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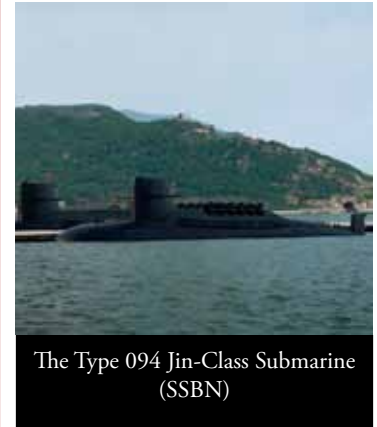
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The Type 094 Jin-Class Submarine (SSBN)

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In a Fortnight

By Peter Mattis

LOOKING AHEAD AT POLITBURO POSSIBILITIES

As the 18th Party Congress approaches and Chinese leaders enter their final rounds of horse trading, recent personnel changes suggest the future of Chinese politics is starting to take shape both now and over the next five years. Reportedly ensconced in the beach resort city of Beidaihe, Chinese leaders will sort out the selections for the Politburo and its Standing Committee ahead of the 17th Party Congress’ final plenary session in September (*Duowei*, July 31). While one new Politburo member appears set and at least one new general may have Politburo potential down the road, it is time to start looking at some of the mechanical choices—e.g. the size of the Standing Committee, the status of the Central Political-Legal Commission and movement of Politburo-level provincial party secretaries—that affect the openings available.

Guo Jinlong’s promotion to Beijing Party Secretary in early July marks him for promotion to the Politburo at the 18th Party Congress (*Xinhua*, July 4). It was, however, his resignation as mayor as heavy rains caused flooding in Beijing that drew mistaken attention, creating suspicion that Guo’s resignation was anything but scheduled (*Global Times*, July 26). His recent predecessors in this position—Liu Qi, Jia Qinglin, Wei Jianxing, and Chen Xitong—have all been Politburo members and, age allowing, been destined for the Standing Committee. Born in 1947, Guo, however, will serve only one term based on the unofficial retirement

age. According to his official biography on Xinhua and the CCP website, Guo began his career in Sichuan as a hydropower technician after graduating from Nanjing University in physics, working his way up the provincial ranks to a brief stint as Sichuan's deputy party chief in 1993. He then served in Tibet as deputy party secretary before transferring to Anhui as party chief.

The real question is whether Guo—probably a member of Hu Jintao's youth league faction—is a sign of things to come or a last gasp attempt to stack the Politburo. In retrospect, the ministerial shakeup of August 2007 that replaced the ministers of finance and state security probably was a sign of Hu placing his people while he had the power to do so (Xinhua, August 31, 2007). The outcome of the 17th Party Congress went against Hu's likely preferences, giving princelings and the Shanghai factions more seats on the Standing Committee. President Hu, however, may not be as weak this time around as official press carried a quotation from a party researcher calling him “the core of the party”—a term used previously to describe his predecessor Jiang Zemin but denied Hu (Xinhua, July 31). Additionally, the Hong Kong press has picked up stronger indications that Hu is pressing to retain the Central Military Commission seat, suggesting Hu may be better able to place his people (*Ming Pao*, July 22; *Apple Daily* [Hong Kong], May 30).

Elsewhere, the Central Military Commission on the eve of PLA Day promoted six officers to full general. They include General Political Department deputy chief Du Jincui, National Defense University Political Commissar Liu Yazhou, Jinan Military Region Political Commissar Du Hengyan, Chengdu Military Region Political Commissar Tian Xiusi, People's Armed Police (PAP) chief Wang Jianping and PAP Political Commissar Xu Yaoyuan (Xinhua, July 30). The promotion Liu Yazhou, the son-in-law of party giant Li Xiannian, has garnered much attention for his relations and his writings, which include strong endorsements of democracy in China (“A Young Turk in China's Establishment: The Military Writings of Liu Yazhou,” *China Brief*, September 13, 2005). The most likely person to have a future on the Central Military Commission (CMC) and, in the future, potentially the Politburo, however, appears to be General Du Jincui.

At age 60, General Du has five years prior to mandatory retirement to be raised in grade and be promoted to the

CMC. Moreover, he already is rumored to be Li Jinai's successor as director of the General Political Department, which, based on past promotion patterns, could bring promotion to the CMC even if not immediately (*South China Morning Post*, July 31). Although not much data is available on Du's career apart from his time in the Lanzhou and Chengdu military regions, he did pen an article earlier this year extolling the virtues of the Lei Feng spirit for safeguarding the PLA's subordination to the party and moral conduct for PLA officers (*Frontline*, April 6). The timing just works out for Du, so he may be one of the generals worth watching over the next five years.

Although at this point the rumors swirling around personnel selection make speculation more like cocktail chatter than analysis, there are still a few things to consider that are concrete. Yu Zhengsheng, the Shanghai Party Secretary, appears to be on his way to the Politburo Standing Committee and others—such as Tianjin Party Secretary Zhang Gaoli, Chongqing Party Secretary Zhang Dejiang and Guangdong Party Secretary Wang Yang—also may rise, vacating positions with a high probability creating openings for new Politburo members (*Duowei*, July 31). Like Guo's Beijing post, the Shanghai party chief selections are destined for the Politburo and, if young enough, the Standing Committee afterward. The question in Shanghai is whether Han Zheng—a product of the Shanghai party apparatus like Chen Liangyu, Huang Ju and Wu Bangguo—will succeed Yu or whether current leaders prefer to have outsiders, like the most recent party chiefs Xi Jinping and Yu, govern (*Duowei*, August 1). If the party goes outside Shanghai and these other seats open, this may be the best chance for Hu Jintao to place his sixth-generation protégés, like Sun Zhengcai and Hu Chunhua, who have the experiential prerequisites for these positions. This opportunity, however, probably would be lost if the rumors of a seven-person Standing Committee are true. While the opaque selection bargaining makes it impossible to predict the outcomes, there are fewer real options than the rampant uncertainty might suggest, unless the progressively more institutionalized selection process gives way to wholesale change. Such change, however, seems unlikely given the reported needs for compromise.

