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China's New Governing Party Paradigm: Political Renewal and the Pursuit of National Rejuvenation, by Timothy Heath

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BOOK REVIEWS

WHAT DOES CHINA WANT?

Heath, Timothy. *China's New Governing Party Paradigm: Political Renewal and the Pursuit of National Rejuvenation*. Farnham, Surrey, U.K.: Ashgate, 2014. 256pp. \$109.95

In 2012, Tim Heath, then an analyst at U.S. Pacific Command, published a scholarly article that considered whether in fact China had a national strategy (“What Does China Want? Discerning the PRC’s National Strategy,” *Asian Security* 8, no. 1 [2012], pp. 54–72). Drawing extensively from Chinese sources, Heath argued that China did not have a formal national strategy document but did outline the essential elements of a national strategy in the authoritative writings of the Chinese Communist Party. Among professionals working Pacific security issues, the article was widely discussed and well regarded.

In *China's New Governing Party Paradigm*, Tim Heath expands and broadens this theme, examining the central narrative that both provides internal justification for exclusive Chinese Communist Party rule and shapes the policies the party imposes on China. Along the way, he offers a detailed description of the mechanisms the party employs to study, develop, and communicate the essential decisions that literally form the “party line.”

Up until the 1980s, academic studies of the People’s Republic of China often focused on ideology, revolution, and the impact of the Communist Party and party struggles. In the years since Deng Xiaoping announced the “reform and opening up” that freed China’s economic potential, analysts have focused on the impact of this economic change and the social forces it unleashed. In many cases, these studies portray the party as having abandoned ideology, offering the Chinese people national prestige and economic prosperity in its place.

Heath suggests that party ideology was not abandoned but transformed to ensure the party’s continued relevance and claim to authority. The key change came in 2002 when an authoritative official report referred to the Communist Party as the “governing party.” Though largely unremarked on at the time, this pronouncement represented a formal abandonment of the “revolutionary party” ideology that had justified party rule since the foundation of the People’s Republic in 1949.

While governments universally claim that they can govern competently, Heath underscores the exclusivity of the party's claim: not merely that it can rule well, but that it is uniquely equipped through rigorous study and discovery of natural laws to rule well. In Heath's words, the party asserts that "no other political group possesses an intellectual grasp of the historic natural laws underpinning China's development." The exclusivity of this claim means that ideology, far from being dead, is of central importance in justifying the party's rule. The party's grasp is expressed in correct theory that, promulgated by the party, becomes the basis for central directives that then are expressed in laws and policy.

Party theory is broad and elastic, setting a central direction and allowing increasingly professional bureaucracies to develop more-detailed guidance that aligns with the party line. The shift to a "governing party paradigm" has caused the party to focus on formalizing, regularizing, and bounding this process of policy interpretation. This interpretation process allows ministries and lower levels of government some genuine latitude in decision making within the overall guidance. This is, however, "rule of law" in the Chinese rather than Western sense. The absolute demand that law conform to party guidance renders any move toward independent authority, either bureaucratic or democratic, a threat to party rule, and transgressions of party guidance are quickly suppressed via an enforcement process that, to Western eyes, appears extralegal.

Much of the book describes the bureaucratic structure that develops, reviews, and issues party guidance. Heath emphasizes the key role of the Central Party School in this process.

The two most recent general secretaries of the Communist Party, Hu Jintao and Xi Jinping, previously served as Central Party School presidents. They have relied on the school, its staff, and its students as both a think tank and a key means of promulgating their guidance.

For readers interested in national security, Heath's analysis raises a number of essential issues. The party's claim to unique competency means that its legitimacy is in large part performance based. While the concept of "performance legitimacy" in the Chinese system is not new, Heath underscores how critical it is that the party be able to present itself as successful, or at least competent, in every key policy area. In this context, it is clear why Xi Jinping views endemic corruption as a key threat to party rule.

Further, Heath's analysis has important implications for the future of the Chinese military. The People's Liberation Army (PLA) has a unique relationship with the party. It is, of course, the party's army, first and last accountable to the party leadership. It too, however, has been impacted by the tendency to delegate execution-level detail to professional bureaucracies. Heath's model suggests that PLA leaders, as technical experts in their field, will expect to enjoy increasing influence and autonomy within their area of expertise. The party, however, is especially sensitive to its control of the military, and the tension in this relationship that Heath identifies will likely continue in coming years.

This is a dense, specialized book, and the generalist would do well to start with a work such as Richard McGregor's excellent *The Party: The Secret World of China's Communist Rulers* (2012) as an introduction to the topic.

However, the work is approachable to the motivated reader and for the Navy's growing cadre of Asia-Pacific hands represents essential reading.

DALE C. RIELAGE



Serrat, Austin, Lawrence Douglas, and Martha Merrill Umphrey, eds. *Law and War*. Stanford, Calif.: Stanford Univ. Press, 2014. 248pp. \$75

Law and War is a collection of five essays on the role of law in war offered as part of the Amherst Series in Law, Jurisprudence, and Social Thought. What ties the essays together is their shared interest in “interrogating the assumption . . . that the insertion of law into war is necessarily a salutary achievement.” But this connection is often loose, and, while several of the essays have a great deal of individual merit, it is perhaps a weakness of the book that it lacks the degree of overall coherence that one might expect.

Sarah Sewell leads off with the essay most relevant to military legal practitioners and warfighters. In “Limits of Law: Promoting Humanity in Armed Conflict,” Sewell makes a compelling argument that modern norms about what is acceptable in war often outstrip the limits imposed by the actual law; that is, norms often make “unacceptable” conduct that the law inarguably still permits. She views this as a negative development, fearing that as gaps develop between the norms and the law, it will increasingly erode respect for the latter. By way of example, Sewell highlights the growing normative expectation that powerful states will eliminate civilian casualties in war, while the law of armed conflict has always recognized an uneasy

balance between humanitarian protection and military necessity—a balance that “the norm of minimizing civilian casualties” does not need to maintain.

Gabriella Blum follows Sewell, and in “The Individualization of War” she explains how such norms have taken hold through a process she describes as a shift from “collectivism” to “cosmopolitanism,” by which she means a shift from a “state-centered set of obligations” to one focusing on the rights of individuals to be protected from the evils of war. Like Sewell, Blum asserts that this development is not necessarily good, leading to an increasing conflation between the norms of policing and those of warfighting (with negative consequences to both).

The third essay represents a substantive, if not thematic, departure, as Laura Donohue writes on “Pandemic Disease, Biological Weapons, and War.” Donohue offers a historical treatment of U.S. federal authority for responding to such threats, and argues that post-9/11 fears have led to a paradigm shift in thinking about them—from public health menace to national security threat. This essay is probably most relevant to military practitioners dealing with domestic support to civil authorities.

Samuel Moyn's essay “From Antiwar Politics to Antitorture Politics” offers a fascinating comparison between the legal arguments offered against the Vietnam War and those often presented regarding America's conduct of its post-9/11 wars in Iraq and Afghanistan. Through a careful examination of the role of law in the antiwar movement of the 1960s and 1970s, Moyn highlights the extent to which the debate centered on the legality of America's entry into