

Regulated Temporariness Reconsidered: Chinese Migrants in Japan and the Confluence of Policy, Infrastructure, and Transnational Factors

Qicheng Ye

School of Sociology and Political Science, Shanghai University, Shanghai, China
yairqicheng@shu.edu.cn

Abstract:

This paper examines how Japan's immigration policies, the role of migration infrastructure, and pressures and expectations from the home country shape the regulated temporariness of Chinese migrants in Japan. It analyzes the regulated temporariness inherent in Japan's visa system and considers how the uncertainty faced by temporary migrants intensifies their connections with China. The findings indicate that the migration infrastructure between China and Japan not only enhances migrants' mobility but also restricts their freedom of choice. Furthermore, globalized social media and migrants' connections to China transmit "pressure from China," stemming from the two countries' war history and the resultant political discourse, to Chinese migrants in Japan. The study reveals that migrant temporariness is not solely driven by migration entry and residence policies, as emphasized in existing migration research theories. Instead, migration infrastructure, historical relations between the two countries, and expectations for future development also shape migrants' regulated temporariness. Migrants voluntarily enter into regulated temporariness, paradoxically achieving greater flexibility within this regulated state. This phenomenon demonstrates a blurred area between flexible temporariness and regulated temporariness, where both coexist rather than transitioning from one to the other. Consequently, it is necessary to expand our understanding of regulated temporariness, taking into account broader transnational factors and informal influences.

Keywords: Migrant temporariness; Chinese migrant; war history; migration infrastructure.

1. Introduction

International migration has manifested significant characteristics of fragmentation and non-linearity, including various intermediate steps, multiple returns, and new departures [1]. This phenomenon also includes heterogeneity within migrant populations, such as refugees, laborers, asylum seekers, and high-skilled migrants. Ong developed the concept of "flexible citizenship" to analyze how capital-endowed elites acquire and accumulate their own mobility [2]. However, the main destination countries such as United States, Canada, and Australia have increasingly stringent immigration policies, limiting access to flexible citizenship to a minor group of elites. To address labor shortages, many migration states are considering temporary or circular migration schemes, viewing these programs as more adaptable to market fluctuations and capable of avoiding the social and economic 'costs' of integration [1,3]. In the context of immigration policies regulating entry, employment, and residence, temporary migration could be conceptualized as a policy category,

migrants could use these policies as mechanisms to achieve their 'migration objective', which are unstable and subject to change overtime [4]. Nevertheless, visa regulations, other aspects of government policy, employment regulation, and post-arrival policy support all influence migrants' ability to achieve their objectives and their expectation to settle [1,4]. Due to temporary migration policy definitions and migrants' self-identification, many migrant groups find themselves in prolonged states of instability. Rather than focusing on the mixed flow of migrants, this article discusses mixed motivations and acknowledges the complexity of migration drivers, which can be both rational and irrational.

This article will employ migration studies theories of temporariness as a framework to analyze temporary migration encompassing low-skilled and high-skilled, legal and illegal migrants, as well as international students, a group often overlooked in previous research. As the focus is on non-permanent residents and non-citizens, the analysis primarily concentrates on regulated temporariness, rather than flexible temporariness and forced temporariness [1].

This paper shows that the advantages of regulated temporariness and the flexibility that exists may in some cases even outweigh the flexible temporariness for migrants. By elucidating the interplay between migrant agency and policy regulation in Japan, this article diverges from previous studies on how temporary migrants cope with the uncertainties and contradictions of their temporary status. Instead, it emphasizes how historical and homeland political discourses and migration infrastructure shape migrant agency and temporariness. Migrant temporariness is a form of insecurity [4], and the insecurity generated by immigration policies and post-arrival employment and settlement requires more nuanced consideration. For instance, historical political, and economic developments between countries and migration infrastructure simultaneously provide migrants with both security and insecurity influencing temporary migrants' expectations of achieving their migration objectives in two aspects. In this context, the article addresses the following research question: How does the Japanese temporary migrant regime shape migrants' regulated temporariness? How does the interplay between Japanese temporary migrant regime, homeland historical and political discourses, and migration infrastructure migrants' regulated temporariness? How do homeland historical and political discourses and migration infrastructure shape migrant agency and influence migration objectives?

