

Controlling Xinjiang: Autonomy on China's "New Frontier"

- I. INTRODUCTION
- II. BACKGROUND
 - A. *Chinese Control of Xinjiang: A Brief Political History*
 - 1. *Early Interactions with Xinjiang*
 - 2. *Political Integration in the Qing*
 - 3. *Increased Unrest on the Frontier*
 - 4. *Liberation*
 - B. *CCP'S Policy Towards National Minorities*
 - 1. *The Winding Road Towards "Autonomy"*
 - 2. *Early Policy: Unify and Conquer: Dangle the Carrot*
 - 3. *Welcoming Minorities into the Chinese "Family"*
 - 4. *Creation of the Autonomous Regions*
- III. ANALYSIS
 - A. *An Examination of Relevant Laws*
 - 1. *Introduction*
 - 2. *Granting Autonomy: "Give and Take"*
 - 3. *The Law on Regional National Autonomy*
 - 4. *Does Xinjiang's Autonomy Meet International Standards?*
 - B. *Autonomy: A Salve for China's "Splittist" Headache*
 - C. *The Party's Perspective: Stability and Progress*
- IV. CONCLUSION

I. INTRODUCTION

Along the ancient Silk Road, beyond the crumbling remnants of the Great Wall's western terminus and the realm of ethnically Han Chinese¹ lies Xinjiang: the vast and desolate northwestern province of the People's Republic of China (PRC) and the beginning of Central Asia.² Strategically located, the Xinjiang Uighur Autonomous Region (XUAR) is a vital component of China's political and economic stability.³

¹ Central Intelligence Agency, World Fact Book, at <http://www.cia.gov/cia/publications/factbook> (last visited Feb. 8, 2002). Han, the state-recognized majority nationality, comprise approximately 91.9% of China's almost 1.3 billion people. *Id.*

² JACK CHEN, THE SINKIANG STORY xx (1977). Xinjiang covers one-sixth of China's total land area, and at 660,000 square miles, the province is as big as Britain, France, Germany, and Italy combined. *Id.*

³ See generally Jeffery Tayler, *China's Wild West*, ATLANTIC ONLINE, Sept. 1999, at <http://www.theatlantic.com/issues/99sep/9909wildchina.htm> (last visited Feb. 8,

Uzbekistan, Kazakhstan, and Turkmenistan are Xinjiang's western neighbors, and Mongolia lies to the northeast. Pakistan, Afghanistan, Tibet, and Kashmir make up the southern border, and China's Qinghai and Gansu provinces meet Xinjiang in the east.⁴ Because of its position at the crossroads of Central Asia, Xinjiang is potentially an extremely valuable trade corridor. Perhaps more important to China's expanding energy-hungry economy, geological explorations indicate that Xinjiang contains huge coal and oil reserves, believed to be three times those of the United States.⁵ In addition to housing vast natural resources, Xinjiang is home to Lop Nor, a thirty year-old Chinese nuclear testing facility.⁶

One of five autonomous regions in China, the XUAR is also home to the Uighur nationality, a predominantly Muslim ethnic group encompassing the oasis Turks of Xinjiang.⁷ Since the collapse of the Soviet Union and the subsequent emergence of independent Central Asian states, ethnic tensions in Xinjiang have escalated.⁸ Despite, or perhaps because of, Beijing's police crackdown on separatists, in the past decade there has been a dramatic increase in Uighur demands for an independent

2002) (exploring the recent and distant history of Xinjiang in addition to addressing ethnic instability).

⁴ See http://www.lib.utexas.edu/maps/middle_east_and_asia/china_pol96.jpg (last visited Feb. 8, 2002).

⁵ See Taylor, *supra* note 3; see also *Report on Xinjiang Oil, Gas, Exploration*, XINHUA NEWS AGENCY, June 12 1997, available at <http://www.uyghuramerican.org/mediareports/1997/xhjun1297.html> (last visited Feb. 08, 2002).

⁶ See generally Terry C. Wallace & Mark Tinker, *The Last Nuclear Weapons Test? A Brief Review of the Chinese Nuclear Weapons Program*, at <http://www.iris.iris.edu/newsletter/fallnews/chinese.html> (last visited Jan. 20, 2002); see also Bill Gertz, *Spy Photos Show Beijing Set for Underground Nuclear Test*, WASH. TIMES, April 9, 2001, at A1.

⁷ This piece employs the modern definition of "Uighur." In addition to the Uighurs, Xinjiang has long been inhabited by the Muslim Kazakhs, Krgyz, and Tajiks. The Uighurs believe that their ancestors were the indigenous peoples of the Tarim Basin. The Uighurs, though often portrayed as a united front, are divided by religious conflicts, territorial loyalties, linguistic discrepancies, commoner-elite alienation, and competing political loyalties. See Dru C. Gladney, *China's Interests in Central Asia*, in *ENERGY AND CONFLICT IN CENTRAL ASIA AND THE CAUCASUS* 211-213 (Robert Ebel & Rajan Menon eds., 2000). See generally JUSTIN JON RUDELSON, *OASIS IDENTITIES: UIGHUR NATIONALISM ALONG CHINA'S SILK ROAD* 1-38 (1997), for a full discussion of the Uighur ethnicity.

⁸ See generally John Pomfret, *Separatists Defy Chinese Crackdown; Persistent Islamic Movement May Have Help from Abroad*, WASH. POST, Jan. 26, 2000, at A17 [hereinafter, Pomfret, *Separatists Defy Chinese*].

“East Turkestan.”⁹ The importance of strategically-positioned and resource-rich Xinjiang amplifies the growing number of Uighur cries for self-determination, and over the past ten years the various voices of the Uighur separatist movement have captured the central government’s attention. Since 1990, there have been scores of separatist uprisings, protests, and killings of Han Chinese officials, and Beijing has directly blamed Uighur separatists for a number of bombings across the country.¹⁰ In the wake of the September 11 attacks against the United States, China has used the increased emphasis on eradicating global terrorism to rally international support for its campaign against Uighur separatists.¹¹ Shortly after September 11, a Chinese foreign ministry spokesman took the opportunity to stress that the Uighurs are “terrorists” not “freedom fighters,” and he further expressed hope that “our fight against the East Turkestan forces will become part of the international effort against terrorism”¹² Some western experts note that small numbers of Chinese Uighurs have trained or fought with the Taliban in Afghanistan,¹³ and Chinese reports link Uighur separatists directly to Osama bin Laden.¹⁴ China’s efforts to fight the “East Turkestan Forces” go beyond rhetoric and generalized condemnations. Fearing that war in Central Asia could ignite an uprising in the region, China has recently intensified surveillance and control of Uighurs in Xinjiang.¹⁵ One Chinese official commented that, “[E]thnic separatist elements comprise the most prominent underworld and the most menacing criminal groups in Xinjiang, and are

⁹ Teresa Poole, *Fresh Rioting in Xinjiang*, INDEPENDENT, Feb. 20, 1999, at 16.

¹⁰ *Ethnic Separatists Use Transition Period to Test Resolve of Beijing*, CHIC. TRIB., Feb. 27, 1997, at 11; see also John Pomfret, *Restive, Oil-Rich Region Is China’s Second Tibet; Beijing Attempts to Dilute Influence of Uighur Militants*, WASH. POST, Aug. 22, 2000 [hereinafter Pomfret, *Restive Oil-Rich Region*].

¹¹ See generally *China: Agency Reports Stepping Up Crackdown on “East Turkestan” Rebels*, BBC Monitoring Service, Dec. 21, 2001 (ZHONGGUO TONGXUN SHE NEWS AGENCY, Dec. 20, 2001), LEXIS, News Group File; see also John Pomfret, *China Also Wants U.S. Help Against ‘Separatists,’* WASH. POST, Sept. 19, 2001, at A11.

¹² Erik Eckholm, *China Seeks World Support in Fight with Its Muslim Separatists*, N.Y. TIMES, Oct. 12, 2001, at A7.

¹³ *Id.*; see also Pamela Pun, *Separatists Trained in Afghanistan Says Official*, HONG KONG IMAIL, Oct. 22, 2001.

¹⁴ Joe McDonald, *China Targets Xinjiang Rebels for Bin Laden Links*, WASH. TIMES, Jan. 22, 2002, at A13; see also Jasper Becker, *China’s “Homegrown Terror,”* SOUTH CHINA MORNING POST, Nov. 16, 2001, at 18.

¹⁵ Craig Smith, *Fearing Unrest, China Presses Muslim Group*, N.Y. TIMES, Oct. 5, 2001, at A3.

also major targets of the drive to ‘strike hard’ and put things in order in Xinjiang.”¹⁶ Recent reports also indicate that China has moved up to 40,000 troops into Xinjiang to quell separatist activities and maintain security in the region.¹⁷

Although the free Tibet movement receives more attention in the international press, the Uighur cause is gradually gaining recognition.¹⁸ Independence for Xinjiang, however, has not been an easy cause for the Uighurs to sell. Unlike their Buddhist neighbors to the south, the Uighurs do not have a prominent exile or celebrity support to draw attention to their plight.¹⁹ Moreover, the western media’s vilification of ‘Islamic terrorists’ has hindered the Uighur cause.²⁰ For its part, the Chinese government considers Uighur separatists China’s number one internal security threat, primarily because the Uighurs, unlike the Tibetans, do not eschew violence as a means to achieve their ends.²¹ The relatively recent and violent surge in Uighur demands for an independent East Turkestan provokes the question: If, as the province’s name indicates, the Uighurs are afforded autonomy, why are so many Uighurs up in arms? Some scholars speculate that “the goal [of Uighur separatists] is true autonomy, the kind promised in the 1950’s by the People’s Republic of China but never really delivered.”²²

This article explores the legal structure, underlying agenda, and implications of “autonomy” in Xinjiang; an endeavor designed to further

¹⁶ *China: Xinjiang Leader Promises Crackdown on Ethnic Separatists*, BBC Monitoring Service, April 17, 2001 (ZHONGGUO XINWEN SHE NEWS AGENCY, April 16, 2001), LEXIS, News Group File [hereinafter *China: Xinjiang Leader Promises Crackdown*.]

