



MUSLIM INTERSCHOLASTIC
TOURNAMENT

THE CONVICTION IN COURAGE: FINDING THE BALANCE BETWEEN FEAR AND RISK

NATIONALS - MIST QUIZ BOWL TOPIC 3

Contemporary Conflicts Part III:
China
United States of America



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UYGHUR CRISIS IN CHINA

Overview

[Taken from Ted Regencia, Al Jazeera](#)

In the late summer of 2018, the United Nations revealed that at least a million Uighurs had been detained in “counter-extremism centres” in China’s Xinjiang province, thrusting the treatment of a once-obscure mostly Muslim ethnic group into the spotlight.

The report also revealed that a further two million Uighurs had been “forced into so-called re-education camps for political and cultural indoctrination” beginning in the middle of 2017. Other reports put the figure at one million.

The detentions, forcible training as well as alleged abuses inside enclosed government facilities were later described by the United States and many international human rights groups as a form of genocide constituting “crimes against humanity”.

China has rejected the allegations, saying its policies towards the Uighurs and other Muslim minorities living in its far western region, are necessary to “fight extremism” and to promote upward economic mobility for the impoverished ethnic groups.

Background Information & History

The Uyghurs (Uighurs)

[Taken from BBC News](#) and from [Ted Regencia, Al Jazeera](#)

There are about 12 million Uyghurs, mostly Muslim, living in Xinjiang, which is officially known as the Xinjiang Uyghur Autonomous Region (XUAR). They have been practicing Islam for centuries, tracing their religious influence to the Karakhanid, a Turkic fiefdom that ruled Central Asia from the 9th to the 13th century. In previous centuries, Uighurs followed other religions including Zoroastrianism and Buddhism.

The Uyghurs speak their own language, which is similar to Turkish, and see themselves as culturally and ethnically close to Central Asian nations. They make up less than half of the Xinjiang population.

Recent decades have seen a mass migration of Han Chinese (China's ethnic majority) into Xinjiang, allegedly orchestrated by the state to dilute the minority population there. China has also been accused of targeting Muslim religious figures and banning religious practices in the region, as well as destroying mosques and tombs. Uyghur activists say they fear that the group's culture is under threat of erasure.



Xinjiang

Taken from BBC News and from Ted Regencia, Al Jazeera

Xinjiang, a Chinese term meaning “new frontier or “borderland”, lies in the north-west of China and is the country's largest region. Because of its location along the ancient Silk Road, Xinjiang has a long history of cross-migration by different minority groups. Like Tibet, it is autonomous, meaning - in theory - it has some powers of self-governance. But in practice, both regions are subjected to major restrictions by the central government. In China, it has been officially referred to as the Xinjiang Uighur Autonomous Region (XUAR) since 1955. Other ethnic groups including Han Chinese, Kazakhs, Kyrgyz, Mongols, Tajiks, Uzbeks and Tatars also live in the area. It is the largest region of China and makes up about a sixth of the country's entire land area. Xinjiang is a mostly desert region and produces about a fifth of the world's cotton. Human rights groups have voiced concerns that much of that cotton export is picked by forced labour, and in 2021 some Western brands removed Xinjiang cotton from their supply chains, leading to a backlash against the brands from Chinese celebrities and netizens. In December 2020, research seen by the BBC showed that up to half a million people were being forced to pick cotton in Xinjiang. The region is also rich in oil and natural gas and because of its proximity to Central Asia and Europe is seen by Beijing as an important trade link.

The “Beginning” of Oppression

Taken from Ted Regencia, Al Jazeera

In early 2017, shortly before the mass arrests and re-education programmes were rolled out by Beijing, Zhu Hailun, then head of the Xinjiang Communist Party Political and Legal Affairs Commission, was quoted as saying that with the “powerful fist” of the Chinese government, “all separatist activities and all terrorists shall be smashed to pieces” in Xinjiang. Months later, the unprecedented crackdown on the Uighurs began. Chinese President Xi Jinping had also said in 2017 that all religions in the country should have a Chinese orientation in line with his policy of “Sinification”. In the 1990s, there were attacks linked to the East Turkestan Islamic Movement (ETIM), a group advocating for violence to create an independent state of East Turkestan to replace Xinjiang.