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Succession Politicking Probably Limiting Bo Family's Punishments

By Willy Lam

The impending trial of Gu Kailai, the wife of disgraced Politburo member Bo Xilai, on murder charges says a lot about the latest developments in Chinese politics, particularly Beijing's renewed determination to put stability and "harmony" ahead of political and legal reform. The Chinese Communist Party (CCP) Politburo under President Hu Jintao is giving top priority on preserving a façade of unity in the run-up to the pivotal 18th Party Congress this autumn. This is despite Hu's much-publicized speech last month in which the CCP General Secretary pledged that efforts would be redoubled to push forward reforms, stating "the party must put its house in order" (*People's Daily*, July 23).

On July 26, the official Xinhua News Agency announced power lawyer Gu had been charged with the "intentional homicide" of British businessman Neil Heywood in a Chongqing hotel last November. Xinhua stated "The facts are clear, the evidence is irrefutable and substantial" about the crime, which allegedly was perpetrated with the help of Zhang Xiaojun, an aide of the Bo family (*Xinhua*, July 26). There was, however, no reference to the widely-reported fact that, prior to his fateful trip to Chongqing, Heywood had told close friends he had helped the Bo couple launder huge amounts of funds overseas (*South China Morning Post* [Hong Kong], July 27; China News Service, July 26).

This intriguing development has two major implications regarding the Hu leadership's strategy to handle the Bo case. Firstly, as noted Beijing-based human rights lawyer Pu Zhiqiang pointed out, "if Gu has not been implicated with corruption-related offences, it is likely that her husband Bo will also not be accused of a similar crime." In other words, since Bo, the 63-year-old son of revolutionary elder Bo Yibo, has only been cited for a "serious breach of party discipline" by party authorities—and not for corruption-related offenses—he need not even appear in a court of law. According to CCP regulations, cadres suspected of breaking party discipline may only be investigated by the Central Commission for

Disciplinary Inspection (CCDI)—and such proceedings are usually not publicized (*Ming Pao* [Hong Kong], July 28; Cable TV News [Hong Kong], July 26).

The possible kid-glove treatment of Bo contrasts sharply with two similar cases of a Politburo member and regional party boss being disgraced as a result of factional infighting in the CCP's top echelons. In September 2006, 13 months before the convention of the 17th CCP Congress, then Politburo member and Shanghai Party Secretary Chen Liangyu was dismissed from all his party and government posts. At the time of his initial detention, the official media was replete with information about his "economic crimes"—for example, how he had helped several business cronies illegally obtain cheap loans from the metropolis' social-security funds. Chen was given a jail term of 18 years for alleged corruption-related crimes. Chen, a stalwart of the Shanghai Faction led by ex-president Jiang Zemin, had run afoul of President Hu and Premier Wen Jiabao for reportedly refusing to carry out the instructions of the two senior PBSC members. In 1995, then Politburo member and Beijing Party Secretary Chen Xitong was arrested for graft-related crimes, which resulted in a 16-year sentence after a court trial three years later. Again, the propaganda machinery at the time of Chen's detention in 1995 provided the public with a barrage of reports about multifarious bribes and kickbacks that the Beijing chief had allegedly received from his business associates. A major cause of Chen's downfall was a power struggle with then-president and CCP General Secretary Jiang. (*Frontline Monthly* [Hong Kong], July 1; *Ming Pao*, April 12). That precious little information about Bo's misdemeanors has been allowed to appear in public is an indication that the authorities may not want to build a big criminal case against the well-connected princeling. Moreover, the possibility that Bo's case need not go through the judicial system—and the scrutiny of the media—seems emblematic of severe political and legal retrogression.

Moreover, focusing attention on Gu—and the possibility that Bo might be spared the ordeal of a public trial—tallies with an earlier decision by the party leadership to treat the Bo case leniently. As Ong Yew Kim, a legal expert at the China University of Law and Political Science, pointed out, "There is evidence to suggest the handling of the Bo's is done according to political, not legal considerations." Ong noted the leadership's priority

was to ensure a stable atmosphere for the 18th CCP Congress and not to pursue Bo's more serious crime of organizing an "anti-party cabal" together with senior officials in the party and the People's Liberation Army ("Beijing's Post-Bo Xilai Loyalty Drive Could Blunt Calls for Reform," *China Brief*, March 30) [1].

Both Western and Hong Kong newspapers reported the Hu-led Politburo Standing Committee (PBSC) had decided in May to characterize Bo's "crimes" as an "isolated" or "individual" case—not one involving a conspiratorial clique. The major reason is that, having made sure that his foe is politically finished, Hu does not want to upset party unity by pursuing such Bo backers as PBSC member Zhou Yongkang and several influential princeling generals such as Liu Yuan and Zhang Haiyang, the political commissars of the General Logistics Department and the Second Artillery Corp, respectively (*South China Morning Post*, May 24; Reuters, May 24; *Apple Daily*, April 25). In fact, during study sessions on the Bo case conducted by Chongqing cadres immediately after the party boss's downfall, cadres were told to focus on the "individual acts" of culprits such as Gu and not to pay attention to "rumors and discordant noises" about the larger implications of the couple's crimes. Officials in the metropolis also were instructed to affirm the "correctness of the central party leadership's principles and measures used in the investigations [of the Bo family]" (*Chongqing Daily*, April 13; *People's Daily*, April 13).

If the Bo case will be handled only by CCDI investigators, his punishment is unlikely to be severe. As things stand, Bo may be charged with trying to intercept the phone calls of senior party leaders as well as failing to maintain discipline among his subordinates. The ousted "warlord" might need to take political responsibility for former Chongqing police chief Wang Lijun's attempt last February to seek political asylum in the U.S. Consulate in nearby Chengdu. Wang, a former protégé of Bo's, had apparently fun afoul of his patron by exposing Gu's involvement in the Heywood murder. The results of the investigation, which are expected to be announced at the 7th Plenary Session of the Central Committee scheduled to take place about one month before the 18th Party Congress, are likely to be little if anything beyond Bo's expulsion from the party (*Oriental Daily News* [Hong Kong], July 30; Sina.com, July 28).