¹⁷ *China Moves Four Army Divisions Into Xinjiang to Quell Separatists*, JAPAN ECONOMIC NEWswire, Jan. 12, 2002.

¹⁸ See, e.g., AMNESTY INT’L, *People’s Republic of China: Gross Violations of Human Rights in the Xinjiang Uighur Autonomous Region* (1999) [hereinafter AMNESTY REP.]. The proliferation of websites devoted to the “Uighur cause” indicate growing international awareness of the Uighur movement. See generally <http://www.uyghurs.org/>; <http://www.caccp.org/et/>; <http://www.uyghuramerican.org/>.

¹⁹ See Philip Bowring, *China’s Xinjiang Problem Has Nothing Much to Do with Islam*, INT’L HERALD TRIB., Nov. 30, 2001, at 8; see also Pomfret, *Restive Oil-Rich Region*, *supra* note 10, at A12.

²⁰ See generally Bowring, *supra* note 19, at 8.

²¹ Interview with a U.S. Diplomat, Beijing, China (March 2000).

²² Amy Woo, *China-Xinjiang: “Great Wall of Steel” to Quell Ethnic Unrest*, INTER PRESS SERVICE, March 11, 1997 (quoting Linda Benson, professor of history, Oakland University).

understanding of the Uighurs' dissatisfaction with the current autonomy regime. Part II offers a brief political history of the Chinese presence in Xinjiang, beginning with diplomatic missions in the Han Dynasty and culminating in "liberation" by Communist forces in 1949. Part III examines the process of integration and assimilation occurring in Xinjiang, and traces the evolution of the Chinese Communist Party's (CCP) minority policy—from early nation building appeasement to the modern system of regional autonomy. Part IV explores the legal structure of autonomy and specifically considers the "give and take" rhetoric of the P.R.C. Constitution and Law on Regional National Autonomy. Part V considers some of the underlying policies and strategies guiding the autonomy regime. Part VI concludes that true autonomy is not an option for Xinjiang, and given the current and long-term goals of the central government, "autonomy" for the Uighurs will mean modernization, sinification, and ultimately, integration into the greater Han framework.

II. BACKGROUND

A. *Chinese Control of Xinjiang: A Brief Political History*

1. *Early Interactions with Xinjiang*

Chinese control of Xinjiang (literally "New Frontier") has waxed and waned over the centuries, and from the moment the Chinese first asserted control over the area, Xinjiang has been a difficult place to rule. The earliest formal assertion of Chinese power occurred in the Han Dynasty (206 B.C.-A.D. 220).²³ In 138 B.C., Han emperor Wudi (140-86 B.C.) sent a diplomatic mission to the region with the object of forging an alliance against the Huns, a menacing threat to China's western frontier.²⁴ When diplomatic efforts failed, the Han leaders resorted to military means and by 100 B.C., key points along the "new frontier" were garrisoned with Imperial troops.²⁵ Once the Chinese established a presence in the region, their policy regarding Xinjiang generally applied a dual strategy of exploitation and pacification, "using barbarians to oppose the barbarians," checking potential threats to the Chinese state.²⁶ Although indigenous

²³ See DONALD H. McMILLEN, CHINESE COMMUNIST POWER AND POLICY IN XINJIANG, 1949-1977 15 (1979).

²⁴ See *id.*

²⁵ *Id.*

²⁶ See LINDA BENSON, THE ILI REBELLION: THE MOSLEM CHALLENGE TO CHINESE AUTHORITY IN XINJIANG 1944-1949 10 (1990). The general strategy of "using barbarians to regulate barbarians" pitted various groups against one another thereby

groups have periodically revolted against Chinese rule, China has maintained a continuous presence in the region since the Han Dynasty. The ebb and flow of Imperial control over Xinjiang has ultimately depended on the desires and ambitions of the emperor in power.²⁷

2. *Political Integration in the Qing*

Although Xinjiang had long been included on Chinese maps, it was not until the Qing Dynasty (1644-1911) that the Chinese took serious steps towards integration.²⁸ In 1768, the Emperor Qian Long (1711-1799) firmly asserted Imperial power over the region and the area referred to by western sources as East Turkestan was formally renamed Xinjiang.²⁹ Qian Long wanted the world to know that the region was officially, and perpetually, incorporated into the Chinese domain as its western frontier.³⁰ Imperial rule, however, meant few changes for the people of Xinjiang. The Chinese ruled indirectly through the traditional native feudal system, with the existing gentry, headmen, and princes employed as instruments of local rule.³¹ The eighteenth and nineteenth centuries saw recurring rebellions in Xinjiang, and uprisings often materialized as Islamic “holy wars” against the Chinese infidels.³² In 1862, a massive uprising led by Yaqub Beg wrested control from the Qing authorities and established an independent Kashgar Emirate that lasted until Yaqub Beg’s death in 1877.³³ The incident exposed the tenuous hold Qing authorities had on Xinjiang, and is still celebrated as a rallying point for Uighur

inhibiting the coalescence of a unified opposition to Chinese rule. China was always concerned about its northern and western borders. The Great Wall stands as a powerful reminder of this fear. *See id.*

²⁷ MCMILLEN, *supra* note 23, at 15-16.

²⁸ *See id.*

²⁹ *See id.* at 17.

³⁰ *See id.*

³¹ *See id.*

³² *Id.*

³³ RUDELSON, *supra* note 7, at 27. The Kashgar Emirate covered a significant part of southern Xinjiang, and has been called the greatest Turkic threat ever to Chinese control of the region. Some scholars point to Yaqub Beg’s rule as an impetus for the “Great Game,” the competition between Russia and Britain for control of the region. Both European powers, whose respective spheres of control met in Xinjiang, believed they could one day gain possession of the region. *Id.*

nationalism.³⁴ After the incident, China reasserted its control of the region and deployed additional troops to dampen the potential for similar uprisings.³⁵ Until the late nineteenth century, in spite of almost 2000 years of contact, China had never really established hegemony over Xinjiang. China had occupied the region, brought parts of it into “tributary relations,”³⁶ and manipulated local politics,³⁷ however, the region was never successfully integrated into the Chinese empire. In 1884, Chinese designs on Xinjiang culminated in an Imperial declaration that Xinjiang was a province of China.³⁸ Notwithstanding the Imperial government’s official integration of Xinjiang, the region remained largely autonomous.³⁹

3. *Increased Unrest on the Frontier*

In the period between the fall of the Qing Dynasty in 1911 and “liberation” by the Chinese Communist Party in 1949, various rebellions and insurgencies attempted to establish an Islamic government free of Chinese rule.⁴⁰ In 1944, one of Xinjiang’s most prestigious Islamic leaders and scholars, Ali Han Tore, founded the East Turkestan Republic (ETR) in the Ili region.⁴¹ In a call to arms, the ETR government wrapped its intentions to chase the Chinese off Xinjiang soil in emotional, religiously-charged language:

³⁴ *Id.* Yaqub Beg was actually from a region now part of Uzbekistan, but he has been incorporated into Uighur lore as a nationalistic symbol of Uighur power. *Id.*

³⁵ MCMILLEN, *supra* note 23, at 19.

³⁶ The tribute system was a clear expression of Chinese chauvinism, as it rejected sovereign equality. The system rested on the Chinese belief that Chinese civilization was culturally and intellectually superior to that of its “barbarian” neighbors. When foreign states visited the Chinese sovereign, they were not treated as envoys of co-equal states. Rather, foreign “vassals” came before the Chinese emperor, the Son of Heaven, submitting to his virtue, compassion, and generosity, while admitting their own inferiority and agreeing to certain sinifications of their own societies. *See generally* MORRIS ROSSABI, CHINA AND INNER ASIA 19-22 (1975).

³⁷ *See* MCMILLEN, *supra* note 23, at 17.

³⁸ *See* K. Warikoo, *China and Central Asia: Review of Ching Policy in Xinjiang*, in ETHNICITY AND POLITICS IN CENTRAL ASIA 14-15 (K. Warikoo & Dawa Norbu eds., 1992). Concerned about the Russian threat to Chinese control of the region and determined to eliminate further disorder, the Imperial government integrated Xinjiang into the administration of China proper. *Id.*

³⁹ MCMILLEN, *supra* note 23, at 19.

⁴⁰ *See* BENSON, *supra* note 26, at 34-37.

⁴¹ *Id.* at 45.

The Turkestan Islam Government is organized: praise be to Allah for his manifold blessings! Allah be praised! The aid of Allah has given us the heroism to overthrow the government of the oppressor Chinese. But even if we have set ourselves free, can it be pleasing in the sight of our God if we only stand and watch while you, our brethren in religion . . . still bear the bloody grievance of subjection to the black politics of the oppressor Chinese? Certainly our God would not be satisfied. We will not throw down our arms until we have made you free from the five bloody fingers of the Chinese oppressors' power, nor until the very roots of the Chinese oppressors' government have dried and died away from the face of the earth of East Turkestan, which we have inherited as our native land from our fathers and our grandfathers.⁴²

Ultimately, the Chinese were forced to accept a system of regional power sharing. A 1946 peace accord formed a coalition government comprised of both Han Chinese and local representatives.⁴³ Neither side adhered to the terms of the 1946 agreement, and in 1947, the weak and ineffective coalition government dissolved.⁴⁴ In August 1949, as Communist troops stood poised to march into Xinjiang, an unexplained plane crash killed many of the region's Islamic leaders.⁴⁵ The crash dealt a critical blow to the ETR, as it eliminated the most effective and charismatic Uighur voices from post-liberation discussions on the future of Xinjiang.⁴⁶

4. *Liberation*

When the soldiers of the People's Liberation Army marched into Xinjiang, the long legacy of ethnic and religious tension, anti-Han sentiment, opposition, resentment, mistrust, and rebellion greeted them. In the previous 2000 years, although numerous Chinese regimes attempted to control the region through military colonization and Han immigration,

⁴² *Id.* at 45-46.