This paper develops the argument by drawing on a comprehensive review of relevant academic literature, policy report and previous research about different project analyzing policy change to temporary migration, experience of migrant workers and discussion of 'migration state'. It includes 25 interviews with temporary migrants involving skill trainee, engineer, specialist in Humanities, international services visa holder, international students, and business manager visa holder.

2. Japan's Temporary Migration Regime

Japanese immigration policy manifests as a temporary migration regime, categorizing migrants into a state of temporariness and shaping regulated temporariness. By considering Japan's visa system could reveal how the government manages and controls the temporary status of migrants through institutional design. As of 2023, the total number of foreign residents in Japan was 3,223,858, a 4.8% increase year-on-year. Excluding permanent residents and special permanent residents, 2,058,873 individuals primarily reside in Japan through the Technical Intern Training Program, skilled labor visas, and student visas [5]. Data indicates that migrant visas in Japan are predominantly concentrated in international student visa, engineer and specialist in humanities/international services visas

and technical intern trainee visas. Generally, technical intern trainee visas target low-skilled workers, typically for 1-3 years, primarily in agriculture and manufacturing sectors. Engineer and specialist in humanities/international services visas are suitable for high-skilled workers such as IT engineers, translators, and teachers, but sometimes apply to low-skilled workers, offering greater flexibility and space for migrants to reside. International student visa includes both pre-university language students and university students. Most Chinese immigrants take language schools as their first choice for entry, with low threshold and high flexibility.

While some scholars argue that Japan is an 'emerging migration state', the official stance maintains Japan's position as a non-immigration country. This is primarily reflected in the following aspects: technical intern trainee and pre-university language student visas have strong temporariness and restrictions, with visa holders having limited freedom and typically required to return to their country of origin upon visa expiration; engineer and specialist in humanities and international services visas require periodic renewal, discouraging immigrants from changing jobs freely and imposing category restrictions on employment. These restrictions begin with university majors and initial job positions, providing companies with opportunities to reasonably regulate non-citizen immigrants. Furthermore, Japan's refugee acceptance system demonstrates institutional barriers. For instance, in the case of Ukrainian refugees, Prime Minister Fumio Kishida stated that Japan would accept "evacuees" from Ukraine. These individuals do not apply for asylum as "refugees" but enter Japan through "short-term visas" and "designated activities visas". Japan's current refugee acceptance system prevents direct issuance of refugee visas to Ukrainian refugees [6]. The flexibility in Japan's refugee acceptance system allows adaptation to international situations, international relations, and bilateral relationships, with policy combinations forcibly imposing temporariness on refugees to meet the Japanese government's diplomatic needs. Currently, while numerous analyses focus on technical intern trainees, less attention is given to pre-university language students. Technical intern trainees face the most restrictions, whereas migrants entering the pre-university language student category can still exercise agency and internal flexibility, continuously transitioning between visa types. However, the varying entry methods into Japan and the differing depths of roots established by different groups lead to disparities in temporariness and freedom. The subsequent sections will illustrate temporariness and restrictions.

Typically, finding formal employment in Japan completes the pre-university or university student phase. Pre-university language student and international student

should be considered separately in Japan: “international student”(ryūgakusen) refers to “educational activities of foreigners with 12 years of regular school education at universities or equivalent institutions, specialized training colleges, university preparatory education institutions, or technical colleges in Japan”; “Pre-university language student” (shūgakusen) refers to “educational activities of foreigners in high school departments, specialized training school high schools, schools for the blind, schools for the deaf and mute, nursing school high school departments, specialized training school high school or general course departments, various schools, and educational institutions equivalent to the above in facilities and organization in Japan” [7]. Shūgakusen has lower entry requirements, allowing enrollment and visa acquisition without language proficiency.

