small and medium-sized enterprises, which played a key role in East Germany's economic recovery, could stimulate job creation.¹³⁸ However, North Korea's more isolated and centrally planned economy presents unique challenges, requiring innovative strategies and international support to effectively address unemployment rates post-reunification.

3. Structural Integration: Unilateral Absorption, Federation, Commonwealth, or Special Administrative Region?

As mentioned above, surveys indicate that South Korean public opinion is divided between options such as federal reunification, national reunification, unilateral absorption, or the establishment of a special administrative region.¹³⁹ While

¹³¹ See Ruediger Frank, *The Unification Cases of Germany and Korea: A Dangerous Comparison*, 38 NORTH (Dec. 8, 2016), <https://www.38north.org/2016/12/rfrank120816/>.

¹³² See *id.*

¹³³ See *id.*

¹³⁴ See EUROPEAN UNION, https://european-union.europa.eu/institutions-law-budget/euro/benefits_en (last visited Apr. 17, 2024).

¹³⁵ See Jin-Wook Shin, *Lessons from German Reunification for Inter-Korean Relations: An Analysis of South Korean Public Spheres, 1990-2000*, 38 ASIAN PERSP. 61, 64 (2014).

¹³⁶ See Thomas Ketzmerick, *The Transformation of the East German Labour Market: From short-term Responses to long-term Consequences*, 41 GESIS - LEIBNIZ INST. FOR THE SOC. SCI. 229, 235 (2016).

¹³⁷ See *id.* at 236.

¹³⁸ See Siebert, *supra* note 130, at 85.

¹³⁹ See Lee, *supra* note 98.

Germany pursued reunification through unilateral absorption, the analysis below will explain why this approach is not a viable option for the two Koreas. Ultimately, a federation may be the most suitable model for reunification between North and South Korea.

a. Unilateral Absorption

Although Korean officials view the peacefully negotiated German reunification as a success, unilateral absorption is not a viable option for the reunification of the Koreas.¹⁴⁰ Unlike East Germany, North Korea's regime remains stable, and the people's loyalty to their leaders, particularly the legacy of Kim Il Sung, remains strong.¹⁴¹ North Korea's national identity is rooted in self-determination and self-sufficiency through the ideology of *juche*, with little emphasis on economic welfare or international approval.¹⁴² Any peaceful approach to unification must take into account the preservation of this deeply ingrained ideology. This was further affirmed in January 2024 when Kim Jong Un declared the permanence of the two Koreas, marking the end of decades of expectation for reunification.¹⁴³ This shift reflects the long-standing repression and isolation experienced by the North Korean population.¹⁴⁴

Additionally, it is highly unlikely that the North Korean government will peacefully accept a South Korean-dominated reunification strategy. The North-South Agreement, which affirmed the two Koreas' commitment to reunification, differs significantly from Article 23 of the FRG constitution, which enshrined a reunification strategy in a binding legal document for East Germany.¹⁴⁵ While the circumstances of German and Korean reunification are complexly different, involving all relevant stakeholders—North Korea, South Korea, neighboring countries, and international actors—is essential to ensuring a sustainable and inclusive reunification process.

b. Confederation or Federation: North Korean Proposal

Although the North Korean government had previously viewed revolutionary strategies as the preferred option for reunification, it has since adapted its

¹⁴⁰ See Bruce W. Bennett, *Alternative Paths to Korean Reunification*, RAND CORP. 1, 65 (2018).

¹⁴¹ See *id.* at 66.

¹⁴² See Edmonston, *supra* note 85.

¹⁴³ See Heather Chen & Yoonjung Seo, *North Korea says it will no longer seek reunification with South Korea, will launch new spy satellites in 2024*, CNN (Jan. 1, 2024, 12:27 AM), <https://www.cnn.com/2023/12/31/asia/north-korea-reconciliation-south-korea-intl-hnk/index.html>.

¹⁴⁴ See Christopher Green, *Korean Reunification: Abandoned or Merely Deferred?*, INT'L CRISIS GRP. (Mar. 29, 2024), <https://www.crisisgroup.org/asia/north-east-asia/korean-peninsula/korean-reunification-abandoned-or-merely-deferred>.