In an editorial following the indictment against Gu, the *Global Times* claimed the trial of Bo's wife showed everybody was equal before the law. The paper noted the Gu case had "sent a message to society that nobody, regardless of his or her status and power, can be exempt from punishment if he or she behaves unscrupulously." "A trial held according to law will strengthen the Chinese people's confidence in the country's legal system," the *Global Times* said, adding that "the law should be the sole principle followed in the [Gu] trial." The editorial also expressed the hope that "legal departments should disclose enough information regarding the trial to satisfy the public's demands" (*Global Times*, July 27; China News Service, July 27).

Doubts raised by judicial experts about how Beijing may have politicized proceedings against Gu and Bo, however, has cast doubt on the CCP leadership's commitment to legal and political reform. Apart from *Global Times*, no less an authority than President Hu has spoken out in favor of the continuation of reforms and the imperative of a CCP housecleaning. In a major speech to senior party, government and military leaders on July 23, Hu vowed to continue the forward-looking policies laid down by late patriarch Deng Xiaoping more than 30 years ago. "We will unswervingly go down the correct path that the party and the people have put together through long-standing practice," he said, elaborating that "We will unswervingly push forward the reform and open door [policy]" (Xinhua, July 23; *People's Daily*, July 23).

The party chief also warned the CCP faced immense challenges in its mission to remain China's viable ruling party. "Under new circumstances, the conditions behind the CCP's historical role and its rule, as well as the structure and composition of party members have undergone drastic changes," Hu said, "Risks coming from outside the party have become unprecedented." To mitigate these risks, Hu indicated, "the party must manage itself in the most stringent manner." This included beefing up party members' "ideological construction" and "working style"; firming up organizations and institutions; and, in particular, fighting corruption and promoting clean governance (*People's Daily*, July 23).

The way in which the Hu-led PBSC appears to have decided to put political expediency above principles of law, however, shows the CCP leadership has continued to

spurn political reform as well as global norms about good governance. The top priority for General Secretary Hu at this point is to ensure that the maximum number of members of his Communist Youth League Faction will be promoted to senior slots at the 18th Party Congress. This can only be accomplished by striking deals with leaders of the other factions, including those who might be Bo sympathizers. For example, Hu has to win over ex-president Jiang, who still has a considerable say over high-level personnel selections. As a protégé of Bo Yibo, Jiang is understood not to favor harsh punishment for Bo Xilai. Hu, who is keen to remain on the Central Military Commission for at least two years beyond his retirement from the Politburo at the 18th CCP Congress, also does not want to alienate generals who are Bo supporters (*Apple Daily*, June 29; Sina.com.hk, June 27). Horse trading among the disparate cliques has taken place prior to every party congress in recent memory; however, the perpetuation of politics as usual could deal a body blow to the CCP's legitimacy even as demands for change both inside and outside the party have risen to unprecedented levels.

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Notes:

1. Author's Interview with Ong Yew Kim, July 29, 2012.

Portents of Change in China's Social Management

By Samantha Hoffman

Within the period of a few short weeks, two very similar environmental protests erupted in Qidong, Jiangsu and in Shifang, Sichuan. In both incidents thousands of protesters demanded the end of construction projects seen as environmentally destructive and harmful to local interests. While both reached the point of limited violence, both were resolved quickly when the local governments suspended the disputed projects (Molihua, July 29; China Digital Times, July 4). These did not mark the first instances of the government compromising in the event of a protest, especially over unwanted construction projects [1]. They were, however, distinctive in terms of how quickly they were resolved and how concerning the overall situation was for the Communist Party's all-important "social stability." Beijing is showing some signs that it recognizes the limits of its implementation of social management (*shebni guanli*). This recognition seems to be driven as much by the causes of civil unrest events themselves as it is by the Chinese Communist Party's (CCP) internal problems. As the Qidong and Shifang protests indicate, there is perhaps a move toward some conciliatory changes to the way the government handles some civil unrest events, but this is likely to be an unusual occurrence rather than a policy shift. More importantly, perhaps, this adds to the growing evidence that Beijing is adjusting the way "social management" is implemented.

The CCP's goal of "social stability" is essentially the party's ability to maintain the legitimacy to rule. The people's interests are served to the extent that serving their interests also keeps the party in power. In terms of maintaining social stability, Beijing implements a strategy of improving control through social management. This is understood as "building a service-oriented government, to prevent and reduce the number of social problems; strengthening of dynamic management to resolve the masses legitimate and rational appeals; and strengthening the party-state's ability to manage the sudden outbreak of public incidents," [2]. After Qidong, an editorial in state media said "The two protests have together left the impression that the quickest way to change a government policy is to hold a violent demonstration. If this model is

copied widely, it would be disastrous for social stability.” It elaborated that, while the two local governments were not entirely to blame, “Policies concerning broad public interests cannot be decided only by officials. Public participation needs to be implemented, and not just as a show” (*Global Times*, July 30).

Reaction to “mass incidents” from the central level often has involved blaming local-level officials. In fact, this strategy has been a typical response of the Hu-Wen administration in most cases pertaining to civil unrest [3]. This is in many ways fair. Of China’s estimated 180,000 “mass incidents” per year, common grievances pertain to the following: official corruption; police and city management brutality; the environment; land-grabs and housing demolitions; and wages and workers rights (*Global Times*, February 10). Due to the nature of protesters’ complaints, “mass-incidents” frequently are prompted by a local case where the local officials are directly responsible. As the system stands, local officials typically only face consequences—if the consequences ever catch up with the cadres—after public exposure of their malfeasance if not resulting public explosions. In July, China’s Ministry of Land and Natural resources said there was a total of 29,000 cases of illegal land use discovered in the first half of 2012. For these violations, authorities thus far have recovered 6,681.1 mu of land (roughly 1100 acres), collected \$101.8 million in fines and punished a total of 313 people (Xinhua, July 26). The report did not indicate how many people have been impacted by these illegal and forced acquisitions. Land-grabs and housing demolitions often are associated with urban development projects that officials support for both revenue making and development purposes. Protests over illegal land-grabs and housing demolitions represent a high proportion China’s protests on a yearly basis. One example took place this July in Renhuai, Guizhou. Over 1,000 people protested the government for corruption and land-grabs. They ransacked a government office, flipped and smashed police cars as well as shouted slogans such as “overthrow the corrupt government” (RFA, July 22). The central government blames the local governments for these problems, but the fiscal pressure local governments are placed under by the center certainly worsens the economic climate and this is coupled with the global financial crisis. These issues lead to the proliferation of incidents such as land grabs (“Local Government Financing Growing Increasingly

Precarious,” *China Brief*, May 11; “The Grim Future of the Wukan Model for Managing Dissent,” *China Brief*, January 6) [4]. Combine this central-local economic tension with extensive official malfeasance and the situation inevitably leads to unrest.

