

CANADIAN  
**DIVERSITÉ**  
CANADIENNE

VOLUME 8:6 SUMMER 2011 ÉTÉ

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## INAUGURAL CONFERENCE ON CANADIAN IDENTITY OF THE INSTITUTE FOR CANADIAN IDENTITIES

### CHECKING OUR CONSTITUTION@30: THE INFLUENCE OF THE CANADIAN CONSTITUTION AND THE CHARTER OF RIGHTS ON OUR LEGISLATION, IDENTITY AND VALUES, APRIL 17-18, 2012, OTTAWA, QUEBEC

April 17<sup>th</sup>, 2012 will mark the 30<sup>th</sup> anniversary of the patriation of the Canadian Constitution and the creation of a Charter of Rights and Freedoms. The Constitution and Charter have had a profound impact on our law and public policy. Many Canadians view the Constitution and the Charter of Rights as shaping important aspects of our collective identity and defining a set of shared values. For the most part, Canadians hold a favorable opinion of the Constitution and Charter. Yet many see these defining documents as divisive. To mark this important anniversary the new Institute for Canadian Identities will hold a major conference entitled, "Checking Our Constitution@30: The Influence of the Canadian Constitution and the Charter of Rights on Our Legislation, Identity and Values" to take place on April 17-18<sup>th</sup>, 2012 at the Museum of Civilization in Ottawa, Quebec

Some critics believe that elected officials too easily cede leadership to the judiciary on controversial matters. Others point out that Quebec's refusal to "sign on" to the Constitution reflects continuing divisions at the heart of the Canadian nation. And yet, it is surprising how a document that is only 30 years old has become for many a defining aspect of Canadian identity, shared values and principles while also acting as a benchmark for enumerating fundamental freedoms. The Constitution and the Charter are a product of political compromises over three decades, and represent an ongoing debate over the conflicting role of the state and diverse societal interests.

How have the debates over the Constitution shaped our identities? Is it time to begin amending the Constitution? Have the Constitution and Charter of Rights strengthened or weakened Canadian democracy? What have the Constitution and Charter meant for women, aborigines, language minorities, ethnic and visible minorities, religious groups and new Canadians. What role have the Courts played in the interpretation of the Constitution, and how has the Charter transformed the judiciary in Canada? Are judges becoming legislators? Has the distinction between Law and Politics become blurred over the past thirty years? How does the Canadian experience compare with that of other countries? Are the courts becoming more or less accessible to the public? Are there benefits to an unwritten constitution? How has the Constitution affected the balance of powers in Canada, and the dynamics of federalism?

We invite policy-makers, academics, researchers, activists, scholars, lawyers, judges and professionals from all disciplines to participate and submit 250-500 words abstracts, either for individual papers or proposals for fully formed panels no later than January 31, 2012 to: James Ondrick at the Association for Canadian Studies, e-mail: [james.ondrick@acs-aec.ca](mailto:james.ondrick@acs-aec.ca), Tel (514) 925-3097, Fax: (514) 925-3095, web: [www.acs-aec.ca](http://www.acs-aec.ca)

## CONGRÈS INAUGURAL SUR L'IDENTITÉ CANADIENNE ORGANISÉ PAR L'INSTITUT D'IDENTITÉS CANADIENNES

### UN REGARD SUR NOTRE CONSTITUTION 30 ANS PLUS TARD : L'INFLUENCE DE LA CONSTITUTION CANADIENNE ET DE LA CHARTE DES DROITS SUR NOS LÉGISLATIONS, IDENTITÉS ET VALEURS, LES 17-18, 2012, OTTAWA, QUÉBEC.

Le 17 avril 2012 marquera le 30<sup>e</sup> anniversaire du rapatriement de la Constitution canadienne et la création de la Charte des droits et libertés. La Constitution et la Charte ont eu un impact considérable sur nos lois et politiques publiques. Grand nombre de Canadiens considèrent que la Constitution et la Charte des droits ont façonné des aspects déterminants de notre identité collective et ont défini nos valeurs partagées. En général, les Canadiens ont une opinion favorable de la Constitution et de la Charte. Mais encore, plusieurs d'entre eux croient que ces documents influents sont aussi conflictuels. Pour souligner cet événement important, le nouvel Institut d'identités canadiennes organisera un congrès intitulé « Un regard sur notre constitution 30 ans après : L'influence de la Constitution canadienne et de la Charte des droits sur nos législations, identités et valeurs » qui aura lieu les 17 et 18 avril 2012, au Musée de la civilisation à Ottawa, Québec.

Certaines critiques affirment que les élus céderont trop facilement le pouvoir au système judiciaire lorsqu'il s'agit de sujets controversés. D'autres font remarquer que le refus du Québec d'adhérer à la Constitution reflète les écarts continus qui existent au cœur de la nation canadienne. Il est toutefois étonnant qu'un document qui n'a que trente ans soit devenu pour un grand nombre de personnes un symbole qui définit l'identité canadienne ainsi que les valeurs et principes partagés tout en étant un exemple de liberté fondamentale. La Constitution et la Charte sont un résultat des compromis politiques des trois dernières décennies et représentent

une discussion continue sur les rôles conflictuels de l'État et de divers intérêts de la société.

Comment ces discussions sur la Constitution ont-elles façonné nos identités? Devons-nous commencer à modifier la Constitution? Est-ce que la Constitution et la Charte des droits ont renforcé ou affaibli la démocratie canadienne? Quelle est leur signification pour les femmes, les autochtones, les groupes de langue minoritaires, les minorités visibles et ethniques, les groupes religieux et les nouveaux arrivants? Quel rôle ont joué les tribunaux en interprétant la Constitution et comment la Charte a-t-elle transformé le système judiciaire canadien? Les juges sont-ils devenus législateurs? La ligne entre la loi et la politique s'est-elle brouillée au cours des 30 dernières années? Comment se compare l'expérience canadienne à celle des autres pays? Est-ce que les tribunaux deviennent plus ou moins accessibles au grand public? Quels sont les avantages d'une constitution non écrite? Comment la Constitution a-t-elle affecté l'équilibre des pouvoirs au Canada et les dynamiques du fédéralisme?

Nous invitons cordialement les décideurs, universitaires, chercheurs, activistes, érudits, avocats, juges et professionnels de toutes disciplines à participer en nous faisant parvenir un résumé de 250 à 500 mots pour des textes individuels ou des propositions pour des séances avant le 31 janvier 2012 à : [james.ondrick@acs-aec.ca](mailto:james.ondrick@acs-aec.ca), Tel (514) 925-3097, fax (514) 925-3095, Web : [www.acs-aec.ca](http://www.acs-aec.ca)

3

**Introduction**

Jack Jedwab and Du Fachun

5

**The Migration of Ethnic Minorities in the Urbanization Process in China**

Wang Jun

8

**The Hukou System and Rural-urban Migration in China**

Zhang Jijiao

13

**The Internal Migrations of the Métis of the Canadian Northwest**

Jean Teillet

17

**Ethnic Groups and Migration in Shanghai**

Wu Da

22

**The Mi'kmaq of New Brunswick: A Rural Aboriginal People Resisting a National Urbanization Process**

André Duguay

27

**A Study on the Rationale and Consequences of Ecological Migration in the Sanjiangyuan of the Qinghai Tibetan Plateau**

Du Fachun

32

**Urbanization, Development & Bilingual Language Situations: A Case Study of Bilingual Language in Minzu University of China**

Wang Chaohui

37

**Au-delà de l'assimilation linguistique: Les leçons à tirer des institutions scolaires francophones au Nouveau-Brunswick pour la Chine**

Vincent Roy et Huhua Cao

45

**Retention and Revival: The Prospects for Aboriginal Languages in Canada**

Jack Jedwab

53

**On the Protection of the Rights and Interests of Chinese Urban Ethnic Minorities**

Jin Chunzi and Zhao Yunmei

57

**Protecting Migrants' Rights: Undocumented Migrants as Local Citizens**

François Crépeau

63

**The Rights of Migrants in Canada**

Gerald Gall

69

**Circular Migration and Identity: Canadian Diaspora in China**

Kenny Zhang

76

**Social Integration of New Chinese Immigrants in Vancouver**

Bing Wang

80

**Emerging Trends in Migration: Canadian and American Migration at the Borderlands**

Susan W. Hardwick



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*Diversité canadienne* est une publication trimestrielle de l'Association d'études canadiennes (AEC). Elle est distribuée gratuitement aux membres de l'AEC. Diversité canadienne est une publication bilingue. Tous les textes émanant de l'AEC sont publiés en français et en anglais. Tous les autres textes sont publiés dans la langue d'origine. Les collaborateurs et collaboratrices de Diversité canadienne sont entièrement responsables des idées et opinions exprimées dans leurs articles. L'Association d'études canadiennes est un organisme pancanadien à but non lucratif dont l'objet est de promouvoir l'enseignement, la recherche et les publications sur le Canada. L'AEC est une société savante et membre de la Fédération canadienne des sciences humaines et sociales.

*Canadian Diversity* is a quarterly publication of the Association for Canadian Studies (ACS). It is distributed free of charge to individual and institutional members of the ACS. Canadian Diversity is a bilingual publication. All material prepared by the ACS is published in both French and English. All other articles are published in the language in which they are written. Opinions expressed in articles are those of the authors and do not necessarily reflect the opinion of the ACS. The Association for Canadian Studies is a voluntary non-profit organization. It seeks to expand and disseminate knowledge about Canada through teaching, research and publications. The ACS is a scholarly society and a member of the Humanities and Social Science Federation of Canada.

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## LETTERS

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Your letters may be edited for length and clarity.*

# INTRODUCTION

Jack Jedwab and Du Fachun

Since the 1970's the dramatic growth of the Canadian population of Chinese origin has been an important contributing factor to Canada's increasing interest in China. A recent survey conducted by the firm Leger Marketing for the Association for Canadian Studies reveals that some 38% of Canadians think that things that happen in China have an important impact on their lives. For its part, the population of China has a favourable view of Canada. The ethnic diversity of the far more populous China is something about which relatively few Canadians are knowledgeable. On the other hand, the less populous Canada portrays itself to the globe as a diverse nation in which international immigration has played a fundamental role. China's diversity is increasingly influenced by internal migration. The two countries diverge in their respective degrees of urbanization, with the cities being home to a considerably greater share of the Canadian population and in particular its minority ethnic groups. On the other hand, the ethnic minorities of China are disproportionately located in the rural areas of the country.

Despite these divergences, there are at least two areas in which the Canadian experience interests those Chinese researchers that examine issues of migration and identities. First, the issue of common or shared identity and specifically how ethnic minorities adjust to majority culture and norms. In effect, to borrow from terminology increasingly employed in Canada, how does the majority reasonably accommodate its ethnic and linguistic minorities? Yet another matter of critical importance to China in its ongoing efforts to address its internal diversity is the movement of its ethnic minorities from the outlying regions of the country to its larger cities. Researchers and policy-makers in China see some analogies between its internal migration and the movement of First Nations from the reserves to the country's urban centres and how Canada meets the economic and social challenge of such migration. As is often the case in comparative migration

research, contrasting the experience of ethnic minorities in China with that of Canada's First Nations is imperfect. Yet such comparisons provide important opportunities for both countries to learn about their respective histories. Several of the essays included in this publication address issues of internal migration in Canada and China, cross-border migration and minority language and cultural preservation. The essays attempt to identify several of the challenges facing national minorities and migrants in China and Canada.

Canadian researchers are increasingly interested in understanding the impact of transnational ties on international migration. Many migrants from China to Canada have returned to their home country and maintained status in both countries. This has prompted debate about the rights and responsibilities of dual citizens. The Asia-Pacific Foundation's Kenny Zhang observes that: "...now is the time for the governments of both China and Canada to understand the changing direction of people mobility and changing identity/identities of Canadians in China." He concludes that: "...there is an urgent need for both countries to work together on policies that will deepen the connections across the Pacific and ultimately benefit Canada and China, as well as the individual migrants." Technologies allow migrants from China and elsewhere to maintain contact with their countries of origin in ways that are unparalleled. For example, migrants from China in Canada can readily consume media via the internet in Mandarin. What does this mean for the future of social integration and the persistence of multiple identities in the context of the effort to thicken Canadian identification?

Leading scholars, researchers and policy-makers in Canada and China have contributed essays to this special edition of Canadian Diversity which we hope represents a turning point for constructing a research agenda on issues of migration and identities and expanding opportunities for dialogue and exchange.

# 前言

杰克·杰德韦伯和杜发春

自20世纪70年代以来，中国人大量移民加拿大，这导致加拿大对中国的兴趣与日俱增。近来，Leger Marketing公司为加拿大研究会所做的一项民意调查显示，38%的加拿大人认为中国国内发生的事情对他们的生活有着重大的影响；对于中国人来说，普遍对加拿大抱有好感。人口众多的中国，其民族多样性对于大部分加拿大人来说是不了解的。另一方面，人口较少的加拿大展示给世人的是一个多样化的国家，其中国际移民起着根本的作用；中国的多样化日益受到国内移民的影响。在各自的城市化程度上，两个国家也是有差异的：越来越多的加拿大人居住在城市，尤其是少数民族裔人口；另一方面，中国的少数民族比例却不均匀地居住在农村和牧区。

尽管存在着上述的差异，但研究移民和认同的中国学者认为，至少在两个领域对加拿大经验还是很感兴趣的。首先是共同或共享的认同问题，具体而言，少数民族如何适应主流社会的文化和惯例。实际上，借用加拿大国内新兴的术语，即主流社会如何合理地接纳语言各异的少数民族？在中国处理多样化努力的过程中，少数民族从乡村迁移到主要城市是另一个关键的问题。中国的研究人员和决策者将这种国内移民与加拿大第一民族（印第安人）从保留地迁移到城市作为类比，以及加拿大如何面对由此产生的经济和社会挑战。在比较移民研究中这是很常见的，即对中国少数民族的经验与加拿大第一民族（印第安人）的

经验进行类比并不是很理想，但这种比较却为双方国家提供了学习各自历史的重要机会。包括在本书中的几篇论文探讨了加拿大和中国的国内移民问题、跨国移民问题和少数民族语言和文化保护问题。这些论文旨在确认中加两国少数民族和移民所面临的挑战。

加拿大研究人员正在日益关注跨国联系对国际移民的影响。加拿大的许多中国移民已经回到母国（中国），但他们仍然在两国间穿梭。有关双重国籍公民权利和责任的辩论由此产生。加拿大亚太基金会的张康清研究员观察到：“……现在正是中加两国政府认识到人员移动方向改变、中国的加拿大人认同改变的时候了。”他总结认为：“……两国有必要联手制定政策，加深太平洋两岸间的联系，最终使两国以及移民受益。”飞速发展的现代科学技术使来自中国和其他地区的移民与他们的母国保持联系，这种联系方式是前所未有的。例如，加拿大的中国移民可以很便利地通过互联网阅读中文媒体。在加强加拿大认同的背景下，这对社会融合的未来以及坚持多元认同又意味着什么呢？

在这本有关《加拿大的多样性》的特刊中，中加两国学者、研究人员和决策者为我们提供了论文。我们希望这本书是一个转折点，由此开始建构一项有关移民和认同问题的研究计划，从而扩大双方对话和交流的机会。

# THE MIGRATION OF ETHNIC MINORITIES IN THE URBANIZATION PROCESS IN CHINA

Jun Wang is a professor at the Minzu University of China (MUC) and dean of the MUC Faculty of Education. Currently, he is the deputy director general of the Center for Ethnic Studies in the State Ethnic Affairs Commission. He specializes in education and ethnic policy in China and focuses on ethnic education and migration, education theory and compared education. He holds a PhD degree in Law and he is a supervisor of PhD candidates at the MUC. He has published 7 books, including *"Cultural Maintaining and Educational Option"* and *"Ethnic Education"*, and over 50 articles in Chinese and Japanese.

## ABSTRACT

Since the adoption of the opening-up policy, China has undergone a tremendous migration tide from rural to urban areas, Midwest to East, and East back to Midwest. As the conspicuous demographic phenomenon in Chinese socio-economic development, migration is the inevitable outcome of a market-oriented economy, which in turn impacts the process of socio-economic development. While promoting the development of rural and urban economies and exchanges between members of different ethnic groups, the dramatic increase of ethnic minorities in the floating urban population intensifies the complex urban ethnic relations. By closely examining these problems, the author puts forward his suggestions on the issue.

## 提要

改革开放以来，中国正在经历一个从农村到城市，从中西部到东部，再从东部到中西部的巨大人口流动潮。人口流动已成为中国经济社会发展在人口领域的显著现象，它既是市场经济的必然产物，又反过来影响经济社会发展进程。城市流动人口中少数民族成分和数量的急剧增加，促进了城乡经济的发展和各民族成员的相互交往，同时也使城市中的民族关系日益复杂化。在此，拟对这些问题进行分析，并提出建议。

## POSITIVE IMPACTS OF THE MIGRATION OF ETHNIC MINORITIES

With the deepening of the reform and of the opening-up policy and the quickening of the urbanization process, more and more ethnic minorities are migrating from mountainous, rural and pastoral areas into more economically developed medium-sized and large cities. According to the 2000 census, the number of nation-wide floating ethnic minorities reached 30,000,000, 10 times the number of 1990. Among them, 70% flowed into the cities in southeast coastal areas and the central region, with a minimum number of 10,000 people and a maximum of 100, 000. Rational migration is vital for healthy socio-economic development, and is an effective way to realize common development and progress among ethnic groups. The present migration of ethnic minorities has the following positive impacts:

1. Promote the urban economic development. On the one hand, the in-flow of cheap labor force, including ethnic migrant workers, is the result of socio-economic

development, which demands a large supply of urban labor force. On the other hand, it stimulates urban consumption and promotes the urbanization process and urban economic development.

2. Intensify a multinational and multicultural trend in cities. With the large presence of ethnic minorities in cities, ethnic food, costume, music, dance and language have become more accessible, which has a profound impact on people's ideas and behaviors. Accompanying the changing urban national landscape, the burgeoning cultural diversity adds more impetus to the urban development.
3. Promote the rural socio-economic development. While having their living standard improved through migration, ethnic migrants also acquire scientific technology, production skill and management experience. Moreover, the urban life and market economy not only broaden their views, but also upgrade their ideas on civilization, modernization, laws and regulations. Their modeling effect promotes the socio-

economic development back in their homelands and helps upgrade the overall standard of ethnic minorities. The migration of ethnic minorities promotes frequent exchanges and cooperation between ethnic groups and enhances mutual understanding and feelings, which contribute to the building of equal, solid, mutual and harmonious ethnic relations.

## NEGATIVE IMPACTS OF THE MIGRATION OF ETHNIC MINORITIES

### 1. IN THE PERSPECTIVE OF URBAN MANAGEMENT:

- Pressures on the urban management system. Firstly, the migration brings about huge pressures on traffic, public infrastructures and environmental sanitation which are already overloaded. Secondly, the conflicts induced by different ethnic cultures, living habits and language barriers have been on the rise. Thirdly, the ethnic migrants tend to undertake jobs and run businesses without fulfilling related procedures, such as temporary residence permits and business licenses. Fourthly, the birth-control policy is difficult to carry out on the floating ethnic population.
- Insecurities in urban society. Due to language barriers and new surroundings, ethnic migrants are easily exposed to deceptions, bullies, difficult school enrollment, etc. The unskilled ethnic migrants are also likely to engage in theft, gambling, drug abuse, trafficking, and other illegal activities.
- Behaviors damaging ethnic relations and social stability. The problem is intensified by disrespectful behaviors toward ethnic customs and infringements of ethnic interests; for example, the disputes caused by disrespect toward ethnic foods and funerals, the distortion and smear of ethnic images in publications and literature, and incidences of disrespect toward ethnic religions.
- Difficulties in the management of religious activities. The migration of ethnic minorities highlights the conflict between religious activities and the inadequacy of sites providing such activities. The entanglement of national and religious problems further complicates and sensitizes normal economic disputes.

### 2. IN THE PERSPECTIVE OF INTEREST PROTECTION

- Hard work, low income and no livelihood security. The right to live is a basic human right; however, ethnic migrants face a series of problems in the wake of migration. The 3D (dirty, dangerous, difficult) jobs they undertake are particularly problematic. These are mainly restaurant, wholesale business, construction and security guard jobs. Although they work very hard, the migrants' income remains extremely low. It is an issue of concern and a speedy solution is needed.

- Employment discrimination. Ethnic migrants, mainly educated at primary and secondary school levels, get employed with help from relatives and friends. Their conspicuous ethnic appearances also prevent them from getting better employment.
- Poor housing conditions. Most migrant workers live in the dormitories provided by the employers, which are always crowded, dark, humid and stuffy. Some even live on the work sites, where beds are set up in the evening and folded in the daytime.
- No steady ethnic food supply. Ethnic food is seldom paid attention to in urban life.
- Difficulties in school enrollment. Some ethnic migrants settle down with their families after years of hard work in cities, and what troubles them most is the school enrollment for their children. Not only must they pay a large sponsorship fee, but the enrollment procedure is also very complicated.
- The lack of ethnic culture. Ethnic migrants have to abandon their languages and customs to fully integrate into urban life, which means they risk losing their unique cultures.
- Limited social interactions and weak social supports. Some scholars describe the floating population as being in the fringe of the city; they mainly live in the borders between rural and urban areas, which separates them geographically from the city. During the day, they work in every corner of the city; in the evening, they return to this corner and know no more interactions with urban dwellers. Their social activities are confined within the circle of fellow villagers and ethnic members. They are both materially disadvantaged and psychologically frustrated.

## SUGGESTIONS

Migration injects impetus and vitality into the urban economic development and social prosperity. The outdated view that migration is "a burden which must be kept under constraint and control", should be updated as "a fortune which deserves respect and service". Compared with Han nationality's migration, the migration of ethnic minorities reflects not only the migration between urban and rural areas, but also the exchanges between ethnic groups, and in particular, the issues on ethnic interactions and cultural identity. While maintaining their unique cultural traditions, the ethnic migrants experience frequent contacts and collisions with Han's cultures, which complicate their adaptation to the urban life. By readjusting in areas of technical skills, values, ways of life, social interactions, ethnic psychology, customs and cultures, the ethnic migrants can fully integrate into the process of urbanization and modernization, otherwise they will be marginalized in the urban life and mainstream cultures.

Concerning the above-mentioned problems, the author tries to put forward the following suggestions:

Firstly, nurture a social environment which shows concern toward the ethnic migrants. Specifically speaking, the media's viewpoint should be corrected. The media plays an important role in shaping public opinions and building psychological hints. The lopsided tendency which views ethnic migrants as "third-class citizens", "the fringe of society", etc., should be averted to establish positive images in the society. The management of ethnic migrants should be integrated into the urban community systems by creating social interactions between urban dwellers and migrants to dissolve mutual misunderstandings and prejudices.

Secondly, change the binary segmentation systems to facilitate the adaptation of ethnic migrants. An innovation in the employment system is suggested to break the barriers and segmentations in the labor market by introducing an open and unified system. A network facilitating job application, employment information and competition for employment, combined with the efforts of strengthening and regulating functions played by intermediary organizations in communication, training and recommendation, will bring the disorderly migration into control and help facilitate the migrants to find suitable jobs. An innovation in school enrollment is also strongly recommended. The lack of schools for migrant children should be addressed, followed by an emphasis on the quality of education. Both government-run and private schools should be open to the migrants' children, with the former canceling the sponsorship fee exerted on the migrant population and the latter being incorporated into the municipal network of educational planning, regulating and services. An innovation in household registration systems should be carried out step by step to achieve the final goal of abolishment.

Thirdly, educate the ethnic migrants. Occupational and continuing educations, centering on skill acquirement, should be promoted in the rural ethnic minority areas. Likewise, on-the-job, professional and employment training should be provided to the unskilled migrants. The thirst for knowledge in the ethnic cultures and religions should be emphasized to eliminate poor cultural awareness. All governmental, non-governmental, and social bodies and organizations aiming to help ethnic migrants should work together to set up an effective mechanism of assistance, consultation, aid-relief, social interaction, adaptation, cultural maintenance and exchanges; to safeguard the implementation of interest protection during the urbanization process; and to promote the building of equal, solid, mutual and harmonious ethnic relations.

#### REFERENCES

- 《中国民族统计年鉴（2008）》，国家民族事务委员会经济发展司、国家统计局国民经济综合统计司编，民族出版社，2009年11月。
- 《中国城市民族工作的理论与实践》，沈林、张继焦、杜宇、金春子，民族出版社，2001年11月。
- 《中国少数民族的移动与适应》，陈晓毅、马建钊，民族出版社，2007年6月。
- 《城市化进程中的民族问题研究》，周大鸣、马建钊，民族出版社，2005年11月。
- 《试论城市少数民族流动人口问题与城市民族关系》，汤夺先，黑龙江民族丛刊，2009年第1期。
- 《试论少数民族流动人口的构成、分布特点及动因》. 拉毛才让. 攀登杂志，2005年第2期。

# THE HUKOU SYSTEM AND RURAL-URBAN MIGRATION IN CHINA

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## ABSTRACT

P. R. China's Hukou (household) registration system, set up in 1958, divides the population into two categories: rural and non-rural households. Individual interests and rights, such as education, healthcare, housing and employment, are determined by this household registration. Under this system, citizens born in rural areas do not have access to social welfare in the cities in which they live and work. Before the reform in China, the Hukou system had its intended effect: to severely restrict rural-to-urban migration. After the economic reform, the urbanization rate of China rose from 17.4% in 1978 to 46.59% in 2009. The time for a fundamental reform of the Hukou system seems to have arrived. China's government should gradually change the current system to a unified Hukou system, thus eliminating the rural and city division.

## 提要

中华人民共和国于1958年开始实行户籍登记管理制度，将人口划分为农村户口和城镇户口两种类型。于是，每一个人的教育、医疗卫生、住房和就业等方面待遇，都与其户口类型密切相关。因此，持农村户口的人是无法享受城镇户口的各种社会福利待遇的，即便他们在城市里生活和工作也无法享有城镇居民的待遇。

在中国的改革开放之前，户籍制度已达到了其严格限制人口从农村到城市迁移的效果。自改革开放以来，中国的城市化率已经从1978年的17.4%上升为2009年的46.59%。对户口制度进行根本性变革的时机似乎已经到来。中国政府将逐步地改进现有的户籍制度，以期根除农村与城市之间的隔离状况。

关键词：户籍制度、从农村到城市的移民、中国

## BACKGROUND

In most developing nations, economic development has promoted massive and uncontrolled migration from the countryside into urban areas (Kasarda and Crenshaw 1991). Rural-urban migration is a pervasive feature in developing countries. In general, urban areas are centres of development where incomes tend to be higher and

economic opportunities greater. Peasants flock to the cities in search of better lives, driven by real or perceived differentials in economic opportunities (Lee 1966; Todero 1976), by the families' need to diversify risk in the absence of formal insurance mechanisms (Portes and Böröcz 1989), and by social network connections with others who have preceded them (Massey et al. 1993). Rural-urban migration is thus an important channel of social mobility.

China's Hukou<sup>1</sup> (household) registration system, set up in 1958 (Regulations, 1958), divides the population into rural households and non-rural households. Individual interests and rights, such as education, healthcare, housing and employment, are determined by this household registration. Under this system, citizens who were born in rural areas do not have access to social welfare in the cities in which they live and work.

## I. WHAT IS THE HUKOU SYSTEM?

Hukou or huji refers to the system of residency permits which dates back to ancient China, where household registration was required by law in mainland China and Taiwan. In many contexts, Hukou can also refer to a family register: a household registration record is issued to each family, and usually includes the personal information of each family member. In China, family registers were in existence as early as the Xia Dynasty (2100 – 1600 B.C.). In the centuries which followed, the family register developed into an organization of families and clans used for taxation, conscription and social control.

Similar household registration systems exist within the public administration structures of Japan (Koseki), Vietnam, and North Korea (Hoju). In South Korea, the Hoju system was abolished on 1 January 2008.

The first page of a householder's booklet is used to record all the members of the household, following which every family member has a page to record their personal information. A household registration record officially identifies a person as a resident of an area and includes the following identifying information: name, relation with the householder, former name, gender, ethnic group, birth date, birth place, native place, blood type, ID Number, marital status, education, occupation, workplace, religion, stature, military service, and when & where they moved from and moved to. The booklet also contains pages for recording changes and corrections. Family members can use a second page to change and correct the records.

The 'birth place' and 'permanent residence' items in the household booklet may seem fairly innocuous, but in fact they were the cornerstones of rural-urban migration control. Every single person was assigned a registration status – either "agricultural" or "urban". Newborn babies were registered at their mothers' permanent residence, even if they were actually born at a different location. This meant that the 'agricultural' or 'urban' status of individuals was inherited through the mother. The rationale for passing the rural/urban status along maternal lines was that men generally tend to be more mobile than women; inheritance of status from the father would therefore add more children to the urban population.

## II. HUKOU SYSTEM REFORM SINCE THE 1990S

The Hukou system has had its intended effect: to severely restrict rural-to-urban migration (Johnson 1994; Yang 1993). The central mechanism regulating population flows was the Hukou system, which, until the onset of the reforms in the 1990s, effectively tied Chinese citizens to their place of residence. The time for a fundamental reform of the registration system seems to have arrived.

There are a number of practical circumstances which have made the emergence of this temporary migrant population possible. With improved supplies and free markets, rationing has lost much of its former importance and most products can now be bought with money. Following good harvests and dietary changes, many provinces did away completely with grain coupons in the early 1990s. In order to boost employment, collective and private enterprises are not only allowed but are actively encouraged. Peasants can go to cities to sell their surplus products, and after decades of socialist neglect, the service sector is expected to grow, both reducing unemployment and improving the quality of life. The reforms have led to an enormous construction boom, both in cities and in the countryside, and most of the physical labour is done by peasant workers. A number of branches of industry find it increasingly difficult to recruit urbanites for heavy or dirty work and have resorted to hiring peasants.

The system has undergone further relaxation since the mid 1990s. On the one hand, the first relaxation allowed rural residents to buy temporary urban residency permits, meaning they could work legally; fees for these decreased gradually to a fairly affordable level. On the other hand, people from rural areas can buy urban residents' registration in many township levels around China.

The discrimination against rural women has been alleviated since 1998, when Hukou became inheritable through either the father's or the mother's line (Au Loong-yu et al 2007).

## III. HUKOU SYSTEM REFORM SINCE ENTERING THE WTO, 2001

Although the Hukou system was widely regarded within the PRC as unfair and inhumane, reforming the residency system has been a very controversial topic within the PRC.

There has been recognition for some time that Hukou is an impediment to economic development (Calum Macleod 2001). China's accession to the World Trade Organization has forced it to embrace this reform to liberalize the movement of labour, speeding up its economic reform (Yao Shunli 2000).

From 2001 onwards, Hukou controls were weakened. In 2003, after the uproar surrounding the death of Sun Zhigang alarmed the authorities, the laws on Custody and Repatriation were repealed (Au Loong-yu et al 2007). By 2004 the Chinese Ministry of Agriculture estimated that over 100 million people registered as "rural" were working in cities.

In 2006, six groups with members from 14 central departments, including the Ministries of Education, Health, Labour and Social Security, were dispatched to 12 provinces to research how best to implement such a significant reform process. In the meantime, 12 provinces, including the Hebei, Liaoning, Shandong, Guangdong provinces, the Guangxi Zhuang Autonomous Region, and the Beijing, Shanghai and Chongqing Municipalities, had launched pilot programs to experiment with a system that narrowed differentiation between rural and urban residents.

In some provinces, such as the economically well-developed Jiangsu Province, governments allow migrants with stable jobs and fixed residences to register where they live and work rather than where they were born, so that they can enjoy the urban welfare system. Gansu Province in western China (an underdeveloped area) also allows migrant rural workers who have lived in a stable city residence for three years to register as non-rural citizens. However, the central government has not set a time frame for national reform.

It has been reported that Beijing is to remove the limitation stating that only people with a Beijing Hukou (residence permit) can buy cars. In the future, non-locals will also be able to purchase automobiles in Beijing. Good news for non-locals who want to buy cars: they will no longer have to buy them using the name of some other Beijing local or company.

Examples of lifting Hukou limitations for the sake of market development were not all that rare in the recent past. For instance, the restrictions on home buying were lifted when the housing market was depressed. It seems non-locals do not have access to all the usual resources and services until they are abundant in the market. For example, migrant workers used to be required to use "employees cards" until the floating population was brought under greater control. Migrant workers construct and contribute to our city. The taxes they have paid go into the government's public finances. Therefore, the migrant workers should be treated fairly and equally by the locals.

The household registration system, though it played a positive role in the past, now stands to some extent in the way of the country's urbanization, which is essential to China's modernization. The evidence of China's economic success in the last 30 years is clear for anybody to see: a

forest of construction cranes permeates almost every major city. This, however, has only exacerbated the problem of urbanization, by drawing more and more rural dwellers off their farms and into the city in search of a better life. The subsequent expansion of the service industry in the cities, in line with the expanding middle class, has created a vacuum in the secondary sectors that rural labourers hope to fill.

In our 2007-2008 survey, the total valid samples were 573 urban migrants. In general, 52.6% of them stayed in the four cities over 3 years (Qingdao (81.2%), Shenzhen (79.4%), Huhhot (34.9%), and Kunming (31.9%)). Generally speaking, 26.5% of them gained urban Hukou in one of the four cities. Of which, Shenzhen (66.7%), Qingdao (15.2%), Kunming (12.8%), and Huhhot (6.8%). 58.6% of them only had temporary registration Hukou (Kunming (77.8%), Qingdao (70.7%), Huhhot (65.0%), and Shenzhen (21.0%)). Over 65% bring the whole family in one of the four cities.<sup>2</sup> Our research shows that more and more migrants who relocate to find better jobs in cities tend to stay longer or even resettle with their entire families.

A survey showed that 92% of the 11,168 respondents said that the system was in need of reform. More than 53% said restrictive policies attached to the system, such as limits on access to education, healthcare, employment and social insurance should be eliminated. More than 38 per cent called for the system to be scrapped entirely.<sup>3</sup>

Since the adoption of the policy of reform and opening up, China has witnessed a bursting migration of rural labour to urban areas in search of work opportunities. More than 220 million migrant rural workers have moved to cities in search of work.

## CONCLUSION

As China is struggling with the social effects of a widening rural-urban divide, there have been growing calls to reform the Hukou system, owing to the fact that millions of farmers have illegally started moving to towns and cities in order to find work. Hukou has played an important role providing basic data and identifying registration in certain historical periods, but it has become neither scientific nor rational given the irresistible trend of migration. China needs to propose a way to deal with the inequalities across Chinese society and bridge the divide. Many scholars have suggested eliminating the two-tiered household registration system and allowing freer migration between the cities and the countryside.

In 2009, the urbanization rate of China rose from 17.4% in 1978 to 46.59%. The government will adjust its policies on the settlement of rural residents in cities based on legal and permanent residence, stable occupation or

income. China's government should gradually change the current system to a unified household registration system, which eliminates the rural and non-rural division.

Reform of the Hukou system began in 1992, and to this day has not reached a satisfactory conclusion, largely because of the complicated policies attached to it — any missteps in the reform could result in some social problems.

The Hukou system may have served its time as an effective policy instrument, but it is far from dead. Reform of the Hukou system will be continued. Future research on both spatial and social mobility in China would do well to attend to the Hukou system as a central stratifying agent in contemporary Chinese society.

#### REFERENCES

- Au Loong-yu, Nan Shan, Zhang Ping. 2007. Women Migrant Workers under the Chinese Social Apartheid. Committee for Asian Women. May: 1.
- Bian, Y. 1994. *Work and Inequality in Urban China*. Albany: State University of New York Press.
- Blau, P. M., and D. Ruan. 1990. "Inequality of Opportunity in Urban China and America." in *Research in Stratification and Mobility*. Vol. 9: 3-32.
- Chan, K. W. 1994. *Cities With Invisible Walls*. Hong Kong: Oxford University Press.
- Johnson, D. G. 1988. "Economic Reforms in the People's Republic of China." In *Economic Development and Cultural Change*. Vol. 36: 225-245.
- Kasarda, J. D., and E. M. Crenshaw. 1991. "Third World Urbanization: Dimensions, Theories, and Determinants." in *Annual Review of Sociology*, Vol. 17: 467-501.
- Knight, J., and L. Song. 1999. *The Rural-Urban Divide: Economic Disparities and Interactions in China*. Oxford: Oxford University Press.
- Laquian, Aprodicio A. 2005. *Beyond Metropolis: The Planning and Governance of Asia's Mega-Urban Regions*. Johns Hopkins University Press: 320-321.
- Lee, E. S. 1966. "A Theory of Migration." in *Demography*. Vol. 1: 47-57.
- Liang, Z., and M. J. White. 1997. "Market Transition, Government Policies, and Interprovincial Migration in China: 1983-1988." in *Economic Development and Cultural Change*. Vol. 45: 321-384.
- Macleod, Calum. 2001. "China reviews 'apartheid' for 900m peasants." in *The Independent*. June 10.
- Mallee, Hein. 1995. "China's Household Registration System under Reform," in *Development and Change*. Vol. 26: 1-29. Blackwell Publishers.
- Massey, D. S., J. Arango, G. Hugo, A. Kouaouci, A. Pellegrino, and J. E. Taylor. 1993. "Theories of International Migration: a Review and Appraisal." In *Population and Development Review*. Vol. 19: 431-466.
- Naughton, B. 1997. "Danwei: The Economic Foundations of a Unique Institution." in *Danwei: The Changing Chinese Workplace in Historical and Comparative Perspective*, edited by X. Lü and E. Perry. Armonk, N.Y.: M. E. Sharpe.
- Todaro, M. P. 1976. "In Search of a 'General' Framework for Migration Analysis." in *Internal Migration in Developing Countries*: 15-19. Geneva: International Labour Office.
- Parish, W. L. 1984. "Destratification in China." in *Class and Social Stratification in Post-revolution China*, edited by J. Watson. London: Cambridge University Press.
- Parish, W. L., and M. K. Whyte. 1978. "Collective Agricultural Organization." in *Village and Family in Contemporary China*. Chicago: University of Chicago Press.
- Portes, A., and J. Böröcz. 1989. "Contemporary Immigration: Theoretical Perspectives on Its Determinants and Modes of Incorporation." in *International Migration Review*. Vol. 23: 606-630.
- Regulations (1958) 'Zhonghua renmin gongheguo hukou dengji tiaoli' [Regulations on household registration of the PRC] in *Zhonghua renmin gongheguo fugui huibian* [Collection of Laws and Regulations of the PRC]: 204-216. Beijing: Law Press.
- Waddington, Jeremy. 1999. *Globalization and Patterns of Labour Resistance*: 82. Routledge.
- Walder, A. G. 1986. *Communist Neo-Traditionalism: Work and Authority in Chinese Industry*. Berkeley and Los Angeles: University of California Press.
- \_. 1992. "Property Rights and Stratification in Socialist Redistributive Economies." in *American Sociological Review*. Vol. 57: 524-539.
- Whyte, M. K., and W. Parish. 1984. *Urban Life in Contemporary China*. Chicago: University of Chicago Press.
- Winship, C., and R. D. Mare. 1992. "Models for Sample Selection Bias." in *Annual Review of Sociology*. Vol. 18: 327-350.
- Wu, Xiaogang and Donald J. Treiman. 2003. "The Household Registration System and Social Stratification in China: 1955-1996". University of California at Los Angeles. California Center for Population Research. On-Line Working Paper Series.
- Yao, Shunli. 2002. "China's WTO Revolution." in *Project Syndicate*. June.
- Yang, X. 1993. "Household Registration, Economic Reform and Migration." In *International Migration Review*. Vol. 27: 796-818.
- Zhang, Q. 1988. 'Basic Facts on the Household Registration System,' ed. and transl. By M. Dutton. in *Chinese Economic Studies*. Vol. 22: 1. Armonk: Sharpe.