¹⁴⁵ *Unification Treaty*, *supra* note 9; June 15 North–South Declaration, North Korea–South Korea [hereinafter North–South Declaration].

position to modern realities.¹⁴⁶ Unification through a federation or confederation serves the interests of both North and South Korea, as many of their governmental functions could continue to operate separately. This approach aligns with Kim Il Sung's 1980 proposal to establish the Democratic Republic of Koryo, where both the North and the South agreed to recognize the low-level federation he envisioned.¹⁴⁷

Federalism is praised for its ability to preserve the diversity and complexity of its constituents, making it an ideal model for two nations with irreconcilable systems. Its primary function is to link independently functioning states, making it a fitting option for reunification.¹⁴⁸ Ideally, a confederation model would facilitate a gradual integration between North and South Korea. However, North Korean officials have expressed that their vision of a federation is limited to a coordinating function, with most other affairs remaining separate.¹⁴⁹ For full reunification and governmental integration, it is likely that North Korea would need to abandon *juche* and the doctrines that venerate the Kim dynasty, which have kept citizens reliant on the government for welfare.¹⁵⁰ Throughout negotiations, North Korea has emphasized its preference for a unitary confederation with a strong central government, similar to a federation.¹⁵¹ In contrast, former South Korean Presidents Kim Dae Jung and Roh Tae Woo favored a looser confederal structure.¹⁵²

For the Korean federation to succeed, So Kwang Yong recommended establishing a supreme national federal assembly composed of equal representatives from both North and South Korea, with the head of the assembly alternating between the North and South after each term.¹⁵³ In this system, regional autonomous governments would be responsible for laws within their respective regions, while the federal government would legislate on matters affecting the overall well-being of the unified nation.¹⁵⁴ A similar approach would apply to the exercise of judicial jurisdiction. Through this model, both North and South could manage their international affairs independently, in consultation with the federal government, which would represent the unified country in international organizations such as the United Nations.¹⁵⁵

However, this reunification strategy is far from flawless. Equal representation in the federation would be challenging due to the stark differences in population size between North and South Korea.¹⁵⁶ Additionally, the sociopolitical

¹⁴⁶ *Choi, supra* note 85, at 105.

¹⁴⁷ *See Yong, supra* note 115, at 14; North–South Declaration, *supra* note 145.

¹⁴⁸ *See Yong, supra* note 115, at 6.

¹⁴⁹ *See HARRISON, supra* note 78, at 76.

¹⁵⁰ *See id.* at 97.

¹⁵¹ *See id.* at 74.

¹⁵² *See id.*

¹⁵³ *See Yong, supra* note 115, at 13.

¹⁵⁴ *See id.* at 14.

¹⁵⁵ *See id.* at 15.

¹⁵⁶ *See HARRISON, supra* note 78, at 78.

systems of the two Koreas are opposites, making it difficult for both sides to reach a perfect compromise. The Panmunjeom Agreement sought to address these differences, with former President Moon Jae In advocating for South-North interactions across various areas, including diplomacy, trade, science, technology, education, the arts, sports, travel, correspondence, humanitarian issues, transportation, joint economic and cultural projects, and the creation of joint commissions.¹⁵⁷ However, Kim Jong Un has been cautious about opening the country to the South, focusing instead on cooperation in less substantive areas, such as sports, and presenting as one nation during the Olympic Games.¹⁵⁸ While these peaceful negotiations have taken place, the North has not abandoned its offensive military strategy. The ongoing development of military weapons and propaganda portraying North Korea as a military powerhouse serves as glaring evidence of this.¹⁵⁹

c. Commonwealth: South Korean Proposal

Through their efforts, the South Korean government is pursuing a commonwealth structure for reunification, which would allow for two separate national security policies until the election of a unitary government.¹⁶⁰ To implement this commonwealth, institutional mechanisms such as a supreme deliberative body, inter-Korean cabinet meetings, councils, and joint offices would need to be established.¹⁶¹ Functionally, this approach would resemble the North Korean proposal, but South Korean officials prefer a looser integration within the federal framework.¹⁶² A more flexible structure could facilitate gradual integration across social, economic, and political domains, minimizing disruption to both societies.