⁴³ *Id.* at 67-68. Though representatives from the local population played a limited role in the coalition government, the Chinese asserted administrative control of Xinjiang by dominating the ruling council and other key posts. *Id.*

⁴⁴ *Id.* at 128.

⁴⁵ *Id.* at 175-76.

⁴⁶ *Id.* at 176.

Chinese influence remained largely superficial.⁴⁷ The Communists quickly realized that integration of this distant and inhospitable land into the new People's Republic of China would not be easy.

B. *CCP'S Policy Towards National Minorities*

1. *The Winding Road Towards "Autonomy"*

The Chinese policy towards the people of Xinjiang is essentially integration with the implicit expectation of assimilation at a later date.⁴⁸ Integration comes in a variety of forms—the spectrum running from the more liberal, pluralism on one end, to the more conservative, assimilation, at the other.⁴⁹ Generally, Chinese policy towards Xinjiang has fallen between the two extreme ends of the spectrum, somewhere in the realm of accommodation. This brand of integration occurs without “insistence upon uniformity or elimination of all differences, other than the difference of each component group which would *disturb or inhibit the total unity*.”⁵⁰ Given that the central government may arbitrarily determine what constitutes a disturbance or inhibition of total unity, integration can very easily become assimilation.⁵¹ Moreover, communist rhetoric calls for the achievement of a common proletarian culture based on the blending of all nationalities; minorities are expected to ultimately adopt Han characteristics.⁵²

Since “liberation” in 1949, the central government's integration policies toward Xinjiang have followed a path running parallel to concerns

⁴⁷ MCMILLEN, *supra* note 23, at 26.

⁴⁸ Political integration is the process through which an ethnic group shifts loyalties, expectations, and political activities toward a new center, whose institutions welcome the group under an umbrella of jurisdictional protection. JUNE TEUFEL DREYER, *CHINA'S FORTY MILLIONS* 1 (1976).

⁴⁹ Assimilation “implies that members of minority groups have absorbed the characteristics of the dominant group to the exclusion of their own and become indistinguishable from members of the majority.” (The English term *assimilation* corresponds to the Chinese term *tonghua*, literally “to make the same.”) Pluralism describes a system in which the “various ethnic groups follow their own system and maintain their own characteristics quite freely in a relationship of mutual interdependence, respect, and equality.” COLIN MACKERRAS, *CHINA'S MINORITIES: INTEGRATION AND MODERNIZATION IN THE TWENTIETH CENTURY* 7 (1994).

⁵⁰ PATRICK THORNBERRY, *INTERNATIONAL LAW AND THE RIGHTS OF MINORITIES* 4 (1991) (emphasis in original).

⁵¹ *Id.*

⁵² DREYER, *supra* note 48, at 262.

for territorial integrity and stimulation of greater Chinese nationalism. Policy and rhetoric toward Xinjiang has adjusted with the political ebb and flow of central government strategies, nevertheless, the underlying goals of quelling unrest, moving the Uighurs steadily towards assimilation, and ensuring continued control over the region have always guided central government decision-making.⁵³

2. *Early Policy: Unify and Conquer, Dangle the Carrot*

The CCP in its early adolescence (approximately 1925-1935) took the position that Mongolia, Tibet, and Xinjiang, should be “autonomous states” which would ultimately unite voluntarily with China in a federated republic.⁵⁴ The Communists crafted their rhetoric around the recognition that the minorities on China’s frontiers harbored both deep nationalist desires and strong fears of forced assimilation. In 1931, the Constitution of the Chinese Soviet Republic (“Jiangxi Constitution”)⁵⁵ emphasized the equality of minorities⁵⁶ and, in extremely generous language, recognized “the right of self-determination of the national minorities in China, their right to complete separation from China, and to the formation of an independent state for each national minority.”⁵⁷ The language of the Jiangxi Constitution, manifestly copied from the Soviet Union’s Constitution, reflected Lenin’s theory of self-determination for minority nationalities. Lenin argued that granting certain freedoms to minority nationalities would further calcify ties with the central government.⁵⁸ He viewed the slogan of self-determination as a tactical tool

⁵³ Gladney suggests that this is part of a process of “internal colonialism” which relies on “integration by immigration” to minoritize Uighurs and incorporate them into the Chinese state. See Dru C. Gladney, *Internal Colonialism and China’s Uyghur Muslim Minority*, INTERNATIONAL INSTITUTE FOR THE STUDY OF ISLAM IN THE MODERN WORLD NEWSLETTER, Oct. 1996, at 20-21, available at <http://isim.leidenuniv.nl/newsletter/1/regional/01AC23.html> (last visited Jan. 20, 2002) [hereinafter Gladney, *Internal Colonialism*].

⁵⁴ CONRAD BRANDT ET AL., A DOCUMENTARY HISTORY OF CHINESE COMMUNISM 64 (1959).

⁵⁵ *Id.* at 220-24.

⁵⁶ *Id.* Ostensibly, Chinese policy does not distinguish between different minority groups. Unless otherwise noted, the policies discussed in this paper apply to the Uighurs in Xinjiang as well as Mongolians, Tibetans, Miao, Yao, Koreans, and others living within Chinese territory. *Id.*

⁵⁷ See *id.* at 223.

⁵⁸ Lenin argued that the economic advantages of a large state would hinder urges for secession. See V.I. LENIN, SELECTED WORKS 159 (Lawrence & Wishart 1969); see

useful in the destruction of the old order and construction of a new one.⁵⁹ Following Lenin's lead, the CCP crafted Chinese policies with a big-picture approach. Where the Chinese policy of integration approached pluralism, however, the subtext was usually assimilation. As Wolfram Eberhard points out, Chinese policy was much more assimilative than the Soviet model and the overall emphasis was generally the superiority of Han Chinese culture.⁶⁰ In 1934, Mao acknowledged that the minority policy set out in the Jiangxi Constitution was merely a policy of appeasement, designed to enlist the support of minorities against the Guomindang (KMT) and imperialist forces.⁶¹ Consequently, both the option of secession and the promise of self-determination quickly evaporated once the rhetoric outlived its usefulness.⁶²

Ironically, although the CCP looked to the Soviet Union for policy guidance, in 1938, fears of Soviet designs on Xinjiang prompted the CCP's first significant rhetorical shift concerning the treatment of minorities.⁶³ In a November speech, Mao backed away from the language in the Jiangxi Constitution.⁶⁴ The CCP's new position eliminated both the possibility of secession and true self-determination.⁶⁵ Minorities would have equal rights with the Han and be encouraged to develop their own cultures, and not be forced to learn Chinese, and would control their own affairs—as long as they remained part of a unified state.⁶⁶ Many scholars

also GEORGE MOSELEY, *THE PARTY AND THE NATIONAL QUESTION IN CHINA* 70 (1966) ("We advocate the right to national self-determination not for the purpose of 'introducing' separation, but in order to promote and hasten the coalescing and harmonizing of nationalities in a democratic manner." (quoting Lenin)); see also David Deal, *Policy Towards Ethnic Minorities In Southwest China, 1927-1965*, in *JOURNAL OF ASIAN AFFAIRS*, at 31-38 (Tai S. Kang ed., 1976) (examining the Marxist-Leninist theoretical bases for Chinese Communist minority policy).

⁵⁹ See Deal, *supra* note 58, at 34.

⁶⁰ WOLFRAM EBERHARD, *CHINA'S MINORITIES: YESTERDAY AND TODAY* 158 (1982).

⁶¹ See generally Deal, *supra* note 58, at 34.

⁶² See generally *id.* at 31-36.

⁶³ See generally DREYER, *supra* note 48, at 70.

⁶⁴ EBERHARD, *supra* note 60, at 155.

⁶⁵ Deal, *supra* note 58, at 34.

⁶⁶ BAO GANG HE & YINGJIE GUO, *NATIONALISM, NATIONAL IDENTITY AND DEMOCRATIZATION IN CHINA* 173 (2000).

In 1945, Mao Zedong wrote, in 'On Coalition Government,' that the future People's China would "grant nations the right to be their own masters and to voluntarily enter into an alliance with the Han people All national minorities in China must create, along

have speculated that Mao, who bitterly resented Outer Mongolia's separation from China, feared Stalin might instigate a similar secession in Xinjiang.⁶⁷ Mao's speech signaled the end of promises of self-determination and the right to secede. In the years leading up to the founding of the PRC in 1949, the CCP introduced a new brand of rhetoric: unifying the nation by broadening the Chinese "family."