FOOTNOTES

<sup>1</sup> “*Hukou*” has been adopted by English-language audiences to refer to both the *haji* system and an individual’s *hukou*.

<sup>2</sup> The 2007-2008 survey in four selected cities (Shenzhen (South), Huhhot (North), Qingdao (East), and Kunming (West) of China, which was directed by Prof. Dr. Zhang Jijiao, Academy of Social Sciences, China.

<sup>3</sup> Source: A week-long poll conducted in March 2007 by website Sina.com and Social Survey Center of China Youth Daily.

# THE INTERNAL MIGRATIONS OF THE MÉTIS OF THE CANADIAN NORTHWEST<sup>1</sup>

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## ABSTRACT

The Métis of the Northwest are a mixed-race people and one of the aboriginal peoples of Canada. In the 19<sup>th</sup> Century, most of the aboriginal peoples of Canada, including the Métis, were highly mobile. In the 21<sup>st</sup> Century, the Métis are unique because, unlike other aboriginal peoples in Canada, they have continued to be mobile. This article discusses the reasons for their continued mobility.

## 摘要

居住在加拿大西北部的梅蒂斯人是一个混合民族，也是加拿大的一个土著民族。19世纪，加拿大大多数的土著民族，其中包括梅蒂斯人，过着到处迁移的生活。21世纪，梅蒂斯人却是独一无二的，因为，与其他加拿大土著民族不同，他们继续过着迁移的生活。本文探讨了这种持续性迁移的原因。

The Métis are one of the aboriginal peoples of Canada. In 1982 they were recognized as such in s. 35 of the *Constitution Act, 1982*. The Supreme Court of Canada in *Powley* held that the Métis have "full status as distinctive rights-bearing peoples", a characteristic they share with the Indian and Inuit peoples of Canada.<sup>2</sup> When Canada adopted s. 35 into its *Constitution Act* in 1982, it was a unique constitutional enactment. Since then several countries have amended their constitutions to include recognition and protection of aboriginal (indigenous) peoples.<sup>3</sup> Indeed, such constitutional recognition appears to be emerging as a customary international law norm. However, Canada's constitution remains unique in one respect. It is still the only constitution in the world that recognizes a mixed-race culture, the Métis, as a rights-bearing aboriginal people.

Although census data is widely considered to underestimate the aboriginal peoples of Canada, some 350,000 people in Canada self-identified as Métis in the 2006 census. Métis leaders propose that a number of 500,000 would be more accurate. According to the

census, the Métis are more rural than the non-aboriginal population. 41% of the Métis live in urban centers compared to 65% of the non-aboriginal population. They are also a young population. The median age of the Métis is 27 years compared to 39.4 for the non-aboriginal population. The Métis have another characteristic that distinguishes them from the non-aboriginal population and from the other aboriginal peoples of Canada: they are more mobile.

The Métis are a uniquely Canadian culture. They grew into a distinct culture and became a people in the Northwest of Canada prior to that territory becoming part of Canada. The Métis did not import European culture and values into the Northwest. Their culture was a unique response to the land. While they engaged in some farming, they were highly mobile and were not settlers. Theirs was a creative mixing of Amerindian and Euro-Canadian customs, languages and traditions. Métis culture in the Northwest had many long years to evolve before the settlers who did import European culture arrived.

As people of mixed race, the Métis have never fit comfortably into the cultural landscape in Canada. It was and still is difficult for many Amerindians and Canadians to accept that a new aboriginal people with mixed Euro-Canadian ancestry evolved in Canada. Most people are not comfortable with the idea that a new culture can arise. They accept as a fact the existence of old cultures, but typically resist the idea that cultures are born, evolve and die. The idea of a newly emerged mixed race culture in Canada also defied deeply held notions about loyalty to one's ethnic ancestry and the entitlements of the 'first peoples'. In addition, Canadians are not comfortable with individuals or a collective having multiple identification opportunities that give rise to special rights. It suggests an unfair advantage or preferential rights.

Mixed race *individuals* have traditionally inspired discomfort in others. As Mahtani has noted, the public imagination surrounding mixed race individuals has been marked by a "relentless negativity" and the very notion of a mixed race identity has been resisted.<sup>4</sup> This negativity is compounded when applied to a collective that claims special, constitutionally guaranteed rights. Part of the negativity can be explained by the fact that mixed race people challenge established racial hierarchies or boundaries. Historically the Métis were seen as a people who bridged the primitive and modern worlds as half-savage and half-civilized.

*The half-breeds [the Métis] being more numerous and endowed with uncommon health and strength, esteem themselves the lords of the land. Though they hold the middle place between civilized and wild, one can say that, in respect to morality, they are as good as many civilized people.<sup>5</sup>*

This theory was accompanied by the convenient idea that the Métis identity was not permanent. The assumption was that when the primitive (Amerindian) component became more civilized (by becoming Euro-Canadian) - the Métis would cease to exist. The historical evidence suggests that no one, not Amerindians, Euro-Canadians, or the state wanted a mixed race people to arise or exist. The very concept of Métis, as a people, challenged the established boundaries of culture in Canada.

The Euro-Canadian dominant culture invested its treaty process in non-recognition of the Métis as a people, as a result of which only individual Métis were searched for and found. The expanding Canadian state established a bureaucracy to deal with "Indians and Lands reserved for the Indians".<sup>6</sup> The bureaucracy created new boundaries designed to enclose the lands and assimilate and immobilize Indian people. Indian lands were dramatically reduced

by the surrender of traditional territory, the creation of tiny reserves and the division of the people into officially recognized 'bands'. In this way the new Canadian state rearranged Indians into different smaller groupings with new boundaries established according to its understandings and convenience. These newly defined small entities and their tiny land holdings in no way conformed to pre-existing Indian societies and traditional territories.

Canada has always focused its legal and policy attention on Indian collectives and to the extent that it has indulged this obsession, it has largely ignored the Métis. This myopia has been both a curse and a blessing for the Métis. They were not collectively enclosed on reserves and they were not removed or amalgamated or re-defined into small groups. In fact, they were only ever defined very loosely and even then usually with respect to how they could, as individuals, fit into either one of the recognized groups – white or Indian.

With some notable exceptions, Canada treated the Métis as individuals, sometimes understood to be aboriginal, sometimes understood to be 'white', but generally denied that they were an aboriginal people with any collective rights. The treaty commissioners repeatedly informed the Métis that they were not empowered to deal with the Métis as a collective and that they could choose to identify individually as Indians. There was no choice to identify as Métis in the treaty process. Historically, Métis, as groups, were only permitted to take treaty if they agreed to become "Indians." This is what happened with the 1875 Half Breed Adhesion to Treaty Three. At other times, Métis were told they had to choose. The available choices were to identify as Indian or white. If they chose to identify as Métis collectives, they were generally denied participation in treaty.

All of this is evidence of the discomfort Euro-Canadians had with the Métis. The treaty process was used not only to contain and define Indians, it was also used to preclude the possibility of the Métis continuing to act as a polity. After 1870, this process was continued when Canada decided to implement a land grant and scrip process to extinguish any Indian title individual Métis might possess. The scrip process finally was implemented beginning in 1885. It is notable because even though Canada created no bureaucracy comparable to the Department of Indian Affairs to regulate the Métis as a people, the scrip record contains a thorough record of the Métis who lived in, used and occupied the Northwest. After the scrip process was completed, the Métis virtually disappear from the historic record. In the eyes of the state, the Métis, as a people, had been extinguished by a process meant to extinguish their land title. To the state, the Métis were henceforth invisible.

Historians are in agreement that the Métis were highly mobile, that they transacted routinely with settlers and Indians, and that they used fixed settlements as bases. Where a fixed settlement was a base of operations for the Métis and their numbers were high, their movement in and out of the settlement was a notable event. *Le Métis*, the French language newspaper at Red River in the 19<sup>th</sup> Century, frequently reported on the arrivals and departures of the Métis hunters. However, as others began to settle in these settlements in larger numbers, the movement in and out by the Métis became less noticeable. Over time it became possible for those who permanently resided in the fixed settlement to believe that the Métis were gone.

The Métis lived in, used and occupied a vast area - east to west from Ontario to British Columbia and north to south from the Northwest Territories to the central northwest plains of the United States. The evidence suggests that the Métis who lived in, used and occupied this vast area were connected and formed one large historic society founded on kinship, a shared economy and a common way of life. Mobility, one of the primary characteristics of this Métis community, was the glue that kept the people connected throughout this vast territory.

Mobile peoples do not tread heavily on the earth and the Métis are one of these peoples. They left few historical markings, built no monuments or permanent buildings, and their constant movement meant they could be overlooked by other cultures that invested more heavily in settlement, infrastructure and possessions. Métis culture prized freedom first. The theme of independence has been a self-ascribed attribute of the Métis since their ethnogenesis; an attribute they continue to this day as they continue to describe themselves as *otipéyimisowak* (the independent ones). The cry of freedom from restraint echoes throughout Métis history. Their possessions of value were those that permitted and enhanced their mobility – their guns, tools, horses and their carts. Such mobile peoples do not invest their time and energy in building permanent homes or cities. To other more material cultures, this kind of mobile culture is largely invisible.

Mobility of the Métis, based on spatially extensive family networks and economies, was the foundation of their culture. Métis mobility appears to be of two different kinds; migration and a nomadic life-style based on trading and hunting. Migrations have occurred for three basic reasons. First, the Métis were economic migrants. They migrated in order to access animals on which they relied for their hunting and trading economy. With respect to the fur trade, as it shifted away from the Great Lakes after 1815 and moved further west in the northern boreal forest in the Northwest, the Métis followed. Dr. Arthur Ray has noted that as the Métis moved west they diversified their

economy to include the buffalo, an activity that expanded their range out of the boreal forest and into the parklands and grasslands.<sup>7</sup>

Second, the Métis migrated for political reasons. For example, after the 1870 uprising at Red River many Métis migrated west to evade the reign of terror in Manitoba and in the hopes of maintaining their lifestyle. Finally, Métis migrated in response to natural events such as floods and fires. When these migrations occurred the entire Métis population did not vacate any of these areas. For example, the evidence in *Powley* showed that after 1815 and the economic migration from the Great Lakes to the Prairies, a significant Métis population remained in the Great Lakes-Boundary Waters region of Ontario. The evidence in other trials has showed that while many Métis were forced to move out of North Dakota in the early 1900s, they did not all leave the Turtle Mountain area. Similarly, not all Métis left Red River after 1870 and not all Métis left Saskatchewan after the rebellion in 1885. Further, the migrations were not all east to west.

The evidence of the migrations and the economic territorial use, taken together, show consistent use of the same large geographic area that stretches east to west from the Great Lakes to the Rocky Mountains and north to south from Great Slave Lake and the Mackenzie District to Montana and North Dakota. The many migrations of the Métis are one of the facts that have contributed to the invisibility of the Métis community. In fact, the migrations have led some historians to erroneously conclude that the Métis community itself disappeared from various areas. The evidence does not support this. A more nuanced examination supports a conclusion that the migrations of an already mobile people, far from acting to break up a collective identity, simply serve to embed their pre-existing identity as a mobile people with a network of relationships that exists over a vast landscape. Further, the migrations are internal in the sense that they are not migrating to unknown lands. They are migrating to known areas within the lands they lived in, used and occupied. The evidence does show that the people migrate from time to time. However, they do not leave their home and migrate to a new home. Their migrations simply serve to center their activities in another part of their homeland.

The Métis of the Northwest are well known as buffalo hunters. When the great buffalo herds were decimated, the Métis continued their mobile lifestyle. They became freighters, a mobile occupation they were able to maintain in an increasingly smaller and smaller area throughout the Northwest as the system of railways and roads was established. The Métis also continued their mobile lifestyle as bone pickers. Buffalo bones were scattered all over the prairies and the Métis collected these bones

and transported them to fertilizer plants. These two occupations, bone picking and freighting allowed the Métis to maintain their mobile lifestyle for another decade after Indians had been forced onto reserves. By the beginning of the 20<sup>th</sup> Century, the Métis too were moving less than before but continued to move. They shifted their economy to include work as itinerant farm workers, temporary work in construction, forestry or ranches, hunting other game such as moose, and commercial fishing. This is the Métis economy that survives into the 21<sup>st</sup> Century.

The Métis today continue to be more mobile than other Canadians. The 2006 Canadian census shows that Métis in Alberta in particular remain highly mobile. Even within urban centers Métis mobility rates are 35-40% higher than non-aboriginal population. Over a five-year period Métis are 11% more mobile than the non-aboriginal population and 16% more mobile than registered Indians. Over a one-year period Métis are 24% higher than the non-aboriginal population. Métis migration rates in the first decade of the 21<sup>st</sup> Century tend, with the exception of the Province of Saskatchewan, to be higher than those of the overall aboriginal population in all of the regions, especially in British Columbia, Alberta and the Northwest Territories.

#### FOOTNOTES

<sup>1</sup> This article contains some material from the author's thesis, *The Métis of the Northwest: Towards a definition of a rights-bearing community for a mobile people*, prepared for her Masters of Law, University of Toronto, 2008. Parts of this material also appear in the author's annually updated *Métis Law in Canada*, which is available at [www.pstlaw.ca/resources](http://www.pstlaw.ca/resources).

<sup>2</sup> *R. v. Powley*, (2003) SCC 43, at para. 38.

<sup>3</sup> See the Brazilian Constitution, amended in 1988; the Columbian Constitution, amended in 1991; the Bolivian Constitution, amended in 1994; the Constitution of Nicaragua, amended in 1995; and the Ecuadorian Constitution, amended in 1998.

<sup>4</sup> Minelle Mahtani, "What's in a name? Exploring the employment of 'mixed race' as an identification" (2002) 4 *Ethnicities* 2 at 470.

<sup>5</sup> Father G.A. Belcourt, "Prince Rupert's Land", trans. by Mrs. Letitia May in J.B. Bond, *Minnesota and Its Resources* (Chicago: Keen and Lee, 1856) at 346 as cited in Ron Rivard and Catherine Littlejohn, *The History of the Métis of Willow Bunch* (Saskatoon: Rivard and Littlejohn, 2003): 37.

<sup>6</sup> Section 91(24) *Constitution Act, 1867*.

<sup>7</sup> Arthur Ray, *Métis Economic Communities in the 19<sup>th</sup> Century*, June 2009, expert historical report prepared for *R. v. Jones; R. v. Hirsekorn*

# ETHNIC GROUPS AND MIGRATION IN SHANGHAI\*

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## ABSTRACT

This paper introduces ethnic groups and migration in Shanghai. It also brings in a new concept- “ethno-cultural capital”- which is used to explain how a specific migration group that returned from Xinjiang Production and Construction Corps uses ethnic culture to gain social and economic capital in Shanghai.

## 摘要

本文简要介绍了上海的族群与移民情况。上海的族群可分为区域性族群、海外华人及台港澳同胞、少数民族和长期旅沪外国人。本文启用了一个新的概念——族群文化资本 ( ethno-cultural capital ) 。在个案分析中，本文用该概念解释了新疆建设兵团返沪人员如何利用族群文化来获取社会与经济资本。

## INTRODUCTION

Shanghai is an ethnically diverse and multicultural metropolis; however, the cultural expression of ethnicity is often complicated. As a migrant city, the population is comprised of ethnic groups from all over China and the world. From the constructionist approach, “culture” and “ethnicity” are common products in an immigration city like Shanghai. In 2008, there was a 6.42 million “floating population” in Shanghai, which is roughly 34 percent or over one third of the total population (18.88 million) (Huang 2010).

Since Barth’s seminal paper “Ethnic Groups and Boundaries” (Barth 1969), anthropologists have focused on the ethnic boundary: how people organize themselves to form an ethnic group and how people categorize and distinguish themselves from others (Tan 2004:91). In a certain field of power, people try to obtain some kind of power by means of ethno-culture capital. In 1977, the economist Glenn Loury introduced the concept of “social capital” in his paper “A Dynamic Theory of Racial Income Differences” (Loury 1977). In 1980, Pierre Bourdieu used the concept of “social capital” in sociological and anthropological analysis.

In his paper “The Forms of Capital”(1986), Bourdieu distinguishes three kinds of “capital”: economic, cultural, and social. The term “ethno-cultural capital” in this paper is an extension of Bourdieu’s “social capital.” Chinese American sociologist Zhou Min adopted “ethnic capital” to analyze the Chinese of Chinatowns in America (Zhou 1995, 2006; Zhou and Lin 2004). In Wang Dingding’s (2006) summary, the term “capital” has three main dimensions: the material dimension, the social relations dimension, and the spiritual dimension.

The “capital” involved in this article is the “social relations dimension.” In today’s globalized context, a variety of urban populations exist within the world’s big cities. Here, these different populations forge social relationships and establish certain ethnic cultures on the basis of their social capital.

In sum, we define “Ethno-Cultural Capital” as a kind of social relationship and network based on the same social and cultural backgrounds. Such capital is characteristic of groups who originate from outside the metropolis but who, once based in the city, develop social relationships according to their particular ethnic affiliations. Ethno-cultural capital is the social network of a people. This paper

tries to show how and why ethno-cultural capital forms the basis of social relationships and networks in a city. Most interviews and examples in this paper are from the cases of Luxun Park and Zhabei Park in Shanghai, China.

**TABLE 1: Marriage Registration in Shanghai, 1991-2008**

YEARS	BETWEEN SHANGHAI RESIDENTS (COUPLE)	BETWEEN SHANHAINESE AND MIGRANTS (COUPLE)	RATIO (%)
1991	94,617	5,112	5.40%
1992	93,867	6,336	6.75%
1993	83,210	7,254	8.72%
1994	85,572	8,380	9.79%
1995	81,245	8,748	10.77%
1996	86,622	12,253	14.15%
1997	85,003	14,295	16.72%
1998	75,816	13,988	18.45%
1999	89,913	17,916	19.93%
2000	89,523	19,444	21.72%
2001	89,582	21,609	24.12%
2002	92,448	25,628	27.72%
2003	105,459	30,895	29.30%
2004	123,037	39,734	32.29%
2005	100,297	35,903	35.80%
2006	162,663	55,994	34.42%
2007	117,825	42,979	39.02%
2008	138,981	53,214	38.29%

MPI, for his invitation and full support to visit Gottingen, German.

Source: Statistics Annals, The Shanghai Civil Affairs Bureau

## ETHNICITY IN SHANGHAI

*Ethno-regional groups.* There are many ethno-regional groups in Shanghai, such as the Subei, Ningbo, Hakka (*Kejia ren*), Hokkien (*minnan ren*), and so on. Chart 1 shows the number of registered marriages between Shanhainese and migrants.

According to Huang Fengfang's statistics (Huang 2010:26), most migrants are from Jiangsu, Anhui and Zhejiang provinces. Chart 2 shows the top ten provinces with migrant marriages in the Huangpu District of Shanghai from 2002 to 2008

*Foreigners:* Shanghai has a population of over 18.8 million (2009), and among the residents of Shanghai there are over 152,000 foreigners. Most foreigners are from Japan, Korean, USA, Singapore, Germany, Canada, France, Australia, and the UK.

**TABLE 2: The top ten provinces with migrant marriages**

PROVINCES	MIGRANTS (FEMALE)	MIGRANTS (MALE)	TOTAL	RATIO (%)
Jiangsu	2,596	772	3,368	22.98%
Anhui	1,752	306	2,058	14.04%
Zhejiang	1,263	443	1,706	11.64%
Sichuan	715	91	806	5.5%
Hubei	605	146	751	5.12%
Jiangxi	569	149	718	4.9%
Henan	446	108	554	3.78%
Hunan	442	63	505	3.44%
Shandong	334	133	467	3.19%
Heilongjiang	354	82	436	2.97%

Source: Huang 2010:26

*Chinese from overseas:* Chinese from countries overseas, such as Singapore, United States, Canada, Australia, etc., as well as from other regions of China, such as Taiwan, Hong Kong, and Macau.

*Ethnic minorities:* Ethnic minorities include the Muslim Hui, Tibetan, Mongolian, Uyghur, and Yi peoples. In June 2009, there was a population of over 260,000 ethnic minorities in Shanghai. Of this, over 124,000 have "hukou" (status) as permanent residents and 139,000 of them represent a "floating population" which resides there for over half the year. This includes 55 minority ethnic groups (shaoshu minzu) classified by the Chinese government.

## RE-MIGRATION AND ETHNO-CULTURAL CAPITAL

In the 1950s and 1960s, many young Shanhainese were recruited to the Xinjiang Production and Construction Corps (XPCC, Xinjiang Jianshe Bingtuan in Chinese, 新疆建设兵团). XPCC also is called "China construction Group Company", "Construction" and "Corps." The headquarters of XPCC is currently located in Urumqi in the Xinjiang Uygur Autonomous Region. It is a special social organization which equally functions as a "military garrison, administration and enterprise." The administrative ranking of the Corps is of sub-provincial government. It can manage its own internal administrative affairs and judicial affairs. The Corps is under the jurisdiction of both the Xinjiang Uygur Autonomous Region and China's central government (Xinjiang Construction Corps's official website (2010)). In the 1950s and early 1960s, Xinjiang Construction Corps recruited college graduates and urban and rural-origin youths from Shanghai, including older teenagers. Among them, some relocated to Xinjiang as permanent residents. Over 20 years later, some have returned to Shanghai. As

a re-migration group, they draw on their Ethno-cultural capital – that of their Uyghur culture- to communicate with one another within their social network. Uyghur is the main ethnic group in Xinjiang. The full name of Xinjiang is “Xinjiang Uyghur Autonomous Region”.

According to the interviews, many of the young Shanghai Chinese who migrated to Xinjiang in 1960s did not intend to return to Shanghai. As 67-year old Mr. Lang described, they wanted to be a new national constructor in Xinjiang:

*I was 22-years old when I joined to the Xinjiang Construction Corps. I never thought that I would return to Shanghai. I thought I should be buried in Xinjiang after I pass away. The young Shanghai Chinese in the Corps included males and females, about 50% to 50%. But later, most women returned to Shanghai through their “guanxi” or “social network.” They left behind a lot of “Shanghai Chinese bachelors” who don’t have the “guanxi.” Later, the superior made a special policy: if a woman marries a Shanghai Chinese man, she can change her hukou (household) status from agricultural to non-agricultural status. There were a lot of women from rural areas married to Shanghai Chinese men. Then we could get married after the policy came out. Deng Xiaoping’s policy of reformation and opening got our hopes up to re-migrate back to Shanghai (Interview record).*

After having left Shanghai over 20 years earlier, many people who re-migrate back to Shanghai felt it was hard to resettle in their homeland, as they had lost their social networks beyond their immediate family. Mr. Wang introduces this situation:

*When we re-migrated back to Shanghai, we always felt to be regarded as the redundant “outsiders,” always seeming to inconvenience others. For example, my wife and I are living in my brother’s house. Their house is very small. After we moved in, the house became more crowded. The summer is very hot in Shanghai. It seems hotter after we moved into the house. For economic reasons, for example, many people can’t afford to buy a house in Shanghai. It is very difficult for us to find accommodation in Shanghai (Interview record).*

When we talk about education and the current occupations of their children, Mr. Wei says, sorrowfully:

*Just because we went to Xinjiang when we were young, that affects the education of our children and then affects their employment in Shanghai. The children can’t find a good job with good income. It’s very hard for them to buy a house and get married. That situation will affect the next generation...and it will be a vicious circle (Interview record).*

For some of those who return to Shanghai, it means that they have given up the welfare received from the Construction Corps. Some hold the position that they can become dependant upon their children who are registered as permanent residents of Shanghai. While they were in the Corps, most people tried to send their children to Shanghai or maintain their children’s *hukou* with their grandparents by any means possible. However, many children returned to Shanghai more than ten years later. When the second generation of Xinjiang Shanghai Chinese migrated from Xinjiang to Shanghai, the different conditions of socialization produced different results. Many cannot compete on equal footing with those youth who grew up in Shanghai. A 24-year old taxi driver discussed this topic with me. Both his mother and father were from the Corps. At the age of fourteen, he went to Shanghai as a registered permanent resident, and now lives with his grandfather’s family in Shanghai. Because he was not fluent in the Shanghai Chinese dialect, he was rejected by his classmates. At home, he did not want to communicate with his grandparents because of the generation gap. Five years later, when his parents re-migrated from Xinjiang to Shanghai, they felt it very hard to communicate.

According to Bourdieu, a society will always be divided into many different “fields,” as Swartz has summarized:

Fields denote arenas of production, circulation, and appropriation of goods, services, knowledge, or status, and the competitive positions held by actors in their struggle to accumulate and monopolize these different kinds of capital. Fields may be thought of as structured spaces that are organized around specific types of capital or combinations of capital (Swartz 1997:117).

Different fields correspond to the specific objectives of the competition. People from the Corps who re-migrate to Shanghai possess ethnic cultural capital and are viewed as personnel with an exotic advantage. In this field, the Ethno-Cultural Capital of Xinjiang used to compete with the economic and social capital superiority of the same generation- that of the local Shanghai Chinese retirees.

Mr. Qian, a 63-year old man who returned from the Corps, established a group named the “Bailing Ethnic Troupe” at the Songnan Cultural Center of Baoshan District. He serves as the troupe’s director and writer. The following summary and comments from an interview show the usage of Ethno-Cultural Capital described in this paper:

*I joined the Xinjiang Corps as an entertainer. I have liked singing and dancing since I was a young man. After I returned to Shanghai, I was still interested in music and dancing. Some of my choreographies and music have won awards in Shanghai... We have feelings for Xinjiang. The Xinjiang Corps has made sacrifices for the country. We served in the national construction service when we were young. Although we’ve retired now, we’re still hoping for national service. I applied this site for Xinjiang Dancing Troupe in Luxun Park. Then I cooperated with Mr. Zhang (current director of the troupe) to organize the program of the troupe. I think that when old people take part in these kinds of artistic activities it is conducive to stability, unity and social stability. On Saturdays and Sundays, they spend a day or half a day to enjoy the Xinjiang dancing here. It can help to adjust the mood and health. To listen to the fair-sounding music and to dance the lively dancing can put them in a cheerful mood, and a cheerful mood makes the society stable. (Interview records).*

Because of the efforts of Mr. Qian and Mr. Zhang, the Xinjiang Dancing Troupe continues to grow rapidly. It now has more than 150 relatively fixed members. They come together and arrange the dancing activities in Luxun Park on Saturdays and on Sundays, in Zhabei Park. The troupe members prepare their own uniforms and lunch boxes when they join the activities. Each of them pays 10 yuan for the monthly electricity expenses. In a costly city such as Shanghai, 10 yuan is an acceptable price for the elderly retirees to not only enjoy merry dancing but to make new friends through the activities. Most importantly, their participation affords them an escape from the crowded living spaces they share with their immediate family members who stay at home on the weekends. Through Ethno-Cultural Capital, Xinjiang Uyghur style dancing has become a key means by which its participants can join Shanghai society.

## CONCLUSION

There are four kinds of ethnic groups in Shanghai: 1) Ethno-regional Groups; 2) Foreigners in Shanghai; 3) Chinese from overseas; and 4) Ethnic minorities. Those who were in the Xinjiang Corps during the Cultural Revolution and later came back to Shanghai share a common personal background. In this field, the ethnic culture from Xinjiang becomes the central factor in strengthening their cohesion. A new social network has been built through Ethno-Cultural Capital.

In a new field, some people hold resources while others lack them. For the Shanghai Chinese who returned from Xinjiang Corps, ethnic culture is the Ethno-Cultural Capital they draw on in order to earn resources. On the one hand, those who returned from the Corps hold resources such as ethnic dancing. In the social context of peers who will never “be” Xinjiang, they are the considered “resource holders.” On the other hand, they lack resources such as the social welfare their retired peers receive in Shanghai. They use Ethno-Cultural Capital to acquire social capital such as dignity and economic capital such as low consumption.

Through Ethno-Cultural Capital, the Shanghai Chinese who return from Xinjiang Corps have established a relatively stable social network with certain members. Members of this social network sometimes interact with the Uyghur people who are working or studying in Shanghai. They also always patronize a Xinjiang Uyghur restaurant near Luxun Park. So far, the Ethno-Cultural Capital has created the conditions for a good relationship between ethnic Han and Uyghur living in Shanghai.

## REFERENCES

- Barth, Fredrik. 1969. “Introduction.” In Fredrik Barth, ed., *Ethnic Groups and Boundaries*: 9-38. Boston: Little, Brown and Company. Cambridge University Press.
- Bourdieu, Pierre. 1977. *Outline of a Theory of Practice*. Richard Nice, trans. Cambridge: Cambridge University Press.
- Bourdieu, Pierre. 1986. “The Forms of Capital.” In J.G. Richardson (ed.), *Handbook of Theory and Research for the Sociology of Education*. New York: Greewood Press: 241-258.
- Huang, Fengfang. 2010. The Analysis of Changes and Reasons of Shanghai’s Cross-area Marriage since Reforming and Opening in China. Master degree thesis, Shanghai University.
- Loury, Glenn. 1977. “A Dynamic Theory of Racial Income Differences,” Ch. 8, P. Wallace (ed), *Women, Minorities and Employment Discrimination*, Lexington Books, 1977: 153-186.
- Swartz, David. 1997. *Culture and Power: the sociology of Pierre Bourdieu*. Chicago and London: The University of Chicago Press.

Tan, Chee-Beng. 2004. *Chinese Overseas: Comparative Cultural Issues*. Hong Kong: Hong Kong University Press.

Wang, Dingding. 2006. "Three basic dimensions of the concept of Capital", *Philosophical Researches*, N° 10.

Xinjiang Production and Construction Corps. 2010. Official Website of Xinjiang Production and Construction Corps <http://www.bingtuan.gov.cn/>.

Zhou, Min. 1995. *Chinatown*. Beijing: The Commercial Press.

Zhou, Min. 2006. *The Social Changes of the Chinese in America*. Beijing: The Joint Publishing Company Ltd.

Zhou, Min and Lin Mingang. 2004. Ethnic Capital and the transformation of the Chinese immigrant communities in America, *Sociological Studies*, 3: 36-46.

#### FOOTNOTES

\* Sponsored by the Chinese National Social Science Fund (The Ethnic and Social Identities in Contemporary Chinese Metropolises, project ID is 09BSH034). Some contents in this paper were introduced in a lecture given by the author to the Max Planck Institute for the Study of Religious and Ethnic Diversity (MPI) on September 1, 2010. I'd like to thank Prof. Peter van der Veer, the director of MPI, for his invitation and full support to visit Gottingen, German.

# THE MI'KMAQ OF NEW BRUNSWICK: A RURAL ABORIGINAL PEOPLE RESISTING A NATIONAL URBANIZATION PROCESS<sup>1</sup>

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## **ABSTRACT**

In the first half of the 20<sup>th</sup> century, the urbanization process of the different Aboriginal populations of Canada was a marginal phenomenon. By 1951, less than 7% of these populations lived in urban centers, but by the census of 2006, more than half of Canada's Aboriginals lived in cities. If this new reality is very noticeable in Central and Western Canada, it is not as pronounced in New Brunswick. Even if New Brunswick's 13,000 Aboriginals are the fastest growing segment of the province's population, the vast majority of them still live in non urban areas, in the 15 First Nation communities of the province, which are divided in two distinct aboriginal groups, the Mi'kmaq and Maliseet (Wolastokwiyok). This resistance to national urbanization patterns also does not correspond to the reality of New Brunswick demographics that shows a growing number of the rural population moving to urban centers.

## **提要**

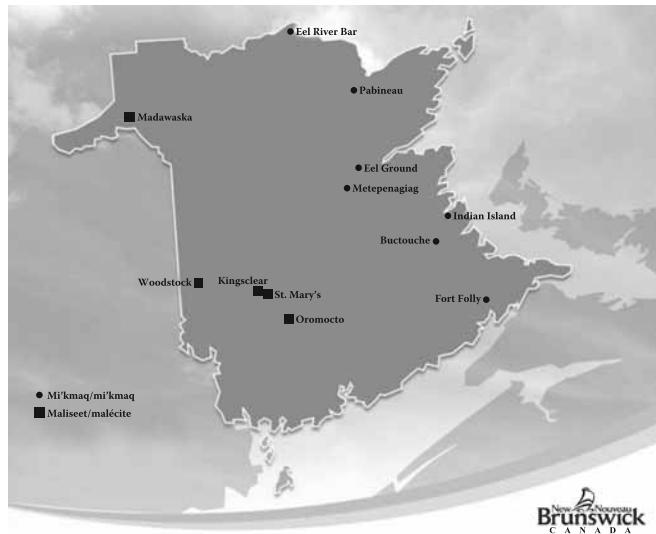
20世纪上半叶，加拿大土著人口的城市化过程还是一个边缘化的现象。到1951年，这些人口中只有不到7%生活在城市，但根据2006年人口普查数据，超过一半的加拿大土著人口生活在城市。如果这个新现象在加拿大中、西部非常显著的话，那么在新布伦兹维克就没有那么瞩目了。尽管新布伦兹维克共计1.3万土著人口是该省人口中增长最为快速的，但他们中的大多数仍然生活在非城市地区，仍然生活在该省15个第一民族社区中。他们主要由两个不同的土著群体组成：米尔马克人和玛里希特人。这种抗拒城市化的模式并没有顺应新布伦兹维克的人口现实，即越来越多的农村人口迁移到城市。

New Brunswick is one of the smallest provinces of the Canadian federation, but it is also one of the oldest, since it was one of Canada's founding provinces in 1867. Almost a third of its 729,997 inhabitants (2006 census) is Francophone, mostly known as Acadians. This is why New Brunswick has been Canada's only official bilingual province since 1969. Bilingualism, in the case of New Brunswick, is most of the time presented as its defining feature: on good days, official bilingualism is presented as an example for the rest of Canada, while on bad days, it is decried as a waste of money and the rule of the minority over the majority. To achieve linguistic peace in New Brunswick, politicians, community leaders, intellectuals,

and ordinary citizens must then navigate the not always calm waters of the cohabitation of French and English.

This photograph of the province of New Brunswick is usually the one presented when briefly explaining the dynamics between Anglophones and Francophones, but it falls short of showing the more plural realities of the province. One of these realities that has become more and more vocal is the one regarding the Aboriginal population of New Brunswick. The province is home to two officially recognised First Nations: the Maliseet (Wolastokwiyok) and the Mi'kmaq<sup>2</sup>. New Brunswick has 15 First Nation communities (also commonly known as "reserves"): 6 Maliseet communities and 9 Mi'kmaq communities.

### First Nations members of the Union of New Brunswick Indians/ Premières Nations Membres de la Union of New Brunswick Indians



Source: New Brunswick's Aboriginal Affairs Secretariat Website ([www2.gnb.ca/content/gnb/en/departments/aboriginal\\_affairs.html](http://www2.gnb.ca/content/gnb/en/departments/aboriginal_affairs.html))

There are roughly 13,000 Aboriginals in New Brunswick representing 2% of the provincial population<sup>3</sup>. Even if they represent a small percentage of the province's population, these Aboriginals have a rich history and have the distinction of being one of today's oldest First Nations in Canada to still resist "European influences", especially the Mi'kmaq, having been in contact with these influences since at least the 16<sup>th</sup> century<sup>4</sup>. This article will focus on the Mi'kmaq people living in the north, north eastern and south eastern part of the province, as shown on the map above. In Canada, according to the 2006 census:

*[M]ore than half (623,470) of the 1,172,790 people identifying themselves as members of at least one of Canada's Aboriginal groups, that is, North American Indian, Métis or Inuit, resided in urban areas. Of this urban Aboriginal population, almost 34% (213,945) lived in five cities: Winnipeg, Edmonton, Vancouver, Calgary and Toronto<sup>5</sup>.*

Contrary to this national demographic trend concerning the contemporary Aboriginal populations, the New Brunswick Mi'kmaq are still a very rural people. They have not experienced the urbanization process witnessed in Ontario's or Western Canada's Aboriginal groups. For some years now, they are also going through a new awakening of their spiritual traditions and have launched new fights for the preservation of their language and their traditional treaty rights<sup>6</sup>.

### FROM WARRIORS TO WARDS OF THE PROVINCIAL STATE

There is a lot to be said about the resilience of the Mi'kmaq people. When the French settled the colony of Acadie in the 17<sup>th</sup> century, the Mi'kmaq became their allies but kept most of their traditional ways and more importantly, their political autonomy. Since the Acadian population at that time was not very numerous (around 14,000 in 1755), the Mi'kmaq had a large sway over the lands they called Mi'kma'ki<sup>7</sup>. Canadian historian John Reid has recently studied the political military situation of the Mi'kmaq after the British conquest of Canada in 1763. His conclusions state that the Mi'kmaq people were much more influential in what was to become the Maritime provinces than standard historiography had previously explained<sup>8</sup>. But this situation was to change radically, when Planters from New England, followed by Loyalists fleeing the American Revolution, settled in the region and created the province of New Brunswick in 1784<sup>9</sup>. Loyalist families needed more land, so did the Acadian families and so did the new immigrants such as the Irish and other British settlers. This meant that large tracks of land in the province traditionally considered to be in the Mi'kmaq realm, were taken from them and given to these new settlers. The Mi'kmaq became more and more concentrated in small reserves, becoming the wards of the provincial government<sup>10</sup>.

As elsewhere in British colonial Canada, provincial administrations were elaborating assimilationist policies that would see Aboriginals become good Christians and learn to farm the land instead of keeping their traditional nomadic ways. One could have believed that since the Mi'kmaq of New Brunswick were in permanent contact with European settlers since the early 17<sup>th</sup> century, they would have become more or less assimilated to at least several features of a "westernized" life style. But this was not the case. As Canadian professor J. R. Miller states:

*To some degree, these policies failed because they were perverted to other ends. The efforts in colonial New Brunswick to assimilate the Mi'kmaq failed because New Brunswickers diverted British donations to colonial development and exploited the apprenticeship programs to secure cheap labor<sup>11</sup>.*

As other colonial governments, New Brunswick had taken steps starting in the late 18<sup>th</sup> century to encourage young Aboriginal men to become apprentices on farms so that they could learn the agricultural techniques of the day. The province had commissioned lawyer Moses Perley at the end of the 1830's to visit all the province's aboriginal communities and present a report on their conditions to the legislative assembly of the province. In this report presented

in 1841<sup>12</sup>, Perley was sympathetic towards the First Nations. In another publication, Perley described them as being formally a very "fierce and powerful tribe"<sup>13</sup>. However, his romantic view of the noble savage did not differ much from the assimilationist policies of his time: the social and economic conditions of New Brunswick Mi'kmaq continued to decline, and even their traditional allies, the Acadians, whose new middle class was now climbing the social ladder, started to adopt condescending and racist attitudes towards them. One of the best examples of this new Acadian attitude was in 1881, when Acadian leaders wanted to choose a national feast day. When a delegate proposed Saint Anne as patron saint for the Acadians, another delegate replied that the feast of the "Tawailles" (a negative expression used to describe aboriginal women in the Acadian French language) was not appropriate for the new Acadian national holiday and to this, the crowd laughed and jeered.