Bruce Bennett recommended that South Korea develop policies that offer North Korean leaders a desirable outcome following reunification.¹⁶³ This could include appointing North Korean governors, mayors, and other officials to key positions by amending the charter of the Commission of the Five Provinces, which administers the provinces above the demarcation line.¹⁶⁴ He also suggested that South Korea pursue military disarmament while imposing equal force ceilings for both the North and South.¹⁶⁵ Additionally, it is crucial for the South Korean government to disseminate accurate information about the Kim dynasty, dismantling the God-like image currently attributed to its leaders by the North Korean public.¹⁶⁶ Given the extent of North Korea's political beliefs, these strategies would be instrumental in facilitating a peaceful commonwealth structure.

¹⁵⁷ See Bennett, *supra* note 140, at 68.

¹⁵⁸ See HARRISON, *supra* note 78, at 93.

¹⁵⁹ See PARK, *supra* note 81, at 22-23.

¹⁶⁰ See HARRISON, *supra* note 78, at 80-81.

¹⁶¹ See *id.* at 89.

¹⁶² See *id.* at 74.

¹⁶³ See Bennett, *supra* note 140, at 67.

¹⁶⁴ See *id.* at 82.

¹⁶⁵ See *id.*

¹⁶⁶ See *id.* at 83.

d. Special Administrative Region

Another option for reunification is a special administrative region (SAR) model, similar to the frameworks of Hong Kong and Macau, as proposed by Moon Sung-min and Moon Woo-sik.¹⁶⁷ The SAR model would allow both Koreas to retain their autonomy, enabling a more gradual reunification process compared to a federal structure.¹⁶⁸ For example, Hong Kong has its own constitution and enjoys significant executive, judicial, and legislative powers, while defense and foreign affairs remain under the central government's control.¹⁶⁹ However, the SAR model is typically used as a transitional tool and would eventually need to be replaced by a more sustainable governance structure. Additionally, it would be challenging for North and South Korea to determine which government would host the newly established centralized government.

4. International Context: Influence of China, the United States, and Others on Korean Reunification

The reunification of North and South Korea would have significant implications for the global community, particularly concerning the influence of foreign powers like China and the United States, and the Korean Peninsula's strategic importance in Northeast Asia. China's influence in North Korea is a key factor in the reunification strategy.¹⁷⁰ While China has expressed some support for reunification, seeing potential benefits such as relief from the economic and military burden of supporting North Korea and access to South Korea's economy, it is also concerned that reunification would eliminate North Korea as a buffer between China and the U.S.-backed South Korea.¹⁷¹ China would likely oppose any U.S. military presence north of the Demilitarized Zone or any actions that threaten its strategic interests, given the adversarial relationship between the U.S. and China.¹⁷² Furthermore, although China has stated it would not support a North Korean-initiated war on the Korean Peninsula, the increasing interdependence between China and North

¹⁶⁷ Cho & Moor, *supra* note 116 (citing Moon Sung-min & Moon Woo-sik, *Research on Monetary Integration of North and South Korea*, 48 SEOUL NAT'L UNIV. INST. OF ECON. RSCH. (SIER) (2009)).

¹⁶⁸ *See id.*

¹⁶⁹ *The Practice of the "One Country, Two Systems" Policy in the Hong Kong Special Administrative Region* (Jun. 2014), https://english.www.gov.cn/archive/white_paper/2014/08/23/content_281474982986578.htm.

¹⁷⁰ *See* Bennett, *supra* note 140, at 23.

¹⁷¹ Sung Joo Han, *China's Interest in Korean Reunification*, NAT'L COMM. ON AM. FOREIGN POL'Y 1, 3 (2015).

¹⁷² *See* Christy Lee, *Security Agreement Could Prompt Chinese Retaliation Against S. Korea*, VOICE OF AMERICA (Aug. 25 2023), <https://www.voanews.com/a/security-agreement-could-prompt-chinese-retaliation-against-s-korea-/7241793.html>.