In February 1997, hundreds of peaceful protesters were allegedly shot to death by Chinese soldiers in what Uighurs now call the Gulja massacre, referring to the city near the border with Kazakhstan.

The 9/11 attacks on New York and the so-called US “war against terror” that stretched from Iraq to Afghanistan and Pakistan, which partly borders Xinjiang, eventually led Beijing to launch its own campaign against “extremism” targeting Uighurs, calling any protests in the region an act of “separatism”.

In the regional capital, Urumqi, many Uighurs were reported killed in 2009 in clashes that Beijing blamed on Uighurs. Then in July 2011 clashes between Uighurs and Han Chinese in the ancient city of Kashgar killed 14 people and injured 40 others.



Current Conflict

Internment Camps

Taken from Lindsay Maizland, The Council on Foreign Relations

Most people in the camps have never been charged with crimes and have no legal avenues to challenge their detentions. Often, their only crime is being Muslim. Detainees are forced to pledge loyalty to the Chinese Communist Party (CCP) and renounce Islam, they say, as well as sing praises for communism and learn Mandarin.

Some reported prison-like conditions, with cameras and microphones monitoring their every move and utterance. Others said they were tortured and subjected to sleep deprivation during interrogations. Women have shared stories of sexual abuse, including rape. Some released detainees contemplated suicide or witnessed others kill themselves. Detention also disrupts families. Children whose parents have been sent to the camps are often forced to stay in state-run orphanages.

Surveillance State

Taken from Lindsay Maizland, The Council on Foreign Relations

Experts say Xinjiang has been turned into a surveillance state that relies on cutting-edge technology to monitor millions of people. Under Xinjiang's Communist Party leader, Chen, Xinjiang was placed under a grid-management system in which cities and villages were split into squares of about five hundred people. Each square has a police station that closely monitors inhabitants by regularly scanning their identification cards, taking their photographs and fingerprints, and searching their cell phones. The government also collects and stores citizens' biometric data through a required program advertised as Physicals for All.

Much of that information is collected into a massive database, known as the Integrated Joint Operations Platform, which then uses artificial intelligence to create lists of so-called suspicious people. Classified Chinese government documents released by the International Consortium of Investigative Journalists (ICIJ) in November 2019 revealed that more than fifteen thousand Xinjiang residents were placed in detention centers during a seven-day period in June 2017 after being flagged by the algorithm.



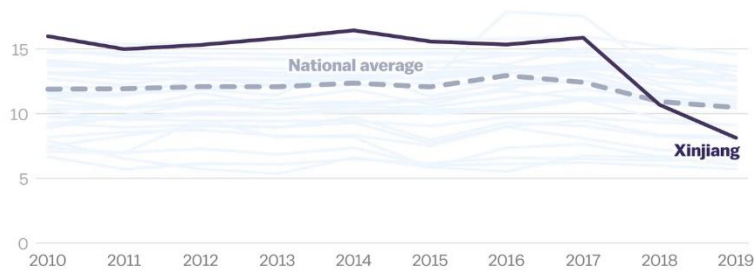
Plunging Birth Rate

Taken from Sigal Samuel, Vox

Take a look at this chart compiled using data from the China Statistical Yearbook (and originally tweeted by an Australian data analyst in slightly different form). The x-axis shows the year and the y-axis shows the number of births per 1,000 people. We can see that in Xinjiang, the birth rate has halved in two years.

Births in China's Xinjiang region have dropped sharply in recent years

Births per 1,000 people in each of China's regions



Source: China Statistical Yearbook

Vox

In a report released last summer, Adrian Zenz (a leading China scholar) showed — using data from the Xinjiang Statistical Yearbooks — that between 2015 and 2018, population growth in the largely Uyghur areas of Kashgar and Hotan fell by a staggering 84 percent. This wasn't only because China was splitting up Uyghur couples by sending some individuals to the camps. It was also slashing the Uyghur birthrate with the use of policies like mass sterilization and forced IUD implantation. In 2014, a little over 200,000 IUDs were inserted in Xinjiang. That number rose to almost 330,000 IUDs by 2018 — a rise of more than 60 percent. Meanwhile, the rates of IUD use elsewhere in China dropped.