## RESISTANCE AND RESILIENCE

By 1867, with the creation of the Canadian federation, the "Indian problem" had been transferred to the federal state. As Professor Donald Savoie of the Université de Moncton explains:

*The provincial government was largely left on the outside looking in as a special relationship developed between the department of Indian affairs and the New Brunswick First Nations. This state of affairs lasted until after the Second World War, although some observers would argue that for the most part, it still survives today<sup>14</sup>.*

But this transfer did not really change the status of the First Nations of New Brunswick. According to Mi'kmaq historian Daniel M. Paul:

*We were designated "wards of the Crown" and as such were paternalistically treated as "non-citizens" and forced by the authorities – who shackled us with legislated and unwritten apartheid restrictions – to live in a very confined and regulated "non-person" world<sup>15</sup>.*

This context had a considerable influence on the ruralization of the Mi'kmaq people. For instance, in 1911, the Indian Act was amended so that the federal government could forcefully move Aboriginal settlements considered too close to towns of more than 8,000 inhabitants. Mi'kmaq living on the outskirts the mining town of Sydney in the neighbouring province of Nova Scotia were ordered by a judge to move to the rural reserve of Membertou following

this new disposition of the Indian Act<sup>16</sup>. In New Brunswick, no Mi'kmaq communities were close enough to small urban centers and the demographic reality of this Aboriginal people remained mostly centered on rural lifestyles. But their Maliseet neighbours living in the Fredericton area had to fight that disposition of the Indian Act in the 1940's<sup>17</sup>.

By the late 1990's, the Mi'kmaq of New Brunswick intensified their resistance and proved that their culture was in fact very resilient. The Mi'kmaq Esgenoôpetitj Reserve (Burnt Church) made international headlines when Aboriginal fishermen from this northeastern New Brunswick community opposed Acadian fishermen and the Canadian Federal Fisheries and Oceans Department by demanding to be able to fish for lobster and sell their catch year round as a way to not always rely on federal subsidies<sup>18</sup>. This crisis can be understood in a larger context that was seeing Mi'kmaq leaders promoting a new awakening of Aboriginal culture, identity, language and spirituality. An example of this awakening was the changing of the names of the reserves from English to Mi'kmaq. This gesture was not only important for the Mi'kmaq people; for the first time in decades, journalists, politicians and ordinary New Brunswickers had to learn how to pronounce traditional Mi'kmaq place names.

In these cases (Burnt Church Crisis and return to traditional place names), rural was not equivalent to lack of leadership or resilience amongst the Aboriginal community. Historian Bill Parenteau of the University of New Brunswick has studied Mi'kmaq resilience in the colonial and contemporary context. According to his research, the Burnt Church fishing crisis can be linked to generations of struggle opposing the Mi'kmaq community of New Brunswick to the province's legal system. Parenteau's research sheds new lights on these lesser-known cases where Mi'kmaq men during the 19<sup>th</sup> century and the first part of the 20<sup>th</sup> century went before the courts to defend their traditional treaty rights. What can be seen today as an awakening for the Mi'kmaq of New Brunswick, thus was a long time in the making.

*From the very beginning, Native people challenged the new regulatory regime that threatened their traditional way of life by asserting their treaty rights. While this resistance undoubtedly reflected the importance of fish and game in meeting basic subsistence needs, it perhaps also reflected the cultural importance of hunting and fishing to Mi'kmaq and Maliseet societies [...]. [T]he new state structures that emerged in the late nineteenth-century contributed to the development of a culture of survival and resistance among New*

*Brunswick's Native people, a culture that continues to shape interactions between governments and First Nations. See in this lights, the recent conflicts over Native rights in the Maritime provinces seem to be the latest chapter in a historical struggle rather than an aberration<sup>19</sup>.*

This resistance was more recently transformed into resilience as can be read in the fourteen article special series by New Brunswick's *Telegraph Journal* in 2010. Usually, mainstream media tend to be silent on Aboriginal news except when Aboriginals are presented in a negative way. Trying to present another image, this daily newspaper published articles with original interviews of Maliseet and Mi'kmaq explaining the past and current situation of New Brunswick's First Nations. These articles received first page treatment and constitute a rare photograph of the cultural, linguistic and socioeconomic situations of the province's Maliseet and Mi'kmaq<sup>20</sup>. The above mentioned resilience can be seen in these articles by the different projects proposed by Aboriginal leadership as strategies to keep the younger generation on the reserves with better standards of living.

In Canada, generally speaking, the urbanization process is a common fact amongst the Canadian population, including the Aboriginals, and even in a small province such as New Brunswick, which was for centuries a very rural province. In fact, the Francophone Acadian minority of the province, traditionally a rural people, is leading this provincial urbanization trend<sup>21</sup>.

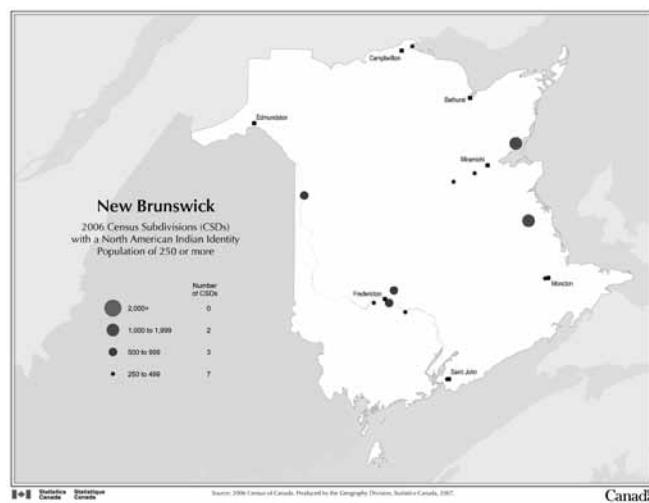
TABLE 1: Demographic characteristics of New Brunswick Mi'Kmaw

NEW BRUNSWICK	LIVING IN COMMUNITY	LIVING OUTSIDE COMMUNITY
Eel River Bar	350 (55.5%)	280 (44.4%)
Pabineau	80 (33.3%)	160 (66.6%)
Eel Ground	560 (62.2%)	340 (37.8%)
Metepenagig	460 (82.1%)	100 (17.9%)
Indian Island	88 (58.7%)	62 (41.3%)
Bouctouche	65 (59.1%)	45 (40.9%)
Elsipogtog	3000 (89.1%)	366 (10.9%)
Fort Folly	35 (32.4%)	73 (67.6%)
Esgenoôpetitj	1170 (72%)	455 (28%)
<b>Total</b>	<b>5808 (75.5%)</b>	<b>1881 (24.5%)</b>

Source: Statistics Canada, 2006 and interviews conducted by journalist Jennifer Pritchett with the leadership of the nine Mi'kmaq reserves of New Brunswick, 2010.

As shown in table 1, the urbanization process is not a characteristic of New Brunswick Mi'kmaq. Even those who live off reserve are barely present in major New Brunswick

cities, like Moncton, St. John and Fredericton. Capital city of the province, Fredericton could be considered as an exemption because of the historic presence of two neighbouring Maliseet communities, Kingsclear and St. Mary's. But these reserves remain rural and the map below clearly shows that New Brunswick's Aboriginal peoples do not belong to the urban dynamics. It is in this rurality that they find the solutions and the scenarios to their new awakening even if the social economic problems, like high unemployment rates, are still appalling.



## CONCLUSION

In the introduction of this article, it was stated that New Brunswick is mostly described as a bilingual province where the Francophones are in a minority situation. This population is undergoing an important urbanization process where cities like Moncton and especially Dieppe have become hubs of contemporary Acadian culture. The New Brunswick urban world is nevertheless an Anglophone world and the Francophones face many challenges to preserve and promote the French language and their Acadian identity in the province's cities. However, the Aboriginal perspective on this urbanization trend can be seen as resisting the pull of the city by investing in the rural reserve. It is as if the Mi'kmaq leadership and youth are trying to propose new ways of maintaining their population on their ancestral land. For Andrea Bear Nicholas, a Maliseet scholar and chair of Native Studies at St. Thomas University in Fredericton, the federal and provincial states must invest in the province's First Nations as they did for the Acadian people. Like she clearly asked in an op-ed piece for CBC New Brunswick in September 2010, "How is it that the profound connection between language, culture, and well-being is to be so highly valued for one people in this province, and so utterly rejected for others?"<sup>22</sup>.

For now, solutions put forward by the New Brunswick Mi'kmaq are essentially constructed in a rural context, so distinct from the Canadian national urbanization trend. By doing this, the Mi'kmaq people of New Brunswick remain faithful to their five hundred year old struggle to keep their culture alive. They are true to the definition of their First Nation's name, "those who wait".

## FOOTNOTES

- <sup>1</sup> This article is a modified version of the paper presented at the *Canada-China Forum on Migration and Identity*, Fudan University, Shanghai, China, July 6<sup>th</sup> 2010.
- <sup>2</sup> New Brunswick is also home to a small population of Passamaquoddy people in the south western part of the province that are not officially recognized by the Canadian federal government. See historian Ronald Rudin's documentary film on Passamaquoddy recognition claims, *Life After Île Ste. Croix*, National Film Board of Canada, 2006.
- <sup>3</sup> This figure was obtained by journalist Jennifer Pritchett of New Brunswick's provincial Anglophone daily newspaper, *The Telegraph Journal*, for her series of articles entitled *First Nations in New Brunswick*, published between March 13<sup>th</sup> and March 30<sup>th</sup> 2010. See <http://telegraphjournal.canadaeast.com>
- <sup>4</sup> For more on their struggles, see: Bill Parenteau and James Kenny, "Survival, Resistance, and the Canadian State: The Transformation of New Brunswick's Native Economy, 1867-1930", *Journal of the Canadian Historical Association*, Vol. 13, N° 1, 2002: 49-71.
- <sup>5</sup> Indian and Northern Affairs Canada, *Fact Sheet - Urban Aboriginal population in Canada*. <http://www.ainc-inac.gc.ca/ai/ofi/uas/fs/index-eng.asp>
- <sup>6</sup> See *First Nations in New Brunswick...*
- <sup>7</sup> William Wicken, «Re-examining Mi'kmaq-Acadian Relations, 1635-1755», in Sylvie Dépatie, Catherine Desbarats, Daniel Gauvreau, Mario Lalancette et Thomas Wien (eds.), *Vingt ans après, habitants et marchands: lectures de l'histoire des XVIIe et XVIIIe siècles canadiens = Habitants et marchands Twenty Years Later. Reading the History of Seventeenth- and Eighteenth-Century Canada*, Montreal, McGill-Queen's University Press, 1998: 93-114.
- <sup>8</sup> John G. Reid, "Britannica or Pax Indigena? Planter Nova Scotia (1760-1782) and Competing Strategies of Pacification", *Canadian Historical Review*, Vol. 85, No. 4, December 2004.
- <sup>9</sup> John G. Reid, "Empire, the Maritime Colonies, and the Supplanting of Mi'kma'ki/Wulstukwik, 1780-1820", *Acadiensis*, Vol. 38, N° 2 Summer/Autumn 2009.
- <sup>10</sup> See L. F. S. Upton, *Micmacs and Colonists: Indian-White Relations in the Maritimes, 1713-1867*, Vancouver, University of British Columbia Press, 1979 and Harald E. L. Prins, *The Mi'kmaq: Resistance, Accommodation and Cultural Survival*, Fort Worth (Texas), Harcourt Brace, 1996.
- <sup>11</sup> James Rodger Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, Toronto, University of Toronto Press, 2000: 404.
- <sup>12</sup> Moses Henry Perely, *Report on Indian settlements, &c.*, Fredericton, Queen's Printer, 1842.
- <sup>13</sup> Jennifer Reid, Myth, Symbol, and Colonial Encounter: British and Mi'kmaq in Acadia, 1700-1867, Ottawa, University of Ottawa Press, 1995: 39.
- <sup>14</sup> Donald J. Savoie, *Aboriginal Economic Development in New Brunswick*, Moncton, The Canadian Institute for Research on Regional Development, 2000: 49.
- <sup>15</sup> Daniel N. Paul, *We Were Not the Savages: Collision between European and Native American Civilizations*, Winnipeg, Fernwood Publishing, 3<sup>rd</sup> Edition (2006), 2008: 220.
- <sup>16</sup> Confederacy of Mainland Mi'kmaq and the Robert S. Peabody Museum of Archaeology, *Mikwite'lmanej Mikmaq'i: À la recherche des anciens Mi'kmaq*, Halifax, Nimbus Publishing, 2001: 52.
- <sup>17</sup> Martha Walls, "Countering the "Kingsclear blunder": Maliseet Resistance to the Kingsclear Relocation Plan, 1945-1949", *Acadiensis*, Vol. 37, N° 1, Winter/Spring 2008: 3-30.
- <sup>18</sup> Herménégilde Chiasson, *Ceux qui attendent* (documentary film), Ottawa, National Film Board of Canada and Les Productions Phare-Est, 2002; Alanis Obomsawin, *Is the crown at war against us?* (Documentary film), National Film Board of Canada, 2002; See also Pier Bouchard and Sylvain Vézina, "Complicité et tensions entre minorités: une relation à redéfinir entre Micmacs et Acadiens au Nouveau-Brunswick", *Francophonies d'Amérique*, N° 16, Fall 2003: 85-96.
- <sup>19</sup> Parenteau and Kenny, *Survival, Resistance, and the Canadian State...*: 71
- <sup>20</sup> Since then, in the Fall of 2010, journalist Jennifer Pritchett published in the *Telegraph Journal* a darker side of First Nation realities with a series of articles exposing corrupt practices in the financial governance of New Brunswick reserves.
- <sup>21</sup> Greg Allain, "Innovation organisationnelle acadienne pour les minorités francophones en milieu urbain. Le centre scolaire communautaire en Acadie du Nouveau-Brunswick et son essaimage ailleurs au Canada", in André Magord (ed.), *L'Acadie plurielle: dynamiques identitaires et développements au sein des réalités acadiennes*, Centre d'études acadiennes, Université de Moncton, Institut d'études acadiennes et québécoises, Université de Poitiers, 2003: 535-565.
- <sup>22</sup> Andrea Bear Nicholas, *Saving First Nations languages from extinction*, CBC News New Brunswick, September 2, 2010. ([www.cbc.ca/canada/nbvotes2010/story/2010/09/02/nbvotes-analysis-andrea-bear-nicholas-first-nations-language](http://www.cbc.ca/canada/nbvotes2010/story/2010/09/02/nbvotes-analysis-andrea-bear-nicholas-first-nations-language))

# A STUDY ON THE RATIONALE AND CONSEQUENCES OF ECOLOGICAL MIGRATION IN THE SANJIANGYUAN OF THE QINGHAI TIBETAN PLATEAU<sup>1</sup>

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## ABSTRACT

Ecological migration, *shengtaiyimin* (生态移民), is mainly a government-led initiative to develop the western regions of China, allow degraded landscapes to recover, and to improve the living standard of its inhabitants (Du,F.C.2006). According to the official government document *Settlement Project for Tibetan Nomads in Qinghai Province*, all Tibetan herders in Qinghai province who have not yet ‘settled down’ – over 530,000 people – will now be settled (urbanized) within the next five years (*People's Daily*, 11 March 2009). This paper focuses on some of the critical issues related to eco-migrants, including the social, economic, and ecological rationale and consequences of ecological resettlement. Moreover, it will examine the environmental effect of eco-resettlement and local herders’ perspectives on migration and grassland protection.

## 提要

从大的移民分类上，中国牧区的生态移民是政府主导型的“非自愿性移民”。其主要目的是为保护某个区域特殊的生态或让某个地区的生态得以修复，并减缓牧民贫困（杜，2006）。许多地方的生态移民强调“群众自愿、政府引导”，但有的地方是“牧民在自愿情况下的被动选择”，搬迁牧民对政府有着较大的依赖性。根据青海省的官方文件，从2009到2014年，约有53万游牧民要实现定居。本文以青海省南部“三江源”地区为例，简要探讨生态移民的动因和社会经济后果，生态移民的环境效果，当地牧民关于生态移民工程和环境保护的一些看法。关键词：三江源，生态移民，藏族牧民，移民管理

## I. ECO-MIGRATION POLICY IN SANJIANGYUAN

Sanjiangyuan refers to the source region of the Yangtze River, the Yellow River, and the Lancang River (the upper stream of Mekong River), which is popularly known as the “Water Tower of China” (and even in Asia at large) due to its annual water supply of 60 billion m<sup>3</sup> to the lower streams. Located at the southern part of Qinghai province with an average elevation of 4200 m asl, Sanjiangyuan has four Tibetan autonomous prefectures, including Yushu, Golok, Hainan and Huangnan; 16 counties; as well as 127 xiangs and towns. Its 363,000 km<sup>2</sup> area accounts for 50.4% of the total

area of Qinghai. Tibetans constitute 90% of Sanjiangyuan’s population, with the other 10% comprised of Han, Hui, Sala, and Mongolian nationalities. The regional economy relies heavily on agriculture. According to statistics from 2006, Sanjiangyuan’s population of 650,000 represents 11% of Qinghai’s total population, while its 450,000 herders represent 69% of the region’s total herders.

Historically, Sanjiangyuan region used to be a plateau meadow with fertile grassland, abundant water resources, and many wild animals. However, over the past fifty years, as a result of climate change and some unreasonable human

activities, large areas of grassland have become degraded and rendered arid. Glaciers, jokuls, lakes, and wetlands have been shrinking and have dried up, the habitats of wild animals have been destroyed, and the biological diversity of the region reduced. The serious degradation of the ecological environment of Sanjiangyuan Region and the issue of ecological security attracted the attention of China's government and the international community. In order to restore and protect the ecological environment of the Sanjiangyuan region, China's government established the Sanjiangyuan National Nature Reserve in 2003, with a total area of 152,300 km<sup>2</sup>, which is 42% of the total area of Sanjiangyuan region. The nature reserve is divided into three functional areas: core zone (31,200 km<sup>2</sup> - 20.5% of the total nature reserve), buffer zone (39,200 km<sup>2</sup> - 25.7% of the total nature reserve), and experimental zone (81,900 km<sup>2</sup> - 53.8% of the total nature reserve). In 2004, the State Council approved a project to protect and construct the Sanjiangyuan nature reserve. This is a seven-year project (2004-2010) with a total investment of ¥7.523 billion RMB or \$1.1 billion USD, which was divided into three categories - ecological protection and construction, farming and herding production infrastructure, and ecological protection support — as well as 22 sub-projections. According to the "*overall plan for protection and construction of Sanjiangyuan nature reserve in Qinhai*" ("Overall Plan for Sanjiangyuan" for short),<sup>2</sup> the ecological protection and construction project involves converting grazing land to grassland, converting cropland to forest, controlling the ecologically degraded land, fireproofing of forest and grassland, controlling the grassland plague of rats, conserving water and soil and establishing protection facility, with a total investment of ¥4.925 billion RMB. The infrastructure project for farmers and herders involves an ecological migration project, the establishment of a small town, a relevant project for grassland protection and a drinking water project for humans and livestock, with a total investment of ¥2.223 billion RMB. The ecological protection support project involves an artificial rainfall project, scientific technological support and ecological monitoring, with an investment of ¥0.359 billion RMB.

In the "Overall Plan for Sanjiangyuan", ecological migration and converting grazing land back to grassland were combined, involving the resettling of 55,774 herders from 10,142 families from Sanjiangyuan Region, either locally or to small towns, with the aim of reducing 3,184,000 sheep units. A grazing ban will be implemented in the grasslands of emigrant herders, with a grazing rotation for 10 years. The herders will receive subsidies according to the set standard: the government will build a free house of 45 m<sup>2</sup> for the migrants, investing ¥800 RMB per m<sup>2</sup>; a 120 m<sup>2</sup>, barn costing ¥200 RMB per m<sup>2</sup>; as well as provide

¥400 RMB per person as a moving subsidy. Moreover, the migrant herders with a forage subsidy for converting grazing land back to grassland over 10 years can be divided into three types: households under a permanent grazing ban with an annual subsidy of ¥8,000 RMB or \$1176 USD per family; odd-moving households with grassland use certification receiving an annual ¥6,000 RMB or \$882 USD per family, and for households without certification, ¥3,000 RMB or \$ 441 USD per family annually.

After the project started, all levels of local government in Qinghai province devoted considerable manpower, material resources and energy, and achieved some results. However, for the herders and relocated communities, some socio-economic problems emerged.

## II. THE PRACTICE OF ECOLOGICAL MIGRATION AND CHALLENGES

Within the migrant category, the academies categorize ecological migrants following government regulation as "non-voluntary" migrants. Globally, non-voluntary migrants are susceptible to serious social and economic risks. In the research, the Sanjiangyuan ecological migration process is effected through government intervention: the local government is responsible for the migrants' livelihood and the migrants depend on the government and have high expectations of it. The government's responsibilities include organizing the project; promoting the importance of protecting Sanjiangyuan among the herders; promoting the advantages of the moving policy among the masses; persuading the herders to "sacrifice the small family for great country," and so on.

Based on my field work and interviews with local herders and officials over the past four years<sup>3</sup>, migrant herders can be divided into three types: first are those herders from the rural area who used to be poor , named "lack of livestock family" and "no livestock family", who make up 70% of the population of migrant village; second are the families who have already accumulated some wealth- they did business in the rural region, or are local village employees with many yaks and sheep at home- and are named "rich family", making up 10% of the migrant population. This group aspires to leave the nomadic lifestyle and become villagers through the migration project. The third type of family, named "education-brought migrant" makes up about 20% of the migrant population. So that their children may receive an education, these families sell what they own in the rural area and move to town.

In my point of view, the ecological migration in Sanjiangyuan is not a simple population movement, but rather a concentrated process of traditional Tibetan nomadic society shifting to village settlement, carrying with it deeper issues such as the radical reform of rural

production modes and herding lifestyles. Migration and the subsequent urbanization process have had a great impact on natural ecology, social and economic structure, and the inheritance of ethnic culture in the Sanjiangyuan region. There are many problems and serious challenges:

Firstly, migrants' standard of living is declining significantly. Although after moving, migrants' children have improved opportunities in education, housing, health and transportation, the overall living standard of migrants has decreased. Interviews with migrants revealed that many found it difficult to live on the country's forage subsidy alone. "Just giving me a house doesn't solve the root problem." This quote is very representative: although the government arranged some labor output in Tibetan blanket weaving and vegetable plantation, the outcomes are insufficient because production in most of these businesses is suspended. Moreover, the necessity of milk, meat and fuel, which used to be available through livestock breeding, must now be purchased in the marketplace. Most migrants cannot afford village life with their very limited incomes. The government has taken some measures to train migrants in order to increase skill and labor output, but a realistic alternative industry is hard to establish. Furthermore, in the established migrant villages, young people have grown up and got married, but cannot have their family homes because they do not have incomes or receive migrant subsidies as new households. Some rural regions have not included certain nomadic groups in the compensation scale of the ecological migrant. These all affected the migrants' living standard. After the grazing ban policy was put into effect, every migrant household was provided with an annual ¥8,000 RMB subsidy. Since an alternative industry hasn't been established, most of the migrants rely entirely on the subsidy, which does not even cover their daily expenses such as food, water, electricity, clothes, transportation and religious activities. Moreover, inflation further renders the subsidy inadequate. To compensate for their meagre incomes, some migrants find work in cordyceps-digging, blanket-knitting, small business, or as security guards, taxi drivers, migrant laborers, etc. The fluctuating income from odd jobs and the poor salaries they receive in low-level technical jobs further contribute to the decline in their living standard.

Secondly, it is hard to identify the ecological migrants' identity. Many ecological migrants are unsure of their identity after moving. They call themselves "four-nots" in jest: they are not herdsmen (no longer having grassland to use); nor farmers (holding no cropland and therefore unable to cultivate), nor city dwellers (they are not registered villagers because they remain registered inhabitants of their ancestral farming area), nor are they workers or members of a cadre (thus unemployed). Some migrants are on the "margin of the

margin" of society and belong to "the underprivileged of the underprivileged". At the same time, conflicts exist between migrants' villages and the original local communities related to issues of infrastructure construction, land management, school education and social security. Villages concerned include the Kunlun ethnic cultural village in southern Germud City (from Qumahé and Yege Village of Qumalai county in Yushu Autonomous Prefecture), the new migrant village of Guoluo of Batan, in Tongde county in the Hainan Tibetan Autonomous Prefecture (from the Heihe and Huanghe villages of Maduo county in the Guoluo Autonomous Prefecture).

A third issue is the return of migrants to their native regions. Some of the project's objectives and certain official promises have not been fulfilled or fully fulfilled by the government, which has resulted in the disappointment, dissatisfaction, and bitterness of some migrants towards their government. Some examples of problems are: the sub-standard quality of migrants' homes; failure to provide migrants' subsidies on time; lack of access to facilities such as water, electricity, road and cable TV etc. in certain migrant communities; the communities' distance from or lack of schools; a lack of lodging at school; and a lack of local temple, etc. Because some herders cannot live in the town, they are forced to rent or sell the house supplied by the government at a very low price and return to rural areas where they can work as shepherds for friends or relatives, or seek new livelihoods. These returning migrants account for 20% of the total resettled communities in the Sanjiangyuan. Most of them are seasonal returnees, which means they spend summers in grassland areas and return to the settled village in winter, especially during the period of Chinese New Year (January-February).

A fourth problem is a loss of ethnic culture. After ecological migration, Tibetan herders' traditional nomadic practices and their traditional knowledge of grassland ecological systems are lost. There are therefore challenges in the inheritance and protection of the ethnic culture.

All the above issues are interconnected, with some related through cause and effect. For example, the ecological migration project and the anti-poverty policy lead to an increase in migrants' dissatisfaction and bitterness toward the government, which in turn caused instability within migrant societies and thus the different levels of return to native regions.

### III. THE ENVIRONMENTAL EFFECT OF ECOLOGICAL MIGRATION

As mentioned above, the ecological rationale for ecological migration – from a governmental perspective - is "to reduce the pressure on natural grassland and protect grassland ecology effectively" (Qinghai Engineering

Consulting Company 2003. What was the environmental effect when this policy was carried out? Based on my field work and interviews with local herders and officials, we found out that after a 5 to 8 year grazing ban (2003 to 2010) in the core zone of the Sanjianyuan region, with the expansion of a grazing ban area and habitat for wild yaks, the ecology of some pastures and the number of wild animals has been slightly restored., However, a significant improvement has yet to be seen while new problems continue crop up.

Firstly, there are difficulties in the management of grazing ban pastures. According to the *tuimuhancao* project, the local government (specifically county-level government) should carry out the grazing ban policy for the pastures left behind by migrants. However, due to a lack of special funds, these pastures were plunged into disorder through poor management. Moreover, the disorganized location of pastures added compounded managerial obstacles. In other words, the difficulties of managing grazing ban pastures hinder the success of ecological restoration in the Sanjiangyuan.

Secondly, there is a dispute over grassland. The implementation of the ecological migration project increased the grassland dispute and conflicts between Qinghai and Tibet, resulting in social instability. Since grasslands form the basis of herders' livelihood and lifestyle, they pay considerable attention to their rights over grassland. According to the herders, after some ecological migrants refugee moved out, their grassland was occupied by another group who raised large number of livestock, resulting in an increase in the scale of livestock raising. This not only ran contrary to the goal of reducing animals, but also created the new phenomenon of herding across district lines and invading and occupying grassland. This resulted in new disputes over grassland boundaries, especially between Qinghai and Tibet.

Thirdly, a fairly good pasture faces the danger of degradation after being fenced. The government-funded chain link fence erected around degraded pastures indicates a grazing ban or a limited grazing policy, designed to restore the grassland in Sanjiangyuan. However, some herders erect the chain link fence around fairly good pastures, either used as winter pastures for livestock or pastures for weak and sick livestock. While the eco-environment of fairly good pastures faces the danger of degradation, the grazing ban's goal of growing grass and restorating local ecology can hardly be achieved. Due to the fact that the chain link fence is government-funded, herders readily support the grazing-ban and limited-grazing policy in order to obtain the fencing. The chain link fence separates one pasture from another, which not only puts an end to the

mixing and loss of livestock, but also prevents the disputes arising from cross-border grazing and trampling (after the implementation of production quotas for individual households, all pastures have rough boundaries). Although fenced pastures liberate herders from having to monitor the grazing livestock, the consequent idleness brings about other problems, such as alcohol abuse, fighting, mischief, etc. Some young herders even seek out material diversion in neighboring towns.

Fourthly, only an appropriate number of livestock can stimulate the growth of grass. Compared with open pastures, fenced pastures cover a relatively smaller area (several thousand metres rather than several square kilometers). The repeated trampling and grazing of livestock in the limited area causes further degradation of the pastures. Although the fenced pastures can bring about temporary ecological restoration, they will fade and wither in two or three years. Due to eco-resettlement and the grazing ban within fenced pastures, these areas without livestock and herders are rendered lifeless, while neighboring pastures are full of vitality. It is said that pastures should be frequently grazed by livestock; periodic grazing or a complete lack of grazing will produce bad grass that the livestock will, in turn, refuse to even taste. Tests made by driving livestock into abandoned pastures showed that the animals avoided such pastures and instead searched for fresh grassland. According to herders, a new pasture is created by driving different livestock into it, which will produce a mature field after years of grazing. However, it is very difficult for herders to cultivate such pastures because livestock don't like new grass and often die in great numbers.

Specialists (JA Klein J Harte, and Zhao XQ 2007)<sup>4</sup> as well as herders conclude that the eco-environment of pastures is closely related to factors such as climate, rainfall, the number, type and grazing of livestock, and thus the outcome of a long-term relationship between herding and nature. A grassland with an appropriate number of livestock can stimulate the growth of grass, while a new pasture requires years of grazing before entering its mature period. While grass will grow in a fenced pasture where grazing has been banned, in the long run, degradation will show. Herders explained that while livestock graze, their manure is scattered in the pastures. This not only provides fodder for the pastures, but also stimulates the growth of microbes in the soil, further nourishing it. It also allows for undigested grass seeds in the manure to be scattered over the pastures and grow into strong grass. Fenced pastures with no livestock, by contrast, lack the manure and nutrition, causing both grass growth to stagnate and the quality of the pastures to be degraded.

## CONCLUSION

Eco-migration is aimed at protecting and restoring rural ecosystems so as to improve the lives of herders. However, the progress of the eco-migration project and the relocation of Tibetan herders from their traditional lands raises several key issues. In particular, the ecological rationale for this policy and its social implications requires careful examination. Ecological migrants face challenges such as geographical resettlement, occupational transition, adaptation to urban life, and maintaining cultural traditions. My suggestion to policy-makers is to find alternatives to moving people, namely by reasonably controlling the scale of livestock so as to achieve the balance between grassland, livestock, and the human beings.

## FOOTNOTES

<sup>1</sup> This paper is funded by the Ford Foundation with grant of No.1095-0152, Anthological Research on the Ecological Resettlement Issue in the Sangjiangyuan Area of Qinghai, Nov.2008-Nov.2010.

<sup>2</sup> Qinghai Engineering Consulting Co.2003. "A General Plan of Ecological Protection and Construction of Sanjiangyuan National Reserve Area of Qinghai Province", printed not for public, May 2003.

<sup>3</sup> Special thanks to Mr. Fang Ming, MA candidate from the Lanzhou University, Mr. Ma Baolong MA candidate from the Northwest University for Nationalities, who joined me in the first field work in Maduo from September to October 2007. Special thanks to Wang Jianfeng, Associate Professor from the Institute of Ethnology and Anthropology(IEA) of CASS, who joined me in the winter field work in Maduo from December 2008 to January 2009. Special thanks to Professors Dongzhu Cairang and Zhang Xiaomin from IEA of CASS, Mr.Tashi Cairen, MA candidate from the Qinghai Minzu University, we went to Maduo in September 2009. Special thanks to Dongzhu Cairang and Wang Jianfeng, we went to Maduo for the spring field work March 2010.

<sup>4</sup> Klein JA, Harte J, Zhao XQ. 2007. Experimental warming, not grazing, decreases rangeland quality on the Tibetan Plateau. *Ecological Applications* 17(2): 541-557. Foggin, J. Marc. 2008. Depopulating the Tibetan Grasslands: National policies and perspectives for the future of Tibetan herders in Qinghai Province, China. *Mountain Research and Development* 28(1): 26-31.

# URBANIZATION, DEVELOPMENT & BILINGUAL LANGUAGE SITUATIONS: A CASE STUDY OF BILINGUAL LANGUAGE IN MINZU UNIVERSITY OF CHINA

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## ABSTRACT

China is a unitary, multi-national, socialist country. There are 56 ethnic groups in China, among which 55 are considered national minorities. The reason why these 55 ethnic groups are habitually referred to as "national minorities" is that their population is smaller than that of the Han people. China is a country comprised of diverse ethnic groups with various spoken and written languages. Among the 55 ethnic groups in China, 53 have their own spoken or written language: the Hui and Manchu ethnic groups use the Han language as their common language. Beijing is the capital city of China and we can find all 55 minority groups living there. Among these ethnic groups, minority intellectuals constitute the largest proportions. This paper examines language usage among professors and scholars from the Faculty of Language and Literature of Chinese Ethnic Minorities, at Minzu University of China (MUC). This case study explores the impact of urbanization and development on minority intellectuals' bilingual situations and associated language changes. We argue that, despite urbanization and development, different family types have different language usage characteristics, but all retain that of the generation gap. The major feature is the declining usage and ultimate disappearance of native languages, and the accelerated and improved usage of Han and other foreign languages.

## 提要

中国是统一的多民族社会主义国家。有56个民族，其中55个是少数民族。因为这55个少数民族人口相对汉族来说较少，故习惯性地称之为“少数民族”。在55个少数民族中，除回族和满族两个民族通用汉语外，其他53个少数民族都有自己的语言。北京是中国的首都，也是全国民族成分最多的城市，这里生活的少数民族知识分子占有很大比例。本文以中央民族大学少数民族语言学院从事民族语文工作的少数民族教师为例，通过个案分析在城市化过程中城市少数民族知识分子双语的状况和变化，以及他们子女的语言使用情况。目的是从中了解少数民族知识分子在于城市化进程中语言使用的规律及其发展趋势。作者指出由于城市化的进程，不同类型家庭的语言使用具有不同的特点，都存在着代沟现象，总的变化特点是母语能力减弱甚至不会母语，汉语和外语水平不断提高。

## I. INTRODUCTION

China is a unitary, multi-national, socialist country. There are 56 ethnic groups in China, among which 55 are

national minorities. The reason why these 55 ethnic groups are habitually referred to as "national minorities" is that their population is smaller than that of the Han people. China is

a country comprised of diverse ethnic groups with various spoken and written languages. Among the 55 ethnic groups in China, 53 have their own spoken or written language: the Hui and Manchu ethnic groups use the Han language as their common language. Beijing is the capital city of China and there are 55 minorities living there. Among these ethnic groups, minority intellectuals constitute the largest proportions. This paper examines language usage among professors and scholars from the Faculty of Language and Literature of Chinese Ethnic Minorities, MUC.

## 1. MINZU UNIVERSITY OF CHINA (CENTRAL UNIVERSITY FOR NATIONALITIES)

Founded in October 1941 as the Yan'an Institute of Nationalities, the Central Institute of Nationalities was officially established in Beijing in June 1951. In November 1993, the Institute adopted a new name: the Central University for Nationalities (CUN). In 2009, the Central University for Nationalities changed its English name to Minzu University of China (MUC). MUC is the top institution of higher education for Chinese ethnic minorities. As a key prestigious university of the "211 Project" and the "985 Program," it is reputed to be "the cradle of high-level talents of Chinese ethnic minorities".

## 2. THE FACULTY OF LANGUAGE AND LITERATURE OF CHINESE ETHNIC MINORITIES

The academic discipline of Language and Literature of Chinese Ethnic Minorities was established in the early 1950s and ratified as the National Key Academic Discipline in 2002. The faculty's academic research encompasses the literature and documents of 56 ethnic minorities, 80 languages and 30 writing systems in five language families, namely the Sino-Tibetan, Altaic, Malay/Polynesian, South-Asian, and the Indo-European families. Since the ratification, the faculty has focused on the construction of academic disciplines and faculty teams, the cultivation of students and scientific research in various academic fields. The faculty has 62 professional teachers for undergraduate education, among which are 24 professors, 16 associate professors, and 19 instructors.

## II. CHARACTERISTICS OF LANGUAGE CHANGE

### 1. LANGUAGE USAGE

Minzu University is a multi-national family. Most faculty and staff at MUC are minorities. For example, 90% of the faculty and staff at the Faculty of Language and Literature of Chinese Ethnic Minorities belong to as many as 24 different ethnic minorities, including: Mongolian, Tibetan, Uygur, Kazak, Korean, Yi, etc. The professors are all proficient in their mother tongue. At the same time,

they master Chinese and foreign languages at varying levels. The faculty is the bilingual language centre of MUC. I interviewed 29 faculty professors belonging to 17 different ethnic minority groups, including Mongolian, Tibetan, Uygur, Kazak, Korean, Yi, Miao, and Dai. Investigation shows that 100% of minority professors can teach courses in their native languages, accustomed as they are to their native way of thinking. Simultaneously, however, more than 90% of the minority professors master Chinese. The longer they live in Beijing, the better their Chinese-language skills become. For ethnic minorities with a written language, such as Mongolian, Tibetan, Uygur, Kazak, Korean, or Yi, their native languages are much better preserved than those of certain minorities from Southern China or other small ethnic groups.

A narrow range of native language is a common characteristic of all minority languages. Today, ethnic groups in Beijing live in concentrated communities scattered all over the city. Han (Chinese) is the official language of China, and its dominance limits the realistic usage and scope of minority languages. The Han (Chinese) language must therefore become the default second language of all minority professors.

### 2. CHARACTERISTICS OF BILINGUAL LANGUAGE TYPES

#### Type A: Minority language - Han Language (Chinese)

55% of minority professors belong to Type A. They rely mainly on their minority language, while Han language (Chinese) skills make external assistance subsidiary. Ethnic groups include Mongolian, Tibetan, Uygur, Kazak, Korean and Yi.

#### Type B: Han Language (Chinese) - Minority language

30% of minority professors belong to Type B and include ethnic minority groups from Southern China who live in scattered or mixed communities.

#### Type C: Minority language - Han Language (Chinese) - Minority language

Eg. Uygur Professors master Kazak; Kazak Professors master Uygur.

15% of minority professors belong to Type C and these minority professors are masters of both their native language and the Han (Chinese) language. At same time, all of them have at least a good command of a foreign language.

In all, twenty professors have mastered English, Japanese, Russian, Turkish, Bulgarian, Kyrgyz and Vietnamese; Five professors have mastered more than two foreign languages; And one professor each has mastered Mongolian, Chinese, English, Japanese, Russian; Tibetan, Chinese, English; Korean, Chinese, Japanese; and finally, one has mastered Uygur, Chinese, Russian, and Turkish.

### **3. BILINGUAL VARIATIONS AS A FUNCTION OF AGE AND ETHNIC GROUPS**

Among the interviewees, the eldest is 78 and came to Beijing in 1952, while the youngest is 39. In terms of native language skills, the older interviewees are, generally speaking, better linguistically equipped than the younger ones. The ethnic groups who live in concentrated communities in northern China retain their native languages much better than minority ethnic groups from southern China who live in scattered or mixed communities. Bilingual language utilization is inversely correlated to the individual's age. Young and middle-aged professors employ their bilingualism more frequently and have higher levels of Chinese and English proficiency than the older ones.

## **III. CHARACTERISTICS OF FAMILY SITUATION AND CHILDREN'S LANGUAGE USAGE**

### **1. LANGUAGE SITUATION OF SINGLE-NATIONALITY FAMILIES**

At the Faculty of Language and Literature of Chinese Ethnic Minorities, 75% of professors' families are of a single nationality and 25% are the product of intermarried families. I investigated 21 single-nationality families and 8 intermarriage families. Research finds that in Beijing, native languages decline very quickly in the generational transition between single-nationality family and intermarriage family. Mongolian, Uygur, Kazak, Kyrgyz, and Korean are almost all single-minority families. I studied the families of four Mongolian, three Uygur, one Kazak, one Daur, three Tibetan, four Korean, two Yi, one Dai, one Miao and one Jingpo professors. In these families, 17 professors' spouses possessed a good command of their native languages while 3 spouses possessed only a basic level of linguistic knowledge. Thirty-one percent of the professors' children mastered their mother tongue; 15.8% had a basic understanding of their native language; 21% could understand but not speak, and 31.7% of the children knew nothing of their mother tongue.