The government does not tend to view “mass incidents” as an immediately destabilizing factor. In one article, Security Chief Zhou Yongkang wrote: “Many social conflicts are generated in the process of reform and development, but also rely on reform and development to be resolved,” (*Qiushi*, May 1, 2011. The Party has shown a commitment, at least rhetorically, to a conciliatory approach. After the December 2011 Wukan protests, for example, the People’s Daily praised the Guangzhou government’s response as an example of “accommodating and defusing contradictions and conflicts in a good way,” (“The Grim Future of the Wukan Model for Managing Dissent”, *China Brief*, January 6; People’s Daily, December 22, 2011). There has been at least a small effort by the current leadership to improve the dispute resolution mechanism. There has also been a tightening of regulations. There are still many problems with this system though, such as a lack of knowledge of available legal channels to dispute resolution, and the issue of intimidation by local authorities and corruption within the judicial system itself.

Despite encouraging “social management” rhetoric such as “encourage grass-roots participation” or “upholding livelihood priorities,” the CCP has continued down the path of tightening restrictions in order to crush dissent before it has the opportunity to emerge or spread (Xinhua, July 22). In response to both Beijing and Nantong, public security officials have warned of consequences for those who “spread rumors” online (Caixin, July 30). The Ministry of Public Security (MPS) has arrested over 10,000 in a national crackdown on “internet crime” (Xinhua, July 26). In 2012, there have been several measures to strengthen “social management”. The implementation of an expanded “real name” registration system for users of micro-blogging (*weibo*) websites is one example. Users are now required to register with their real names to have access to the sites and to prevent the spread of “rumors” online. On March 17, users who did not register with their real names were banned from posting on websites. Likewise, a “real-name” registration has been introduced for the purchasing of train tickets (*Global Times*, December 21, 2011). The system for train tickets, for example, can

be used to stop petitioners from traveling to Beijing with their grievances and adds another piece of data to what the MPS tracks.

This continued tightening of control as a preventative measure is no surprise given the pending leadership change at the 18th Party Congress and the challenge of China's slowing economy, China clearly has been on edge this year over social stability. If Wen Jiabao's recent warnings about employment and economic difficulty ahead are any indication, managing these economic problems and their impact on social stability will continue to be a top priority of the Chinese government (*People's Daily*, July 18). This year, there has been at least one massive case that highlighted how economic and political challenges impact the Party's social stability goals. In Chongqing, at the same time Bo Xilai was ousted, massive protests erupted that involved tens of thousands of people. It was reportedly over the merging of two administrative districts, Wansheng and Qijiang. Bo Xilai allegedly forced the merger and, prior to the merger, Wansheng was better off financially than Qijiang (Molihua, April 12). Wansheng residents were angry, because the merger caused welfare, health care and pension benefits to be reduced. Oddly, given the sensitive time of the protests, the merger actually occurred in October 2011 (news.163.com, October 27). The protests were violently suppressed according to reports, and at least three protesters may have died due to the violence. One Chongqing resident told media "The thing people are unhappy about is that prices just keep rising, while people's wages are still low" (RFA, 13 April). Interestingly, "the city's debt burden is estimated to be at 100 percent of gross regional product in comparison to 22 percent nationwide," which is "an anomaly that can attributed to the social welfare spending of former Chongqing Party Secretary Bo Xilai," ("Local Government Financing Growing Increasingly Precarious," *China Brief*, May 11; *Wall Street Journal*, April 23). So, there are some indications that Bo Xilai's fate, and the city's economy and welfare conditions had more to do with the protests than protesters were willing to state. What is certain is that this destabilizing mix of the political and social problems erupting to cause a mass incident is exactly what the CCP is working to avoid.

The political situation surrounding Bo's ouster has caused worries about the party's security apparatus. As the controversy grew, Bo made clear his strong

relationship with the powerful Central Political-Legal Commission (CPLC), currently headed Zhou Yongkang (*Apple Daily* [Hong Kong] March 23). Zhou Yongkang's links to Bo have seen his powerful status become unclear this year. At the height of the scandal, dissident media reported Zhou and Bo conspired to prevent Xi Jinping from succeeding Hu Jintao (Boxun, February 16). While Zhou has not disappeared from the political scene since the scandal erupted, the CPLC's power appears to be weakening. An article in the Central Party School's publication *The Study Times* entitled "Who is Managing the Social Order" stated the Political and Legislative Affairs Committee has overstepped its authority and has caused difficulties with domestic governance (*The Study Times*, June 18; *The Diplomat*, June 29). Furthermore, other reports indicated provincial chiefs are being cut from leadership roles in the party's sub-national political-legal committees (*The Economist*, June 30). Given both Zhou's prominence in the "social management" strategy and the CPLC role in maintaining stability, a lessened role for the political-legal committee structure would seem an indicator that changes are coming in the way social stability is managed.

Most recently, Chinese media reports said Hanyang district, Wuhan, urban management bureau has established a militia unit (*Chongqing Times*, August 3). The People's Armed Police has served as China's paramilitary force, so it is an intriguing development to establish a unit within the urban management bureau. One Hanyang official said to *The Global Times* "gradually, there will be more government departments getting involved in the militia mobilization" (*Global Times*, August 3). It is interesting because China already has a paramilitary force in the People's Armed Police, within the Ministry of Public Security. The urban management officials (colloquially, "*chengguan*") are known to be quite violent, and often prompt spontaneous mass protests. It leaves questions about what impact a local militia would have on "social management" and where this development fits in along with the puzzle of the party's concerns with the sub-national political-legal commissions.