Korea means that any conflict would likely involve China as well.¹⁷³ In contrast, while East Germany had the U.S.S.R. as an ally during its reunification, the Soviet Union did not play as significant a role in East German affairs as China might in the case of Korea.¹⁷⁴

Russia's influence in the context of North and South Korean reunification adds another layer of complexity to the geopolitical landscape. While not as prominently involved as China or the United States, Russia has strategic interests in the region, particularly regarding security and economic opportunities.¹⁷⁵ Historically, Russia has maintained ties with both North and South Korea, though its relationship with the North has been more pronounced, encompassing military cooperation and economic exchanges.¹⁷⁶ In the event of reunification, Russia's interests would likely center around maintaining regional stability and preventing any escalation of tensions that could threaten its own security.¹⁷⁷ Like China, Russia may view reunification as an opportunity for economic engagement, particularly in energy and infrastructure sectors.¹⁷⁸ However, Russia would be cautious of any developments that could lead to a greater U.S. military presence or influence on the Korean Peninsula, as it seeks to preserve its strategic balance in Northeast Asia.¹⁷⁹ The comparison with Germany's reunification is nuanced, as Russia's role is distinct from that of the Soviet Union, with differences in both the level of influence and historical ties to the Koreans.¹⁸⁰

The role of the United States in international affairs cannot be overlooked, particularly in the context of the reunification of the two Koreas. As a global superpower, the U.S. will inevitably intervene in major conflicts that affect international order, including the reunification process.¹⁸¹ The U.S. has been actively engaged in preventing a potential nuclear attack by North Korea and promoting the democratization of a unified Korean Peninsula.¹⁸² In earlier years, North Korea

¹⁷³ Oriana Skylar Mastro, *Conflict and Chaos on the Korean Peninsula: Can China's Military Help Secure North Korea's Nuclear Weapons?*, 43 *INTERNATIONAL SECURITY* 84, 86 (2018).

¹⁷⁴ See Han, *supra* note 171, at 6.

¹⁷⁵ See Seung-Ho Joo, *Russian Policy on Korean Unification in the Post-Cold War Era*, 69 *PAC. AFF.* 32, 39 (1996) ("The Russians believe that a power vacuum is being created in Northeast Asia, as U.S. troops in the western Pacific are gradually withdrawn and Russia's military presence in the Far East is reduced.").

¹⁷⁶ See *Russia is developing ties with North Korea in all areas, including 'sensitive' ones – Kremlin*, REUTERS (Jan. 17, 2024), <https://www.reuters.com/world/europe/russia-is-developing-ties-with-n-korea-all-areas-including-sensitive-ones-2024-01-17/>.

¹⁷⁷ See *id.*

¹⁷⁸ See Han, *supra* note 171, at 6.

¹⁷⁹ See Joo, *supra* note 175, at 41.

¹⁸⁰ See *id.* at 40 ("The Russia Federation as a regional power no longer has the same stake in a divided Korea that the Soviet Union as a superpower used to have.").

¹⁸¹ See *id.* at 43.

¹⁸² *Id.*

showed promising signs of denuclearization, committing to the U.N.'s International Atomic Energy Agency safeguards agreement and signing the Joint Declaration of the Denuclearization of the Korean Peninsula with South Korea.¹⁸³ However, recent efforts toward denuclearization have been largely unsuccessful, with North Korea issuing threats of preemptive nuclear strikes against the U.S. and South Korea in 2017, ending nuclear talks with the U.S. in 2020, and continuing to test long-range ballistic missiles and nuclear weapons in 2022.¹⁸⁴ Consequently, the U.S. maintained its economic sanctions, contrary to South Korea's expectations during negotiations.¹⁸⁵ The adoption of the Washington Declaration in 2022, aimed at strengthening coordination on U.S. nuclear deterrence, further entrenched North Korea's confrontational stance.¹⁸⁶ Presently, South Korea's strategy focuses on war deterrence rather than building a peace regime, as military tensions have once again escalated.¹⁸⁷ U.S. influence will continue to shape negotiations, underscoring the importance of the South Korea-U.S. alliance for regional security.