China's Response

Taken from BBC News

China denies all allegations of human rights abuses in Xinjiang. It said in 2019 that it had released everyone from its "re-education" camp system, though testimony from the region suggests many are still detained and many were transferred from camps to formal prisons.

China says the crackdown in Xinjiang is necessary to prevent terrorism and root out Islamist extremism and the camps are an effective tool for re-educating inmates in its fight against terrorism.



It insists that Uyghur militants are waging a violent campaign for an independent state by plotting bombings, sabotage and civic unrest, but it is accused of exaggerating the threat in order to justify repression of the Uyghurs.

China has dismissed claims it is trying to reduce the Uyghur population through mass sterilizations as "baseless" and says allegations of forced labor are "completely fabricated".

Global Response

Taken from Lindsay Maizland, The Council on Foreign Relations

Much of the world has condemned China's detention of Uyghurs in Xinjiang. UN officials have demanded access to the camps. The European Union has called on China to respect religious freedom and change its policies in Xinjiang. In late 2020, the bloc adopted legislation that allows sanctions on human rights abusers, though it has yet to apply it to Chinese officials. And human rights organizations have urged China to immediately shut down the camps and answer questions about disappeared Uyghurs.

In January 2021, on U.S. President Donald J. Trump's last full day in office, Secretary of State Mike Pompeo declared that China is committing crimes against humanity and genocide against Uyghurs, making the United States the first country to apply those terms to the Chinese government's abuses.

Nationals Testable Material (in addition to the above content):

- Olympic Boycotts in History - From Moscow to Beijing article available [here](#).
- The following is a report published by the Human Rights Watch available [here](#).
Testable material includes the following sections:
 - III. International Legal Standards
 - Crimes Against Humanity
 - General Requirements
 - Enslavement
 - Torture
 - Persecution
 - Enforced Disappearance
 - Recommendations
 - To the Chinese Government
 - To the United Nations
 - To Concerned Governments (In Coordinated Bilateral or Multilateral Action and With Respect to Trade, Investment, and Business Activities)



CAIR SUPREME COURT CASE

Overview

[Taken from TIME](#)

In the aftermath of 9/11, the Patriot Act and other government measures vastly expanded the bureau's authority to surveil Americans, and it reportedly increased its use of informants to record numbers in the decade after the attacks. Of the more than 970 terrorism defendants prosecuted by the DOJ since 9/11, more than one third were caught up in FBI stings; and about 300 of those cases involved the use of informants, according to the Intercept. State and local law enforcement groups also got much more aggressive in their methods post-9/11. In 2018, the New York Police Department settled a lawsuit that accused it of illegally infiltrating student groups and mosques in a program that ran from around 2002 to 2014—an endeavor that the NYPD acknowledged led to no credible intelligence leads.

It's impossible to know the full extent of the post-9/11 surveillance apparatus, in part because many programs remain secret, but civil rights groups say Muslims were unfairly targeted because of their religion. "We were all deemed as suspects until proven innocent," says Hussam Ayloush, the head of the Council on American-Islamic Relations' Los Angeles branch. "We were all deemed as guilty until proven innocent." Recent studies, including a 2019 survey of FBI activity in Southern California, suggest law enforcement agencies target Muslim American communities in a discriminatory way by predominantly asking questions about their religious practices or mosques in interviews at their homes. And for many Muslim Americans, the post-9/11 increase in government surveillance has combined with the well-documented spike in Islamophobic incidents against them to unsettling effects. In a 2017 Pew Survey of U.S. Muslims, about half reported that they believe their fellow citizens view them as anti-American and that they experienced at least one incident of discrimination in the year before taking the survey.

The combination of overt discrimination and government-backed surveillance exacts a particular cost on many Muslim Americans, leaving them with a sense of vulnerability and suspicion, and the feeling that they are answering for an act of terrorism they had nothing to do with merely because of their religious beliefs. That, many Muslim Americans say, feels like a curtailing of their religious liberty and their freedom from unwarranted government intrusion. "It's not the fear of what they might find out," says Fazaga, reflecting on his brush with the informant. "It's the fact that you're violated—and you're violated in the place where you are supposed to feel the safest."