While it is not clear what direction "social management" is taking in China, there appears to be greater caution taken in handling unrest as well as improved recognition of the need to address with purpose the fundamental issues driving unrest—rather than simply containing

it. There may be no immediate threat to the party's position, but this does not mean that this situation will not change—and possibly very quickly if it does. The political and economic challenges that China faces, given the present global and domestic situation, will force the CCP to continue adapting to the circumstances. For now, the party has been focusing on tightening control over the spread of information as well as reorganizing the supervision of social management.

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Notes:

1. For example: Ralph Litzinger, "In Search of the Grassroots: Hydroelectric Politics in Northwest Yunnan." In *Grassroots Political Reform in Contemporary China*, 282-289. (Cambridge: Harvard University Press, 2007).
2. Joseph Fewsmith, "Social Management as a Way of Coping with Heightened Social Tensions," *China Leadership Monitor*, No. 36.
3. Cheng Li, "Think National, Blame Local: Central-Provincial Dynamics in the Hu Era," *China Leadership Monitor*, No. 17.
4. Ibid.

China Pushes on the South China Sea, ASEAN Unity Collapses

By Ian Storey

For more than two decades Beijing has pursued a consistent policy in the South China Sea composed of two main elements: gradually strengthening the country's territorial and jurisdictional claims while at the same time endeavoring to assure Southeast Asian countries of its peaceful intentions. Recent moves by China to bolster its maritime claims have brought the first element into sharp

relief, while reassurances of benign intent have, however, been in short supply. Indeed, far from assuaging Southeast Asian concerns regarding its assertive behavior, China has fuelled them by brazenly exploiting divisions within the Association of Southeast Asian Nations (ASEAN) to further its own national interests.

China Hardens Its Stance

Commentaries in China's state-run media analyzing the South China Sea issue have become markedly less conciliatory. Opinion pieces highlight several new themes in China's official line. One theme is that China's territory, sovereignty as well as its maritime rights and interests increasingly are being challenged by Southeast Asian nations and Japan in the South and East China Seas. China's response, it is argued, should be to uphold its claims more vigorously, increase its military presence in contested waters, and, if necessary, be prepared to implement coercive measures against other countries. As one commentary notes "Cooperation must be in good faith, competition must be strong, and confrontation must be resolute" (Caixin, July 13).

Another theme is that, while China has shown restraint, countries such as the Philippines and Vietnam have been pursuing provocative and illegal actions in a bid to "plunder" maritime resources such as hydrocarbons and fisheries which China regards as its own (*China Daily*, July 30).

A third theme is that Manila and Hanoi continue to encourage U.S. "meddling" in the South China Sea and that the United States uses the dispute as a pretext to "pivot" its military forces toward Asia (*Global Times*, July 11). To reverse these negative trends, Chinese commentators have urged the government to adopt more resolute measures toward disputed territories and maritime boundaries. Nationalist sentiment, they argue, demands no less.

Recent measures undertaken by the Chinese authorities do indeed suggest a more hard-line position. Ominously, some of the initiatives have included a strong military element, presumably as a warning to the other claimants that China is ready to play hardball.

Perhaps the most noteworthy attempt by China to bolster its jurisdictional claims in the South China Sea was the raising of the administrative status of Sansha from county to prefecture level in June. Sansha originally was established in 2007 as an administrative mechanism to “govern” the Paracel Islands, Macclesfield Bank and the Spratly Islands. Sansha’s elevation was an immediate response to a law passed on June 21 by Vietnam’s national assembly, which reiterated Hanoi’s sovereignty claims to the Paracels and Spratlys. Both Vietnam and China protested the other’s move as a violation of their sovereignty (Bloomberg, June 21). Less than a month later, Sansha’s municipal authorities elected a mayor and three deputy mayors and China’s Central Military Commission authorized the establishment of a garrison for “managing the city’s national defense mobilization, military reserves and carrying out military operations (Xinhua, July 20).

Earlier, in late June, China’s Defense Ministry announced it had begun “combat ready” patrols in the Spratly Islands to “protect national sovereignty and [China’s] security development interests” (Reuters, June 28). Embarrassingly for the People’s Liberation Army (PLA) Navy, however, on July 13, one of its frigates ran aground on Half Moon Shoal, 70 miles west of the Philippine island of Palawan and within the Philippines 200 nautical mile exclusive economic zone (EEZ). The frigate was refloated within 24 hours, suggesting that other PLA Navy vessels were nearby when the incident occurred. These developments provide further evidence of the growing militarization of the dispute.

China also has moved to undercut the claims and commercial activities of the Philippines and Vietnam in the South China Sea in other ways.

In June, the state-run China National Offshore Oil Corporation (CNOOC) invited foreign energy companies to bid for exploration rights in nine blocks in the South China Sea. The blocks lie completely within Vietnam’s EEZ and overlap with those offered for development to foreign energy corporations by state-owned PetroVietnam. Accordingly, Hanoi vigorously protested CNOOC’s tender (Bloomberg, June 27). More importantly the blocks are located at the edge of China’s nine-dash line map and seem to support the argument that Beijing interprets the dashes as representing the outermost limits of its “historic rights” in the South

China Sea. Under the 1982 United Nations Convention on the Law of the Sea (UNCLOS), however, coastal states are not entitled to “historic rights” on the high seas. It is therefore unlikely that any of the major energy giants will bid for CNOOC’s blocks—although smaller companies may do so if only to curry favor with Beijing with a view to landing more lucrative contracts down the road. If, however, exploration does move forward in any of the nine blocks, a clash between Vietnamese and Chinese coast guard vessels will become a very real possibility.

On the issue of ownership of Scarborough Shoal, scene of a tense standoff between Chinese and Philippines fishery protection vessels in May-June, China position remains uncompromising. At the annual ASEAN Regional Forum (ARF) in Phnom Penh, Cambodia in July, Chinese Foreign Minister Yang Jiechi restated China’s sovereignty claims to the shoal, rejected the notion that it was disputed and accused Manila of “making trouble” (Xinhua, July 13). According to the Philippine foreign ministry, Chinese trawlers—protected by Chinese paramilitary vessels—continue to fish in waters close to Scarborough Shoal in contravention of a bilateral accord whereby both sides agreed to withdraw their vessels [1].