3. *Welcoming Minorities into the Chinese "Family"*

The next stage in the development of the minority policy reflects efforts by the CCP to unify the country and cultivate a sense of Chinese nationhood. The legitimacy of the new regime, in many ways, hinged upon the CCP's ability to create a Chinese national identity.⁶⁸ The nature of the Chinese Empire prior to 1949, in conjunction with the prolonged period of foreign (Manchu) rule, inhibited the development of Chinese nationalism.⁶⁹ Consequently, successful and lasting unification required stimulation of Chinese nationalist sentiment. In 1924, Dr. Sun Yat-sen, regarded as the father of modern China, highlighted the importance of instilling a sense of Chinese nationhood:

The Chinese people have shown the greatest loyalty to family and clan with the result that in China there have been family-ism and clan-ism but no real nationalism. Foreign observers say that the Chinese are like a sheet of loose sand The unity of the Chinese people has

voluntary and democratic lines, a federation of democratic republics of China." In later editions of Mao's *Selected Works*, however, this passage vanishes. The original words of "granting of the right to national self-determination to all national-minorities" are replaced by the phrase "the granting of the right to national autonomy to all minorities."

Id.

⁶⁷ DREYER, *supra* note 48, at 70.

⁶⁸ Habermas dramatically states: "a legitimacy crisis 'is directly an identity crises.'" LOWELL DITMER & SAMUEL KIM, *CHINA'S QUEST FOR NATIONAL IDENTITY* 9 (1993) (quoting Habermas). Ernst Haas asserted: "Legitimate authority under conditions of mass politics is tied up with successful nationalism; when the national identity is in doubt, one prop supporting legitimacy is knocked away. . . ." *Id.* (quoting Ernst Haas).

⁶⁹ The Chinese Empire was traditionally comprised of numerous ethnic groups and nationalities, borders were not fixed and its territorial expanse depended largely on the reigning emperor's power and ambition. See generally MARIA HSIA CHANG, *RETURN OF THE DRAGON: CHINA'S WOUNDED NATIONALISM* 49 (2001).

stopped short at the clan and has not extended to the nation.⁷⁰

Sun Yat-sen's words resonate throughout the early policy statements of the CCP.⁷¹ Preparing to declare the formation of the PRC, Mao realized Sun's observations revealed a critical aspect of Chinese society that the CCP could utilize in mobilizing the masses. Party rhetoric synthesized the concepts of nation and clan into a familial metaphor, declaring: "All nationalities within the boundaries of the People's Republic of China are equal. They shall establish unity and mutual aid among themselves, and shall oppose imperialism and their own public enemies so that the PRC will become a *big fraternal and cooperative family* composed of all its nationalities."⁷² CCP leaders attempted to cement the "loose sand" of disparate "Chinese" peoples together with the rhetorical glue of "family" interests. The Party's new language tried to inculcate both patriotism and the notion that "older brother" had arrived to assist his "younger brothers" develop their own languages, customs, religious beliefs, and traditions.⁷³ The Party assured its "younger brothers" that: "All minorities shall have freedom to develop their dialects and languages, to preserve or reform their traditions, customs, and religious beliefs. The People's Government shall assist the masses of the people of all minorities to develop their political, economic, cultural and educational construction work."⁷⁴ In the same pronouncement, however, the Party reaffirmed the indivisibility of minority nationalities from the PRC; any act leading to the split "of the

⁷⁰ SUN YATSEN, *THE THREE PRINCIPLES OF THE PEOPLE: SAN MIN CHU* 2, 5 (1990).

⁷¹ In a political report to the Party, Mao addressed the minority question: The CCP is in complete accord with Dr. Sun's racial policy . . . to assist the broad masses of the racial minorities, including their leaders who have connections with the people, to fight for their political, economic, and cultural emancipation and development, as well as for the establishment of their own armed forces that protect the interests of the masses. Their languages, customs, habits, and religious beliefs should be respected.

BRANDT, *supra* note 54, at 313 (quoting Mao Zedong, *On Coalition Government*, April 24, 1945, at 78).

⁷² COMMON PROGRAM OF THE CHINESE PEOPLE'S POLITICAL CONSULTATIVE CONFERENCE, art. 50 (Sept. 29, 1949) [hereinafter CPCPPCC], *reprinted in* FUNDAMENTAL LEGAL DOCUMENTS OF COMMUNIST CHINA, 51 (Albert P. Blaustein, ed., 1962) (emphasis added).

⁷³ *See generally* EBERHARD, *supra* note 60, at 157.

⁷⁴ CPCPPCC, art. 53.

unity of the various nationalities shall be prohibited.”⁷⁵ The CCP essentially offered its left hand to sustain minority culture, while its right erased any hope for true autonomy or self-determination.

4. *Creation of the Autonomous Regions*

By casting minority integration in familial terms and by renegeing on the promise of the right to secede, the CCP paved the way for the creation of autonomous minority regions. Many have argued that the long-term Chinese policy is founded on the principle that giving minority areas a degree of autonomy pacifies them by sustaining their own customs, religion, language, and limited self-government until the immigration of Han Chinese slowly changes the makeup of the population.⁷⁶ The potency and supremacy of Han Chinese culture stands as a strong and well-established principle in the Chinese worldview. Mencius (4th century B.C.)⁷⁷ commented: “I have heard of man using the doctrines of our great land to change barbarians, but I have never yet heard of any being changed by barbarians.”⁷⁸

⁷⁵ CPCPPCC, art 50.

⁷⁶ EBERHARD, *supra* note 60, at 162.

⁷⁷ Mencius was the second sage in the Confucian tradition. He expanded on Confucian thought by suggesting that human nature is inherently good. See DAVID HINTON, *MENCIUS* ix (1998).

⁷⁸ JAMES LEGGE, II *THE CHINESE CLASSICS* 253-54 (1960). Ming Dynasty philosopher-statesman Wang Yang-ming expressed a similar view in his prescription for governing the frontiers:

Barbarians are like wild deer. To institute direct civil service administration by Han Chinese magistrates would be like herding deer into the hall of a house and trying to tame them. In the end they merely butt over your sacrificial altars, kick over your tables, and dash about in frantic flight. In the wilderness districts, therefore, one should adapt one’s methods to the character of the wilderness On the other hand, to leave these tribal chiefs to themselves to conduct their own alliances or split up their domains is like releasing deer into the wilderness To fragment their domains under separate chiefs is to follow the policy of erecting restraining fences and is consonant with the policy of gelding the stallion and castrating the boar To set up independent chiefs without supervisory aides is like herding deer in enclosed gardens. Without watchers to guard the fences and prevent their goring and battling, they will leap the fences, bite through the bamboo screens, and wander far to trample the young crops. The presently established civil service aides are such guardians of the parks and fences.

DREYER, *supra* note 48, at 13.

When the XUAR was created 1955, CCP rhetoric was still tinged with overtones of the “Han man’s burden,”⁷⁹ and ultimate assimilation of the province through sinification was the long-term goal.⁸⁰ The idea of Han supremacy played well to Han audiences and the concept of Han unity was extremely useful to the Communists.⁸¹ They incorporated it into a Maoist-Leninist-Marxist ideology of progress that put the Han people in the “vanguard of the people’s revolution.”⁸² Minorities were encouraged to follow the “more advanced and civilized” Han example.⁸³ In a parallel effort, the CCP attempted to recast anti-Han sentiment in minority areas as anti-feudalistic, thereby transforming longstanding anti-Chinese feelings into part of the common struggle towards communism.⁸⁴ Mao’s recurring public condemnations of Han chauvinism supported the CCP promises of autonomy and racial harmony, and sugar-coated the bitter pill of increased Chinese domination.⁸⁵

Although the CCP has generally insisted that integration of minorities will be achieved by blending all the nationalities’ characteristics, the central government’s policies since 1949 suggest that “integration” often means modernization and sinification.⁸⁶ The reality is that forces of assimilation often ride the coattails of progress and economic development. An examination of the relevant laws on regional autonomy demonstrates that current policy is designed to placate, integrate, and then assimilate minority nationalities, including the Uighurs of Xinjiang.

⁷⁹ See DREYER, *supra* note 48, at 137.

⁸⁰ *Id.* at 262-65.

⁸¹ See DRU C. GLADNEY, *ETHNIC IDENTITY IN CHINA: THE MAKING OF A MUSLIM MINORITY NATIONALITY* 18 (1998) [hereinafter GLADNEY, *ETHNIC IDENTITY*].

⁸² *Id.*

⁸³ *Id.*

⁸⁴ See McMILLEN, *supra* note 23, at 24.

⁸⁵ Mao condemned Han chauvinism (*da Han zhuyi*) when he spoke “On the People’s Democratic Dictatorship” in 1954. Barry Sautman, *Ethnic Law and Minority Rights in China: Progress and Constraints*, *LAW & POL’Y*, July 1999, at 288.

⁸⁶ See DREYER, *supra* note 48, at 262-66.

III. ANALYSIS

A. *An Examination of Relevant Laws*

1. *Introduction*

In official pronouncements, Chinese officials often wave the banner of autonomy as evidence of magnanimous treatment of ethnic minorities. A Chinese “white paper” on regional autonomy proclaims: “[In the autonomous areas] organs of self-government are established for the exercise of autonomy and for people of ethnic minorities to become *masters of their own areas* and manage the internal affairs of their own regions.”⁸⁷ What it means to be a “master of one’s area” is unclear and western scholars often criticize the system as little more than “fake” or “paper autonomy.”⁸⁸ One scholar has even likened China’s autonomous areas to “political eunuchs serving at the pleasure of the Communist Court in Beijing.”⁸⁹ Under the current system, are the people of Xinjiang “masters of their own areas” or “political eunuchs?” Analysis of the relevant laws suggests the truth lies somewhere between the two extremes.