However, both shūgakusen and ryūgakusen face stay duration limitations. Shūgakusen typically last 1 to 1.5 years, requiring students to find employment or pursue higher education for visa renewal or conversion to engineer/specialist in humanities/international services visas. This presents significant challenges for migrants, as job hunting requires high language proficiency. Pre-university language student often struggle to find companies willing to sponsor engineer/specialist in humanities/international services visas, necessitating further education to enhance language skills and professional knowledge. Even with continued education, constant effort is required to maintain eligibility for visa renewals and prepare for future work visas.

While engineer/specialist in humanities/international services visas permit holders to work in Japan, they are restricted to specific fields and subject to stringent renewal conditions. Initial issuance is typically for one or three years, with renewal contingent upon continued employment in the relevant sector. These visas generally require applicants to possess a university degree in the relevant field or equivalent professional experience. In the absence of relevant academic qualifications, at least ten years of pertinent work experience is necessary. Visa applicants must have a Japanese employer and provide a labor contract or job offer, with the employer required to have legal qualifications and stable business operations. Furthermore, these visas are initially issued for one or three years, with renewal subject to meeting specific conditions, namely continued engagement in relevant work. In essence, the ideal trajectory for a typical immigrant involves entering Japan on a pre-university language student status, advancing to obtain a degree, systematically entering a particular industry, and ultimately acquiring permanent resident status or citizenship. Throughout this process, they remain in a state of temporariness, unable to become complacent lest they risk forced departure. Chinese migrants also

jokingly refer to getting permanent residency as “coming ashore (Shangan).”

To sum up, refugees are unlikely to serve as temporary labor to address Japan’s labor shortages resulting from aging and declining birth rates. As a non-immigration country, Japan employs “side-door” policies to introduce migrants to tackle aging and labor shortage issues. Japan has opened the Technical Intern Training Program and utilized education as a channel for labor input [8]. Like many countries, Japan is considering circular or temporary migration schemes, viewed as more adaptable to market fluctuations and reducing the costs of immigrant integration and social adaptation in the host country [1]. Overall, while addressing labor shortage issues, Japan’s immigration policies maintain strict management and control over migrants, with temporariness and restrictions manifesting in various aspects of migrant status and life. There exists an exception that affords relatively greater freedom within the constraints of immigration policies and infrastructure: the business-management visa. This visa category represents a more elite pathway and offers Chinese migrants the most straightforward route to obtaining Japanese permanent residency or citizenship. According to reports, more than two thousand Chinese nationals entered Japan in 2022 using the business-management visa, marking a fifty percent increase from 2019. Among the early adopters were China’s technology entrepreneurs, including prominent figures such as Jack Ma [9]. The business-management visa provides greater flexibility compared to student visas and technical trainee visas. However, Chinese migrants who directly obtain this visa often lack systematic education and corporate cultural training in Japan, potentially resulting in deeper connections with China.

However, despite the strong temporariness and restrictions in Japan’s immigration policies, they also offer flexibility and opportunities for migrants. Holders of international student visa, engineer/specialist in humanities/international services visas and technical intern trainee visas can gradually transition between visa types by continuously improving their skills and educational qualifications, ultimately obtaining long-term residence or permanent residence rights. This process is fraught with uncertainties and challenges, requiring migrants to constantly strive and adapt within a strict policy framework. In other words, circular and temporary migration also brings other issues; the instability compels migrants to engage in transnational practices, deepening their connections with their home countries. Therefore, we need to consider the influence of the home country on migrants. Additionally, intermediary agencies and educational institutions play an increasingly important role in the process of migrant mobility. The bilateral relationship between labor and capital has been replaced by various business and social relationships

managed transnationally by agencies [10], demonstrating factors beyond policy that affect migrant temporariness. However, intermediary agencies are double-edged; in the process of operating these agencies and transnational enterprises, immigrants and migrants play a crucial role, reflecting the flexibility within regulated temporariness and the regulation within flexible temporariness.