Following the ARF, China kept up the pressure on the Philippines. In mid-July, it dispatched a flotilla of 30 fishing trawlers to the Spratlys escorted by the 3,000-ton fisheries administration vessel Yuzheng 310 (Xinhua, July 15). The trawlers collected coral and fished near Philippine-controlled Pag-asa Island and Chinese-controlled Mischief and Subi Reefs (*Philippine Daily Inquirer*, July 27). The Philippine authorities monitored the situation but took no action.

The Phnom Penh Debacle

In the past, after China has undertaken assertive actions in the South China Sea it has tried to calm Southeast Asia’s jangled nerves. At the series of ASEAN-led meetings in Phnom Penh in mid-July, however, Chinese officials offered virtually no reassurances to their Southeast Asian counterparts. Worse still, China seems to have utilized its influence with Cambodia to scupper attempts by ASEAN to address the problem, causing a breakdown in ASEAN unity.

In the final stages of the annual meeting of ASEAN foreign ministers (known as the ASEAN Ministerial Meeting or AMM), the Philippines and Vietnam wanted the final communiqué to reflect their serious concerns regarding the Scarborough Shoal incident and the CNOOC tender. They were supported by Singapore, Indonesia, Malaysia and Thailand who felt that ASEAN should speak with one voice. Cambodia—which holds the rotating chairmanship of ASEAN and has close political and economic ties with China—objected because, in the words of Foreign Minister Hor Namhong, “ASEAN cannot be used as a tribunal for bilateral disputes” (*Straits Times*, July 22). Attempts by Indonesian Foreign Minister Marty Natalegawa to reach a compromise on the wording were unsuccessful and for the first time in its 45-year history the AMM did not issue a final communiqué.

The fallout from the AMM was immediate and ugly. Natalegawa labelled ASEAN’s failure to reach agreement “irresponsible” and that the organization’s centrality in the building of the regional security architecture had been put at risk (*Straits Times*, July 16). Singapore’s Foreign Minister, K. Shanmugam described the fiasco as a “sever dent” in ASEAN’s credibility (*Straits Times*, July 14). Cambodia and the Philippines blamed the failure on each other. Cambodia was pilloried by the regional press for its lack of leadership and for putting its bilateral relationship with China before the overall interests of ASEAN. One analyst alleged Cambodian officials had consulted with their Chinese counterparts during the final stages of talks to reach an agreement on the communiqué [2]. China’s *Global Times* characterized the outcome of the AMM as a victory for China, which does not think ASEAN is an appropriate venue to discuss the dispute, and a defeat for the Philippines and Vietnam (*Global Times*, July 16).

A few days after the AMM, Indonesian President Susilo Bambang Yudhoyono dispatched his foreign minister to five Southeast Asian capitals in an effort to restore ASEAN unity. Natalegawa’s shuttle diplomacy resulted in an ASEAN foreign minister’s statement of July 20 on “ASEAN’s Six-Point Principles on the South China Sea” [3]. The six points, however, broke no new ground and merely reaffirmed ASEAN’s bottom line consensus on the South China Sea. In response to the joint statement, China’s Foreign Ministry said it would work with ASEAN to implement the 2002 Declaration on the Conduct of Parties in the South China Sea (DoC) (Chinese Ministry

of Foreign Affairs, July 21).

One of the six points calls for the early conclusion of a code of conduct (CoC) for the South China Sea, but the Phnom Penh debacle has made that target highly doubtful.

Although China agreed to discuss a CoC with ASEAN in November 2011, Beijing always has been lukewarm about such an agreement, preferring instead to focus on implementing the DoC. Undeterred, earlier this year ASEAN began drawing up guiding principles for a code and in June agreed on a set of “proposed elements.” While much of the document is standard boiler plate, there are two aspects worthy of attention.

The first is that ASEAN calls for a “comprehensive and durable” settlement of the dispute, a phrase that seems to repudiate Deng Xiaoping’s proposal that the parties should shelve their sovereignty claims and jointly develop maritime resources. Clearly, the four ASEAN claimants have rejected Deng’s formula as it would be tantamount to recognizing China’s “indisputable sovereignty” over the South China Sea atolls.

The second interesting aspect concerns mechanisms for resolving disputes arising from violations or interpretations of the proposed code. The document suggests that disputing parties turn to the 1976 Treaty of Amity and Cooperation (TAC) or dispute resolution mechanisms in UNCLOS. Neither, however, would be of much utility. While the TAC does provide for a dispute resolution mechanism in the form of an ASEAN High Council, this clause has never been invoked due to the highly politicized nature of the High Council and the fact that it cannot issue binding rulings. Moreover, although China acceded to the TAC in 2003, Beijing almost certainly would oppose discussion of the South China Sea at the High Council because it would be outnumbered 10 to 1.

UNCLOS does provide for binding dispute resolution mechanisms, including the submission of disputes to the International Court of Justice (ICJ) or the International Tribunal on the Law of the Sea (ITLOS). China always has rejected a role for the ICJ in resolving the territorial disputes in the South China Sea and, in 2006, China exercised its right to opt out of ITLOS procedures concerning maritime boundary delimitation and military

activities.

On July 9, Vice Foreign Minister Fu Ying had indicated to ASEAN foreign ministers that China was willing to start talks on a CoC in September. Two days later, however, as ASEAN wrangled over their final communiqué, Foreign Minister Yang seemed to rule this out when he stated discussions could only take place “when the time was ripe” (Straits Times, July 11). At present ASEAN and China are not scheduled to hold any meetings on the CoC, though officials currently are discussing joint cooperative projects under the DoC.

If and when the two sides do sit down to discuss the CoC, it is probable that Beijing will demand all reference to dispute resolution be removed on the grounds that the proposed code is designed to manage tensions only and that the dispute can only be resolved between China and each of the other claimants on a one-on-one basis. Taken together, these developments have dimmed seriously the prospect of China and ASEAN reaching agreement on a viable code of conduct for the South China Sea any time soon. As such, the status quo will continue for the foreseeable future.