### **2. STATISTICAL CHART OF LANGUAGE USAGE AMONG SINGLE-NATIONALITY FAMILIES: (SEE TABLE ON NEXT PAGE)**

### **3. LANGUAGE CHARACTERISTICS OF SINGLE-NATIONALITY MINORITY FAMILIES**

- 1) Children's capacity for their native language has universally declined.
- 2) Large minority populations retain their native languages much better than small minority populations.
- 3) Children from families which communicate in their native language develop strong native language skills.
- 4) Children born in minority areas have a better grasp of their native language than those born in Beijing.

- 5) When the children communicate in their native language, they usually speak half in their mother tongue and half in Chinese.

### **4. REASONS FOR NATIVE LANGUAGE DECLINE IN SINGLE-NATIONALITY MINORITY FAMILIES**

- 1) There are no minority language primary schools or middle schools in Beijing.
- 2) Minority children speak Chinese and receive Chinese cultural education. Chinese has thus become their first language.
- 3) They are accustomed to Chinese ways, and their minority identity has faded from their memory.
- 4) Although their parents are the first generation in Beijing, the influence of their native language is confined to family life. The native language influence is becoming weaker and weaker.
- 5) The native language of second-generation single-nationality minority families is obviously declining. The third generation may lose their native language gradually.

### **5. LANGUAGE SITUATION OF INTERMARRIAGE MINORITY FAMILIES**

Intermarriage minority families make up 25% of the faculty. Among this group, I investigated 8 families:

The Miao-Han family. The husband is 58-years old and teaches the Miao language. His wife and child don't know the Miao language. Their family language is Han (Chinese).

The Tibetan-Han family. The husband is 49-years old and teaches the Tibetan language. His wife and child don't know Tibetan language. Their family language is Han (Chinese).

The Li-Han family. The husband is 65-years-old and teaches the Li language. His wife and child don't know the Li language. Their family language is Han (Chinese).

The Gaoshan-Hui, Lisu-Han, Yugu-Han, Hani-Han and Yi-Han families form the intermarriage families. These minority teachers only use their native language when they meet their fellow countrymen. Since their spouses don't understand the minority language, the language used at home is Chinese and so has become the common language.

Nowadays, there are more and more intermarried minority families at Minzu University and intermarriage is becoming a common phenomenon. This is an inevitable trend in minority urban development, as is the mixing of multiple nationalities. With Chinese as the common language spoken by mothers and fathers in the home, minority children lack the environment in which to learn their native language.

## **IV. CONCLUSION**

This paper examines language usage among professors and scholars from the Faculty of Language and Literature of

Statistical chart of language usage among single-nationality families

NATIONALITY	AGE	SPOUSE			CHILD				FAMILY LANGUAGE	CHILD'S PLACE OF MOTHER-TONGUE EDUCATION
		OCCUPATION	MOTHER TONGUE PROFICIENCY	CHINESE PROFICIENCY	BIRTH PLACE	AGE	MOTHER TONGUE PROFICIENCY	CHINESE EDUCATION LEVEL		
MONGOLIAN	67	Staff	Excellent	Basic	Beijing	31	Understands basic language	University	Bilingual, Mongol/ Chinese	Home
MONGOLIAN	55	Teacher	Excellent	Good	Beijing	30	Master	University	Bilingual, Mongolian	Home
MONGOLIAN	53	Teacher	Excellent	Very good	Beijing	14	Can understand but not speak	Secondary school	Bilingual	Home
MONGOLIAN	51	Cadre	Excellent	Excellent	Beijing	21	None	University	Bilingual, Chinese	Home
KOREAN	64	Staff	Excellent	Good	Jilin	28	Master	University	Korean	Home & school
KOREAN	61	Doctor	Basic	Excellent	Beijing	29	No	University	Bilingual, Chinese	Home
KOREAN	58	Teacher	Excellent	Excellent	Beijing	30	Master	University	Bilingual, Chinese	South Korea
KOREAN	41	Cadre	Excellent	Excellent	Beijing	10	No	Primary school	Bilingual	Home
UYGUR	61	Cadre	Excellent	Good	Beijing	29	Master	University	Uygue	Home
UYGUR	49	Cadre	Excellent	Good	Beijing	21	Can understand/ speak but cannot read/ write	University	Uygue	Home
UYGUR	39	Cadre	Good	Excellent	Beijing	11	Can understand/ speak	Primary school	Uygue	Home
TIBETAN	76	Teacher	Excellent	Excellent	Sichuan	45	Master	University	Tibetan	Home & school
TIBETAN	50	Cadre	Excellent	Excellent	Qinghai	19	Basic	University	Bilingual	Home & school
TIBETAN	42	Cadre	Very good	Excellent	Beijing	9	None	Primary school	Bilingual, Chinese	Home
KAZAKH	52	Teacher	Excellent	Excellent	Beijing	25	Can understand	University	Bilingual, Kazakh	Home
DAI	78	Cadre	Excellent	Good	Yunnan	37	Basic	University	Bilingual, Dai	Home
YI	52	Cadre	Basic	Excellent	Beijing	25	Can understand	University	Chinese	Home
YI	38	Teacher	Good	Excellent	Beijing	8	None	Primary school	Chinese	
MIAO	76	Teacher	Excellent	Excellent	Hubei	40	None	University	Chinese	Home
DAUR	52	Cadre	Basic	Excellent	Beijing	23	None	University	Chinese	Home
JINGPO	45	Cadre	Good	Good	Beijing	17	Can understand	Secondary school	Bilingual, Chinese	Home

Source: Statistics Canada, Census of Canada, 2006

Chinese Ethnic Minorities, MUC. The data gathered helps analyzes urban development and minority intellectuals' professional and family bilingual situations and consequent language changes. One conclusion is that due to urbanization and development, different family types have different language usage characteristics, but all retain that of the generation gap. Based on this, it can be argued that the declining usage, and ultimate disappearance of native languages is a very real possibility, given the accelerated and improved usage of Han and other foreign languages.

## REFERENCES

Wu, Shimin & Zhanbazhabu. *A Survey of China's Policies Regarding the National Minorities*, (1995): 1-7; 81-87. Beijing: Renmin Press.

Tawaculie, & Wang Tiezhi. *China Ethnic Groups* (2005): 1-38. Beijing: Ethnic Publishing House.

# AU-DELÀ DE L'ASSIMILATION LINGUISTIQUE : LES LEÇONS À TIRER DES INSTITUTIONS SCOLAÎRES FRANCOPHONES AU NOUVEAU- BRUNSWICK POUR LA CHINE<sup>1</sup>

**Huhua Cao** est actif dans différents programmes de recherche, portant principalement sur le développement des minorités régionales selon deux axes : 1) *Minorités ethniques, Mobilité et Urbanisation*; 2) *Disparités régionales et Accessibilité aux services sociaux*. Ses recherches reposent très largement sur l'utilisation des méthodes géostatistiques et des Systèmes d'information géographique appliqués à *deux terrains essentiels* : les communautés de langues officielles en situation minoritaire (CLOSM) des Acadiens au Nouveau-Brunswick et dans les régions minoritaires en Chine.

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## RÉSUMÉ

En s'inspirant de la région urbaine du Grand Moncton au Nouveau-Brunswick (Canada), cette étude a pour but de mesurer le lien entre les institutions scolaires de langue française et la population acadienne francophone. Les résultats obtenus de cette recherche pourront certainement inspirer certaines régions du globe, plus particulièrement le cas chinois, qui sont aux prises avec les mêmes défis, c'est-à-dire la présence significative d'un ou plusieurs groupes minoritaires.

## 摘要

本课题的触发点来自大蒙克顿都市区，旨在研究该地区法语教育机构的布局和当地阿卡迪亚人的集聚之间的空间内在关联。该研究案例对于世界其他相应少数族群分布地区都具有相当的启发性。特别是对于中国多民族聚居地区，在城市化过程中少数民族语言教育也面临着相同的挑战，此研究案例更是具有非常的借鉴价值。

Malgré les différences marquées entre le Canada et la Chine aux niveaux démographique et migratoire dans l'histoire de leur développement, ces pays font tout de même face à certains défis semblables en ce qui a trait à l'intégration des immigrants ou des minorités linguistiques dans le processus d'urbanisation de leurs villes. Le Canada ayant fait face à ces défis quelques décennies avant la Chine, notamment en ce qui concerne l'intégration de la minorité linguistique acadienne au Nouveau-Brunswick, certaines leçons tirées de son expérience demeurent applicables d'un contexte à l'autre. En utilisant le cas canadien du Grand Moncton au Nouveau-Brunswick, cette analyse a pour objectif de répondre à deux questions spécifiques, en

espérant tirer des conclusions pertinentes au cas chinois : y a-t-il une relation entre la répartition spatiale des francophones et la localisation des institutions scolaires de langue française ? De plus, les francophones habitant près des institutions scolaires de langue française sont-ils mieux protégés contre l'assimilation linguistique ?

## ÉVOLUTION DE LA RÉPARTITION SPATIALE DES INSTITUTIONS SCOLAÎRES DE LANGUE FRANÇAISE

Située au cœur des Maritimes, dans le sud-est du Nouveau-Brunswick, l'agglomération du Grand Moncton est la région urbaine canadienne qui présente la plus forte concentration d'Acadiens français en situation minoritaire,

soit 33 % de la population de l'agglomération. La triade de communautés, Moncton, Dieppe et Riverview, qui constitue la région du Grand Moncton, possède 126,424 habitants en 2006, soit un peu plus de 17 % de la population du Nouveau-Brunswick et joue un rôle bien particulier dans l'équilibre linguistique de l'agglomération. Dieppe et Riverview sont les centres d'attraction ethnolinguistiques traditionnels et leur composition linguistique est très contrastée. Ces deux villes appartiennent à des territoires fortement unilingues : la ville de Riverview est composée presque uniquement d'habitants de langue anglaise (soit 95 % anglophone) tandis que celle de Dieppe regroupe une population majoritairement francophone, les Acadiens (soit 75 % francophone). Situé au centre de la région urbaine, Moncton présente des dynamiques complexes permettant de suivre le processus de cohabitation entre Acadiens et anglophones (35 % des francophones contre 65 % des anglophones).

Au fil des années, particulièrement après la création d'une loi en 1981 reconnaissant l'égalité entre anglophones et francophones<sup>2</sup>, les acadiens francophones furent plus présents dans la société néo-brunswickoise contribuant grandement au développement de Moncton, à travers la création d'institutions acadiennes dans plusieurs domaines, notamment l'éducation (Cao, et coll. 2005).

**TABLEAU 1: Nombre d'institutions scolaires francophones, Moncton et Dieppe**

INSTITUTIONS SCOLAIRES FONDÉES AVANT 1981	GARDERIES	ÉCOLES PRIMAIRES, INTERMÉDIAIRES, SECONDAIRES	COLLÈGE OU UNIVERSITÉ	TOTAL
Moncton	2	5	1	8
Dieppe	0	3	1	4
Sous total	2	8	2	12

INSTITUTIONS SCOLAIRES FONDÉES APRÈS 1981	GARDERIES	ÉCOLES PRIMAIRES, INTERMÉDIAIRES, SECONDAIRES	COLLÈGE OU UNIVERSITÉ	TOTAL
Moncton	16	0	0	16
Dieppe	9	1	0	10
Sous total	25	1	0	26
Total	27	9	2	38

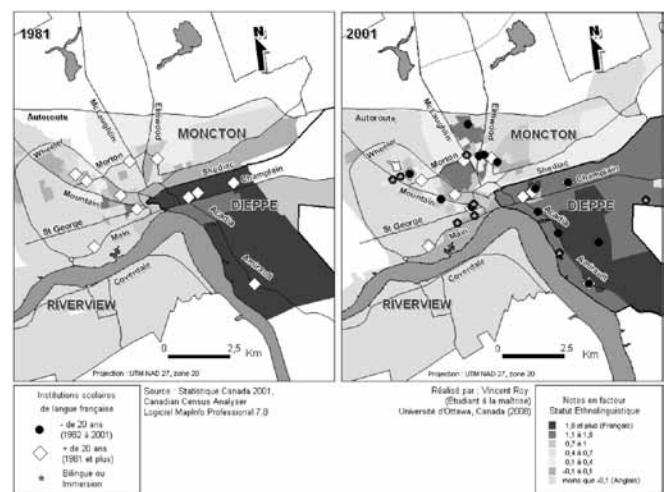
Avant 1981, le Grand Moncton<sup>3</sup> comptait seulement douze institutions scolaires de langue française, donc quatre étaient dans la ville de Dieppe et huit se trouvaient à Moncton. En 2001, à la suite de vingt ans de développement, 24 nouvelles institutions scolaires de langue française virent le jour dans le Grand Moncton. Parmi les 38 institutions scolaires totales sur le territoire, 14 se situaient dans la ville de Dieppe et 24 dans celle de Moncton. Parmi elles, on dénombrait une université, un collège, neuf écoles et 27 garderies, dont 19 étaient unilingues francophones, six

étaient bilingues et deux faisaient partie d'un programme d'immersion française (voir tableau 1).

## LIEN ENTRE INSTITUTIONS SCOLAIRES ET ESPACE SOCIOLINGUISTIQUE

Parmi les douze anciennes institutions<sup>4</sup> scolaires de langue française, seulement une de ces institutions près du centre-ville de Moncton se situe dans un secteur avec une plus forte concentration de francophones (voir l'espace vert dans la carte 1981 de la figure 1) et les cinq autres se trouvent dans la ville de Moncton, dans des espaces partiellement francophones. Les trois se situaient dans un espace anglophone<sup>5</sup> en 1981. Du côté de la ville de Dieppe, c'est l'effet contraire qui se produit, car il y a un lien direct entre les quatre institutions et l'espace francophone. Ici, toutes les institutions se situent dans l'espace de plus forte concentration francophone.

**Figure 1: Répartition des institutions anciennes et récentes par rapport à l'espace francophone, Grand Moncton, 1981-2001**



En l'espace de deux décennies, le centre-ville de Moncton se caractérisa par une augmentation significative de la présence francophone près des institutions scolaires de langue française. En 1981, les institutions scolaires de langue française existantes se trouvaient majoritairement dans des secteurs anglophones, qui au fil des ans, se sont peuplés de francophones. En 2001, les zones environnant ces anciennes institutions scolaires étaient caractérisées par une grande présence francophone (voir figure 1 illustrant l'évolution significative de l'espace vert francophone entre 1981 et 2001). Parmi les trois institutions situées dans un espace anglophone en 1981, les espaces autour de deux institutions scolaires devinrent francophones en 2001, alors que dans le troisième cas, le quartier se transforme en un espace où cohabitent deux groupes linguistiques. En ce qui concerne

TABLEAU 2: Proportion de francophones près des institutions de langue française et ailleurs à Moncton et à Dieppe, 1981-2001

NOTES DU FACTEUR SUR L'ESPACE ETNOLINGUISTIQUE	L'ENSEMBLE DES VILLES		INSTITUTION CRÉE AVANT 1981*		INSTITUTION CRÉE APRÈS 1981*	
	MONCTON	DIEPPE	MONCTON	DIEPPE	MONCTON	DIEPPE
1981	-0,05	2,04	0,33	2,21		
2001	0,02	1,70	0,50	1,68	0,53	1,77
VARIATION ENTRE 1981 ET 2001	0,07	-0,34	0,17	-0,53		

\* Les résultats représentent la moyenne des notes du facteur sur l'espace ethnolinguistique dans un périmètre de 500 mètres ou moins de chacune des institutions.

les 26 institutions récentes ayant été créées entre 1981 et 2001 dans les villes de Moncton et de Dieppe, seulement trois d'entre elles se situaient dans des espaces plus neutres sur le plan linguistique. Les autres étaient regroupées dans des secteurs majoritairement francophones (voir la carte de 2001 dans la figure 1). Peu importe leur localisation dans la ville et la date de leur fondation, aucune des institutions ne se situait dans des espaces anglophones en 2001. *Ces institutions ont-elles eu un effet sur la répartition spatiale des francophones ?*

## ZONES D'INFLUENCE DES INSTITUTIONS ET ESPACE SOCIOLINGUISTIQUE

Les données du tableau 2 indiquent que la présence francophone est plus importante pour la ville de Dieppe que pour celle de Moncton. Toutefois, c'est dans la ville de Moncton que nous trouvons une augmentation plus rapide de la concentration de francophones au cours des vingt dernières années. La concentration de minorités francophones dans cette dernière ville croît de 0,07, alors qu'à Dieppe, elle diminue de 0,34.

Selon le tableau 2, les anciennes institutions scolaires de langue française ont un lien direct avec l'espace francophone en 1981 et en 2001 dans la ville de Moncton. La présence française est beaucoup plus forte autour d'elles en 2001, c'est-à-dire dans un périmètre de 500 mètres ou moins, que dans l'ensemble de la ville de Moncton. Cette concentration plus significative près des institutions a augmenté à 0,17, comparativement à 0,07 sur l'ensemble de la ville de Moncton, pour la moyenne des notes en facteur au cours des 20 dernières années. La situation à Dieppe est différente. L'effet des institutions est moins fort en 2001 qu'en 1981 (-0,53 versus -0,34).

C'est dans la ville de Dieppe que se trouve la plus forte concentration de francophones près des institutions scolaires récentes en 2001, avec une valeur des notes en facteur de 1,77. D'ailleurs, cette moyenne est tout juste supérieure à celle de l'ensemble de la ville de Dieppe, qui est de 1,70 en 2001. Ceci démontre qu'il y a une concentration légèrement plus forte de francophones près des institutions récentes à Dieppe. À Moncton, la moyenne des notes en

facteur qui se trouve à une zone tampon de 500 mètres ou moins des institutions récentes est beaucoup plus élevée que dans l'ensemble de la ville en 2001 (0,53 contre 0,02).

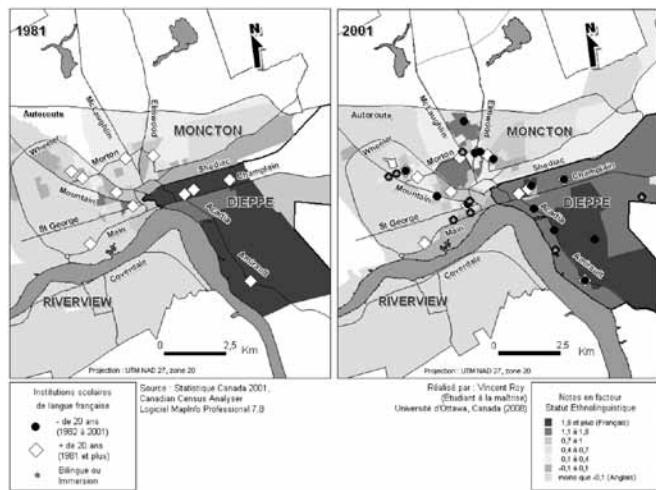
Les résultats démontrent que les institutions scolaires de langue française récentes ont plus d'impact sur la concentration de francophones. La relation entre répartition spatiale des francophones et localisation des institutions scolaires de langue française est surtout visible dans la ville de Moncton. En effet, dans cette dernière, l'espace francophone qui se trouve dans un périmètre de 500 mètres ou moins d'une institution scolaire se consolide pendant la période étudiée. Toutefois, *cette population francophone habitant près d'institutions scolaires est-elle mieux protégée contre l'assimilation linguistique ?*

## LIEN ENTRE INSTITUTIONS ET ASSIMILATION LINGUISTIQUE

Avant 1981, aucun espace ne connaît une francisation de sa population<sup>6</sup> (voir la carte de 1981 dans la figure 2), malgré l'existence de douze institutions. La situation change complètement au cours des vingt dernières années. En 2001, à l'exception d'une ancienne institution scolaire à Moncton qui se trouve toujours dans un espace où l'assimilation à l'anglais est notable, toutes les autres institutions anciennes sont dans des quartiers connaissant une vitalité communautaire francophone. À Dieppe, une exception se manifeste tout de même : une école se situe dans un espace neutre (gris), n'étant caractérisé par aucune assimilation linguistique. Les autres institutions anciennes dans les villes de Dieppe se situent toutes dans des espaces qui ont connu une francisation de leur population en 2001 (voir les espaces verts dans la carte de 2001 de la figure 2).

Toutefois, le lien entre le taux d'assimilation linguistique (TAL) et la localisation des institutions plus récentes est plus nuancé et change en fonction des villes en 2001. À Dieppe, comme pour les institutions anciennes, aucune institution ne se situe dans des espaces où il y a assimilation à l'anglais (rouge). Par contre, plus d'institutions se trouvent dans des espaces gris, soit la moitié des dix institutions récentes, ce qui signifie qu'elles n'ont pas encore eu le temps d'avoir un impact positif ou négatif sur les gens qui habitent près d'elles.

**Figure 2: Répartition des institutions anciennes et récentes par rapport à la situation de l'assimilation linguistique, Grand Moncton, 1981-2001**



La ville de Moncton connaît davantage de variation quant à l'impact des institutions récentes sur le contrôle de l'assimilation linguistique en 2001. Malgré une vitalité communautaire francophone plus forte au cours des vingt dernières années (comparé à la carte de 1981 dans la figure 2, on trouve que la majorité d'espaces en 2001 sont en vert, malgré une variation de couleur du pâle au foncé), plus d'une institution récente se situe dans un espace à forte présence anglophone. Parmi les 16 institutions récentes, même si quatre d'entre elles se situent dans des espaces où l'anglais prédomine (zones rouge pâle), et deux se situent dans des zones où le taux de transfert linguistique est presque nul (zones grises), la grande majorité des institutions, soit 10 d'entre-elles, se trouve dans des espaces « francisés » (zones vertes). Les institutions récentes qui se situent dans ces espaces sont dispersées à travers la ville de Moncton, sans suivre une tendance particulière.

L'établissement d'institutions scolaires francophones, particulièrement celles créées avant 1981, semble donc réduire les risques d'assimilation linguistique. La majorité des institutions scolaires de langue française se trouvent dans des quartiers qui connaissent une vitalité francophone

en 2001. Les espaces francophones ne sont pas situés dans des zones géographiques particulières, mais se concentrent surtout autour des institutions de langue française.

## ZONES D'INFLUENCE DES INSTITUTIONS ET ASSIMILATION LINGUISTIQUE

En 1981, autant Moncton que Dieppe étaient caractérisées par un problème d'assimilation linguistique (voir la quasi-totalité d'espaces en rouge foncé dans la carte de 1981 de la figure 2). Il sera donc intéressant de voir, à l'aide du tableau 3, la variation du taux d'assimilation linguistique au cours des 20 dernières années dans l'ensemble des villes de Moncton et de Dieppe, ainsi que dans les zones tampons qui entourent de 500 mètres ou moins les institutions anciennes et récentes. Nous trouvons dans la ville de Dieppe la plus forte diminution de l'assimilation à l'anglais au cours des vingt dernières années, avec un taux d'assimilation linguistique ayant diminué de 0,79, comparé à 0,73 dans le cas de Moncton. La moyenne du taux d'assimilation linguistique est de -0,03 à Dieppe, alors qu'à Moncton, elle est de 0,01 en 2001.

C'est toutefois dans la ville de Moncton que nous trouvons la plus forte influence des institutions anciennes sur la population francophone en 2001, la moyenne du taux d'assimilation linguistique y étant de 0,01,<sup>7</sup> tandis que celle de l'ensemble de la ville est de 0,01. À Dieppe, la moyenne du taux d'assimilation linguistique près des institutions anciennes est la même que pour l'ensemble de la ville (voir tableau 3).

Les institutions récentes ayant été construites au cours des vingt dernières années, nos données ne nous permettent pas d'évaluer leur impact sur les risques d'assimilation linguistique, entre 1981 et 2001. Par contre, il nous est possible d'évaluer leur impact en 2001, et de comparer l'effet de la présence d'institutions francophones sur la vitalité communautaire francophone dans chaque ville. Tout comme pour les institutions anciennes, c'est dans la ville de Dieppe qu'il y a le plus faible taux d'assimilation linguistique en 2001, avec 0,02, contre 0,03 pour Moncton. Dans les deux villes, les institutions de langue française récentes ont un peu moins d'influence sur la vitalité communautaire francophone que les institutions anciennes. La moyenne du taux d'assimilation

**TABLEAU 3: Moyenne du TAL près des institutions scolaires de langue française et ailleurs à Moncton et à Dieppe, 1981-2001**

TAUX D'ASSIMILATION LINGUISTIQUE (TAL)	L'ENSEMBLE DES VILLES		INSTITUTION CRÉE AVANT 1981*		INSTITUTION CRÉE APRÈS 1981*	
	MONCTON	DIEPPE	MONCTON	DIEPPE	MONCTON	DIEPPE
1981	0,74	0,76	0,78	0,77		
2001	0,01	-0,03	-0,01	-0,03	0,03	-0,02
VARIATION ENTRE 1981 ET 2001	-0,73	-0,79	-0,79	-0,80		

\* Les résultats représentent la moyenne du taux d'assimilation linguistique dans un périmètre de 500 mètres ou moins de chacune des institutions.

linguistique en présence de ces dernières est en effet inférieure à celle de l'assimilation en présence d'institutions récentes (-0,02 versus -0,01 pour Dieppe et 0,03 versus -0,001 pour Moncton). Comme il existe 38 institutions scolaires de langue française en 2001, *y a-t-il une relation entre l'espace sociolinguistique et l'assimilation linguistique ?*

## ESPACE SOCIOLENGUISTIQUE ET ASSIMILATION LINGUISTIQUE

Les données du tableau 4 indiquent que la présence d'espaces francophones dans les villes de Moncton et de Dieppe n'a pas d'impact significatif sur les risques d'assimilation linguistique au sein de la minorité même (le R n'est que de -0,133, et le Sig de 0,137 est trop élevé pour une corrélation significative). L'étude démontre cependant qu'il y a une corrélation significative entre la présence d'institutions francophones et l'absence d'assimilation des francophones à la langue anglaise (le R est de -0,668 et le Sig est de 0 pour l'ensemble des zones tampons sur chacune des institutions présentes sur le territoire en 2001).

En divisant les 38 institutions de langue française en fonction de leur ville d'origine, nous notons qu'il y a aussi une forte corrélation significative pour les deux villes. La corrélation est plus forte à Moncton qu'à Dieppe (-0,714 contre -0,531).<sup>8</sup> Le fait d'avoir un nombre plus élevé d'institutions de langue française, c'est-à-dire 24 dans la ville de Moncton, peut expliquer en partie pourquoi la corrélation est plus forte dans cette ville minoritairement francophone. D'un autre côté, cela peut démontrer que les francophones de la ville de Moncton ont tendance à se concentrer plus près des institutions de langue française, ce qui crée une plus forte vitalité communautaire francophone. Rappelons que les francophones à la ville de Moncton sont minoritaires et représentent autour de 30% de la population totale, tandis que les francophones à la ville de Dieppe sont en majorité et représentent plus de 80% de la population totale. Naturellement, les francophones en situation minoritaire ont plus besoin de se concentrer pour protéger leur langue et leur culture.

**TABLEAU 4: Corrélation entre l'espace sociolinguistique et le taux d'assimilation linguistique (TAL), Moncton et Dieppe, 2001**

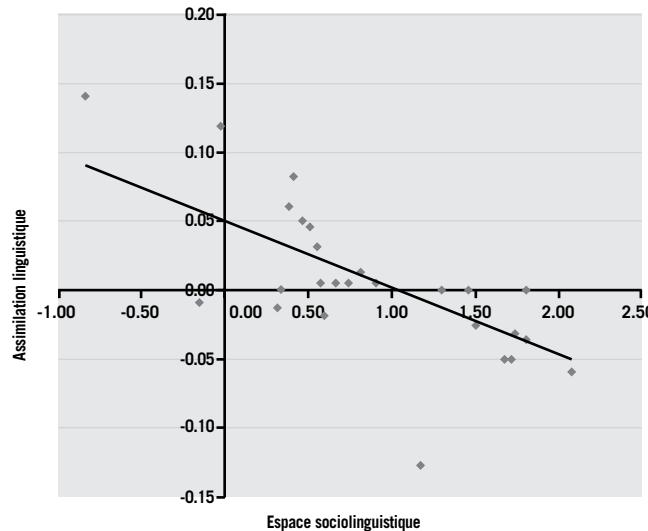
2001	ENSEMBLE DES VILLES DE MONCTON ET DE DIEPPE	INSTITUTIONS DANS LES VILLES DE MONCTON ET DE DIEPPE	INSTITUTIONS DANS LA VILLE DE MONCTON	INSTITUTIONS DANS LA VILLE DE DIEPPE
R	-0,133	-0,668	-0,714	-0,531
Sig	0,137	0,000	0,00	0,051
N	126*	38**	24**	14**

\* Représente le nombre d'espaces géographiques.

\*\* Signifie le nombre de zones tampons pour chacune des institutions présentes sur le territoire en 2001.

La figure 3 confirme justement qu'il y a relativement une forte corrélation significative entre l'espace sociolinguistique et le taux d'assimilation linguistique (TAL) près des 38 institutions. Puisque la courbe est descendante, plus la population francophone est concentrée près des institutions, plus il y a une francisation autour de ces mêmes institutions.

**Figure 3: Corrélation entre l'espace sociolinguistique et le taux d'assimilation linguistique pour les 38 institutions, 2001**



Note: Un déplacement vers la droite de la figure correspond à une augmentation de la concentration de francophones alors qu'un déplacement vers le bas correspond à une francisation de la population.

## CONCLUSIONS ET DISCUSSIONS

Cette étude a pour but d'évaluer le lien entre la répartition spatiale des francophones et la localisation des institutions scolaires de langue française, ainsi que celui entre la présence d'institutions scolaires de langue française et les risques d'assimilation linguistique. Nos résultats démontrent que dans la ville de Moncton, les institutions de langue française ont mieux réussi à attirer la présence de francophones dans leurs environs que celles de la ville de Dieppe. De plus, la relation entre la localisation de ces institutions et la concentration géographique de francophones semble varier selon l'emplacement et la date de fondation des institutions. Cependant, de manière générale, en 2001, tant à Moncton qu'à Dieppe, la plupart des institutions scolaires de langue française récentes entraînent une plus forte présence francophone dans ses environs. Nos résultats démontrent toutefois que la présence d'institutions scolaires francophones, particulièrement celles créées avant 1981, est mieux en mesure de prévenir l'assimilation linguistique et joue un rôle crucial sur la vitalité de la langue française au sein des communautés acadiennes des villes

de Moncton et de Dieppe. Nos données sous-entendent en effet que plus il y a de francophones qui habitent dans un périmètre environnant de 500 mètres ou moins d'une institution de langue française, plus forte sont les chances de francisation de la population.

Langlois et Blais (1991) estiment que le fait de se regrouper permet au peuple francophone de sauvegarder sa langue et sa culture françaises. Par ailleurs, Gilbert (1999) souligne que cet «espace francophone» est la clé d'interprétation de la vitalité des communautés francophones minoritaires, puisqu'il place les interactions sociales au centre de la réflexion. Stebbins (2000), quant à lui, définit l'espace francophone comme une forme ethnique fondée sur la complétude institutionnelle et ayant ses bases sur un territoire qui ne nécessite pas de frontières définies, mais qui s'organise autour de réseaux de relations interpersonnelles. Notre étude va au-delà des analyses de Gilbert (1999) et Langlois et Blais (1991), et complémente celle de Stebbins (2000), en démontrant que les populations acadiennes ont tendance à se concentrer autour des institutions scolaires de langue française, et que les francophones habitant près de ces institutions sont mieux protégés contre l'assimilation linguistique. Au-delà de ces résultats, la meilleure solution afin de freiner l'assimilation linguistique semble être celle de l'institutionnalisation de la représentation des minorités linguistiques, plutôt que la simple «loi» du nombre. Au Nouveau-Brunswick, la loi de 1981 qui reconnaît l'égalité entre anglophones et francophones constitue une garantie institutionnelle permettant à la minorité acadienne de s'épanouir.

Quel impact cette étude peut-elle avoir pour le cas chinois? Tout comme le Canada, la Chine possède de nombreux groupes ethniques minoritaires, et le processus d'urbanisation au sein de ses villes a été accompagné par des risques d'assimilation linguistique au sein de communautés minoritaires (Cao et Bergeron, 2010). En 2009, le nombre de travailleurs migrants dans les villes chinoises avait atteint 211 millions, soit 16% de la population du pays. Ce chiffre pourrait atteindre les 350 millions en 2050, soit plus de 25% de la population totale. Une grande proportion de ces travailleurs migrants appartient à un des 55 groupes ethniques minoritaires chinois (Deng, et coll. 2009). Contrairement aux travailleurs migrants Hans, le processus d'intégration dans les milieux urbains pour les migrants ethniquement minoritaires constitue un défi considérable sur les plans culturels et linguistiques. Malgré l'existence de ghettos culturels dans certaines villes chinoises, les groupes ethniques migrants ont difficilement accès à leur propre espace culturel dans les villes d'accueil. L'étude des villes

de Dieppe et de Moncton au Nouveau-Brunswick sous-entend que le manque de tels espaces culturels dans les villes chinoises pourrait accélérer le processus d'assimilation linguistique des travailleurs migrants appartenant à un groupe ethnique minoritaire. La distribution géographique des institutions de langue minoritaire peut protéger les minorités linguistiques chinoises qui s'établissent dans une nouvelle ville d'accueil. Pourtant, même si cette présence d'institutions minoritaires est fondamentale, elle demeure insuffisante afin d'éviter l'assimilation linguistique des minorités. Elle doit être accompagnée de lois garantissant aux minorités migrantes l'institutionnalisation de l'apprentissage dans leur langue maternelle, et l'accès à des institutions dont le but est de représenter et de protéger leur langue et leur culture, contre les risques d'assimilation à la langue majoritaire.

#### RÉFÉRENCES

- Cao, Huhua et Sabrina Bergeron (2010) *Disparités régionales et inclusion des minorités : Les défis de la Chine de l'après Jeux Olympiques de Beijing* (Regional Disparity and Minority Inclusion: The Challenges of China after Beijing 2008 Olympic Games). Québec : Presses de l'Université du Québec (ISBN 978-2-7605-2442-2). 164p.
- Cao, Huhua et Oliver Dehoorne (2009) "Les groupes minoritaires en Chine : distribution spatiale et défis d'intégration", *Espace-Populations-Sociétés/Soace-Population-Societies*, 3 : 397-406.
- Cao, Huhua, Omer Chouinard et Olivier Dehoorne (2005) "De la périphérie vers le centre : l'évolution de l'espace francophone du Nouveau Brunswick au Canada" (From the Periphery to the Center: Evolution of the French-Speaking Community in New Brunswick in Canada), *Annales de Géographie*, 642 : 115-140.
- Deng, Ai, Anwaer Maimaitiming and Huhua Cao (2009) "Chapter 8: Urbanisation Processes among Ethnic Groups in Western China", in Huhua Cao (ed), *Ethnic Minorities and Regional Development in Asia: Reality and Challenges*, the International Convention of Asia Scholars (ICAS) publication series, Amsterdam : Amsterdam University Press : 109-128.
- Gilbert, Anne (1999) Les espaces de la francophonie ontarienne. Dans J.-Y. Thériault (dir.), *Francophonies minoritaires au Canada : L'état des lieux*. Moncton, NB : Les éditions d'Acadie : 55-75.
- Langlois, Andre et Blais R. (1991). L'espace comme élément stratégique : l'importance de la répartition géographique des francophones de l'Ontario. *Études Canadiennes*, 30 : 13-34.
- Stebbins, R. (2000). *The French Enigma-Survival and Development in Canada's francophone societies*. Calgary: Detselig Entreprises.
- Vincent, Roy (2008) "Institutions scolaires et vitalité francophone à Moncton, 1981-2001", *Thèse de la maîtrise*, Ottawa : Université d'Ottawa.

NOTES

<sup>1</sup> Les principaux résultats de cette recherche proviennent de la thèse de la maîtrise de Vincent Roy (2008) intitulée « Institutions scolaires et vitalité francophone à Moncton, 1981-2001 ».

<sup>2</sup> La Loi reconnaissant l'égalité des deux communautés linguistiques officielles au Nouveau-Brunswick a été votée en 1981. De plus, en 1982, la *Charte canadienne des droits et libertés* est entrée en vigueur, selon laquelle le principe d'égalité des deux langues officielles du Canada doit être respecté. Un des objectifs de cette loi (article 23) est de permettre à la minorité d'avoir droit à l'instruction au primaire et au secondaire dans sa langue. Ainsi, les minorités linguistiques francophones ont le droit d'accéder à des établissements d'enseignement dans leur langue et, selon les tribunaux, le droit de les gérer.

<sup>3</sup> Étant donné l'absence d'institutions scolaires de langue française dans la ville de Riverview, cette étude porte uniquement sur les municipalités de Dieppe et de Moncton.

<sup>4</sup> Les « anciennes institutions » sont celles qui furent créées avant 1981, et les « institutions récentes » sont celles qui ont ouvert leurs portes entre 1981 et 2001. Il est à noter que la *Loi reconnaissant l'égalité des deux communautés linguistiques officielles au Nouveau-Brunswick* (1981) et la *Loi constitutionnelle de 1982* (Charte canadienne des droits et libertés) nous ont servi d'éléments déclencheurs pour le choix de l'année 1981 pour diviser les institutions anciennes et récentes.

<sup>5</sup> Les espaces francophone et anglophone sont définis par les résultats de l'analyse en composantes principales : les notes en facteur. Les notes positives représentent l'espace francophone (voir la couleur verte dans la carte), tandis que les notes négatives correspondent à l'espace anglophone (rouge).

<sup>6</sup> Lorsque le taux d'assimilation linguistique (TAL) est négatif (vert), il y a une francisation, alors que lorsqu'il est positif (rouge), il y a une assimilation à l'anglais.

<sup>7</sup> Il est important de noter que plus la valeur est négative, plus le niveau de francisation est élevé.

<sup>8</sup> De plus, le pourcentage d'erreur de la probabilité (Sig) est plus élevé dans la ville de Dieppe, avec 0,051, comparativement à 0 dans la ville de Moncton (voir tableau 4).

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# RETENTION AND REVIVAL: THE PROSPECTS FOR ABORIGINAL LANGUAGES IN CANADA

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## **ABSTRACT**

Transmitting knowledge of minority languages is often considered essential to the preservation of cultures. In the case of aboriginal peoples, many of their heritage languages have disappeared over time and the prospects for their survival are at best uncertain. Analysts regard Inuktitut, Cree and Ojibway growth owing to birth rates well above the Canadian average and assume investment in language learning. This essay looks at the importance of language as an expression of the evolving identity of Aboriginal peoples. It raises the issue of whether making aboriginal language knowledge an important condition of group identities risks excluding many persons that don't speak these languages. It suggests that a more limited degree of knowledge of aboriginal languages may represent a way of addressing an important symbolic dimension of aboriginal identities.