3. Migration Infrastructure between China and Japan

Migration infrastructure operates within the context of the Japanese temporary migrant regime, simultaneously facilitating mobility and flexibility for migrants while reinforcing control over them to some extent. Migrant intermediary agencies play a crucial role in regulating temporary migration, potentially functioning as employment agencies, local brokers, or government representatives, and overseeing immigrants [11-13]. Xiang introduced the concept of migration infrastructure, noting that receiving countries increasingly rely on mobility infrastructure in sending countries to achieve their management objectives. This process transforms transnational mobile populations into regulated subjects, implying that regulators gain more power and intermediary agencies obtain greater profits [10]. This paper will present cases of migration infrastructure between China and Japan, illustrating how migration infrastructure enhances migrant mobility and provides buffer zones for integration. While offering opportunities and conveniences to migrants, migration infrastructure also utilizes policies to regulate migrants and employs informal control methods such as labor dispatch and language barriers. This not only shapes migrant agency to a certain extent but also impacts migration objectives.

The number of transnational infrastructures such as labor dispatch and educational institutions in China continues to grow [14]. The routes for Chinese migrants entering Japan are clear, with transparent pricing. Students and low-skilled migrants can utilize the relatively low-threshold pre-university language student visa to enter Japan, while high-skilled immigrants can directly obtain work visas through labor dispatch models. To some extent, migration infrastructure enhances migrants' mobility capabilities and creates learning or working environments in the host country that serve as buffer zones for new migrants to engage with Japanese society. Migration infrastructure not only provides entry services but also plays the role of academic or employment intermediaries, helping migrants improve their academic performance or find work or internship opportunities. Migrants entering Japan through language school channels are typically students, lifestyle migrants, and low-skilled laborers. After intermediary agencies secure pre-university language student status for migrants, issues such as poor teaching quality and low ad-

vancement rates in corresponding language schools may arise. However, migrants cannot freely change language schools due to visa restrictions. To advance their studies, they may continue to attend language classes and tutoring sessions established by Chinese migrants through introductions from intermediary agencies.

International students are allowed to work part-time in Japan, but due to language barriers and unfamiliarity with corporate culture, it is challenging for them to find employment opportunities provided by Japanese employers upon arrival. Consequently, international students often rely on job opportunities provided by immigrant employers to earn living expenses. These jobs are frequently 3D (dirty, dangerous, and demeaning) work with relatively low wage levels, and in extreme cases, may involve wage deductions and arrears. Faced with such situations, Pre-university language student lack sufficient ability and means to protect their rights in the host country, with most choosing to accept their misfortune. Not only Pre-university language student but also high-skilled migrants encounter similar predicaments. While labor dispatch companies and migrant intermediaries promise high mobility to high-skilled migrants, they also exploit the host country's immigration and visa policies to restrict high-skilled migrants from changing work industries. Intermediary agencies may take advantage of high-skilled migrants' Japanese language barriers to withhold wages and limit their mobility, thus regulating high-skilled migrants in a state of flexible temporariness. The role of migration infrastructure is not limited to migrant entry and employment but also includes life support in Japan, such as Chinese restaurants, specialty stores, and medical services. While these services help migrants adapt to their new environment, they may also reinforce migrants' dependence on these institutions, further strengthening informal control over migrants.

In summary, migration infrastructure plays a complex role in shaping migrants' regulated temporariness. It acts both as an executor of immigration policies and as an intermediary between migrants and Japanese society. This dual function directly affects migrants' agency and migration objectives, compelling them to continuously adjust their strategies and goals within limited choices.

4. Pressure from China and an Uncertain Retreat

Migrants are in the temporariness, uncertainty and instability prompt them to engage in continuous transnational practices and circular migration. The complex historical relationship and political dynamics between China and Japan significantly impact immigrants and migrants. On one hand, historical conflicts and political discourse from China generate anxiety and uncertainty among them; on

the other hand, future expectations regarding political and economic developments between China and Japan influence migrants' decision-making processes. For the majority of Chinese migrants in Japan, obtaining citizenship is relatively easier than acquiring permanent residency. Generally, permanent residency requires ten years of pension contributions and meeting specific residency duration requirements in Japan, whereas citizenship necessitates only five years of pension contributions. Interestingly, despite the relative ease of obtaining citizenship, most Chinese migrants opt for permanent residency rather than Japanese citizenship. This phenomenon provides a case study demonstrating how pressure from China and an uncertain retreat shape migrant agency and temporariness, potentially dominating migrants' perceptions of temporariness and influencing migration objectives.