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2. Ernest Bower, “China reveals its hand on ASEAN in Phnom Penh,” Center for Strategic and International Studies, July 20 2012.
3. “Statement of ASEAN Foreign Ministers on ASEAN’s Six-Point Principles on the South China Sea,” Cambodian Ministry of Foreign Affairs, July 20, 2012 <<http://www.mfaic.gov.kh/mofa/default.aspx?id=3206>>.

Waypoint or Destination? The Jin-Class Submarine and China’s Quest for Sea-Based Nuclear Deterrence

By Benjamin S. Purser, III and Michael S. Chase

After decades of largely unsuccessful effort, China’s submarine-based nuclear deterrent finally is taking shape with the Type-094, or Jin-class, nuclear-powered ballistic missile submarine (SSBN) and its intended armament, the JL-2 submarine-launched ballistic missile (SLBM). The 2012 Department of Defense report on Chinese military and security developments indicates that although Jin-class submarines have started entering service with the PLAN, China has not yet completed development of the JL-2, preventing the maturation of its long-desired sea-based nuclear deterrent. [1]. Regardless, Beijing continues to dedicate resources to this program, as reflected by the construction of a specialized tunnel on Hainan Island that many observers believe is intended to position the PLAN’s new SSBNs for deep-water patrols in the contested waters of the South China Sea (Strategic Security Blog, April 24, 2008). As soon as technical details of the JL-2 fall into place, China finally will possess a submarine-based nuclear deterrent—one that would fall far short of the nuclear deterrence capabilities of the US Navy’s SSBNs—but would nonetheless give China an operational nuclear dyad that also would include the land-based missiles of the PLA’s Second Artillery Force.

China’s Long Search for a Sea-Based Nuclear Deterrent

While U.S. and Soviet submariners spent the 1960’s and 1970’s making huge headway in the development of an underwater nuclear deterrent, the Cultural Revolution targeted many foreign-trained engineers like Huang Xuhua, a lead submarine designer. At times, protecting China’s scientific and technological expertise required the personal intervention of senior leaders. In addition to such personalized attacks, this period was also fraught with systemic and technical disasters: “overall, the Cultural Revolution had a devastating impact on the development of China’s submarine force” [2]. For domestic political reasons, China thus struggled during the years most associated with progress in nuclear deterrence in the

United States and USSR.

After the Cultural Revolution ended, the PLAN worked to make up for lost time and eventually made great strides in the mid- and late-1970s—deploying their first nuclear-powered attack submarine (SSN), the Type 091, or Han-class, in 1974. In the following decades, the Chinese acquired Soviet and French technology to improve the capabilities of their submarine force dramatically. They bought components (e.g. French DUUX-5 sonars), submarine designs (i.e. those of the Type-031 Golf-class SSG test platform still in use today and those of the Romeo-class SS also still operational), and entire submarines (e.g. the dozen Kilo-class submarines, each with its own collection of weapons). There is also increasing evidence that China pursued foreign expertise even when the respective governments were not willing to assist; it thus seems increasingly likely that Beijing has—in addition to pursuing overt cooperation and acquisitions—managed a long-term clandestine collection campaign designed to support their submarine fleet’s modernization and expansion (*Pravda*, June 25; *RIA Novosti*, June 20; *The Diplomat*, December 11, 2011). With such foreign knowledge and materiel, China has pieced together a substantive and capable submarine force.

The sea-based nuclear deterrent, however, progressed at a painfully slow pace, leading to the Xia-class SSBN, which Beijing only deployed within coastal waters. In 1982, the PLAN also successfully tested China’s first submarine-launched ballistic missile, the JL-1 from its North Sea Fleet-based Golf-class SLBM test platform, the Great Wall 200, which official Chinese media recently lauded as the “vanguard” of SLBM test launches (*Science & Technology Daily*, January 23, 2011). The Xia was designed to carry twelve CSS-NX-3 (JL-1) SLBMs—each with a relatively short maximum range of about 1,600km (1,000+ miles)—but the Xia has never conducted a deterrent patrol and is not considered operationally deployed [3].

Yet, problems with follow-on platforms and armaments remain. In 2003, Chinese fishermen found a “crippled, half-submerged” Ming-class submarine floating adrift. After the hatch was opened, the fishermen found all 70 crew members suffocated inside (Wen Hui Bao, May 7, 2003). While the disastrous loss of Ming 361,

and of all her crew, has proven the exception and not the rule for China’s submarine force in the twenty-first century, important problems are not yet resolved. Most importantly, the PLAN has done well with the Jin-class itself, but each submarine only matters so much as it can silently patrol the deep with its twelve JL-2 SLBMs, which have an estimated range of at least 7,200 km and are equipped with penetration aids designed to defeat enemy missile defense systems [4]. According to the Department of Defense’s 2010 report on Chinese military developments, “The first of the new Jin-class (Type 094) SSBN appears ready, but the associated JL-2 SLBM appears to have encountered difficulty, failing several of what should have been the final round of flight tests.” Consequently, the 2010 report stated, “the date when the Jin-class SSBN/JL-2 SLBM combination will be operational is uncertain” [5]. The 2012 report presents a more optimistic assessment, indicating, although the JL-2 program “has faced repeated delays,” it “may reach initial operating capability within the next two years.” When deployed, the report notes, “The Jin-class SSBN and the JL-2 will give the PLA Navy its first credible sea-based nuclear capability” [6].

Current Status of the Jin SSBN and JL-2 SLBM

According to China’s 2010 defense white paper, the PLAN is enhancing its “strategic deterrence and counterattack” capabilities, a clear reference to the Type-094 SSBN and JL-2 SLBM combination [7]. Indeed, the Type-094 appears to be a major improvement over China’s first-generation Xia, even though an unclassified report by the Office of Naval Intelligence indicates it is somewhat noisier than Russia’s older Delta III SSBNs (Strategic Security Blog, November 21, 2009).