## **提要**

传承少数民族语言对于文化保护来说是至为根本的。以土著人为例，他们的许多传统语言已经消失，而复兴的前景甚为渺茫。分析家认为因纽特语、克里语、奥吉布瓦语有着潜在的发展前景，因为这几个土著民族的出生率远高于加拿大人，从而有可能为土著青年恢复在语言学习上的投入。本文考察了语言作为土著民族认同变化一种表现方式的重要性，并指出将土著语言作为群体认同的一个重要条件有可能面临着排除那些不说土著语言人的风险。文章认为掌握一定的土著语言可能代表着处理土著认同象征性维度的一种方式。

## **I. INTRODUCTION**

What might substantial growth in the Aboriginal population of Canada imply for its self-definition? Owing to birth rates well above the national average, the Aboriginal population of Canada is quite young, and according to predictions, will increase much faster than the overall Canadian population. Statistics Canada forecasts that there will be some 1,420,000 Aboriginals by the year 2017. This figure represents an annual average growth rate of

1.8% per year for a total of 33.1% from the beginning of the twentieth century, when its population was approximately 976,000. This amounts to more than twice the rate of growth projected for the entire population of Canada (an annual average growth of 0.7%, or 12% for the same sixteen year period). Such significant increases in the numbers of Aboriginals will undoubtedly influence ongoing debates around the principal basis for defining the nature of Canadian Aboriginality.

**TABLE 1: Numbers of persons in Canada reporting Aboriginal Identities between 2001 and 2006**

	2006	2001	% CHANGE
<b>TOTAL ABORIGINAL IDENTITY POPULATION<sup>4</sup></b>	1,172,790	976,305	20.1%
<b>NORTH AMERICAN INDIAN SINGLE RESPONSE<sup>5</sup></b>	698,025	608,850	14.6%
<b>MÉTIS SINGLE RESPONSE</b>	389,780	292,305	33.5%
<b>INUIT SINGLE RESPONSE</b>	50,480	45,070	10.8%
<b>MULTIPLE ABORIGINAL IDENTITY RESPONSES/ ABORIGINAL RESPONSES NOT INCLUDED ELSEWHERE</b>	34,500	30,080	14.7%

Source: Statistics Canada, Census of Canada, 2006

Will language become an important part of the evolving identity of Aboriginal peoples? Widely seen as an essential element of culture, in Canada especially, language is regarded as a very important marker of individual identity. However, knowledge of an Aboriginal language is not viewed as central to most expressions of contemporary Aboriginal identities in Canada. Of the total number of persons identifying as Aboriginal in 2006, some one in four reported learning an Aboriginal language as their mother tongue. Therefore, to make language knowledge an important condition in the articulation of Aboriginal identities risks excluding a majority of those regarding themselves as Aboriginal. That which follows examines the state of Aboriginal languages in Canada and the role that they might play in future in the construction of Aboriginal identities.

## II. ABORIGINAL IDENTIFICATION

The census defines Aboriginals as persons who reported identifying with at least one Aboriginal group, that is, North American Indian, Métis or Inuit, and/or those who reported being a Treaty Indian or a Registered Indian, as defined by the Indian Act of Canada, and/or those who reported they were members of an Indian band or First Nation. Estimating the size of the Aboriginal population of Canada has not been without its challenges. In the 2006 census, a total of

22 Indian reserves and Indian settlements were incompletely enumerated and thus were not part of the census counts. Below we find the numbers of Aboriginal identifiers for the years 2001 and 2006. As observed, the biggest change is in the number of Metis respondents, which increased by 33% over the five-year period.

Much attention has been directed at the degree to which Aboriginals reside in the urban parts of Canada versus those residing in non-urban areas of Canada. Places of residence can have an important impact on the opportunity for participation in Aboriginal cultures. Such opportunities are more prevalent where the concentration of persons identifying as Aboriginals is greater. This is much more likely to be the case for those Aboriginals residing in First Nations communities.

These numbers represent multiple nations and communities. Given the diversity of groups it embodies, the Aboriginal population might therefore be described as multi-ethnic. The census does not provide information about the salience of Aboriginal identities. It offers few insights into what belonging to Aboriginal communities entails by way of the expression of cultures and traditions. In the remainder of the essay, we examine the relationship between demographics and Aboriginal identity in Canada as defined on the basis of language.

**TABLE 2: Numbers of persons in Canada reporting Aboriginal Identities by area of residence, 2006**

	TOTAL	ON RESERVE	RURAL	TOTAL URBAN	URBAN NON-CENSUS METROPOLITAN AREA	URBAN CENSUS METROPOLITAN AREA
<b>TOTAL ABORIGINAL IDENTITY POPULATION</b>	1,172,790	308,490	240,825	623,470	257,305	366,165
<b>NORTH AMERICAN INDIAN SINGLE RESPONSE</b>	698,025	300,755	85,210	312,055	123,895	188,160
<b>MÉTIS SINGLE RESPONSE</b>	389,780	4,320	114,905	270,555	109,680	160,870
<b>INUIT SINGLE RESPONSE</b>	50,480	435	31,065	18,980	14,765	4,210
<b>MULTIPLE ABORIGINAL IDENTITY RESPONSES</b>	7,740	160	1,835	5,745	2,165	3,585
<b>ABORIGINAL RESPONSES NOT INCLUDED ELSEWHERE<sup>6</sup></b>	26,760	2,825	7,810	16,135	6,800	9,335

Source: Statistics Canada, Census of Canada, 2006

### III. THE RELATIONSHIP BETWEEN LANGUAGE AND CULTURE

As noted earlier, it is widely believed that language is fundamental to the expression of culture. During the 1960s, Canada's Royal Commission on Bilingualism and Biculturalism maintained that "language is key to cultural development and while language and culture are not synonymous, the vitality of the language is a necessary condition for the complete preservation of a culture."

As much as language is regarded as an important expression of culture, the RCBB acknowledged that it was possible to adopt a new language without experiencing cultural loss. It pointed to a serious misunderstanding in this regard. To illustrate its case, it referred to the preservation of cultural characteristics of several native and ethnic groups and added that some of these groups continue to attribute considerable importance to their culture despite the erosion of their first language. It also referred to Acadians in the Maritimes, many of whom lost the French language but continue to have a strong sense of belonging to Acadian culture. It further alluded to the many English Canadians who continue to feel attached to their Irish, Scottish and Gaelic heritage. However, it suggested that this distinction between language and culture did not apply to Quebec francophones, for whom the two were inextricably linked. It is worth noting that the final report of the RCBB indicated that the examination of Indigenous languages was outside the scope of its mandate (pp. xxii, xxvi). While the government of Canada recognizes the fundamental importance of language to the expression of culture, its legislative commitment is to the preservation and promotion of the English and French languages. The RCBB may have underestimated the importance that persons with languages other than English and French attribute to their heritage or ancestral languages.

In the tables below, we examine the relationship between the strength of belonging to a First Nations community and/or to Aboriginal peoples in Canada and the degree of importance attributed to learning Aboriginal languages. The findings are based on a survey conducted for the project entitled "Voices of the North." This project included a survey of some 900 respondents in the Yukon, Northwest Territories, Nunavut, and Nunavik on behalf of Indian and Northern Affairs Canada (INAC) over the period April 2006 to March 2007. Some 75% of survey respondents ranked their sense of belonging to the Aboriginal peoples of Canada as very strong (5-7 on a 7-point scale with 7 being extremely strong). Of those who felt it was very important to speak an Aboriginal language, some 82.5% had a very strong sense of belonging to the Aboriginal peoples in Canada, 74% thought it was somewhat important, 68% thought that it was not very important and 52% thought that it was not important at all to be able to speak an Aboriginal language.

Of those who feel that it is very important to speak an Aboriginal language, the majority (those ranking between 5 and 7 on a 7-point scale) have a strong sense or very strong sense of belonging to Canada. Clearly, the more importance respondents attribute to speaking an Aboriginal language, the more likely they are to indicate a very strong sense of belonging to Aboriginal peoples.

**TABLE 3: If you had the opportunity to keep, learn, or re-learn your Aboriginal language, how important is it to you to:**  
**BE ABLE TO SPEAK YOUR ABORIGINAL LANGUAGE**

HOW STRONG IS YOUR SENSE OF BELONGING TO: ABORIGINAL PEOPLES IN CANADA	VERY IMPORTANT	SOMEWHAT IMPORTANT	TOTAL IMPORTANT
1- Not very strong	16.7%	33.3%	50%
2-	20.0%	40.0%	60%
3-	29.7%	27.0%	56.7%
4- Moderately strong	25.6%	34.9%	60.5%
5-	50.0%	32.6%	82.6%
6-	60.9%	23.9%	84.8%
7- Extremely strong	66.7%	33.3%	100%

"Voices of the North." A survey conducted in the Yukon, Northwest Territories, Nunavut, and Nunavik on behalf of Indian and Northern Affairs Canada (INAC) over the period April 2006 to March 2007.

An examination of the relationship between the importance attributed to knowledge of an Aboriginal language and the sense of belonging to a First Nation, Inuit or Metis community yielded similar findings. Amongst those with a weaker sense of belonging to the community (rating 2 in a 7-point scale), some 12.5% felt it was very important and 37.5% somewhat important to be able to speak an Aboriginal language. Amongst those with a moderate sense of belonging to the community (rating 4 on a 7-point scale), some 27% felt it was very important to speak an Aboriginal language and 39% regarded it as somewhat important. For those with the strongest sense of belonging to the community (7 on a 7-point scale), some 66.3% believed it was very important and 20.9% somewhat important to be able to speak an Aboriginal language.

Similarly, when asked about the opportunity to read or write an Aboriginal language, it was described as important (very and somewhat combined) by some 50% of those reporting a weaker sense of belonging, versus 80% with a very strong sense of belonging to their First Nations community.

### IV. THE STATE OF ABORIGINAL LANGUAGES IN CANADA

Over the course of the twentieth century, several Aboriginal languages disappeared. At least ten once-flourishing languages became extinct in the era when every child was forced by school policy to speak either

English or French. The disappearance of these languages has been described as eroding the distinctive world view of Aboriginal peoples and curbing the transmission of their collective heritage. Factors that explain the disintegration of the language transmission among Aboriginal languages include migration to urban areas by Aboriginal peoples, exogamy, the need for English and French as the languages of work, and the legacy of the residential school system. At the beginning of the twenty-first century, there were an estimated 60 Aboriginal languages belonging to 11 Aboriginal language families in use. In the 2001 census, analysts reported that only Cree, Ojibwe and particularly, Inuktitut, were considered most viable, with over 20,000 people identifying them as their Aboriginal mother tongue. As we shall observe, the prospects for Aboriginal languages are considerably better within First Nations communities than they are off reserve, with the situation in Canada's larger urban areas presenting further challenges.

Census reports and other analysis have given rise to very mixed views around the future prospects for Aboriginal languages. Of the 976,300 people that in 2001 identified themselves as Aboriginal, some 235,000 (or 24%) reported that they were able to conduct a conversation in an Aboriginal language. This represents a sharp drop from 29% in 1996 and substantial decline in the use of Aboriginal languages in recent decades. In 2001, just 21% of Aboriginals in Canada had an Aboriginal mother tongue, down from 26% in 1996. This occurred in spite of a considerable increase in the Aboriginal population over that period. Previously considered 'safe', two of the three Aboriginal linguistic groups in Canada (part of the Algonquian language family), - Cree and Ojibway – showed a significant decline from the 2001 population reporting an Aboriginal identity on the basis of mother tongue.

Inuktitut was regarded as the exception as there appears to be more confidence on the part of analysts around the prospects for that language. In 2001, the census reported that some 82% of Inuit knew the language well enough to carry on a conversation. A somewhat smaller percentage of Inuit reported an Inuktitut mother tongue in 2001, as the figure dipped slightly from 78% in 1996 to 77%. However, Statistics Canada does point out that the Inuit language is being used less often in the home than in the past. In 1996, Inuktitut was the language used most often in the home by 68% of Inuit. By 2001, this had declined to 64%.

Age plays an important role in the degree to which Aboriginal languages are first learned, as the under 25 cohort is the least likely to report an Aboriginal mother tongue with under 20% making such a claim. One in four of the 25-44 age group of Aboriginals report an Aboriginal mother tongue, one in three does so in the 45-64 category and finally just under half of the group over the age of 65 does so.

Rapid growth in the youngest cohort of Aboriginals may be fueling some optimism about opportunities for the revival of Aboriginal languages. Indeed, the forecast for Aboriginal languages in 2006 was more positive than it was in 2001. The improved outlook is, in part, a function of a shift away from the emphasis on mother tongue and towards the numbers of persons reporting knowledge of Aboriginal languages. In short, more attention is being directed at those speaking Aboriginal languages as second languages. Hence in 2006, Statistics Canada reported that the share of First Nations people who speak an Aboriginal language held steady compared with 2001, even among the younger generation. It added that the number of First Nations people who spoke their ancestral language has increased for most of the languages with large numbers of speakers. Between 2001 and 2006, the number of First Nations people who spoke Oji-Cree rose by 20%. The number of First Nations speakers increased 12% for Atikamekw, 10% for Blackfoot and Montagnais-Naskapi, and 8% for Dene. The number speaking Cree increased 7%. It suggested that the long term viability of such languages as Cree and Ojibway was better due to a relatively large population base of speakers. An estimated 87,285 could carry on a conversation in Cree, followed by 30,255 who could speak Ojibway, 12,435 who spoke Oji-Cree and 11,080 who spoke Montagnais-Naskapi.

Norris rightly notes that analysis demonstrates that linguistic classifications are an important consideration in assessing the diversity, state and prospects of Aboriginal languages in Canada. Furthermore, while census data do provide a valuable source of demographic and community-level data, it is also the case that the available data can be insufficient, especially for some of the smaller endangered languages and their communities. As such, a more accurate portrayal of Aboriginal languages and their communities must also be supplemented with non-census sources of language information.

## V. ON AND OFF RESERVE: THE VARYING CONDITION OF ABORIGINAL LANGUAGES

Generally speaking, Aboriginal languages are spoken and understood more widely in First Nations communities. Just under two-thirds of all persons reporting an Aboriginal mother tongue live on reserve, nearly one in five live in rural areas and the rest live in urban areas with less than one in ten residing in a major city. Any realistic assessment of the condition of Aboriginal languages must take into account the considerable variation in language knowledge between those living on and off reserves. In 2006, about one-third of all Aboriginal peoples lived on reserves, with the remaining 67% in non-reserve areas: 27% in large cities, 21% in smaller cities and 19% in rural areas. According to the most likely

Statistics Canada projection for 2017, the share of the on-reserve population will be 40% while shares of large cities, in smaller cities and rural areas would decline to 25%, 19% and 16% respectively.

**TABLE 4: Percentage of Canadians respectively reporting Aboriginal Identity and Aboriginal Mother Tongue by area of residence, 2006**

CANADA 2006	ON RESERVE	RURAL	URBAN NON CENSUS AREA	URBAN CENSUS METROPOLITAN AREA
Aboriginal Identity Population	33.0%	19.0%	27.0%	21.0%
Aboriginal Mother Tongue Population	63.2%	19.1%	10.5%	7.0%

Source: Statistics Canada, Census of Canada, 2006

The 2001 and 2006 censuses of Canada reported that many of the Aboriginal languages in non-reserve areas were on unsteady ground. In 2006, some 51% of Aboriginals living on reserves reported an ability to carry on a conversation in an Aboriginal language, compared with 12% for those living off reserves.

Amongst the on-reserve population, roughly four-fifths (83%) of First Nations seniors aged 75 and over spoke an Aboriginal language, compared with about one-quarter (24%) of their contemporaries living off reserve. For example, 39% of children aged 14 and under living on reserve spoke an Aboriginal language, up slightly from 36% in 2001. In contrast, the proportion was 6% for First Nations children living off reserve, down slightly from 8% in 2001. As observed, the degree of Aboriginal language transmission in urban areas is virtually nil amongst the youngest cohort.

**TABLE 5: Percentage with Aboriginal Identity reporting Aboriginal Mother Tongue in Canada by age groups and area of residence, 2006**

% WITH ABORIGINAL IDENTITY REPORTING ABORIGINAL MOTHER TONGUE	ON RESERVE	RURAL	URBAN NON CENSUS AREA	URBAN CENSUS METROPOLITAN AREA
Total - Age groups	43.6%	12.6%	9.2%	6.1%
Under 15 years	33.1%	8.0%	2.5%	1.6%
15 to 24 years	36.2%	10.2%	4.5%	3.3%
25 to 54 years	49.6%	13.7%	12.3%	7.9%
25 to 44 years	47.3%	13.2%	10.3%	6.2%
45 to 54 years	55.4%	14.8%	17.3%	12.5%
55 to 64 years	64.9%	19.0%	23.9%	16.3%
65 years and over	74.0%	25.0%	25.8%	15.8%

Source: Statistics Canada, Census of Canada, 2006

## VI. ABORIGINAL LANGUAGES AS HOME LANGUAGES

In Canada, language loss is often associated not with the degree to which language is first learned but whether it is still used most frequently in the home. Bougie (2011) points out that daily exposure to an Aboriginal language at home was strongly linked with Aboriginal language knowledge. She calculates that the odds of understanding an Aboriginal language for young, off-reserve First Nations children who were exposed to an Aboriginal language on a daily basis at home were 6.6 times the odds for children who were not. In this regard, one observes yet further erosion in the use of Aboriginal languages in metropolitan areas. In the census metropolitan areas, roughly one-third of those who first learned the language speak it in the home.

**TABLE 6: Numbers of persons in Canada reporting Aboriginal Identities and Aboriginal Mother Tongue by area of residence for population age 15-24, 2006**

CANADA 15 TO 24 YEARS	ON RESERVE	RURAL	URBAN NON CENSUS AREA	URBAN CENSUS METROPOLITAN AREA
Total population by Aboriginal identity	57,050	40,170	47,900	66,890
Aboriginal mother tongue	20,410	6,500	2,760	1,305
% of persons with an Aboriginal mother tongue within Aboriginal Identities population	35.7%	16.1%	5.7%	1.9%
Aboriginal languages spoken most often at home	15,115	5,270	1,595	475
% Use at home amongst those whose first language is Aboriginal language	74.0%	81.0%	57.8%	36.4%

Source: Statistics Canada, Census of Canada, 2006

When looking at those languages that are deemed to be more secure, one observes some differences in the regional rates of retention for those Aboriginals residing on reserve amongst those between the ages of 15 and 24. Looking at those whose mother tongue is Cree in the province of Quebec, some 92% report that Cree is the language used most often at home, compared to 82% in Ontario, 67% in Manitoba, 70% in Saskatchewan and 65% in Saskatchewan. In the case of Ojibway in Ontario for the 15-24 population, some 70% report speaking the language in their homes, compared with 53% in Manitoba. For Oji-Cree, some 58% of those between the ages of 15 and 24 that first learned the

language continue to speak it at home, compared with 85% in the province of Manitoba. Inuktitut, the other language whose future prospects are regarded as more secure shows a retention rate of 77% in Nunavut for those between the ages of 15 and 24.

## VII. ABORIGINAL LANGUAGE TRANSMISSION ACROSS THE REGIONS OF CANADA

In the relatively few cases where in the urban census metropolitan area an Aboriginal language is the first language, the extent to which it is spoken in homes further diminishes. It is reasonably safe to conclude that the regional differences in Aboriginal language retention are in part related to the degree to which Aboriginal peoples reside in urban areas in the respective provinces and territories.

Of the five provinces with Aboriginal identifiers exceeding 100,000, only in Quebec (41%) and Saskatchewan (47%) is the urban population below 50%. In Manitoba, half of the Aboriginal identifiers live in urban areas while roughly 60% of the Aboriginal group live in urban areas in the provinces of Alberta, British Columbia and Ontario.

In the table below, we consider the differences across the regions of Canada for the year 2006 in terms of the degree to which Aboriginal languages are the first languages learned and the extent to which they are spoken most often at home. As observed below, at approximately 82%, Nunavut has the highest percentage of persons with

an Aboriginal mother tongue within the total reporting an Aboriginal identity. The province of Quebec follows with some 37% reporting an Aboriginal mother tongue as a share of the total Aboriginal identity population. Whereas in Saskatchewan and Manitoba, persons reporting an Aboriginal mother tongue represent over one in five of the total Aboriginal identity population, the figure is less than one in ten in Ontario and British Columbia. Because of these cross-regional differences in the transmission of Aboriginal languages, paradoxically, there are far more persons that first learned an Aboriginal language in Quebec than Ontario and British Columbia despite the considerably greater number of Aboriginal identifiers in the latter two provinces. The gap between these provinces widens even further when examining the extent to which Aboriginal languages are used most often at home. Quebec tops all provinces and territories in this regard, with some 88% reporting use of an Aboriginal language at home within the total mother tongue population. In the territory of Nunavut and in most provinces representing Aboriginal identifiers who first learned an Aboriginal language, a majority used it most frequently in their homes. However that was not the case for the Yukon and Northwest Territories and the provinces of New Brunswick, British Columbia and Prince Edward Island. In the case of Alberta there were 49.4% of persons speaking an Aboriginal language most often at home within the mother tongue population.

**TABLE 7: Numbers of persons in Canada reporting Aboriginal Identities, Aboriginal Mother Tongue and Aboriginal Languages Spoken at home and for provinces and territories, 2006**

	TOTAL ABORIGINAL IDENTITY POPULATION	ABORIGINAL MOTHER TONGUE	%MT	ABORIGINAL LANGUAGE SPOKEN AT HOME	%LSH
CANADA	1,155,800	207,210	18.0%	129,340	62.4%
NUNAVUT	24,650	20,245	82.1%	15,705	77.7%
QUEBEC	106,685	39,425	37.1%	34,605	87.8%
NORTHWEST TERRITORIES	20,375	5,650	27.8%	2,415	42.7%
SASKATCHEWAN	139,385	33,940	24.3%	20,730	61.0%
MANITOBA	172,465	35,595	20.1%	20,925	58.8%
NEW BRUNSWICK	17,300	3,050	17.6%	1,385	45.4%
NOVA SCOTIA	23,705	4,105	17.3%	2,520	61.3%
ALBERTA	185,215	26,580	14.3%	13,115	49.4%
YUKON TERRITORY	7,535	855	11.3%	160	18.7%
ONTARIO	239,740	22,850	9.5%	12,565	55.1%
NEWFOUNDLAND AND LABRADOR	23,320	2,185	9.3%	1,665	76.2%
BRITISH COLUMBIA	193,730	12,630	6.5%	3,515	27.9%
PRINCE EDWARD ISLAND	1,685	95	5.6%	20	21.0%

Source: Statistics Canada, Census of Canada, 2006

## VIII. ABORIGINAL LANGUAGES AS SECOND LANGUAGES

As mentioned above, there has been growing interest in knowledge of Aboriginal languages as second languages. The increase in the numbers of second language speakers is seen as offsetting the decline in their acquisition as first languages. Norris acknowledges that using an Aboriginal language in the home is the ideal means of intergenerational transmission, as it increases the likelihood of its survival (Norris 1998). The progress of Aboriginal languages as second languages is regarded by certain experts as an indicator of language revitalization. Such progress may prevent or at the very least slow the erosion and possible extinction of vulnerable Aboriginal languages. In 2006, more people spoke an Aboriginal language than had an Aboriginal mother tongue (239,600 versus 203,300). It is important to keep in mind, however, that acquiring an Aboriginal language as a second language cannot be considered a substitute for learning it as a first language.

The share of second language speakers of Aboriginal languages was as high as 30% or 40% for some of the languages with very few First Nations speakers, such as Shuswap, which had 1,585 speakers, Tsimshian (590), and Tlingit (150). It was also quite high for Blackfoot (4,760 speakers) and Athapaskan languages not included elsewhere (1,530 speakers). For example, 76,460 First Nations people reported having Cree as a mother tongue in 2006, while 87,285 reported that they could converse in Cree. This means that about 12% of all First Nations people who spoke Cree in 2006 learned it as a second language.

## IX. CONCLUSION

Galley (2009) regards the fact that Aboriginal people are acquiring their respective Aboriginal language as a second language as a positive development. She sees this trend not only as reason for optimism but also as evidence of an enduring commitment among Aboriginal people to the maintenance of their languages. This commitment may assist in the lobbying of governments throughout Canada to help elevate the status of Aboriginal languages through legislative and policy measures.

Aboriginal leaders have expressed increasing interest in the retention and revival of Aboriginal languages. The 1996 Report of the Royal Commission on Aboriginal Peoples (RCAP) states that: *"It is our vision for Canada to respect and ensure the protection of our languages as evidenced through legislation and long-term sustainable investment... that the present generation recover and strengthen the ability to speak these sacred, living languages and pass them on ... [...] as they belong to the original peoples of this country,*

*First Nations languages must be revitalized, protected and promoted as a fundamental element of Canadian heritage." It will be no simple task to meet these ideals given the conditions faced by most Aboriginal languages.*

In July 2007, the Assembly of First Nations (AFN) generated a report which included a series of recommendations aimed at revitalizing Aboriginal languages. Five major goals were envisioned in pursuit of the strategy: (1) increase the number of First Nations people who speak their language by increasing the opportunities to learn their language; (2) increase the opportunities to use First Nations languages by increasing the number of circumstances and situations where First Nations languages can be used; (3) improve the proficiency levels of First Nations citizens in speaking, listening to, reading and writing First Nations languages; (4) increase the rate of which First Nations languages can be enhanced, revitalized and developed so that they can be used in the full range of modern activities; (5) foster among First Nations and Non-First Nations a positive attitude towards, and accurate beliefs and positive values about First Nations languages so that multilingualism becomes a valued part of Canadian society.

Putting that plan into action will likely require substantial resources which the government of Canada seems unwilling to invest. Attaining some competence in communicating in Aboriginal languages needs to be accompanied by more speaking opportunities. Clearly, there is no "one size fits all" approach to redressing the conditions of the multitude of Aboriginal languages in Canada. In the absence of any institutional structures-particularly schools that provide opportunities for instruction in Aboriginal languages- the prospects may be weak. Such institutions exist in Nunavut, with an Inuit-controlled government and a more Inuit-based and Inuit-defined school system than the previously provincially defined education system and programs. Also, the Cree School Board in Northern Quebec, which is the largest First Nations-controlled Board, provides important opportunities for Aboriginal language learning thus explaining in part Quebec's superior rates of language retention relative to other provincial jurisdictions. But gaining language knowledge that is merely aimed at strengthening cultural ties may be insufficient for the purpose of a wholesale revival of vulnerable Aboriginal languages. A minimalist or symbolic knowledge of the language may be sufficient to establish cultural connections. The true test of the language vitality will depend on the socio-economic utility of a given language. To achieve this will require institutional changes beyond the education sector that demand a rethinking of the basis for interaction across First Nations communities.

## REFERENCES

"Voices of the North." A survey of some 900 respondents in the Yukon, Northwest Territories, Nunavut, and Nunavik on behalf of Indian and Northern Affairs Canada (INAC) over the period April 2006 to March 2007

Report of the Royal Commission on Bilingualism and Biculturalism, Volume...: xxii, xxvi.

Bougie, Evelyne. "Family, Community and Aboriginal language among young First Nations children living off reserve in Canada" in Canadian Social Trends, Winter 2010, N° 90: 75-84.

Galley (2009) regards the fact that Aboriginal people are acquiring their respective Aboriginal language as a second language as a positive development.

Canadian Heritage. 2005. *Towards a New Beginning: A Foundation Report for a Strategy to Revitalize First Nations, Inuit and Métis Languages and Cultures*. Report to the Minister of Canadian Heritage by the Task Force on Aboriginal Languages and Cultures. Ottawa. Catalogue no. CH4-96/2005.

Norris, Mary Jane. 2004. "From generation to generation: Survival and maintenance of Canada's Aboriginal languages within families, communities and cities." *TESL Canada Journal*. Vol. 21, N° 2: 1-16.

Norris, Mary Jane. 2007. "Aboriginal languages in Canada: Emerging trends and perspectives on second language acquisition." *Canadian Social Trends*. N° 83. Statistics Canada Catalogue N° 11-008-XIE.

Royal Commission on Aboriginal Peoples. 1996. *Report of the Royal Commission on Aboriginal Peoples: Gathering Strength*. Vol. 3. Ottawa. Government of Canada Statistics Canada, Census of Canada 2001 and 2006

Assembly of First Nations "National First Nations Language Strategy" Annual General Assembly, July 10-12, 2007 Halifax, Nova Scotia

Statistics Canada, "Projections of the Aboriginal populations, Canada, provinces and territories 2001 to 2017" Catalogue N° 91-547-XIE

Galley, Valerie. (2009) "An Aboriginal Languages Act: Reconsidering Equality on the 40<sup>th</sup> Anniversary of Canada's *Official Languages Act*" in One Path, Many Directions: The Complex And Diverse Nature Of Contemporary Aboriginal Reality in *Canadian Diversity*, Fall 2009, pp. —

# ON THE PROTECTION OF THE RIGHTS AND INTERESTS OF CHINESE URBAN ETHNIC MINORITIES

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## ABSTRACT

The rights and interests of urban ethnic minorities form the basis of their survival and development. The protection of the rights and interests of urban ethnic minorities is an important part of the legislation. It has great significance for the protection of human rights of ethnic minorities, the promotion of national prosperity and the building of a harmonious society. With the rapid pace of social and economic development and urbanization in China, protecting the rights and interests of urban ethnic minorities is becoming more and more important. This paper first discusses the basic situation of urban ethnic minorities, then analyzes the status quo vis-à-vis the protection of their rights and interests, and finally puts forward some proposals to perfect it.

## 摘要

城市少数民族权益是城市少数民族生存和发展的基础。城市少数民族权益保障是中国民族法治建设的重要组成部分，其对于中国保障少数民族人权、构建社会主义和谐社会具有重要的意义。随着中国社会经济的发展和城市化进程的加快，城市少数民族权益的保障日趋重要。本文从论述中国城市少数民族的基本情况入手，分析了中国城市少数民族权益保障的现状，并对如何完善中国城市少数民族的权益保障提出了一些思考。

## THE GENERAL SITUATION OF CHINESE URBAN ETHNIC MINORITIES

Urban ethnic minorities generally include three categories:

1. The first category is residential ethnic minorities, so named because they have been living in the city for generations. Most of them have concentrated in communities due to historical reasons and work at stable jobs in the city. The residential ethnic minorities and the Han people have a

relatively well-developed understanding of one another, so they live together harmoniously.

2. The second category is the migrant ethnic minority population. This category primarily consists of those who, following the founding of New China, began officially moving into the city with their offspring because of job allocations or transfers, educational opportunities, military enlistment, business dealings or marriage proposals. It is comprised of many single ethnic minority groups and this population is growing rapidly.

3. The third is the transient ethnic minority population. This category refers mainly to those who temporarily work or conduct business in the city but whose census registrations are elsewhere. Of the three categories, it is the transient ethnic minority population that is the fastest growing.

With the acceleration of industrialization and urbanization, large numbers of ethnic minorities have moved into the cities. By the end of 2006, China had a total of 656 cities, both big and small. According to the fifth population census conducted in 2000, the population of urban ethnic minorities was 12.4 million, accounting for 11.87 percent of China's total ethnic minorities' population. This growth rate was more than double what it was in 1990, and far greater than the cities' average population growth rate for the same period. In the meantime, ethnic constituents were becoming more and more diversified; most of the medium and big cities have more than 40, and in some cases 50, different ethnic groups.

## **PROTECTING CONTEMPORARY CHINESE URBAN ETHNIC MINORITIES' RIGHTS AND INTERESTS**

Since the founding of New China, and especially after the reform and opening-up policies, the Chinese government has been paying close attention to the protection of urban ethnic minorities' rights and interests. The government mandated a series of laws and regulations and took many supporting political measures to guarantee the rights and interests of these minorities. The rights mainly include: political rights; education rights; religious rights; rights to maintain or change their habits and customs; the right to learn and use ethnic languages and official national languages and characters; the right to economic and cultural development and to receive government assistance.

In this context, we are able to analyze the framework put in place to protect urban minorities' rights both from a legal, as well as policy viewpoint:

1. It is clear that the legal construction of urban ethnic minorities' rights and interests protection continues to evolve. As for ethnic minorities' rights and interests protection, the Constitution issued in 1982, along with some other basic laws, stipulated some clear regulations. In 1993, the State Council issued the "Urban Ethnic Work Regulation," which made specific rules about political, economic and cultural rights, among others. This is the first specific administrative regulation for adjusting urban ethnic groups' relationships within New China. These moves signify that urban ethnic minorities' rights and interests protection has been mounted on a legal track.

Following this, the provinces, cities, and autonomous regions, which also have legislative powers, made a series of

regional ethnic laws, one after another, thereby guaranteeing urban ethnic minorities' rights and interests in many regards. At the same time, several regions also drafted specific, single regulations, primarily about respecting the habits and customs of ethnic minorities. For example, in order to respect and ensure the rights of the ethnic groups with HALAL diets, 16 cities and provinces have made rules and regulations about HALAL foods management.

2. There are also particular policy measures on protecting urban ethnic minorities' rights and interests. For example:

- Active support for the economic and social development of ethnic minority groups. The country offers plenty of policy and financial support for trade and special commodity production enterprises. It also increased investment on infrastructure construction, teachers' configuration and quality training, and school management costs, in order to meet ethnic minority groups' educational needs. For the purpose of accelerating the cultivation of ethnic minorities' talents', most institutions throughout the country give bonus points when admitting ethnic minority students to secondary school and in college entrance exams.
- Effective help for ethnic minority groups facing financial difficulty. In response to the problem of ethnic minorities facing obstacles in finding jobs and reemployment, the country increased job training for hunters and laid-off workers. It also opened an "express path for ethnic minorities" by creating special opportunities and providing hotlines, acceptance priority, and job recommendation. As for those living close to the minimum guarantee, the government helps them through their difficulties. As to the members of extremely poor families unable to find jobs, the government provides them with special assistance.
- Respect for urban ethnic minorities' habits, customs and religious beliefs. A number of cities consider the building of HALAL food and beverage shops an important aspect of protecting ethnic minorities' rights and interests. Currently, the number of such shops is increasing steadily. Moreover, the quality and class of such shops are also gradually improving and can satisfy the basic daily and travel dietary needs of 10 ethnic groups, such as the Hui, etc. Also, in order to respect the burial traditions of 10 ethnic minorities in cities with large ethnic minority populations (including the Hui), the city governments have built cemeteries specifically for the Hui. To date, Hui cemeteries amount to 683. Their traditional festivals are valued as well. For

example, for each fast-breaking festival, many city governments will announce a day off for workers so that they may take part in celebration activities.

## **COMPLETING URBAN ETHNIC MINORITY RIGHTS AND INTERESTS PROTECTION: A FEW THOUGHTS**

Through practical work experience in recent years, we have observed that in order to complete the protection of Chinese urban ethnic minorities' rights and interests, attention should be paid to the following points:

### **1. IMPROVE AND PERFECT THE LEGAL SYSTEM PERTAINING TO URBAN ETHNIC MINORITIES' RIGHTS AND INTERESTS PROTECTION.**

The relevant legislative department should make an "ethnic minorities' rights protection law" as soon as possible. The law should provide a system of overall norms and guarantees related to the special habits and customs, cultures, languages and religions of ethnic minorities who are at risk of being neglected and discriminated against. In the meantime, the legislative department needs to complete the related regulations to support the law. It should further regulate the most central issues and specific problems, such as education, health, and employment. In addition, in regards to specific problems, such as HALAL foods management, ethnic minorities' funeral and interment practices, and holidays for ethnic minority festivals, the State Council and the ministries and commissions ought to make generalized administrative rules and regulations.

Furthermore, the supervision mechanism for the enforcement of ethnic laws and regulations must be enhanced and completed. We suggest establishing a monitoring system of relationships between ethnic groups and perfecting it step by step. The monitoring system should draw on daily life indicators in the areas of employment, education, health, housing and so on, thereby enabling the relevant departments to take corresponding measures.

### **2. STRENGTHEN AND BUILD UP THE SERVICE AND MANAGEMENT SYSTEM OF URBAN ETHNIC MINORITIES' AFFAIRS.**

In regards to setting up the service and management system of urban ethnic minorities' affairs, we suggest accelerating the development of ethnic affairs departments' information network systems in order to adapt to the government's requirement to disclose information. This will provide more information to the public so that they can learn about ethnic minorities and the protection of their rights and interests. An investigation and management system should be established to deal with ethnic minorities' complaints of unjust treatment.

In regards to the transient ethnic minority population management service, the government should incorporate

this service into the public social management system and comprehensive city treatment and actively guide the transient population to perform legal business operations. In terms of service, traditional cultures, habits, customs, and religious beliefs must be respected. Varied measures must be taken to ensure that ethnic minority citizens adapt to city life. A completion of the service system will facilitate the positive integration of the transient ethnic minority population into the city, and thereby reinforce their sense of belonging.

The government should further mobilize and direct social philanthropic organizations, volunteer services and enterprises to cooperate with it in the undertaking of ethnic work with a view to forming an ethnic professional network. Through the cooperation of all social parties, unity and harmony between ethnic minorities and common development should also be promoted.

### **3. MAKE FURTHER EFFORTS TO PUBLICIZE CIVIC EDUCATION AND ETHNIC UNITY EDUCATION IN ORDER TO PROMOTE URBAN SPIRITUAL CIVILIZATION AND THE DEVELOPMENT OF ETHNIC HARMONY.**

More efforts should be made to publicize ethnic knowledge and its related practices, laws and regulations. The content publicized and taught should vary since the targets are different. Municipal departments, especially police departments, city management departments, law enforcement and management departments should reinforce their education of ethnic knowledge, practices, laws and regulations. Here, the purpose is that they may better implement these practices and laws, taking into account the particularities of ethnic minorities in their daily work and therefore effectively respect and protect their legal rights and interests. As to the city residents, the government should publicize ethnic knowledge and practices among them with a view to eliminating psychological estrangement, thereby enabling them to understand, accept, condone and treat migrant ethnic minorities as members of the city. For migrant ethnic minorities, the government should provide them with civic education, legal knowledge and relay urban experience in order to foster their civic consciousness and understanding of legal rights according to law, thus facilitating their integration into city life.

In short, the protection of rights and interests of Chinese urban ethnic minorities work requires extensive work and a systematic project to address the issues it presents. Perfecting the legal protection is one important aspect, however, at the same time, other aspects must not be ignored. Through the joint efforts of all parties, we believe our protection work will reach a higher level of service delivery.

REFERENCES

- Houdi Yang (chief editor) (1999). *Collection of National Urban Ethnic Work Meeting Document*, internal material of the State Ethnic Affairs Commission.
- Department of Laws and Regulation.(2000). *Selected Works of Chinese Urban Ethnic Minorities' Rights and Interests Protection Law*. Beijing:China Zhigong Press.
- Jun Xiao (July 2002). *Opinion on Legal Protection of Urban Scattered Living Ethnic Minorities' Rights and Interests*. Journal of Southwest University for Nationalities.
- Junchang Lin ( 4<sup>th</sup> issue, 2004). *Rights and Benefits Protection of Urban Ethnic Minorities*. Heilongjiang National Series.
- Rui Ling (First issue, 2005). *On the rights and interests Guarantee of Urban Ethnic Minorities*. Journal of South-Central University for Nationalities.
- Heping X .( May issue, 2006). *Thoughts on Consummation of Urban Ethnic Legislation*. Journal of South-Central University for Nationalities.

# PROTECTING MIGRANTS' RIGHTS: UNDOCUMENTED MIGRANTS AS LOCAL CITIZENS

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## ABSTRACT

Migration is a complex phenomenon, which cannot be easily summarized. Many migrants are stripped from their social capital and rendered vulnerable to whoever has power over their life. Irregular migration comes in a multiplicity of patterns. This vulnerability is deepened by deterrence measures and preventive policies, that have been a part, of the reinforced international security paradigm since 9/11. Even if migrants have rights in theory, the practice of States is often to deny access to recourses in case of abuse, and migrants cannot really mobilize the local populations in favour of their cause. Whatever the migration policies adopted at federal or national level, it might be socially advantageous to consider all migrants, whether in a regular situation or not, as local citizens in order to make sure that they have access to the services they need (schooling of the children, health care for the family, etc.) and models exist which prove that, beyond political slogans, it is possible and beneficial.