The role of international organizations in mediating and facilitating reunification must also be considered. Since the Korean War, the United Nations has worked to promote international dialogue on peace and security regarding Korean reunification. Both the U.N. General Assembly and the Security Council have passed resolutions reaffirming the goals of inter-Korean dialogue and cooperation.¹⁸⁸ However, U.N. involvement has been relatively limited, with the key players in this issue being the two Koreas, the U.S., and China. This mirrors the situation during German reunification, where the four nations controlling divided Germany were directly involved in the process.¹⁸⁹ At that time, the U.N. did not play a central role, and NATO was the primary international body engaged with

¹⁸³ See U.S. Department of State, Denuclearization and the Two Koreas, 1993-2001, OFF. OF THE HISTORIAN, <https://history.state.gov/milestones/1993-2000/two-koreas> (last visited Jan. 4, 2024); Joint Declaration of the Denuclearization of the Korean Peninsula, S. Kor.-N. Kor., Jan. 20, 1992.

¹⁸⁴ Bong-geun Jun, *70 Years After the Armistice, the Korean Peninsula Still Struggles for Peace*, U.S. INST. OF PEACE (Sept. 11, 2023), <https://www.usip.org/publications/2023/09/70-years-after-armistice-korean-peninsula-still-struggles-peace>; Council on Foreign Relations, *North Korean Nuclear Negotiations*, <https://www.cfr.org/timeline/north-korean-nuclear-negotiations> (last visited Jan. 4, 2024).

¹⁸⁵ See Jun, *supra* note 184.

¹⁸⁶ See *id.*

¹⁸⁷ See Edmonston, *supra* note 85; Washington Declaration, U.S.-S. Kor., Apr. 26, 2023.

¹⁸⁸ See G.A. Res. 62/5 (Oct. 31, 2007); see also S.C. Res. 82 (June 25, 1950).

¹⁸⁹ See *The Era of Partition*, *supra* note 11 (“For purposes of occupation, the Americans, British, French, and Soviets divided Germany into four zones. The American, British, and French zones together made up the western two-thirds of Germany, while the Soviet zone comprised the eastern third. Berlin, the former capital, which was surrounded by the Soviet zone, was placed under joint four-power authority but was partitioned into four sectors for administrative purposes.”).

German reunification. Similar to NATO, the U.N. supports democratic values and self-determination, which align with South Korea's strategy for integration.¹⁹⁰ However, the higher level of involvement from international organizations and foreign nations in the Korean reunification process makes it more of an international affair compared to the German example.

Ultimately, despite the similarities between the German and Korean reunification contexts, it will be challenging for Korea to replicate Germany's success in reunification. One of the major obstacles to Korean reunification is the diminishing desire and perceived need to reunify as one country.¹⁹¹ However, the most important lessons from the German model are as follows: First, for social and economic reunification, a gradual integration model that addresses the wealth disparities between the two countries is essential to avoid economic collapse. Second, in terms of structural and logistical elements, Germany's reunification as a federal parliamentary republic through unilateral absorption is unlikely to be applicable to Korea. Finally, with respect to international involvement, North and South Korea must remain the primary actors in negotiations and decisions, rather than allowing undue influence from global superpowers such as the United States, China, and Russia.

III. CONCLUSION

There are clear parallels between German and Korean reunification, as both are ultimately stories of the ideological divide between communism and democracy, remnants of the Cold War. Despite these fundamental similarities, the new geopolitical landscape of the 21st century and the long-standing history of North Korea's dictatorship make the German model an imperfect and inadequate blueprint for Korean reunification. Unlike the divided Germany, both Koreas are wholly autonomous and not satellite states of larger global powers. Additionally, the division between North and South Korea has persisted for much longer, with North Korea having developed its own deeply entrenched authoritarian regime. The role of external powers, like the United States and China, may still be crucial as mediators, but the focus should remain on facilitating peaceful reunification that aligns with the political and economic aspirations of the Korean people, enabling them to coexist under one nation. The complexity of this task necessitates a carefully crafted strategy that acknowledges the unique histories, ideologies, and international interests at play.

¹⁹⁰ UNITED NATIONS, <https://www.un.org/en/global-issues/democracy> (last visited Apr. 17, 2024).

¹⁹¹ See Lee, *supra* note 98.