The 1949 Common Program of the Chinese People’s Political Consultative Conference (CPCPPCC) outlined the Party’s watered-down theory of national regional autonomy,⁹⁰ and in 1952, the Central People’s Government passed the General Program of the People’s Republic of China for the Implementation of Regional Autonomy for Minorities (General Program) to enable implementation of the Party’s theory.⁹¹ The right of interpretation and amendment of the General Program, however, rested solely with the central government.⁹² The goal of the General Program was to establish a pattern of conceding limited autonomy while ensuring the continued hegemony of the central government. The

⁸⁷ *National Minorities Policy and Its Practice in China at* [http://english.peopledaily.com.cn/whitepaper/1\(3\).html](http://english.peopledaily.com.cn/whitepaper/1(3).html) (last visited Feb. 8, 2002) (emphasis added) [hereinafter *National Minorities Policy*].

⁸⁸ Sautman, *supra* note 85, at 293.

⁸⁹ Binh Phan, *How Autonomous are the National Autonomous Areas of the PRC? An Analysis of Documents and Cases*, ISSUES AND STUDIES, July 1996, at 85.

⁹⁰ See generally CPCPPCC, *supra* note 72.

⁹¹ GENERAL PROGRAM OF THE PEOPLE’S REPUBLIC OF CHINA FOR THE IMPLEMENTATION OF REGIONAL AUTONOMY FOR NATIONALITIES art. 2, *reprinted in* FUNDAMENTAL LEGAL DOCUMENTS OF COMMUNIST CHINA 180-92 (Albert P. Blaustein, ed., 1962) [hereinafter GENERAL PROGRAM].

⁹² *Id.* art. 40.

language of the 1954 Constitution echoed the General Program, and granted autonomous areas powers of autonomy "within the limits of the authority prescribed by the Constitution and the law."⁹³ In fact, the limits on regional autonomy, as prescribed in the 1954 Constitution and the law, offer autonomous regions little legal security—the exercise of autonomy is subject to the central government's (and the Party's) discretion.⁹⁴ The question remains: Is this autonomy?

Although the term "autonomy" is not a term of art found in international or Constitutional law,⁹⁵ Hurst Hannum offers a working definition: "Personal and political autonomy is in some real sense the right to be different and to be left alone; to preserve, protect, and promote values which are beyond the legitimate reach of the rest of society."⁹⁶ While the language of the current Chinese laws on autonomy incorporates elements of this definition, the provisions granting autonomy are accompanied by contrary language that consistently and effectively cuts off any hope of theory becoming practice. Arguably, the relevant laws do

⁹³ P.R.C. CONST. (1954) § 5 art. 70, *reprinted in* FUNDAMENTAL LEGAL DOCUMENTS OF COMMUNIST CHINA, 1-33 (Albert P. Blaustein ed., 1962) [hereinafter P.R.C. CONST. (1954)].

⁹⁴ The 1954 Constitution asserts that the autonomous areas are inalienable parts of the PRC and provides that the NPC must approve all legislation at the local level. *See* P.R.C. CONST. (1954) art. 70 ("The organs of self-government . . . may draw up statutes governing the exercise of autonomy or separate regulations suited to the political, economic and cultural characteristics of the nationality or nationalities in a given area, which statutes and regulations are subject to endorsement by the Standing Committee of the National People's Congress.").

⁹⁵ *See* Hurst Hannum & Richard B. Lillich, *The Concept of Autonomy in International Law*, 74 AM. J. INT'L L. 858 (1980) (explaining that autonomy is "generally understood to refer to independence of action on the internal, or domestic area, as foreign affairs and defense normally are in the hands of the central or national government).

Autonomy is not a term of art or a concept that has a generally accepted definition in international law. While the degree of autonomy or self-government enjoyed by a territory often has been utilized by international legal scholars to determine in which category of special sovereignty or dependency—protectorate, vassal state, dependent state, colony, associated state, or other category—a territory should be placed, these categories often are overlapping and frequently subject to scholarly disagreement. Thus, autonomy is a relative term that describes the extent or degree of independence of a particular entity rather than defining a particular minimum level of independence that can be designated as the status of 'autonomy.'

Id. at 885.

⁹⁶ HURST HANNUM, AUTONOMY, SOVEREIGNTY, AND SELF-DETERMINATION: THE ACCOMMODATION OF CONFLICTING RIGHTS 4 (1990) [hereinafter HANNUM, AUTONOMY].

a clever dance around the issue of autonomy: an exercise aptly characterized by the phrase “give and take.”

2. *Granting Autonomy: “Give and Take”*

Today, the 1982 Constitution⁹⁷ and the 1984 Law on Regional National Autonomy (LRNA)⁹⁸ define the scope of Xinjiang’s autonomy. The Constitution outlines the system of regional national autonomy, while the LRNA functions as the basic law for the implementation of the system.⁹⁹ The Constitution and the LRNA represent variations on the same theme of “give and take.” They “give” autonomous areas rights and powers and then, by tying the exercise of these rights to central government approval, effectively “take” most of the rights away.

The 1982 Constitution contains sixteen articles (out of 138) that deal directly with the issue of autonomous areas. In a general statement of policy, Article 4 promises autonomy and self-government for areas with high concentrations of minority nationalities: “Regional autonomy is practiced in areas where people of minority nationalities live in concentrated communities; in these areas organs of self-government are established to exercise the right of autonomy.”¹⁰⁰ The ominous reminder of strong central control, however, promptly follows the promise of autonomy: “All the national autonomous areas are inalienable parts of the People’s Republic of China.”¹⁰¹ Most of the powers granted the autonomous areas by the Constitution are covered in Section VI of Chapter Three, entitled “The Organs of Self-Government of National Autonomous Areas.”¹⁰² Section VI provides that the administrative head of autonomous areas shall be a member of the regional nationality (Article 114); and gives the areas the following powers: autonomy in administering their finances (Article 117); independent administration of educational, scientific, cultural, public health and physical culture affairs (Article 119);

⁹⁷ *ZHONGHUA RENMIN GONGHEGUO XIANFA* [Constitution] (P.R.C.) (1982) (amended 1999), available at <http://english.peopledaily.com.cn/constitution/constitution.html> (last visited Feb. 26, 2002).

⁹⁸ *LAW OF THE P.R.C. ON REGIONAL NATIONAL AUTONOMY* [LRNA] (1984); see also *THE LAWS OF THE PEOPLE’S REPUBLIC OF CHINA* (1983-1986) 87-101 (1987), available at <http://www.moftec.gov.cn> (last visited Feb. 26, 2002).

⁹⁹ See LRNA, Preamble.

¹⁰⁰ P.R.C. CONST. art. 4.

¹⁰¹ *Id.*

¹⁰² See P.R.C. CONST. § 6.

the power to organize local security forces [with the approval of the State Council] (Article 120); and the right to employ the spoken and written language of the area when performing the functions of government [within the regulations on the exercise of autonomy] (Article 121).¹⁰³ According to Article 115, however, the rights granted in the above provisions are only applicable “within the limits of their authority as prescribed by the Constitution, the LRNA, and other laws.”¹⁰⁴ Article 116 helps clarify the “limits of their authority” and stands as a clear example of “give and take” in action.¹⁰⁵

Article 116 gives the autonomous regions broad authority and discretion to “enact regulations on the exercise of autonomy and other separate regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned.”¹⁰⁶ Article 116, however, further stipulates that any regulations related to the exercise of autonomy (local legislation) “shall be submitted to the Standing Committee of the National People’s Congress (NPC)¹⁰⁷ for approval *before* they go into effect.”¹⁰⁸ Thus, legislative power for the autonomous regions ultimately resides in Beijing. Under this system, the autonomous areas begin to appear more like “political eunuchs” than “masters of their own areas.” Ironically, under the 1982 Constitution, the central government imposes stricter legislative controls on the autonomous regions than it does the provinces.¹⁰⁹ The local legislatures at the provincial and municipal levels need only submit legislation to the NPC “for the record.”¹¹⁰ At the provincial level, the power to pass legislation

¹⁰³ *Id.* arts. 114, 117, 119, 120, 121.

¹⁰⁴ *Id.* art. 115.

¹⁰⁵ *Id.* art. 116.

¹⁰⁶ *Id.*

¹⁰⁷ The National People’s Congress is the highest organ of state authority and, theoretically, functions like the parliament of the P.R.C. *See generally* THOMAS CHIU ET AL., LEGAL SYSTEMS OF THE PRC 43-65 (1990).

¹⁰⁸ P.R.C. CONST. art. 116 (emphasis added).

¹⁰⁹ LIN FENG, CONSTITUTIONAL LAW IN CHINA 157 (2000) (noting that tighter controls are imposed on the autonomous regions than on provinces and municipalities).

¹¹⁰ P.R.C. CONST art. 100. “The people’s congresses of provinces and municipalities directly under the Central Government and their standing committees may adopt local regulations, which must not contravene the Constitution and the law and administrative rules and regulations, and they shall report such local regulations to the Standing Committee of the National People’s Congress for the record.” *Id.* (emphasis added).

is not contingent upon prior NPC approval, and therefore, the autonomous regions actually enjoy less legislative autonomy than ordinary provinces.¹¹¹

3. *The Law on Regional National Autonomy*

Although the LRNA is the most far-reaching legislation to date addressing the system of regional autonomy,¹¹² autonomous areas are still subject to the “despotism and arbitrary wills of authorities and functionaries [of the central government].”¹¹³ The CCP, however, insists that the LRNA gives autonomous areas more power than the Constitution grants the provinces and municipalities.¹¹⁴ Government news agencies following the Party line stress that the LRNA “takes into account the characteristics and special needs of the country’s autonomous areas and ensures the full exercise of autonomy by organs of self-government *which have bigger decision-making powers than other local governments.*”¹¹⁵ Nevertheless, the same limiting provisions that appear in the Constitution are also in the LRNA.¹¹⁶ While the LRNA is intended to implement regional autonomy and “giv[e] full play to the initiative of all nationalities as masters of the country,”¹¹⁷ the wording ensures that for almost every “give” there is a corresponding “take.” Even a cursory look at the law reveals that the backdrop for autonomy’s implementation is a tightly woven net of assurances that no region will ever have any serious degree of self-government.¹¹⁸ The early articles of the LRNA set the stage by highlighting the unity of the nation, stressing subordination to the central government, and making the inherent limitations on autonomy abundantly clear:

The organs of self-government of national autonomous areas must uphold the unity of the country and guarantee

¹¹¹ LIN FENG, *supra* note 109, at 157.