## 提要

移民是一个复杂的现象，并不能很容易地加以归类。许多移民由于丧失了其社会资本，对于任何一个掌握着他们命运的人来说都是脆弱的。非正规移民有着多重模式。自9·11以来，作为加强国际安全的一种手段，各种威慑和防御政策加深了这种脆弱性。即使在理论上移民享有权利，但美国的做法通常是拒绝追索权以防滥用，移民并不能真正获得当地人对他们权利的支持。无论联邦或国家政府采取何种移民政策，将所有移民，无论是正规的还是非正规的，视为当地公民从社会意义上来说是有利的，可以确保他们获得所需的各种服务（子女的教育、家庭的医疗保健，等等）。而这样的范例是存在的，它们表明，除了政治口号，这是有可能的，也是有益处的。

## INTRODUCTION

Politicians adopt contradictory discourses about irregular migrants depending on the audience they are addressing. To conservative voters and security agencies, they toe the “law and order” line and vow to expel these “criminals”. To employers associations, they promise to recruit the labour force needed in our economy. To social workers and NGOs, they insist on the dignity and rights of individuals.

Stephen Legomsky<sup>2</sup> has shown how these varying discourses give rise to two opposing views of irregular migrants. The first image is of hordes of faceless “illegal” migrants, intent on taking jobs from worthy citizens and engaging in dangerous criminal activities. The insecurity thus created must be firmly repressed through detention and deportation. The second typically takes the form of individual stories, giving migrants an identity and a voice. It insists that irregular migration is a crime neither against persons, nor against property, noting that irregular migrants perform tasks that citizens don’t want to do. Hence they should be given a chance to gain access to residence and citizenship.

It is in this second category that this article fits, namely that of a humane approach to irregular migration. Although States retain the power to decide who can enter and reside in their territory, there are democratic bodies within the State that may not want to include immigration status as a relevant criteria to define their constituency.

Why should this be? The answer is based on four points: The first is that, as migration is a constant of civilization, we are all migrants. Secondly, we have witnessed, over the past thirty years, the passage from irregular migration as a social phenomenon that responded to the economic needs of post-war growth to its construction as a threat to national security. Nevertheless, third, migrants do have rights and the respect, protection and promotion of the rights of migrants and how they compare to the rights of citizens is the next frontier in the development of human rights policies. As a result, finally, at least locally, we may need to reconceptualise citizenship and residence in order to recognise everyone’s human dignity over and above their administrative statuses.

## WE ARE ALL MIGRANTS

### A. MIGRATION AS A COMPLEX PHENOMENON

Migration is a complex phenomenon that defies caricature. It is a constant of civilization: the history of humanity is that of an endless journey on the various continents of our planet. Over time, it is also a generational phenomenon, triggered by a huge array of political, economic and social factors that cannot meaningfully be altered by short term politics. It is multifaceted: it may be at once an economic transfer, a vector of social transformation, a challenge to territorial sovereignty, a security concern, a

clandestine phenomenon, a key to cultural pluralism, etc. It is also a personal trajectory through different social spaces: despite migration being described in terms of “flows” or “waves”, we should never lose sight of the individual voicing her hopes and fears.

Humanity is on an ongoing endless journey. We have always been migrants, since our species appeared around 200,000 years ago in Africa and then colonised all continents. Migration is at the heart of many civilisations, as exemplified by the book of Exodus in the Bible, the Kadesh treaty (1275 BCE) between the Pharaoh Ramses II and the Hittites, Homer’s Odyssey, the parable of the Good Samaritan in the New Testament, the Hegira in Islam, just to name a few.

Our settling on the land is recent and unstable. Nomadic populations still exist, such as the Roma. Pilgrimages remain important traditions. Rural exodus, urbanisation and seasonal agricultural work, for example, all include elements of migration. “Expats” and “snowbirds” are all migrants. And we dream of outer space.

Migrants have represented about 3 percent of the world population throughout the last century, although numbers have hugely increased, to over 210 million migrants worldwide today. Migration has always existed, from areas of poverty and violence towards regions of prosperity and stability: the first create push factors, the second pull factors. We can slow migration in the short term, but cannot stop it in the long term, as it responds to a basic human need, i.e. the ability to imagine a future for oneself and one’s children. Most of us would try to migrate if faced with the choices of the 210 million.

Global North States design policies intended to control migrations in various ways. In countries like Canada, Australia and the United States, immigration policies are mainly used to realize demographic objectives. In contrast, continental European States’ policies have been designed to manage unskilled foreign populations, often considered as cheap labour. But both share common policies, such as the repression of irregular migration and resurgent temporary migrant workers’ schemes. These policies create spheres of vulnerability. Temporary migrant workers and irregular migrants are often left at the mercy of employers who can trigger their deportation. This is the case, for example, in Canada, for migrants who come under the seasonal agricultural workers programme or the live-in care-givers programme. This power over the migrant’s life generally silences them and creates a huge potential for exploitation including sexual exploitation – a modern form of slavery.<sup>3</sup>

Irregular migration results from the interplay of three factors: our hidden low-skilled labour migration needs, the needs of those seeking to emigrate from countries in the south, and our repressive border policies which interfere with the effective interplay of push and pull factors.

Thus, the plight of the migrant illustrates the conflict between the two basic paradigms in international law and policy. Under the traditional territorial sovereignty paradigm, the host State decides who enters and stays in the country, who is a member of the political community. But according to the more recent human rights paradigm, every person has fundamental rights that should be respected by any authority. The conflict sets States asserting their power of exclusion against migrants who try to resist through their rights.

## B. IRREGULAR MIGRANTS ARE EXTREMELY DIVERSIFIED

Irregular migrants do not constitute a homogeneous community. Although they used to be generally young, able-bodied, male and unskilled, this picture is changing, becoming more diversified.

The irregularity of their administrative status comes from very different sources. They may have arrived on a temporary tourist, student or migrant worker visa, and decided to stay on. They may have entered the country clandestinely either through "smuggling" rings, or using improper identity and travel documentation. The latter may be forged altogether, or "altered" (the documents are authentic but the identity is that of another person), or entirely valid but the real reason for the travel (i.e. work) has not been disclosed. They may also have been stranded while transiting through the country and trying to access another country.

Indeed, they may have been brought to the country as young infants by their parents who have remained in an irregular situation: although schooled and socialized as any other resident, they then discover as young adults that they have no status in what they consider their country. They may have been apprehended by the authorities on the day they try to enter the country or after twenty years' residence in the country. They may have founded a family, married a resident or citizen, and they may have children who are born citizens of the country. Some have achieved very successful professional lives, integrating themselves easily into the wider community, even publicly recognized for their achievements. Others will remain in the shadows, bonding mainly with fellow irregular migrants or with persons from their country of origin.

All this to say that there is not one pattern of irregular migration. If one takes the time to inquire and research, one will find very different life stories, as compelling and deserving of respect as any other.

## THE SECURITIZED CONTROL OF MIGRATIONS

In the period of post-war prosperity, irregular migration was seen as a minor cost to be paid to meet the soaring demand for unskilled labour. It was the oil crisis of 1973 that led to and justified the relative closure of Global North borders to foreign workers. Combined with an increased accessibility to international travel and communications,

the number of asylum claims and later of irregular migrants soared. States reacted with a strong anti-asylum discourse and with repressive and deterrence measures against irregular migration.

*Deterrence* measures attempt to discourage irregular migrants from entering the country by raising the cost and diminishing the benefits of migration. They focus on reducing the entitlements offered to migrants, such as the elimination of appeals in the immigration process and restriction of access to legal aid, labour market and social protection. Migrant smuggling is increasingly criminalised. States resort more to international agreements to facilitate the return of undesirable migrants. In addition, migrants face increased detention.<sup>4</sup> *Preventive measures* are designed to impede the arrival of irregular migrants on "our" territory altogether in order to avoid the possible intervention of NGOs, lawyers, politicians or journalists to fight deportations, since none of these actors will intervene in favour of someone who is maintained abroad. Measures include visa regimes, among which the visa obligation for Mexican and Czech nationals is the most recent Canadian example, an obligation directly triggered by the rise in the number of asylum claims from these two countries. There are also carrier sanctions (fines imposed on transportation companies for bringing foreign individuals without appropriate documentation), the effect of which is a partial privatisation of migration controls. States also resort to interception mechanisms abroad in order to prevent irregular migration: Canada has deployed "migration integrity officers" abroad.

Immigration intelligence is widely shared without effective control on access to the personal information found on such databases. International economic cooperation arrangements – such as the Barcelona Process in the Mediterranean, the Puebla process for Central America or the EU-ACP development agreements – nowadays all contain chapters obliging countries in the Global South to implement migration control mechanisms that "protect" the Global North. Borders and seas are militarized: Guantanamo during the '90s was used to "warehouse" Haitians picked up on the high seas before returning them home; the enduring Pacific Solution in Australia has applied the same mechanism towards migrants coming through Indonesia; the European Frontex agency is patrolling the Mediterranean to the same end. European countries have discussed the idea of an "externalisation" of asylum procedures, which would only take place abroad, in such countries as Libya, Morocco, Albania and Mauritania<sup>5</sup>.

All in all, States are increasingly coordinating efforts to set within a coherently articulated strategy their arsenal of measures for preventing irregular movements of persons, including asylum seekers and refugees, and reducing the "burden" of such migration.

These measures proceed from a transformation of the political paradigm, reflected by a new public discourse on migrants. Especially since 9/11, as well as the 2004 Madrid and 2005 London bombings, migrants are considered suspect, dangerous. More than before, they are associated with economic ills (unemployment, welfare state crisis, etc.), insecurity (inner cities, petty violence, organized crime, terrorism, etc.) and identity anxiety (demographic changes, identity markers). The “*us and them*” mentality is at work, creating discrimination and easily manipulated into hatred. Migration is now part of a new international security paradigm structured around the “securitisation of the public space” (water security, food security, energy security, communication security, environmental security, etc.).<sup>6</sup>

But is it justified? Irregular entry is not a crime against persons or against property: it is essentially the crossing of a virtual line in the sand, which hurts no one in itself. Moreover, the use of smuggling rings is often the last resort, when all other avenues of protection are closed. In history, countless people were saved by smugglers (remember the movie *Casablanca*). The large majority of irregular migrants pose no security risk (the 9/11 terrorists were not irregular migrants). Although framed as a fight against international criminality, the migration control mechanisms serve more to reassure citizens that governments are taking appropriate action, than to meaningfully increase their security.

Furthermore, measures against irregular migration are inefficient, as they never address a root cause for migration, i.e. the need for exploited labour in the Global North. The exploitation of vulnerable migrants in specific sectors of the economy (construction, agriculture, domestic workers, cleaning or catering services, for example) enhances the competitiveness of Global North economies. These “illegal employers” are an essential pull factor that is systematically forgotten in government discourse regarding irregular migration: the fact that “we” are co-responsible for the phenomenon is never mentioned<sup>7</sup>.

## MIGRANTS HAVE RIGHTS

Irregular migration is now treated as a form of “international criminality”, the implication of which is that irregular migrants shouldn’t be recognized any rights. Indeed, not one State of the Global North signed or ratified the 1990 *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*<sup>8</sup>, which details the rights of all migrants. Its “flaw” is to extend many of these rights to irregular migrants.

In international law, as well as in most domestic legal systems, two rights are exclusive to the citizen: the right to political participation, which means the right to vote and be elected to office, and the right to enter and remain on the territory. All other rights in principle apply equally to the foreigner and the citizen, by virtue of their common

humanity. Foreigners benefit from the right to equality and to not being discriminated against on the ground of nationality. They are protected against returning to face torture and arbitrary detention. Foreign children enjoy specific protections. Foreigners must have access to remedies and due process. They benefit from guarantees even in cases of national security. In Canada, according to article 1 of the *Canadian Charter of Rights and Freedoms*, a differentiation between citizens and non-citizens must be “reasonable and justifiable in a free and democratic society”.

This is what several tribunals have recently affirmed. The Supreme Court of Canada has curtailed the discretionary elements and the secrecy of the long-term detention without charges of persons subject to a security certificate<sup>10</sup>. The United States Supreme Court has progressively imposed a due process framework to the detention in Guantanamo Bay of suspects caught in the “war against terror”<sup>11</sup>. The European Court of Human Rights has affirmed that so-called “international” zones in airports are actually national territory where human rights guarantees apply<sup>12</sup>. The British House of Lords has decided that indefinite detention and discriminatory practices in a foreign airport are against basic human rights guarantees<sup>13</sup>.

In the end, once past the moral panic that followed 9/11, normal legal frameworks slowly reasserted themselves. Our common universal human rights framework has been established by the World War II generation. Its legacy is that law must always prevail over executive power. This was threatened by the modus operandi established for the “war on terror”. It is heartening to see courts restricting the application of laws and policies that expanded executive powers against individual freedoms.

Political mobilisation must complement legal guarantees to defend human rights. The history of the 20<sup>th</sup> century showed that majorities can be wrong and that individuals and minorities must be able to defend their rights against the majority. Marginalized or vulnerable categories of people have always had to fight for their rights: industrial workers, women, aborigines, national minorities, detainees, gays and lesbians, among others. In modern times, they had to fight through the courts, against the Executive, against Parliament, and often against a majority of public opinion. Migrants are the latest such a vulnerable group.

Who will defend them? One cannot generally expect the Executive or the Legislator to protect the rights of migrants. They are convenient scapegoats for the woes of our societies. They rarely complain and do not vote, so they are legally and politically insignificant. As nationalist populist discourse goes unopposed, public opinion is easily deflected from supporting or even taking an interest in migrants. NGOs, churches, pro bono lawyers and other concerned citizens are thus often left to carry the burden of defending their rights.

## RECOGNISING MIGRANTS' ROLE IN OUR SOCIETIES: MIGRANTS AS LOCAL CITIZENS

Migrants are an integral part of the city; they should be recognized as such. They would be citizens with a small «c», as they are not nationals; but, locally, they would be considered as citizens, on an equal footing with everyone who also lives and works in the city.

Irregular migrants all work (they can't afford not to); their work contributes to the competitiveness of the economy in several sectors like agriculture, cleaning, construction or catering. They pay taxes on everything they buy or rent, and sparingly use public services. The absence of an administrative status that recognizes the whole range of their rights makes them vulnerable. Restoring a meaningful status to such persons, albeit only locally, would go a long way towards empowering them to fight exploitation and discrimination.

Examples exist of how some local communities already adopt a different attitude on vulnerable migrants. In many American cities (such as San Francisco), the police have decided to ignore immigration status in carrying out their work with fellow citizens to maintain the confidence of all segments of the population: fighting violence becomes impossible when victims or witnesses do not call the police for fear of deportation. In Toronto, all children have the right to go to school whatever the status of their parents, in conformity with a "don't ask, don't tell" policy. In Massachusetts, the State hands out driver's licences without checking immigration status, thus allowing irregular migrants to gain access to many services. In many European countries, resident European citizens can now vote at local elections; but several other jurisdictions also allow resident aliens to vote in local elections: six townships in Maryland; two towns in Massachusetts (Amherst and Cambridge); New York, Chicago and Arlington (VA) for school board elections; and New Zealand for all elections<sup>14</sup>. In Quebec, the AH1N1 flu vaccination campaign of the fall of 2009 was available to all, irrespective of immigration status. In Paris, "Médecins du Monde" administers 21 medical dispensaries for irregular migrants with the cooperation of the local authorities.

These are all examples that show that a different conception of the place of vulnerable migrants in many host societies is possible. Immigration status is still an important factor at the national level and the power of States to deport migrants in irregular situations is not at issue: it is part of the present international legal regime. However, local governments (regional or municipal) can take a different stand. They don't have to act as enforcers of an immigration policy which is not theirs (for example, by interconnecting their databases to that of the immigration department). In order to appropriately focus on their own priorities (such as fostering social cohesion), they can leave it to be enforced by the immigration authorities.

The key idea is that there should not be any special status (or non-status) for migrants at local level: there would be only one status for all inhabitants of the city or local community. Any person who resides there and participates in the economic and social workings of any society should enjoy a status that allows her to benefit from services commensurate to her contribution and participate in the local political decision-making.

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### FOOTNOTES

<sup>1</sup> The author thanks Louis-Philippe Jannard, coordinator at the Oppenheimer Chair, for his work on the manuscript. The author thanks the *Pierre-Elliott Trudeau Foundation* and the *Calcutta Research Group* for their part in the preparation of this paper. This paper takes up ideas presented in greater depth in several previous papers: François Crépeau, Delphine Nakache and Idil Atak, «Introduction», in François Crépeau, Delphine Nakache et Idil Atak (eds.), *Les migrations internationales contemporaines – Une dynamique complexe au cœur de la globalisation*, Montréal: Presses de l'Université de Montréal, 2009; Delphine Nakache, François Crépeau, "Le contrôle des migrations et l'intégration économique: entre ouverture et fermeture", in Vincent Chetail (dir.), *Mondialisation, migration et droits de l'homme: le droit international en question*, Bruxelles, 2007; François Crépeau, Delphine Nakache, "Controlling Irregular Migration in Canada: Reconciling Security Concerns with Human Rights Protection", (2006) 12 *IRPP Choices* 1, at 4-5; François Crépeau, *Droit d'asile: de l'hospitalité aux contrôles migratoires*, Bruxelles, Éditions Bruylants & Éditions de l'Université de Bruxelles, 1995, at 29-38. An earlier version of this article has been published as: François Crépeau, «Migrants as Local Citizens» (2010) 27 *Inroads* 70-79.

<sup>2</sup> Stephen H. Legomsky, "Portraits of the Undocumented Immigrant: Epiphany through Dialectic", (2009): 44 *Georgia Law Review*, online: <http://ssrn.com/abstract=1372171> (last accessed 5 March 2010).

<sup>3</sup> See, for example, on the new forms of slavery: *Siliadin v. France*, no 73316/01, ECHR, 2005-VII.

<sup>4</sup> Migreurop, "The encampment' in Europe and around the Mediterranean Sea" (2009), online: [www.migreurop.org/IMG/pdf/L\\_Europe\\_des\\_camps\\_2009.pdf](http://www.migreurop.org/IMG/pdf/L_Europe_des_camps_2009.pdf) (last accessed 23 November 2009).

<sup>5</sup> Derek Lutterbeck, "Policing Migration in the Mediterranean", (2006): 11 *Mediterranean Politics* 59, at 69; Sophie Huguenet, *Droit de l'asile: le projet britannique d'externalisation*, Paris, L'Harmattan, 2004.

<sup>6</sup> See: Thomas Faist, "The Migration-Security Nexus. International Migration and Security before and after 9/11", Malmö University School of International Migration and Ethnic Relations, Willy Brandt Working Papers, 2004, online: [www.dspace.mah.se/bitstream/2043/686/1/Willy%20Brandt%202003-4.pdf](http://www.dspace.mah.se/bitstream/2043/686/1/Willy%20Brandt%202003-4.pdf) (last accessed 26 November 2009).

<sup>7</sup> See: International Labour Office, *Towards a Fair Deal for Migrant Workers in the Global Economy*, Report VI (International Labour Conference, 92<sup>nd</sup> Session), Geneva, 2004, at 48, online: [www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/meetingdocument/kd00096.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/meetingdocument/kd00096.pdf) (last accessed 20 December 2009); Global Commission on International Migration, *Migration in an interconnected world: New directions for action*, Global Commission on International Migration, 2005, at 32-40, online: [www.gcim.org/attachements/gcim-complete-report-2005.pdf](http://www.gcim.org/attachements/gcim-complete-report-2005.pdf) (last accessed 20 December 2009).

<sup>8</sup> On 5 March 2010, 42 states had ratified the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (18 December 1990): United Nations Treaty Collection, "CHAPTER IV: HUMAN RIGHTS 13. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", online: [www.treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-13&chapter=4&lang=en](http://www.treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-13&chapter=4&lang=en) (last accessed 5 March, 2010).

<sup>9</sup> *Canadian Charter of Rights and Freedoms*, part I of the *Constitution Act, 1982* [Schedule B to *Canada Act 1982* (1982, U.K., c. 11)], art. 1-15.

<sup>10</sup> *Charkaoui v. Canada (Citizenship and Immigration)*, [2007] 1 S.C.R. 350.

<sup>11</sup> *Boudemiene v. Bush*, 553 U.S. (2008); *Sale v. Haitian Centers Council*, 113 S. Ct. 2549, 113 S. Ct. 2549, 125 L. (92-344), 509 U.S. 155 (1993).

<sup>12</sup> *Amuur v. France*, 17/1995/523/609, Council of Europe: European Court of Human Rights, 25 June 1996.

<sup>13</sup> *A and others v. Secretary of State of the Home Department*, [2004] UKHL 56; *Regina v. Immigration Officer at Prague Airport*, [2004] UKHL 55.

<sup>14</sup> See: David C. Earnest, "Noncitizen Voting Rights: A Survey of an Emerging Democratic Norm", American Political Science Association, 2003, online: [www.odu.edu/~dearnest/pdfs/Earnest\\_APSC\\_2003.pdf](http://www.odu.edu/~dearnest/pdfs/Earnest_APSC_2003.pdf); Jamin B. Raskin, «Legal Aliens, Local Citizens: The Historical, Constitutional and Theoretical Meanings of Alien Suffrage» (1993) 141 *University of Pennsylvania Law Review* 1391

# THE RIGHTS OF MIGRANTS IN CANADA

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## **ABSTRACT**

Migration is a complex phenomenon, which cannot be easily summarized. Many migrants are stripped from their social capital and rendered vulnerable to whoever has power over their life. Irregular migration comes in a multiplicity of patterns. This vulnerability is deepened by deterrence measures and preventive policies, which are part, since 9/11, of the reinforced international security paradigm. Even if migrants have rights in theory, the practice of States is often to deny access to recourses in case of abuse, and migrants cannot really mobilize the local populations in favour of their cause. Whatever the migration policies adopted at federal or national level, it might be socially advantageous to consider all migrants, whether in a regular situation or not, as local citizens in order to make sure that they have access to the services they need (schooling of the children, health care for the family, etc.) and models exist which prove that, beyond political slogans, it is possible and beneficial.

## **提要**

到加拿大的移民基本上享有加拿大人所享有的各种权利，包括医疗和其他社会福利。他们还享有和其他人相同的宪法权利，除了投票权和一些移动和少数民族语言教育权利。移民享有宗教、表达和结社的自由，以及在法律面前的平等权利，并享有法律的同等权益和保护。关于流动性，到加拿大的移民以及生活在加拿大的移民享有《加拿大权利和自由宪章》第6条款“移动权利条款”的部分宪法保护。在某种程度上，这也是国际法保证的反映。近30年来，该条款导致有限的判例法，主要涉及引渡和难民案件，在有些情况下则导致所谓的涉及加拿大境内移动的经济自由。移民同时还是联邦（和一些省）政府计划下以及私立机构主持下的各种公共和私人定居扶持项目的受益者。根据《加拿大权利和自由宪章》第27条款，移民保留和加强传统文化是受鼓励的。这促使加拿大多元文化政策以及各种多元文化法规的纷纷出台，其中包括《加拿大多元文化法案》。2011年，加拿大将庆祝多元文化政策实施40周年。除了宪法和法规的保证，加拿大的多元文化政策还反映了加拿大正在变化中的人口现实。

## **HISTORICAL RELATIONSHIP WITH IMMIGRANTS**

Historically, Canada has had a love-hate relationship with immigrants. Our country has needed immigrants to help populate and build our nation. Yet, while we have consistently extended a welcome hand to people from some countries, such as the British Isles, we have been

considerably less hospitable toward people from some other lands. Although our record in the treatment of people wanting to become Canadian citizens is certainly not perfect, our recent governments have tried to address the historical wrongs.

Chinese immigrants played a formative role in the building of our nation, including the construction of our national railway, an undertaking that served to unify the country. However, for decades in the late 1800s and early 1900s, Chinese immigrants were subject to the notorious head tax (i.e. a tax on all Chinese immigrants) and many prospective Chinese immigrants were simply denied entry. The Government of Canada formally apologized for this injustice in 2006. Ironically, today, a significant number of migrants to Canada originate from Asian nations.

There are other instances in which certain categories of immigrants were treated poorly in the past.

In 1939, immigration officials refused entry to the passengers on the St. Louis, a ship carrying Jews who were desperate to escape the Nazi regime. The ship was forced to return to Europe where the passengers were eventually forced into concentration camps and were murdered by the Nazis.

During the Second World War, Japanese Canadians had their property confiscated and were held in internment camps.

The Government of Canada has also attempted to redress these past wrongs.

Notwithstanding this early historical record, Canada is a welcoming nation that promotes immigration. In a public opinion poll released June of 2010, Canadians surveyed overwhelmingly felt that immigration is “a key positive feature of Canada as a country”.

## PROJECTIONS

After the Second World War, Canada’s doors swung open, permitting a wave of immigration that continues today.

Projections by Statistics Canada show that by 2017, up to 23% of the Canadian population will be members of a visible minority and, by the year 2031, there will be twice as many individuals who are visible minorities than there are today.

This reflects the changing face of Canada with a population from diverse national, cultural, religious and ethnic backgrounds.

## BACKLASH TO IMMIGRATION

Clearly, Canada is still a welcoming nation. And fortunately, Canada is not experiencing the backlash to immigrants now seen in parts of Europe and parts of the United States. For example, in France, the government is proposing a ban on Muslim women wearing a full-faced veil in public (either the niqab or the burqa). In the US state of Arizona, a new law directed at stemming illegal immigration permits officers to use racial profiling as a means to effect its enforcement.

## LEGAL STATUS OF IMMIGRANTS IN CANADA

Although we have a welcoming tradition, the status of migrants to Canada is the subject of evolving legal and political dynamics. Through decided cases, the courts have contributed to the changing legal status of some aspects of the immigration process. It appears that under domestic (as well as international law), migrants are regarded as ‘rights-holders’, not simply persons subject to the discretionary power of government.

For example, in *Baker v. Canada (Minister of Citizenship and Immigration)*, [1999] 2 S.C.R. 817, it was held that decisions of the Canadian government on whether to allow an illegal immigrant to remain in the country were subject to high standards of fair process and reasonable decision-making.

In *Suresh v. Canada (Minister of Citizenship and Immigration)*, [2002] 1 S.C.R. 3, 2002 SCC 1, it was held that where there is a substantial risk of torture, there should be constitutional protection against the deportation of immigrants, even those subject to allegations of terrorist involvement.

In *Charkaoui v. Canada (Citizenship and Immigration)*, [2007] 1 S.C.R. 350, 2007 SCC 9, the process of detaining and deporting permanent residents suspected of terrorist connections and activity was ruled unconstitutional on the basis of insufficient disclosure of the case against them.

Aside from court decisions, the status of migrants is currently undergoing some political and consequential legal evolution. Some changes are subtle and draw little public attention. For example, we have relaxed the standards for those seeking immigration who are already working or studying in Canada. There has been significant publicity recently in connection with the fast-tracking of skilled workers seeking admission to Canada. But, at the same time, the federal government has put a cap of 20,000 on the number of successful skilled worker visa applications over the next 12 months and has reduced their qualifying occupations. Because of the exploitative behaviour of some immigration consultants, the federal government is proposing the Cracking Down on Crooked Consultants Act.

## REFUGEES

One matter that has received considerable attention relates to those seeking asylum in Canada. Canada is known as a refugee-friendly country and, in fact, we do have a comparatively liberal, expansive policy in relation to those claiming refugee status.

The Government of Canada has established various initiatives to assist refugees, including the Government-Assisted Refugee Program and the Private Sponsorship of Refugees Program. The Resettlement Assistance Program provides income support to government-assisted refugees

and offers other essential services such as housing and financial assistance.

Under the recently-enacted Balanced Refugee Reform Act, there will be some changes to our existing refugee policy. Some provisions are technical in nature and relate, for example, to hearings before the Immigration and Refugee Board.

More substantively, we have traditionally identified refugee-producing nations and have had a somewhat negative attitude toward those applying from elsewhere. Under the new legislation, Canada will more readily allow asylum-seekers to apply from designated safe countries of origin.

Another change relates to the timely removal of failed asylum-claimants who, until now, have managed to remain in Canada for years before their removal was effected.

## SUBSEQUENT TO THE FORMAL IMMIGRATION PROCESS

Subsequent to the formal immigration process, migrants to Canada essentially have the full set of rights available to all Canadians, including access to social services, medicare and other benefits. They also enjoy the same constitutional rights available to all persons, with the exception of the right to vote and some mobility and minority language education rights. They do, however, possess the full rights enjoyed by all others with respect to the fundamental freedoms of religion, expression, assembly and association. They are also entitled to equality before and under the law and the equal benefit and protection of the law.

## MOBILITY RIGHTS

Migrants to Canada and migrants living in Canada are afforded some constitutional protection with respect to mobility rights.

Mobility rights were not recognized, in and of themselves, until the adoption of the Canadian Charter of Rights and Freedoms in 1982. However, they were addressed in earlier jurisprudence dating back to the 1890s.

We had a number of pernicious and blatantly discriminatory laws at the provincial level, particularly in western Canada, directed at certain classes of immigrants.

For example, there were laws restricting Chinese immigrants from working in coal mines. In *Union Colliery Co. of British Columbia v. Bryden*, [1899] A.C. 580, this law was attacked on the basis of what the late Mr. Justice Tarnopolsky called the ‘power allocation technique of protecting civil liberties’, namely, that any law dealing with citizenship or alienage or an incident of citizenship such as the right to vote, were matters within federal jurisdiction and any provincial law that was based upon citizenship, alienage or an incident of citizenship was an interference

with federal legislative authority under our constitutional division of powers in the Constitution Act of 1867.

The use of power allocation was also referred to in *Winnipeg v. S.M.T. (Eastern) Ltd.*, [1951] S.C.R. 887, indicating that citizens of Canada were the holders of some inherent rights.

In *Canadian Egg Marketing Agency v. Richardson*, [1998] 3 S.C.R. 157, the Supreme Court reiterated the difference between this earlier treatment of mobility and the present protection of mobility rights in section 6 of the Charter, the latter of which has now become a matter of human rights.

The notion of mobility as a human right was given a minor, quasi-constitutional recognition in section 2(a) of the Canadian Bill of Rights in 1960 which stated that no federal law could “authorize or effect the arbitrary ... exile of any person”.

All this changed dramatically in 1982 when section 6 of the Charter was adopted and mobility became a constitutionally entrenched right.

To some extent, section 6 reflects the international protection of mobility rights contained in Article 12 of the International Covenant on Political and Civil Rights. Article 12 states as follows:

- (1) Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
- (2) Everyone shall be free to leave any country, including his own.
- (3) The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.
- (4) No one shall be arbitrarily deprived of the right to enter his own country.

The UN Human Rights Committee has adopted a detailed commentary on the meaning of Article 12, including the exceptions to mobility contained in Article 12(3), in its General Comment #27(67) in relation to Freedom of Movement.

To a lesser extent, mobility is also referred to in section 13 of the Universal Declaration of Human Rights.

## SECTION 6 OF THE CHARTER

With respect to mobility rights and Canada’s domestic constitutional law, section 6 of the Canadian Charter, described by some in 1982, as the “sleeper section of the Charter”, has been used extensively. For example, in the last four years, the section has been cited in some 376 reported cases.

This section consists of 4 subsections of which sections 6(1) and 6(2) are the most significant.

Section 6(1) states that every citizen of Canada has the right to enter, remain and leave Canada. All laws, regulations, policies and practices of government must conform to this right unless a violation of this section is held to be a reasonable limit under the *Oakes* interpretation of reasonability under section 1 of the Charter.

Essentially, the *Oakes* test requires that a law may violate a right in the Charter if that law is a rational, minimally intrusive and non-disproportionate means of achieving a pressing and substantial state objective. The majority of cases under section 6(1) relate to extradition from Canada. From *Rauca* to *Catroni*, these cases have almost universally upheld the extradition even though it would violate a Canadian citizen's right to remain in Canada under the *Oakes* test in section 1.

There have been other cases involving failed refugee cases but the courts have reiterated that section 6(1) makes a distinction between Canadians and non-Canadians with respect to the right to remain in Canada.

In one case, *Idahosa v. Canada (Minister of Public Safety and Emergency Preparedness)* (F.C.A.), 2008 FCA 418, [2009] 4 F.C.R. 293, a failed refugee claimant, a Nigerian woman, argued that deportation would effectively affect her Canadian-born children's right to remain in Canada. It was held that a non-Canadian immigrant has no constitutional status to remain in Canada.

There have been certain cases involving Canadian citizens serving time in foreign prisons, wishing to enter Canada in order to serve their sentences in Canada. In each case, the denial of the right to enter Canada was justified under a section 1 determination. (See, for example, *France v. Ouzghar*, 2009 ONCA 69 and *Getkate v. Canada (Minister of Public Safety and Emergency Preparedness)* (F.C.), 2008 FC 965, [2009] 3 F.C.R. 26).

Section 6(2) has been referred to as an economic mobility right. This section has two parts, namely, the right to move and take up residence in any province and the right to the gaining of a livelihood in any province.

Originally, it was thought that the section conferred three rights: the right to move to any province, the right to move for the purpose of gaining a livelihood in any province and the right to gain a livelihood. However, in both *Law Society of Upper Canada v. Skapinker*, [1984] 1 S.C.R. 357 and *Black v. Law Society of Alberta*, [1989] 1 S.C.R. 591 it was held that the right to a livelihood is not, in and of itself, a matter envisaged within the scope of the section.

For example, in the case of *Rombaut v. New Brunswick (Minister of Health and Community Services)*, [2000] N.B.J. No. 243, 2001 N.B.C.A. 75 (C.A.), the province of New Brunswick designated where in the province any new

doctor may practice medicine. A non-resident physician argued that the New Brunswick law violated his right to gain a livelihood. However, the court held that the law did not actually prevent a non-resident of New Brunswick from moving to that province for the purpose of the gaining of a livelihood as a physician, even though there may be some geographical restriction on where in that province he or she may practice medicine.

The Charter does specifically provide for some restrictions on mobility under sections 6(3)(a) and 6(3)(b). Under section 6(3)(a), a law or practice of general application is permissible. For example, a province may enact a law setting out the qualifications required to engage in a particular profession. Under section 6(3)(b) a province may enact a law requiring reasonable residency in order for a person to receive publicly provided social services.

The province of Quebec has a separate immigration system from the rest of Canada and can pick and choose whom the province wishes to admit as migrants to that province. However, under section 6(2) of the Charter, migrants to Quebec, once admitted, are then free to move and take up residence in any other province.

## SETTLEMENT

For successful immigrants who have attained the status of permanent residents, Canadian institutions have provided resources to assist in their settlement.

For example, over the past 85 years, many immigrants have benefitted from the work of JIAS, the Jewish Immigration and Aid Service. In Edmonton, the Mennonite Centre for Newcomers has provided settlement support to immigrants from diverse backgrounds. In Manitoba, an interfaith organization provides settlement assistance. In Ottawa, assistance is provided by the Catholic Immigration Centre.

In the public sector, Citizenship and Immigration Canada has established an Immigration Settlement and Adaptation program and has plans to enhance its settlement support program for refugees.

## ACCREDITATION OF FOREIGN CREDENTIALS

One persistent concern in the settlement process relates to the problem of the formal accreditation of persons with foreign credentials, particularly those with professional training. Many foreign-trained doctors, for example, have had to confront a cumbersome, frustrating and often unsuccessful process that leaves them unable to practice in their fields.

There are many cases of foreign-trained professionals who are denied employment in their chosen professions and instead work in jobs where they do not use the skills and knowledge they possess. This matter is made more complicated given that the accreditation of foreign training

is a matter of provincial jurisdiction and the federal government can play only a limited role with respect to this aspect of settlement.

However, the Government of Canada has recently announced that it is taking measures through Canada's Economic Action Plan to work with the provinces and territories in developing a common approach to recognition of foreign credentials.

## MULTICULTURALISM IN CANADA AND SOME RECENT CHANGES TO OUR MULTICULTURALISM POLICY

Canada is a nation based upon certain principles recognized in our constitution. One of these important principles is multiculturalism.

Under Canadian law and policy, Canada strives to assist migrants in the settlement and integration process while, at the same time, encouraging migrant communities to preserve their cultural heritage.

In 2011, Canada will mark the 40<sup>th</sup> anniversary of our official multiculturalism policy. In 1971, Canada became the first nation in the world to adopt multiculturalism as an official state policy.

Despite the long-standing official commitment to multiculturalism, the present government is undertaking a shift in policy direction. Recently, the Government of Canada merged its policies and programs related to multiculturalism with its responsibility over immigration through the newly designated portfolio responsible for citizenship, immigration and multiculturalism. In the past, multicultural grants in the community were made by the Department of Canadian Heritage.

More substantively, the government's new policy in relation to multiculturalism has three components. In terms of the specific objectives of the newly approved multiculturalism program these components are as follows:

1. Building an integrated, socially cohesive society by:
  - building bridges to promote intercultural understanding;
  - fostering citizenship, civic memory, civic pride and respect for core democratic values grounded in our history; and
  - promoting equal opportunity for individuals of all origins.
2. Improving the responsiveness of institutions to the needs of a diverse population by:
  - assisting federal and public institutions to become more responsive to diversity by integrating multiculturalism into their policy and program development and service delivery.
3. Actively engaging in discussions on multiculturalism and diversity at the international level by:

- promoting Canadian approaches to diversity as a successful model while contributing to an international policy dialogue on issues related to multiculturalism (Funding for this objective will primarily be for activities that take place in Canada).

The new policy has resulted in changes to Canada's ethnocultural funding. Now, there are limited or no funds available for specific ethnoculture programs, unless those activities include an intercultural component.

Specifically, under the Multiculturalism Grants and Contributions Program, the federal government will provide funding for initiatives that relate to its three new multicultural objectives as set out above.

The new funding arrangements will focus upon what is described as Inter-Action Projects and Inter-Action Events.

The key component is that of integration. Integration does not mean assimilation, but rather, it connotes greater participation by members of ethnocultural minority groups in the mainstream political and social life of the country.

Aside from multiculturalism grants and institutions, the Government of Canada also conducts a Community Historical Recognition Program (CHRP).

## MULTICULTURALISM & JURISPRUDENCE

Another more subtle but significant development has occurred in our courts. Section 27 of the Canadian Charter of Rights and Freedoms provides that the Charter be interpreted in a manner that preserves and enhances the multicultural heritage of Canadians. This constitutionally entrenched provision requires that the courts, when considering the rights and freedoms in the Charter, do so in a way that takes into account the multicultural nature of Canada.

When reviewing the first 28 years of Charter experience, we can see the following:

1. In the first decade of Charter jurisprudence, the courts employed section 27 in many significant cases.
2. During the second decade of Charter litigation, section 27 was used sparingly and with little or no impact.
3. As the third decade of Charter cases comes to an end, we see very little significance attached to section 27.

For example, in *Multani v. Commission scolaire Marguerite Bourgeoys*, [2006] 1 S.C.R. 256, 2006 SCC 6, an important freedom of religion decision, the Supreme Court of Canada upheld the right of a Sikh student to carry his kirpan or ceremonial sword to school when the school board had prohibited him from doing so. The prohibition was held to be an infringement of the student's freedom of religion under section 2(a) of the Charter. But the Court, although briefly mentioning section 27, did not use that section in support of the student's freedom of religion

assertion. This is in marked contrast to *R. v. Big M Drug Mart Ltd.*, [1985] 1 S.C.R. 295 and other freedom of religion cases during the period from 1982 to 1992.

Why is that so? It could be because section 27 does not confer any multicultural rights in and of itself. It is an adjectival section modifying rights contained elsewhere in the Charter. But it has always been so. One can only speculate that the courts or the lawyers arguing recent cases have placed less emphasis on multiculturalism as a significant component of our constitutionally protected rights.