Perhaps in part as a result of its thus far disappointing experience with the Xia, China seems to be aiming to build enough Type-094 SSBNs to enable the PLAN to conduct near-continuous deterrent patrols if desired. The U.S. Office of Naval Intelligence (ONI) assesses China will build a “fleet of probably five Type-094 SSBNs ... to provide more redundancy and capacity for a near-continuous at-sea presence” [8]. A variety of Chinese publications, normally citing ONI products and adding few details, suggest the relatively small SSBN forces of Britain and France may serve as models for China [9]. It is clear that multiple hulls have already been launched,

based on internet photos and commercial satellite images depicting Jin-class SSBNs at the PLAN's Xiaopingdao and Jianggezhuang naval bases, Huludao shipyard as well as a recently-constructed submarine facility at Yalong Bay near Sanya on Hainan Island (Strategic Security Blog, June 2, 2011). The images of the facility on Hainan Island provided some hints as to the PLAN's SSBN basing plans. Indeed, the photo of the Jin at Yalong Bay—specifically the dimensions of them and the support facilities that they include—suggests the facility may be the key base for China's future SSBN forces.

Expected Future Developments

As China's progress toward an undersea deterrent continues, a series of important questions will arise. First, the Type-094 and JL-2 combination, when the SSBN and SLBM are finally operationally deployed, will represent a major step forward in China's long quest for a sea-based nuclear deterrent to complement its land-based strategic missiles, but it may not be the final chapter of this story. Indeed, the Jin ultimately may represent a waypoint, and not the final destination, in China's long quest for a sea-based leg of its nuclear deterrent. China has yet to reveal its plans, but media reports in Taiwan suggest Beijing eventually may develop and deploy a follow-on SSBN and SLBM combination: the Type 096 SSBN and JL-3 SLBM (*Taipei Times*, May 23, 2011).

Another question concerns the roles of the Second Artillery and the PLAN. Although the Second Artillery Force has traditionally occupied a preeminent position as China's "core force for strategic deterrence," that role could change along with the PLAN's progress in sea-based nuclear deterrence [10]. Yet, the Second Artillery's land-based missile force offers Chinese leadership greater transparency and constant control. The nature of submarine deterrence creates an important disconnect between national leadership and warfighters: the men deployed on future Jin patrols will remain incommunicado and un-located for prolonged periods of time as the survivability that comes from stealth is the main advantage of SSBNs. In the current political environment, the inability for civilian leaders to remain constantly informed—and in control—of SSBN operations may push them beyond their comfort zone if Beijing maintains routine deterrent patrols. The combination of the SAF's proven track record of

experience handling nuclear weapons and its deployment of increasingly survivable mobile forces suggests that the Second Artillery will remain China's preeminent strategic deterrence force.

Another closely related issue is how the relationship between the SAF and the PLAN may evolve after the Jin and JL-2 combination reaches initial operational capability and becomes an integral component of China's nuclear force. Chinese military publications that describe the Second Artillery's role in nuclear deterrence and nuclear counterattacks indicate that SAF nuclear missile strikes can be conducted as an "independent nuclear counterattack campaign" (*duli he fanji zhananyi*) or as a major part of a "joint nuclear counterattack campaign" (*lianhe he fanji zhananyi*) [11]. The latter would seem to imply a requirement for the PLAN and Second Artillery to plan jointly in peacetime and to coordinate deterrence and strike operations in wartime. An alternative could be coordination and de-confliction at the level of the General Staff Department (GSD) or Central Military Commission (CMC).

Still another question concerns the armament of future Chinese SSBNs. Another possibility is that China could follow in the footsteps of the United States, which converted some of its SSBNs into SSGNs to carry conventional land-attack cruise missiles, by deploying conventional strategic strike capabilities of its own. For example, former U.S. Air Force foreign area officer Mark Stokes has suggested China could choose to increase the flexibility of its sea-based deterrent by arming one or more of its SSBNs with conventional weapons—perhaps anti-ship ballistic missiles (ASBMs) or land-attack cruise missiles (LACMs) (*Defense News*, January 16).

The Xia itself also presents some unanswered questions as it seems China has not entirely given up on its much-maligned first-generation SSBN. Indeed, as Hans Kristensen has observed, the Xia recently underwent a multi-year overhaul at the PLAN's Jianggezhuang Naval Base. This presumably represents a substantial investment, but the purpose for which China's navy plans to use the boat remains unclear at this point (Strategic Security Blog, August 3, 2008).

Perhaps the most important question at the moment is how China will employ its new Type-094 SSBNs when the

long-awaited JL-2 is finally available. As Hans Kristensen writes, “it is unclear how China intends to utilize the Jin-class submarines once they become operational.” Potential patrol locations (a bastion strategy or further out in the Pacific Ocean), number of simultaneously deployed boats, and weapons load-outs remain critical unknowns. The biggest question of all may be whether the PLAN will conduct routine peacetime deterrence patrols with nuclear weapons. Some skeptics suggest the Jin-class boats “are unlikely to be deployed with nuclear weapons on board in peacetime like U.S. missile submarines” (Strategic Security Blog, June 2, 2011). Instead, China could “use them as surge capability in times of crisis.” Nonetheless, other observers think it is much more likely that China will deploy its new SSBNs loaded out with their nuclear-armed SLBMs to conduct deterrence patrols on a regular basis [12].

In all, after decades in search of a modern sea-based nuclear deterrent capability, it appears China’s undersea deterrent finally is taking shape. Although a number of key questions remain unanswered, the PLAN’s gradual progress has by now prepared the region and the world for the likelihood that Beijing will soon possess an underwater nuclear deterrent as a complement to the SAF’s land-based nuclear missile forces. When China resolves its technical difficulties with the JL-2, the PLAN will be positioned to immediately deploy a near-constant sea-based nuclear deterrent presence, subject to the desires of Chinese Communist Party (CCP) and PLA leaders. The deployment of such a capability has the potential to strengthen China’s strategic position by contributing to its desire for a more “effective” nuclear force to support a credible second strike deterrent posture, but it could also further complicate the already complex strategic dynamics in the region [13].

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3. *Ballistic and Cruise Missile Threat*, National Air and Space Intelligence Center, NASIC-1031-0985-09, April 2009, p. 25.
4. “Seapower Questions on the Chinese Submarine Force,” Office of Naval Intelligence, December 20, 2006, www.fas.org/nuke/guide/china/ONI2006.pdf.
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7. *China’s National Defense in 2010*, State Council Information Office, 2010.
8. “Seapower Questions on the Chinese Submarine Force,” Office of Naval Intelligence, December 20, 2006.
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