As the 20th anniversary of the 9/11 attacks fades into memory and many Americans go back to what they may view as an acceptable balance between sacrifices of civil liberties and security, for many Muslim Americans, a struggle that began two decades ago continues—partly in the courts. In December 2020, after four Muslim American men accused the FBI of using their placement on the no-fly list to pressure them into



becoming informants, the U.S. Supreme Court ruled in *Tanvir v. Tanzin* that individuals can sue federal law-enforcement officials for damages under a law that protects religious rights. This November [of 2021], Fazaga will get his own day in front of the high court. At stake may be the chance to learn the truth about post-9/11 surveillance of Muslim Americans and others the government has monitored.

The Patriot Act

Taken from ACLU

What is the "USA/Patriot" Act?

Just six weeks after the September 11 attacks, a panicked Congress passed the "USA/Patriot Act," an overnight revision of the nation's surveillance laws that vastly expanded the government's authority to spy on its own citizens, while simultaneously reducing checks and balances on those powers like judicial oversight, public accountability, and the ability to challenge government searches in court.

The Patriot Act increases the governments surveillance powers in four areas:

1. Records searches. It expands the government's ability to look at records on an individual's activity being held by a third parties. (Section 215)
2. Secret searches. It expands the government's ability to search private property without notice to the owner. (Section 213)
3. Intelligence searches. It expands a narrow exception to the Fourth Amendment that had been created for the collection of foreign intelligence information (Section 218).
4. "Trap and trace" searches. It expands another Fourth Amendment exception for spying that collects "addressing" information about the origin and destination of communications, as opposed to the content (Section 214).

Additional Background

Taken from NPR

It all started in 2006, in Orange County, Calif. A home-grown terrorist on the FBI's most-wanted list had come out of a mosque there, and relations between the faithful and the FBI had become so fraught that the head of the Los Angeles FBI office, Stephen Tidwell, decided he should do a town hall at one of the Orange County mosques.

He picked the Islamic Center of Irvine, and repeatedly sought at the meeting to assure the audience that the FBI was not monitoring them. If the bureau is going to come to the mosque, he told them, "We will tell you we're coming for the very reason we don't want you to think you're being monitored."



But even as he was saying that, the FBI was recruiting an undercover informant to infiltrate the mosque and catch anyone who might be recruiting and training terrorists. The informant was named Craig Monteilh, a trainer at a local gym who had a checkered past. He posed as a Muslim convert at the Irvine mosque, one of the largest in southern California.

As Sam Black reported for This American Life, "The FBI later confirmed in court that Craig was an undercover informant. A district attorney also stated in court that Craig did work with Agent Kevin Armstrong and that Craig had given the FBI 'very very valuable information.'"

The bureau also has confirmed that Monteilh secretly recorded tons of audio and video of the people he was making friends with at the mosque.

'You're doing the right thing'

Soon he started pummeling his new friends with questions about jihad, Black reported, to the point that some people from the mosque started to hear complaints about it.

Monteilh would subsequently confirm that he eventually did much more than ask questions about jihad.

"I said we should carry out a terrorist attack in this country," he told This American Life. "We should bomb something."

Monteilh said that to two of the men he'd been hanging out with, and they freaked out. They wanted to report what they had heard, but they didn't know how to go about it. So they contacted Hassam Ayloush, director of the Council on American Islamic Relations in Southern California.

"I told them, 'Calm down...you're doing the right thing. You're calling authorities. So even if the guy is planning on anything, you have nothing to worry about. You're not accomplice,'" Ayloush recalled.

Now, Ayloush was the person who had arranged that earlier town hall with Los Angeles FBI chief Tidwell, so he called Tidwell to report Monteilh's threats. But oddly, Tidwell, after thanking him for the tip, didn't even ask for the alleged terrorist's name.