In many countries around the world, culture and religion are inextricably woven together whereby culture is religion and religion is culture. This is not the case in Canada. Although some ethnocultural groups are centred around particular religious ideologies, the interrelationship between religion and culture is not a dominant characteristic of Canadian society.

## CITIZENSHIP

So we have come full circle, from prospective migrants to Canada, to settled immigrants. For some, the circle becomes complete on the day they acquire Canadian citizenship.

But there are also changes proposed with respect to citizenship. Up to now, there have been some people who have immigrated to Canada and have lived their lives within their cultural communities, never becoming proficient in either French or English. The minister responsible for citizenship and immigration (and now also responsible for multiculturalism) has recently required that certain categories of permanent residents must demonstrate, through formal testing, a degree of proficiency in one of our two official languages. In addition, most future citizens must demonstrate “adequate ability to communicate in either English or French” (<http://www.cic.gc.ca/english/citizenship/cit-test.asp>).

The government has also recently introduced Bill C-37 which, in part, streamlines the process for revoking fraudulently-gained citizenship and removing ineligible individuals from Canada.

On becoming citizens of Canada, migrants are reminded that they enjoy a set of constitutionally entrenched rights and values. It is hoped that the status of migrants to Canada will continue to be informed by and reflect these core principles that define Canada and Canadians.

# CIRCULAR MIGRATION AND IDENTITY: CANADIAN DIASPORA IN CHINA<sup>1</sup>

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## ABSTRACT

Canada-China people flows will increasingly be characterized by circular movements and by transnational citizens with personal, business and emotional attachments on both sides of the Pacific. With the growing number of Canadians in PRC and HKSAR, many challenges arise in defining identities of this group of Canadian population in China, and in designing policies associated with these identities. Canada-China human connections through this circular mobility are a unique focal point for relations between Ottawa and Beijing. There is an urgent need for both countries to work together on policies that will deepen the connections across the Pacific and ultimately benefit Canada and China, as well as the individual migrants.

## 提要

中加人口流动日益显示出这样两大特征：循环移动以及在太平洋两岸由于个人、公务和情感事由来回穿梭的跨国公民。随着加拿大人在中国和香港特别行政区人员数量的增加，如何界定这部分加拿大人口的认同以及设计与此相关的政策便面临着诸多挑战。通过循环移动建立起来的中加人员联系对于两国关系而言是一个重要的关注点，两国有必要联手制定加强跨太平洋联系的政策，这将最终使两国以及两国的移民受益。

## INTRODUCTION: A CHANGING CHINA!

International human migration always occurs in two directions, namely, immigration and emigration. However, the history of China has been associated with waves of Chinese emigration. This emigration history can be seen as early as 210 BCE when Qin Shi Huang (秦始皇) dispatched Xu Fu (徐福) to sail overseas in search of elixirs of immortality, accompanied by 3,000 virgin boys and girls. Later during the Ming dynasty (1368 to 1644), Zheng He (郑和) became an envoy of Ming who brought mainly Cantonese and Hokkien people to explore and trade in the South China Sea and in the Indian Ocean. The mass emigration that occurred from the 19<sup>th</sup> century to 1949 was mainly caused by wars, starvation and other problems resulting from political instability in mainland

China. Most immigrants were illiterate, poorly educated peasants and manual labourers, historically called coolies, who emigrated for work to the Americas, Australia, Canada, South Africa, Southeast Asia, Malaya and other destinations.

In the early period of the People's Republic of China (PRC), there were strict controls that prevented large numbers of people from leaving the country. As a result of open-door policies, more liberalized emigration policies were enacted in the 1980s, facilitating the legal departure of increasing numbers of Chinese people with diverse backgrounds. Some joined their overseas Chinese relatives and friends, while others attended foreign academic institutions to help further China's modernization, especially in the sciences. These more liberalized policies

brought about increased contact with the outside world, particularly the industrialized nations. In recent years, Chinese tourists and temporary workers are often seen in different parts of the world.

In the other direction, the only significant immigration to China was by the overseas Chinese who were offered various enticements to return to their homeland since the founding of the People's Republic. Several million may have done so since 1949. The largest influx came in 1978-79, when about 160,000 to 250,000 ethnic Chinese refugees fled Vietnam for southern China, as relations between the two countries worsened.

However, in recent years, the Chinese economy has become one of the most robust in the world, and brighter job prospects are attracting many people to move to the mainland. National, provincial and municipal governments are actively encouraging Chinese citizens or foreign citizens of Chinese origin who have trained overseas to return to China.

In addition to attracting return migration of overseas Chinese, the rapid economic growth has turned the country into a magnet for foreign workers, including Canadians, at all skill levels to seek better job opportunities. China has also grown into a major destination for international students. In fact, China surpassed Canada as one of the top destinations for post-secondary international students in 2008 (Zhang, 2010).

Nowadays, China is no longer a country that just produces emigrants. It has become a magnet for professionals and students from around the world seeking better job opportunities and a good education, including overseas Chinese returning from countries such as Canada and USA. Does this emerging trend change the direction of people movement between Canada and China? How large is the Canadian community outside Canada, globally and in China specifically? How do these Canadians in China personally identify? What issues arise from their identities moving across the Pacific? Are there any policy implications for both countries?

This essay aims to address these questions by exploring the relationship between changing patterns of migration and the identity of people involved in migration between Canada and China. The rest of the paper is organized as follows. Section I will focus on the concept of circular migration. Section II will review statistics on migration to and from both China and Canada. The discussions of identity and policy implications of Canadian community in China will be presented in Section III and IV respectively.

## I. WHERE IS THE DESTINATION OF CHOICE? RETHINKING OF MIGRATION PATTERN

Traditionally, international human migration is defined as permanent or temporary mobility of people across a political boundary. Through permanent or temporary forms of migration, the movement of people is considered as a simple move from place A to place B, or a return-migration moving from A to B followed by returning to A.

In the early 21<sup>st</sup> century academics began to view the migration process as circular migration which is a continuing, long-term, and fluid pattern of international mobility that can exist naturally (where national borders are open or not heavily enforced) or with government involvement (typically a bilateral agreement). A person with citizenship in two or more countries can easily move among them without restriction (DeVoretz & Ma, 2002; Migration Policy Institute, 2008; Newland, Agunias, & Terrazas, 2008; DeVoretz, 2009). In other words, the mobility of people can take place from place A to B to A (C), and be repeated indefinitely. In other words, a person may choose different migration destinations over his/her lifetime span.

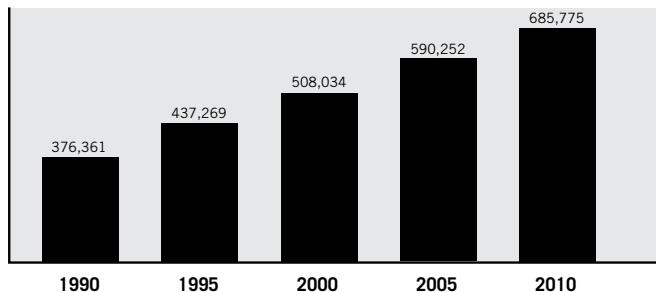
Current patterns of circular migration fall into several categories, including seasonal migration, non-seasonal low-wage labour, and the mobility of professionals, academics, and transnational entrepreneurs. Increasingly, both destination and origin countries see circular migration as a means to jointly gain from migration. Circular migration also becomes the base of policy tools for many countries, such as Canada, New Zealand and Germany, just to name a few, to target specific types of migrants to meet their labour market and other economic needs (Newland, Agunias, & Terrazas, 2008).

## II. HOW MANY? CANADIANS IN CHINA

In the past two decades, China has become a magnet for professionals and students from around the world seeking better job opportunities and a good education. According to the United Nations' estimates, the total number of international migrants in China (Hong Kong Special Administration Region (HKSAR) estimated separately) increased from 376,000 to 686,000 in 20 years (See Figure 1). While the absolute number of immigrants remains smaller than in other major destination countries, China has kept its growth of migrant stock at a constant rate of 3% annually from 1990 to 2010. The annual increase

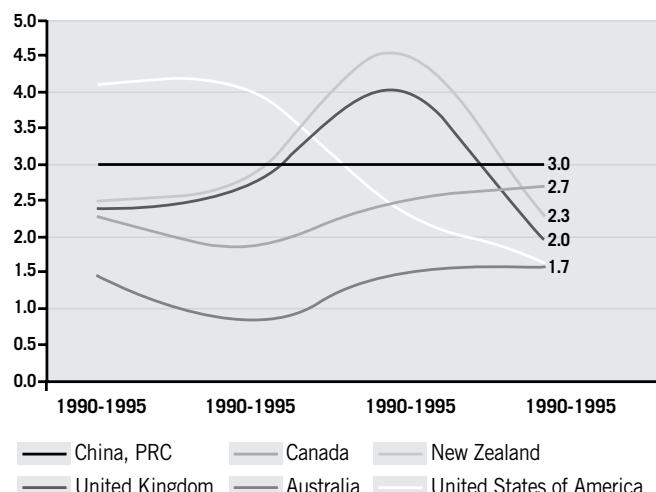
rate of foreign-born population in China has been higher than the traditional immigrant countries, like Canada and Australia, in this period (Figure 2).

**Figure 1: Estimated Number of International Migrants in China, PRC**



Source: (United Nations, Department of Economic and Social Affairs, Population Division, 2009)

**Figure 2: Annual Rate of Change of the Migrant Stock: Selected Countries (%)**



Source: (United Nations, Department of Economic and Social Affairs, Population Division, 2009)

Canadians in China are also on the rise. Historically, Canadians have traveled widely and today an estimated 2.8 million Canadians (or 8% of Canada's population) now live and work abroad. Those Canadian citizens actually make up "Canada's Secret Province" (DeVoretz, 2009; Hoffman, 2010).

There have always been large numbers of Canadians living outside the country for extended periods, especially in the USA. There are also many Canadian expatriates working for multinational companies and international organizations around the world. More recently, there is evidence that many immigrants to Canada are returning to

their countries of origin to pursue business and professional activities, especially in mainland China (PRC) and HKSAR. Approximately 57% of Canadians abroad are concentrated in the United States, PRC, HKSAR and Taiwan, the United Kingdom and Australia (DeVoretz, 2009).

Although out-migration occurs in all groups of Canada's population, the level of international mobility varies considerably by place of birth. During the period of 1996-2006, the Canadian-born population has experienced an average exit rate of 1.3%, compared to 4.2% amongst foreign-born Canadians. Foreign-born Canadians who are originally from Taiwan have the highest exit rate of 30%, followed by Hong Kong Canadians at 24%. Canadians of PRC origin have a 3% exit rate compared to an 11% exit rate amongst Canadians of USA origins (see Table 2). Based on these exit rates and other available sources, it is likely that there are approximately 40,000 – 50,000 Canadian citizens living and working in PRC and another 250,000 in HKSAR, although exact statistical information is currently unavailable (Guo, 2009; Zhang, 2009).

**TABLE 1: Out-migration Rate of Canada's Population by Place of Birth: 1996-2006**

CANADA'S POPULATION	EXIT RATE (96-06)
Canadian Born	1.3%
Foreign Born	4.2%
Of which: China PRC	3%
HKSAR	24%
Taiwan	30%
USA	11%

Source: DeVoretz, 2009

### III. WHO ARE THE MOVERS? RETHINKING OF IDENTITY(IES)

The circular migration has not only changed the concept of migration destination, but also raises a question of how these migrants identify. The question becomes more important when the volume of people involved in the circular migration grows to be significant as we have seen in the case of mobility between Canada and China.

In social sciences, an identity is a general term to describe a person's conception and expression of their individuality or group affiliations (such as national identity and cultural identity). A psychological identity relates to self-image (a person's mental model of him or herself), self-esteem, and individuality. Sociology places some explanatory weight on the concept of role-behaviour.

Components of identity include a sense of personal continuity and of uniqueness from other people. In addition to carving out a personal identity based on the need for uniqueness, people also acquire a social identity

based on their membership in various groups—familial, ethnic, occupational, and others. These group identities, in addition to satisfying the need for affiliation, help people define themselves in the eyes of both others and themselves.

This paper discusses the identity of a unique group – Canadians in China – from three different angles, namely, people in China, people in Canada, and migrant individuals.

In the eyes of many Chinese over several generations, Canadians are seen as friends and this feeling is largely attributed to one of the prominent Canadian pioneers in China – Dr. Norman Bethune (1890-1939), who received international recognition when Chairman Mao Zedong of the People's Republic of China published his essay entitled *In Memory of Norman Bethune* (紀念白求恩), which documented the final months of the doctor's life in China. Almost the entire Chinese population knew about the essay which had become required reading in China's elementary schools during China's Cultural Revolution (1966–76). Mao concluded in that essay: "We must all learn the spirit of absolute selflessness from him. With this spirit everyone can be very helpful to each other. A person's ability may be great or small, but if he/she has this spirit, he/she is already noble-minded and pure, a person of moral integrity and above vulgar interests, a person who is of value to the people." (Mao, 1939) It is underscored that his spirit of service, courage and innovation continues to inspire Canada-China innovative partnerships today (Government of Canada, 2009).

Nowadays, Canada's Mark Rowswell, known in China as Dashan, has been described as "the most famous foreigner in China," where he has worked as a performer, television host and cultural ambassador for over 20 years and is currently serving as Canada's Commissioner General to Expo 2010 in Shanghai. Although relatively unknown in the West, it is hard to find anyone in China who does not know of Dashan (Dashan Incorporated, n.d.).

As China increasingly becomes a global economic powerhouse and the biggest recipient of foreign direct investment, there are increasing numbers of Chinese-origin and non-Chinese-origin Canadian executives, engineers and other professionals and specialists and their families working and living in China.

Chinese people use different terms to name separate groups. For Chinese-origin-Canadians, for instance, those highly skilled academics and professionals who were born in China trained overseas and returned to China are called "Sea Turtles" (海归).<sup>2</sup> Transnational entrepreneurs who fly back and forth across the Pacific are given the more science fiction-like title "Astronauts" (太空人). Others, including Chinese descendants of second generation or more who moved to China, are seen as returned overseas Chinese<sup>3</sup> if they keep Chinese citizenship, or simply as Canadians with Chinese origin.

Non-Chinese-origin-Canadians are obviously considered foreigners in China. However, under some circumstances, some friendly Canadians who do not look Chinese at all, such as Mr. Mark Rowswell, are seen as "foreigners but not outsiders." (Dashan Incorporated, n.d.)

People in Canada also hold diverse views on Canadian citizens living in other countries. To some, people who immigrated to Canada, met the residency requirement to obtain Canadian citizenship, moved back to their original home country, but continue to hold onto their Canadian citizenship are seen as "Canadians of convenience" (Turner, 2006).

Furthermore, some argue that some residents abroad may be simply "foreigners holding Canadian passports" in that these individuals are citizens of convenience, have no loyalty to Canada, and have chosen to live in their native lands on a long-term basis, calling on consular services only in times of difficulty (APF Canada, 2007).

According to these individuals, people who hold a Canadian passport as well as additional citizenships, and do not live in Canada are bad citizens. Macklin and Crépeau have shown in their recent paper that judgments about whether someone is a "good" or "bad" citizen — as measured by civic engagement, presumed embrace of so-called Canadian values, economic self-sufficiency, respect for law or the like — is sometimes tethered to the notion that people who are multiple citizens are more likely to be "bad" citizens, especially if they or their parents acquired citizenship by naturalization (Macklin & Crépeau, 2010).

Despite the views of some discussed above, a recent poll by APF Canada found that a solid majority of Canadians believe their overseas compatriots are still 'real' Canadians, and say their counterparts living outside Canada should have the same rights as those living in Canada (APF Canada, 2010).

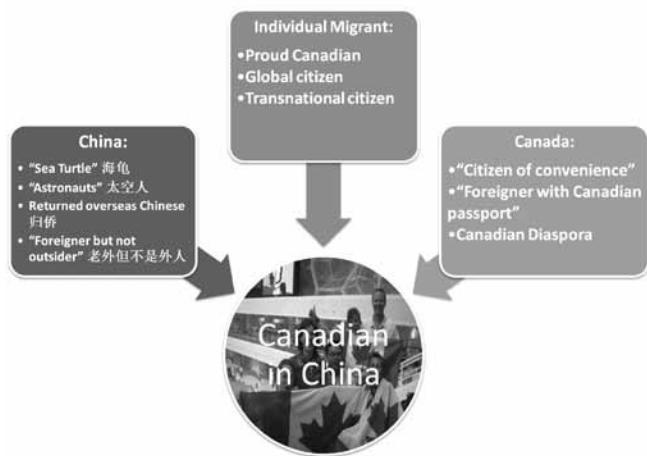
For individual Canadians who live abroad, the Canadian elements in their self-claimed identity remain obvious. According to an online survey by APF Canada, nearly two-thirds of Canadians abroad still see Canada as their home and 69 percent have plans to return to Canada in the future for various reasons, mainly related to family in Canada. (Zhang, 2007).

Canadians abroad may possess more than one identity and their identities may vary in different circumstances. For example, the same APF survey finds that in terms of their professional lives, individuals identify themselves no-differently being closely with Canada (47 percent) and their country of residence (46 percent). In terms of their personal or family lives, respondents overwhelmingly identify more closely with Canada (66 percent) than with their country of residence (31 percent) (*ibid*).

Many of them believe they are the human bridge connecting Canada and China. They do business globally and therefore are global citizens or transnational citizens (Canadians in China, 2000-2010; *ibid*).

In short, the identity of Canadians in China can be observed from three angles as illustrated in Figure 3.

**Figure 3: Identities of Canadians in China**



#### IV. WHY DOES IT MATTER? POLICY IMPLICATIONS

The above-discussed variations in recognizing Canadian, Chinese and individual migrants' identities, have created a fundamental base on which governmental policies can move into different directions and have a mixture of impact on each country and individuals as well.

Beijing has developed a number of policies targeted at different groups, which will have an impact on various types of Canadians in China. Aimed at the highly-skilled "Sea Turtles", the "Thousand Talents Program", a project launched by the Organization Department of the CPC Central Committee in early January 2009, aims to attract top international talents to work in the mainland. With the project, China expects to break technological bottle-necks and enhance its research and development capabilities in science and technology. The project plans to attract around 2,000 talented overseas Chinese back to China over the next five to ten years (Chinese Academy of Sciences, 2009).

Many preferential treatments are accorded to the returned overseas Chinese, which are delivered through high-level offices in the major arms of the State, Legislature and Party dealing with the overseas Chinese. For instance, the Chinese Constitution (Articles 50, 70 and 89) protects the legitimate rights of Chinese nationals residing abroad and the lawful rights and the interests of returned overseas Chinese. It also mandates the Cabinet of the Central Government to exercise the above powers and functions as well as the setting up of the Overseas Chinese Committee of

the Chinese Parliament (People's Daily Online, 1982). The 1993 "Measures for the Implementation of the Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and Family Members of Overseas Chinese" lays out the preferential treatment to be given by governments at all levels to overseas Chinese when they return/invest in China (Asian Legal Information Institute, 1991).

Since 2004, foreigners have been able to apply for official permanent residence in China under a system similar to the US "Green Card" scheme. The government immigration authority indicated that "high-level foreigners or foreigners who make large direct investment" may apply for permanent residence status and if successful, live in the country indefinitely. Eligibility will apply mainly to high-level foreign personnel who hold posts in businesses which promote China's economic, scientific and technological development or social progress, foreign citizens who make relatively large direct investment in China, foreigners who have made outstanding contributions or are of special importance to China, and foreigners who come to China to be with their families (China Daily, 2004).

All the above Chinese policies open the door for interested Canadians to consider and decide whether to move to China. In contrast, many Canadian rules and regulations discourage Canadians abroad, including those in China, keeping a close attachment to Canada. For example, naturalized Canadian citizens living abroad cannot pass on citizenship to children born outside the country. Also, a Canadian who lives in Beijing or Shanghai for more than five years is no longer permitted to vote in federal elections. A Canadian practicing professional may no longer be able to practice in Canada after having lived in China for some time. Even a Canadian driver's licence has to be surrendered after some years outside Canada (Zhang, 2007).

The divergent policies between the two countries will also make the citizenship and consular issues more complex and important in Canada-China relations. Canada recognizes dual citizenship while China does not. According to the Chinese Nationality Law, Hong Kong residents and former residents of Chinese descent who were born in mainland China or in Hong Kong are Chinese citizens. They will not be entitled to Canada's consular protection in the HKSAR or the PRC, even though they hold a Canadian passport. The estimated 300,000 Canadians residing in PRC and HKSAR, therefore, could be a huge challenge for Canada's consular service.

Given the reality of circular migration and divergence of policy environment in China and Canada, it is essential for both governments to understand the changing identity/identities of Canadians in China, and to work together on policies that will benefit Canada and China, as well as the individual migrants.

## V. CONCLUSIONS

This paper argued that current international human migration patterns have become increasingly circular movement. Furthermore, China is no longer a country that just produces emigrants. It has also become a magnet for professionals and students from around the world seeking better job opportunities and a good education.

Given the growing number of Canadians in PRC and HKSAR, many challenges arise in defining identity or identities of this group of Canadian population in China. We observed huge variations in recognition of their identities in Canada, China and by individuals of this community. We also observed a divergence in the policy environment in China and Canada based on such a variety of identities.

It is the time now for both governments of China and Canada to understand the changing direction of people mobility and changing identity/identities of Canadians in China. The Canada-China human circular mobility is a unique focal point for relations between Ottawa and Beijing (Woo, 2009). There is an urgent need for both countries to work together on policies that will deepen the connections across the Pacific and ultimately benefit Canada and China, as well as the individual migrants. While other countries are lining up to sign trade and investment deals with China, Canada can go a step further and investigate the possibility of an agreement on the circular movement of personals between Canada and China (Woo, 2009). Such an agreement could encompass issues such as citizenship, visa, education and training, professional accreditation, social security, taxation and even extradition.

## REFERENCES

- Asia Pacific Foundation of Canada. (2007, August 16). *Policy Roundtable on Canadians Abroad*. Retrieved August 17, 2010, from Canadians Abroad Project: <http://www.asiapacific.ca/other-analysis/policy-roundtable-canadians-abroad>
- Asia Pacific Foundation of Canada. (2010, June 28). *2010 Poll: Canadian Views on Policy Issues Affecting Canadians Abroad*. Retrieved August 17, 2010, from Canadians Abroad Project: <http://www.asiapacific.ca/surveys/national-opinion-polls/2010-poll-canadian-views-policy-issues-affecting-canadians-a>
- Asian Legal Information Institute. (1991, Jan 1). *Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese*. Retrieved August 18, 2010, from Database - Laws of the People's Republic of China: <http://www.asianlii.org/cn/legis/cen/laws/potraiorocatfmoocl1031/>
- Canadians in China. (2000-2010). *Canadians in China*. Retrieved August 18, 2010, from <http://www.canadiansinchina.com/aboutus.asp>
- China Daily. (2004, August 21). *China issues 'Green Card' to foreigners*. Retrieved August 18, 2010, from [http://www.chinadaily.com.cn/english/doc/2004-08/21/content\\_367461.htm](http://www.chinadaily.com.cn/english/doc/2004-08/21/content_367461.htm)
- Chinese Academy of Sciences. (2009, Sept 29). *"Thousand Talents Program" Draws 204 More Overseas Science Talents*. Retrieved August 18, 2010, from News Room: [http://english.cas.cn/Ne/CASE/200910/t20091014\\_45162.shtml](http://english.cas.cn/Ne/CASE/200910/t20091014_45162.shtml)
- Dashan Incorporated. (n.d.). *Who is Dashan?* Retrieved August 12, 2010, from The Dashan Website: <http://www.dashan.com/en/index.htm>
- DeVoretz, D., & Ma, J. (2002). Triangular human capital flows between sending, entrepôt and the rest of the world regions. *Canadian Studies in Population*.
- DeVoretz, D. (2009). *Canada's Secret Province: 2.8 Million Canadians Abroad*. Vancouver: Asia Pacific Foundation of Canada.
- DeVoretz, D. (2009). *Immigrant Circulation and Citizenship: Hotel Canada?* Vancouver: Asia Pacific Foundation of Canada.
- Government of Canada. (2009, Nov. 22). *Norman Bethune (1890-1939)*. Retrieved August 12, 2010, from [http://www.canadainternational.gc.ca/china-chine/bilateral\\_relations\\_bilaterales/bethune.aspx?lang=eng](http://www.canadainternational.gc.ca/china-chine/bilateral_relations_bilaterales/bethune.aspx?lang=eng)
- Guo, S. (2009). *Canadians in Beijing*. Vancouver: Asia Pacific Foundation of Canada.
- Hoffman, A. (2010, July 31). Canada's Expat Advantage: A Canadian key drives a Chinese success. *The Globe and Mail*: B1.
- Macklin, A., & Crépeau, F. (2010, June). *Multiple Citizenship, Identity and Entitlement in Canada*. Retrieved August 17, 2010, from IRPP Study, N° 6: [http://www.irpp.org/pubs/IRPPstudy/IRPP\\_Study\\_no6.pdf](http://www.irpp.org/pubs/IRPPstudy/IRPP_Study_no6.pdf)
- Mao, Zedong, (December 21, 1939). In Memory of Norman Bethune (紀念白求恩). Retrieved September 29, 2010, from [http://www.marxists.org/reference/archive/mao/selected-works/volume-2/mswv2\\_25.htm](http://www.marxists.org/reference/archive/mao/selected-works/volume-2/mswv2_25.htm)
- Migration Policy Institute. (2008, December). Top 10 Migration Issues of 2008, Issue #9 — Warming up to Circular Migration? *Feature Story*.
- Newland, K., Agunias, D. R., & Terrazas, A. (2008). *Learning by Doing: Experiences of Circular Migration*. Washington DC: Migration Policy Institute.
- People's Daily Online. (1982, December 4). *Constitution of The People's Republic of China*. Retrieved August 18, 2010, from <http://english.peopledaily.com.cn/constitution/constitution.html>
- Statistics Canada. (2007). *Immigration in Canada: A Portrait of the Foreign-born Population, 2006 Census*. Ottawa: Catalogue n° 97-557-XIE.
- Turner, G. (2006, August 7). *Letter from Egypt*. Retrieved August 17, 2010, from <http://www.garth.ca/weblog/2006/08/07/letter-from-egypt/>
- United Nations, Department of Economic and Social Affairs, Population Division. (2009). *Trends in International Migrant Stock: The 2008 Revision (United Nations database, POP/DB/MIG/Stock/Rev.2008)*. Retrieved August 17, 2010, from <http://esa.un.org/migration/index.asp?panel=1>
- Woo, Yuen Pau (October 6, 2009), "Canada's Edge in China: People Movements," *The Global and Mail Report on Business*, retrieved July 27, 2010, from <http://www.asiapacific.ca/editorials/presidents-view/25901>

Zhang, K. (2006). *Recognizing the Canadian Diaspora*. Vancouver: Asia Pacific Foundation of Canada.

Zhang, K. (2007, January 7). *Canadians Abroad: Foreigners with Canadian Passports or the New Canadian Diaspora?* Retrieved August 18, 2010, from Asia Pacific Foundation of Canada - Canadians Abroad Project: <http://www.asiapacific.ca/other-analysis/canadians-abroad-foreigners-canadian-passports-or-new-canadi>

Zhang, K. (2007, September 25). *Global Canadians -- A Survey of the Views of Canadians Abroad*. Retrieved August 17, 2010, from Asia Pacific Foundation of Canada - Canadians Abroad Project: [http://www.asiapacific.ca/sites/default/files/archived\\_pdf/invest\\_survey/global\\_canadians.pdf](http://www.asiapacific.ca/sites/default/files/archived_pdf/invest_survey/global_canadians.pdf)

Zhang, K. (2009). *Canadians in Hong Kong SAR*. Vancouver: Asia Pacific Foundation of Canada.

Zhang, K. (2010). *Flows of People and Canada-China Relationships*. Toronto: Canada International Council.

#### FOOTNOTES

<sup>1</sup> An early version was presented at the Canada-China Forum on Migration and Identity, July 5-6, 2010, Shanghai, China. The Forum was co-organized by Association for Canadian Studies, Chinese Academy of Social Sciences and Fudan University to celebrate the 40<sup>th</sup> anniversary of Sino-Canada Diplomacy. The critical comments by Dr. Don DeVoretz and Heather Kincaide are gratefully acknowledged, but all errors remain the responsibility of the author.

<sup>2</sup> Pronounced as "Hai Gui" which means the returning «Sea Turtles»\* - an abbreviation that sums up returnees from overseas. The pronunciation also suggests the Chinese phrase for sea turtles that were born on the shore, grew up at sea, but eventually returned to the shore again.

<sup>3</sup> The Chinese language has various terms equivalent to the English «Overseas Chinese». Huáqiáo (华侨) refers to Chinese citizens residing in countries other than China. Huáyì (华裔) refers to ethnic Chinese residing outside of China. Another often-used term is háiwài huárén (海外华人), often used by the PRC government to refer to people of Chinese ethnicities who live outside the PRC and are not Chinese citizens.

# SOCIAL INTEGRATION OF NEW CHINESE IMMIGRANTS IN VANCOUVER

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## ABSTRACT

Influenced by the ideas of Buddhist fatalism, old Chinese immigrants in Canada often used avoidance as their adaptive strategy in the face of discrimination from and conflict with the mainstream society. Only when confronted with serious threats did they unite themselves for a concerted action. Since the 1990s, new Chinese immigrants in Canada have changed tremendously; it must be interesting to see how the new Chinese immigrants adapt to the new situation and whether they still experience discrimination. This article studies new Chinese immigrants in the city of Vancouver. The research questions of this study are: How are they now related to the mainstream society? How are they integrated with it? And what are the main conflicts and how do they cope with them? The paper deals with their relationships in three main aspects: the new mode of concentration, new forms of conflicts, and the lived experience of Chinese entrepreneurs and their coping strategies. The paper concludes that while new Chinese immigrants enjoy a much higher social status in comparison with their predecessors, they never forget the past oppression and that some regulations in the current policy smacks of unfairness. The research is based on secondary data, but provides recent demographics of new Chinese immigrants in the city. In the paper, the term “new Chinese immigrants” refer to those who entered Canada after the year 1990.

## 提要

由於受到佛教宿命論的影響，加拿大華人在過去面臨嚴重的種族歧視政策和行為或與主流社會發生衝突的時候，經常用規避作為生存和適應的手段。只有在遇到嚴重威脅的時候，華人才能夠團結起來，共同採取行動。自從1990年代以來，加拿大的華人新移民發生了巨大的變化，和老移民的情況不可同日而語。因此，探討新華人移民如何適應新的情況，他們是否仍然經受主流社會的歧視這樣的問題是令人感興趣的。本文旨在研究溫哥華市的華人新移民。所要研究的問題是：新華人移民和主流社會目前的關係如何？他們和主流社會的融合情況怎樣？他們和大社會之間存在哪些衝突，他們是怎樣應付的，應用哪些應付手段？本文從三個方面探討以上問題：華人新的聚居形式，和大社會之間新的衝突形式，以及華人企業家的親身經歷和在加拿大的適應策略。本文認為，儘管新華人移民和他們的前輩相比享有較高的社會地位，但是他們從來就沒有忘記過去所受到的不公正對待、歧視和壓迫，目前加拿大的移民政策中仍然存在結構歧視的不公平成分。本文的資料主要依賴第二手文獻資料，同時也提供了最新的溫哥華新移民人口統計數字。本文中“新移民”一詞指1990年後在加拿大落地的移民。

## INTRODUCTION

Although Chinese-Canadians have been in Canada for over 150 years, it is only in recent years that their contribution has been recognized. According to Yu (1997), old Chinese immigrants in Canada, influenced by the belief of Buddhist fatalism, often used avoidance

as their adaptive strategy in face of discrimination from and conflict with the mainstream society. Only when confronted with serious threats did they unite themselves in concerted action. Concentration was a major strategy for self-defense.<sup>1</sup> However, in the new millennium, how are the Chinese in Canada related to and integrated into the mainstream society? Are there any conflicts between them

and the larger society and how do they cope with them? These are the questions this paper attempts to answer. The paper focuses on a special Chinese group – the new Chinese immigrants in Vancouver.<sup>2</sup>

## NEW IMMIGRANTS IN VANCOUVER AND THE EFFECT OF THEIR PRESENCE

British Columbia has been the second largest province to accept new immigrants in recent years. From 1991 to 1995, immigrants from Hong Kong accounted for 27% of total new immigrants entering the province, while in the single year of 1994, 45,000 new Chinese immigrants swarmed into the province, most of whom came from Hong Kong and Taiwan.<sup>3</sup>

By 2000, the number of new immigrants in Vancouver came up to 339,000 (19% of the city's population), accounting for 16% of the total new immigrants of the country. The majority of immigrants were new immigrants, most of whom were Chinese and South Asian. This added greatly to multiculturalism in the city. One feature of Vancouver is the number of Chinese and the rapid growth of the Chinese population. Their population grew from 36,450 in 1971 to 99,800 in 1986, and again to 264,225 in 1996 (2001 Census of Canada). The number became 381,535 in 2006 (over tenfold growth in 35 years). In 1996, 32% of the total Chinese population in Canada lived in Vancouver (Cf. 40% in Toronto), while they made up 14.9% of the city's total population, much higher than their percentage in Toronto (7.7%) and in Montreal (1.3%). Actually, if calculated by multiple responses in the census, the Chinese population in Vancouver might reach 292,620.<sup>4</sup> Table 1 shows Chinese immigrants in five major cities of Canada.

**TABLE 1: Chinese immigrants in selected cities  
(number and% in total population)**

CITIES/YEARS	1996	2006
Vancouver	14.9%	18.2% (381,535 in 2,097,965)
Toronto	7.7%	9.6% (486,325 in 5,072,075)
Calgary	N/A	6.2% (66,375 in 1,070,295)
Edmonton	N/A	3.9% (40,200 in 1,024,825)
Montreal	1.3%	2.0% (72,015 in 3,588,520)

Sources: Statistics Canada, 1998; Statistics Canada, 2010

The presence of these new immigrants has greatly changed the city's outlook. The influx of new immigrants revised the city's population composition and cultural pluralism posed a challenge to the social service system, the educational system and the urban life experience of everyone.

In the past, the general living pattern was a segregation of Westerners in West Vancouver and Orientals in the eastern part. As far as Great Vancouver is concerned, the

Canadian-born and old immigrants lived in suburban areas, while new immigrants chose to live in the densely populated East Vancouver. But from 1971 on, the living pattern of the Chinese started to change when some of the 36,405 Chinese (3.4% of the city's population) had already lived in large independent houses outside Chinatown and the index of segregation for the Chinese population was 54.5, ranking the third, lower than that for the Portuguese (60.5) and the Caribbean (62.5) communities.<sup>5</sup>

From 1967 to 1986, unprecedented numbers of Asian immigrants deeply influenced every aspect of Vancouver life. During these two decades, Vancouver's population increased about one third, while the Chinese population increased threefold and the South Asian population increased by five times.<sup>6</sup> There was no evident change in the general pattern but change in its details appeared – the population started to radiate towards the outskirts of the city. In the meantime, more and more Chinese lived outside Chinatowns. By 1986, 30% of the Chinese lived in suburban areas, a majority of whom chose to concentrate their homes in Richmond and Burnaby. After 1987, the number of economic-class new immigrants grew phenomenally. While the number of European and American immigrants declined, the number of immigrants of visible ethnic groups climbed steeply. The biggest change was that Vancouver attracted the highest proportion of Asian immigrants. Based on 1996 statistics, 365,000 Vancouver residents were Asian born, while HK immigrants surpassed British immigrants in numbers, becoming the largest immigrant group.<sup>7</sup> In the same year, people of visible minorities came up to more than half a million.<sup>8</sup> A new phenomenon in the period was that the few wealthiest people in Vancouver were not of British descent, but of Asian background.

## DECONCENTRATION AND RECONCENTRATION OF CHINESE IMMIGRANTS

After 1986, the trend of new immigrants radiating out towards the outskirts and West Vancouver continued with more subtle changes. Firstly, the proportion of people choosing to live in the city or in the outskirts changed evidently. From 1982 to 1986, 55% of new immigrants chose to live in the city, but from 1991 to 1996, the percentage was only 36%, i.e., the majority of new immigrants chose to live in the periphery of Great Vancouver.<sup>9</sup> Secondly, while the population was scattering towards the outskirts, a reverse pattern of ethnic concentration reappeared. This trend was mainly caused by the white population fleeing the influx of ethnic new immigrants in their districts. Thirdly, the concentration of visible minorities was more evident. As far as Chinese immigrants were concerned, the purposes to immigrate were diversified. Some chose to live in Chinatown and once their economic status improved,

they moved to other, better areas. Some came to invest and had more flexibility in choosing a place to live. Still others, benefiting from the information technology, were better informed about the situation in Canada and had a wide range of choices. In short, Chinatown was no longer the only option for many new Chinese immigrants. Areas of Chinese concentration increased and some wealthy and skilled people could go live in the wealthiest areas right away. The segregation index for Chinese decreased from 54.5 in 1971 to 47.7 in 1996, but considering their total number increased by 6 times in the same period, the figure is still high.<sup>10</sup>

Ethnic concentration can be voluntary or involuntary and can be analyzed by economic status or social distance. Chinese immigrants have obtained a higher social status but their concentration is still high, which shows that economic position can only affect ethnic concentration to a certain degree. The social distance chosen by a given group is another factor. Now the Chinese have more choices in occupation, therefore more contact with the mainstream society, but in terms housing choices, Canada provides greater opportunity and attaches importance to self-determination and the positive aspects of ethnic concentration. This paper concludes that Canadian multicultural policy may have encouraged ethnic concentration.

## RELATIONS WITH MAINSTREAM SOCIETY

Now all communities in Vancouver are inhabited by Chinese immigrants, except for a few. The proportion of Chinese people living in suburban areas grew from 29.3% in 1986 to 49.3% in 1996.<sup>11</sup> The new developments have affected their relations with the mainstream society, their social integration into the society, and adaptive strategies against subconscious anti-Chinese sentiments. The growth of the Chinese in number and power, specifically a few very wealthy Chinese immigrants who control the real estate market, greatly changed Chinese communities, causing resentment from the mainstream society. The conflict has emerged in three issues: "monster houses", "Asian malls", and daily contact with mainstream society members.

With regard to the "monster houses", it is generally assumed that they undermine the local landscape character and the housing price in middle-class communities, and that the Chinese lack awareness of environment protection, do not like Canada and ignore local residents' wellbeing. As to the Asian malls issue, people complain that only Chinese signs are displayed, they only serve in Chinese and Cantonese, they are unfriendly to other customers, and so on. Contact problems include various misunderstandings and daily conflicts, such as jumping queues, ignoring neighbors in greeting, Chinese kids requiring too many ESL classes, and so on.

It can be said that both sides of the conflict should shoulder some responsibility. Some scholars hold that "monster houses" indicate that the Chinese are proud of their cultural traditions, but they should also raise their civil virtues. Vancouver Chinese newspaper "Ming Bao" said that the Chinese need to conduct self-criticism for some of their bad habits, such as jumping queues, cutting down trees on their private properties, showing off wealth, jaywalking, and so on.<sup>12</sup> Old and new Chinese immigrants within the group even have different ideas on this issue. The former do not agree to the latter's behavior. But, the mainstream society usually does not distinguish this difference and stereotypes the whole group. Whereas some research studies show that while the mainstream society criticizes the Chinese for their behavior, the cultural contributions the Chinese have made to Canada and the discrimination the Chinese have suffered from in the past have not been fully recognized. All in all, the conflict between the Chinese and the mainstream society exists only at the cultural level and can be solved through communications. If we look at the issue positively, the "monster house" phenomenon is also a sign of change in the Chinese "sojourner mentality."