¹¹² THOMAS HEBERER, CHINA AND ITS NATIONAL MINORITIES: AUTONOMY OR ASSIMILATION 43 (1989).

¹¹³ *Id.*

¹¹⁴ *See infra* note 115.

¹¹⁵ *See Self Government*, <http://www.china.org.cn/e-groups/shaoshu/self.htm> (emphasis added).

¹¹⁶ *See generally* LRNA art. 19; P.R.C. CONST. art. 116.

¹¹⁷ LRNA, Preamble.

¹¹⁸ *See infra* notes 119-22.

that the Constitution and other laws are observed and implemented in these areas.¹¹⁹

The organs of self-government of national autonomous areas shall place the interests of the state as a whole above anything else and make positive efforts to fulfill the tasks assigned by state organs at higher levels.¹²⁰

The people's governments of all national autonomous areas shall be administrative organs of the state under the unified leadership of the State Council and *shall be subordinate to it*.¹²¹

The regulations on the exercise of autonomy and separate regulations of autonomous regions shall be submitted to the Standing Committee of the National People's Congress for approval before they go into effect.¹²²

The above limitations give the central government broad power and discretion to suppress or allow, almost any exercise of regional autonomy.¹²³ It is clear from these articles that the CCP intends to exert broad and effective political control over the entire state. The strong power of the central government has led Hurst Hannum to observe: “[T]he present Chinese system does not grant meaningful political autonomy to [the autonomous areas].”¹²⁴

Even in the LRNA, autonomy remains elusive—the rhetorical game of “give” and “take” found throughout the Constitution still dominates. For example, Article 20 grants autonomous areas discretion in implementing national policy: “If a resolution, decision, order or

¹¹⁹ LRNA art. 5.

¹²⁰ *Id.* art. 7.

¹²¹ *Id.* art. 15 (emphasis added).

¹²² *Id.* art. 19 (verbatim copy of P.R.C. CONSTITUTION art. 116, *see supra* note 105).

¹²³ LIN FENG, *supra* note 109, at 158 (observing that although the autonomous regions have an amount of autonomy in certain areas, *there is no political autonomy*).

¹²⁴ HANNUM, AUTONOMY, *supra* note 96, at 426-27. Hannum continues: “The CCP exercises effective political control over the entire state, and even the formal constitutional provisions relating to autonomous regions offer little opportunity for true self-government. While there is some room for local variations in implementing national plans, China remains a centralized, unitary state.” *Id.*

instruction of a state organ at a higher level does not suit the conditions in a national autonomous area, the organ of self-government of the area may either implement it with certain alterations or cease implementing it.”¹²⁵ Subsequent language limits this, however, by requiring state approval before the autonomous area may exercise discretion. Autonomous areas may alter or cease implementing an order from the central government only “*after reporting to and receiving the approval of the state organ at a higher level.*”¹²⁶ In other places, the “give” and “take” is more subtle. Articles 25 through 33 of the LRNA outline various economic powers and although autonomous areas are free to independently administer the provisions, each is ultimately subject to state guidance and planning.¹²⁷ While the LRNA does not grant the autonomous areas any degree of true political autonomy, the central government does offer the regions a degree of political latitude on “soft issues.”¹²⁸ These “soft issues” are essentially administrative functions and do not pose a serious threat to the political legitimacy of the central government.¹²⁹

The LRNA gives the autonomous areas the right to control their own policies on education (Articles 36 and 37), cultural development (Article 38), technological/scientific advancement (Article 39), medical and health services (Article 40), sports and physical fitness (Article 41), inter-regional cultural exchanges (Article 42), and environmental protection (Article 45).¹³⁰ Of this group, only Article 42, which covers international educational-cultural exchanges, is reigned in by the phrase, “in accordance with relevant state provisions.”¹³¹ The central government recognizes that cross-border exchanges spawn dangerous possibilities. For example, such exchanges might facilitate an opportunity for Xinjiang separatists to plot with Central Asian counterparts. The state, therefore, retains the power to curb the autonomous areas’ discretion with regard to such interactions.¹³² So, while the central government grants the autonomous areas some latitude, the policy of “soft issue” autonomy

¹²⁵ LRNA art. 20.

¹²⁶ *Id.* (emphasis added).

¹²⁷ *Id.* arts. 25-33.

¹²⁸ Phan, *supra* note 89, at 99.

¹²⁹ *Id.* at 99-100.

¹³⁰ LRNA arts. 36-42, 45.

¹³¹ *Id.* art. 42

¹³² Phan, *supra* note 89, at 100.

functions primarily as a carrot for the autonomous regions without posing any serious threat to continued central government control.

4. *Does Xinjiang's autonomy meet international standards?*

Although “autonomy” is somewhat of a slippery term—difficult to define with universal criteria—scholars recognize some minimum powers that distinguish an autonomous territory.¹³³ Hannum and Lillich outline five basic principles applicable to an autonomous territory: 1) independent legislature; 2) locally chosen chief executive; 3) independent judiciary; 4) status of autonomy consistent with powers granted; 5) autonomy and self-government are consistent with power-sharing arrangements.¹³⁴ Application of these five principles demonstrates that Xinjiang's autonomy does not satisfy even the minimum standard.

The first principle requires an independent local legislative body whose decisions are not subject to veto by the principal/sovereign government unless those decisions exceed its competence or are otherwise inconsistent with basic constitutional precepts.¹³⁵ Article 116 of the 1982 Constitution and Article 19 of the LRNA both specify that legislation in the autonomous regions must receive approval from the National People's Congress *before* it goes into effect.¹³⁶

The second principle states that the chief executive is chosen locally.¹³⁷ Article 17 of the LRNA states that the chairman of an autonomous region shall be a citizen of the nationality exercising regional autonomy in the area. However, even when the chairman is a citizen of the nationality exercising regional autonomy, he is not chosen locally.¹³⁸

The third principle calls for an independent local judiciary.¹³⁹ While Article 47 of the LRNA guarantees the right to use the spoken and written languages of the region in court proceedings, Article 46 specifies that local courts in Xinjiang are subject to supervision by the Supreme

¹³³ Hannum & Lillich, *supra* note 95, at 886.

¹³⁴ *Id.* at 886-87.

¹³⁵ *Id.* at 887.

¹³⁶ *See* P.R.C. CONST. art. 116; LRNA art. 19.

¹³⁷ Hannum & Lillich, *supra* note 95, at 887.

¹³⁸ LIN FENG, *supra* note 109, at 160 (“Local governments, including local people's congresses, local people's governments and judicial organs do not, in practice, have much say in the selection of candidates.”).

¹³⁹ Hannum & Lillich, *supra* note 95, at 887.

People's Court. The courts of regional autonomous areas are clearly not independent.¹⁴⁰

The fourth principle asserts that denial of local authority over specific areas of special concern to the principal/sovereign government is consistent with the status of autonomy, as opposed to reservation by the sovereign of general discretionary powers.¹⁴¹ As evidenced in Article 15 of the LRNA,¹⁴² the hand of the central government reaches far beyond "areas of special concern." Beijing reserves absolute discretion in the implementation of autonomy—the centralized, hierarchical structure of the state is supreme.¹⁴³

Finally, the fifth principle states that full autonomy and self-government are consistent with power-sharing arrangements between the central and autonomous governments in such areas as control of ports, exploitation of natural resources, police powers, and implementation of national (central) legislation and regulations.¹⁴⁴ Although there is some joint central/autonomous region power-sharing in arrangements regarding oil extraction,¹⁴⁵ generally, the central government maintains exclusive power to dictate the terms of power-sharing. For example, Article 31 of the LRNA allows Xinjiang to independently allocate natural and industrial resources, but only after fulfilling quotas prescribed by the central government.¹⁴⁶ Allocation of local police powers provides another example of the ubiquitous hand of the central government. The LRNA affords Xinjiang a degree of local police power, but once again only

¹⁴⁰ It should be noted that there is no judicial autonomy anywhere in China. See generally Michael Dowdle, *Realizing Constitutional Potential: The National People's Congress is Beginning to Assert its Constitutional Authority*, CHINA BUSINESS REVIEW, Nov. 1996, at 30-37 (noting that the legal system is subject to the political authority of the CCP).

¹⁴¹ Hannum & Lillich, *supra* note 95, at 887.

¹⁴² LRNA art. 15 ("The people's governments of all national autonomous areas shall be administrative organs of the state under the unified leadership of the State Council and shall be subordinate to it.").

¹⁴³ DOCUMENTS ON AUTONOMY AND MINORITY RIGHTS 192 (Hurst Hannum ed., 1993) [hereinafter DOCS. ON AUTONOMY].

¹⁴⁴ Hannum & Lillich, *supra* note 95, at 887.

¹⁴⁵ Sautman, *supra* note 85, at 294 ("For example 30 percent of tax income from oil extracted in Xinjiang goes to local government.").