In recounting all this on This American Life, reporter Black said, "Tidwell wouldn't speak to me for this story, so I don't know what he thought when his own informant was reported to him as a terrorist. But not long after this phone call, the FBI launched an



investigation into Craig [Monteilh], which no matter how you look at it was a very strange undertaking. FBI agents going around asking questions about an FBI informant, treating him as an actual suspect they were investigating."

The Muslim community came to believe that this was just another ploy, a way to leverage people and get them to inform on each other.

Eventually three of the people who were spied upon sued the FBI. The lead plaintiff is Sheikh Yassir Fazaga who in 2006 was the imam at the Orange County Islamic Foundation.

Notable Figures

[Taken from CAIR](#)

- Ahilan Aruanantham, Faculty Co-Director of UCLA School of Law's Center for Immigration Law and Policy and Lead Attorney on FBI v. Fazaga
- Hussam Ayloush, Chief Executive Officer, CAIR-CA and Executive Director, CAIR-LA
- Sheikh Yassir Fazaga, Plaintiff
- Ali Malik, Plaintiff
- Yasser AbdelRahim, Plaintiff
- Hussam Ayloush, Chief Executive Officer, CAIR-CA and Executive Director, CAIR-LA
- Peter Bibring, Senior Counsel, ACLU of Southern California

'Partial Victory' in Supreme Court Case

[Taken from CAIR](#)

Today [on March 4, 2022], in a unanimous decision, SCOTUS refused to endorse the federal government's attempt to win dismissal of the religious discrimination claims presented by Sheikh Fazaga, Ali Malik, and Yasser AbdelRahim. Although the Supreme Court reversed the Ninth Circuit's ruling that those claims should be governed by the Foreign Intelligence Surveillance Act (FISA), the Supreme Court sent the case back for the Ninth Circuit to decide how the case will proceed. Its decision explicitly leaves open several paths to victory for Americans who practice the Muslim faith and have suffered unconstitutional surveillance because of their religion.

Statement from CAIR-LA Executive Director Hussam Ayloush:

"The Court's decision allows the Muslim American community and, specifically, the three plaintiffs in this case, to continue to seek justice. Our community in Southern



California was targeted by the FBI, and continues to be a target to this day, for no other reason than our religious beliefs and practices. We are hopeful that our continued fight against the FBI's overreaching surveillance of our community will lead to more awareness of the FBI's unconstitutional actions and to the FBI being held accountable for its discrimination against the Muslim American community. We are hopeful that the lower courts will see this case for what it is—the unconstitutional targeting of a religious community by the federal government.”

Statement from Sheikh Yassir Fazaga, Plaintiff in FBI v. Fazaga:

“Today, the Supreme Court decided that we can continue to fight our case to hold the government accountable for illegally spying on the Muslim community. Fifteen years ago, the FBI looked us all in the eyes and assured us unequivocally that they were not spying on us. We trusted them. But they lied, and our sacred community was shaken to its core. Today, we live to fight another day in our struggle to ensure that Americans who practice Islam are protected by the sacred right to religious freedom that our Constitution guarantees.”

Statement from Ali Malik, Plaintiff in FBI v. Fazaga:

“I was in my early twenties when I learned that my own government was spying on me and attempting to entrap me because of my religion. I felt deeply betrayed and sad. I also did not understand how the U.S. government could get away with violating a right I knew was guaranteed to all of us by our Constitution. I decided to hold my government accountable and, today, over fifteen years later, I'm relieved that the Supreme Court will allow our case to continue. I believe the most patriotic thing someone can do is to fight for the Constitution, so that all Americans can be protected by it and the sacred rights it bestows. I will continue to fight on behalf of my family, community, and all Americans to ensure that all of us are protected by the US Constitution.”

Statement from Yasser AbdelRahim, Plaintiff in FBI v. Fazaga:

“When I found out that the FBI was spying on me because I worshipped at a mosque, I felt betrayed. I felt that the place of worship I once found peace in and connected with spiritually was no longer safe. The Supreme Court's decision today makes me hopeful that we will, in fact, be able to hold the government accountable for violating our religious freedoms. I will continue to fight to right the wrongs the US Government committed against me and my community and to hold them accountable for treating Muslim Americans as second-class citizens.”