Historical issues between China and Japan, particularly those stemming from World War II, continue to affect bilateral relations. Political discourse from the home country generates "pressure from China," manifesting in various forms. Currently, the most prominent form is cyber bullying originating from China, with the closed nature of the Chinese internet fostering popular nationalism [15]. The history of the Second Sino-Japanese War (1937-1945) ignites nationalistic sentiments, leading to attacks on Chinese individuals who praise Japanese culture or societal merits. In severe cases, this can result in physical harm, causing some Chinese migrants in Japan to feel uneasy or conflicted, thereby affecting their migration objectives. Most Chinese migrants consider the Japanese government's use of the term "naturalization (kika)" to describe citizenship acquisition inappropriate. Even those who have obtained permanent residency or Japanese nationality tend to refer to themselves as "overseas Chinese (huaqiao)" or mention their province of origin. This phenomenon stems from the risk of being labeled a "traitor (hanjian)", a term typically used to describe groups that were part of the Japanese collaborationist forces during the Japanese invasion of China. These individuals are often portrayed negatively in Chinese mass media.

In addition to "traitor," the terms "Great China(dazhongguo)" and "Little Japan(xiaoriben)" are commonly used in China to describe China and Japan, respectively. While "Great China" rarely appears in official national discourse, it may be used to emphasize national unity, prosperity, and cultural confidence. Conversely, "little Japan" carries evident emotional connotations and historical baggage, and is not used in modern official discourse. However, in popular culture and social media, such as the 1994 patriotic song "Great China" by Gao Feng, these terms express love for the motherland and pride in Chinese culture, conveying confidence in China's future development and pride in being part of the "Chinese nation" on social media plat-

forms. Instead, "little Japan" was used as a derogatory term to describe the size of Japan and its people, especially during wars and conflicts. The exact origin of the term is difficult to trace, but it may be derived from the general thin stature of Japanese people during World War II, and the ancient Chinese meaning "small" or "short". These discourses, heavily imbued with political overtones, and the nationalism stemming from war history influence migrants' choices, lifestyles, and perceptions of identity and nationality. Migrants must seek a balance between Chinese and Japanese cultures. Due to the traditional Chinese concept of "filial piety," many Chinese migrants take the issue of elderly care seriously, tending to maintain close ties with their home country. Furthermore, for Chinese migrants, China's rapid economic development and the continuous depreciation of the Japanese yen have gradually reduced the cost-effectiveness of working in Japan.

These factors collectively influence the regulated temporariness of Chinese migrants in Japan. For instance, some migrants may choose to treat Japan as a short-term or medium-term destination rather than a permanent settlement due to these pressures, or they may consider "going back to China." Pursuing permanent resident status may merely serve as a guarantee not to lose transnational mobility. Thus, the complex driving factors in the process of "becoming" migrants, coupled with the political and economic environment, jointly create an uncertain retreat. From another perspective, this uncertain retreat may provide migrants with a sense of security, with regulated temporariness serving as the foundation for achieving this goal.

5. Conclusion

This paper examines how regulated temporariness of migrants is shaped through an analysis of Japan's immigration policies, the role of migration infrastructure, and the pressures and expectations from the home country. Japan's immigration policies, characterized by a complex visa system and renewal requirements, create a form of regulated temporariness while also providing a degree of flexibility and upward mobility for migrants. Within this policy context, migration infrastructure serves as a crucial intermediary between migrants and Japanese society during implementation. These infrastructures simultaneously offer opportunities and restrict migrants' freedom of choice. Consequently, migrant intermediaries gain increased profits, even for high-skilled migrants who are often perceived as having superior mobility. Furthermore, this study reveals that the war history between the home and host countries, along with the resulting political discourse, continues to exert pressure on migrants in the host country in the context of globalized social media. This pressure may impede the realization of their initial migration objectives. Despite the relative ease of obtaining Jap-

anese citizenship today, pressure from China and expectations regarding the political and economic development of both the host and home countries lead migrants to voluntarily enter into regulated temporariness, paradoxically achieving greater flexibility within this regulated state.