¹⁴⁶ LRNA art. 31 ("The organs of self-government of national autonomous areas shall independently arrange for the use of industrial, agricultural, and other local and special products *after fulfilling the quotas for state purchase and for state distribution at a higher level.*") (emphasis added).

subject to Beijing's discretion.¹⁴⁷ The above examples demonstrate that the central government typically denies autonomous areas local authority by making local power subject to central supervision and approval.¹⁴⁸ Therefore, according to the five part Hannum/Lillich standard, Xinjiang fails to meet even one of the basic principles of autonomy.¹⁴⁹

Analysis of the laws governing autonomy in Xinjiang reveals that many of the rights granted in the LRNA are merely restatements of basic rights already granted under the 1982 Constitution.¹⁵⁰ Moreover, both the Constitution and the LRNA utilize the "give" and "take" approach, a policy reminiscent of Mao's early carrot-dangling appeasement of minorities.¹⁵¹ What does autonomy for Xinjiang actually mean? Some have argued that "autonomy," as defined by the Constitution and implemented by the LRNA, ultimately amounts to little more than a different way of describing the central-local relationship.¹⁵² The primary difference between autonomous regions and other local governments is the incorporation of so-called autonomous rights into national legislation (i.e., the LRNA). In contrast, the relationship between the central government and the provinces and municipalities is controlled by administrative measures.¹⁵³ Actually, there is little difference in the substantive powers enjoyed by autonomous regions and the provinces.¹⁵⁴

¹⁴⁷ LRNA art. 24 ("The organs of self-government of national autonomous areas may, in accordance with the military system of the state and practical local need and *with the approval of the State Council*, organize local public security forces for the maintenance of public order.") (emphasis added).

¹⁴⁸ See LRNA arts. 15, 19.

¹⁴⁹ Some may observe that Article 11 of the LRNA does "guarantee the freedom of religious belief to citizens of the various nationalities." While quite relevant for predominantly Muslim Xinjiang, this carries little import, as only "normal" religious activities are protected and the state decides the standards of normality. See LRNA art. 11. It is also important to note that, as Hannum and Lillich point out, the granting of cultural or religious autonomy, even when coupled with administrative control over areas such as education, does not rise to the level of "autonomy" because it does not include sufficient political or legal control over internal matters. See Hannum & Lillich, *supra* note 95, at 888.

¹⁵⁰ Compare P.R.C. CONST. § 6 (outlining the system of self-government for autonomous areas) *with* LRNA.

¹⁵¹ See *supra* text 12-13.

¹⁵² See LIN FENG, *supra* note 109, at 158.

¹⁵³ See *id.*

¹⁵⁴ *Id.*

B. *Autonomy: A Salve for China's 'Splittist' Headache*

If the autonomous areas are, in fact, not autonomous, why has the Chinese government gone to such great lengths to create a system of faux-autonomy? A Chinese “white paper” addressing regional autonomy offers three reasons for the system: “First, it conforms to the conditions and historical traditions of China, because China has been a centralized and united country over a long period of time.”¹⁵⁵ Second, the “white paper” asserts that in light of historical interactions between China’s ethnic groups, the current autonomy regime establishes “a relationship in which cooperation and mutual assistance [between the Han majority and minority ethnicities], rather than separation, is the best choice for them.”¹⁵⁶ Finally, the common task and destiny of struggling against imperialism and feudalism and striving for liberation necessitates a united political and social front.¹⁵⁷ This rationale reflects the fact that Chinese leaders recognize, now more than ever, the importance of emphasizing the unity of the nation, legitimacy of the regime, and inclusiveness of the Chinese state—especially in minority regions.¹⁵⁸ In its dealings with Xinjiang, the party walks a fine line between encouraging a safe amount of autonomy (thereby placating and neutralizing independence-minded Uighurs) and breeding local nationalism or even more dangerous, “splittism”—the drive for separation from the national body politic.

Until the early 1990’s, many scholars dismissed Uighur separatists as only a minor nuisance, posing no real threat to central authority.¹⁵⁹ Mainstream scholars believed that the Uighurs, as well as Hui, Kazaks, and Tajiks, were marginal minorities on the road to assimilation into the Chinese mainstream.¹⁶⁰ Following the 1991 collapse of the Soviet Union and the subsequent emergence of the independent Central Asian states, separatists in Xinjiang mobilized to carve out a similar independent niche

¹⁵⁵ See *National Minorities*, *supra* note 87.

¹⁵⁶ *Id.*

¹⁵⁷ *Id.*

¹⁵⁸ Dru C. Gladney, *Economy and Ethnicity: the Revitalization of a Muslim Minority*, THE WANING OF THE COMMUNIST STATE: ECONOMIC ORIGINS OF POLITICAL DECLINE IN CHINA AND HUNGARY 242-66 (Andrew Walder ed., 1995) [hereinafter Gladney, *Economy and Ethnicity*].

¹⁵⁹ See GLADNEY, *ETHNIC IDENTITY*, *supra* note 81, at 170.

¹⁶⁰ See *id.*

for themselves.¹⁶¹ In the last ten years, the central government has blamed Uighur separatists for riots, assassinations, arms-smuggling, and hundreds of explosions, including bus bombs in Beijing and Wuhan.¹⁶² In response to the escalation of violence, the government launched a “Strike Hard” campaign to eradicate crime and crack down on Uighur “splittists.”¹⁶³ The Xinjiang Public Security Bureau¹⁶⁴ announced that after launching the campaign, it captured more than 2,700 terrorists, murderers, and other criminals in the span of two months.¹⁶⁵

The Uighur response to the “Strike Hard” campaign has been an increase in violence and anti-government protests. In February 1997, before authorities clamped down, hundreds of Uighurs took to the streets in Yining shouting “God is Great” and “Independence for Xinjiang.”¹⁶⁶ The “Yining incident,” the largest publicly known “splittist” protest, left at least ten dead and hundreds injured.¹⁶⁷ The central government is, naturally, quite concerned about the Uighur separatist threat. Although there is no right to secession under international law, there is also no prohibition on forcible division of an existing state, so long as it does not result from an unlawful outside intervention.¹⁶⁸ Today’s government in Beijing recognizes that the separatist problems in Xinjiang are more than minor nuisances.¹⁶⁹ In April 2001, Abulahat Abdurixit, chairman of the XUAR stated that, “[T]he sabotage activities carried out by ethnic separatist elements are the greatest threat to stability and public order in

¹⁶¹ *China: Xinjiang Government Head Supports Opposing Terrorism, Separatism*, BBC Monitoring Service, Oct. 9, 2001 (Ta Kung Pao, Oct. 2, 2001), LEXIS, News Group File (quoting Abulahat Abdurixit, chairman of the XUAR People’s Government).

¹⁶² See Melinda Liu, *Trouble in Turkestan*, NEWSWEEK, July 10, 2000, at 45 [hereinafter Liu, *Trouble*].

¹⁶³ RUDELSON, *supra* note 7, at 171.

¹⁶⁴ The Public Security Bureau (PSB) is the law enforcement agency charged with maintenance of the criminal law and public administration. See CHIU, *supra* note 107, at 93-97 (providing a general overview of the duties and powers of the PSB).

¹⁶⁵ RUDELSON, *supra* note 7, at 171.

¹⁶⁶ See Pomfret, *Separatists Defy Chinese* *supra* note 8; see also AMNESTY REP., *supra* note 18, at 18-20 (describing the 1997 Yining incident and its context).

¹⁶⁷ Pomfret, *Separatists Defy Chinese* *supra* note 8.

¹⁶⁸ DOCS. ON AUTONOMY, *supra* note 143, at xiv.

¹⁶⁹ See *China: Xinjiang Leader Promises Crackdown*, *supra* note 16.

Xinjiang.”¹⁷⁰ The central government has attempted to remedy its “splittist headache” with a strong police presence (i.e., the “Strike Hard” campaign) and a combination of economic and population policies.

The central government is quite aware that the growing economic disparity between ethnic minorities and Han Chinese fans the fires of separation and strengthens the cause of the separatist movement.¹⁷¹ In 1994, *China Today* recognized that of the eighty million people living under the poverty line, eighty percent (sixty-four million) live in minority areas.¹⁷² The 1994 State Ethnic Affairs Commission report to the CCP Central Committee notes: “[M]inority nationalities are complaining that all the rich are Han people and that the Communist Party could not care less about the minorities. This problem, if ignored, surely will deepen nationality contradictions.”¹⁷³ Recognizing a serious threat to stability, the central government responded by initiating a campaign to develop the west and made changes to the LRNA designed to foster economic development in the autonomous areas. In 1999, Beijing launched the “Go West” plan, an aggressive economic program to develop China’s western regions.¹⁷⁴ The plan primarily emphasizes large infrastructure projects—including roads, airports, railroads, and a gas pipeline from Xinjiang to Shanghai.¹⁷⁵ Critics have pointed out that the program does little to alleviate poverty and fails to address the role of the state in the economy—one of the primary reasons for Xinjiang’s economic backwardness.¹⁷⁶ Four-fifths of the province’s industrial assets remain in state hands, in contrast to prosperous southern provinces such as Guangdong, where

¹⁷⁰ *Id.*

¹⁷¹ Linda Benson, in her book on the Ili Rebellion, notes that economic factors helped push Xinjiang to rebellion in the 1940’s. See generally BENSON, *supra* note 26, at 37.

¹⁷² *China: A United Country of 56 Ethnic Groups*, CHINA TODAY, Dec. 12, 1994, at 7.

¹⁷³ Cited in Sautman, *supra* note 85, at 302.

¹⁷⁴ “West” refers to the provinces of Sichuan, Gansu, Guizhou, Yunnan, Qinghai, Shaanxi, Ningxia, Tibet and Xinjiang, in addition to the municipality of Chongqing. See *Go West, Young Han*, THE ECONOMIST, Dec. 23, 2000 [hereinafter *Go West*, ECONOMIST].