## CHINESE ENTREPRENEURS' EXPERIENCE AND THEIR COPING STRATEGIES

Supported by the federal government's Chinese Business Immigration Program, a large number of Chinese entrepreneurs has entered Canada. Before 1996, Chinese entrepreneurs in Canada totaled 70,000, the majority of which lived in the three largest cities.<sup>13</sup> Since Vancouver is closest to Asia and its population has the largest proportion of Chinese, it has attracted many Chinese entrepreneurs, who add vitality to the city's economy. However, research shows that they have met with various difficulties in business initiation and development after entry.<sup>14</sup>

First, once they arrive, they face a difficult decision: choosing between entering the large market of the country or the small market in ethnic enclaves. Chinese businessmen are often pushed into the small market, serving the Chinese community, competing with other Chinese businesses, and carrying commodities given up by large companies. They are often denied goods in small quantities and are forced to buy in large quantities. Due to self-protection, large companies often ignore their business offers, while banks are unwilling to lend money to them.

However, the biggest challenge for new Chinese business immigrants is the restriction of the legal requirement, i.e., they must start a business within two years, which is not enough time for them to investigate the market. As a result, they often have to start a business before they are actually ready to do so. They believe this requirement is an example of institutional discrimination.

Restricted by various conditions, new Chinese immigrants have to adopt a variety of coping strategies to survive, some of which are traditional and some new. Traditional strategies include establishing good relations with customers and even providing extra services. Some resort to hiring family members, relatives and close friends. A special new strategy is that, with the rising economic power of China, Chinese businessmen maintain strong links with their home country in international business and trade. They conduct business in Canada with the help of the business network established before immigration. After they immigrate, they continue to conduct business in Asia or use Canada as a transit station to reach out to the American market.

## CONCLUSIONS

The influx of Asian immigrants in Vancouver since the 1990s, especially new Chinese immigrants, has changed the outlook of the city and characterizes the city with increased cosmopolitanism.

Although their social status and economic power have increased, Chinese-Canadians have never forgotten the discrimination they experienced in the past. They were forced to live in a few ethnic enclaves called Chinatown, but the analysis of their recent deconcentration from their traditional enclaves in East Vancouver and the reconcentration in some suburban middle-class districts and in West Vancouver shows that the choice is voluntary, and that the multicultural policy of the federal government, which lends support to ethnic cultural maintenance, may have enhanced this choice.

In contrast to the past image of "sojourners", Chinese housing choices, in some cases referred to as "monster houses", may show that the Chinese have developed a new sense of belonging to the host country. The conflict between the Chinese and the larger society may be attributable to a lack of communication which resulted in cultural misunderstandings. Either side is to blame. The former should raise environmental and civil awareness, while the latter should give greater recognition to the past discrimination and the contributions the Chinese have made to Canada.

The experience of Chinese entrepreneurs shows that institutional discrimination against immigrants still exists, constraining their business choices and pushing them into traditional ethnic market. The analysis indicates that concentration is still a major coping strategy for new Chinese immigrants to maintain traditional culture, feel

comfortable and help each other in business. Meanwhile, some new coping strategies have emerged specifically through the rising economic power of China; they try to maintain close ties with their country of birth and the original business network.

Finally, the increased cultural diversity of Vancouver, the greater freedom enjoyed by new immigrants, and their greater attachments to their host country are all signs of success for the Canadian multicultural policy.

## FOOTNOTES

<sup>1</sup> Yu, Chongzhen. Human rights, discrimination, and coping strategies of Chinese-Canadians. In Chen Guoben (Ed.), (1997). *Breaking off chains: A centennial history of anti-racial discrimination of Chinese in Canada*: 124-133. Beijing: Chinese Social Sciences Press.

<sup>2</sup> New immigrants refer to those who entered Canada after 1991.

<sup>3</sup> BC Stats, 1996

<sup>4</sup> 2001 Census of Canada. Great Vancouver's 1996 – 2001 Population Growth Supports Livable Region Strategic Plan Objectives. (March 2002)

<sup>5</sup> Balakrishnan, T. R. (January 2001). Residential Segregation and Socio – economic Integration of Asians in Canada. *Canadian Ethnic Studies*, 33(1): 120-131.

<sup>6</sup> Ibid.

<sup>7</sup> Hiebert, D. (Spring 1999). Immigration and the Changing Social Geography of Great Vancouver. *BC Studies* (121): 35-81.

<sup>8</sup> 2001 Census of Canada

<sup>9</sup> ibid

<sup>10</sup> Hiebert, D. (Spring 1999). Immigration and the Changing Social Geography of Great Vancouver. *BC Studies* (121): 35-81.

<sup>11</sup> Rose, J. (2001). Context of Interpretation: Assessing Immigrant Reception in Richmond, Canada. *The Canadian Geographer*, 45(4): 474-493.

<sup>12</sup> O'Neil, P. (20/03/1996). Anti – Asian Backlash Feared: Canadian Human Rights Chief Warns of Increasing Prejudice while Praising a Chinese Newspaper in Vancouver. *The Vancouver Sun*: A1.

<sup>13</sup> Citizenship and Immigration Canada. (May 2000). Recent Immigrants in the Vancouver Metropolitan Area: A Comparative Portrait Based on the 1996 Census.

<sup>14</sup> Wong, L. L. & Ng, M. (1998). Chinese Immigrant Entrepreneurs in Vancouver: A Case Study of Ethnic Business Development. *Canadian Ethnic Studies*, 30(1): 64-84.

# EMERGING TRENDS IN MIGRATION: CANADIAN AND AMERICAN MIGRATION AT THE BORDERLANDS

Susan W. Hardwick is a professor of human geography at the University of Oregon. Her research specializations focus on the geography of North American immigration, integration, and national identity and the Canada-U.S. borderland. Professor Hardwick is the author or co-author of nine books including, most recently, *Twenty-First Century Gateways: Immigrant Incorporation in Suburban America* (The Brookings Institution, 2008) and a widely used university-level textbook, *The Geography of North America: Environment, Political Economy, and Culture* (Prentice Hall, 2008) and a long list of refereed journal articles, essays, and book chapters. She was awarded the statewide *California Systemwide Outstanding Professor Award* during her tenure on the faculty in the California State University system, the National Council for Geographic Education's *Distinguished Educator Award*, and the Association of American Geographer's *National Grosvenor Award for Geographic Education*. Susan W. Hardwick is perhaps best known as the moderator of the Annenberg/PBS public television series, *The Power of Place*.

## ABSTRACT

This essay examines the increased securitization of the Canadian-U.S. border in the context of cross-border immigration. Of particular importance in this analysis are the historical and contemporary migration flows and spatial patterns of American migrants in Canada as compared to Canadians who reside in the United States. Data for this mixed methods study were gathered and analyzed from the Canadian and U.S. census for the years 1960-2006, bi-national polls conducted by Leger Marketing and commissioned by the Association for Canadian Studies, structured and unstructured interviews with Canadians in the U.S. and Americans in Canada, and survey questionnaires. Findings indicate that despite the shifting politics of the Canada-U.S. border in the post-9/11 era, more Canadians migrated to the United States and more Americans migrated to Canada in the first decade of the 21<sup>st</sup> Century than at any time since the 1960s.

## 提要

本文考察了跨国移民背景下美加边界日益增加的往来，并将重点放在加拿大的美国移民与美国的加拿大移民之间的比较：历史和当代的移民潮和分布模式。数据的收集和分析来自以下渠道：加美两国1960至2006年的全国人口普查数据；由加拿大研究会委托、Leger Marketing实施的两国民意调查；对美国的加拿大人和加拿大的美国人的各种结构性和非结构性访问；调查问卷。调查结果表明，尽管在9·11之后加美的边界的政策有所调整，但21世纪的头十年相比20世纪60年代以来的任何时段，有更多的加拿大人移民到美国，更多的美国人移民到加拿大。

## INTRODUCTION: IMMIGRATION FLOWS AT THE CANADA-U.S. BORDER

The Canada-U.S. border has long been known as the longest undefended border in the world (Beach et al, 2003). During the past nine years, however, securitization efforts following the events of September 11, 2001 continue to make crossing this border increasingly difficult for tourists and other temporary visitors, business travelers, and immigrants. Ever more restrictive policies promulgated by

the Office of Homeland Security in the United States has launched an unprecedented era of change at the borderlands during the first decade of the 21<sup>st</sup> Century including a tripling of the total number of border agents, new passport requirements, and the use of a host of new inspection and identification technologies at border crossings (Konrad and Nicol, 2008a).

These new and more rigid border policies at the 49<sup>th</sup> parallel do more than simply regulate and control people

and territory (Alper and Loucky, 2007, 3). They also impede long-term transnational connections and networks on both sides of the border. Since borders are intangible abstractions as well as political markers, the Canadian-U.S. borderland in many ways resembles Benedict Anderson's notion of an "imagined community" – a zone created by multiple layers of relationships, meanings, and identities (1991). Understanding the significance of these borderland relationships and connections has long been of much greater importance in Canada than in the United States (since the majority of Americans seem to pay scant attention to issues related to their northern border despite post-9/11 media attention). In Canada, however, where more than two-thirds of the nation's population resides within one hundred miles of the border, it remains critically important to understand issues affecting the impacts of this internal North American political border. According to Downs and Sawchuck (2007, 1): "It is in Canada's borderland region where trade and economic linkages with the United States are at their strongest...and where cross-border relationships and networks of various kinds first developed to a significant extent."

This essay documents and analyzes the impact of more rigid border crossing policies on the migration patterns of two large groups of 'internal immigrants' at the borderlands to help unravel some of the complexities of migration, politics, and place in Canada and the United States. In the pages that follow, I address the following questions: What are the comparative spatial patterns of Canadian immigrants in the United States and Americans in Canada at the present time? Why do such large numbers of Canadians continue to migrate to the United States despite increased securitization of the border and economic challenges brought on by the global recession in the United States? Likewise, why have more Americans left their homeland for permanent residency in Canada during the past decade than at any time since the Vietnam War (despite the increased challenges of crossing the U.S.-Canada border brought on by the events of 9/11)? Answers to each of these related questions are provided in the sections that follow.

## 'INTERNAL' MIGRATION AT THE BORDERLANDS

The study of cross-border Canadian and American migrants is especially timely in this era of increasing anti-immigrant rhetoric in North America. In addition, Canada and the United States are both more commonly viewed as 'immigrant receiving nations' rather than as places shaped by out-migration. However, despite minimal attention to the flows of emigrants out of these two North America nations by the media and other scholars, American and Canadian migrants have continued to flow north and south across the border for more than three centuries.<sup>1</sup> In most cases, the

number of Canadians moving to the United States has far outnumbered U.S. migrants to Canada. With the exception of three time periods – Loyalist emigration from the United States to Canada during and after the U.S. Revolutionary War era, the first two decades of the 20<sup>th</sup> Century, and the Vietnam War era – Canada sent two to three emigrants to the United States for every American who has headed north over the years (Simpson 2000). This trend has continued during the past decade, a period of time marked both by increased flows of Canadians to the United States as well as the largest migration of Americans emigrating to Canada in more than forty years (U.S. Census, 1960-2007; Statistics Canada, 1961-2006).

It is interesting to note that more Canadians have considered migrating to the United States than have actually done so. In an Association for Canadian Studies poll conducted by Leger Marketing in 2009, 29% of all respondents indicated that they "would like to live in the United States for at least part of the year." This bi-national poll also found that one in four Canadians also would like to completely eliminate the border with the United States despite the greater impact of the recession in the United States than in Canada and the challenges of more restrictive border crossings in recent years (see Jedwab and Hardwick, 2010c).

These broadly defined regions of Canadian and American immigrant settlement are summarized on the map in Figure 1 below:

- *The Atlantic Coast region* extending from a node of relatively dense American settlement in Nova Scotia and New Brunswick south to coastal Florida, a place rich in both Anglophone and Francophone Canadian settlement for more than five decades.

**Figure 1: Cross-Border Physical Regions and Major Canadian-American Settlement Nodes**



- *The Great Lakes region* extending from southern Ontario, where a network of cities and smaller towns have been home to a dense population of Americans for centuries, south to U.S. cities such as Chicago, Detroit, and Minneapolis-St. Paul where skilled workers and professionals from Canada have resided in large numbers for more than a century.
- *The Great Plains-Rocky Mountain region* that includes a relatively large population of Americans from Texas and other parts of the United States that reside in Calgary and Edmonton due to their employment in the oil industry, south to U.S. cities such as Denver, home to numerous workers, retirees, and alpine adventurers from Canada.
- *The Cascade Mountains-Pacific Coast region* stretching from the American-rich towns of southeastern British Columbia, Vancouver, and Victoria and more rural parts of Vancouver Island, south to a linear north-south Canadian settlement zone that includes the cities of Seattle, Portland, San Francisco, and Los Angeles (the latter a city popularly known as the “largest city of Canadians outside Canada”).

Along with the immigrants, temporary visitors, and business travelers who regularly cross the Canada-U.S. border are the accompanying lines of cross-border cars, trucks, and other vehicles. Figure 2 provides a summary of

some of the busiest Canada-U.S. border crossings to help clarify the location patterns of border crossings within each of the settlement zones discussed above. As shown on this graphic, the three busiest ports include: (1) the border station at Windsor-Detroit that links the Canadian province of Ontario and the U.S. state of Michigan; (2) a series of border crossings located in upstate New York-southern Ontario; and (3) border stations located on the farthest western edge of the continent linking British Columbia with the state of Washington. These three busiest crossing points illustrate some of the many other crossing stations linking Canadian provinces and U.S. states shown on Figure 2.

A combination of economic cutbacks caused by the recession and more restrictive entry requirements at the border have both greatly reduced the magnitude of border flows overall at these crossing stations. According to a recent study of the impacts of the Western Hemisphere Travel Initiative (that includes requiring passports at all border crossings for the first time in history), traffic levels have declined at the Canada-U.S. border during the past five years. Lower traffic volumes persisted throughout almost all of 2009 with a particularly large decline in crossings in the summer of 2009 immediately following the implementation of new WHTI requirements (Konrad and Nicols, 2008b). This finding begs the question: Have these

**TABLE 1: Canada-US Border Crossings: States, Provinces, Number of Ports, and Share of Overall Traffic%**

US STATE	# OF PORTS OF ENTRY	% OF CROSS-BORDER TRAFFIC	CANADIAN PROVINCE
ALASKA	2	0.1%	Yukon Territory
	3	0.3%	
WASHINGTON	13	16.3%	British Columbia
	2	0.8%	
IDAHO	1	0.3%	Alberta
	6	1.3%	
	7	0.2%	
MONTANA	6	1.3%	Saskatchewan
	7	1.9%	
NORTH DAKOTA	6	1.3%	Manitoba
	12	0.7%	
MINNESOTA	4	3.1%	Ontario
	3	27.7%	
MICHIGAN	4	26.6%	New Brunswick
	7	3.8%	
NEW YORK	10	4.8%	Québec
	15	0.1%	
VERMONT	1	0.6%	New Brunswick
	7	10.8%	
NEW HAMPSHIRE			
MAINE			

Source: Border Policy Research Institute, Western Washington University. Border Policy Brief (Vol. 5:1:1.)

decreased flows of traffic at the borderlands been paralleled by a decrease in the number of internal immigrants during this same time period? To help answer this question, the next section provides a brief discussion of the fluctuating flow of American migrants to Canada over the years. It is followed by a comparative overview of the shifting numbers and patterns of Canadians in the United States to further address this timely question.

### **NORTHWARD FLOWS ACROSS THE BORDER: AMERICAN MIGRATION TO CANADA**

As mentioned earlier, more Americans migrated to Canada during the past decade than at any time since the Vietnam War era (Statistics Canada, 1961-2006). This American diaspora expanded exponentially during the ultra-conservatism that framed the eight years of the George W. Bush presidency in the United States (Boswell, 2008). And, according to interviews conducted with Americans in Canada for the study reported on here, despite predictions to the contrary, the vast majority of these U.S. migrants in Canada do not plan to return home during the more liberal Obama era. Today, there are at least one million U.S.-born residents of Canada. The largest numbers reside in the Toronto, Vancouver, Montreal, and Calgary metropolitan areas, and in smaller Canadian cities such as Halifax and Nelson, B.C. as well as in other more rural places (Statistics Canada, 2006; Hardwick and Smith, 2011 forthcoming). Despite the long history of American migration to Canada, with the exception of several important studies of draft dodgers and other war resisters who left the United States for Canada during the Vietnam War years, there are surprisingly few prior publications on the patterns, identities, and migration experiences of this little known immigrant group.<sup>2</sup>

The perception of Canada as a more liberal place than the United States and the shared languages, religions, and cultures of the United States and Canada have encouraged internal cross-border migration over the years. Perceptions of Canada as a 'place of refuge' for politically disenfranchised Americans began during the Revolutionary War when Loyalists left their homes in New England in resistance to anti-British attitudes in the United States then. Another example of Canada's role as a safe harbor for political refugees was the nation's strong support of the Underground Railroad in the mid-19<sup>th</sup> Century when runaway African American slaves from the Southern states were safely harbored in southern Ontario and Nova Scotia (Walker, 1980; Winks 1997).

The first two decades of the 20<sup>th</sup> Century encouraged much larger numbers of Americans to migrate to Canada. Encouraged by new Canadian immigrant settlement policies favoring agricultural settlers needed to populate

Canada's Prairie Provinces, tens of thousands of rural Americans from the Great Plains and mid-western states left their farms seeking fertile farmland north of the Canadian border. A half century later, the largest wave of Americans ever to leave their homeland for political reasons, emigrated during and immediately after the Vietnam War as war resisters, draft dodgers, and other social and political activists (see Hagan, 2001, 2000; Dickerson, 1999; Kasinsky, 1976). By the end of the war in the mid-1970s, there were at least 100,000 of these anti-war activists from the United States living in Toronto, Vancouver, Montreal and elsewhere in Canada with about half of these remaining today. It has been estimated that Americans made up more than 20% of all immigrants in Canada during this time period (Jones, 2005).

A decade or so later, a whole new group of U.S.-born immigrants headed north to fill college and university faculty and administrative positions created by Canada's expanding system of higher education. They were joined by other Americans in the 1970s and 1980s who relocated to Canada's largest cities as 'economic elites' to open Canadian branches of U.S. insurance companies, banks, and other business operations after the passage of more welcoming transnational economic policies in Canada (Harvey, 1991; Hardwick, 2009). According to research conducted by Jack Jedwab, the majority of these and other American immigrants in Canada are highly educated and economically secure. He writes (as quoted in Baram, 2007, 2)

*Those that are coming [now] have the highest level of education – these aren't people who can't get a job in the states. They're coming because many of them don't like the politics, the Iraq War, and the security situation in the U.S. By comparison, Canada is a tension-free place. People feel safer.*

Along with political refugees, economic elites, skilled workers, and other Americans in Canada have come ever-increasing numbers of retirees and 'midlife mavericks' from the United States who come seeking Canada's more open political climate as well as its environmental, economic, and social and economic amenities.

### **SOUTHWARD FLOWS ACROSS THE BORDER: CANADIAN MIGRATION IN THE UNITED STATES**

Similar increases in the number of Canadians emigrating to the United States have paralleled the northward flow of Americans to Canada during the past decade. As discussed below, approval of new 'open door' policies affecting worker visas as part of the North American Free Trade Agreement (NAFTA), decreasing real estate costs in the United States brought on by the

recession, and the increasing parity of the Canadian and U.S. dollar continue to encourage more Canadians to settle in the United States since 2000 than at any time since the 1960s (Statistics Canada, 2001, 2006; Jedwab and Hardwick, 2010b).

This ongoing southward migration flow has an even longer history than the flow of Americans into Canada. It began when the British conquered Francophone Acadia in the 1600s thereafter forcing French-speaking Acadians to leave their homeland in today's Nova Scotia to start new lives in the United States. Many thousands of these displaced Acadians later moved on to the city of New Orleans after the United States purchased the Louisiana Territory from France. Here they planted a lasting imprint of Cajun culture in this part of the American South (Simpson, 2000).

Throughout the next three centuries, Canadians continued to seek economic opportunities in the United States. This ultimately led to fears in Canada of a 'brain drain' (Mansfield, 2007). Concerns that the United States was stealing some of the best minds and most highly skilled workers from Canada first surfaced in the 1920s. By the mid-20<sup>th</sup> century, the impacts of the brain drain on Canada's economy had become an issue of very serious concern. The majority of Canadian brain drain migrants were employed in the U.S. health care industry, and in engineering and education arenas. Most cited higher salaries, broader opportunities for career advancement, and a search for better and more stimulating jobs as their primary motivations for leaving Canada (see Hardwick and Smith, 2011, forthcoming).

The settlement of Canadians in the United States continued in earnest up to the mid-1960s when the passage of more restrictive U.S. legislation reduced the annual quotas of people allowed into the United States from any one country. This change in national immigration policy, along with the uncertain social and political climate of the 1960s and early 1970s, civil unrest, and severe economic challenges in the United States all resulted in a slowdown of Canadian migration south during this time period.

However, the decrease in the north-to-south migration flow changed dramatically after the passage of NAFTA in the mid-1990s. This new political and economic legislation strongly encouraged the trans-border flow of goods, services, and workers and also launched a new era of increased Canadian migration to the United States that continues to this day. Special 'Trade NAFTA' visas allowed college-educated Canadian professionals with certification of their employment in the United States to live and work there for an unlimited length of time. As a result, more than 28,000 Canadians migrated south in the 1990s with the majority arriving with TN visas in hand (Michalowski and Tran, 2008; Hamilton, 2006).

The ease of securing these new visas, along with the economic (and climatic!) amenities of life in the United States, resulted in a nearly 20% increase in the number of Canadians migrating south between 2001 and 2006 (Jedwab and Hardwick, 2010b). Concerns about the brain drain of Canadians to the United States continue today with much of this concern warranted. This group of immigrants is more highly educated, professionally skilled, and affluent than the overall American population. They are also three times less likely to be unemployed (Michalowski and Tran, 2008).

## **CONCLUSIONS: CANADIAN AND AMERICAN MIGRATION AND THE 'THICKENING' OF THE BORDER**

As discussed above, the "longest undefended border in the world" is no longer undefended. Increased passport restrictions, a greatly increased number of new border guards, and new and more rigid border crossing regulations have resulted in a series of profound changes in the Canada-U.S. border since 9/11. In tandem with the economic challenges brought on by the recession, this thickening of the border has created a whole new border reality and resulted in dramatically reduced cross-border traffic (Konrad and Nicol, 2008b).

Despite these changes at the Canada-U.S. border in recent years, as this essay has shown, the number of Canadians in the United States and Americans in Canada has increased in recent years. Indeed, this cross-border flow of internal migrants is currently the largest number since the 1960s. One of the primary reasons that so many Americans are drawn to Canada is because of their perception of Canada as a place of refuge. Others have been attracted by the availability of universal health care, gun control laws, support for gays and lesbians, clean air and water and Canada's 'green' reputation overall, safety and security, and a shared belief in the value of living in a place shaped by multiculturalism.

In comparison, Canadians who emigrate to the United States are drawn there for economic reasons (as opposed to the decidedly political and/or idealistic magnets that attracted Americans to Canada). Other pull factors include the ease of securing a NAFTA visa, the attraction of affordable and available real estate (especially in the Sunbelt states such as Florida), and the climatic amenities in the United States.

Interestingly, this increase in Canadian-American migration at the borderland has not yet translated into a related increase in other border crossing patterns in the post-9/11 era. As discussed earlier, the number of cars, trucks, and other traffic at the U.S.-Canada border overall has decreased significantly in recent years. One of the unexpected reasons for this decline in cross-border traffic was revealed during interviews conducted for this study.

Most borderland immigrants reported that they had much less interest in visiting their homeland than in the past due to their frustration with long border wait times and delays, concerns about poor treatment by overly busy and stressed border guards, and fears of not being allowed to return to their new place of residence due to passport problems or fears of Homeland Security policies. The outcome of a 2010 poll conducted by the Border Policy Research Institute with Canadian and American stakeholders who regularly cross the Canada-U.S. border in the Pacific Northwest region corroborated this finding. This study found that the majority of respondents expressed a great deal of frustration at the frequency of long border delays as the primary reason for their decreased interest in cross-border travel (Konrad, 2010).

Many unanswered questions remain to be addressed in more detail based on the findings of this preliminary study of internal migration at the Canada-U.S. border. Will Canadians continue to be attracted to the United States at the end of the recession when U.S. housing prices are predicted to rise again and the overall cost of living increases south of the border? How will proposed changes in NAFTA and other economic and political policies affect the flow of goods, services, and people at the borderlands? Will American migrants to Canada, as compared to their Canadian counterparts in the United States, continue to be influenced more by the changing politics of their homeland than by economic considerations? If so, is it likely that the predicted return of ultra-conservative Tea Party-inspired policies in the United States will result in many more liberal Americans leaving for Canada in the near future? These and other related questions provide critically important avenues for further research as the shifting tides of change continue to affect North America's internal borderlands for many years to come.

#### REFERENCES

- Alper, Donald K. and James Loucky. 2007. *Canadian-U.S. Border Securitization: Implications for Binational Cooperation*. Canadian American Public Policy, Orono, ME: The Canadian-American Center, N° 72: 1-44.
- Anderson, Benedict. 1991. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. New York: Verso.
- Beach, Charles M., Alan G. Green, and Jeffrey G. Reitz, eds. *Canadian Immigration Policy for the Twenty-First Century*. Kingston, Ontario: John Deutsch Institute for the Study of Economic Policy.
- Border Policy Research Institute. 2010. *WHTI, the Recession, and Cross-Border Traffic*. Border Policy Brief. Bellingham, WA: Western Washington University, Summer, 2010: 1-4.
- Boswell, Randy. 2008. "Number of American Immigrants Surging," *The Vancouver Sun*. 04 July 2008:1.
- Dickerson, James. 1999. *North to Canada: Men and women against the war*. Westport, CN: Praeger.
- Downs, Andre and Gary Sawchuck. 2007. "Do Cross-Border Regions Matter for Trade? Canada-US Border Effects and Cross Border Regions," Government of Canada, Policy Research Institute, Working Paper Series 034.
- Hagan, John. 2001. *Northern Passage: American Vietnam War Resisters in Canada*. Cambridge, MA: Harvard University Press.
- \_\_\_\_\_. 2000. "Narrowing the Gap by Widening the Conflict: Power Politics, Symbols of Sovereignty, and the American Vietnam War Resisters' Migration to Canada," *Law and Society Review* 34(3): 607-650.
- Hamilton, Janice. 2006. *Canadians in America*. Minneapolis: Lerner Publications Company.
- Hardwick, Susan W. 2009a. "American Immigrants in Canada; Settlement Nodes and Networks in the 'Promised Land,'" (in) *War Resisters in Retrospect*, Joseph Jones and Lori Olafson, eds. Reno: University of Nevada Press: 27-38.
- Hardwick, Susan W. and Heather Smith. 2011 (forthcoming). "Crossing the 49<sup>th</sup> Parallel: U.S. Immigrants in Canada and Canadians in the United States," (in) *Immigrants in Canadian and U.S. Cities*, Carlos Teixeira and Wei Li, eds. Toronto, ON: Oxford University Press.
- Hardwick, Susan W. and Ginger Mansfield. 2009b. "Discourse, Identity, and 'Homeland as Other' at the Borderlands, *Annals of the Association of American Geographers* 99(2): 383-405.
- Harvey, David. 1991. *Americans in Canada: Migration and Settlement since 1840*. Lewiston/Queenston/Lampeter: The Edward Mellen Press.
- Jedwab, Jack. 2007. As quoted in Marcus Baram, "O Canada: More Americans Heading North." ABC News blog (accessed on 12/2/07 at <http://abcnews.go.com/US/story?id=3433005&page=1>).
- Jedwab, Jack. 2008. *Home is Where the Heart is? Census reveals Growing Numbers of Americans in Canada*. Montreal, Quebec: Association for Canadian Studies: 1-10.
- Jedwab, Jack and Susan W. Hardwick. 2010a. "Who Wants to Come to Canada? If World's Migrants had their Way, Canada would have very considerable Brain Gain over United States," Montreal: Association for Canadian Studies.
- Jedwab, Jack and Susan W. Hardwick. 2010b. "Recession Doesn't Deter Continued Flow of Canadian Relocation in the United States," Montreal: Association for Canadian Studies: 1-4.
- Jedwab, Jack and Susan W. Hardwick. 2010c. "Ameri-can-adians: Demography and Identity of Borderland Canadians and Americans." Unpublished paper presented at an international symposium sponsored by the Association of Canadian Studies and the University of Montreal. Montreal, Quebec, Canada.
- Jones, Joseph. 2005. *Contending Statistics: The Numbers for U.S. Vietnam War Resisters in Canada*. Vancouver: Quarter Sheaf Press.
- Kasinsky, Renee. 1976. *Refugees from Militarism: Draft-age Americans in Canada*. New Brunswick, NJ: Transactions Books.
- Kobayashi, Audrey and Brian Ray. 2005. "Placing American Emigration to Canada in Context." Washington, DC: Migration Policy Institute (<http://www.migrationinformation.org/Feature/display.cfm?ID=279>).

Konrad, Victor. 2010. *Breaking Points, but No ‘Broken Border’: Stakeholders Evaluate Border Issues in the Pacific Northwest Region*. Research Report No. 10, July, 2010. Bellingham, WA: Western Washington University: 1-55.

Konrad, Victor and Heather Nicol. 2008a. *Beyond Walls: Re-inventing the Canada-United States Borderland*. Burlington, VT: Ashgate.

Konrad, Victor and Heather Nicol. 2008b. *Passports for All*. Canadian American Public Policy, Orono, ME: The Canadian-American Center, N° 74: 1-64.

Mansfield, Ginger Shaye. 2007. Canadians Among Us: Migration to the Twin Cities Urban Area. Unpublished MA thesis, Department of Geography, University of Oregon, Eugene, OR

Michalowski, Margaret and Kelly Tran. 2008. *Canadians Abroad*. Canadian Social Trends, Statistics Canada Catalog N° 11-008-X. Ottawa, Ontario: Statistics Canada.

Simpson, Jeffrey. 2000. *Star-Spangled Canadians: Canadians Living the American Dream*. Toronto, ON: Harper Collins.

Statistics Canada. 1961-2006. *Census of Population*. Ottawa: Statistics Canada.

U.S. Bureau of the Census. 1960-2007. *Census of Population*. Washington, DC: U.S. Census Bureau.

Walker, James W. 1980. *A History of Blacks in Canada*. Ottawa: Minister of State and Multiculturalism.

Widdis, Randy W. 1997a. “American Resident Migration to Western Canada at the Turn of the Century,” *Prairie Forum* 22(2): 237-262.

Widdis, Randy W. 1997b. Borders, Borderlands, and Canadian Identity: A Canadian Perspective. *International Journal of Canadian Studies* 15(1): 49-66.

Winks, Robin. 1997. *Slaves in Canada*. Montreal: McGill-Queens University Press.

#### FOOTNOTES

<sup>1</sup> The terms “U.S. immigrant” and “American immigrant” are used interchangeably in this essay (even though the term “American” actually includes all residents of the Americas, including Latin America). However, because U.S.-born immigrants are referred to as Americans in Canada, in this article this term is used to refer only to people from the U.S. (due to its popular usage as such). Data presented in this analysis of Americans in Canada and Canadians in the U.S. are counts of all “U.S.-born” and “Canadian-born.” This means that undocumented immigrants and others who are not included in data compiled by Statistics Canada and the U.S. Census Bureau in their “place of birth” tabulations are not included in these totals.

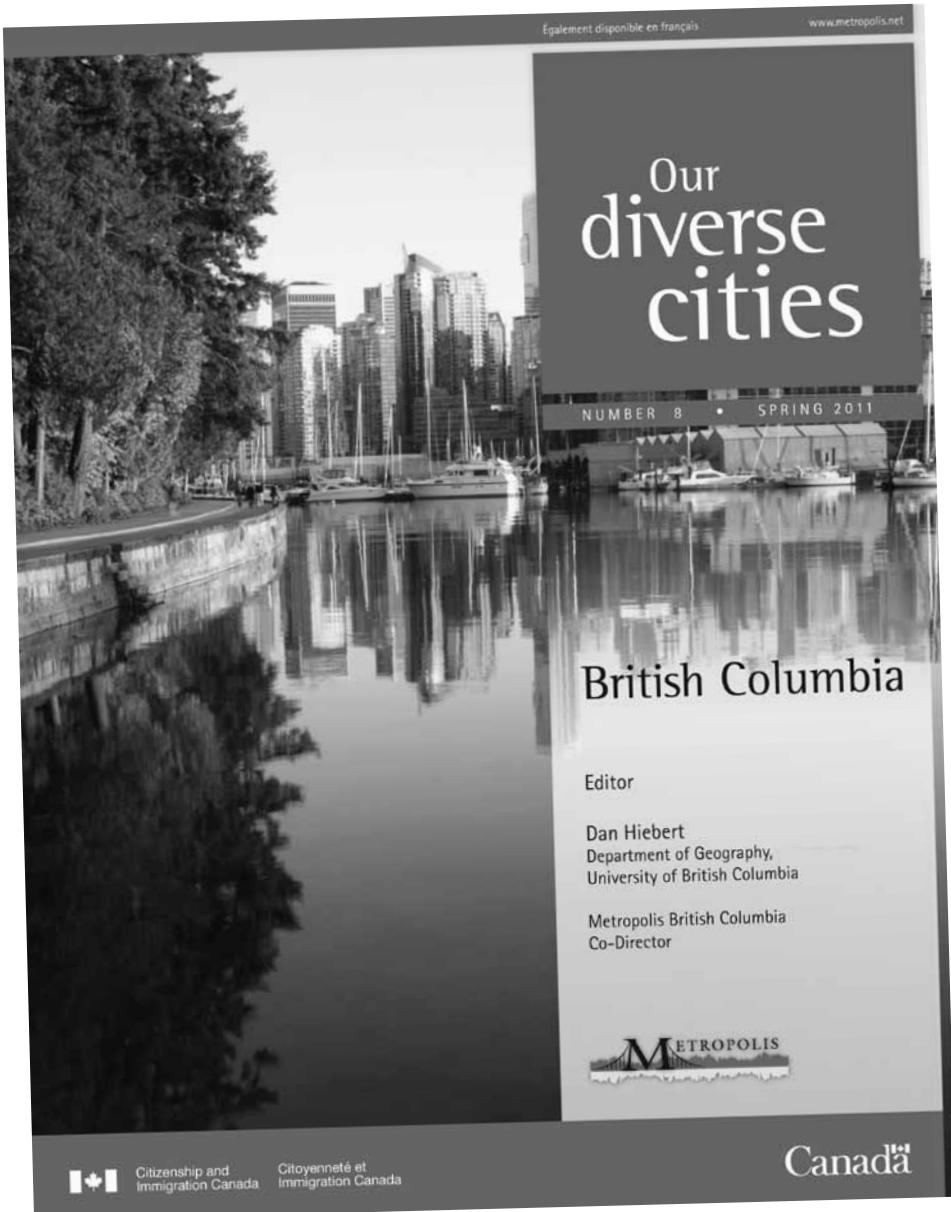
<sup>2</sup> A few notable exceptions to this dearth of published work on Americans in Canada and Canadians in the United States exist. One of the first published analyses of Americans in Canada was an online article written by Audrey Kobayashi and Brian Ray for the Migration Policy Institute. “Placing Emigration in Context” was released on January 1, 2005. It provides a look at the potential migration from the U.S. to Canada that was predicted after George Bush was re-elected as president in November, 2004 – a period of time when Conservative policies and attitudes in the U.S. made the more liberal policies and attitudes in Canada (especially as they related to social issues such as rights for gays and lesbians) more appealing for many Americans – thereby encouraging some to consider emigrating to Canada. My research for this essay also benefited from work accomplished by Randy Widdis on the historical flows of Americans at the Canada-U.S. borderland (see, for example, his “Borders, Borderlands, and Canadian Identity: A Canadian Perspective,” *International Journal of Canadian Studies* 15(1), 1997: 49-66 and “American Resident Migration to Western Canada at the Turn of the Century,” *Prairie Forum* 22(2), 1997: 237-262) and extensive research on Canadians in the United States published by Simpson (2000). I am also indebted to the many contributions of Jack Jedwab to our co-authored research and publications and the ongoing collaborative spirit of our shared interest in immigration, identity, and place at the borderlands.

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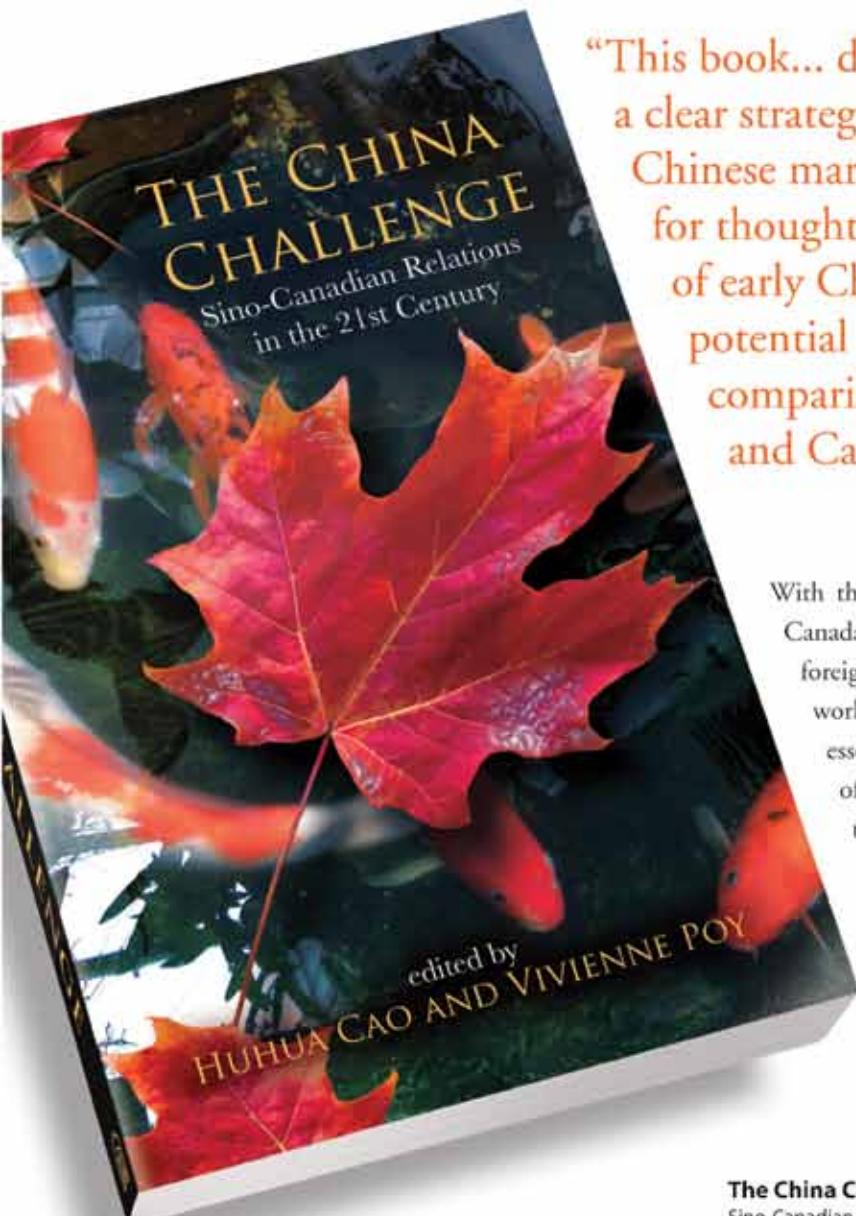
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