Migration studies theories of temporariness help explain how Japan's immigration system policies influence regulated temporariness. While these theories primarily focus on immigration policies regulating temporary migrants' entry and stay, and have expanded to consider policy impacts on migrant intermediaries and the effects of return migration on home country policy departments, they somewhat overlook the impact of sensitive historical relations between home and host countries and migrants' expectations of home country development on regulated temporariness. When migrants are in a state of temporariness, there exists a blurred area between flexible temporariness and regulated temporariness, with both coexisting rather than transitioning from one to the other. Therefore, it is necessary to expand our understanding of regulated temporariness, considering broader transnational factors and informal influences.

This paper calls attention to the significance of home country factors (such as pressures arising from historical memories and political discourse) in migrant temporariness, an aspect that has received limited attention in previous research. This study contributes to advancing migration studies theories of temporariness and helps to theorize the interactions between temporary migrant regimes, historical and political discourses of the home country, and migration infrastructure. It also provides valuable references for policymakers and immigrant service agencies. Future research could further explore the different experiences and strategies of various types of migrants, such as high-skilled and low-skilled workers, students and laborers, in facing regulated temporariness.

References

[1] Triandafyllidou, A. (2022). Temporary migration: category of analysis or category of practice?, *Journal of Ethnic and Migration Studies*, 48:16, 3847-3859, DOI: 10.1080/1369183X.2022.2028350.

[2] Ong, A. (1999). Flexible citizenship: The cultural logics of

transnationality. Duke University Press.

[3] Triandafyllidou, A., ed. (2017). *Multicultural Governance in a Mobile World*. Edinburgh: Edinburgh University Press.

[4] Wright, C. F., Groutsis, D., & Kaabel, A. (2022). Regulating migrant worker temporariness in Australia: the role of immigration, employment and post-arrival support policies. *Journal of Ethnic and Migration Studies*, 48(16), 3947–3964. <https://doi.org/10.1080/1369183X.2022.2028356>.

[5] Japan Ministry of Justice. 2023. Immigration Control. Available online at <https://www.moj.go.jp/isa/content/001403955>.

[6] Li Guohui & Gao Zijin. (2022). Japan's Refugee Reception System: Changes, Characteristics, and Impact. *Japanese Studies Journal* (05), 127-147+151.

[7] Song Wuqiang. (2014). New Chinese Immigrants in Japan Since the 1980s. *Social Sciences*, 44(3), 47-58.

[8] Farrer, G. L. (2007). Educationally channeled international labor migration: Post-1978 student mobility from China to Japan (Doctoral dissertation, University of Chicago, Department of Sociology).

[9] Kana Inagaki et al. "Alibaba founder Jack Ma living in Tokyo since China's tech crackdown." *Financial Times*. 2022. Available at <https://www.ft.com/content/2f7c7a10-2df3-4f1b-8d2a-eea0e0548713>.

[10] Xiang, Biao and Johan Lindquist. 2018. Infrastructuralization: evolving sociopolitical dynamics in labor migration from Asia. *Pacific Affairs* 91(4): 759–773.

[11] Gonzalez Enriquez, C. 2013. "Circularity in a Restrictive Framework: Mobility Between Morocco and Spain." In *Circular Migration Between Europe and its Neighborhood: Choice or Necessity?*, edited by A. Triandafyllidou, 114–139. Oxford: Oxford University Press.

[12] Oke, N. 2012. "Temporary Migration, Transnational Politics? The Politics of Temporary Migration in Australia." *Journal of Intercultural Studies* 33 (1): 85–101.

[13] McLaughlin, J., and A. M. Weiler. 2016. "Migrant Agricultural Workers in Local and Global Contexts: Toward a Better Life?" *Journal of Agrarian Change* 63 (9): 1389–1403.

[14] Xiang, B., & Lindquist, J. (2014). Migration infrastructure. *International migration review*, 48, S122-S148.

[15] Shih-Diing LIU (2006) China's popular nationalism on the internet. Report on the 2005 anti-Japan network struggles, *Inter-Asia Cultural Studies*, 7:1, 144-155.