¹⁷⁵ John Pomfret, *Go West, Young Han; Beijing Urging Dominant Ethnic Group to Resettle, Develop Restive Regions*, WASH. POST, Sept. 15, 2000, at A01 [hereinafter Pomfret, *Go West*].

¹⁷⁶ *Go West*, ECONOMIST, *supra* note 174.

private business accounts for two-thirds of economic output.¹⁷⁷ Some have argued that the “Go West” drive demonstrates the central authorities are much more interested in Xinjiang’s resources than its people.¹⁷⁸ These development projects serve the dual purpose of facilitating extraction of Xinjiang’s resources and encouraging Han migration—a significant counterthrust to Uighur unrest.

Although much about the “Go West” campaign makes little sense if the government’s goal is poverty alleviation, from a security point of view, the plan is quite logical.¹⁷⁹ Every new project takes more Han Chinese to Xinjiang, and according to many estimates, 250,000 Han move to Xinjiang each year.¹⁸⁰ Indeed, fifty years ago, only fifteen percent of Xinjiang’s population was Han, now that number stands at forty percent. In Urumqi, the capital of the province, the population shift is dramatically apparent—Han Chinese now account for eighty-five percent of the population.¹⁸¹ Arslan Alptekin, leader of 50,000 Uighur exiles in Turkey laments, “We are afraid that we will go the way of Inner Mongolia, where Han Chinese outnumber Mongolians six to one, and Tibet, where Han outnumber Tibetans three to one.”¹⁸² A young Uighur in Xinjiang vents his frustration with the influx of Han Chinese to Xinjiang: “Look, I am a strong man, and well-educated. But Chinese firms won’t give me a job. Yet go down to the railway station and you can see all the Chinese who’ve just arrived. They’ll get jobs. It’s a policy, to swamp us.”¹⁸³ The “Go West” campaign may well be China’s version of the Trojan Horse—the pretext of economic assistance may cover the Han forces of assimilation.¹⁸⁴

In an effort to both demonstrate its commitment to the autonomous regions and placate the restive factions in Xinjiang, the NPC recently made several legislative changes. In February 2001, the NPC amended

¹⁷⁷ Clara Li, *Bountiful Region is Envy of the Neighborhood; Xinjiang Playing a Crucial Role in Development Drive*, SOUTH CHINA MORNING POST, May 18, 2001, at supp. 2.

¹⁷⁸ See *Go West*, ECONOMIST, *supra* note 174.

¹⁷⁹ *Id.*

¹⁸⁰ Pomfret, *Go West*, *supra* note 175.

¹⁸¹ Liu, *Trouble*, *supra* note 162.

¹⁸² Mark O’Neil, *A Life in Forgotten Exile*, SOUTH CHINA MORNING POST, May 15, 2001, at 15.

¹⁸³ *Go West*, ECONOMIST, *supra* note 174.

¹⁸⁴ Phan, *supra* note 89, at 100.

the LRNA, adding seven new articles to the document.¹⁸⁵ Language in the preamble was changed to reaffirm the government's commitment to the principle of regional autonomy.¹⁸⁶ Whereas before regional autonomy was "an important political system of the state," it has now been upgraded to "a basic political system of the state."¹⁸⁷ This semantic shift is supposed to demonstrate the redoubled seriousness of the central government and thereby promote national solidarity.¹⁸⁸ Other changes in the LRNA have the dual purpose of accelerating economic and social development and promoting national solidarity. For example, the revised law stipulates that the state will formulate preferential policies to guide and direct foreign and domestic capital into autonomous regions.¹⁸⁹ Another revision to the LRNA states that the central government should give "a certain level of financial compensation" to autonomous regions that supply natural resources.¹⁹⁰ Li Peng, NPC Standing Committee Chairman, recently stressed the importance of the LRNA at a forum on Regional Autonomy law.¹⁹¹ Li emphasized the NPC's commitment to fully implementing the law at all levels of government.¹⁹² Interestingly, both Li's statement and the changes to the LRNA refer to preferential economic treatment and development policies for the autonomous regions; but none of the changes actually addresses autonomy.¹⁹³

C. *The Party's Perspective: Stability and Progress*

If one examines China's Xinjiang policy from the CCP's perspective, China has been extremely magnanimous. The central government has stressed the equality of the nationalities, encouraged

¹⁸⁵ *Jiang Zemin signs order announcing revision of minority self-rule law*, BBC Monitoring Service, Mar. 1, 2001 (XINHUA NEWS AGENCY, Feb. 28, 2001), LEXIS, NEWS GROUP FILE [hereinafter *Jiang signs order*].

¹⁸⁶ *See id.*

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ *Id.*

¹⁹⁰ *Id.*

¹⁹¹ *China's Li Peng Addresses Forum on Regional National Autonomy Law*, BBC Monitoring Service, Dec. 7, 2001 (XINHUA NEWS AGENCY, Dec. 6, 2001), LEXIS, NEWS GROUP FILE.

¹⁹² *See id.*

¹⁹³ *See Jiang Signs Order, supra* note 185.

development of minority cultures, facilitated the perpetuation of indigenous languages, and given Xinjiang the right to autonomy within the unified state.¹⁹⁴ News releases by the XUAR People's Government stress that Xinjiang enjoys social stability, economic prosperity, unity, and strong frontier defense.¹⁹⁵ Abulahat Abdurixit has emphasized that although the struggle against separatism has not stopped, at present, society is stable and the economy is developing at a high speed.¹⁹⁶ He further asserts that the situation of Xinjiang is currently better than ever before in its history.¹⁹⁷ Abdurixit notes:

Xinjiang has ensured the total equality of the people of various nationalities and guaranteed national minorities' rights to being masters of their own fates. Various national minorities' languages and living customs are fully respected and reserved. National minorities have their schools, characters, languages, papers, journals, and television and radio programmes.¹⁹⁸

Indeed, many of the Uighurs in Xinjiang recognize they are better off economically, and in some ways politically, than their Central Asian neighbors.¹⁹⁹ The political and ethnic problems of the Central Asian states highlight that, as the CCP regularly stresses, Xinjiang enjoys relative stability. Thus, Uighur demands for greater autonomy or independence should be balanced against the potential opportunity costs such action would entail. As Dru Gladney points out, the challenge to the central government is to convince the people of Xinjiang that they will benefit more from cooperation within the Chinese regime than from resistance against it.²⁰⁰

¹⁹⁴ See generally P.R.C. CONST. and LRNA.

¹⁹⁵ *Basic Facts about Xinjiang and Ideas on Implementation of Western Region Development*, People's Government of the Xinjiang Uygur Autonomous Region, Sept. 26, 2000, at <http://www.china.org.cn/e-news/news17.htm> (last visited Feb. 8, 2002).

¹⁹⁶ *Chinese Officials Say Not Much Terrorism in Xinjiang*, BBC Monitoring Service, Sept. 4, 2001 (TA KUNG PAO, Hong Kong, Sept. 2, 2001), LEXIS, NEWS GROUP FILE.

¹⁹⁷ *Id.*

¹⁹⁸ *Id.*

¹⁹⁹ GLADNEY, *ETHNIC IDENTITY*, *supra* note 81, at 171.

²⁰⁰ *Id.*

IV. CONCLUSION

While many dismiss the autonomy of Xinjiang as fake, or “paper autonomy,” even critics must concede that current implementation of the 1982 Constitution and the 1984 Law on Regional National Autonomy give Xinjiang a greater framework for autonomy than ever before. It is, however, clearer now than ever that true self-determination is not an option for Xinjiang. The Constitutional “give and take” is designed to give minorities, such as the Uighurs, a degree of autonomy that allows them to flourish, while solidifying the unified leadership of the CCP and gradually integrating (and assimilating) the Uighurs into the Han framework. The policy of autonomy, however, operates in conjunction with economic and population policies. This has meant giving Xinjiang autonomy on “soft issues,” i.e., encouraging celebration of Uighur ethnicity, encouraging Han resettlement to Xinjiang, while suppressing Uighur separatism. This cohesive plan addresses the CCP’s primary concerns of maintaining territorial integrity and holding the nation together.

Indeed, if China hopes to hold together the modern “sheet of loose sand” that is the Chinese nation, it is difficult to conceive of any other feasible policy toward Xinjiang. Although it is difficult to gauge popular support for Xinjiang’s independence movement, if the fruits of economic development continue to accrue asymmetrically, bitterness towards Han dominance will certainly increase. Alternatively, if prosperity does trickle down into Uighur communities, the contrast between Xinjiang and its independent Central Asian neighbors will pose a potentially powerful incentive to accept Beijing’s control.

Although the central government recently highlighted the system of regional autonomy as a “basic political system of the state,” there is little reason to believe the central government will loosen its tight grip on the political reins controlling Xinjiang.²⁰¹ Prospects for expanding the autonomy regime in the near future appear bleak.²⁰² The continued legitimacy and security of the Communist regime, the importance of the region, the frightening implications of a domino effect, and the need to sustain a healthy amount of nationalism, all militate against true autonomy or self-determination for Xinjiang. Given the goals of current policy,

²⁰¹ Potential for further study exists in a comparative analysis of Xinjiang’s autonomy with that of a less sensitive autonomous region such as Ningxia or Guangxi.

²⁰² It is possible that as the Han population in Xinjiang increases, the region will become more stable and the central government will allow a gradual expansion of autonomy. Such an expansion of autonomy, however, will likely apply to economic matters and will not broaden political powers.

“autonomy” for Xinjiang means modernization, sinification, and ultimately, integration into the Han framework.

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